

RESOLUTION NO. _____-18

A RESOLUTION APPROVING AN AMENDED AND RESTATED SERVICE PLAN FOR THE BANNING LEWIS RANCH REGIONAL METROPOLITAN DISTRICT No. 2

WHEREAS, Section 32-1-207, C.R.S., provides that no special district may materially modify its service plan except upon petition to the governing body of the municipality within which the special district lies and adoption of a resolution of approval by such governing body; and

WHEREAS, pursuant to the provisions of Title 32, Colorado Revised Statutes, and pursuant to proper notice having been provided as required by law, the City Council held a public hearing and approved a Service Plan (the "First Amended and Restated Service Plan") for the Banning Lewis Ranch Regional Metropolitan District (the "District") (by Resolution No. 100-10), and a Second Amended and Restated Service Plan for the Banning Lewis Ranch Regional Metropolitan District (by Resolution 39-18)

WHEREAS, Clayton Properties Group II Inc., d/b/a Oakwood Homes has petitioned the City to approve an Amended and Restated Service Plan for Banning Lewis Ranch Regional Metropolitan District No. 2- formerly Banning Lewis Ranch Metropolitan District No. 7 ("Amended and Restated Service Plan"); and

WHEREAS, the petitioner submitted for review and City Council reviewed the Amended and Restated Service Plan; and

WHEREAS, City Council considered this Amended and Restated Service Plan, as well as all other testimony and evidence presented at a properly noticed and duly held public hearing on August 28, 2018, to determine whether to approve the proposed Amended and Restated Service Plan for .

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 Amended and Restated Service Plan is in the best interests of the City and the District.

Section 3. The Amended and Restated Service Plan as attached in Exhibit 1 hereto and incorporated by reference herein is hereby approved.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2018.

Council President

ATTEST:

Sarah B. Johnson, City Clerk