

**CITY OF WHEAT RIDGE, COLORADO  
RESOLUTION NO. 43  
Series of 2018**

**TITLE: A RESOLUTION APPROVING THE AMENDED AND  
RESTATED SERVICE PLAN FOR LONGS PEAK  
METROPOLITAN DISTRICT**

**WHEREAS**, the Longs Peak Metropolitan District ("District") was organized pursuant to the Colorado Special District Act §§ 32-1-101, *et seq.*, C.R.S.; and

**WHEREAS**, the City Council for the City of Wheat Ridge ("City"), as the District's governing body, approved the District's Service Plan ("2006 Service Plan") by the adoption of City of Wheat Ridge Resolution No. 09, Series of 2006 on March 13, 2006; and

**WHEREAS**, the 2006 Service Plan provided for the District's provision and financing of public improvements and services for the development of a commercial retail center (the "2006 Project"); and

**WHEREAS**, some of the 2006 Service Plan's proposed public improvements were constructed but the 2006 Project was never completed; and

**WHEREAS**, a new mixed-use project has been proposed for the 2006 Project site (the "CCC Project"); and

**WHEREAS**, the District's provision and financing of the public improvements and services for the CCC Project will materially differ from the 2006 Service Plan; and

**WHEREAS**, the District has petitioned the City to approve an Amended and Restated Service Plan that generally sets forth how the District may provide and finance public improvements and services for the CCC Project (the "2018 Service Plan").

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

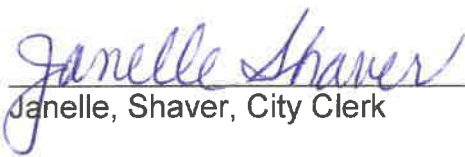
1. The above and foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the City.
2. The City further finds and determines that all applicable requirements of § 32-1-207 (2)(a), C.R.S. relating to the petitioning of the 2018 Service Plan and the consideration thereof by the City, have been met.
3. Based upon the 2018 Service Plan, the City hereby determines as follows:
  - a. The 2018 Service Plan meets the requirements of § 32-1-202 (2), C.R.S.

- b. The CCC Project and 2018 Service Plan demonstrate a sufficient existing and projected need for the District's provision of organized service.
  - c. Without the District, the existing service in the area is inadequate to serve the present and projected needs of the CCC Project and other property within the District's boundaries.
  - d. The District is capable of providing economical and sufficient service to the area within its boundaries.
  - e. The area included within the District's boundaries and financing mechanisms contemplated in the 2018 Service Plan have, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.
  - f. Adequate service is not, or will not be, available to the area through the City or other existing municipal or quasi-municipal corporations, including other existing special districts, within a reasonable time and on a comparable basis.
  - g. The facility and service standards of the District are compatible with the facility and service standards of the City.
  - h. The 2018 Service Plan is in compliance with any duly adopted master plan.
  - i. The 2018 Service Plan is in compliance with any duly adopted county, regional, or state long-range water quality management plan for the area.
  - j. The park and recreation facilities, improvements and services furnished and to be furnished by the District do not duplicate or interfere with facilities, improvements or services already provided or to be provided within the District by the Prospect Recreation and Park District.
  - k. Approval of the 2018 Service Plan is in the best interest of the City, its taxpayers, the property to be served by the District and the owners thereof.
4. Pursuant to §§ 32-1-207 (2)(a) and 204.5(1), C.R.S., the City does hereby approve the 2018 Service Plan as submitted to the City on June 20, 2018.
  5. A certified copy of this Resolution shall be attached to the 2018 Service Plan as Exhibit G, filed in the records of the City, and submitted to the District's Board of Directors for the purpose of filing in the District Court of Jefferson County and other filings required by law.
  6. All resolutions or parts thereof in conflict with the provisions hereof shall be and the same are hereby repealed.

**DONE AND RESOLVED** this 9th day of July, 2018.

By:   
Bud Starker, Mayor

ATTEST:

  
Janelle, Shaver, City Clerk

