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El Paso County Planning & Community Development

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Board of County Commissioners

Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 7/18/2023
RE: ID-23-002, 4-Way Commercial Metropolitan District

Project Description

A request by KO1515, LLC, and Icenogle Seaver Pogue P.C. for approval of a Colorado Revised Statutes Title 32 Special District service plan for the 4-Way Commercial Metropolitan District. The 67-acre area included within the request is zoned CS (Commercial Service). The property is located directly west of the intersection of Highway 24 and Stapleton Road. The subject property encompasses land that is situated on the north and south side of Stapleton Road.

The proposed service plan includes the following: a maximum debt authorization of \$36,685,000.00, a debt service mill levy of 50 mills for commercial, a special purposes mill levy of 5 mills, and an operations and maintenance mill levy of 10 mills, for a total maximum combined commercial mill levy of 65 mills. The statutory purposes of the district include the provision of the following: 1) street improvements, safety protection; 2) design, construction, and maintenance of drainage facilities; 3) design, land acquisition, construction, and maintenance of recreation facilities; 4) mosquito control; 5) design, acquisition, construction, installation, and operation and maintenance of television relay and translation facilities; 6) covenant enforcement; and 7) design, construction, and maintenance of public water including fire hydrant systems, and sanitation systems. 8) solid waste removal. The Planning Commission recommended approval (5-1), questions about agreement with the intent of the service plan were brought up by Ms. Fuller.

Notation

Please see the project manager's staff report for staff analysis. Condition No. 1 was modified at the Planning Commission to add language regarding the Assessment Rate Adjustment at the request of the applicant's legal counsel. The signed Planning Commission Resolution reflects the changed condition.

Planning Commission Recommendation and Vote

Mr. Schuettpelz moved / Ms. Jack seconded for approval, for the Special District service plan for the 4-Way Commercial Metropolitan District, utilizing the resolution attached to the staff report, with seven (7) conditions and two (2) notations, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (5-1)**. The item was heard as a regular agenda item.

Discussion

Ms. Fuller noted nay, and commented that the proposed District does not meet the intent of the County's Special District Policies, exceeding the 65 mill levy cap. The parcel would be encumbered by both the 4-Way Ranch Metropolitan District No. 1 at 50 mills and the proposed District at 65 mills.

Attachments

- | | |
|---------------------------------------------------|-------------------------------------|
| 1. Signed Planning Commission Resolution | 3. Planning Commission Staff Report |
| 2. Planning Commission Minutes from June 15, 2023 | 4. Draft BoCC Resolution |

SPECIAL DISTRICT SERVICE PLAN (Recommend Approval)

SCHUETTPELZ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. ID-23-002

4-WAY COMMERCIAL METROPOLITAN DISTRICT

WHEREAS, KO1515, LLC, did file an application with the Planning and Community Development Department of El Paso County, pursuant to § 32-1-204 (2), Colorado Revised Statutes (C.R.S.), for the review of a draft service plan for 4-Way Commercial Metropolitan District for property more particularly described in Exhibit A, which is attached hereto and incorporated by reference; and

WHEREAS, a public hearing was held by this Commission on June 15, 2023; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, study of the proposed service plan for 4-Way Commercial Metropolitan District, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, and comments from all interested persons, and comments by the El Paso County Planning Commission during the hearing, this Commission finds as follows:

1. That the application for the draft service plan for the Special District was properly submitted for consideration by the Planning Commission.
2. That proper posting, publication and public notice were provided as required by law for the hearing before the Planning Commission.
3. That the hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested persons were heard at that hearing.
4. That all exhibits were received into evidence.

5. That there is sufficient existing and projected need for organized service in the area to be served by the proposed Special District.
6. That existing service in the area to be served by the proposed Special District is inadequate for present and projected needs.
7. That the proposed Special District is capable of providing economical and sufficient service to the area within its proposed boundaries.
8. That the area to be included in the proposed Special District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.
9. That adequate service is not, or will not be, available to the area through the County, other existing municipal or quasi-municipal corporations, including existing Special Districts, within a reasonable time and on a comparable basis.
10. That the facility and service standards of the proposed Special District are compatible with the facility and service standards of each County within which the proposed Special District is to be located and each municipality which is an interested party as defined in C.R.S. § 32-1-204 and the El Paso County Land Development Code.
11. That the proposal is in substantial compliance with a Master Plan adopted pursuant to C.R.S. § 30-28-106.
12. That the proposal is in compliance with any duly adopted County, regional or state long-range water quality management plan for the area.
13. That the creation of the proposed Special District will be in the best interests of the area proposed to be served.

NOW, THEREFORE, BE IT RESOLVED that the El Paso County Planning Commission recommends the service plan for 4-Way Commercial Metropolitan District be approved for the following, subject to the following:

CONDITIONS OF APPROVAL

1. As stated in the proposed service plan, the maximum combined mill levy shall not exceed 65 mills for any property within the 4-Way Commercial Metropolitan District, with no more than 50 mills devoted to commercial debt service, no more than 10 mills devoted to operations and maintenance, no more than 5 mills for special purpose, all subject to Assessment Rate

Adjustment, unless the District receives Board of County Commissioner approval to increase the maximum mill levy.

2. As stated in the attached service plan, the maximum authorized debt for the 4-Way Commercial Metropolitan District shall be limited to \$36,685,000.00 until and unless the District receives Board of County Commissioner approval to increase the maximum authorized debt.
3. Approval of the service plan for the 4-Way Commercial Metropolitan District includes the ability of the District to use eminent domain powers for the acquisition of property to be owned, controlled, or maintained by the District or another public or non-profit entity and is for the material use or benefit of the general public. The District may not use the power of eminent domain without prior approval by the Board of County Commissioners at a publicly noticed hearing after a showing that the use of eminent domain is necessary in order for the District to continue to provide service(s) within the District's boundaries and that there are no other alternatives that would not result in the need for the use of eminent domain powers.
4. The 4-Way Commercial Metropolitan District shall provide a disclosure form to future purchasers and or lessors of property in a manner consistent with the approved Special District Annual Report form. The developer(s) shall provide written notation on each subsequent final plat associated with the development of the annually filed public notice. County staff is authorized to administratively approve updates to the disclosure form to reflect current contact information and calculations.
5. The 4-Way Commercial Metropolitan District is expressly prohibited from creating separate sub-districts except upon prior notice to the Board of County Commissioners, and subject to the Board of County Commissioners' right to declare such creation to be a material modification of the service plan, pursuant to C.R.S. § 32-1-1101(1)(f)(I).
6. Approval of this application shall not constitute relinquishment or undermining of the County's authority to require the developer to complete subdivision improvements as required by the Land Development Code and Engineering Criteria Manual and to require subdivision improvement agreements or development agreements and collateral of the developer to guarantee the construction of improvements.
7. Any future proposed development of right-of-way that creates a division of land less than 35 acres within the subject parcels will require approval of final plat(s), and such final plat(s) must be recorded prior to undertaking land disturbing activities, excluding pre-subdivision site grading stand-alone request.

NOTATIONS

1. Approval of this service plan shall in no way be construed to infer a requirement or obligation of the Board of County Commissioners to approve any future land use requests within the boundaries of the District.
2. Any expansions, extensions, or construction of new facilities by the 4 Way Commercial Metropolitan District will require prior review by the Planning and Community Development Department to determine if such actions are subject to the requirements of Appendix B of the Land Development Code, Guidelines and Regulations for Areas and Activities of State Interest (a.k.a. "1041 Regulations").

AND BE IT FURTHER RESOLVED that this Resolution and Recommendations be forwarded to the Board of County Commissioners of El Paso County for its consideration.

BRITTAIN - JACK seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Thomas Bailey	aye / no / non-voting / recused / <u>absent</u>
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	aye / <u>no</u> / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / <u>absent</u>
Brandy Merriam	aye / no / non-voting / recused / <u>absent</u>
Eric Moraes	<u>aye</u> / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / <u>absent</u>
Joshua Patterson	aye / no / non-voting / recused / <u>absent</u>
Bryce Schuettpelz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	aye / no / <u>non-voting</u> / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / <u>absent</u>
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

The Resolution was adopted by a vote of 5 to 1 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 15th day of June 2023 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
Jay Carlson, Vice-Chair

EXHIBIT A

LEGAL DESCRIPTION: 4 WAY COMMERCIAL METROPOLITAN DISTRICT

OVERALL INITIAL INCLUSION AREA:

For the portion of the property located north of Stapleton Drive

Description:

A tract of land in the Southwest Quarter of Section 28 and the Northwest Quarter of Section 33 Township 12 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at the Northeast Corner of the Northwest Quarter of said Section 33; thence S 00°32'40" E 531.35 feet along the East Line of the Northwest Quarter of said Section 33; thence S 45°52'34" W 18.02 feet to the North right of way line of Stapleton Drive; thence along the North right of way line of Stapleton Drive the following 2 courses,

Course 1: N 43°41'10" W 344.15,

Course 2: On a curve to the left with a radius of 1405.00 feet, an arc distance of 1127.25 feet, chord being N 66°37'01" W 1097.26 feet; thence N 00°02'16" E 472.31 feet; thence S 33°06'23" W 38.23 feet; thence S 47°20'54" E 86.31 feet; thence S 64°11'25" E 94.79 feet; thence S 80°44'44" E 101.96 feet; thence S 61°15'34" E 141.09 feet; thence N 82°37'58" E 108.63 feet; thence S 88°02'18" E 52.46 feet; thence S 80°29'21" E 62.10 feet; thence S 64°44'27" E 28.07 feet; thence S 72°25'24" E 39.10 feet; thence N 80°32'12" E 53.40 feet; thence N 62°41'35" E 59.14 feet; thence N 68°54'08" E 67.16 feet; thence N 81°40'20" E 79.00 feet; thence N 89°54'58" E 64.36 feet; thence S 50°43'58" E 50.43 feet; thence N 38°28'19" E 283.60 feet; thence on a curve to the right with a radius of 640.00 feet, an arc distance of 65.22 feet, chord being N 41°25'43" E 65.19 feet to the East Line of the Southwest Quarter of said Section 28; thence S 00°26'34" E 685.50 feet to the point of beginning, **containing 15.5 acres.**

Subject to easements and restrictions of record

For the portion of the property located south of Stapleton Drive

Description:

A tract of land in the Northwest Quarter of Section 33 Township 12 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at a point that is S 00°32'40" E 1248.74 feet and S 89°27'20" W 756.12 feet from the Northeast Corner of the Northwest Quarter of said Section 33; thence S 89°21'54" W 518.84 feet to a capped PLS 38254 rebar; thence S 89°05'22" W 196.52 feet to a capped PLS 38254 rebar; thence S 89°24'38" W 346.20 feet to a capped PLS 38254 rebar; thence S 00°17'22" E 39.41 feet to capped PLS 38254 rebar; thence N 89°52'17" W 237.85 feet to the Southwest Corner of Lot 13, 4 Way Ranch Filing No. 1 as platted in the El Paso County Records under Reception No. 206712416; thence along the Easterly Line of said Lots 13 and 14, 4 Way Ranch Filing No. 1, the following 13 courses,

Course 1: N 02°32'27" E 104.58 feet,

Course 2: N 17°20'56" W 90.67 feet,

Course 3: N 33°10'19" W 117.65 feet,

Course 4: N 46°32'54" W 111.92 feet,

Course 5: N 45°38'56" W 135.29 feet,
Course 6: N 37°49'00" W 77.43 feet,
Course 7: N 69°33'24" W 63.38 feet,
Course 8: N 81°58'46" W 73.71 feet,
Course 9: N 64°01'48" W 66.05 feet,
Course 10: N 40°22'05" W 60.18 feet,
Course 11: N 27°05'02" W 46.89 feet,
Course 12: N 03°48'16" E 78.58 feet,
Course 13: N 09°33'20" E 72.86 feet to the South right of way line of Stapleton Drive; thence along the Southerly Line of Stapleton Drive the following 9 courses,

Course 1: N 64°28'13" E 855.66 feet,
Course 2: On a curve to the right with a radius of 1275.00 feet, an arc distance of 1198.14 feet, chord being S 88°55'14" E 1154.54 feet,
Course 3: On a curve to the right with a radius of 20.00 feet, an arc distance of 33.70 feet, chord being S 13°43'29" E 29.85 feet,
Course 4: S 34°33'01" W 79.10 feet,
Course 5: S 55°26'59" E 100.11 feet,
Course 6: N 34°33'01" E 87.29 feet,
Course 7: On a curve to the right with a radius of 20.00 feet, an arc distance of 31.37 feet, chord being N 79°29'01" E 28.25 feet,
Course 8: On a curve to the right with a radius of 1275.00 feet, an arc distance of 266.18 feet, chord being S 49°36'31" E 265.70 feet,
Course 9: S 43°41'10" E 345.14 feet; thence
S 45°58'32" W 894.27 feet to the point of beginning, containing **51.6 acres**.

Subject to easements and restrictions of record.

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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting
Thursday, June 15, 2023
El Paso County Planning and Community Development Department
2880 International Circle – Second Floor Hearing Room
Colorado Springs, Colorado

REGULAR HEARING, 11:00 A.M.

PC MEMBERS PRESENT AND VOTING: SARAH BRITAIN JACK, JAY CARLSON, BECKY FULLER, ERIC MORAES, BRYCE SCHUETTPELZ, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: WAYNE SMITH.

PC MEMBERS ABSENT: THOMAS BAILEY, JEFFREY MARKEWICH, BRANDY MERRIAM, KARA OFFNER, JOSHUA PATTERSON, AND TIM TROWBRIDGE.

STAFF PRESENT: MEGGAN HERINGTON, JUSTIN KILGORE, KARI PARSONS, LEKISHIA BELLAMY, MARCELLA MAES, AND EL PASO COUNTY ATTORNEY LORI SEAGO.

OTHERS PRESENT AND SPEAKING: NONE.

1. REPORT ITEMS

A. Planning Department. Next PC Hearing is Thursday, July 6, 2023, at 9:00 A.M.

Ms. Herington thanked the board for their flexibility regarding this meeting's delayed start time.

Mr. Carlson recognized and welcomed Mr. Smith and Mr. Markewich (not in attendance) as new Associate Members. Mr. Whitney is now a Regular Member (formerly Associate), and Mr. Carlson's 2nd term as a Regular Member was approved.

2. Call for public comment for items not on hearing agenda. NONE.

3. CONSENT ITEMS

A. Adoption of Minutes of meeting held June 1, 2023.

PC ACTION ON THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (6-0).

**APPROVAL OF LOCATION
APPROVAL OF LOCATION FIBER OPTIC VIAERO**

A request by Viaero Fiber Networks for Approval of Location to allow for the placement of a fiber optic route in the El Paso County right-of-way. Conduit and fiber optic cable will be installed along Truckton Road, County Road 1, South Johnson Road, Gieck Road, Rush Road, Whittemore Road, Shear Road, Bowen Road, Bowen Lane, and South Harding Road (Commissioner District No. 4).

DISCUSSION

Ms. Fuller asked why projects of this type go before PC and BOCC for approval.

Mr. Kilgore explained that PC will be the final approval on this project.

Ms. Seago explained that State legislature requires it per State law. If PC disapproves the application, it will go to the entity responsible for financing the project, which will then vote to approve or disapprove it. They could move forward to approve despite PC disapproval if they choose. She doesn't know why that's the process.

Ms. Fuller thinks there is a flaw in the process. To apply and appear before the PC costs money. She asked if there was an advocacy group in the County that could investigate getting the law changed. She doesn't see the PC as being a deciding body and views this as a fake meeting to approve the application.

Ms. Seago stated she could raise that concern to the appropriate people. She reiterated that it is State law, and every PC in the State does this.

Mr. Kilgore added that appearing before the PC provides an avenue for the public to voice concerns.

Ms. Fuller asked if the public had ever opposed an Approval of Location project.

Ms. Seago and **Mr. Kilgore** responded that it has happened in the past.

PC ACTION: FULLER MOVED / MORAES SECONDED FOR APPROVAL OF CONSENT ITEM NUMBER 3B, FILE NUMBER U-23-001, FOR AN APPROVAL OF LOCATION, FIBER OPTIC VIAERO, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH THREE (3) CONDITIONS AND ONE (1) NOTATION. THE MOTION WAS APPROVED (6-0).

4. CALLED-UP CONSENT ITEMS. NONE.

5. REGULAR ITEM

**SPECIAL DISTRICT SERVICE PLAN
4-WAY COMMERCIAL METROPOLITAN DISTRICT**

A request by KO1515, LLC, for approval of a Colorado Revised Statutes Title 32 Special District service for the 4 Way Commercial Metropolitan District. The 67-acre area included within the request is zoned CS (Commercial Service) and is located directly west of the intersection of Highway 24 and Stapleton Road. The subject property encompasses land that is situated on the north and south side of Stapleton Road. The proposed service plan includes the following: a maximum debt authorization of \$36,685,000.00, a

debt service mill levy of 50 mills for commercial, a special purposes mill levy of 5 mills, and an operations and maintenance mill levy of 10 mills, for a total maximum combined commercial mill levy of 65 mills. The statutory purposes of the district include the provision of the following:

- 1) street improvements, safety protection;
 - 2) design, construction, and maintenance of drainage facilities;
 - 3) design, land acquisition, construction, and maintenance of recreation facilities;
 - 4) mosquito control;
 - 5) design, acquisition, construction, installation, and operation and maintenance of television relay and translation facilities;
 - 6) covenant enforcement;
 - 7) design, construction, and maintenance of public water including fire hydrant systems, and sanitation systems; and
 - 8) solid waste disposal.
- (Parcel No. 42000-00-399) (Commissioner District No. 2).

STAFF & APPLICANT PRESENTATIONS

Ms. Fuller asked for clarification on mill levies and if this area will be covered by two metro districts.

Ms. Parsons referred to the mill levy slide of the presentation. The property owners would pay the existing district and the proposed district. This would be an overlay district. The existing district will remain on the property. The proposed district would not overlay on the residential properties or other existing properties reflected in the district boundary image of her slideshow. Within this district, there would be an additional 65 mills on top of the 50 mills. The applicant's representative is prepared to explain why this is necessary.

Ms. Fuller questioned what the first district gets and why a second district is needed.

Ms. Brittain Jack asked if this was entirely a commercial district.

Ms. Parsons confirmed. There is no residential or multi-family currently. The financial plan is solely based on the 400,000 sq. ft. of commercial development.

Mr. Carlson asked why the sense of eminent domain was emphasized.

Ms. Parsons answered that eminent domain is within the district's statutory powers. However, the County has elected to require that the applicant go to the BOCC prior to exercising eminent domain as part of the public process.

Ms. Seago confirmed. The presentation continued.

Ms. Fuller asked for clarification on the overlay and relationship between the districts.

Ms. Alecia Corley, with Icenogle Seaver Pogue, P.C., explained that the proposed commercial district would build water and wastewater infrastructure and dedicate it to the existing 4-Way Ranch Metropolitan District No. 2 to provide service pursuant to an IGA between District Nos. 1 & 2.

Mr. Craig Dossey, with Vertex Consulting Services, clarified that three different districts are being discussed: 4-Way Ranch Metropolitan District No. 1 (existing), 4-Way Ranch Metropolitan District No. 2 (existing), and 4-Way Commercial Metropolitan District (proposed). District No. 1 and the Commercial District overlap. District No. 2 is the service provider for both District Nos. 1 & 2, and

through an IGA will be the service provider for the Commercial District. The proposed Commercial District is within District No. 1, which encompasses the residential PUD, but the Commercial District will not include any of that residential. The letter Ms. Parsons presented was a resolution approved by the residential board of directors of District No. 1.

Mr. Carlson asked if the water and sewer infrastructure built by the Commercial District would serve the residential area as well as the commercial development.

Mr. Dossey stated it could in theory. The commercial is large-acre. It was mentioned earlier that they may drill wells. At the time the Service Plan was written, they were fighting with District No. 2 to provide a commitment letter for the commercial development. They now have that commitment letter, so a water line will be extended and there will not be any wells drilled. The service must be provided by District No. 2 via an IGA with District No. 1. The presentation continued.

Mr. Whitney asked for clarification on the purposes of District Nos. 1 and 2.

Mr. Dossey answered that District No. 1 was created to service the residential and the subject commercial area within the PUD. District No. 2 was created to provide the services. He explained that District No. 1 was the funding entity while District No. 2 was the management entity.

Mr. Whitney stated that it seems both Districts seem unable to fulfill their pieces of the puzzle. Will this third District fill the holes?

Mr. Dossey confirmed and added that development has not proceeded as anticipated in District No. 1. The reason the PUD was abandoned was because it never "got off the ground". Revenue is not coming in to finance the construction of this infrastructure. He stated that this application is the product of litigation between the current property owner and District No. 2 to ensure they provide service through the IGA with District No. 1.

Mr. Whitney asked what District No. 2 would do with the infrastructure dedicated to it by the proposed district. To whom will they provide services?

Mr. Dossey answered that District No. 2 will own and maintain the infrastructure. This would include water, wastewater, and detention ponds. The IGA that exists between them (District No. 2) and District No. 1 is their funding mechanism.

Mr. Whitney asked what District No. 1 is getting from the creation of the proposed Commercial District that allows them to be "tagged twice".

Mr. Dossey answered that the benefit District No. 1 gets is that they do not need to finance these improvements. The residents of District No. 1 will not be saddled with financing the improvements needed for the commercial development. He stated that he spoke with the president of District No. 1 to get a letter of support, but he couldn't get that letter because they only meet once a year due to limited budget. He stated that if they were able to have an additional meeting, he thinks they would have gladly provided a recommendation letter.

Mr. Carlson asked if the residents of District No. 1 would still be funding the infrastructure over the years in addition to the mill levy that the residential district has applied.

Mr. Dossey responded that the debt will only be paid back by the development that happens within the Commercial District's boundaries.

Mr. Carlson stated he understood, but added the water and sewer will be provided to the entire area.

Mr. Dossey replied that it could potentially, but there is no IGA in place that requires the Commercial District expand to provide infrastructure to the residential. The infrastructure will likely need to go through the residential, where none currently exists, but that will need to be coordinated with District No. 2. District No. 1 could potentially be part of that process if they desire to tie into the infrastructure. The layout has not been designed yet and will happen during the subdivision and/or commercial development phase. In the future, District No. 2 could choose to use the infrastructure dedicated to them (by the Commercial District) to provide service to District No. 1.

Ms. Fuller clarified that District No. 1 will get the benefit of not having to build any infrastructure for the commercial development while also receiving tax money from people that get nothing from District No. 1. From her perspective, this does not meet the spirit of the County model for service plans, which caps at 65 mills. The next buyer won't realize what happened here. Generally, commercial property has higher property taxes anyway. This proposal seems unfair.

Mr. Dossey stated that if it were not for the subject property being located within District No. 1, they would not have an IGA whereby an existing district that has an obligation to provide service *could* provide service to the subject property. If they weren't located within District No. 1, the Commercial District would need to provide their own water supply treatment system and wastewater treatment system. With the proposal, the Commercial District will design those improvements, construct them, and then turn them over to District No. 2. If this property doesn't have that ability, the cost will go through the roof and there would be a proliferation of even more systems which would go against the County's Master Plan and Water Master Plan. He stated that this proposal would tie into an existing system which is served by District No. 2.

Ms. Fuller responded that District No. 1 has agreed to provide the infrastructure as part of the original approval.

Mr. Dossey stated they do not have the financial ability to provide it.

Ms. Fuller replied that when District No. 1 was approved, it was in the original agreement that they would provide infrastructure to the entire area within that boundary.

Mr. Dossey stated that was correct.

Ms. Fuller continued by stating that now they want to change the boundary but the financing gets messed up if the Commercial District area is pulled out. The situation feels weird to her.

Mr. Dossey stated this is a product of a failure to proceed as it was planned. He stated that he worked on the PUD when he worked with EPC back in 2008, which shows how long the PUD has been sitting out there. The PUD has since been changed because it was very restrictive.

Mr. Carlson asked if the mill levy would exist for 30 years on this property or if it would stop when the infrastructure is handed over to District No. 2.

Mr. Dossey stated that it only burdens the commercial development (currently one owner), not the residential.

Mr. Carlson asked if this property would need to make payments for all those years even if there is no infrastructure.

Mr. Dossey answered that the infrastructure would be developed up front to provide service to the commercial development. The commercial development is currently moving forward.

Mr. Whitney clarified that Mr. Dossey is implying that the rationale behind the proposed Commercial District is because District No. 1 failed. They have never been able to build the infrastructure required.

Mr. Dossey added that District No. 1 currently does not have the financial ability and cannot take on more debt to extend it to the commercial area of the district.

Ms. Brittain Jack clarified that the rezoning of this area was approved by the BOCC last year.

Mr. Dossey confirmed and added that the zoning meets the criteria of the Master Plan.

Ms. Brittain Jack further clarified that the residential area will be the “winner” in this scenario because they are not burdened with increased taxes. The commercial will pay for all of this.

Mr. Dossey stated that he thinks District No. 1 will be obligated on some traffic improvements. They are so far behind in terms of improvement that the infrastructure provided by the Commercial District will likely be done first. Ms. Brittain Jack’s assessment might be true.

Ms. Brittain Jack asked if the commercial is all “KO” is going to build.

Mr. Dossey confirmed.

Mr. Carlson clarified that the original mill levy on the residential contemplated establishing water and sewer facilities.

Mr. Dossey confirmed.

Mr. Carlson further clarified that District No. 1 will not get a discount if the Commercial District moves forward. There will be an additional 50 mills on the commercial property.

Mr. Dossey stated that there is only one property owner and they plan on developing this themselves. They are prepared to pay the additional mills for their own district just to move forward with their vacant property.

Mr. Carlson asked for clarification about the estimated cost of \$1.4 million for water and sewer.

Mr. Dossey clarified that all utilities will be around \$28 million. He referenced page 72 of the PC Staff Report packet. The infrastructure is essentially one line going in and out.

Mr. Carlson asked if that would include treatment facilities.

Mr. Dossey stated that District No. 2 has an IGA with Woodmen Hills to provide treatment and District No. 2 is obligated to provide treated water. They initially considered an onsite septic because a wastewater line does not currently exist, but it will eventually tie into a central line.

Ms. Fuller asked if the repayment of the Commercial District’s debt will include the “double dip” for District No. 1.

Mr. Mike Sullivan, with Piper Sandler, answered that it only includes the 50 mills for the Commercial District.

Ms. Fuller reiterated that it doesn’t include what they’re paying for District No. 1.

Mr. Sullivan stated that mill levy is not supported by the debt issuance coming out of the Commercial District.

Ms. Fuller asked if they will be able to afford the new mill levy on top of the one for service they're not receiving.

Mr. Sullivan asked if Ms. Fuller was talking about District No. 1. She was. He then stated they did not analyze District No. 1's debt capacity, only that of the Commercial District. They did include the amount paid to District No. 1 in that analysis.

Mr. Whitney clarified that the residential properties are not paying for any of this.

Mr. Dossey confirmed.

Mr. Whitney further clarified that once built, District No. 2 will have the infrastructure dedicated to them and will provide the service for financial gain.

Mr. Dossey confirmed.

Mr. Whitney then stated that there is only one tenant on the commercial development on the hook for this cost, so it's going to be assumed that they heavily develop the property.

Mr. Dossey agreed and stated he thinks there is a huge need for commercial service-type entities on Highway 24.

Mr. Whitney thinks this is a gamble. This is a lot of money for one owner-developer.

Mr. Dossey stated the owner is looking at other developments. He mentioned the one near Meadowlake Airport and Curtis Road, and stated that along Highway 24 is the next major commercial and industrial corridor. The owner is willing and prepared to put in the money.

Mr. Carlson asked for further clarification on who provides treatment for the water and sewer.

