

**WARNING:
IT IS AGAINST THE LAW:**

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Do not sign this petition unless you are a person who owns real or personal property in the service area of the proposed district.
Do not sign this petition unless you have read and have had read to you the petition in its entirety and understand its meaning.**

**PETITION FOR THE ORGANIZATION
OF THE CREEKWALK MARKETPLACE BUSINESS
IMPROVEMENT DISTRICT WITHIN THE
CITY OF COLORADO SPRINGS, COLORADO**

The undersigned owners of taxable real or personal property within the proposed service area described in **Exhibit A**, attached hereto and made a part hereof, (the "Service Area"), hereby petition the Mayor and City Council, of the City of Colorado Springs (the "City") for the organization of the **Creekwalk Marketplace Business Improvement District** (the "District") in accordance with the provisions of the Business Improvement District Act, Part 12 of Article 25 of Title 31, C.R.S. In support of this Petition, Petitioners state:

(a) The name of the District shall be the Creekwalk Marketplace Business Improvement District.

(b) A description of the boundaries and service area of the District is in the attached **Exhibit A**. The service area shall be the commercial property within these general boundaries. Pursuant to Section 31-12-1203(10), C.R.S., the proposed service area includes property that the Petitioners request that the City, following a notice and a public hearing, designate as a location for new business or commercial development.

(c) A general description of the types of services or improvements or both to be provided by the District includes, but is not limited to:

The acquisition, construction, completion, installation, replacement and/or operation and maintenance of all of the services and improvements allowed under Colorado law for business improvement districts, including "Improvements" as that term is defined in Section 31-25-1203(5), C.R.S., services as described in Section 31-25-1212(1)(f), C.R.S., and other powers granted to such districts under Section 31-25-1212, C.R.S.

(d) The name(s) of three persons to represent the Petitioners, who have the power to enter into agreements relating to the organization of the District are:

1. Danny Mientka
2. Russell W. Dykstra
3. Leslie Larsen

(e) Pursuant to Section 31-25-1205(2), C.R.S, this petition is signed by persons who own real or personal property in the service area of the District having a valuation for assessment of not less than fifty percent (50%) of the valuation for the assessment of all real and personal

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property in the service area of the District, and who own at least fifty percent (50%) of the acreage in the District.

(f) Pursuant to Section 31-25-1205(3), C.R.S., this petition is accompanied by a bond with security provided by the governing body or a cash deposit sufficient to cover all expenses connected with the proceedings in case the organization of the District is not effected. If at any time during the organization proceedings the governing body determines that the bond first executed or the amount of the cash deposited is insufficient in amount, it may require the Petitioners to execute an additional bond or the deposit of additional cash within a time to be fixed, not less than ten (10) days thereafter, and Petitioners acknowledge that upon failure of the Petitioners to file or deposit the same, the petition may be dismissed.

(g) Pursuant to Section 31-25-1209(1)(d), C.R.S., the City may provide by ordinance for a board of directors of the District consisting of five (5) members. That the five member Board of Directors of the proposed District will be elected at an election to be held on November 3, 2015. Petitioners request that the City pass such an ordinance and that the initial board of directors be the following electors of the District:

1. Danny Mientka
2. Rebecca Mientka
3. Deirdre Aden-Smith
4. Melissa Christensen
5. Vacancy

Each member shall fulfill all statutory requirements prior to undertaking official duties.

(h) The District will have authority to create special improvement districts as provided in Section 31-25-1219, C.R.S., and may create and fund separate special improvement districts for improvements.

(i) The commercial property owners of the District request that the City, after public notice and hearing, designate the territory within the District as a location for new business or commercial development under Section 31-25-1203(10), C.R.S.

(j) Pursuant to Section 31-25-1213, C.R.S., the board of directors of the District shall have the power to issue indebtedness and to levy and collect ad valorem taxes on and against all taxable commercial property within the boundaries of the District in an amount authorized by election and allowed by the operating plan and budget to be approved by the City. The board of

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directors shall, in accordance with Sections 31-25-1214 and 39-5-128, C.R.S., certify the mill levy to the El Paso County Board of County Commissioners as appropriate.

(k) The board of directors of the District shall have all other powers as may be necessary, convenient, and authorized by statute set forth in the operating plan and budget of the District. The District shall file its operating plan and budget by September 30 of each year for approval by the City as provided by Section 31-25-1211, C.R.S.

THEREFORE, Petitioners respectfully request that the City approve the organization of the Creekwalk Marketplace Business Improvement District and adopt the ordinances and take the actions requested in the petition to provide for its effective and efficient operation.

PETITIONER:

Cheyenne Group LLC,
a Colorado limited liability company

Date of Signing: December 21, 2015

By:



Danny Mientka
as: Manager

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I, Danny Mientka, the circulator, being first duly sworn on oath, deposes and says:

That I am a registered elector of the State of Colorado and was a registered elector at the time the Petition was circulated and signed by the listed electors; that I have circulated the Petition, that each signature thereon was affixed in my presence and that each signature thereon is a signature of the person whose name it purports to be.

I further state to my best knowledge and belief the property owners whose names are subscribed to the foregoing Petition are persons who are taxpaying electors of the proposed; and that this Petition has not been disassembled while it was being circulated; and that I was not paid and will not in the future be paid and believe that no other person has paid or will pay directly, any money or thing of value to any signer for the purpose of inducing or causing the person to sign the Petition.

Date of Signing: 9/2/15

[Signature]
Signature of Affiant and Circulator

Residence Address including street name and number, city or City, county:

28 PUNTALES ROAD
COLORADO SPRINGS, COLORADO 80906

STATE OF COLORADO)
)ss.
COUNTY OF EL PASO)

This instrument was subscribed and sworn to before me this 2nd day of September 2015.

My commission expires: 5/6/2016

Rachel Rene Schipper
Notary Public

(SEAL)



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EXHIBIT A

**Legal Descriptions of the Area within the
Creekwalk Marketplace Business Improvement District**

Schedule Number: 6430212037	130 E. Cheyenne Rd., Colorado Springs, CO
Schedule Number: 6430212036	118-124 E. Cheyenne Rd., Colorado Springs, CO
Schedule Number: 6430212019	1831 Mt. Washington Ave., Colorado Springs, CO
Schedule Number: 6430212035	108 & 104 E. Cheyenne Rd., Colorado Springs, CO
Schedule Number: 6430212034	1824 S. Nevada Ave., Colorado Springs, CO