

DRAFT  
McGeady Becher P.C.  
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**SECOND AMENDMENT TO THE  
CONSOLIDATED SERVICE PLAN FOR  
COLORADO CROSSING METROPOLITAN DISTRICT NO. 1  
COLORADO CROSSING METROPOLITAN DISTRICT NO. 2  
COLORADO CROSSING METROPOLITAN DISTRICT NO. 3  
IN THE  
CITY OF COLORADO SPRINGS, COLORADO**

Prepared by  
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Approved:

Initials: \_\_\_\_\_

**Article I. PURPOSE AND INTENT**

Colorado Crossing Metropolitan District Nos. 1, 2 and 3 (the “**Districts**”) were organized and operate pursuant to a Consolidated Service Plan as approved by the City Council of the City of Colorado Springs, Colorado, on August 22, 2006 (the “**Original Service Plan**”).

The First Amendment to the Consolidated Service Plan for Colorado Crossing Metropolitan District Nos. 1, 2, and 3 (the “**First Amendment**”) was approved on October 25, 2016 and increased the Maximum Operating Mill Levy authorized to be imposed by the Districts in order to provide the Districts with the ability to generate revenues in amounts sufficient to address the increased operations and maintenance obligations of the Districts.

This Second Amendment modifies Exhibit D to the Original Service Plan and the First Amendment (the “**Second Amended Exhibit D**”) to specifically authorize the Districts to undertake and provide certain maintenance services more specifically described in the Second Amended Exhibit D.

**Article II. AMENDMENT**

A. Article I, C. Article I, Section C of the Original Service Plan provides that the primary purpose is to provide for Public Improvements associated with development and regional needs. The Original Service Plan allows the District to take on Operational activities, however, only if those activities are specified in Exhibit D to the Original Service Plan. Exhibit D of the Original Service Plan does not provide for maintenance of streets by the Districts. The Districts have constructed and anticipate constructing additional public streets within the service area of the Districts (“**District Streets**”) and the District Streets must be maintained. To the extent not accepted for perpetual ownership or maintenance by another governmental entity, the Districts may potentially own, operate and maintain certain of the District Streets. As such, Exhibit D to the Original Service Plan must be amended to include street maintenance as a permitted service to be provided by the Districts.

B. Exhibit D. Exhibit D to the Original Service Plan and the First Amendment is hereby deleted and replaced in its entirety with Attachment A attached to this Second Amendment.

C. All provisions of the Service Plan not expressly modified by this Amendment remain unchanged and in full force and effect.

D. In the event of any express conflict or inconsistency between the terms of the Original Service Plan, First Amendment and this Second Amendment, this Second Amendment shall control and govern.

**ATTACHMENT A**

**SECOND AMENDED EXHIBIT D TO THE SERVICE PLAN**

**Description of Permitted Services to be Provided by the Districts**

Description of Services	IGA Required (Yes or No)
Operation and maintenance services related to recreational facilities.	No
Operation and maintenance related to entrance features, landscaped areas, pocket parks, street trees, streetscape, and all parks.	No
Operation and maintenance services related to public parking structures.	No
Operations and maintenance of some or all District constructed and/or owned Streets.	No