Mr. Dossey explained that District No. 2 is obligated to provide wastewater and domestic water service through an IGA with District No. 1. The wastewater will make its way to and be treated by the Woodmen Hills plant.

Mr. Carlson asked if the 50 mills included creating water filtration and sewage treatment.

Mr. Dossey stated he does not have an answer for that. He is not privy to the IGA. He stated that without District No. 2's service, the commercial development would likely not happen.

Mr. Carlson asked if the commercial property would have to provide water for themselves until District No. 2 comes up with the money to provide the service.

Mr. Dossey clarified that District No. 2 has already provided a commitment letter regarding water for the first site development plan. They will provide their own on-site wastewater via septic. The first developments are anticipated to be low water users like mini and RV storage.

Ms. Parsons advised the board that the applicant has requested a revised condition of approval number 1. She read, *"As stated in the proposed service plan, the maximum combined mill levy shall not exceed 65 mills for any property within the 4-Way Commercial Metropolitan District, with no more than 50 mills devoted to commercial debt service, no more than 10 mills devoted to operations and*

maintenance, no more than 5 mills for special purpose, all subject to Assessment Rate Adjustment, unless the District receives Board of County Commissioner approval to increase the maximum mill levy.” The part “all subject to Assessment Rate Adjustment” was added.

Ms. Corley explained that the language was added to match the language in the model service plan.

Ms. Seago added that a couple years ago, the Gallagher Adjustment was removed in Colorado. Old service plans used to allow for the mill levy to be adjusted to compensate for the effects of applying the Gallagher Adjustment to property tax. It would make up for any shortfalls that the Gallagher Adjustment would cause. Now that the Gallagher Adjustment has gone away, they have removed that definition from the model service plan and inserted the phrase Assessment Rate Adjustment. Its definition is like a Gallagher Adjustment. It’s conditional. Assessment Rate Adjustment means that if after the service plan is approved, Colorado law changes with the assessment of property and again allows you to adjust the mill levy based on property tax adjustments. They can do that without appearing again before the BOCC to ask to increase their mill levy.

Mr. Carlson clarified that it would be increased by whatever the State decided.

Ms. Seago stated that is correct and added that if the State applies something like the Gallagher Adjustment to property tax collection, this district will be allowed (under the Assessment Rate Adjustment) to adjust their mill levy rate to compensate for any loss in property tax value that *may* occur due to any future State law.

Mr. Carlson asked where the language the applicant is trying to match is located.

Ms. Seago answered that the original language is found in the model service plan. They are asking that the condition of approval found in the resolution match what is found in the model service plan that that is being considered.

Mr. Dossey stated that if it were not for the current owner-developer, this property would not get developed. District No. 1 would fight disconnection of this property because it’s currently generating revenue for them. He stated that if it weren’t for the current owner creating their own district to take on the burden, this property would likely become sterile because it’s subject to the existing District No. 1 mill levy and they’re not going to let the property leave their district.

Mr. Whitney asked if Ms. Seago’s comments meant “no harm, no foul” regarding the added verbiage that is found in the model service plan.

Ms. Seago confirmed.

NO PUBLIC COMMENT OR FURTHER DISCUSSION

PC ACTION: SCHUETTELPELZ MOVED / BRITAIN JACK SECONDED FOR APPROVAL OF REGULAR ITEM NUMBER 5A, FILE NUMBER ID-23-001, FOR A SPECIAL DISTRICT SERVICE PLAN, 4-WAY COMMERCIAL METROPOLITAN DISTRICT, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH THE AMENDED SEVEN (7) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (5-1).

IN FAVOR: Ms. Brittain Jack, Mr. Carlson, Mr. Moraes, Mr. Schuettpelz, and Mr. Whitney.

IN OPPOSITION: Ms. Fuller.

COMMENT: Ms. Fuller's earlier comments included: This does not meet the spirit of the County model for service plans, which caps at 65 mills. The next buyer won't realize what happened here. When District No. 1 was approved, it was in the original agreement that they would provide infrastructure to this area within that boundary. She added that she may feel differently if the property was removed from within District No. 1. The fact that there is one owner does not make a difference.

MEETING ADJOURNED at 12:08 p.m.

Minutes Prepared By: Miranda Benson

COMMISSIONERS:
CAMI BREMER (CHAIR)
CARRIE GEITNER (VICE-CHAIR)

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Kari Parsons, Senior Planner
Meggan Herington, AICP, Executive Director

RE: Project File #: ID-23-002
Project Name: 4-Way Commercial Metropolitan District
Parcel No.: 42000-00-399

APPLICANT:	REPRESENTATIVE:
KO1515, LLC P.O. Box 1385 Colorado Springs, CO 80901	Icenogle Seaver Pogue, P.C. 4725 S. Monaco Street, Suite 360 Denver, Colorado 80237

Commissioner District: 2

Planning Commission Hearing Date:	6/15/2023
Board of County Commissioners Hearing Date:	6/27/2023 and 7/18/2023

EXECUTIVE SUMMARY

A request by KO1515, LLC, and Icenogle Seaver Pogue, P.C., for approval of a Colorado Revised Statutes Title 32 Special District service plan for 4-Way Commercial Metropolitan District. The 67-acre area included within the request is zoned CS (Commercial Service) and is located directly west of the intersection of Highway 24 and Stapleton Road. The subject property encompasses land that is situated on the north and south side of Stapleton Road. The proposed District is within Sections 28, and 33, Township 12 South, Range 64 West of the 6th P.M.



The proposed service plan includes the following:

- a maximum debt authorization of \$36,685,000.00,
- a debt service mill levy of 50 mills for commercial,
- an operations and maintenance mill levy of 10 mills,
- and a special purpose mill levy of 5 mills for a total maximum combined commercial mill levy of 65 mills.

The statutory purposes of the District include the provision of the following:

- 1) street improvements, safety protection;
- 2) design, construction, and maintenance of drainage facilities;
- 3) design, land acquisition, construction, and maintenance of recreation facilities;
- 4) mosquito control;
- 5) design, acquisition, construction, installation, and operation and maintenance of television relay and translation facilities;
- 6) covenant enforcement; and
- 7) design, construction, and maintenance of public water including fire hydrant systems, and sanitation systems;
- 8) solid waste disposal.

Title 32 of the Colorado Revised Statutes grants extensive powers and authorities to special districts, such as the power of perpetual existence, the ability to incur debt, the ability to charge fees and adopt ad valorem mill levies, and the ability to perform covenant enforcement and design review. With that said, the applicant has decided to expressly limit the Districts' authorities under State Statute with respect to the ability to exercise eminent domain powers and limitations to carry a concealed handgun by stating the following in the proposed service plan:

"The District may exercise the power of eminent domain or dominant eminent domain only as necessary to further the clear public purposes of the District.

The power of eminent domain and/or dominant eminent domain shall be limited to the acquisition of property that the applicable District intends to own, control, or maintain by the applicable or other governmental entity and is for the material use or benefit of the general public. The term "material use or benefit for the general public" shall not include the acquisition of property for the furtherance of an



economic development plan, nor shall it include as a purpose an intent to convey such property or to make such property available to a private entity for economic development purposes. The phrase “furtherance of an economic development plan” does not include condemnation of property to facilitate public infrastructure that is necessary for the development of the project.

The District may exercise such powers as are expressly or impliedly granted by Colorado law, if not otherwise limited by the service plan or its conditions of approval.

The District shall not adopt or enact an ordinance, resolution, rule, or other regulation that prohibits or restricts an authorized permittee from carrying a concealed handgun in a building or specific area under the direct control or management of the District as provided in C.R.S. § 18-12-214.”

Staff is proposing Recommended Condition of Approval No. 3, below, which requires prior approval by the Board of County Commissioners at an open and public hearing before the District can exercise eminent domain powers.

If it is determined that the request complies with the El Paso County Land Development Code, the adopted El Paso County Special District Policies, and criteria within Title 32 of the Colorado Revised Statutes for a special district service plan, and if a motion for approval is made, then staff recommends including the conditions of approval and notations identified in Section E below.

A. APPLICABLE RESOLUTIONS:

See attached resolution.

B. APPROVAL CRITERIA

1. STATUTORY COMPLIANCE

The following is staff’s analysis of the compliance of this request with the standards and criteria in Section 32-1-203(1) of the Colorado Revised Statutes.



a. REQUIRED FINDINGS

The following findings are mandatory on the part of the Board of County Commissioners:

- **Sufficient existing and projected need**
- **Existing service is inadequate for present and projected needs**
- **District is capable of providing economical and sufficient service**
- **Financial ability to discharge proposed indebtedness**

The applicant has provided their justification within the Letter of Intent and service plan documents in regard to the mandatory findings the Board of County Commissioners is required to find, to approve the requested 4-Way Commercial Metropolitan District Service Plan. In summary, the applicant has stated the following in the requested service plan:

The applicant has indicated in their Letter of Intent that by creating the proposed District, the residents within the adjacent 4-Way Ranch District Nos. 2 and overlapping 4-Way Ranch District No. 1 will not be burdened with additional debt that will be incurred by the design, construction, and maintenance of the necessary infrastructure to serve the commercial development.

An intergovernmental agreement between the existing 4-Way Ranch Metropolitan District Nos. 1 and 2 requires District No. 2 to provide water and wastewater services for the land within the boundary of District No. 1. At this time, no services are designed or constructed.

A resolution approved by 4-Way Ranch District is attached, which identifies the terms of the overlying proposed District. The resolution summarizes that the existing 4-Way Ranch District No. 2 will accept the water and wastewater infrastructure upon completion by the proposed District. The proposed District's financial plan indicates that the District would have the ability to discharge the proposed indebtedness pursuant to the Commercial Service zoning districts allowed uses, and subsequent entitlement processes required to initiate the commercial uses within the service plan boundary area.

The plan relies upon a five (5) year development build-out schedule beginning in 2026 and ending in 2031. The applicant is assuming that full build-out will



capitalize on the increased demand for commercial development which is anticipated to serve the single-family attached and detached home development created by the locally accelerated growth rate in the region. The development anticipates 400,000 square feet of commercial property to be developed with a projected market rate of \$140.00 per square foot.

The applicant's anticipated build-out schedule and absorption rate could be consistent with the current market trends in the area; however, there is limited commercial development in this portion of the Highway 24 and Stapleton Corridor to compare to. The projected annual inflation rate is one (1) percent of the existing assessed value. *Note: This is consistent with most of the other service plans which project one (1) to two (2) percent biennial inflation on existing assessed values within El Paso County.

b. Discretionary findings

The following findings are discretionary on the part of the Board of County Commissioners:

I. Adequate service is not or will not be available through other sources

As indicated in the applicant's letter of intent and service plan, there are currently no other governmental entities, including the County, located in the immediate vicinity of the requested 4-Way Ranch Metropolitan District boundary area that consider it desirable, feasible, or practical to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, and financing of the public improvements needed for the project. The applicant has provided a resolution (see attached) from the 4-Way Ranch Metropolitan District No. 1 which supports the overlapping district inability to finally design and construct the necessary improvements. There is no public entity that has available debt capacity and can construct the required necessary infrastructure.

The developer(s) could construct the necessary infrastructure (roadways, sidewalks, drainage facilities, parks, and open space areas, etc.), if financing is available, and create a business owners association that would be responsible for the ongoing maintenance of the open space areas and permanent water quality features (detention ponds). Staff does



acknowledge, however, that the desire to secure upfront financing to construct the proposed infrastructure and the need to generate ongoing funds to support maintenance efforts are traditional reasons for forming special districts.

II. Facility and service standards compatible

Any public facilities constructed and dedicated to El Paso County will need to meet the applicable El Paso County standards.

III. Compliance with the Master Plan

A finding of general conformity with the El Paso County Master Plan is recommended as discussed below.

A. Your El Paso County Master Plan

1. Placetype Character: Rural Center

Rural Centers often act as the heart of rural areas, providing a mix of uses to support rural residents (including those living in surrounding Rural and Large-Lot Residential placetypes) such as grocery and convenience stores, restaurants, commercial services, schools, places of worship, and post offices. Rural Centers are organized in compact blocks with a mix of residential and nonresidential development that form a recognizable district or destination within the large rural expanses of El Paso County.

As a gathering place and town center for rural areas, development within the Rural Center placetype should be located along a community's main street or near the intersection of an area's most-frequented roadways. The Rural Center placetype is primarily auto oriented but may include pedestrian and bicycle infrastructure to provide for a walkable environment. Examples of existing Rural Centers include Peyton, Calhan, and Ellicott.

Recommended Land Uses:

Primary

- Restaurant
- Commercial Retail
- Commercial Service



- Institutional
- Single-family Detached Residential

Supporting

- Single-family Attached
- Multi-family Residential

Analysis:

The Rural Center placetype provides rural residents vital access to goods, services, and public facilities and serves as the cultural anchor for the community. Relative Policies are as follow:

Goal LU3 – *Encourage a range of development types to support a variety of land uses*

Specific Strategies: *As a gathering place and town center for rural areas, development within the Rural Center placetype should be located along a community's main street or near the intersection of an areas most frequented roadways.*

Goal ED3-3 – *Emphasize the development of grocery stores, restaurants (both drive-thru and sit-down), gas stations, pharmacies, and neighborhood-scale services along Highway 24.*

Goal M2 – *Ensure coordinated planning efforts for transportation impacts and access.*

The service plan is anticipated to enable the District to design and construct public and private infrastructure, and own and maintain private infrastructure such as open space, and private roads, to not overburden El Paso County resources while providing necessary commercial services and employment opportunities for the growing region. The subject property is adjacent to two major corridors (Stapleton Road and Highway 24) which the Master Plan emphasizes as a place for commercial development and neighborhood-scale services.



2. Area of Change Designation: Minimal Change: Developed and New Development

Developed: The subject area south of Stapleton Road is within the Developed Area:

These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.

New Development: The area north of Sterling Ranch Road is within the New Development area:

These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.

Analysis:

A portion of the proposed District is in an area which is expected to significantly change in character. A relevant strategy is as follows:



Goal LU3 Specific Strategy – *The New Development areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built out area should be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.*

This area is expected to change in character. The proposed District may result in a significant change in character both north and south of Stapleton Road, which is primarily vacant land. The District’s ability to design, construct and finance the required infrastructure for development is anticipated to ensure growth in the area, pursuant to the commercial zoning of the property, new development is anticipated to occur.

3. Key Area Influences

The subject property is not located within a Key Area of Influence.

B. El Paso County Water Master Plan

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant goals and policies are as follows:

Goal 1.1 – *Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

Goal 1.2 – *Integrate water and land use planning.*

Policy 5.2.2 – *Recognize the water supply challenges and limitations inherent in each of the regional planning areas, with particular*



emphasis placed on Regional Planning Area 3 (Falcon), as a result of current reliance on non-renewable Denver Basin wells and the renewable, but limited and over-appropriated, Upper Black Squirrel Creek alluvium.

Policy 5.2.4 – *Encourage the locating of new development where it can take advantage of existing or proposed water supply projects that would allow shared infrastructure costs.*

Policy 6.0.3 – *Encourage water and wastewater infrastructure projects to be sited and designed in a manner which promotes compatibility with adjoining uses and provides reasonable mitigation of any adverse visibility and other environmental impacts.*

Goal 6.0.11 – *Continue to limit urban level development to those areas served by centralized services.*

The property is located within Planning Region 3 (Falcon Area) of the Plan and is located within an estimated area of development. The Region is identified as potentially having issues regarding long term sustainable draw from the Denver Basin aquifer.

A request for a finding of water sufficiency regarding quantity, dependability, and quality is not being requested, nor is it required, with the proposed 4-Way Commercial Metropolitan District Service Plan but will need to occur at the subdivision stage(s) of development. Additional water documentation addressing the development's water demands and water resources will be required with subsequent subdivision application(s) to support a finding of water sufficiency.

The long-term plan to extend central water service to the urban level, commercial development is supported by many of the goals and policies of the Water Master Plan.

The Commercial Service zone district is intended to accommodate retail, wholesale or service commercial uses that serve the general



public. Urban level development proposed to be served by individual wells is not consistent with the goals and policies Water Master Plan. The short-term plan to drill additional individual groundwater wells to serve the development in the initial phase of development is not supported by the Plan.

2. COMPLIANCE WITH 2022 SPECIAL DISTRICT POLICIES

(The County's Special District Policies, were adopted November 1, 2022. The following is a summary of the analysis of those policies as they apply to this request.)

I. Conformity with Statutory Standards

(See Statutory Compliance discussion above)

II. Conformity with County Master Plan and Policies

(See the Discretionary Findings discussion above and below)

III. Content in Conformance with Statutes

To the knowledge of staff, the process followed to this point has been consistent with the requirements of Colorado statutory law.

IV. Application Schedule and Review

The applicant submitted the service plan modification application in a timely manner to allow staff adequate time to properly review the application.

V. Mill Levy Caps

The proposed service plan includes the following: a maximum debt authorization of \$36,685,000.00, a debt service mill levy of 50 mills for commercial, an operations and maintenance mill levy of 10 mills, and 5 mills for special purpose for a total maximum combined commercial mill levy of 65 mills.

VI. Disclosure, Notice and Annual Reports

The applicant has provided a notice and disclosure form as an exhibit to the proposed service plan. Recommended condition no. 4 requires the



annual reporting and disclosure to future lot owners, and or lessors is required.

VII. Non-Proliferation and Need for Districts

As indicated in the applicant's letter of intent and service plan, there are currently no other governmental entities, including the County, located in the immediate vicinity of the requested 4-Way Ranch Metropolitan District boundary area that consider it desirable, feasible or practical to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, and financing of the public improvements needed for the project. The applicant has provided a resolution (see attached) from the 4-Way Ranch Metropolitan District No. 1 which supports the overlapping district inability to finically design and construct the necessary improvements.

The proposed District has covenant enforcement authority with a dedicated 5 mill levy. The District's covenant enforcement authority would be geographically limited to only those properties located within the proposed District's boundaries.

V. Lands Use Approvals

The subject property was zoned to CS (Commercial Service) on February 7, 2023, by the Board of County Commissioners. No subdivision entitlements are in review nor approved at this time.

VI. Development and Financial Analysis

A development analysis has been provided consistent with the adopted Board of County Commissioners policies. A summary of the development analysis is included in Section IV of the service plan. Please see the discussion of the District's financial plan in the **Required Findings**, section B.1.a, of this report, above as it relates to the assumptions for development.

The El Paso County's Specific Ownership Tax (EPC SOT) collections are projected as the following:

El Paso County's Specific Ownership Taxes (EPC SOT) collections will be reduced by an average of \$13,869 a year. In year 1 (2026 collection year),

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EPC SOT collections will be reduced by approximately \$250 and growing to \$ 19,379 at final maturity in 2064. During the same time period, El Paso County's property taxes are expected to grow approximately \$2,626 in 2026 to \$203,816 in the year 2064. Over the 40-year course of the project, 2026-2067, staff estimates total EPC SOT collections will be reduced by \$554,743 while property tax collections should increase by \$5,834,384.

VII. Authorization of Debt and Issuance of Bonds

The maximum amount of indebtedness for the 4-Way Commercial Metropolitan District is proposed to be \$36,685,000.00. The period of maturity for any issued debt, not including developer funding agreements, is limited to no more than thirty (30) years without prior approval from the Board of County Commissioners. The applicant is requesting a thirty (30) year period of maturity for any issued debt.

C. SERVICES

1. WATER and WASTEWATER

The applicant has provided the following overview regarding water and wastewater services in the proposed service plan:

"4-Way Ranch Metropolitan District No. 2 ("District No 2") which is not underlying to this District, has an obligation via intergovernmental agreement with District No. 1 to provide water and wastewater service to District No. 1, including the property included in this District; however, District No. 2 currently lacks the debt capacity and existing infrastructure for the physical construction of the infrastructure needed to serve the proposed development. Therefore, the District proposes to finance and construct the necessary infrastructure, both in terms of any necessary interim improvements such as onsite well and septic systems, as well as the long-term centralized service connections to the District No. 2 systems. After construction, the District intends to dedicate all water and wastewater infrastructure, as appropriate, to District No. 2 for ongoing ownership and maintenance."

2. TRANSPORTATION

Approval of the proposed service plan would authorize the 4-Way Commercial Metropolitan District to finance, design, construct, and maintain street and

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roadway improvements including, but not limited to, roads, bridges, culverts, storm sewers and drainage facilities, retaining walls and appurtenances, sidewalks, lighting, grading, landscaping, and placement of underground utilities.

The El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) identifies one roadway improvement project within and adjacent to the subject site, construction of Stapleton Drive (Project ID C12) from Towner Road to Judge Orr Road as a 4-Lane Principal Arterial. Traffic studies and right-of-way dedication for this project will be addressed with future subdivision requests in the project area.

All improvements constructed by the 4-Way Commercial Metropolitan District located outside of the dedicated public right-of-way shall be maintained by the District.

The County Road Impact Fee Program (BoCC Resolution 19-471) applies to this development, and any future request for a preliminary plan and final plat will require plat notes indicating that the fee applies.

3. DRAINAGE

Approval of the proposed service plan would authorize the 4-Way Commercial Metropolitan District to finance, design, construct, own and maintain drainage facilities, including, but not limited to, flood and surface drainage improvements, channels, culverts, dams, retaining walls, access ways, inlets, detention ponds and paving, roadside swales and curb and gutter, flood and surface drainage disposal works and facilities. Drainage reports, plans and designs must be submitted to the Planning and Community Development Department for technical review, comment, and approval. The subject area is within the Geick Ranch and Haegler Ranch drainage basins. The Haegler Ranch basin is studied and included in El Paso County Drainage Basin Fee program, requiring drainage and bridge fees upon subsequent final plat recordings.

4. PARKS AND RECREATION

The applicants have provided the following overview regarding park and recreation facilities in the proposed service plan:

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“The Districts shall have the power and authority to finance, design, construct, acquire, install, maintain, and provide for public park and public recreation centers and other recreation facilities, services, or programs, including, but not limited to, grading, soil preparation, landscaping, sprinkler systems, fencing, pavilions, playgrounds, playing fields, open space, bike trails, pedestrian trails, pedestrian bridges, picnic areas, common area landscaping, streetscaping, storage buildings and facilities, weed control, paving, decorative paving, outdoor functional and decorative lighting, community events, and other services, programs, and facilities, with all necessary and incidental and appurtenant facilities, land and easements, together with all extensions and improvements thereto. To the extent necessary, the Districts shall dedicate any necessary improvements to one or more governmental entities that provide service (“Provider Jurisdiction”) in accordance with the Provider Jurisdiction’s rules and regulations. It is anticipated that the Districts will own, operate, and maintain the park and recreation improvements and facilities if not otherwise dedicated to another appropriate entity.

The Districts shall not have the authority to apply for or utilize any Conservation Trust (“Lottery”) funds without the express prior consent of the Board of County Commissioners. The Districts shall have the authority to apply for and receive any other grant funds, including, but not limited to, Great Outdoors Colorado (GOCO) discretionary grants. Such approval, although required, is not considered to be a material modification which would require the need to revise this service plan.”

5. FIRE PROTECTION

The applicants have provided the following overview in regard to fire protection in the proposed service plan:

“The District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate, or maintain fire protection facilities or services, except fire hydrants, unless such facilities and services are provided pursuant to an intergovernmental agreement with Falcon Fire Protection District or other applicable service provider.

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The authority to plan for, design, acquire, construct, install, relocate, redevelop, or finance fire hydrants and related improvements installed as part of any water system shall not be limited by this provision”.

6. OTHER FACILITIES OR SERVICES

Black Hills Energy will provide natural gas service north of Stapleton Road, Colorado Springs Utilities will provide natural gas service south of Stapleton Road, and Mountain View Electric Association (MVEA) will provide electrical service to the anticipated development within the service area of the proposed District.

D. SCHOOL DISTRICT IMPACTS OR CONCERNS

Falcon School District No. 49 was sent a request for comment on the proposed service plan and did not respond.

E. RECOMMENDED CONDITIONS OF APPROVAL AND NOTATIONS

CONDITIONS OF APPROVAL

1. As stated in the proposed service plan, the maximum combined mill levy shall not exceed 65 mills for any property within the 4-Way Commercial Metropolitan District, with no more than 50 mills devoted to commercial debt service, no more than 10 mills devoted to operations and maintenance, no more than 5 mills for special purpose, unless the District receives Board of County Commissioner approval to increase the maximum mill levy.
2. As stated in the attached service plan, the maximum authorized debt for the 4-Way Commercial Metropolitan District shall be limited to \$36,685,000.00 until and unless the District receives Board of County Commissioner approval to increase the maximum authorized debt.
3. Approval of the service plan for the 4-Way Commercial Metropolitan District includes the ability of the District to use eminent domain powers for the acquisition of property to be owned, controlled, or maintained by the District or another public or non-profit entity and is for the material use or benefit of the general public. The District may not use the power of eminent domain without prior approval by the Board of County Commissioners at a publicly



noticed hearing after a showing that the use of eminent domain is necessary in order for the District to continue to provide service(s) within the District's boundaries and that there are no other alternatives that would not result in the need for the use of eminent domain powers.

4. The 4-Way Commercial Metropolitan District shall provide a disclosure form to future purchasers and or lessors of property in a manner consistent with the approved Special District Annual Report form. The developer(s) shall provide written notation on each subsequent final plat associated with the development of the annually filed public notice. County staff is authorized to administratively approve updates to the disclosure form to reflect current contact information and calculations.
5. The 4-Way Commercial Metropolitan District is expressly prohibited from creating separate sub-districts except upon prior notice to the Board of County Commissioners, and subject to the Board of County Commissioners right to declare such creation to be a material modification of the service plan, pursuant to C.R.S. § 32-1-1101(1)(f)(I).
6. Approval of this application shall not constitute relinquishment or undermining of the County's authority to require the developer to complete subdivision improvements as required by the Land Development Code and Engineering Criteria Manual and to require subdivision improvement agreements or development agreements and collateral of the developer to guarantee the construction of improvements.
7. Any future proposed development of right-of-way that creates a division of land less than 35-acres within the subject parcels will require approval of final plat(s), and such final plat(s) must be recorded prior to undertaking land disturbing activities, excluding pre-subdivision site grading stand-alone request.

NOTATIONS

1. Approval of this service plan shall in no way be construed to infer a requirement or obligation of the Board of County Commissioners to approve any future land use requests within the boundaries of the District.



2. Any expansions, extensions, or construction of new facilities by the 4-Way Commercial Metropolitan District will require prior review by the Planning and Community Development Department to determine if such actions are subject to the requirements of Appendix B of the Land Development Code, Guidelines and Regulations for Areas and Activities of State Interest (a.k.a. "1041 Regulations).

