

RESOLUTION NO. 2016-

A RESOLUTION APPROVING THE HILLSIDE AT CASTLE ROCK METROPOLITAN DISTRICT SERVICE PLAN AND MASTER INTERGOVERNMENTAL AGREEMENT

WHEREAS, pursuant to the Special District Act and Chapter 11.02 of the Castle Rock Municipal Code (the “Code”), a Service Plan for Hillside at Castle Rock Metropolitan District (the “District”) has been received and processed by the administration staff,

WHEREAS, the Service Plan has been reviewed and public hearings held in accordance with the Special District Act and the Code, and the Town Council finds that the Service Plan meets the requirements of the Special District Act and Code in that:

- the Service Plan contains the information and related submittals required under §32-1-202 of the Special District Act and the Code;
- there is sufficient existing and projected need for the service described and authorized in the Service Plan;
- the Town will not extend an unconditional service commitment to the area within the District and therefore existing service in the District is inadequate for present and projected needs and adequate service will not be available from any other governmental or quasi-governmental entity within a reasonable time or on a comparable basis;
- the District is capable of providing economical and sufficient service to the area within its boundaries;
- the properties within the District will have the financial ability to discharge the proposed indebtedness on a reasonable basis, based upon the financial projections furnished by the District;
- the facility and service standards of the District as proposed are compatible with comparable Town standards;
- the Service Plan is in substantial compliance with the Town’s Comprehensive Master Plan and county, regional or state long-range water quality management plan, if any, for the District; and
- approval of the Service Plan will be in the best interest of the area within the District.

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF
THE TOWN OF CASTLE ROCK AS FOLLOWS:**

Section 1. Approval. The Service Plan for the Hillside at Castle Rock Metropolitan District dated _____, 2016 is approved in accordance with the Special District Act and Chapter 11.02 of the Castle Rock Municipal Code. Corrections and minor changes to the Service Plan may be made with concurrence of the Town Manager and Town Attorney.

Section 2. Intergovernmental Agreement. The District's authorization under the Service Plan to construct capital facilities or issue bonds or other debt under the Service Plan shall be subject to and conditioned upon the approval of the respective governing bodies of the Town and District of a Master Intergovernmental Agreement.

Section 3. No Representation. The Town's approval of the Service Plan does not in any manner constitute a representation by the Town that the District will necessarily achieve the development and financial projections set forth in the Service Plan.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2016, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading by a vote of _____ for and _____ against.

ATTEST:

TOWN OF CASTLE ROCK

Sally A. Misare Town Clerk

Paul Donahue, Mayor

Approved as to form:

Robert J. Slentz, Town Attorney