

CITY OF WHEAT RIDGE, COLORADO
RESOLUTION NO. 18
Series of 2012

TITLE: A RESOLUTION APPROVING THE SERVICE PLAN FOR WARD TOD METROPOLITAN DISTRICTS 1-3

WHEREAS, pursuant to Sections 32-1-204.5 and 32-1-205, C.R.S., as amended, a Service Plan for the proposed Ward TOD Metropolitan Districts 1-3 was filed with the City of Wheat Ridge by the owners of 100% of the property proposed to be included within the said districts; and

WHEREAS, on or about March 27, 2012 the said property owners filed a revised Service Plan (the "Service Plan") containing certain changes and modifications as recommended and supported by the City Staff; and

WHEREAS, the City Council held a public hearing on the Service Plan on April 9, 2012; and

WHEREAS, notice of the hearing before the City Council was duly published in the Denver Post on March 22, 2012 and in the Wheat Ridge Transcript on March 22, 2012 and was sent to the governing body of each municipality and special district within a radius of three miles of the proposed special district's boundaries that have levied an *ad valorem* tax within the next preceding tax year; and

WHEREAS, the City Council has considered the Service Plan, and all testimony and other evidence presented at the hearing; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wheat Ridge, Colorado, as follows:

1. The above and foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the City Council.
2. The City Council further finds and determines that all applicable requirements of part 2, article 1, title 32, Colorado Revised Statutes, relating to the filing of the Service Plan and the consideration thereof by the City Council, have been met.
3. Based upon evidence presented in the Service Plan and at the hearing, the City Council hereby determines as follows:
 - a. There is sufficient existing and projected need for organized service in the area to be served by the Districts;
 - b. The existing service in the area to be served by the Districts is inadequate for present and projected needs;

- c. The Districts are capable of providing economical and sufficient service to the area within its boundaries;
- d. The area to be included in the Districts has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;
- e. Adequate service is not, and will not be, available to the area through the City, or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis;
- f. The facility and service standards of the Districts are compatible with the facility and service standards of the City within which the Districts are to be located and each municipality which is an interested party under Section 32-1-204(1), C.R.S.;
- g. The proposal is in substantial compliance with a master plan adopted pursuant to Section 30-28-108, C.R.S.;
- h. The proposal is in compliance with any duly adopted city, county, regional, or state long-range water quality management plan for the area; and
- i. The creation of the Districts will be in the best interests of the area proposed to be served.

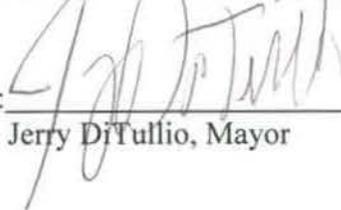
4. The City Council does hereby approve the Service Plan for the Ward TOD Metropolitan Districts 1-3 as submitted to the City on March 27, 2012.

5. A certified copy of this Resolution shall be filed in the records of the City and submitted to the petitioners for the purpose of filing in the District Court of Jefferson County.

6. All resolutions or parts thereof in conflict with the provisions hereof shall be and the same are hereby repealed.

Done this 9th day of April, 2012, at Wheat Ridge, Colorado.

CITY COUNCIL OF THE
CITY OF WHEAT RIDGE,
JEFFERSON COUNTY, COLORADO

By: 
Jerry DiTullio, Mayor

ATTEST:


Janelle Shaver, City Clerk