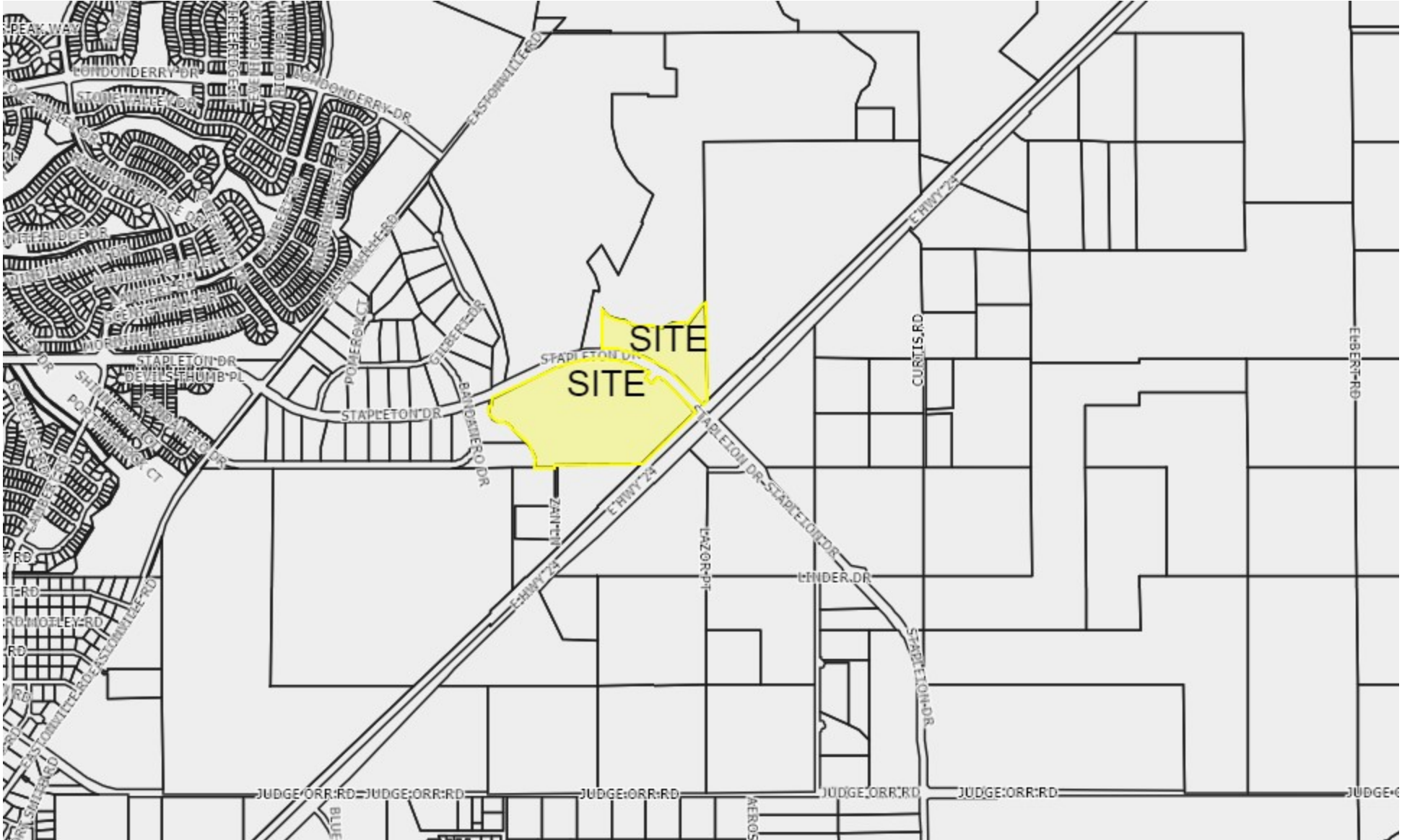
F. PUBLIC COMMENT AND NOTICE

There is no posting or mailing requirements for hearings before the Planning Commission in C.R.S. Title 32 Special District service plans. However, Planning and Community Development staff did provide a legal notice in *The Gazette* on June 2, 2023, for the hearings. Additionally, there are notice requirements for hearings before the Board of County Commissioners which are to be completed on June 28, 2023, by the Clerk to the Boards Office. The applicant was required to notify all taxing jurisdictions within three (3) miles of the District's boundaries as required by state statute prior to the Board of County Commissioners hearing.

G. ATTACHMENTS

Vicinity Map
Letter of Intent
Proposed Service Plan and Attachments
4-Way Ranch District No. 1 Overlay Resolution
Draft Resolution







Vertex Consulting Services, LLC
455 Pikes Peak Avenue, Suite 101
Colorado Springs, CO 80903-3672
719-733-6605

Letter of Intent

May 8, 2023

El Paso County
Planning and Community Development Department
Attn: Kari Parsons, Senior Planner
2880 International Circle
Colorado Springs, CO 80910

Re: 4-Way Commercial Metropolitan District Service Plan

Dear Ms. Parsons,

Please accept this document as the formal Letter of Intent for the formation of the 4-Way Commercial Metropolitan District (the “District”) pursuant to Title 32 of the Colorado Revised Statutes and Chapter 9 of the El Paso County Land Development Code. The initial inclusion area of the proposed District encompasses approximately 67.1 acres and is located on the west side of Highway 24 and is bisected by Stapleton Drive (Schedule No. 42000-00-399). The property has recently been identified in the Your El Paso Master Plan (2021) as being within the Rural Center Placetype, and was even more specifically included within the Highway 24 Commercial Priority Development Area.

A map amendment (rezoning) was recently approved by the El Paso County Board of County Commissioners to rezone the property from PUD (Planned Unit Development), pursuant to the 4-Way Commercial PUD Development Plan, to CS (Commercial Service). Development of the property is proposed to occur pursuant to the CS zoning and is planned to include approximately 400,000 square feet of commercial space.

The property included within the initial inclusion area of the proposed District is also located within the boundaries of the 4-Way Ranch Metropolitan District No. 1. Property located within the boundaries of the 4-Way Ranch Metropolitan District No.1 (including the property that is included within the proposed District) will ultimately be provided water and wastewater service by the 4-Way Ranch Metropolitan District No. 2, however, the infrastructure needed to provide such services is not currently constructed and available for interconnection nor does the underlying 4-Way Ranch Metropolitan District No. 1 have bonding and tax revenue generating capacity to finance the necessary infrastructure to serve the proposed commercial development

within the proposed District. For those reasons, the District is being proposed to allow for tax exempt financing of the needed interim and full-buildout infrastructure improvements, including those improvements associated with providing water and wastewater service to the development.

The proposed District will be responsible for financing, designing, and constructing infrastructure necessary to facilitate development of the property, with the expectation that all public roadway infrastructure, including sidewalks and associated drainage facilities, will be dedicated to El Paso County. The District also anticipates transferring all water and wastewater infrastructure to the underlying 4-Way Ranch Metropolitan District No. 2, via an intergovernmental agreement between 4-Way Ranch Metropolitan District No. 2 and the 4-Way Ranch Metropolitan District No. 1, for ongoing ownership and maintenance. The property is currently within the boundaries of 4-Way Ranch Metropolitan District No. 1. 4-Way Ranch Metropolitan District No. 1 supports the creation of the proposed District and has adopted a resolution allowing for the creation of the proposed District as an overlapping district. The adopted resolution is attached to the proposed service plan for the District for reference.

A. Purposes of the District

As mentioned above and throughout this letter of intent, the proposed District is planned to provide for the financing, design, and construction of public improvements associated with the anticipated commercial development of the property. The type and nature of the public improvements contemplated for the development include on and off-site roadways and street improvements, water and sanitary service infrastructure, stormwater and other necessary drainage improvements, and landscaping. Formation of the District will allow for access to tax-exempt financing to cover the cost associated with constructing the public improvements. The financed debt of the District can then be passed along to the property owners within the District, which represent those that are benefitted the most by construction of the public improvements.

The attached service plan proposes to create the District and includes the following:

- A maximum debt authorization of \$36,685,000
- A debt service mill levy of 50.000 mills
- A operations and maintenance (O&M) mill levy of 10.000 mills
- A special purpose mill levy of 5.000 mills
- A maximum mill levy of 65.000 mills

The service plan also identifies the proposed statutory purposes of the District, which include the following: water; sanitation; street improvements, transportation and safety protection; drainage; parks and recreation; mosquito control; fire protection (limited to fire hydrants, unless other improvements are identified within an IGA with the fire district); television relay and translation; covenant enforcement and design review; security services; and solid waste disposal.

The creation of the District will ensure the costs of the public improvements needed to support the proposed commercial development are shared by the property owners and taxpayers directly benefitting from such public improvements. The formation of the District is necessary to serve the 4-Way Commercial development because there are currently no other governmental or quasi-governmental entities, including the County, located in the immediate vicinity of the District that consider it desirable, feasible, or practical to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, and financing of the infrastructure improvements needed to serve the project.

The Developer (defined below) may need to utilize onsite wastewater treatment systems (OWTS) for initial development of the property if extension of an existing centralized system is not available (such as the system anticipated within 4-Way Ranch Metropolitan District No. 2). As phasing of the development progresses, the Developer will work with El Paso County Public Health, Colorado Department of Public Health and Environment, and/or a centralized wastewater treatment service provider, as applicable, to permit either a new centralized wastewater treatment system or an extension of an existing system. The requirement for providing centralized wastewater treatment could depend, at least in part, on the mix of land uses that are proposed to development on the property pursuant to the proposed conventional commercial zoning and upon the respective land use wastewater flows. If centralized wastewater service is required, the District will have the authority to enter into an Intergovernmental Agreement with an existing wastewater service provider or, in the alternative, to develop a centralized treatment facility on site in order to adequately treat the wastewater generated on the property as a result of the proposed development.

It is unreasonable and fiscally impractical to burden the property owners within another metropolitan district in the Falcon area with the costs of the infrastructure improvements required to serve the 4-Way Commercial Metropolitan District. To the extent any of the authorized facilities and improvements are dedicated to and accepted by the County or other entities having jurisdiction, the County or other entities shall own, operate and maintain such accepted facilities and related improvements. The District shall be authorized to own, operate and maintain any facilities and improvements not otherwise dedicated to and accepted by any applicable public entity acting as a Provider Jurisdiction (as defined in the proposed Service Plan), subject to any County rules and regulations. The District shall also have the authority to provide each of the services outlined in the proposed Service Plan, including covenant enforcement.

B. Justification

The District will serve a commercial project with infrastructure that will be developed over a five (5) year time frame. The single district structure of the proposed service plan minimizes the number of new districts being created and gives the proposed District the ability to directly manage the long-term construction, financing, and operation (as applicable) of all public

improvements within the commercial development as well as the contractual relationships and responsibilities create via any future Intergovernmental Agreements with other service providers.

Development of the 4-Way Commercial project is anticipated to occur in phases, which will require a well-planned approach to the extension of public services and facilities. The proposed single district structure will ensure that the construction and operation of each phase of Public Improvements will be coordinated and administered consistent with a long-term construction and operations program while under the supervision of a single entity.

The cost estimates and financial plan provided in Exhibit C and D to the Service Plan are intended to show the capacity of the District to issue debt and any debt issued by the District will need to be within the limit established within the proposed Service Plan. The District will coordinate with the Developer to receive the necessary consents and/or approvals (as necessary) for the provision of public services including, but not limited to, water, wastewater, and fire protection services. It is anticipated that the District will cooperate with the applicable fire district with regard to placement and installation of all fire hydrants. The Developer and the District intend to coordinate the completion of the necessary public improvements in accordance with any subsequently approved site development plans and/or final plats.

C. Development and Financial Plans

The parcel included in the Initial Inclusion Area is identified as Schedule Number 42000-00-399 and is owned by KO1515, LLC. It is anticipated at this time that KO 1515, LLC will also be the developer of the project (“Developer”) and is likely to be the builder of one of more of the planned commercial pad sites. The cost estimates for the proposed public improvements were generated by the Developer’s representatives who have experience in the constructing similar improvements.

The proposed maximum debt authorization amount, as stated in the proposed service plan, is based upon the estimated costs associated with the construction of on and off-site public improvements for the Project, including roadways, streets, water and sanitary sewer, drainage, stormwater, and other related improvements. The amount is larger than the estimated cost of the Public Improvements to allow for inflation, contingencies, and unanticipated changes from the date of approval of this Service Plan. The cost estimates are preliminary in nature and the ultimate costs may increase or decrease depending on numerous factors, many of which are out of Developer’s control. To demonstrate the District’s ability to finance the public improvement portion of costs of the project, a financial plan is attached to the Service Plan as Exhibit D. This financial plan and the cost estimates provided in Exhibit C to the Service Plan are intended to show the projected capacity of the District to issue debt. Any debt issued by the District will be limited pursuant to the provisions of the proposed Service Plan.

D. Compliance with the County Master Plan

1. Compliance with Your El Paso Master Plan

Chapter 1 of Your El Paso Master Plan (2021) states that the Plan is “general in nature-it cannot tackle every issue in sufficient detail to determine every type of necessary action.” In addition, Chapter 1 goes on to state that the Plan “is intended to provide clearer and more coordinated policy, resulting in a document that effectively communicates County goals and identifies specific actions to achieve both County-wide and local area objectives.” When taken together, these two statements suggest to the reader that the Plan may only address certain issues at a cursory level and that specific steps or actions for addressing such issues may not be offered within the Plan. That conclusion is certainly the case in numerous instances and with regard to a variety of topical areas. However, where that is not the case is with respect to the property that is proposed for initial inclusion into the 4-Way Commercial Metropolitan District, as identified below in an analysis of the three main land use sections of Chapter 3 of the Plan.

Key Area Analysis

The subject property is not identified in the Plan as either being within or in close proximity to a Key Area. The nearest Key Area to the subject property is the Potential Areas for Annexation Key Area, which is located approximately two (2) miles from the proposed District’s boundaries. None of the Key Areas would be negatively impacted or otherwise affected by the creation of the proposed District and the subsequent development of commercial uses on the property.

Area of Change Analysis

The subject property is identified in the Areas of Change map within the Plan as being split between “New Development” for the portion of the property located along the north side of Stapleton Drive and “Minimal Change: Developed” for the portion of the property located along the south side of Stapleton Drive.

Page 21 of the Plan characterizes areas of New Development by stating:

“These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas.

Undeveloped portions of the County that are adjacent to a built out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.” (emphasis added)

The subject property is currently undeveloped and is located immediately adjacent to residential development within the 4-Way Ranch Filing No. 1 final plat and is approximately one-half (1/2) mile east of the Meridian Ranch Master Planned

development. In addition, Highway 24, which forms the eastern boundary of the subject property, is the most heavily traveled transportation corridor in northeastern El Paso County, providing vehicular and pedestrian connections into the Falcon area as well as the smaller, more rural communities of Peyton, Calhan, and Ramah. The intent behind filing the application for the recently approved CS (Commercial Service) rezoning was to continue to plan for the commercial development of the property with a particular focus on providing siting opportunities for many of the complementary commercial uses that are permitted in the CS zoning district. The goal is to introduce new commercial uses to the area that can serve and function in a compatible, and even complementary way, to the existing residential developments and rural communities in the larger sub-region and to nearby Meadow Lake Airport. Specifically, the El Paso County Land Development Code allows the following complementary commercial uses within the CS (Commercial Service) zoning district:

- Automobile and boat storage yards
- Retail bakery
- Bar
- Barber/beauty shop
- Carwash
- Child care center
- Community building
- Convenience store
- Financial institution
- Gas station
- General office
- Kennel, major and minor
- Laundromat
- Library
- Liquor store
- Medical clinic
- Mini-warehouse
- Museum
- Nursery, retail and wholesale
- Public education institution
- Proprietary school
- Recreational vehicle and boat storage
- Rental services
- Restaurant
- General retail sales
- Shopping center
- Store

- Studio
- Theater

The CS (Commercial Service) zoning of the property, combined with the proposed District’s ability to finance and construct the necessary infrastructure for development, will allow for complementary uses such as the those listed above to located on the property and to provide much needed commercial services to an ever-increasing number of underserved residents in the County. These residents include those in the Falcon-area, commuters traveling along the Stapleton Drive/Curtis Road corridor, and other County residents living in or near the more rural communities of Peyton, Calhan, and Ramah.

Placetype Analysis

The subject property is shown on the Placetypes map of Your El Paso Master Plan as being within the Rural Center Placetype. Page 34 of the Plan identifies the following land uses as being Primary Land Uses within the Rural Center Placetype:

- Restaurant
- Commercial Retail
- Commercial Service
- Institutional
- Single-family Detached Residential

In addition, the Rural Center Placetype includes the following Supporting Land Uses:

- Single-family Attached Residential
- Multifamily Residential

The two above lists of acceptable land uses within the Rural Center Placetype directly support the recent rezoning of the subject property to CS (Commercial Service), which was needed to support the formation of the 4-Way Commercial Metropolitan District. Furthermore, including the subject property into the same Rural Center area as existing commercial uses in the area (e.g., the Falcon Big R) suggests that the variety of smaller scale commercial developments are able to function in tandem as part of a growing corridor of commercial activity along Highway 24.

Commercial Priority Development Area

As discussed above, the subject property is designated as being within the Rural Center Placetype, similar to other select areas in the County. However, the subject property is further elevated within the Master Plan in terms of its economic development potential by being specifically identified as only one of the five Commercial Priority Development Areas. The Plan calls out the Highway 24 Commercial Priority Development Area as being a “new Rural Center” and even goes on to state that, “[t]he County should prioritize the development of [the] Rural Center to serve adjacent Suburban Residential to the north

of the Highway and the Large-Lot Residential to the south.” The Plan goes on to further supports the commercial zoning and development of the property by stating, “The County should emphasize the development of grocery stores, restaurants (both drive-thru and sit down), gas stations, pharmacies, and neighborhood-scale services.”

Analysis of Goals, Objectives, and Specific Strategies

Below are Goals, Objectives, and Specific Strategies from Your El Paso Master Plan that are applicable to the proposed service plan and anticipated commercial land development.

Land Use

Goal LU1. Ensure compatibility with established character and infrastructure capacity.

Goal LU3. Encourage a range of development types to support a variety of land uses.

Objective LU3-1: Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.

*Land Use Specific Strategy- **Priority:** The New Development areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built out area should be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood. p.21*

Land Use Specific Strategy – The Minimal Change: Developed areas are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character should be maintained.

Goal LU4: Continue to encourage policies that ensure “development pays for itself.”

*Land Use Specific Strategy- **Priority:** Continue to evaluate development impact fees, requiring adequate private investment to defray the cost of capital improvements needed due to new development so that new development will not overburden County resources, and will be served by adequate infrastructure until they can be incorporated if necessary or desired. p.45*

Analysis:

The proposed service plan is necessary to support implementation of each of these goals, objectives, and strategies as they are applicable to the 4-Way Commercial Development.

The District is proposed to finance, design, construct, and maintain, as appropriate, the infrastructure and services necessary to ensure that the anticipated commercial development is able mitigate any potentially negative impacts associated with the new development, which will aid in creating better compatibility between the development and the existing residential and commercial uses located in the immediate vicinity. The planned commercial use of the subject proeprty directly supports and is poised to fully implement the two Land Use Specific Strategies pertaining to development in areas identified as New Development and Minimal Change: Developed.

Consistency with the built form guidelines of the Rural Center placetype will need to be determined at a later stage of development in association with subsequent site development plan applications, but at a minimum the proposed development can be found to be consistent with the guidelines that state that Rural Centers should include “[p]aved major roadways with appropriate intersection controls as warranted” and that “[a]ll right of way is preserved in associated with new development. Major roads support longer trips to help connect high-density and commercial areas, accommodate truck travel, and prioritize access control.” One of the purposes of the proposed District is to finance the construction of paved roads and traffic control devices within the development and at the planned access locations along Stapleton Drive, which is planned to be a significant regional thoroughfare, connecting both existing and planned residential areas of growth in the County with good and services, such as those that will be offered with buildout of the planned 4-Way Commercial development.

The proposed District will be critical in generating funds necessary to fund capital improvements necessary to support development of the project, including associated transportation and drainage infrastructure. Many of the potential improvements will not only help ensure mitigation of the impacts created by the planned development, but they will also help address growing sub-regional impacts caused by overall growth in the area, such as ever-increasing background traffic in and around the Falcon area. The proposed District will have the financial capability to provide for such improvements in advance of the County constructing any planned capital improvements at the same intersections or along the same roadways, thereby allowing the County the ability, at least in part, to redirect any funds previously identified for this immediate area towards other areas of the County that require similar improvements.

Economic Development

Objective ED1-6: Large employers should be located on major roadways to improve connectivity and minimize their impact on daily traffic.

Goal ED3. Encourage the development of commercial districts in underserved areas.

Objective ED3-1: Continue promoting commercial development to serve increasing residential neighborhoods in the Falcon area.

Objective ED3-3: Emphasize the development of grocery stores, restaurants (both drive-thru and sit-down), gas stations, pharmacies, and neighborhood-scale services along Highway 24.

Objective ED3-5: Prioritize commercial development within or near rural communities within the Rural Center placetype to limit barriers to shopping districts and employment centers.

Objective ED3-6: Prioritize commercial use as development opportunities arise in order to support the growing residential base in the rural areas.

Economic Development Specific Strategy: Prioritize the development of Rural Center in the Highway 24 Commercial Priority Development Area to serve adjacent Suburban Residential to the north of Highway 24 and the Large-Lot Residential to the south, which should also provide some generally commercial directly adjacent to Meadow Lake Airport to support the employee population.

Analysis:

The property included within the proposed District is located on two major roadways, Stapleton Drive/Curtis Road and Highway 24, with a full movement intersection planned from Stapleton Drive located towards the eastern end of the property near Highway 24 and another undefined access from Stapleton Drive more towards the western end of the property, both of which will help ensure adequate connectivity into and throughout the site while also being mindful to site accesses in a safe location. Safe access into and out of the site becomes even more important when considering the full buildout of the planned commercial area and the nature of vehicular trips generated by such land uses.

The proposed District will help implement the recently approved CS (Commercial Service) zoning of the property, which will allow for the siting of a variety of permitting commercial uses in an area of the County that is largely underserved by such uses, as specifically identified in the County's Master Plan. The master plan specifically supports the development of this type of commercial development in order to better serve rural communities. Even more noteworthy is the fact that the Master Plan goes even further to support the commercial development of this specific piece of property, which is located within the Highway 24 Commercial Priority Development Area, to better serve the "adjacent Suburban Residential to the north of Highway 24 and the Large-Lot Residential to the south."

The District is critical to financing the necessary public infrastructure to support the development of new land uses that are complementary to the residential development in the area and Meadow Lake Airport so as to fully implement each of the above Economic Development Specific Strategies. Access to tax-exempt financing will give the District the ability to design, construct, and maintain the public improvements associated with the full buildout of the development in a more economical manner. Non-residential developments that are of the size and nature as the one being proposed for the site can also have significant ancillary economic benefits to the County and the region as a whole. These types of developments not only function as a much needed commercial retail and service center in the County but they can also function as a catalyst for additional growth in numerous sectors of the economy, including but not limited to the construction industry, manufacturing, and processing amongst others.

Community Facilities

Community Facilities Specific Strategy- Continue to require new developments to provide multiple points of access to subdivisions to help decrease response times, decrease evacuation times, and provide for additional evacuation routes. p.93

Objective CF13-4: Locate new development where it can take advantage of existing or proposed water supply projects that would allow shared infrastructure costs.

Objective CF13-5: Continue to improve coordination with fire districts, developers, and other groups to ensure that new development provides appropriate fire suppression water supplies and infrastructure.

Objective CF13-8: If it is economically feasible, wastewater service should be provided in regional and sub-regional publicly owned wastewater treatment facilities, and smaller privately owned facilities will be avoided.

Community Facilities Specific Strategy- Onsite Wastewater System (OWS) greater than 2,000 gallons per day should connect to a designated management agency's wastewater system if it is economically and technically feasible. OWS systems of less than 2,000 gallons per day that serve homes or small businesses should be encouraged to connect to a designated agency's system when it becomes accessible and continue to be reviewed by the local County health department where it will be constructed. p. 103

Analysis:

The proposed District anticipates financing and constructing both on and off-site roadway improvements, including three points of access into the site, two along the south side of Stapleton Drive and one along the north side. The multiple access points will also ensure that emergency services can respond efficiently to any emergency within the

development. In addition, the proposed service plan includes the ability for the District to finance, plan for, design, and install fire suppression infrastructure, including fire hydrants, in coordination with the Fire District.

The proposed service plan gives the proposed District the ability to enter into Intergovernmental Agreements with other water and wastewater providers to help ensure that all future necessary connections to a central water and/or wastewater provider can be financed and constructed using revenue generated from the end users on the property who stand to benefit from such services. Connection to the planned 4-Way Ranch Metropolitan District No. 2 central wastewater system is anticipated thereby limiting the need for long term use and maintenance of onsite wastewater treatment systems serving the commercial businesses within the development.

2. Compliance with Topical Elements of the Master Plan

El Paso County Water Master Plan

The Executive Summary from the Water Master Plan states that the Plan Water Master Plan (WMP) was developed for the Board of County Commissioners, El Paso County officials and staff, developers, citizens, and water providers within the County for the purpose of identifying and addressing water supply issues earlier in the land use entitlement process. For that reason, water supply should be discussed even as early as the rezoning stage, or in the case of this application, as early as the service plan application to form the District needed to support the proposed development. This does not mean that a full water sufficiency finding should be made since sufficiency findings in El Paso County are made at either the preliminary plan or final plat stage of development, both of which are associated with the process of subdividing property.

The subject property is located within Planning Region 3 of the Water Master Plan, pursuant to Figure 3-1 on page 25. Region 3, known as the Falcon Region, is made up of 13 central water providers, including several larger providers such as Woodmen Hills Metropolitan District, Paint Brush Hills Metropolitan District, and Meridian Service Metropolitan District. The property is also located within the boundaries of the Upper Black Squirrel Designated Groundwater Basin and it lies atop three Denver Basin Aquifers: the Denver, Arapahoe, and Laramie-Fox Hills formations.

The Plan states the following with respect to Region 3:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the

highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater. The other two growth areas will be located on the north and south sides of Falcon Highway directly east of Falcon.” (Emphasis added)

The subject property is located along the west side of the Highway 24 corridor in an area north of Falcon, which is specifically called out in the language above as being one of the areas within Region 3 identified for growth within the Water Master Plan.

Table 5-4 of the Plan identifies the current supply and demand forecasts at full build out (year 2060) for each of the Planning Regions. The Table indicates that the current water supplies for Region 3 amount to 7,164 AF of water per year and that the forecasted demand is 8,307 AF per year, resulting in a forecasted supply need of 1,143 AF per year. The proposed development may need to utilize groundwater wells in the early stages of development. However, the proposed service plan anticipates that ultimate water supply service to the site at full build out may require connection to a central water provider, which could occur via IGA with 4-Way Ranch Metropolitan District No. 2.

Any potential future interconnections with 4-Way Ranch Metropolitan District No. 2 would certainly encourage conjunctive use and would allow the District to better prepare for water supply emergencies. All districts in this area rely on the same water, and all are required to meet CDPHE potable water regulations.

For the reasons stated above, the applicant requests that the proposed service plan be found to be in compliance with the Water Master Plan.

El Paso County Parks Master Plan

The El Paso County Parks Master Plan identifies the existing Rock Island Regional Trail located on an adjacent parcel to the east, between the subject parcel and Highway 24. In addition, the Plan shows the planned Arroya Lane Trail and a proposed bicycle route along Stapleton Drive, both of which are either immediately adjacent or within close proximity to the subject parcel.

The applicant is prepared to work with the County if any trail easements are requested at a later stage of development and anticipates constructing internal pedestrian improvements such as sidewalks that could connect to one or more of the identified trail corridors. At the current stage of development, which is requests for approval of a Title

32 Special District service plan with prior approval of the CS (Commercial Service) rezoning, the provision of a trail easement or specific pedestrian connections would be premature since the full layout of the site has not been finalized by the applicant and the planned County Parks facilities have not yet been constructed.

Other Topical Elements of the County Master Plan

The propose service plan is in compliance with the other topical elements of the County Master Plan. Additional evaluation of such compliance will need to be provided a later stages of development, including extensive evaluation at the preliminary plan, final plat, and/or special use stages of development with respect to the Master Plan for Mineral Extraction, the El Paso County Parks Master Plan, and the El Paso County Wildlife Habitat Maps and Descriptors.

E. Review Criteria

Requests for approval of a service plan for a new special district are subject to the review criteria included within Colorado Revised Statutes § 32-1-203, specifically subsections (2) and (2.5).

