

RESOLUTION NO. 2018-

**A RESOLUTION APPROVING FIRST AMENDMENT TO SERVICE PLAN FOR THE
HILLSIDE AT CASTLE ROCK METROPOLITAN DISTRICT**

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

WHEREAS, the First Amendment to Service Plan for Hillside at Castle Rock Metropolitan District (“First Amendment”) has been reviewed and public hearings held in accordance with the Special District Act and the Code, and the Town Council finds that the First Amendment, together with the Service Plan approved May 3, 2016 (“Service Plan”) meets the requirements of the Special District Act and the Code in that:

- the First Amendment, together with 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 First Amendment and 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 First Amendment 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, COLORADO AS FOLLOWS:**

Section 1. Approval. The First Amendment to the Service Plan for the Hillside at Castle Rock Metropolitan District, in the form attached as ***Exhibit 1*** is hereby approved in accordance with the Special District Act and Chapter 11.02 of the Castle Rock Municipal Code. Corrections and minor changes to the First Amendment may be made with concurrence of the Town Manager and the Town Attorney.

Section 2. Intergovernmental Agreement. The District's authorization under the Service Plan and First Amendment to construct capital facilities or issue bonds or other debt under the Service Plan and First Amendment shall continue to be subject to and conditioned upon the Master Intergovernmental Agreement between the Town and District dated February 1, 2017.

Section 3. No Representation. The Town's approval of the First Amendment 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 _____, 2018 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

Lisa Anderson, Town Clerk

Jennifer Green, Mayor

Approved as to form:

Robert J. Slentz, Town Attorney