

RESOLUTION NO. ____

A RESOLUTION APPROVING AN INCLUSION OF PROPERTY INTO THE TUSCAN FOOTHILLS VILLAGE METROPOLITAN DISTRICT THAT IS OUTSIDE THE ESTABLISHED BOUNDARIES FOR THE DISTRICT LOCATED WEST OF CENTENNIAL BOULEVARD AND SOUTH OF CHUCKWAGON ROAD

WHEREAS, the City Council of the City of Colorado Springs approved the Service Plan for the Tuscan Foothills Village Metropolitan District (“District”) on September 27, 2016 (the “Service Plan”), by Resolution 97-16; and

WHEREAS, the Service Plan requires written consent from City Council prior to the inclusion of any property into the District that is outside of the inclusion area of the approved Service Plan; and

WHEREAS, the District has submitted a Request for Inclusion of Property dated March 18, 2022 (“Request for Inclusion”), requesting the City Council to provide written consent to include property outside its original Service Area; and

WHEREAS, City Council considered the Request for Inclusion, as well as other testimony and evidence presented at a public hearing on April 26, 2022, to determine whether to approve the District’s Request for Inclusion.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The above and foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Council hereby finds that approval of the District’s Request for Inclusion is in the best interests of the City and the District.

Section 3. The Tuscan Foothills Village Metropolitan District Request for Inclusion, attached in Exhibit 1 is hereby approved.

Section 4. With the exception of those boundary modifications specifically addressed in the Request for Inclusion, the Service Plan shall remain in full force and effect.

Section 5. City Council’s approval of the request is not a waiver of, nor a limitation any power that the City is legally permitted to exercise with respect to the property subject to the proposed District.

Section 6. No modifications to the boundaries shall become effective until the District

complies with the requirements for changing the boundaries as provided by title 32 of the Colorado Revised Statutes.

Section 7. All ordinances or resolutions, or parts thereof, in conflict with this Resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such Resolution nor revive any Resolution thereby.

Section 8. This Resolution shall be effective upon its approval by City Council.

DATED at Colorado Springs, Colorado, this _____ day of _____ 2022.

Council President

ATTEST:

Sarah Johnson, City Clerk