The following is an analysis of each criterion as it is applicable to the proposed 4-Way Commercial Metropolitan District service plan application:

There is sufficient existing and projected need for continued organized service in the area to be served by the District;

The purposes of the proposed District are to finance, design, and construct certain public improvements and to provide other additional services necessary to support the development of the 4-Way Commercial development. The proposed improvements and services are not available to the development through the County or other existing quasi-municipal corporations, including a special district, within a reasonable time and on a comparable basis. Financing and constructing the necessary public improvements through the District can be done through tax exempt financing, thereby reducing the costs, and will ensure that the property owners who stand to benefit from such improvements will be responsible for paying off the associated debt.

The existing service in the area to be served by the District is not adequate for present and projected needs without the organization of the District;

There are no existing municipal or quasi-municipal service providers in the area that have the bonding capacity or desire to finance, design, and construct the improvements associated with the proposed commercial development. In addition, many of the existing service providers in the area are well established (e.g., Woodmen Hills Metropolitan District, Meridian Service Metropolitan District, etc.) and have already issued debt based upon full build out of their respective overall developments. The 4-Way Ranch Metropolitan District No. 2 will own and maintain all water and wastewater infrastructure designed and constructed by this District. However, 4-Way Ranch Metropolitan District

No. 2 currently lacks the financial capacity and existing infrastructure to extend service to the subject property. If any of the existing special districts in the area were to agree to provide service to the proposed commercial development then the respective district would likely need to issue additional debt, thereby causing the existing taxpayers owning property in the district to bear at least the initial financial burden of extending the existing service as the project proceeds with the construction of the up-front infrastructure. This result would not be a reasonable outcome for the existing residents in the area and would not be in line with many of the County's goals and objectives of ensuring that new development pays its own way.

The District are capable of providing economical and sufficient services to the area it intends upon serving and/or financing the public improvements which shall be dedicated to and accepted by the County, or other Provider Jurisdiction;

The formation of the District will ensure that the public improvements and other services are sufficient to support the development and ongoing maintenance of public improvements, as applicable, associated with the proposed commercial development. The District will also be able to better ensure the public improvements are constructed within a reasonable period of time since such functions will be directed and managed by the District, all of which will ultimately be to the benefit of all current and future property owners/taxpayers owning property within the District. The District's ability to access tax-exempt financing will help lower the costs of the public improvements, which should make the property more marketable with potential commercial users. A summary of the financial plan for the proposed District has been provided as an attachment to the proposed service plan.

The area to be included within the District has, or will have the financial ability to discharge the proposed indebtedness of the District on a reasonable basis within the mill levy caps and restrictions provided by the County rules and regulations;

The estimated costs of the improvements and facilities to be constructed, installed, and/or acquired by the District are set forth in the Service Plan. The District will be limited to the Maximum Debt Authorization as stated in the Service Plan. The Maximum Debt amount represents the amount the District can reasonably pay from the revenue derived from the debt service mill levy and other legally available revenue. Exhibit D of the Service Plan provides a summary of the District's ability to finance the facilities identified in the Service Plan and to discharge the proposed indebtedness on a reasonable basis.

Adequate service is not, and will not be, available to the area through the County or other existing municipal or quasi-municipal corporations, including existing special District, within a reasonable time and on a comparable basis;

Financing and construction of the proposed public improvements and the provision of the proposed services for the development and ongoing maintenance of the 4-Way Commercial development are not currently available through the County or any other existing municipality or quasi-governmental entity, including any existing Title 32 special district. Coordination via a potential intergovernmental agreement(s) (IGA) with an existing water and/or wastewater provider to provide the services necessary to facilitate full buildout of the development may be appropriate in the future to establish and ensure adequate ongoing provision of such services. The need for an IGA with another service provider will likely be determined at the preliminary plan stage of development, as applicable.

The facility and service standards of the proposed District are compatible with the facility and service standards of the County;

All proposed facilities and services will be constructed in accordance with the standards and specifications of El Paso County, the State of Colorado, and any other appropriate jurisdictions.

The proposal is in substantial compliance with the County master plan;

An extensive discussion of the substantial compliance of the proposed service plan with the County master plan is included above. Many of the components of Your El Paso Master Plan, including the Placetypes map, the Key Areas map, and the Areas of Change map, specifically anticipate development of the subject property consistent with what is being proposed via the recently approved map amendment (rezoning) requests, which are necessary to support the development and financing conclusions contained within the proposed service plan. In addition, the project is in substantial compliance with the other topical elements of the master plan, as discussed above. In some instances, determining substantial compliance at this stage of the development process is difficult as many of the goals and policies of the topical plans are oriented more towards PUD (Planned Unit Development) map amendments (rezonings) or toward the preliminary plan stage of development. A greater amount of detail regarding the specific layout of a given development is required at both the PUD and preliminary plan stages of development. Conventional zoning, such as the CS (Commercial Service) zoning of the subject property, does not include or require the same level of detail but nonetheless represent a step in the entitlement process that is allowed, and at times even recommended, by El Paso County.

The creation of the proposed District is in the best interests of the area proposed to be served.

The proposed public improvements and services necessary to serve the 4-Way Commercial Development are not and will not be available to the area through the County or other existing municipality or quasi-municipal corporation, including other

special districts, within a reasonable time and on a comparable basis. The formation of the District will ensure that the public improvements and services are sufficient and constructed within a reasonable period of time for the benefit of the property owners.

In addition, creation of the District will allow for commercial development to occur on the property, which will result in much needed commercial growth along the Highway 24 corridor, which has been identified by the County as a targeted location for a rural center. The introduction of additional commercial uses in the area will help provide the current and future residents living near and especially to the northeast of Falcon with greater options for obtaining goods and services at a location that is more convenient and in many cases in closer proximity to their residences.

F. Conclusion

The service plan for the 4-Way Commercial Metropolitan District is in substantial compliance with the County's master plan. The project as a whole will substantially expand the available inventory of commercially zoned land in the County and will serve the best interests of the future property owners within the proposed development. The formation of the District will allow for financing and development to pay for only those improvements and costs which are a direct benefit to the property within the District. The authority of the District to enter into an Intergovernmental Agreement with one or more existing water and/or wastewater providers is critical to ensuring that adequate centralized services can be made available to the development, which is in line with many of the goals and policies of the County's master plan and associated topical elements, including the El Paso County Water Master Plan.

**4-WAY COMMERCIAL
METROPOLITAN DISTRICT**

EL PASO COUNTY, COLORADO

**DRAFT
May 8, 2023**

SERVICE PLAN
FOR
4-WAY COMMERCIAL METROPOLITAN DISTRICT

Prepared by:

The O'Neil Group Company
117 South Wahsatch Avenue
Colorado Springs, CO 80903

DRAFT
May 8, 2023

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 - 1. Vicinity Map
 - 2. Initially Included Property Map and Legal Descriptions of Initially Included Property
 - 3. Proposed Infrastructure Maps
- B. Development Summary
- C. Infrastructure Capital Costs
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I. EXECUTIVE SUMMARY

The following is a summary of general information regarding the proposed 4-Way Commercial Metropolitan District provided for the convenience of the reviewers of this Service Plan. Please note that the following information is subject in all respects to the more complete descriptions contained elsewhere in this Service Plan.

Proposed District: 4-Way Commercial Metropolitan District (the “District”).

Property Owner(s): KO1515, LLC

Developer(s): KO1515, LLC

Description of Development: The 67.1 acre parcel is currently zoned CS (Commercial Service). The parcel is located in El Paso County on the west side of Highway 24 and is bisected by Stapleton Road. The development could include a variety of commercial pad site sizes and/or commercial lot sizes, depending on market demands and ownership preferences.

The Project is proposed to take access from both the north and south side of Stapleton Road and will receive water and wastewater service from 4-Way Metropolitan District No. 2. At full build-out, the development is proposed to include approximately 400,000 square feet of commercial development.

Proposed Improvements
to be Financed:

Full build out of the development will require design and construction of central water and wastewater extensions from 4-Way Metropolitan District No. 2. Additional improvements include the construction of on and off-site roadway and street improvements, other internal non-dedicated streets, safety improvements, landscaping, walls and fences, drainage facilities, and stormwater facilities. The estimated capital cost for the public improvements is \$28,686,554.40 in 2023 dollars.

Proposed Ongoing Services:

The District will be responsible for providing ongoing operations and maintenance of all District-owned drainage facilities, non-dedicated public streets, and common areas. The District will also provide covenant enforcement and design review services within the development.

Infrastructure
Capital Costs:

Approximately \$28,686,554.40 (in 2023 dollars) for Public

Improvements.

- Maximum Debt Authorization: \$36,685,000. This amount is larger than the estimated cost of the Public Improvements to allow for inflation, contingencies, and unanticipated changes from the date of approval of this Service Plan.
- Proposed Debt Mill Levy: 50.000 Mills, subject to Assessment Rate Adjustment
- Proposed O & M Mill Levy: 10.000 Mills, subject to Assessment Rate Adjustment
- Proposed Special Purpose Mill Levy: 5.000 Mills, subject to Assessment Rate Adjustment, for covenant enforcement and design review and/or maintenance of common facilities in the absence of a Business Owners Association.
- Proposed Maximum Mill Levies: 65.000 Mills, subject to Assessment Rate Adjustment.
- Proposed Fees: None proposed at this time, but the District does retain the ability to assess fees in the future.

II. DEFINITIONS

The following terms are specifically defined for use in this Service Plan. For specific definitions of terms not listed below please also refer to the El Paso County Special District Policies, the El Paso County Land Development Code and Colorado Revised Statutes, as may be applicable.

Additional Inclusion Areas: means the property that is described in Section 3 and depicted on the map found at Exhibit A.3 anticipated for future inclusion into the boundaries of the District.

Annual Report and Disclosure Statement: means the statement of the same name required to be filed annually with the Board of County Commissioners pursuant to Resolution 22-376 as may be amended.

Assessment Rate Adjustment: means if after approval of this Service Plan, the laws of the State change with respect to the assessment of property for taxation purposes, the method of calculating assessed valuation or any other similar changes occur, an allowed adjustment to the Maximum Debt Service Mill Levy, Maximum Operational Mill Levy, or Maximum Special Mill Levy to be determined by the Board in good faith so that to the extent possible, the actual tax revenues generated by the Maximum Debt Service Mill Levy, Maximum Operational Mill Levy or Maximum Special Mill Levy, are neither diminished nor enhanced as a result of such changes.

Board: means the board of directors of the District.

Board of County Commissioners: means the Board of County Commissioners of El Paso County.

Conventional Representative District: means a Title 32 special district, which is structured to allow all residents and property owners to participate in elections for the Board of Directors, as otherwise allowed by Statute.

County: means El Paso County, Colorado

Debt: means bonds or other obligations for the payment of which the District has promised to impose an *ad valorem* property tax mill levy without such promise being subject to annual appropriation.

Developer Funding Agreement: means an agreement of any kind executed between a special district and a Developer as this term is specifically defined below, including but not limited to advance funding agreements, reimbursement agreements or loans to the special district from a Developer, where such an agreement creates an obligation of any kind which may require the special district to re-pay the Developer. The term “Developer” means any person or entity (including but not limited to corporations, venture partners, proprietorships, estates and trusts) that owns or has a contract to purchase undeveloped taxable real property greater than or equal to ten percent (10%) of all real property located within the boundaries of the special district. The term “Developer Funding Agreement” shall not extend to any such obligation listed above if such obligation has been converted to Debt issued by the special district to evidence the obligation to repay such Developer Funding Agreement, including the purchase of such Debt by a Developer.

District: means the 4-Way Commercial Metropolitan District.

External Financial Advisor: means a consultant that: (i) advises Colorado governmental entities on matters relating to the issuance of securities by Colorado governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (ii) shall be an underwriter, investment banker, or individual listed as a public finance advisor in the Bond Buyer’s Municipal Market Place; and (iii) is not an officer or employee of the District and has not been otherwise engaged to provide services in connection with the transaction related to the applicable Debt.

Initial District Boundaries: means the initial boundaries of the District as described in Section III.I.1 and depicted on the map in Exhibit A.2 and as legally described in the legal description found at Exhibit A.2.

Local Public Improvements: means facilities and other improvements which are or will be dedicated to the County or another governmental or quasi-governmental entity for

substantially public use, but which do not qualify under the definition of Regional Public Improvements. Examples would include local streets and appurtenant facilities, water and sewer lines which serve individual properties and drainage facilities that do not qualify as reimbursable under adopted drainage basin planning studies.

Material Modification: has the meaning described in Section 32-1-207, C.R.S., as it may be amended from time to time.

Maximum Combined Mill Levy: means the maximum combined ad valorem mill levy the District may certify against any property within the District for any purposes.

Maximum Debt Authorization: means the maximum principal amount of Debt that the District may have outstanding at any time, which under this Service Plan is \$36,685,000.

Maximum Debt Service Mill Levy: means the maximum ad valorem mill levy the District may certify against any property within the District for the purpose of servicing any Debt incurred by or on behalf of the District.

Maximum Operational Mill Levy: means the maximum ad valorem mill levy the District may certify against any property within the District for the purposes of providing revenues for ongoing operation, maintenance, administration or any other allowable services and activities other than the servicing of Debt. This Maximum Operational Mill Levy is exclusive of any Maximum Special Mill Levy which might be separately authorized.

Maximum Special Purpose Mill Levy: means the maximum ad valorem mill levy which is allowed for covenant enforcement and design review and/or maintenance of common facilities in the absence of a Business Owners Association and which is in addition to the allowable Maximum Debt Service Mill Levy and the Maximum Operational Mill Levy.

Planning and Community Development: means the department of the County formally charged with administering the development regulations of the County.

Public Improvements: means those improvements constituting Regional Public Improvements and Local Public Improvements collectively.

Regional Public Improvements: mean facilities and other improvements which are or will be dedicated to the County or another governmental or quasi-governmental entity for substantially public use, and which serve the needs of the region.

Revenue Obligations: means bonds or other obligations not subject to annual appropriation that are payable from a pledge of revenues other than *ad valorem* property taxes.

Service Plan: means this Service Plan for the District.

Special District Act: means Sections 32-1-101, et seq., of the Colorado Revised Statutes, as amended from time to time.

State: means the State of Colorado.

Underlying Land Use Approvals: means Board of County Commissioners approval of the applicable land use plans that form the basis for the need for the District and its proposed financing plan and/or services. Such approvals may be in the form of one or a combination of Sketch Plans, site-specific Planned Unit Development (PUD) plans, rezonings, or subdivision plans.

III. INTRODUCTION

A. Overall Purpose and Intent.

The District will be created pursuant to the Special District Act and is being organized as a Conventional Representative District under El Paso County policies. The District is an independent unit of local government, separate and distinct from the County, and, except as may otherwise be provided for by State or local law or this Service Plan, the District's activities are subject to review by the County only insofar as they may deviate in a material matter from the requirements of the Service Plan. It is intended that the District, in its discretion, will provide a part or all of various Public Improvements necessary and appropriate for the development of a project within the unincorporated County to be known as the "4-Way Commercial Development" (the "Project"). The Public Improvements will be constructed for the use and benefit of all anticipated businesses, property owners and taxpayers of the District. The District will finance the construction of Public Improvements and will be responsible for providing ongoing maintenance of common areas and stormwater infrastructure, as well as providing covenant enforcement services. The District will also be responsible for construction of any non-dedicated improvements within the development, as well as ongoing maintenance of such non-dedicated improvements, unless a separate business owners association is created and tasked with providing such ongoing maintenance services.

The District will coordinate the financing and construction of all Public Improvements. The District is expected to include commercial development that will produce the required revenue to fund the Public Improvements and any operations and maintenance costs.

B. Need For The District.

The overall need for creation of the District is that there are currently no other governmental entities located in the immediate vicinity of the District that consider it desirable, feasible or practical to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, and financing of the Public Improvements needed for the proposed development within the District. The underlying 4-Way Ranch Metropolitan District No. 1 ("District No. 1") does not provide services outside the current District No. 1 boundaries and cannot support issuance of debt to provide the necessary infrastructure to serve the proposed development within this District. 4-Way Ranch Metropolitan District No. 2 ("District No. 2"),

which is not underlying to this District, has an obligation via intergovernmental agreement with District No. 1 to provide water and wastewater service to District No. 1, including the property included in this District; however, District No. 2 currently lacks the debt capacity and existing infrastructure for the physical construction of the infrastructure needed to serve the proposed development. Therefore, the District proposes to finance and construct the necessary infrastructure, both in terms of any necessary interim improvements such as onsite well and septic systems, as well as the long term centralized service connections to the District No. 2 systems. After construction, the District intends to dedicate all water and wastewater infrastructure, as appropriate, to District No. 2 for ongoing ownership and maintenance.

There is currently no option for annexation into a municipality to obtain municipal services given that the current boundaries of the nearest incorporated municipality (the City of Colorado Springs) are located approximately 3.28 miles from the Initial District Boundaries with existing municipal infrastructure located at an even greater distance. There are no other governmental or quasi-governmental entities, including the County, located in the immediate vicinity of the District that can provide service in an economically feasible or practical manner. As mentioned above, the property included within the Initial District Boundaries is also located within the boundaries of 4-Way Ranch Metropolitan District No. 1, and the 4-Way Ranch Metropolitan District No. 1 has consented by resolution of the Board of Directors (see Exhibit F) to allow the District to be formed and with the understanding that the District will finance public improvements and provide services within the Initial District Boundaries. Again, 4-Way Ranch Metropolitan District No. 2, which was created with water and wastewater service as a statutory purpose, lacks the necessary physical infrastructure to serve the proposed commercial development within the Initial District Boundaries. Therefore, it is not practical or economically feasible at this time for the District to receive service from 4-Way Ranch Metropolitan District No. 2 via an existing Intergovernmental Agreement with 4-Way Ranch Metropolitan District No. 1.

Formation of the District is necessary in order for the Public Improvements required for the proposed development within the District to be provided in the most economical manner possible and so as to not preclude development of the subject property. The District will be able to construct the Public Improvements and produce the required revenue to fund the Public Improvements and any associated ongoing operations and maintenance costs for those Public Improvements not otherwise dedicated to another governmental or quasi-governmental entity.

As discussed below in this Service Plan, development of the Project will proceed in phases, which will require the extension of public services and facilities. Use of a single district to generate revenue; direct financing, construction, acquisition and installation of improvements; and for management of operation and maintenance needs will facilitate a well-planned financing effort through all phases of construction, which will assist in the coordinated extension of services. It is noted that this Service Plan does not propose a multiple district concept nor does it propose a master district concept.

C. County Objectives In Forming The District.

The County recognizes the District as an independent quasi-municipal entity which is duly authorized for the purposes and functions identified in the Service Plan. Future County

involvement in the affairs of the District will generally be limited to functions as required by the Colorado Revised Statutes, reporting and disclosure functions, determinations as to compliance with the limits as set forth in this Service Plan or any conditions attached to its approval, as well as additional activities or relationships as may be stipulated in any intergovernmental agreements which may be entered in to between the District and the County in the future.

In approving this Service Plan the objectives of the County include an intent to allow the applicant(s) reasonable access to public tax-exempt financing for reasonable costs associated with the generally identified Public Improvements and to allow the applicant the ability to prudently obligate future property owners for a reasonable share of the repayment costs of the Public Improvements which will benefit the properties within the District.

It is the additional objective of the County to allow for the District to provide for the identified ongoing services which either cannot or will not be provided by the County and/or other districts.

In approving this District as a Conventional Representative District, it is also an objective of the County to maximize opportunities for full representative participation on the part of future eligible electors. However, because many of the critical financing decisions will be made prior to the existence of the future property owners, it is the intent of the County to accommodate and allow for reasonable and constructive ongoing notice to future property owners of the probable financial impacts associated with owning property within the District.

D. Specific Purposes -Facilities and Services.

The District is authorized to provide the following facilities and services, both within and without the boundaries of the District as may be necessary:

1. Water. The District shall have the power and authority to finance, design, construct, acquire, install, maintain, and provide for potable water and irrigation water facilities and systems, including, but not limited to, water rights, water supply, treatment, storage, transmission, and distribution systems for domestic, irrigation, fire control, and other public purposes, together with all necessary and proper reservoirs, treatment facilities, wells, equipment, and appurtenances incident thereto, which may include, but shall not be limited to, transmission lines, pipes, distribution mains and laterals, storage facilities, and ditches, with all necessary and incidental and appurtenant facilities, land and easements, together with extensions and improvements thereto. Initial development of the Project may need to utilize onsite Denver Basin groundwater wells for water supply depending on the status of well permitting and construction of the central water supply system for 4-Way Ranch Metropolitan District No. 2, which, via an intergovernmental agreement with 4-Way Ranch Metropolitan District No. 1, is obligated to provide water supply service to the property included within this District. Full build-out of the Project will likely require development of a new centralized water supply system or an extension and connection to an existing or planned centralized water supply system (such as the system that is planned for by 4-Way Ranch Metropolitan District No. 2). For this reason, the District shall also have the power and authority to plan for, finance, design, construction, install, maintain, and replace or repair the infrastructure necessary to provide for such infrastructure and service. The District's power and authority shall

also include the ability to contract with other private or governmental entities to provide any or all of the services the District is authorized or empowered to provide. To the extent necessary, the District shall dedicate any necessary improvements to one or more governmental entities that provide service (“Provider Jurisdiction”) in accordance with the Provider Jurisdiction rules and regulations.

The District does not intend to join the Pikes Peak Regional Water Authority following formation.

2. Sanitation. The District shall have the power and authority to plan for, finance, design, construct, acquire, install, maintain, assess tap or other facility fees, and provide for sanitary sewers and to transport wastewater to an appropriate wastewater treatment facility, with all necessary and incidental and appurtenant facilities, land and easements, together with extensions and improvements thereto. Initial development of the Project may need to utilize onsite wastewater treatment systems (“OWTS”) for wastewater treatment, as permitted by El Paso County Public Health, operating under the authority of the Colorado Department of Public Health and Environment, depending on the status of the permitting and construction by 4-Way Ranch Metropolitan District No. 2 of a centralized wastewater treatment system. The District, if formed as proposed in this Service Plan, would be authorized to design, construct, and maintain OWTS facilities pursuant to the definitions included in Section 32-1-103, C.R.S. Full build-out of the Project will likely require development of a new centralized wastewater treatment system or an extension and connection to an existing or planned centralized wastewater treatment system (such as the system that is planned for by 4-Way Ranch Metropolitan District No. 2). It is anticipated that the District will construct or facilitate the construction of the sanitary sewer infrastructure needed for the Project and will dedicate such infrastructure to the respective service provider (e.g., 4-Way Ranch Metropolitan District No. 2), as applicable, for ongoing operations and maintenance. The District may enter into an intergovernmental agreement with another similar quasi-governmental provider to govern this relationship. In the unlikely event the District is not able to reach an agreement with a service provider, the District shall have the authority to plan for, finance, design, construct, acquire, install, maintain, assess tap or other facility fees, and provide for sanitary sewers associated with a new centralized sanitary sewer system to serve the Project.

3. Street Improvements, Transportation and Safety Protection. The District shall have the power and authority to provide for the design, acquisition, installation, construction, financing, operation, and maintenance of street and roadway improvements, including but not limited to curbs, gutters, culverts, storm sewers and other drainage facilities, detention ponds, retaining walls and appurtenances, as well as sidewalks, bridges, parking facilities, paving, lighting, grading, landscaping, undergrounding of public utilities, snow removal equipment, or tunnels and other street improvements, together with all necessary, incidental, and appurtenant facilities, land and easements, together with extensions of and improvements to said facilities. It is anticipated that public street improvements will be dedicated by the District to the County upon completion and, following acceptance by the County, the County will own, operate, and maintain such street improvements. The District anticipates constructing approximately 1.05 miles of non-residential collector roadway and sidewalks in accordance with County standards. All underground utilities and non-dedicated driveways will be either transferred to the applicable utility provider or retained by the District for ongoing ownership and maintenance.

The District shall have the power and authority to perform the design, acquisition, installation, construction, financing, operation, and maintenance of traffic and safety protection facilities and services through traffic and safety controls and devices on arterial streets and highways, as well as other facilities and improvements including but not limited to, signalization at intersections, traffic signs, area identification signs, directional assistance, and driver information signs, together with all necessary, incidental, and appurtenant facilities, land easements, and extensions of and improvements to said facilities. The proposed commercial development may be responsible for offsite roadway improvements, including, but not limited to, dedication of rights-of-way, intersection improvements, and other capacity improvements. The improvements that will be specifically required will be determined at the later stages of development with subdivision applications and/or commercial site development plans pursuant to the associated transportation impact studies.

The District shall also have the power and authority to perform the design, acquisition, installation, construction, financing, operation, and maintenance of public transportation system improvements, including, but not limited to, transportation equipment, park and ride facilities and parking lots, parking structures, roofs, covers, and facilities, including structures for repair, operations and maintenance of such facilities, together with all necessary, incidental, and appurtenant facilities, land and easements, and all necessary extensions of and improvements to said public improvements.

4. Drainage. The District shall have the power and authority to provide for the design, acquisition, installation, construction, financing, operation, and maintenance of flood and surface drainage facilities, including but not limited to channels, culverts, dams, retaining walls, access ways inlets, detention ponds and paving, roadside swales and curb and gutter, flood and surface drainage disposal works and facilities, together with all necessary, incidental and appurtenant facilities, land and easements, and all necessary extensions of and improvements to said facilities or systems. It is anticipated that the drainage improvements will consist of storm sewer facilities and detention ponds designed to meet the County Drainage Criteria. Following completion and acceptance of those drainage improvements by the District, said drainage improvements will be owned, operated, and maintained by the District.

5. Parks and Recreation. The District shall have the power and authority to provide for the design, acquisition, installation, construction, financing, operation, and maintenance of public park and recreation facilities or programs including, but not limited to, grading, soil preparation, sprinkler systems, hiking trails, pedestrian trails, pedestrian bridges, picnic areas, common area landscaping and weed control, outdoor lighting of all types, and other facilities, together with all necessary, incidental and appurtenant facilities, land and easements, and all necessary extensions of and improvements to said facilities or systems. In the event that any park and/or recreation facilities are constructed within the Project, it is anticipated that such park and recreation facilities will be owned, operated, and maintained by the District.

The District shall not have the authority to apply for or utilize any Conservation Trust (“Lottery”) funds without the express prior consent of the Board of County Commissioners. Such approval, although required, is not considered to be a material modification which would

require the need to revise this Service Plan. The District shall have the authority to apply for and receive any other grant funds, including, but not limited to, Great Outdoors Colorado (“GOCO”) discretionary grants.

6. Mosquito Control. The District shall have the power and authority to provide for the eradication and control of mosquitoes, including but not limited to elimination or treatment of breeding grounds and purchase, lease, contracting or other use of equipment or supplies for mosquito control.

7. Fire Protection. The District shall not be authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate, or maintain fire protection facilities or services, except fire hydrants, unless such facilities and services are provided pursuant to an intergovernmental agreement with Falcon Fire Protection District or other applicable service provider. The authority to plan for, design, acquire, construct, install, relocate, redevelop, or finance fire hydrants and related improvements installed as part of any water system shall not be limited by this provision.

8. Television Relay and Translation. The District shall have the power and authority to provide for the design, acquisition, construction, completion, installation, financing, and/or operation and maintenance of television relay and translator facilities, including but not limited to cable television and related communication facilities, satellite television facilities, Internet and other telecommunication facilities, together with all necessary, incidental and appurtenant facilities, land and easements, and all necessary extensions of and improvements to said facilities.

9. Covenant Enforcement and Design Review. The District shall have the power and authority to provide covenant enforcement and design review services. Covenant enforcement and design review services shall be limited pursuant to Section 32-1-1004(8), C.R.S. as it may be amended from time to time.

10. Security Services. The District shall have the power and authority to provide security services. Such power and authority shall be limited pursuant to Section 32-1-1004(7), C.R.S., as may be amended from time to time. The power and authority hereby given to the District is not intended in any way to supersede, subvert, or otherwise interfere with the authority and powers of local law enforcement officials within the boundaries of the District.

