

RESOLUTION NO. 33 - 26

A RESOLUTION OF THE CITY OF COLORADO SPRINGS
CONSENTING TO THE DISSOLUTION OF THE
EVERGREEN RIDGE METROPOLITAN DISTRICT

WHEREAS, by Resolution No. 135-23, the City Council approved the Special District Policy on January 24, 2006 (the "Policy"), a City Financial Policy Regarding the Use of Districts providing for certain financial and other limitations in the use of special districts as an available method in financing public infrastructure; and modifying metropolitan districts; and

WHEREAS, the City originally approved a service plan creating the Evergreen Ridge Metropolitan District (the "District") on September 26, 2023 by Resolution No. 135-23; and

WHEREAS, the Board of Directors of the District (the "Board") has determined it is in the best interest of the District to file a Petition for Dissolution with the El Paso County District Court pursuant to §§ 32-1-701, et seq., of the C.R.S. as set forth in the attached Resolution of the Board of Directors of Evergreen Ridge Metropolitan District approving the Dissolution of the Evergreen Ridge Metropolitan District dated February 24, 2026, incorporated herein by reference (the "Board's Dissolution Resolution"); and

WHEREAS, as represented in the Board's Dissolution Resolution, the District does not have any outstanding bonds, indebtedness or other financial obligations and it does not provide any services pursuant to the Service Plan, and the District has no assets; and

WHEREAS, § 32-1-704(3)(b), C.R.S., provides that a district court may enter an order dissolving a metropolitan district without an election if (i) the district lies wholly within a municipality, (ii) the district has no financial obligations or outstanding bonds, and (iii) the metropolitan district's board and the governing body of the municipality consent to the dissolution.

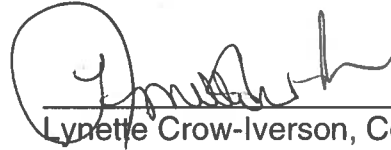
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

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. City Council hereby consents to the dissolution of the District.

Section 3. This resolution shall be effective upon its approval by City Council.

DATED at Colorado Springs, Colorado, this 28th day of April 2026.



Lynette Crow-Iverson, Council President

ATTEST:



Sarah B. Johnson, City Clerk



**RESOLUTION
OF THE BOARD OF DIRECTORS
OF THE
EVERGREEN RIDGE METROPOLITAN DISTRICT**

**APPROVING THE DISSOLUTION OF THE EVERGREEN RIDGE METROPOLITAN
DISTRICT**

WHEREAS, Evergreen Ridge Metropolitan District (the “**District**”) was duly and validly organized pursuant to an order and decree of the District Court of El Paso County, Colorado as a metropolitan district in accordance with all applicable law; and

WHEREAS, the District’s boundaries are located wholly within the City of Colorado Springs (the “**City**”) and are more particularly described and set forth in **Exhibit A**, attached hereto and incorporated herein by this reference; and

WHEREAS, the District operates pursuant to a service plan, as approved by the City Council of the City on September 26, 2023 (the “**Service Plan**”) in which the District was authorized to provide certain public improvements for the Evergreen Ridge community (the “**Project**”); and

WHEREAS, the Service Plan provides that the District shall take all action necessary to dissolve pursuant to §§ 32-1-701, *et seq.*, C.R.S., if and in the event the District does not need to remain in existence to operate and maintain the public improvements as contemplated in the Service Plan (the “**Public Improvements**”); and

WHEREAS, the District provides no services to properties within its boundaries and does not contemplate providing services within or without its boundaries in the future; and

WHEREAS, because the District provides no facilities or services and has no outstanding obligations, there is no need for the District to continue in existence; and

WHEREAS, the District’s accountant has confirmed that the District has no financial obligations and will provide a certificate confirming this position for filing with the court; and

WHEREAS, the costs associated with maintaining the District in compliance with Colorado law far exceed the benefits it provides and far exceed its revenue raising abilities to cover those costs; and

WHEREAS, pursuant to § 32-1-701(1), C.R.S., whenever the majority of all of the members of the board deem it to be in the best interests of the district that it be dissolved, the board may file a petition for dissolution with the court; and

WHEREAS, § 32-1-704(3)(b), C.R.S., provides that an order dissolving a special district may be entered without an election if the special district lies wholly within the corporate limits of

the municipality, if the special district has no financial obligations or outstanding bonds, and if the special district board and the governing body of the municipality to the dissolution; and

WHEREAS, for the reasons set forth herein, the majority of all of the members of the Board deem it to be in the best interest of the District to dissolve.

NOW, THEREFORE, it is hereby RESOLVED by the Board as follows:

1. Pursuant to and in accordance with § 32-1-701(1), C.R.S., a majority of all of the members of the Board deem it to be in the best interests of the District that the District be dissolved.

2. The District's general counsel, WBA, PC, is hereby directed to prepare a petition and plan for dissolution pursuant to § 32-1-702(1), C.R.S., to file such petition with the District Court in and for El Paso County, Colorado, and to prepare all other documentation and undertake all actions necessary for the dissolution of the District pursuant to Colorado law, including but not limited to, requesting the City's consent to the dissolution of the District, pursuant to § 32-1-704(3)(b), C.R.S.

3. The District's accountant is hereby directed to prepare a current financial statement of the District and a plan for final disposition of assets of the District and for payment of the financial obligations of the District, and to assist the District's general counsel in the preparation of all other documentation and undertake all actions necessary for the dissolution of the District pursuant to Colorado law.

4. The President and/or any other officer of the Board shall have the power and authority to execute all documents necessary to effectuate the District's dissolution and any officer shall have the power and authority to attest to such execution. Such documents shall include, without limitation, a financial certificate demonstrating that the District has no financial obligations or outstanding bonds, and all documents necessary for the final disposition of the District's assets.

5. Upon dissolution, the District's Board of Directors shall immediately and permanently dissolve and none of the members thereof shall continue in office.

[Remainder of page intentionally left blank.]

ADOPTED THIS 24TH DAY OF FEBRUARY, 2026.

EVERGREEN RIDGE METROPOLITAN DISTRICT

Kacy Flemons

Officer of the District