

RESOLUTION NO. 2020-__

**A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE
AMENDED AND RESTATED CONSOLIDATED SERVICE PLAN FOR
CRYSTAL VALLEY METROPOLITAN DISTRICT NOS. 1 AND 2**

WHEREAS, on November 21, 2001, the Town Council approved the Amended Consolidated Service Plan for Crystal Valley Metropolitan District No. 1 and Crystal Valley Metropolitan District No. 2 (collectively, the “Districts”); and

WHEREAS, on May 6, 2014, the Town Council approved the First Amendment to the Amended and Restated Consolidated Service Plan for the Districts; and

WHEREAS, a Second Amendment to the Amended and Restated Consolidated Service Plan (the “Second Amendment”) has been submitted to the Town Council in accordance with Part 2, Article 1, Title 32, C.R.S., and Section 11.02.080 of the Town of Castle Rock Municipal Code (the “Municipal Code”); and

WHEREAS, a neighborhood meeting was held on June 24, 2020 at which Crystal Valley residents and property owners were invited to discuss the proposed Second Amendment; and

WHEREAS, the Town Council held a public hearing on the proposed Second Amendment on July 21, 2020; and

WHEREAS, the public hearing on the proposed Second Amendment was noticed in substantial compliance with the requirements of Sections 32-1-204(1) and (1.5), C.R.S., and Section 11.02.170 of the Municipal Code; and

WHEREAS, the Town Council has considered the Second Amendment and all other testimony and evidence presented at the hearing.

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

Section 1. The Town Council, as the governing body of the Town of Castle Rock, Colorado, has jurisdiction over the subject matter pursuant to Title 32, Article 1, Part 2, C.R.S., as amended.

Section 2. The Town Council determines that all of the requirements of Title 32, Article 1, Part 2, C.R.S., as amended, and the Municipal Code relating to the filing of the proposed First Amendment have been fulfilled.

Section 3. The Town Council has considered the criteria set forth in Sec. 11.02.080 of the Municipal Code and finds and determines that the proposed Second Amendment is in substantial compliance with Chapter 11.02 of the Municipal Code, and that all pertinent facts,

matters and issues were submitted at the public hearing; that notice of the hearing was duly given, and that all interested parties were heard or had the opportunity to be heard.

Section 4. The proposed Second Amendment to the Amended and Restated Consolidated Service Plan for Crystal Valley Metropolitan District Nos. 1 and 2, attached to this Resolution as Exhibit A and dated July 21, 2020, is hereby approved without condition.

Section 5. The action of the Town Council in approving the Second Amendment to the Amended and Restated Consolidated Service Plan for Crystal Valley Metropolitan District Nos. 1 and 2 is in lieu of a quinquennial finding of reasonable diligence pursuant to §32-1-1101.5, C.R.S. Consequently, the next quinquennial application for the Crystal Valley Ranch Metropolitan District Nos. 1 and 2 shall be due in 2025.

Section 6. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

Section 7. This Resolution shall take effect immediately upon adoption by the Town Council of the Town of Castle Rock.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2020, 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

Jason Gray, Mayor

Approved as to form:

Michael J. Hyman, Town Attorney