11. Solid Waste Disposal. The District shall have the power and authority to provide for the design, acquisition, construction, completion, installation, financing, and/or operation and maintenance of solid waste disposal facilities, including, but not limited to, the collection and transportation of solid waste, for any area within the District’s boundaries by contracting with a third-party service provider, or providing such solid waste disposal services itself pursuant to Sections 32-1-1004(1)(k) and 32-1-1006(6), C.R.S. If the County is providing solid waste disposal services, the District shall obtain the prior written consent of the Board of County Commissioners prior to furnishing any solid waste disposal services within the District.

E. Other Powers.

1. Amendments. The District shall have the power to amend this Service Plan as needed, subject to appropriate statutory procedures as set forth in Section 32-1-207, C.R.S.

2. Authority to Modify Implementation of Financing Plan and Public Infrastructure. Without amending this Service Plan, the District may defer, forego, reschedule or restructure the financing and construction of certain improvements and facilities, to better accommodate the pace of growth, resources availability, and potential inclusions of property within the District.

F. Other Statutory Powers.

The District may exercise such powers as are expressly or impliedly granted by Colorado law, if not otherwise limited by the Service Plan or its conditions of approval. The District shall not adopt or enact an ordinance, resolution, rule or other regulation that prohibits or restricts an authorized permittee from carrying a concealed handgun in a building or specific area under the direct control or management of the District as provided in Section 18-12-214, C.R.S.

G. Eminent Domain.

The District may exercise the power of eminent domain or dominant eminent domain only as necessary to further the clear public purposes of the District. Any proposed use of the power of eminent domain by the District shall require prior authorization by the Board of County Commissioners at an open and public hearing without requiring an amendment to this Service Plan.

The power of eminent domain and/or dominant eminent domain shall be limited to the acquisition of property that the District intends to own, control or maintain and is for the material use or benefit of the general public. The term “material use or benefit for the general public” shall not include the acquisition of property for the furtherance of an economic development plan, nor shall it include as a purpose an intent to convey such property or to make such property available to a private entity for economic development purposes. The phrase “furtherance of an economic development plan” does not include condemnation of property to facilitate public infrastructure that is necessary for the development of the Project.

H. Intergovernmental Agreements (IGAs).

The District is authorized to enter into IGAs to the extent permissible by law. As of the date of approval of this Service Plan, the District conceptually anticipates entering into an IGA with an existing water and/or wastewater service provider (e.g., 4-Way Ranch Metropolitan District No. 2). Initial development of the Project may be served by OWTS and individual groundwater wells; however, full build out of the site may ultimately require permitting and development of new centralized water and/or wastewater facilities or extension of existing facilities currently owned and operation by a municipal or quasi-governmental entity, as appropriate. Extension of such existing services would likely require entering into an IGA with the respective service provider (e.g.,

metropolitan district).

I. Description Of Proposed Boundaries And Service Area.

1. Initial District Boundaries. Vicinity maps showing the general location of the District are included as Exhibit A.1. A map of the Initial District Boundaries and legal description are included in Exhibit A.2.

2. Additional Inclusion Area/Boundary Adjustments. Additional inclusion areas are not anticipated in addition to the initially included properties. The District shall be authorized to include territory in accordance with applicable provisions of the Special District Act.

Notwithstanding the foregoing, the District is prohibited from including additional property within the District's boundaries if the property is within the corporate limits of the City of Colorado Springs without express prior consent of the City of Colorado Springs City Council.

Notwithstanding the foregoing, the District is prohibited from including additional property within the District's boundaries if the property is within the corporate limits of the Town of Monument without express prior consent of the Town of Monument Board of Trustees.

3. Extraterritorial Service Areas. The District does not anticipate providing services to areas outside of the Initial District Boundaries. Any interim water or wastewater infrastructure constructed by the District and the provision of the same services provided by the District will be limited to the anticipated onsite commercial development. Once connection is made to a central water and/or wastewater service provider (e.g., 4-Way Ranch Metropolitan District No. 2) then the District's ownership and maintenance responsibilities would likely be transferred to the central provider, which could be the entity that provides additional service to other extraterritorial areas.

4. Analysis Of Alternatives. The District will be responsible for financing the construction of all Public Improvements associated with the Project, as well as providing ongoing operations and maintenance and covenant enforcement and design review services. The single district structure will limit the number of new districts being created, thereby minimizing the proliferation of districts in El Paso County. The District will finance, manage, and provide oversight of the construction and ongoing maintenance of the respective public improvements. The District will also be responsible for covenant enforcement and design review services as the Project develops and new commercial businesses begin operations within boundaries of the District.

Besides 4-Way Ranch Metropolitan District No. 1 and 4-Way Ranch Metropolitan District No. 2, which have been previously discussed, there are existing metropolitan districts within a three-mile radius of the Project as reflected on the list of neighboring taxing and service providing entities in Section VII.B below. Those existing metropolitan districts have already been constructed by different developers in connection with specific developments. It may not be in the financial interests of the residents and property owners within these existing metropolitan districts to undertake the funding of the Public Improvements within the District based on their respective service plan limitations. It further could adversely affect the current residents and property owners

within those metropolitan districts who do not wish to fund public improvements from which they will not receive any services or benefit. The establishment of the District will generate the majority of the tax revenue sufficient to pay the costs of the Public Improvements and create a benefit for the development and the County.

Currently, the County does not have the ability to provide the services and infrastructure required to support the planned commercial development of the Project. In addition, the Initial District Boundaries are not contiguous with the incorporated boundaries of the City of Colorado Springs or any other municipality as would be necessary to facilitate annexation and provision of municipal services. Further, there are no other public entities in the area, including existing Title 32 Special Districts, that have the ability or debt capacity to finance the construction of the public improvements associated with Project. In that regard, the 4-Way Ranch Metropolitan District No. 1 has issued a resolution consenting to the formation of this District, which is likely due to a lack of available debt capacity and the absence of existing infrastructure owned and operated by 4-Way Ranch Metropolitan District No. 2 needed to serve this District.

5. Material Modifications/Service Plan Amendment. Material modifications of this Service Plan shall, at a minimum, trigger the need for prior approval of the Board of County Commissioners at an advertised public hearing and may require a need for a complete re-submittal of an amended Service Plan along with a hearing before the County's Planning Commission. For the purpose of this Service Plan the following changes shall be considered material modifications:

- a. Any change in the basic services provided by the District, including the addition of any types of services not authorized by this Service Plan.
- b. Any other matter which is now, or may in the future, be described as a material modification by the Special District Act.
- c. Imposition of a mill levy in excess of any of the Maximum Mill Levies as authorized in this approved Service Plan.
- d. Issuance of Debt in excess of the Maximum Debt Authorization authorized in this Service Plan.
- e. Issuance of any Debt with a maturity period of greater than thirty (30) years, from the date of issuance of such Debt.
- f. Creation of any sub-district as contemplated in the Special District Act.
- g. Inclusion into the District of any property over five (5) miles from the Initial District Boundaries unless explicitly contemplated in this Service Plan.

IV. DEVELOPMENT ANALYSIS

A. Existing Developed Conditions.

The 68.2-acre property located within the Initial District Boundaries is currently vacant and undeveloped. A Map Amendment (Rezoning) application to rezone the property from PUD (Planned Unit Development) to CS (Commercial Service) was recently heard and approved by the Board of County Commissioners on February 7, 2023. The Project is proposed to be developed pursuant to the use allowances of the CS (Commercial Service) zoning district.

B. Total Development At Project Buildout.

At complete Project build-out, development within the District is planned to consist of approximately 400,000 square feet of commercial development.

C. Development Phasing And Absorption.

Absorption of the project is currently projected to take five (5) years, beginning in 2026 (year) and ending in 2031 (year) and is further described in the Development Summary Table found at Exhibit B. The project could develop as individual lots or as commercial pad sites, or as a combination of lots and pad sites. The size of the lots and/or pad sites will likely vary and will be dependent on market demands, which will also affect the absorption rate of the overall development. Some commercial users may require significantly more acreage than others, thereby consuming the developable land within the District at a different rate than would numerous smaller commercial users requiring less acreage. It is very difficult to project and account for these variables, particularly when considering the conventional CS (Commercial Service) zoning of the property and the variety of land uses that are permitting therein.

The proposed metropolitan district would assess a maximum debt mill levy of 65 mills on assessed properties in the District from 2025 to 2064 for collection in 2065. Over the 40 years, the effect of collecting property taxes for the District will decrease El Paso County's Specific Ownership Taxes (SOT) by an average of \$13,869 a year. In year 1 (2026 collection year), El Paso County collections will be reduced by approximately \$250 and growing to \$19,379 at final maturity in 2064. During the same time period, El Paso County's property taxes are expected to grow approximately \$2,626 in 2026 to \$203,816 in year 2064. Over the 40-year course of the project, we estimate total SOT collections will be reduced by \$554,743 while property tax collections should increase by \$5,834,384.

D. Status of Underlying Land Use Approvals.

As discussed above, the property located within the Initial District Boundaries was recently approved by the Board of County Commissioners for a rezoning from PUD (Planned Unit Development) to CS (Commercial Service) on February 7, 2023. The CS (Commercial Service) zoning district allows for a variety of retail, wholesale, and service-based commercial uses. There

are no other land use approvals for the property located within the Initial District Boundaries at the time of preparing this Service Plan. The landowner is currently contemplating development of a mini-warehouse facility, a recreational vehicle storage lot, and a general commercial building as the initial phases of development on the property.

V. INFRASTRUCTURE SUMMARY

Attached as Exhibit C is the Estimated Infrastructure Capital Costs of Public Improvements which are anticipated to be required within the District. A general description of the categories of Public Improvements is included in Section III.D. of this Service Plan. The total costs of the Public Improvements are estimated to be approximately \$28,686,554.40 in year 2023 dollars. The estimated costs are preliminary in nature. Actual costs may vary depending on numerous factors associated with development of the Project, including construction materials, labor, and other similar considerations. Based on the attached financial plan (Exhibit D), it is estimated that the District will finance approximately \$28,686,554.40 or one-hundred percent (100%) of this estimated amount, but the amount ultimately financed by the District will be subject to the market conditions and the Maximum Debt Authorization.

All Public Improvements will be designed and constructed in accordance with the standards of the governmental entity to which such Public Improvements will be dedicated (including, with respect to storm sewer and drainage facilities, the applicable National Pollutant Discharge Elimination System standards), and otherwise in accordance with applicable El Paso County standards. The composition of specific Public Improvements will be determined in connection with applicable future land use and development approvals required by El Paso County rules and regulations. There is the potential that some of the Public Improvements could be reimbursable within the Countywide Road Impact Fee program, but such determination will need to be made once the specific improvements have been identified at later stages of development.

VI. FINANCIAL PLAN SUMMARY

A. Financial Plan Assumptions and Debt Capacity Model.

Attached at Exhibit D is the Financial Plan Summary, which includes a summary of development assumptions, projected assessed valuation, description of revenue sources (including applicable mill levies and fees) and expenses for both operations and debt service, and an overall debt capacity model associated with projected future development of the Project. The model demonstrates that the District is capable of providing sufficient and economic service within the Project, and that the District has or will have the financial ability to discharge the District's Debt on a reasonable basis. The financial model attached as Exhibit D is an example of the manner in which the District may finance the Public Improvements. The specific structure for financing the Public Improvements shall be determined in the discretion of the Board of Directors of the District, subject to the limitations set forth in this Service Plan.

B. Maximum Authorized Debt.

The District is authorized to issue debt up to \$36,685,000 in principal amount. The Maximum Debt Authorization is based upon the estimated costs associated with the construction of on and off-site public improvements for the Project, including roadways, streets, water and sanitary sewer, drainage, stormwater, and other related improvements. This amount is larger than the estimated cost of the Public Improvements to allow for inflation, contingencies, and unanticipated changes from the date of approval of this Service Plan. The cost estimates are preliminary in nature and the ultimate costs may increase or decrease depending on numerous factors, many of which are out of Developer's control.

C. Maximum Mill Levies.

1. Maximum Debt Service Mill Levy. The Maximum Debt Service Mill Levy shall be fifty (50) mills, subject to Assessment Rate Adjustment. All Debt issued by the District must be issued in compliance with the requirements of Section 32-1-1101, C.R.S., and all other requirements of State law.

2. Maximum Operational Mill Levy. The Maximum Operational Mill Levy Cap for the District shall be ten (10) mills, subject to Assessment Rate Adjustment.

3. Maximum Special Purpose Mill Levy. The Maximum Special Purpose Mill Levy for the District is five (5) mills, subject to Assessment Rate Adjustment. This Maximum Special Purpose Mill Levy is needed to fund covenant enforcement and design review in the absence of an owner's association, as the revenue derived from the Maximum Operational Mill Levy will fund the District's ongoing operations and maintenance of District-owned, operated, and maintained improvements, and further fund the District's general administrative costs.

4. Maximum Combined Mill Levy. The Maximum Combined Mill Levy for the District is sixty-five (65) mills, subject to Assessment Rate Adjustment.

D. Maximum Maturity Period For Debt.

The period of maturity for issuance of any Debt (but not including Developer Funding Agreements) shall be limited to no more than thirty (30) years without express, prior approval of the Board of County Commissioners. However, the District is specifically authorized to refund or restructure existing Debt so long as the period of maturity for the refunding or restructured Debt is no greater than thirty (30) years from the date of the issuance thereof.

E. Developer Funding Agreements.

The Developer intends to enter into a Developer Funding Agreement(s) with the District in addition to recovery of the eligible costs associated with creation of this District. The Developer Funding Agreement may cover organizational costs, the costs of capital improvements and funding for operations and maintenance. It is anticipated that in the formative years, the District will have shortfalls in funding its capital costs and monthly operations and maintenance expenses. The Developer may fund these obligations for the District to promote the

Project's development subject to the Developer being repaid from future District revenues.

Developer Funding Agreements may allow for the earning of simple interest thereon, but under no circumstances shall any such agreement permit the compounding of interest. The Developer Funding Agreements may permit an interest rate that does not exceed the prime interest rate plus two points thereon.

The maximum term for repayment of a Developer Funding Agreement shall be twenty (20) years from the date the District becomes obligated to repay the Developer Funding Agreement under the associated contractual obligation. For the purpose of this provision, Developer Funding Agreements are considered repaid once the obligations are fully paid in cash or when converted to bonded indebtedness of the District (including privately placed bonds). Any extension of such term is considered a Material Modification and must be approved by the Board of County Commissioners.

Required disclosure notices shall clearly identify the potential for the District to enter into obligations associated with Developer Funding Agreements.

F. Privately Placed Debt Limitation.

Prior to the issuance of any privately placed Debt, the District shall obtain the certification of an External Financial Advisor substantially as follows: We are [I am] an External Financial Advisor within the meaning of the District's Service Plan.

We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

G. Revenue Obligations. The District shall also be permitted to issue Revenue Obligations in such amount as the District may determine. Amounts issued as Revenue Obligations are not subject to the Maximum Debt Authorization.

VII. OVERLAPPING TAXING ENTITIES, NEIGHBORING JURISDICTIONS

A. Overlapping Taxing Entities.

The directly overlapping taxing entities and their respective year 2022 mill levies are as follows:

El Paso County	7.732 mills
El Paso County Road and Bridge	0.330 mills

El Paso County (Falcon) School District No. 49	45.159 mills
Pikes Peak Library District	3.512 mills
Falcon Fire Protection District	14.886 mills
Upper Black Squirrel Creek GWMD	1.062 mills
El Paso County Conservation District	0.000 mills
4-Way Ranch Metropolitan District #1	50.315 mills
 Total Existing Mill Levy:	 122.996 mills

The total mill levy including the initially proposed District’s mill levy is 187.996 mills.

It is not anticipated that there will be any significant adverse financial impacts to these overlapping entities as these overlapping entities will collect tax revenue from the imposition of mill levies upon property located within the District.

The provision of water to the Project is not proposed to rely upon groundwater resources within the Upper Black Squirrel Creek Aquifer, instead relying on decreed water resources from deeper aquifers in the Denver Basin and/or centralized water service via an IGA with an existing water provider. Therefore, there should be little to no impact to the Upper Black Squirrel Creek Groundwater Management District. In fact, utilizing OWTS, at least initially, by the end users in the Project may actually help improve overall recharge of the Upper Black Squirrel Creek Aquifer.

Development of the Project will significantly increase the value of the property included within the District’s boundaries, which will result in a substantial increase in the tax revenue for El Paso County (Falcon) School District No. 49, Pikes Peak Library District, and Falcon Fire Protection District as a result of their current mill levies. In addition, in the case of El Paso County (Falcon) School District No. 49 and the Pikes Peak Library District, the planned commercial development will not increase the level of demand on their respective services, rendering the Project a benefit for both taxing entities.

B. Neighboring Jurisdictions.

The following additional taxing and or service providing entities include territory within three (3) miles of the Initial District Boundaries (based upon information provided by the County Assessor’s Office):

- El Paso County
- Paint Brush Hills Metropolitan District
- Peyton School District No. 23
- El Paso County (Falcon) School District #49
- Pikes Peak Library District
- Falcon Fire Protection District
- Peyton Fire Protection District

- Upper Black Squirrel Creek Groundwater Management District
- Bobcat Meadows Metropolitan District
- Woodmen Hills Metropolitan District
- El Paso County Conservation District
- Central Colorado Conservation District
- Meridian Ranch Metropolitan District
- Meridian Service Metropolitan District
- Woodmen Road Metropolitan District
- Falcon Highlands Metropolitan District
- 4-Way Ranch Metropolitan District #1
- 4-Way Ranch Metropolitan District #2
- Latigo Creek Metropolitan District
- Bent Grass Metropolitan District
- El Paso County Public Improvement District #2
- Paint Brush Hills Metropolitan District – Subdistrict A
- Meridian Ranch Metropolitan 2018 Subdistrict
- Saddlehorn Metropolitan District #1
- Saddlehorn Metropolitan District #2
- Saddlehorn Metropolitan District #3
- Falcon Field Metropolitan District
- The Ranch Metropolitan District #1
- The Ranch Metropolitan District #2
- The Ranch Metropolitan District #3
- The Ranch Metropolitan District #4
- Grandview Reserve Metropolitan District #1
- Grandview Reserve Metropolitan District #2
- Grandview Reserve Metropolitan District #3
- Grandview Reserve Metropolitan District #4

No relationships are anticipated with most of the foregoing entities at this time and the District is not anticipated to have an impact to these neighboring entities. An evaluation of options for onsite and centralized water and wastewater service is being performed currently, which may result in a future relationship being formed via IGA(s) with one or more of the existing districts providing water and wastewater services in the area.

VIII. DISSOLUTION

A. Dissolution. Upon an independent determination of the Board of County Commissioners that the purposes for which the District was created have been accomplished, the District agrees to file a petition in the appropriate District Court for dissolution, pursuant to the applicable State statutes. In no event shall dissolution occur until the District has provided for the payment or discharge of all of its outstanding indebtedness and other financial obligations as required pursuant to State statutes.

B. Administrative Dissolution. The District shall be subject to administrative dissolution by the Division of Local Government as set forth in Section 32-1-710, C.R.S.

IX. COMPLIANCE

A. An Annual Report and Disclosure Form will be required and submitted as described in Section 32-1-207(3)(c), C.R.S., and as further articulated by Board of County Commissioners Resolution No. 07-273.

B. Material Modifications of this Service Plan shall be subject to the provisions contained in Section 32-1-207, C.R.S., relating to approvals and notices thereof.

X. MISCELLANEOUS.

The following is additional information to further explain the functions of the District:

A. Special District Act.

The contemplated municipal services are under the jurisdiction of the Special District Act and not the Public Utilities Commission.

B. Disclosure to Prospective Purchasers.

After formation of the District, and in conjunction with final platting of any properties within the District, the Board of Directors of the District shall prepare a notice acceptable to the Planning and Community Development Department Staff informing all purchasers of property within the District of the District's existence, purpose and debt, taxing, and other revenue-raising powers and limitations. Such notice obligation shall be deemed satisfied by recording the notice with this Service Plan and each final plat associated with the Project, or by such other means as the Planning and Community Development Department approves. Such notice shall be modified to address the potential for future Debt issuance which may be required to meet the obligations associated with loans incurred by the District. In conjunction with subsequent plat recordings, Planning and Community Development Department staff is authorized to administratively approve updates of the disclosure form to reflect current information.

C. Local Improvements.

Prior to the financing of Local Public Improvements, and if required by County policy uniformly applied, agreements shall be in place to prevent a loss of sales tax revenue from sales of construction materials that would otherwise accrue to the County.

D. Service Plan Not a Contract.

The grant of authority contained in this Service Plan does not constitute the agreement or binding commitment of the District enforceable by third parties to undertake the activities described, or to undertake such activities exactly as described.

E. Land Use and Development Approvals.

Approval of this Service Plan does not imply approval of the development of a specific area within the Project, nor does it imply approval of the total site/floor area of commercial buildings identified in this Service Plan or any of the exhibits attached thereto. All such land use and development approvals shall be processed and obtained in accordance with applicable El Paso County rules, regulations and policies.

XI. CONCLUSION

It is submitted that this Service Plan for the District establishes that:

A. There is sufficient existing and projected need for organized service in the area to be serviced by the proposed District;

B. The existing service in the area to be served by the proposed District is inadequate for present and projected needs;

C. The proposed District is capable of providing economical and sufficient service to the Project;

D. The area to be included in the proposed District does have, and 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 County 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 proposed District are compatible with the facility and service standards of the County;

G. The proposal is in substantial compliance with applicable elements of the El Paso County Master Plan, including but not limited to Your El Paso Master Plan (2021), the El Paso County Water Master Plan (2018), the El Paso County Parks Master Plan (2013), the El Paso County Major Transportation Corridors Plan, and with these Special District Policies; and

H. The creation of the proposed District is in the best interests of the area proposed to be served.

EXHIBIT A
MAPS AND LEGAL DESCRIPTIONS

EXHIBIT A.1: VICINITY MAP



LEGAL DESCRIPTIONS

OVERALL INITIAL INCLUSION AREA:

For the portion of the property located north of Stapleton Drive

Description:

A tract of land in the Southwest Quarter of Section 28 and the Northwest Quarter of Section 33 Township 12 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at the Northeast Corner of the Northwest Quarter of said Section 33; thence S $00^{\circ}32'40''$ E 531.35 feet along the East Line of the Northwest Quarter of said Section 33; thence S $45^{\circ}52'34''$ W 18.02 feet to the North right of way line of Stapleton Drive; thence along the North right of way line of Stapleton Drive the following 2 courses,

Course 1: N $43^{\circ}41'10''$ W 344.15,

Course 2: On a curve to the left with a radius of 1405.00 feet, an arc distance of 1127.25 feet, chord being N $66^{\circ}37'01''$ W 1097.26 feet; thence N $00^{\circ}02'16''$ E 472.31 feet; thence S $33^{\circ}06'23''$ W 38.23 feet; thence S $47^{\circ}20'54''$ E 86.31 feet; thence S $64^{\circ}11'25''$ E 94.79 feet; thence S $80^{\circ}44'44''$ E 101.96 feet; thence S $61^{\circ}15'34''$ E 141.09 feet; thence N $82^{\circ}37'58''$ E 108.63 feet; thence S $88^{\circ}02'18''$ E 52.46 feet; thence S $80^{\circ}29'21''$ E 62.10 feet; thence S $64^{\circ}44'27''$ E 28.07 feet; thence S $72^{\circ}25'24''$ E 39.10 feet; thence N $80^{\circ}32'12''$ E 53.40 feet; thence N $62^{\circ}41'35''$ E 59.14 feet; thence N $68^{\circ}54'08''$ E 67.16 feet; thence N $81^{\circ}40'20''$ E 79.00 feet; thence N $89^{\circ}54'58''$ E 64.36 feet; thence S $50^{\circ}43'58''$ E 50.43 feet; thence N $38^{\circ}28'19''$ E 283.60 feet; thence on a curve to the right with a radius of 640.00 feet, an arc distance of 65.22 feet, chord being N $41^{\circ}25'43''$ E 65.19 feet to the East Line of the Southwest Quarter of said Section 28; thence S $00^{\circ}26'34''$ E 685.50 feet to the point of beginning, containing 15.5 acres.

Subject to easements and restrictions of record

For the portion of the property located south of Stapleton Drive

Description:

A tract of land in the Northwest Quarter of Section 33 Township 12 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at a point that is S $00^{\circ}32'40''$ E 1248.74 feet and S $89^{\circ}27'20''$ W 756.12 feet from the Northeast Corner of the Northwest Quarter of said Section 33; thence S $89^{\circ}21'54''$ W 518.84 feet to a capped PLS 38254 rebar; thence S $89^{\circ}05'22''$ W 196.52 feet to a capped PLS 38254 rebar; thence S $89^{\circ}24'38''$ W 346.20 feet to a capped PLS 38254 rebar; thence S $00^{\circ}17'22''$ E 39.41 feet to capped PLS 38254 rebar; thence N $89^{\circ}52'17''$ W 237.85 feet to the Southwest Corner of Lot 13, 4 Way Ranch Filing No. 1 as platted in the El Paso County Records under Reception No.

206712416; thence along the Easterly Line of said Lots 13 and 14, 4 Way Ranch Filing No. 1, the following 13 courses,

Course 1: N 02°32'27" E 104.58 feet,
Course 2: N 17°20'56" W 90.67 feet,
Course 3: N 33°10'19" W 117.65 feet,
Course 4: N 46°32'54" W 111.92 feet,
Course 5: N 45°38'56" W 135.29 feet,
Course 6: N 37°49'00" W 77.43 feet,
Course 7: N 69°33'24" W 63.38 feet,
Course 8: N 81°58'46" W 73.71 feet,
Course 9: N 64°01'48" W 66.05 feet,
Course 10: N 40°22'05" W 60.18 feet,
Course 11: N 27°05'02" W 46.89 feet,
Course 12: N 03°48'16" E 78.58 feet,
Course 13: N 09°33'20" E 72.86 feet to the South right of way line of Stapleton Drive; thence along the Southerly Line of Stapleton Drive the following 9 courses,

Course 1: N 64°28'13" E 855.66 feet,
Course 2: On a curve to the right with a radius of 1275.00 feet, an arc distance of 1198.14 feet, chord being S 88°55'14" E 1154.54 feet,
Course 3: On a curve to the right with a radius of 20.00 feet, an arc distance of 33.70 feet, chord being S 13°43'29" E 29.85 feet,
Course 4: S 34°33'01" W 79.10 feet,
Course 5: S 55°26'59" E 100.11 feet,
Course 6: N 34°33'01" E 87.29 feet,
Course 7: On a curve to the right with a radius of 20.00 feet, an arc distance of 31.37 feet, chord being N 79°29'01" E 28.25 feet,
Course 8: On a curve to the right with a radius of 1275.00 feet, an arc distance of 266.18 feet, chord being S 49°36'31" E 265.70 feet,
Course 9: S 43°41'10" E 345.14 feet; thence S 45°58'32" W 894.27 feet to the point of beginning, containing 51.6 acres.

Subject to easements and restrictions of record.

EXHIBIT A.3: ADDITIONAL INCLUSION AREAS

No additional inclusion areas are proposed with this Service Plan.

EXHIBIT B: DEVELOPMENT SUMMARY

The commercial development is proposed to be phased over five (5) years. Initial phasing will likely include development of developer-owned pad sites along the south side of Stapleton Drive pursuant to the CS (Commercial Service) zoning with subsequent subdivision of the property to create lots for sale and transfer and development on the eastern portions of the property, both north and south of Stapleton Drive. Development of the western portion of the property is anticipated to occur at a later stage of development depending on market conditions. The proposed phasing is conceptual in nature and will depend upon numerous factors, many of which will not be under the control of the District or the Developer. The total amount of anticipated commercial development square footage for the project is included in the table below.

