

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
ELLICOTT METROPOLITAN DISTRICT  
EL PASO COUNTY, COLORADO**

A RESOLUTION CONSENTING TO THE ADOPTION OF A SERVICE PLAN FOR  
REAGAN RANCH METROPOLITAN DISTRICT NOS. 1-3, WHOSE BOUNDARIES AND  
SERVICES WILL OVERLAP WITH THE BOUNDARIES AND SERVICES OF ELLICOTT  
METROPOLITAN DISTRICT

WHEREAS, the Ellicott Metropolitan District (“Ellicott”) is a quasi-municipal corporation and political subdivision of the State of Colorado operating under Article 1 of Title 32, C.R.S.; and

WHEREAS, the boundaries of Ellicott overlap the boundaries of the (Proposed) Reagan Ranch Metropolitan District Nos. 1-3 (collectively, “Reagan Ranch”); and

WHEREAS, Section 32-1-107(2), C.R.S., provides generally that no special district may be organized wholly or partly within an existing special district providing the same service; and

WHEREAS, Section 32-1-107(3)(b)(IV), C.R.S., provides that an overlapping special district may be authorized to provide the same service as the existing special district if, among other requirements, the board of directors for the existing special district consents to the overlapping special district providing the same service; and

WHEREAS, Ellicott has received a request from the Petitioner of Reagan Ranch to permit the overlap of Reagan Ranch over certain property located within the boundaries of Ellicott pursuant to Section 32-1-107(3)(b)(IV), C.R.S.; and

WHEREAS, it is anticipated that upon formation, Reagan Ranch will be authorized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, as amended, and the District’s Service Plan to provide various public improvements and services, including but not limited to water, storm sewer, sanitation and wastewater treatment, street, transportation, traffic safety protection, television relay and translation, mosquito control, covenant enforcement, security, park and recreation, and fire protection improvements and services (collectively, the “Reagan Ranch Improvements and Services”) to support the development within Reagan Ranch’s proposed boundaries (the “Project”); and

WHEREAS, Ellicott provides certain park and recreation improvements and services, as authorized by the Special District Act, C.R.S. § 32-1-101, *et seq.*, and its Service Plan, however, Ellicott is not currently providing, nor does it intend to provide, public improvements or services that will duplicate or interfere with Reagan Ranch Improvements and Services to support the Project; and

WHEREAS, Reagan Ranch’s provision of improvements and services as provided in the Special District Act and the proposed Service Plan will not duplicate or interfere with any

improvements, facilities, or services Ellicott currently provides or that Ellicott may provide in the future; and

WHEREAS, Ellicott consents to the overlap of Reagan Ranch upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Ellicott Metropolitan District, County of El Paso, State of Colorado, that:

1. Pursuant to Section 32-1-107(3)(b)(IV), C.R.S., Ellicott hereby consents to the organization and overlapping of Reagan Ranch and to Reagan Ranch possessing the authority to provide the Reagan Ranch Improvements and Services provided that the Reagan Ranch Improvements and Services may not duplicate or interfere with any other improvements, facilities, or services existing or planned to be provided by Ellicott without the written consent of Ellicott.

2. Ellicott's consent is expressly conditioned on Reagan Ranch's compliance with the conditions stated herein. Failure by Reagan Ranch to comply with the express conditions stated herein shall nullify the consent of Ellicott to the formation and overlap of Reagan Ranch pursuant to Section 32-1-107, C.R.S. and shall entitle Ellicott to all legal and equitable remedies including recovery of damages, attorneys fees and expenses.

3. Neither Ellicott nor Reagan Ranch shall be deemed a partner, joint venture, or agent of the other.

4. Ellicott's consent is also expressly conditioned on the following: Ellicott shall continue to be entitled to receive Conservation Trust Funds, Great Outdoors Colorado Funds or other funds and grants available from or through governmental or nonprofits entities which Ellicott is eligible to apply for (collectively "CTF/GoCo Funds") based upon all properties and population within Ellicott's boundaries, including without limitation all properties and population now or in the future within the boundaries of Reagan Ranch; the future population of Reagan Ranch shall be included in the Ellicott population census for CTF/GoCo Funds. Reagan Ranch shall not apply for or accept any CTF/GoCo Funds whatsoever, even if it provides park and recreational services within its boundaries. The provisions of this Resolution shall be incorporated into the Reagan Ranch Service Plan which shall not be amended, modified, changed or terminated, in whole or part, without the prior written consent of Ellicott. Reagan Ranch shall adopt a resolution approving this Resolution, shall provide Ellicott with written approval from CTF/GoCo of this Resolution and its provisions, and shall provide any other documentation and cooperation reasonably required by Ellicott to ratify, confirm or implement the provisions of this Resolution.

Dated this 10th day of August, 2020.

**ELLICOTT METROPOLITAN DISTRICT**

By:   
President

ATTEST:

  
Secretary