

**SECOND AMENDMENT
TO
AMENDED AND RESTATED SERVICE PLAN
FOR
BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 AND 3
IN THE CITY OF COLORADO SPRINGS, COLORADO**

Prepared

By

WSDM Managers
3204 N. Academy Blvd., Ste. 100
Colorado Springs, CO 80917

and

WBA, PC
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

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I. Introduction

The original Consolidated Service Plan for Bradley Heights Metropolitan District Nos. 1-3 [originally named Rancho Colorado] was approved by the City of Colorado Springs (the “City”) on September 13, 2005, pursuant to City Resolution No. 163-05. The City approved an Amended and Restated Consolidate Service Plan on May 11, 2010, pursuant to City Resolution No. 67-10. On December 12, 2023, the City approved the limited First Amendment to the Amended and Restated Consolidated Service Plan ("First Amendment") for the Bradley Heights Metropolitan District (the “Districts”) pursuant to City Resolution No. 205-23 to amend the Maximum Operating Mill Levy for the payment of the Districts administrative, operation and maintenance expenses to what is authorized and permitted by Section G.1.2 of the City’s Special District Policy.

This limited Second Amendment to the Amended and Restated Consolidated Service Plan is submitted accordance with the requirements of Section 32-1-207(2) of Title 32, Colorado Revised Statutes, and the City’s Special District Policy, specifically Section E.19 “Limited Service Plan Amendment”. The singular purpose of this limited Second Amendment is to amend **Exhibit D** of the Amended and Restated Consolidated Service Plan describing the permitted services to be provided by the Districts to include ownership, operation and maintenance of internal alleyways located within the boundaries of the Districts.

The remainder of the Amended and Restated Consolidate Service Plan is left unchanged by this limited Second Amendment.

II. Description of Proposed Powers, Improvements and Services-Powers of the Districts and Service Plan Amendment-Operations and Maintenance Limitation [Section V.A.1]

The Districts shall not be authorized to operate and maintain any part or all of the Public Improvements after such dedication, including park and recreation improvements, unless the provision of such ongoing operation and maintenance is specifically identified in **Exhibit D** attached hereto. In the City’s sole discretion, an IGA between the City and the District may be required in order to better describe the conditions under which these permitted services will be provided by the District.

This Second Amendment amends Exhibit D as follows:

EXHIBIT D

Description of Permitted Services to be Provided by the Districts

<u>Description of Services</u>	<u>IGA Required (Yes or No)</u>
Maintenance of entry features, right-of-way landscaping, streetscapes, drainage/detention facilities, and two five-acre parks	No
Maintenance of internal alleyways located within the Districts including, but not limited to, the Bradley Heights Filing 5 alleyways: Bolte Grove, Hodges Grove, Kenney Grove, Halsip Grove, and Vanfleet Grove as shown on enclosed map	No

III. Conclusion

This limited Seconded Amendment, along with the First Amendment and the Amended and Restated Consolidated Service Plan, as required by § 32-1-203(2), C.R.S., has established that:

- (a) There is sufficient existing and projected need for organized service in the area served by the Districts (established by Amended and Restated Consolidated Service Plan);
- (b) The existing service in the area served by the Districts is/was inadequate for present and projected needs (established by Amended and Restated Consolidated Service Plan);
- (c) The Districts are capable of providing economical and sufficient service to the area within their boundaries;
- (d) The area included in the Districts does have the financial ability to discharge the outstanding and proposed indebtedness on a reasonable basis (established by Amended and Restated Consolidated Service Plan);
- (e) Adequate service is not, and will not be, available to the area through the City or County or other existing municipal or quasi-municipal corporations, including other existing special districts, within a reasonable time and on a comparable basis (established by Amended and Restated Consolidated Service Plan);
- (f) The facility and service standards of the Districts are compatible with the facility and service standards of the City within which the special district is to be located and each municipality which is an interested party under Section 32-1-204(1), C.R.S. (established by Amended and Restated Consolidated Service Plan);
- (g) The proposal is in substantial compliance with the Comprehensive Plan adopted pursuant to the City Code (established by Amended and Restated Consolidated Service Plan);
- (h) The proposal is in compliance with any duly adopted City, regional or State long- range water quality management plan for the area (established by Amended and Restated Consolidated Service Plan); and
- (i) The creation of the Districts was in the best interests of the area proposed to be served (established by Amended and Restated Consolidated Service Plan).