Anticipated Development Type and Acreage

Development Type	Zoning Designation	Acreage	Square Feet
Commercial	CS (Commercial Service)	67.1	400,000 sq. ft.

EXHIBIT C: ESTIMATED INFRASTRUCTURE CAPITAL COSTS

4-Way Commercial Metropolitan District Improvements

INFRASTRUCTURE COSTS

PUBLIC ROADWAY AND SITE IMPROVEMENTS

SITE (GRADING, WALLS, EROSION CONTROL)	\$ 5,000,000.00
ASPHALT (ROADWAYS)	\$ 3,420,000.00
DETENTION PONDS	\$ 3,000,000.00
CONCRETE (CURB AND GUTTER, SIDEWALKS)	\$ 638,900.00
COMMON LANDSCAPING	\$ 1,071,576.00

UTILITY

DOMESTIC WATER	\$ 646,200.00
SANITARY SEWER	\$ 775,440.00
STORM	\$ 1,077,000.00
ELECTRICAL/DATA	\$ 7,000,000.00
SUBTOTAL COST	\$ 22,629,116.00
CONTINGENCY 5%	\$ 1,131,455.80
SUBTOTAL	\$ 23,760,571.80

SOFT COSTS

CIVIL ENGINEERING	\$ 2,613,600.00
LAND PLANNING/LANDSCAPE DESIGN	\$ 784,080.00
SURVEY/CONSTRUCTION STAKING	\$ 313,632.00
GEOTECHNICAL ENGINEERING	\$ 209,088.00
ENVIRONMENTAL ENGINEERING	\$ 104,544.00
TRAFFIC/TRANSPORTATION ENGINEERING	\$ 130,680.00
CONSTRUCTION MANAGEMENT	\$ 182,952.00
ENTITLEMENT/INSPECTION	\$ 156,816.00
	\$ 196,020.00
SUBTOTAL COST	\$ 4,691,412.00
CONTINGENCY 5%	\$ 234,570.60
SUBTOTAL	\$ 4,925,982.60

EXHIBIT D: FINANCIAL PLAN SUMMARY

(See attached)

Please see attached third party revenue projections and debt modeling for the District based on the proposed Maximum Debt Service Mill Levy and estimated timing and size of development. It is anticipated that the costs for all professional services rendered and fees associated with District organization will be approximately \$150,000. Ongoing operational costs of the District (exclusive of costs of capital included in attached modeling) are anticipated to be between \$30,000 and \$40,000 annually.

May 2, 2023

4-Way Commercial Metropolitan District
Attention: Craig Dossey
Vertex Consulting Services
455 E. Pikes Peak Avenue, Suite 101
Colorado Springs, CO 80903

RE: Proposed 4-Way Commercial Metropolitan District

We have analyzed the bonding capacity for the proposed 4-Way Commercial Metropolitan District (the "District"). The analysis presented summarizes and presents information provided on behalf of The O'Neil Group (the "Developer") and does not include independently verified information or assumptions.

Development Assumptions

The following assumptions have been provided by the Developer and form the basis of the analysis. All prices below reflect 2023 market values.

1. The development is comprised of 400,000 square feet of commercial space to be completed between 2026 and 2030. The estimated market value per square foot for commercial space is \$140. Such market values are modeled in the financial plan at 1% annual price inflation.

Bond Assumptions

2025 Issuance

1. The District is modeled to issue senior bonds in December 2025 with an estimated principal amount of \$14,340,000 at an estimated interest rate of 5.00%. At issuance, it is projected that the District will fund \$536,800 in costs of issuance (including underwriter's discount and attorneys' fees), \$2,151,000 in capitalized interest, and \$1,157,000 in surplus fund reserves from bond proceeds. The remaining \$10,495,200 is projected to be deposited to the District's project fund.
 - a. Pledged revenues for debt service payments will be comprised of a debt service mill levy and specific ownership taxes.
 - i. The debt service mill levy is 50 mills beginning in tax collection year 2026.
 - ii. Specific Ownership Tax revenues have been calculated based on a factor of 6% to annual property tax revenues.
 - b. It is projected that 99.50% of property taxes levied will be collected and available to the District.
 - c. It is projected that there will be a 1% annual inflation of existing assessed value. The bonding capacity could be higher if the rate of inflation is greater, or conversely lower if the inflation rate is below 1%.
 - d. The bonds are modeled to a 30-year final maturity.

2035 Issuance

1. The District is also modeled to issue senior bonds in December 2035 with an estimated principal amount of \$22,345,000 at an estimated interest rate of 3.00%. At issuance, it is projected that the District will fund an escrow account in the amount of \$13,255,000 for the purpose of refunding the Series 2025 bonds, \$311,725 in costs of issuance (including underwriter's discount and attorneys' fees) and \$1,254,000 in reserve funds from bond proceeds. The remaining \$8,402,275 is projected to be deposited to the District's project fund.
 - a. Pledged revenues for debt service payments will be comprised of a debt service mill levy and specific ownership taxes.
 - b. It is projected that 99.50% of property taxes levied will be collected and available to the District.
 - c. It is projected that there will be a 1% annual inflation of existing assessed value. The bonding capacity could be higher if the rate of inflation is greater, or conversely lower if the inflation rate is below 1%.
 - d. The bonds are modeled to a 30-year final maturity.

Assumptions and Other Information

The assumptions disclosed in the Financial Plan are those of the Developer and have not been independently verified by Piper Sandler. Those assumptions identified are believed to be the significant factors in determining financial feasibility; however, they are likely not to be all-inclusive. There will usually be differences between forecasted and actual results because events and circumstances frequently do not occur as projected, and those differences may be material. Key assumptions, including those relating to market values of real property improvements and the build out schedule of such property, are particularly sensitive in terms of the timing necessary to create the tax base for the District. A small variation in these variables, and to their timing, can have a large effect on the forecasted results. There is a high probability that the forecasted results will differ from realized future tax base factors and such variations can be material. Additionally, other key assumptions, relating to inflation, assessment ratios, interest rates, and infrastructure, administrative, and operating costs may, and likely will, vary from these projected.

Because Piper Sandler has not independently evaluated or reviewed the assumptions that the financial model is based upon, we do not vouch for the achievability (and disclaim any opinion) of the information provided. Furthermore, because of the inherent nature of future events, which are subject to change and variation as events and circumstances change, the actual results may vary materially from the results presented here. Piper Sandler has no responsibility or obligation to update this information or this financial model for events occurring after the date of this report.

Sincerely,



Michael Sullivan
Managing Director, The Special District Group

**4-Way Commercial Metropolitan District
El Paso County, Colorado**

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**General Obligation Bonds, Series 2025  
General Obligation Refunding & Improvement Bonds, Series 2035**

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Service Plan

Bond Assumptions	Series 2025	Series 2035	Total
Closing Date	12/1/2025	12/1/2035	
First Call Date	12/1/2030	12/1/2045	
Final Maturity	12/1/2055	12/1/2065	
Discharge Date	12/2/2065	12/2/2065	
Sources of Funds			
Par Amount	14,340,000	22,345,000	
Funds on Hand	0	878,000	
Total	14,340,000	23,223,000	
Uses of Funds			
Project Fund	10,495,200	8,402,275	18,897,475
Refunding Escrow	0	13,255,000	
Capitalized Interest	2,151,000	0	
Reserve Fund	0	1,254,000	
Surplus Deposit	1,157,000	0	
Cost of Issuance	536,800	311,725	
Total	14,340,000	23,223,000	
Debt Features			
Projected Coverage at Mill Levy Cap	1.00x	1.00x	
Tax Status	Tax-Exempt	Tax-Exempt	
Interest Payment Type	Current	Current	
Rating	Non-Rated	Investment Grade	
Coupon (Interest Rate)	5.000%	3.000%	
Annual Trustee Fee	\$4,000	\$4,000	
Biennial Reassessment			
Commercial	2.00%	2.00%	
Tax Authority Assumptions			
Metropolitan District Revenue			
Debt Service Mills			
Service Plan Mill Levy Cap	50.000		
Maximum Adjusted Cap	50.000		
Specific Ownership Tax	6.00%		
County Treasurer Fee	1.50%		
Special Purpose Mill Levy			
Mill Levy	5.00		
Operations			
Mill Levy	10.000		

**4-Way Commercial Metropolitan District
Development Summary**

Statutory Actual Value (2023)	Commercial										Total
	Industrial	-	-	-	-	-	-	-	-	-	
	\$140	-	-	-	-	-	-	-	-	-	
2025	-	-	-	-	-	-	-	-	-	-	-
2026	80,000	-	-	-	-	-	-	-	-	-	80,000
2027	80,000	-	-	-	-	-	-	-	-	-	80,000
2028	80,000	-	-	-	-	-	-	-	-	-	80,000
2029	80,000	-	-	-	-	-	-	-	-	-	80,000
2030	80,000	-	-	-	-	-	-	-	-	-	80,000
2031	-	-	-	-	-	-	-	-	-	-	-
2032	-	-	-	-	-	-	-	-	-	-	-
2033	-	-	-	-	-	-	-	-	-	-	-
2034	-	-	-	-	-	-	-	-	-	-	-
2035	-	-	-	-	-	-	-	-	-	-	-
2036	-	-	-	-	-	-	-	-	-	-	-
2037	-	-	-	-	-	-	-	-	-	-	-
2038	-	-	-	-	-	-	-	-	-	-	-
2039	-	-	-	-	-	-	-	-	-	-	-
2040	-	-	-	-	-	-	-	-	-	-	-
2041	-	-	-	-	-	-	-	-	-	-	-
2042	-	-	-	-	-	-	-	-	-	-	-
2043	-	-	-	-	-	-	-	-	-	-	-
2044	-	-	-	-	-	-	-	-	-	-	-
2045	-	-	-	-	-	-	-	-	-	-	-
2046	-	-	-	-	-	-	-	-	-	-	-
2047	-	-	-	-	-	-	-	-	-	-	-
2048	-	-	-	-	-	-	-	-	-	-	-
2049	-	-	-	-	-	-	-	-	-	-	-
2050	-	-	-	-	-	-	-	-	-	-	-
2051	-	-	-	-	-	-	-	-	-	-	-
2052	-	-	-	-	-	-	-	-	-	-	-
2053	-	-	-	-	-	-	-	-	-	-	-
2054	-	-	-	-	-	-	-	-	-	-	-
2055	-	-	-	-	-	-	-	-	-	-	-
2056	-	-	-	-	-	-	-	-	-	-	-
2057	-	-	-	-	-	-	-	-	-	-	-
2058	-	-	-	-	-	-	-	-	-	-	-
2059	-	-	-	-	-	-	-	-	-	-	-
2060	-	-	-	-	-	-	-	-	-	-	-
2061	-	-	-	-	-	-	-	-	-	-	-
2062	-	-	-	-	-	-	-	-	-	-	-
2063	-	-	-	-	-	-	-	-	-	-	-
2064	-	-	-	-	-	-	-	-	-	-	-
2065	-	-	-	-	-	-	-	-	-	-	-
Total Units	400,000	-	-	-	-	-	-	-	-	-	400,000
Total Statutory Actual Value	\$56,000,000	-	-	-	-	-	-	-	-	-	\$56,000,000

**4-Way Commercial Metropolitan District
Assessed Value**

	Vacant and Improved Land ¹		Commercial				Total	
	Cumulative Statutory Actual Value	Assessed Value in Collection Year 2 Year Lag 29.00%	Commercial SF Delivered	Biennial Reassessment 2.00%	Cumulative Statutory Actual Value	Assessment Rate	Assessed Value in Collection Year 2 Year Lag	Assessed Value in Collection Year 2 Year Lag
2025	1,120,000	0	-	-	0	29.000%	0	0
2026	1,120,000	0	80,000	-	11,885,530	29.000%	0	0
2027	1,120,000	324,800	80,000	-	24,008,770	29.000%	0	324,800
2028	1,120,000	324,800	80,000	480,175	36,854,650	29.000%	3,446,804	3,771,604
2029	1,120,000	324,800	80,000	-	49,467,669	29.000%	6,962,543	7,287,343
2030	0	324,800	80,000	989,353	63,322,302	29.000%	10,687,849	11,012,649
2031	0	324,800	-	-	63,322,302	29.000%	14,345,624	14,670,424
2032	0	0	-	1,266,446	64,588,748	29.000%	18,363,468	18,363,468
2033	0	0	-	-	64,588,748	29.000%	18,363,468	18,363,468
2034	0	0	-	1,291,775	65,880,523	29.000%	18,730,737	18,730,737
2035	0	0	-	-	65,880,523	29.000%	18,730,737	18,730,737
2036	0	0	-	1,317,610	67,198,134	29.000%	19,105,352	19,105,352
2037	0	0	-	-	67,198,134	29.000%	19,105,352	19,105,352
2038	0	0	-	1,343,963	68,542,096	29.000%	19,487,459	19,487,459
2039	0	0	-	-	68,542,096	29.000%	19,487,459	19,487,459
2040	0	0	-	1,370,842	69,912,938	29.000%	19,877,208	19,877,208
2041	0	0	-	-	69,912,938	29.000%	19,877,208	19,877,208
2042	0	0	-	1,398,259	71,311,197	29.000%	20,274,752	20,274,752
2043	0	0	-	-	71,311,197	29.000%	20,274,752	20,274,752
2044	0	0	-	1,426,224	72,737,421	29.000%	20,680,247	20,680,247
2045	0	0	-	-	72,737,421	29.000%	20,680,247	20,680,247
2046	0	0	-	1,454,748	74,192,169	29.000%	21,093,852	21,093,852
2047	0	0	-	-	74,192,169	29.000%	21,093,852	21,093,852
2048	0	0	-	1,483,843	75,676,013	29.000%	21,515,729	21,515,729
2049	0	0	-	-	75,676,013	29.000%	21,515,729	21,515,729
2050	0	0	-	1,513,520	77,189,533	29.000%	21,946,044	21,946,044
2051	0	0	-	-	77,189,533	29.000%	21,946,044	21,946,044
2052	0	0	-	1,543,791	78,733,324	29.000%	22,384,965	22,384,965
2053	0	0	-	-	78,733,324	29.000%	22,384,965	22,384,965
2054	0	0	-	1,574,666	80,307,990	29.000%	22,832,664	22,832,664
2055	0	0	-	-	80,307,990	29.000%	22,832,664	22,832,664
2056	0	0	-	1,606,160	81,914,150	29.000%	23,289,317	23,289,317
2057	0	0	-	-	81,914,150	29.000%	23,289,317	23,289,317
2058	0	0	-	1,638,283	83,552,433	29.000%	23,755,103	23,755,103
2059	0	0	-	-	83,552,433	29.000%	23,755,103	23,755,103
2060	0	0	-	1,671,049	85,223,482	29.000%	24,230,206	24,230,206
2061	0	0	-	-	85,223,482	29.000%	24,230,206	24,230,206
2062	0	0	-	1,704,470	86,927,951	29.000%	24,714,810	24,714,810
2063	0	0	-	-	86,927,951	29.000%	24,714,810	24,714,810
2064	0	0	-	1,738,559	88,666,510	29.000%	25,209,106	25,209,106
2065	0	0	-	-	88,666,510	29.000%	25,209,106	25,209,106
Total			400,000	26,813,737				

1. Vacant land value calculated in year prior to construction as 10% build-out market value

**4-Way Commercial Metropolitan District
Revenue**

	Total	District Mill Levy Revenue			Expense		Total
	Assessed Value in Collection Year	Debt Mill Levy	Debt Mill Levy Collections	Specific Ownership Taxes	County Treasurer Fee	Annual Trustee Fee	Revenue Available for Debt Service
		50.000 Cap 50.000 Target	99.50%	6.00%	1.50%		
2025	0	0.000	0	0	0	0	0
2026	0	50.000	0	0	0	(4,000)	(4,000)
2027	324,800	50.000	16,159	970	(242)	(4,000)	12,886
2028	3,771,604	50.000	187,637	11,258	(2,815)	(4,000)	192,081
2029	7,287,343	50.000	362,545	21,753	(5,438)	(4,000)	374,860
2030	11,012,649	50.000	547,879	32,873	(8,218)	(4,000)	568,534
2031	14,670,424	50.000	729,854	43,791	(10,948)	(4,000)	758,697
2032	18,363,468	50.000	913,583	54,815	(13,704)	(4,000)	950,694
2033	18,363,468	50.000	913,583	54,815	(13,704)	(4,000)	950,694
2034	18,730,737	50.000	931,854	55,911	(13,978)	(4,000)	969,788
2035	18,730,737	50.000	931,854	55,911	(13,978)	(4,000)	969,788
2036	19,105,352	50.000	950,491	57,029	(14,257)	(4,000)	989,263
2037	19,105,352	50.000	950,491	57,029	(14,257)	(4,000)	989,263
2038	19,487,459	50.000	969,501	58,170	(14,543)	(4,000)	1,009,129
2039	19,487,459	50.000	969,501	58,170	(14,543)	(4,000)	1,009,129
2040	19,877,208	50.000	988,891	59,333	(14,833)	(4,000)	1,029,391
2041	19,877,208	50.000	988,891	59,333	(14,833)	(4,000)	1,029,391
2042	20,274,752	50.000	1,008,669	60,520	(15,130)	(4,000)	1,050,059
2043	20,274,752	50.000	1,008,669	60,520	(15,130)	(4,000)	1,050,059
2044	20,680,247	50.000	1,028,842	61,731	(15,433)	(4,000)	1,071,140
2045	20,680,247	50.000	1,028,842	61,731	(15,433)	(4,000)	1,071,140
2046	21,093,852	50.000	1,049,419	62,965	(15,741)	(4,000)	1,092,643
2047	21,093,852	50.000	1,049,419	62,965	(15,741)	(4,000)	1,092,643
2048	21,515,729	50.000	1,070,408	64,224	(16,056)	(4,000)	1,114,576
2049	21,515,729	50.000	1,070,408	64,224	(16,056)	(4,000)	1,114,576
2050	21,946,044	50.000	1,091,816	65,509	(16,377)	(4,000)	1,136,947
2051	21,946,044	50.000	1,091,816	65,509	(16,377)	(4,000)	1,136,947
2052	22,384,965	50.000	1,113,652	66,819	(16,705)	(4,000)	1,159,766
2053	22,384,965	50.000	1,113,652	66,819	(16,705)	(4,000)	1,159,766
2054	22,832,664	50.000	1,135,925	68,156	(17,039)	(4,000)	1,183,042
2055	22,832,664	50.000	1,135,925	68,156	(17,039)	(4,000)	1,183,042
2056	23,289,317	50.000	1,158,644	69,519	(17,380)	(4,000)	1,206,782
2057	23,289,317	50.000	1,158,644	69,519	(17,380)	(4,000)	1,206,782
2058	23,755,103	50.000	1,181,816	70,909	(17,727)	(4,000)	1,230,998
2059	23,755,103	50.000	1,181,816	70,909	(17,727)	(4,000)	1,230,998
2060	24,230,206	50.000	1,205,453	72,327	(18,082)	(4,000)	1,255,698
2061	24,230,206	50.000	1,205,453	72,327	(18,082)	(4,000)	1,255,698
2062	24,714,810	50.000	1,229,562	73,774	(18,443)	(4,000)	1,280,892
2063	24,714,810	50.000	1,229,562	73,774	(18,443)	(4,000)	1,280,892
2064	25,209,106	50.000	1,254,153	75,249	(18,812)	(4,000)	1,306,590
2065	25,209,106	50.000	1,254,153	75,249	(18,812)	(4,000)	1,306,590
Total			38,409,430	2,304,566	(576,141)	(160,000)	39,977,855

**4-Way Commercial Metropolitan District
Debt Service**

	Total Revenue Available for Debt Service	Net Debt Service		Total	Surplus Fund				Ratio Analysis	
		Series 2025	Series 2035		Annual Surplus	Funds on Hand Used as a Source	Cumulative Balance ¹	Released Revenue	Debt Service Coverage	Senior Debt to Assessed Value
		Dated: 12/1/2025 Par: \$14,340,000 Proj: \$10,495,200	Dated: 12/1/2035 Par: \$22,345,000 Proj: \$8,402,275 Escr: \$13,255,000							
2025	0	0	0	0		1,157,000	0	n/a	n/a	
2026	(4,000)	0	0	(4,000)		1,153,000	0	n/a	4415%	
2027	12,886	0	0	12,886		1,165,886	0	n/a	380%	
2028	192,081	0	0	192,081		1,357,967	0	n/a	197%	
2029	374,860	717,000	717,000	(342,140)		1,015,827	0	52%	130%	
2030	568,534	717,000	717,000	(148,466)		867,361	0	79%	98%	
2031	758,697	757,000	757,000	1,697		869,058	0	100%	78%	
2032	950,694	950,000	950,000	694		869,751	0	100%	77%	
2033	950,694	948,250	948,250	2,444		872,195	0	100%	74%	
2034	969,788	966,000	966,000	3,788		875,983	0	100%	72%	
2035	969,788	967,250	967,250	2,538	878,000	0	520	100%	69%	
2036	989,263	Refunded	985,350	985,350	3,913	0	3,913	100%	115%	
2037	989,263		985,900	985,900	3,363	0	3,363	100%	111%	
2038	1,009,129		1,006,150	1,006,150	2,979	0	2,979	100%	110%	
2039	1,009,129		1,005,500	1,005,500	3,629	0	3,629	100%	106%	
2040	1,029,391		1,024,550	1,024,550	4,841	0	4,841	100%	104%	
2041	1,029,391		1,027,700	1,027,700	1,691	0	1,691	100%	100%	
2042	1,050,059		1,045,400	1,045,400	4,659	0	4,659	100%	97%	
2043	1,050,059		1,047,200	1,047,200	2,859	0	2,859	100%	93%	
2044	1,071,140		1,068,550	1,068,550	2,590	0	2,590	100%	91%	
2045	1,071,140		1,068,850	1,068,850	2,290	0	2,290	100%	87%	
2046	1,092,643		1,088,700	1,088,700	3,943	0	3,943	100%	84%	
2047	1,092,643		1,087,500	1,087,500	5,143	0	5,143	100%	80%	
2048	1,114,576		1,110,850	1,110,850	3,726	0	3,726	100%	77%	
2049	1,114,576		1,113,000	1,113,000	1,576	0	1,576	100%	73%	
2050	1,136,947		1,134,550	1,134,550	2,397	0	2,397	100%	70%	
2051	1,136,947		1,134,900	1,134,900	2,047	0	2,047	100%	65%	
2052	1,159,766		1,159,650	1,159,650	116	0	116	100%	62%	
2053	1,159,766		1,158,050	1,158,050	1,716	0	1,716	100%	58%	
2054	1,183,042		1,180,850	1,180,850	2,192	0	2,192	100%	54%	
2055	1,183,042		1,182,300	1,182,300	742	0	742	100%	50%	
2056	1,206,782		1,203,000	1,203,000	3,782	0	3,782	100%	46%	
2057	1,206,782		1,202,350	1,202,350	4,432	0	4,432	100%	42%	
2058	1,230,998		1,225,950	1,225,950	5,048	0	5,048	100%	38%	
2059	1,230,998		1,228,050	1,228,050	2,948	0	2,948	100%	33%	
2060	1,255,698		1,254,250	1,254,250	1,448	0	1,448	100%	29%	
2061	1,255,698		1,253,800	1,253,800	1,898	0	1,898	100%	24%	
2062	1,280,892		1,277,450	1,277,450	3,442	0	3,442	100%	19%	
2063	1,280,892		1,279,450	1,279,450	1,442	0	1,442	100%	15%	
2064	1,306,590		1,305,400	1,305,400	1,190	0	1,190	100%	10%	
2065	1,306,590		1,305,550	1,305,550	1,040	0	1,040	100%	0%	
Total	39,977,855	6,022,500	34,150,750	40,173,250	(195,395)	878,000	83,605			

1. Assumes \$1,157,000 Deposit to Surplus Fund at Closing

**4-Way Commercial Metropolitan District
Revenue**

	Total	Operations Mill Levy Revenue			Expense	Total
	Assessed Value in Collection Year	O&M Mill Levy	O&M Mill Levy Collections	Specific Ownership Taxes	County Treasurer Fee	Revenue Available for Operations
		10.000 Cap 10.000 Target	99.50%	6.00%	1.50%	
2025	0	0.000	0	0	0	0
2026	0	10.000	0	0	0	0
2027	324,800	10.000	3,248	194	(49)	3,393
2028	3,771,604	10.000	37,716	2,252	(566)	39,402
2029	7,287,343	10.000	72,873	4,351	(1,093)	76,131
2030	11,012,649	10.000	110,126	6,575	(1,652)	115,049
2031	14,670,424	10.000	146,704	8,758	(2,201)	153,262
2032	18,363,468	10.000	183,635	10,963	(2,755)	191,843
2033	18,363,468	10.000	183,635	10,963	(2,755)	191,843
2034	18,730,737	10.000	187,307	11,182	(2,810)	195,680
2035	18,730,737	10.000	187,307	11,182	(2,810)	195,680
2036	19,105,352	10.000	191,054	11,406	(2,866)	199,594
2037	19,105,352	10.000	191,054	11,406	(2,866)	199,594
2038	19,487,459	10.000	194,875	11,634	(2,923)	203,585
2039	19,487,459	10.000	194,875	11,634	(2,923)	203,585
2040	19,877,208	10.000	198,772	11,867	(2,982)	207,657
2041	19,877,208	10.000	198,772	11,867	(2,982)	207,657
2042	20,274,752	10.000	202,748	12,104	(3,041)	211,810
2043	20,274,752	10.000	202,748	12,104	(3,041)	211,810
2044	20,680,247	10.000	206,802	12,346	(3,102)	216,047
2045	20,680,247	10.000	206,802	12,346	(3,102)	216,047
2046	21,093,852	10.000	210,939	12,593	(3,164)	220,367
2047	21,093,852	10.000	210,939	12,593	(3,164)	220,367
2048	21,515,729	10.000	215,157	12,845	(3,227)	224,775
2049	21,515,729	10.000	215,157	12,845	(3,227)	224,775
2050	21,946,044	10.000	219,460	13,102	(3,292)	229,270
2051	21,946,044	10.000	219,460	13,102	(3,292)	229,270
2052	22,384,965	10.000	223,850	13,364	(3,358)	233,856
2053	22,384,965	10.000	223,850	13,364	(3,358)	233,856
2054	22,832,664	10.000	228,327	13,631	(3,425)	238,533
2055	22,832,664	10.000	228,327	13,631	(3,425)	238,533
2056	23,289,317	10.000	232,893	13,904	(3,493)	243,303
2057	23,289,317	10.000	232,893	13,904	(3,493)	243,303
2058	23,755,103	10.000	237,551	14,182	(3,563)	248,170
2059	23,755,103	10.000	237,551	14,182	(3,563)	248,170
2060	24,230,206	10.000	242,302	14,465	(3,635)	253,133
2061	24,230,206	10.000	242,302	14,465	(3,635)	253,133
2062	24,714,810	10.000	247,148	14,755	(3,707)	258,196
2063	24,714,810	10.000	247,148	14,755	(3,707)	258,196
2064	25,209,106	10.000	252,091	15,050	(3,781)	263,360
2065	25,209,106	10.000	252,091	15,050	(3,781)	263,360
Total			7,720,489	460,913	(115,807)	8,065,594

**4-Way Commercial Metropolitan District
Revenue**

	Total	Special Purpose Mill Levy			Expense	Total
	Assessed Value in Collection Year	Special Purpose Mill Levy	Special Purpose Mill Levy Collections	Specific Ownership Taxes	County Treasurer Fee	Revenue Available
		5.000 Target	99.50%	6.00%	1.50%	
2025	0	0.000	0	0	0	0
2026	0	5.000	0	0	0	0
2027	324,800	5.000	1,624	97	(49)	1,672
2028	3,771,604	5.000	18,858	1,126	(566)	19,418
2029	7,287,343	5.000	36,437	2,175	(1,093)	37,519
2030	11,012,649	5.000	55,063	3,287	(1,652)	56,699
2031	14,670,424	5.000	73,352	4,379	(2,201)	75,531
2032	18,363,468	5.000	91,817	5,481	(2,755)	94,544
2033	18,363,468	5.000	91,817	5,481	(2,755)	94,544
2034	18,730,737	5.000	93,654	5,591	(2,810)	96,435
2035	18,730,737	5.000	93,654	5,591	(2,810)	96,435
2036	19,105,352	5.000	95,527	5,703	(2,866)	98,364
2037	19,105,352	5.000	95,527	5,703	(2,866)	98,364
2038	19,487,459	5.000	97,437	5,817	(2,923)	100,331
2039	19,487,459	5.000	97,437	5,817	(2,923)	100,331
2040	19,877,208	5.000	99,386	5,933	(2,982)	102,338
2041	19,877,208	5.000	99,386	5,933	(2,982)	102,338
2042	20,274,752	5.000	101,374	6,052	(3,041)	104,385
2043	20,274,752	5.000	101,374	6,052	(3,041)	104,385
2044	20,680,247	5.000	103,401	6,173	(3,102)	106,472
2045	20,680,247	5.000	103,401	6,173	(3,102)	106,472
2046	21,093,852	5.000	105,469	6,297	(3,164)	108,602
2047	21,093,852	5.000	105,469	6,297	(3,164)	108,602
2048	21,515,729	5.000	107,579	6,422	(3,227)	110,774
2049	21,515,729	5.000	107,579	6,422	(3,227)	110,774
2050	21,946,044	5.000	109,730	6,551	(3,292)	112,989
2051	21,946,044	5.000	109,730	6,551	(3,292)	112,989
2052	22,384,965	5.000	111,925	6,682	(3,358)	115,249
2053	22,384,965	5.000	111,925	6,682	(3,358)	115,249
2054	22,832,664	5.000	114,163	6,816	(3,425)	117,554
2055	22,832,664	5.000	114,163	6,816	(3,425)	117,554
2056	23,289,317	5.000	116,447	6,952	(3,493)	119,905
2057	23,289,317	5.000	116,447	6,952	(3,493)	119,905
2058	23,755,103	5.000	118,776	7,091	(3,563)	122,303
2059	23,755,103	5.000	118,776	7,091	(3,563)	122,303
2060	24,230,206	5.000	121,151	7,233	(3,635)	124,749
2061	24,230,206	5.000	121,151	7,233	(3,635)	124,749
2062	24,714,810	5.000	123,574	7,377	(3,707)	127,244
2063	24,714,810	5.000	123,574	7,377	(3,707)	127,244
2064	25,209,106	5.000	126,046	7,525	(3,781)	129,789
2065	25,209,106	5.000	126,046	7,525	(3,781)	129,789
Total			3,860,244	230,457	(115,807)	3,974,894

SOURCES AND USES OF FUNDS

**4-WAY COMMERCIAL METROPOLITAN DISTRICT
El Paso County, Colorado**

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**GENERAL OBLIGATION BONDS, SERIES 2025**

Dated Date                    12/01/2025  
Delivery Date                12/01/2025

*Sources:*

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|                |               |
|----------------|---------------|
| Bond Proceeds: |               |
| Par Amount     | 14,340,000.00 |
|                | <hr/>         |
|                | 14,340,000.00 |

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*Uses:*

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|                           |               |
|---------------------------|---------------|
| Project Fund Deposits:    |               |
| Project Fund              | 10,495,200.00 |
| Other Fund Deposits:      |               |
| Capitalized Interest Fund | 2,151,000.00  |
| Surplus Deposit           | <hr/>         |
|                           | 1,157,000.00  |
|                           | 3,308,000.00  |
| Cost of Issuance:         |               |
| Other Cost of Issuance    | 250,000.00    |
| Delivery Date Expenses:   |               |
| Underwriter's Discount    | 286,800.00    |
|                           | <hr/>         |
|                           | 14,340,000.00 |

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## BOND SUMMARY STATISTICS

### 4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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#### GENERAL OBLIGATION BONDS, SERIES 2025

|                                 |               |
|---------------------------------|---------------|
| Dated Date                      | 12/01/2025    |
| Delivery Date                   | 12/01/2025    |
| Last Maturity                   | 12/01/2055    |
|                                 |               |
| Arbitrage Yield                 | 5.000000%     |
| True Interest Cost (TIC)        | 5.159584%     |
| Net Interest Cost (NIC)         | 5.092826%     |
| All-In TIC                      | 5.302601%     |
| Average Coupon                  | 5.000000%     |
|                                 |               |
| Average Life (years)            | 21.546        |
| Duration of Issue (years)       | 12.927        |
|                                 |               |
| Par Amount                      | 14,340,000.00 |
| Bond Proceeds                   | 14,340,000.00 |
| Total Interest                  | 15,448,250.00 |
| Net Interest                    | 15,735,050.00 |
| Total Debt Service              | 29,788,250.00 |
| Maximum Annual Debt Service     | 1,181,250.00  |
| Average Annual Debt Service     | 992,941.67    |
|                                 |               |
| Underwriter's Fees (per \$1000) |               |
| Average Takedown                |               |
| Other Fee                       | 20.000000     |
| Total Underwriter's Discount    | 20.000000     |
|                                 |               |
| Bid Price                       | 98.000000     |

| <i>Bond Component</i> | <i>Par Value</i> | <i>Price</i> | <i>Average Coupon</i> | <i>Average Life</i> |
|-----------------------|------------------|--------------|-----------------------|---------------------|
| Term Bond Due 2055    | 14,340,000.00    | 100.000      | 5.000%                | 21.546              |
|                       | 14,340,000.00    |              |                       | 21.546              |

|                            | TIC           | All-In TIC    | Arbitrage Yield |
|----------------------------|---------------|---------------|-----------------|
| Par Value                  | 14,340,000.00 | 14,340,000.00 | 14,340,000.00   |
| + Accrued Interest         |               |               |                 |
| + Premium (Discount)       |               |               |                 |
| - Underwriter's Discount   | (286,800.00)  | (286,800.00)  |                 |
| - Cost of Issuance Expense |               | (250,000.00)  |                 |
| - Other Amounts            |               |               |                 |
|                            | 14,053,200.00 | 13,803,200.00 | 14,340,000.00   |
| Target Value               |               |               |                 |
| Target Date                | 12/01/2025    | 12/01/2025    | 12/01/2025      |
| Yield                      | 5.159584%     | 5.302601%     | 5.000000%       |

## BOND PRICING

### 4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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GENERAL OBLIGATION BONDS, SERIES 2025

<i>Bond Component</i>	<i>Maturity Date</i>	<i>Amount</i>	<i>Rate</i>	<i>Yield</i>	<i>Price</i>
Term Bond Due 2055:					
	12/01/2026		5.000%	5.000%	100.000
	12/01/2027		5.000%	5.000%	100.000
	12/01/2028		5.000%	5.000%	100.000
	12/01/2029		5.000%	5.000%	100.000
	12/01/2030		5.000%	5.000%	100.000
	12/01/2031	40,000	5.000%	5.000%	100.000
	12/01/2032	235,000	5.000%	5.000%	100.000
	12/01/2033	245,000	5.000%	5.000%	100.000
	12/01/2034	275,000	5.000%	5.000%	100.000
	12/01/2035	290,000	5.000%	5.000%	100.000
	12/01/2036	325,000	5.000%	5.000%	100.000
	12/01/2037	340,000	5.000%	5.000%	100.000
	12/01/2038	375,000	5.000%	5.000%	100.000
	12/01/2039	395,000	5.000%	5.000%	100.000
	12/01/2040	435,000	5.000%	5.000%	100.000
	12/01/2041	455,000	5.000%	5.000%	100.000
	12/01/2042	500,000	5.000%	5.000%	100.000
	12/01/2043	525,000	5.000%	5.000%	100.000
	12/01/2044	575,000	5.000%	5.000%	100.000
	12/01/2045	600,000	5.000%	5.000%	100.000
	12/01/2046	655,000	5.000%	5.000%	100.000
	12/01/2047	685,000	5.000%	5.000%	100.000
	12/01/2048	740,000	5.000%	5.000%	100.000
	12/01/2049	780,000	5.000%	5.000%	100.000
	12/01/2050	840,000	5.000%	5.000%	100.000
	12/01/2051	885,000	5.000%	5.000%	100.000
	12/01/2052	950,000	5.000%	5.000%	100.000
	12/01/2053	1,000,000	5.000%	5.000%	100.000
	12/01/2054	1,070,000	5.000%	5.000%	100.000
	12/01/2055	1,125,000	5.000%	5.000%	100.000
		14,340,000			

Dated Date	12/01/2025	
Delivery Date	12/01/2025	
First Coupon	06/01/2026	
Par Amount	14,340,000.00	
Original Issue Discount		
Production	14,340,000.00	100.000000%
Underwriter's Discount	(286,800.00)	(2.000000%)
Purchase Price	14,053,200.00	98.000000%
Accrued Interest		
Net Proceeds	14,053,200.00	

NET DEBT SERVICE

4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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### GENERAL OBLIGATION BONDS, SERIES 2025

| <i>Period<br/>Ending</i> | <i>Principal</i> | <i>Coupon</i> | <i>Interest</i> | <i>Total<br/>Debt Service</i> | <i>Capitalized<br/>Interest<br/>Fund</i> | <i>Net<br/>Debt Service</i> |
|--------------------------|------------------|---------------|-----------------|-------------------------------|------------------------------------------|-----------------------------|
| 12/01/2026               |                  |               | 717,000         | 717,000                       | 717,000                                  |                             |
| 12/01/2027               |                  |               | 717,000         | 717,000                       | 717,000                                  |                             |
| 12/01/2028               |                  |               | 717,000         | 717,000                       | 717,000                                  |                             |
| 12/01/2029               |                  |               | 717,000         | 717,000                       |                                          | 717,000                     |
| 12/01/2030               |                  |               | 717,000         | 717,000                       |                                          | 717,000                     |
| 12/01/2031               | 40,000           | 5.000%        | 717,000         | 757,000                       |                                          | 757,000                     |
| 12/01/2032               | 235,000          | 5.000%        | 715,000         | 950,000                       |                                          | 950,000                     |
| 12/01/2033               | 245,000          | 5.000%        | 703,250         | 948,250                       |                                          | 948,250                     |
| 12/01/2034               | 275,000          | 5.000%        | 691,000         | 966,000                       |                                          | 966,000                     |
| 12/01/2035               | 290,000          | 5.000%        | 677,250         | 967,250                       |                                          | 967,250                     |
| 12/01/2036               | 325,000          | 5.000%        | 662,750         | 987,750                       |                                          | 987,750                     |
| 12/01/2037               | 340,000          | 5.000%        | 646,500         | 986,500                       |                                          | 986,500                     |
| 12/01/2038               | 375,000          | 5.000%        | 629,500         | 1,004,500                     |                                          | 1,004,500                   |
| 12/01/2039               | 395,000          | 5.000%        | 610,750         | 1,005,750                     |                                          | 1,005,750                   |
| 12/01/2040               | 435,000          | 5.000%        | 591,000         | 1,026,000                     |                                          | 1,026,000                   |
| 12/01/2041               | 455,000          | 5.000%        | 569,250         | 1,024,250                     |                                          | 1,024,250                   |
| 12/01/2042               | 500,000          | 5.000%        | 546,500         | 1,046,500                     |                                          | 1,046,500                   |
| 12/01/2043               | 525,000          | 5.000%        | 521,500         | 1,046,500                     |                                          | 1,046,500                   |
| 12/01/2044               | 575,000          | 5.000%        | 495,250         | 1,070,250                     |                                          | 1,070,250                   |
| 12/01/2045               | 600,000          | 5.000%        | 466,500         | 1,066,500                     |                                          | 1,066,500                   |
| 12/01/2046               | 655,000          | 5.000%        | 436,500         | 1,091,500                     |                                          | 1,091,500                   |
| 12/01/2047               | 685,000          | 5.000%        | 403,750         | 1,088,750                     |                                          | 1,088,750                   |
| 12/01/2048               | 740,000          | 5.000%        | 369,500         | 1,109,500                     |                                          | 1,109,500                   |
| 12/01/2049               | 780,000          | 5.000%        | 332,500         | 1,112,500                     |                                          | 1,112,500                   |
| 12/01/2050               | 840,000          | 5.000%        | 293,500         | 1,133,500                     |                                          | 1,133,500                   |
| 12/01/2051               | 885,000          | 5.000%        | 251,500         | 1,136,500                     |                                          | 1,136,500                   |
| 12/01/2052               | 950,000          | 5.000%        | 207,250         | 1,157,250                     |                                          | 1,157,250                   |
| 12/01/2053               | 1,000,000        | 5.000%        | 159,750         | 1,159,750                     |                                          | 1,159,750                   |
| 12/01/2054               | 1,070,000        | 5.000%        | 109,750         | 1,179,750                     |                                          | 1,179,750                   |
| 12/01/2055               | 1,125,000        | 5.000%        | 56,250          | 1,181,250                     |                                          | 1,181,250                   |
|                          | 14,340,000       |               | 15,448,250      | 29,788,250                    | 2,151,000                                | 27,637,250                  |

## BOND DEBT SERVICE

### 4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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### GENERAL OBLIGATION BONDS, SERIES 2025

| <i>Period<br/>Ending</i> | <i>Principal</i> | <i>Coupon</i> | <i>Interest</i> | <i>Debt<br/>Service</i> | <i>Annual<br/>Debt<br/>Service</i> |
|--------------------------|------------------|---------------|-----------------|-------------------------|------------------------------------|
| 06/01/2026               |                  |               | 358,500         | 358,500                 |                                    |
| 12/01/2026               |                  |               | 358,500         | 358,500                 | 717,000                            |
| 06/01/2027               |                  |               | 358,500         | 358,500                 |                                    |
| 12/01/2027               |                  |               | 358,500         | 358,500                 | 717,000                            |
| 06/01/2028               |                  |               | 358,500         | 358,500                 |                                    |
| 12/01/2028               |                  |               | 358,500         | 358,500                 | 717,000                            |
| 06/01/2029               |                  |               | 358,500         | 358,500                 |                                    |
| 12/01/2029               |                  |               | 358,500         | 358,500                 | 717,000                            |
| 06/01/2030               |                  |               | 358,500         | 358,500                 |                                    |
| 12/01/2030               |                  |               | 358,500         | 358,500                 | 717,000                            |
| 06/01/2031               |                  |               | 358,500         | 358,500                 |                                    |
| 12/01/2031               | 40,000           | 5.000%        | 358,500         | 398,500                 | 757,000                            |
| 06/01/2032               |                  |               | 357,500         | 357,500                 |                                    |
| 12/01/2032               | 235,000          | 5.000%        | 357,500         | 592,500                 | 950,000                            |
| 06/01/2033               |                  |               | 351,625         | 351,625                 |                                    |
| 12/01/2033               | 245,000          | 5.000%        | 351,625         | 596,625                 | 948,250                            |
| 06/01/2034               |                  |               | 345,500         | 345,500                 |                                    |
| 12/01/2034               | 275,000          | 5.000%        | 345,500         | 620,500                 | 966,000                            |
| 06/01/2035               |                  |               | 338,625         | 338,625                 |                                    |
| 12/01/2035               | 290,000          | 5.000%        | 338,625         | 628,625                 | 967,250                            |
| 06/01/2036               |                  |               | 331,375         | 331,375                 |                                    |
| 12/01/2036               | 325,000          | 5.000%        | 331,375         | 656,375                 | 987,750                            |
| 06/01/2037               |                  |               | 323,250         | 323,250                 |                                    |
| 12/01/2037               | 340,000          | 5.000%        | 323,250         | 663,250                 | 986,500                            |
| 06/01/2038               |                  |               | 314,750         | 314,750                 |                                    |
| 12/01/2038               | 375,000          | 5.000%        | 314,750         | 689,750                 | 1,004,500                          |
| 06/01/2039               |                  |               | 305,375         | 305,375                 |                                    |
| 12/01/2039               | 395,000          | 5.000%        | 305,375         | 700,375                 | 1,005,750                          |
| 06/01/2040               |                  |               | 295,500         | 295,500                 |                                    |
| 12/01/2040               | 435,000          | 5.000%        | 295,500         | 730,500                 | 1,026,000                          |
| 06/01/2041               |                  |               | 284,625         | 284,625                 |                                    |
| 12/01/2041               | 455,000          | 5.000%        | 284,625         | 739,625                 | 1,024,250                          |
| 06/01/2042               |                  |               | 273,250         | 273,250                 |                                    |
| 12/01/2042               | 500,000          | 5.000%        | 273,250         | 773,250                 | 1,046,500                          |
| 06/01/2043               |                  |               | 260,750         | 260,750                 |                                    |
| 12/01/2043               | 525,000          | 5.000%        | 260,750         | 785,750                 | 1,046,500                          |
| 06/01/2044               |                  |               | 247,625         | 247,625                 |                                    |
| 12/01/2044               | 575,000          | 5.000%        | 247,625         | 822,625                 | 1,070,250                          |
| 06/01/2045               |                  |               | 233,250         | 233,250                 |                                    |
| 12/01/2045               | 600,000          | 5.000%        | 233,250         | 833,250                 | 1,066,500                          |
| 06/01/2046               |                  |               | 218,250         | 218,250                 |                                    |
| 12/01/2046               | 655,000          | 5.000%        | 218,250         | 873,250                 | 1,091,500                          |
| 06/01/2047               |                  |               | 201,875         | 201,875                 |                                    |
| 12/01/2047               | 685,000          | 5.000%        | 201,875         | 886,875                 | 1,088,750                          |
| 06/01/2048               |                  |               | 184,750         | 184,750                 |                                    |
| 12/01/2048               | 740,000          | 5.000%        | 184,750         | 924,750                 | 1,109,500                          |
| 06/01/2049               |                  |               | 166,250         | 166,250                 |                                    |
| 12/01/2049               | 780,000          | 5.000%        | 166,250         | 946,250                 | 1,112,500                          |
| 06/01/2050               |                  |               | 146,750         | 146,750                 |                                    |
| 12/01/2050               | 840,000          | 5.000%        | 146,750         | 986,750                 | 1,133,500                          |
| 06/01/2051               |                  |               | 125,750         | 125,750                 |                                    |
| 12/01/2051               | 885,000          | 5.000%        | 125,750         | 1,010,750               | 1,136,500                          |
| 06/01/2052               |                  |               | 103,625         | 103,625                 |                                    |
| 12/01/2052               | 950,000          | 5.000%        | 103,625         | 1,053,625               | 1,157,250                          |
| 06/01/2053               |                  |               | 79,875          | 79,875                  |                                    |
| 12/01/2053               | 1,000,000        | 5.000%        | 79,875          | 1,079,875               | 1,159,750                          |
| 06/01/2054               |                  |               | 54,875          | 54,875                  |                                    |
| 12/01/2054               | 1,070,000        | 5.000%        | 54,875          | 1,124,875               | 1,179,750                          |
| 06/01/2055               |                  |               | 28,125          | 28,125                  |                                    |
| 12/01/2055               | 1,125,000        | 5.000%        | 28,125          | 1,153,125               | 1,181,250                          |
|                          | 14,340,000       |               | 15,448,250      | 29,788,250              | 29,788,250                         |

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**CALL PROVISIONS**

**4-WAY COMMERCIAL METROPOLITAN DISTRICT  
El Paso County, Colorado**

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**GENERAL OBLIGATION BONDS, SERIES 2025**

**Call Table: CALL**

| <i>Call Date</i> | <i>Call Price</i> |
|------------------|-------------------|
| 12/01/2030       | 103.00            |
| 12/01/2031       | 102.00            |
| 12/01/2032       | 101.00            |
| 12/01/2033       | 100.00            |



## BOND SOLUTION

### 4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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GENERAL OBLIGATION BONDS, SERIES 2025

<i>Period Ending</i>	<i>Proposed Principal</i>	<i>Proposed Debt Service</i>	<i>Debt Service Adjustments</i>	<i>Total Adj Debt Service</i>	<i>Revenue Constraints</i>	<i>Unused Revenues</i>	<i>Debt Service Coverage</i>
12/01/2026		717,000	(717,000)		(4,000)	(4,000)	
12/01/2027		717,000	(717,000)		12,886	12,886	
12/01/2028		717,000	(717,000)		192,081	192,081	
12/01/2029		717,000		717,000	374,860	(342,140)	52.28%
12/01/2030		717,000		717,000	568,534	(148,466)	79.29%
12/01/2031	40,000	757,000		757,000	758,697	1,697	100.22%
12/01/2032	235,000	950,000		950,000	950,694	694	100.07%
12/01/2033	245,000	948,250		948,250	950,694	2,444	100.26%
12/01/2034	275,000	966,000		966,000	969,788	3,788	100.39%
12/01/2035	290,000	967,250		967,250	969,788	2,538	100.26%
12/01/2036	325,000	987,750		987,750	989,263	1,513	100.15%
12/01/2037	340,000	986,500		986,500	989,263	2,763	100.28%
12/01/2038	375,000	1,004,500		1,004,500	1,009,129	4,629	100.46%
12/01/2039	395,000	1,005,750		1,005,750	1,009,129	3,379	100.34%
12/01/2040	435,000	1,026,000		1,026,000	1,029,391	3,391	100.33%
12/01/2041	455,000	1,024,250		1,024,250	1,029,391	5,141	100.50%
12/01/2042	500,000	1,046,500		1,046,500	1,050,059	3,559	100.34%
12/01/2043	525,000	1,046,500		1,046,500	1,050,059	3,559	100.34%
12/01/2044	575,000	1,070,250		1,070,250	1,071,140	890	100.08%
12/01/2045	600,000	1,066,500		1,066,500	1,071,140	4,640	100.44%
12/01/2046	655,000	1,091,500		1,091,500	1,092,643	1,143	100.10%
12/01/2047	685,000	1,088,750		1,088,750	1,092,643	3,893	100.36%
12/01/2048	740,000	1,109,500		1,109,500	1,114,576	5,076	100.46%
12/01/2049	780,000	1,112,500		1,112,500	1,114,576	2,076	100.19%
12/01/2050	840,000	1,133,500		1,133,500	1,136,947	3,447	100.30%
12/01/2051	885,000	1,136,500		1,136,500	1,136,947	447	100.04%
12/01/2052	950,000	1,157,250		1,157,250	1,159,766	2,516	100.22%
12/01/2053	1,000,000	1,159,750		1,159,750	1,159,766	16	100.00%
12/01/2054	1,070,000	1,179,750		1,179,750	1,183,042	3,292	100.28%
12/01/2055	1,125,000	1,181,250		1,181,250	1,183,042	1,792	100.15%
	14,340,000	29,788,250	(2,151,000)	27,637,250	27,415,933	(221,317)	

SOURCES AND USES OF FUNDS

4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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### GENERAL OBLIGATION REFUNDING BONDS, SERIES 2035 Current Interest Bonds

|               |            |
|---------------|------------|
| Dated Date    | 12/01/2035 |
| Delivery Date | 12/01/2035 |

*Sources:*

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|                         |               |
|-------------------------|---------------|
| Bond Proceeds:          |               |
| Par Amount              | 22,345,000.00 |
| Other Sources of Funds: |               |
| Surplus Fund            | 878,000.00    |
|                         | 23,223,000.00 |
|                         | 23,223,000.00 |

*Uses:*

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|                            |               |
|----------------------------|---------------|
| Project Fund Deposits:     |               |
| Project Fund               | 8,402,275.00  |
| Refunding Escrow Deposits: |               |
| Cash Deposit               | 13,255,000.00 |
| Other Fund Deposits:       |               |
| Debt Service Reserve Fund  | 1,254,000.00  |
| Cost of Issuance:          |               |
| Other Cost of Issuance     | 200,000.00    |
| Delivery Date Expenses:    |               |
| Underwriter's Discount     | 111,725.00    |
|                            | 23,223,000.00 |
|                            | 23,223,000.00 |

## BOND SUMMARY STATISTICS

### 4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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GENERAL OBLIGATION REFUNDING BONDS, SERIES 2035 Current Interest Bonds

Dated Date	12/01/2035
Delivery Date	12/01/2035
Last Maturity	12/01/2065
Arbitrage Yield	3.000000%
True Interest Cost (TIC)	3.035679%
Net Interest Cost (NIC)	3.025665%
All-In TIC	3.100189%
Average Coupon	3.000000%
Average Life (years)	19.482
Duration of Issue (years)	14.247
Par Amount	22,345,000.00
Bond Proceeds	22,345,000.00
Total Interest	13,059,750.00
Net Interest	13,171,475.00
Total Debt Service	35,404,750.00
Maximum Annual Debt Service	2,559,550.00
Average Annual Debt Service	1,180,158.33
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	5.000000
Total Underwriter's Discount	5.000000
Bid Price	99.500000

<i>Bond Component</i>	<i>Par Value</i>	<i>Price</i>	<i>Average Coupon</i>	<i>Average Life</i>
Term Bond due 2065	22,345,000.00	100.000	3.000%	19.482
	22,345,000.00			19.482

	TIC	All-In TIC	Arbitrage Yield
Par Value	22,345,000.00	22,345,000.00	22,345,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount	(111,725.00)	(111,725.00)	
- Cost of Issuance Expense		(200,000.00)	
- Other Amounts			
Target Value	22,233,275.00	22,033,275.00	22,345,000.00
Target Date	12/01/2035	12/01/2035	12/01/2035
Yield	3.035679%	3.100189%	3.000000%

BOND PRICING

4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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### GENERAL OBLIGATION REFUNDING BONDS, SERIES 2035 Current Interest Bonds

| <i>Bond Component</i> | <i>Maturity Date</i> | <i>Amount</i> | <i>Rate</i> | <i>Yield</i> | <i>Price</i> |
|-----------------------|----------------------|---------------|-------------|--------------|--------------|
| Term Bond due 2065:   |                      |               |             |              |              |
|                       | 12/01/2036           | 315,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2037           | 325,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2038           | 355,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2039           | 365,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2040           | 395,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2041           | 410,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2042           | 440,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2043           | 455,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2044           | 490,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2045           | 505,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2046           | 540,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2047           | 555,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2048           | 595,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2049           | 615,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2050           | 655,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2051           | 675,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2052           | 720,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2053           | 740,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2054           | 785,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2055           | 810,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2056           | 855,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2057           | 880,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2058           | 930,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2059           | 960,000       | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2060           | 1,015,000     | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2061           | 1,045,000     | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2062           | 1,100,000     | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2063           | 1,135,000     | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2064           | 1,195,000     | 3.000%      | 3.000%       | 100.000      |
|                       | 12/01/2065           | 2,485,000     | 3.000%      | 3.000%       | 100.000      |
|                       |                      | 22,345,000    |             |              |              |

|                         |               |             |
|-------------------------|---------------|-------------|
| Dated Date              | 12/01/2035    |             |
| Delivery Date           | 12/01/2035    |             |
| First Coupon            | 06/01/2036    |             |
| Par Amount              | 22,345,000.00 |             |
| Original Issue Discount |               |             |
| Production              | 22,345,000.00 | 100.000000% |
| Underwriter's Discount  | (111,725.00)  | (0.500000%) |
| Purchase Price          | 22,233,275.00 | 99.500000%  |
| Accrued Interest        |               |             |
| Net Proceeds            | 22,233,275.00 |             |

## NET DEBT SERVICE

### 4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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GENERAL OBLIGATION REFUNDING BONDS, SERIES 2035 Current Interest Bonds

<i>Period Ending</i>	<i>Principal</i>	<i>Coupon</i>	<i>Interest</i>	<i>Total Debt Service</i>	<i>Debt Service Reserve Fund</i>	<i>Net Debt Service</i>
12/01/2036	315,000	3.000%	670,350	985,350		985,350
12/01/2037	325,000	3.000%	660,900	985,900		985,900
12/01/2038	355,000	3.000%	651,150	1,006,150		1,006,150
12/01/2039	365,000	3.000%	640,500	1,005,500		1,005,500
12/01/2040	395,000	3.000%	629,550	1,024,550		1,024,550
12/01/2041	410,000	3.000%	617,700	1,027,700		1,027,700
12/01/2042	440,000	3.000%	605,400	1,045,400		1,045,400
12/01/2043	455,000	3.000%	592,200	1,047,200		1,047,200
12/01/2044	490,000	3.000%	578,550	1,068,550		1,068,550
12/01/2045	505,000	3.000%	563,850	1,068,850		1,068,850
12/01/2046	540,000	3.000%	548,700	1,088,700		1,088,700
12/01/2047	555,000	3.000%	532,500	1,087,500		1,087,500
12/01/2048	595,000	3.000%	515,850	1,110,850		1,110,850
12/01/2049	615,000	3.000%	498,000	1,113,000		1,113,000
12/01/2050	655,000	3.000%	479,550	1,134,550		1,134,550
12/01/2051	675,000	3.000%	459,900	1,134,900		1,134,900
12/01/2052	720,000	3.000%	439,650	1,159,650		1,159,650
12/01/2053	740,000	3.000%	418,050	1,158,050		1,158,050
12/01/2054	785,000	3.000%	395,850	1,180,850		1,180,850
12/01/2055	810,000	3.000%	372,300	1,182,300		1,182,300
12/01/2056	855,000	3.000%	348,000	1,203,000		1,203,000
12/01/2057	880,000	3.000%	322,350	1,202,350		1,202,350
12/01/2058	930,000	3.000%	295,950	1,225,950		1,225,950
12/01/2059	960,000	3.000%	268,050	1,228,050		1,228,050
12/01/2060	1,015,000	3.000%	239,250	1,254,250		1,254,250
12/01/2061	1,045,000	3.000%	208,800	1,253,800		1,253,800
12/01/2062	1,100,000	3.000%	177,450	1,277,450		1,277,450
12/01/2063	1,135,000	3.000%	144,450	1,279,450		1,279,450
12/01/2064	1,195,000	3.000%	110,400	1,305,400		1,305,400
12/01/2065	2,485,000	3.000%	74,550	2,559,550	1,254,000	1,305,550
	22,345,000		13,059,750	35,404,750	1,254,000	34,150,750

BOND DEBT SERVICE

4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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GENERAL OBLIGATION REFUNDING BONDS, SERIES 2035 Current Interest Bonds

<i>Period Ending</i>	<i>Principal</i>	<i>Coupon</i>	<i>Interest</i>	<i>Debt Service</i>	<i>Annual Debt Service</i>
06/01/2036			335,175	335,175	
12/01/2036	315,000	3.000%	335,175	650,175	985,350
06/01/2037			330,450	330,450	
12/01/2037	325,000	3.000%	330,450	655,450	985,900
06/01/2038			325,575	325,575	
12/01/2038	355,000	3.000%	325,575	680,575	1,006,150
06/01/2039			320,250	320,250	
12/01/2039	365,000	3.000%	320,250	685,250	1,005,500
06/01/2040			314,775	314,775	
12/01/2040	395,000	3.000%	314,775	709,775	1,024,550
06/01/2041			308,850	308,850	
12/01/2041	410,000	3.000%	308,850	718,850	1,027,700
06/01/2042			302,700	302,700	
12/01/2042	440,000	3.000%	302,700	742,700	1,045,400
06/01/2043			296,100	296,100	
12/01/2043	455,000	3.000%	296,100	751,100	1,047,200
06/01/2044			289,275	289,275	
12/01/2044	490,000	3.000%	289,275	779,275	1,068,550
06/01/2045			281,925	281,925	
12/01/2045	505,000	3.000%	281,925	786,925	1,068,850
06/01/2046			274,350	274,350	
12/01/2046	540,000	3.000%	274,350	814,350	1,088,700
06/01/2047			266,250	266,250	
12/01/2047	555,000	3.000%	266,250	821,250	1,087,500
06/01/2048			257,925	257,925	
12/01/2048	595,000	3.000%	257,925	852,925	1,110,850
06/01/2049			249,000	249,000	
12/01/2049	615,000	3.000%	249,000	864,000	1,113,000
06/01/2050			239,775	239,775	
12/01/2050	655,000	3.000%	239,775	894,775	1,134,550
06/01/2051			229,950	229,950	
12/01/2051	675,000	3.000%	229,950	904,950	1,134,900
06/01/2052			219,825	219,825	
12/01/2052	720,000	3.000%	219,825	939,825	1,159,650
06/01/2053			209,025	209,025	
12/01/2053	740,000	3.000%	209,025	949,025	1,158,050
06/01/2054			197,925	197,925	
12/01/2054	785,000	3.000%	197,925	982,925	1,180,850
06/01/2055			186,150	186,150	
12/01/2055	810,000	3.000%	186,150	996,150	1,182,300
06/01/2056			174,000	174,000	
12/01/2056	855,000	3.000%	174,000	1,029,000	1,203,000
06/01/2057			161,175	161,175	
12/01/2057	880,000	3.000%	161,175	1,041,175	1,202,350
06/01/2058			147,975	147,975	
12/01/2058	930,000	3.000%	147,975	1,077,975	1,225,950
06/01/2059			134,025	134,025	
12/01/2059	960,000	3.000%	134,025	1,094,025	1,228,050
06/01/2060			119,625	119,625	
12/01/2060	1,015,000	3.000%	119,625	1,134,625	1,254,250
06/01/2061			104,400	104,400	
12/01/2061	1,045,000	3.000%	104,400	1,149,400	1,253,800
06/01/2062			88,725	88,725	
12/01/2062	1,100,000	3.000%	88,725	1,188,725	1,277,450
06/01/2063			72,225	72,225	
12/01/2063	1,135,000	3.000%	72,225	1,207,225	1,279,450
06/01/2064			55,200	55,200	
12/01/2064	1,195,000	3.000%	55,200	1,250,200	1,305,400
06/01/2065			37,275	37,275	
12/01/2065	2,485,000	3.000%	37,275	2,522,275	2,559,550
	22,345,000		13,059,750	35,404,750	35,404,750

CALL PROVISIONS

**4-WAY COMMERCIAL METROPOLITAN DISTRICT
El Paso County, Colorado**

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**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2035  
Current Interest Bonds**

**Call Table: CALL**

| <i>Call Date</i> | <i>Call Price</i> |
|------------------|-------------------|
| 12/01/2045       | 100.00            |

**SUMMARY OF BONDS REFUNDED**

**4-WAY COMMERCIAL METROPOLITAN DISTRICT  
El Paso County, Colorado**

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**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2035
Current Interest Bonds**

<i>Bond</i>	<i>Maturity Date</i>	<i>Interest Rate</i>	<i>Par Amount</i>	<i>Call Date</i>	<i>Call Price</i>
Series 2025, 2025, TERM55:					
	12/01/2036	5.000%	325,000	12/01/2035	100.000
	12/01/2037	5.000%	340,000	12/01/2035	100.000
	12/01/2038	5.000%	375,000	12/01/2035	100.000
	12/01/2039	5.000%	395,000	12/01/2035	100.000
	12/01/2040	5.000%	435,000	12/01/2035	100.000
	12/01/2041	5.000%	455,000	12/01/2035	100.000
	12/01/2042	5.000%	500,000	12/01/2035	100.000
	12/01/2043	5.000%	525,000	12/01/2035	100.000
	12/01/2044	5.000%	575,000	12/01/2035	100.000
	12/01/2045	5.000%	600,000	12/01/2035	100.000
	12/01/2046	5.000%	655,000	12/01/2035	100.000
	12/01/2047	5.000%	685,000	12/01/2035	100.000
	12/01/2048	5.000%	740,000	12/01/2035	100.000
	12/01/2049	5.000%	780,000	12/01/2035	100.000
	12/01/2050	5.000%	840,000	12/01/2035	100.000
	12/01/2051	5.000%	885,000	12/01/2035	100.000
	12/01/2052	5.000%	950,000	12/01/2035	100.000
	12/01/2053	5.000%	1,000,000	12/01/2035	100.000
	12/01/2054	5.000%	1,070,000	12/01/2035	100.000
	12/01/2055	5.000%	1,125,000	12/01/2035	100.000
			13,255,000		

ESCROW REQUIREMENTS

4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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### GENERAL OBLIGATION REFUNDING BONDS, SERIES 2035 Current Interest Bonds

Dated Date                    12/01/2035  
Delivery Date                12/01/2035

| <i>Period<br/>Ending</i> | <i>Principal<br/>Redeemed</i> | <i>Total</i>  |
|--------------------------|-------------------------------|---------------|
| 12/01/2035               | 13,255,000                    | 13,255,000.00 |
|                          | 13,255,000                    | 13,255,000.00 |

## BOND SOLUTION

### 4-WAY COMMERCIAL METROPOLITAN DISTRICT El Paso County, Colorado

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### GENERAL OBLIGATION REFUNDING BONDS, SERIES 2035 Current Interest Bonds

| <i>Period Ending</i> | <i>Proposed Principal</i> | <i>Proposed Debt Service</i> | <i>Debt Service Adjustments</i> | <i>Total Adj Debt Service</i> | <i>Revenue Constraints</i> | <i>Unused Revenues</i> | <i>Debt Service Coverage</i> |
|----------------------|---------------------------|------------------------------|---------------------------------|-------------------------------|----------------------------|------------------------|------------------------------|
| 12/01/2036           | 315,000                   | 985,350                      |                                 | 985,350                       | 989,263                    | 3,913                  | 100.40%                      |
| 12/01/2037           | 325,000                   | 985,900                      |                                 | 985,900                       | 989,263                    | 3,363                  | 100.34%                      |
| 12/01/2038           | 355,000                   | 1,006,150                    |                                 | 1,006,150                     | 1,009,129                  | 2,979                  | 100.30%                      |
| 12/01/2039           | 365,000                   | 1,005,500                    |                                 | 1,005,500                     | 1,009,129                  | 3,629                  | 100.36%                      |
| 12/01/2040           | 395,000                   | 1,024,550                    |                                 | 1,024,550                     | 1,029,391                  | 4,841                  | 100.47%                      |
| 12/01/2041           | 410,000                   | 1,027,700                    |                                 | 1,027,700                     | 1,029,391                  | 1,691                  | 100.16%                      |
| 12/01/2042           | 440,000                   | 1,045,400                    |                                 | 1,045,400                     | 1,050,059                  | 4,659                  | 100.45%                      |
| 12/01/2043           | 455,000                   | 1,047,200                    |                                 | 1,047,200                     | 1,050,059                  | 2,859                  | 100.27%                      |
| 12/01/2044           | 490,000                   | 1,068,550                    |                                 | 1,068,550                     | 1,071,140                  | 2,590                  | 100.24%                      |
| 12/01/2045           | 505,000                   | 1,068,850                    |                                 | 1,068,850                     | 1,071,140                  | 2,290                  | 100.21%                      |
| 12/01/2046           | 540,000                   | 1,088,700                    |                                 | 1,088,700                     | 1,092,643                  | 3,943                  | 100.36%                      |
| 12/01/2047           | 555,000                   | 1,087,500                    |                                 | 1,087,500                     | 1,092,643                  | 5,143                  | 100.47%                      |
| 12/01/2048           | 595,000                   | 1,110,850                    |                                 | 1,110,850                     | 1,114,576                  | 3,726                  | 100.34%                      |
| 12/01/2049           | 615,000                   | 1,113,000                    |                                 | 1,113,000                     | 1,114,576                  | 1,576                  | 100.14%                      |
| 12/01/2050           | 655,000                   | 1,134,550                    |                                 | 1,134,550                     | 1,136,947                  | 2,397                  | 100.21%                      |
| 12/01/2051           | 675,000                   | 1,134,900                    |                                 | 1,134,900                     | 1,136,947                  | 2,047                  | 100.18%                      |
| 12/01/2052           | 720,000                   | 1,159,650                    |                                 | 1,159,650                     | 1,159,766                  | 116                    | 100.01%                      |
| 12/01/2053           | 740,000                   | 1,158,050                    |                                 | 1,158,050                     | 1,159,766                  | 1,716                  | 100.15%                      |
| 12/01/2054           | 785,000                   | 1,180,850                    |                                 | 1,180,850                     | 1,183,042                  | 2,192                  | 100.19%                      |
| 12/01/2055           | 810,000                   | 1,182,300                    |                                 | 1,182,300                     | 1,183,042                  | 742                    | 100.06%                      |
| 12/01/2056           | 855,000                   | 1,203,000                    |                                 | 1,203,000                     | 1,206,782                  | 3,782                  | 100.31%                      |
| 12/01/2057           | 880,000                   | 1,202,350                    |                                 | 1,202,350                     | 1,206,782                  | 4,432                  | 100.37%                      |
| 12/01/2058           | 930,000                   | 1,225,950                    |                                 | 1,225,950                     | 1,230,998                  | 5,048                  | 100.41%                      |
| 12/01/2059           | 960,000                   | 1,228,050                    |                                 | 1,228,050                     | 1,230,998                  | 2,948                  | 100.24%                      |
| 12/01/2060           | 1,015,000                 | 1,254,250                    |                                 | 1,254,250                     | 1,255,698                  | 1,448                  | 100.12%                      |
| 12/01/2061           | 1,045,000                 | 1,253,800                    |                                 | 1,253,800                     | 1,255,698                  | 1,898                  | 100.15%                      |
| 12/01/2062           | 1,100,000                 | 1,277,450                    |                                 | 1,277,450                     | 1,280,892                  | 3,442                  | 100.27%                      |
| 12/01/2063           | 1,135,000                 | 1,279,450                    |                                 | 1,279,450                     | 1,280,892                  | 1,442                  | 100.11%                      |
| 12/01/2064           | 1,195,000                 | 1,305,400                    |                                 | 1,305,400                     | 1,306,590                  | 1,190                  | 100.09%                      |
| 12/01/2065           | 2,485,000                 | 2,559,550                    | (1,254,000)                     | 1,305,550                     | 1,306,590                  | 1,040                  | 100.08%                      |
|                      | 22,345,000                | 35,404,750                   | (1,254,000)                     | 34,150,750                    | 34,233,835                 | 83,085                 |                              |

EXHIBIT E: ANNUAL REPORT AND DISCLOSURE FORM  
(Sample attached)

**EL PASO COUNTY SPECIAL DISTRICT  
ANNUAL REPORT and DISCLOSURE FORM**

|                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Name of District(s):                                                                                                      | 4-Way Commercial Metropolitan District                                                                                                                                                                                                                                                                                                                                   |
| 2. Report for Calendar Year:                                                                                                 | 2023                                                                                                                                                                                                                                                                                                                                                                     |
| 3. Contact Information                                                                                                       | c/o Icenogle Seaver Pogue, P.C.<br>4725 South Monaco Street, Suite 360<br>Denver, Colorado 80237<br>jivey@isp-law.com<br>(303) 867-3003<br>Facsimile: 303.292.9101                                                                                                                                                                                                       |
| 4. Meeting Information                                                                                                       | Regular meetings are held the _____ day in _____ (month) at _____ (location).<br><br>Posting place for notices of meetings in 2024 for purposes of § 24-6-402(2)(c), C.R.S., is as follows:                                                                                                                                                                              |
| 5. Type of District(s)/ Unique Representational Issues (if any)                                                              | Colorado Revised Statutes Title 32 Metropolitan District                                                                                                                                                                                                                                                                                                                 |
| 6. Authorized Purposes of the District(s)                                                                                    | The Service Plan authorizes the District to provide the following facilities and services: water; sanitation; storm drainage; street improvements, transportation and safety protection; parks and recreation; mosquito control; fire protection; television relay and translation; covenant enforcement and design review; solid waste disposal; and security services. |
| 7. Active Purposes of the District(s)                                                                                        | The primary active purpose of the District is to finance the construction of a part or all of various public improvements necessary and appropriate for the development of the 4-Way Commercial Project, including, but not limited to, on and off-site streets and roadways, stormwater, and water and sanitary sewer improvements.                                     |
| 8. Current Certified Mill Levies<br>a. Debt Service<br>b. Operational<br>c. Other<br>d. Total                                | a. 0.000 Mills<br>b. 0.000 Mills<br>c. 0.000 Mills<br>d. 0.000 Mills                                                                                                                                                                                                                                                                                                     |
| 9. Sample Calculation of Current Mill Levy for a Residential and Commercial Property (as applicable).                        | Not applicable.                                                                                                                                                                                                                                                                                                                                                          |
| 10. Maximum Authorized Mill Levy Caps (Note: these are maximum allowable mill levies which could be certified in the future) |                                                                                                                                                                                                                                                                                                                                                                          |

|                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>unless there was a change in state statutes or Board of County Commissioners approvals)</p> <p>a. Debt Service<br/>b. Operational<br/>c. Other<br/>d. Total</p> | <p>a. 5.0000 Mills (as may be adjusted)<br/>b. 10.000 Mills (as may be adjusted)<br/>c. 5.000 Mills (as may be adjusted)<br/>d. 65.000 Mills (as may be adjusted)</p>                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>11. Sample Calculation of Mill Levy Cap for a Residential and Commercial Property (as applicable).</p>                                                          | <p>Assumptions:</p> <p>Sample Metropolitan District Maximum Mill Levy Calculation for a <u>Commercial Property</u>:</p> <p>\$500,000 x .29 = \$145,000 (Assessed Value)<br/>\$145,000 x .065000 mills = <b>\$9,425 per year</b> in sample taxes owed solely to this Special District if the District impose the maximum projected debt service and operations mill levies.</p> <p>A sample Metropolitan District Maximum Mill Levy Calculation for a <u>Residential Property</u> has not been included as the District is comprised of commercial development only.</p> |
| <p>12. Current Outstanding Debt of the District (as of the end of year of this report)</p>                                                                         | <p>None.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>13. Total voter-authorized debt of the District (including current debt)</p>                                                                                    | <p>At the organizational election of the District, voters authorized a maximum principal amount of debt of \$36,685,000</p>                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>14. Debt proposed to be issued, reissued or otherwise obligated in the coming year.</p>                                                                         | <p>The Financial Plan included within the District's Service Plan proposes a 2024 debt issuance.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>15. Major facilities/ infrastructure improvements initiated or completed in the prior year</p>                                                                  | <p>The following major facilities or infrastructure improvements were initiated or completed in 2023:<br/>None.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>16. Summary of major property exclusion or inclusion activities in the past year.</p>                                                                           | <p>There were no inclusions or exclusions of property in 2023.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

Reminder:

- A. As per Colorado Revised Statutes, Section 32-1-306, the special district shall maintain a current, accurate map of its boundaries and shall provide for such map to be on file with the County Assessor.
- B. Colorado Revised Statutes, Section 32-1-823(1), states a certificate of election results shall be filed with the County Clerk and Recorder.

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Name and Title of Respondent

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Signature of Respondent

Date

RETURN COMPLETED FORM TO: El Paso County Board of County Commissioners  
Attention: Clerk to the Board  
200 South Cascade Avenue  
Colorado Springs, Colorado 80903

**\*\*NOTE:** As per CRS Section 32-1-104(2), a copy of this report should also be submitted to:

County Assessor - 27 East Vermijo, Colorado Springs, Colorado 80903

County Treasurer - 27 East Vermijo, Colorado Springs, Colorado 80903

EXHIBIT F: 4-WAY RANCH METROPOLITAN  
DISTRICT NO. 1 RESOLUTION CONSENTING TO THE  
ORGANIZATION OF AN OVERLAY DISTRICT, WHOSE BOUNDARIES  
WILL OVERLAP WITH THE BOUNDARIES OF 4-WAY RANCH  
METROPOLITAN DISTRICT NO. 1

(See attached)

**RESOLUTION 2023-**

**4-WAY RANCH METROPOLITAN DISTRICT NO. 1 EL PASO COUNTY, COLORADO**

**A RESOLUTION CONSENTING TO THE ORGANIZATION OF A METROPOLITAN DISTRICT, WHOSE BOUNDARIES WILL OVERLAP WITH THE BOUNDARIES OF 4-WAY RANCH METROPOLITAN DISTRICT NO. 1**

WHEREAS, 4-Way Ranch Metropolitan District No. 1 (“**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado operating under Article 1 of Title 32, C.R.S.; and

WHEREAS, Section 32-1-107(2), C.R.S., provides generally that no special district may be organized wholly or partly within an existing special district providing the same service; and

WHEREAS, Section 32-1-107(3)(b)(IV), C.R.S., provides that an overlapping special district may be authorized to provide the same service as the existing special district if, among other requirements, the board of directors for the existing special district consents to the overlapping special district providing the same service; and

WHEREAS, the District also has the authority to provide public improvements and services pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, and its Service Plan; and

WHEREAS, the District is currently providing certain of the services set forth in its Service Plan and Amended Service Plan, with water and wastewater services being provided by 4-Way Ranch Metropolitan District No. 2 (“**District 2**”) which services are the subject of an intergovernmental agreement between the District and District 2 dated April 25, 2018 and maintaining certain District property related to its services property (the “**District Improvements and Services**”); and

WHEREAS, District has received a request from the KO1515, LLC for the organization of a metropolitan district (the “**Overlay District**”) whose proposed boundaries will overlap with the boundaries of the District, and are depicted in Exhibit A, attached hereto; and

WHEREAS, it is anticipated that upon formation, the Overlay District will be authorized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, as amended, and the service plan for the Overlay District to provide various public improvements and services, including water, sanitary sewer, storm sewer, streets, transportation, traffic safety protection, television relay and translation, mosquito control, covenant enforcement, security, park and recreation, and fire protection improvements and services (collectively, the “**Overlay Improvements**”) to support the development within the Overlay District’s proposed boundaries, however, the Overlay District will not provide, public improvements or services that will duplicate or interfere with District 's current or future public improvements; and

WHEREAS, it is anticipated that following the construction of the Overlay Improvements, the Overlay District will transfer the streets, park and recreation, storm sewer, transportation,



traffic safety protection, and fire protection improvements to El Paso County, and will transfer the water and sanitary sewer improvements to 4-Way Ranch Metropolitan District No. 2 for ownership and maintenance; and

WHEREAS, the District consents to the organization of the Overlay District upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District that:

1. Pursuant to Section 32-1-107(3)(b)(IV), C.R.S., the District hereby consents to the organization and overlapping boundaries of the Overlay District and to the Overlay District possessing the authority to provide the Overlay Improvements subject to the following conditions:

a. The improvements and facilities to be financed, designed, acquired or constructed by the Overlay District may not duplicate or interfere with the District Improvements and Services or any improvements planned to be constructed by the District.

b. The Overlay District shall construct all improvements and appurtenances in accordance with any applicable standards and specifications of the District, and other governmental entities with jurisdiction.

c. The Overlay District will abide by the District’s generally applicable rules and regulations.

d. The Overlay District will be authorized to construct Overlay Improvements outside of its boundaries to the extent necessary to serve the property within its boundaries, but will not provide services outside of its boundaries without written consent from the District.

e. In the event the Overlay District is providing a service within its boundaries, the District will no longer be obligated to provide the same service within the Overlay District’s boundaries and the District will not impose any fees or taxes related to those services.

Dated this 3<sup>rd</sup> day of January, 2023.

**4-WAY RANCH METROPOLITAN DISTRICT NO. 1**

DocuSigned by:  
*Mark Belles*  
By: \_\_\_\_\_  
B0B63A05E9654B9...  
President

Attest:

DocuSigned by:  
*Kevin Campbell*  
\_\_\_\_\_  
D1E91BD50D4349D...

**EXHIBIT A**

A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 28 AND THE NORTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:** THE SOUTHERLY LINE OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WESTERLY END BY A 3-1/4" ALUMINUM CAP STAMPED "PS INC 1996 PLS 30087" AND AT THE EASTERLY END BY AN ILLEGIBLE 3-1/4" ALUMINUM CAP, ASSUMED TO BEAR SOUTH 89 DEGREES 47 MINUTES 29 SECONDS EAST A DISTANCE OF 5270.55 FEET.

COMMENCING AT THE NORTH ONE-QUARTER CORNER OF SAID SECTION 33, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 29 MINUTES 25 SECONDS EAST AND ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 33 A DISTANCE OF 531.44 FEET TO A POINT ON THE NORTHERLY LINE OF AN OPEN SPACE TRACT OWNED BY EL PASO COUNTY; THENCE SOUTH 45 DEGREES 55 MINUTES 49 SECONDS WEST AND ALONG THE NORTH LINE OF AN OPEN SPACE TRACT OWNED BY EL PASO COUNTY A DISTANCE OF 1120.13 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 33; THENCE NORTH 89 DEGREES 52 MINUTES 19 SECONDS WEST AND ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 33 A DISTANCE OF 1244.14 FEET TO THE SOUTHEASTERLY CORNER OF 4 WAY RANCH FILING NO. 1 AS PLATTED IN THE EL PASO COUNTY RECORDS UNDER RECEPTION NO. 206712416; THENCE NORTHERLY AND ALONG THE BOUNDARY OF 4 WAY RANCH FILING NO. 1 THE FOLLOWING SIXTEEN (16) COURSES:

1. NORTH 02 DEGREES 27 MINUTES 23 SECONDS EAST A DISTANCE OF 104.58 FEET;
2. NORTH 17 DEGREES 26 MINUTES 00 SECONDS WEST A DISTANCE OF 90.67 FEET;
3. NORTH 33 DEGREES 15 MINUTES 23 SECONDS WEST A DISTANCE OF 117.65 FEET;
4. NORTH 46 DEGREES 37 MINUTES 58 SECONDS WEST A DISTANCE OF 111.92 FEET;
5. NORTH 45 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 135.29 FEET;
6. NORTH 37 DEGREES 54 MINUTES 04 SECONDS WEST A DISTANCE OF 77.43 FEET;
7. NORTH 69 DEGREES 38 MINUTES 28 SECONDS WEST A DISTANCE OF 63.38 FEET;
8. NORTH 82 DEGREES 03 MINUTES 50 SECONDS WEST A DISTANCE OF 73.71 FEET;
9. NORTH 64 DEGREES 06 MINUTES 52 SECONDS WEST A DISTANCE OF 66.05 FEET;
10. NORTH 40 DEGREES 27 MINUTES 09 SECONDS WEST A DISTANCE OF 60.18 FEET;
11. NORTH 23 DEGREES 15 MINUTES 18 SECONDS WEST A DISTANCE OF 46.89 FEET;
12. NORTH 02 DEGREES 19 MINUTES 25 SECONDS EAST A DISTANCE OF 78.58 FEET;
13. NORTH 09 DEGREES 28 MINUTES 16 SECONDS EAST A DISTANCE OF 72.82 FEET;
14. NORTH 64 DEGREES 09 MINUTES 32 SECONDS EAST A DISTANCE OF 76.66 FEET;
15. NORTH 25 DEGREES 50 MINUTES 28 SECONDS WEST A DISTANCE OF 120.00 FEET;
16. NORTH 01 DEGREES 31 MINUTES 24 SECONDS EAST A DISTANCE OF 5.63 FEET;

THENCE NORTH 64 DEGREES 09 MINUTES 32 SECONDS EAST A DISTANCE OF 777.32 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 26 DEGREES 14 MINUTES 06 SECONDS, A RADIUS OF 1405.00 FEET, AND A LENGTH OF 643.30 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 472.54 FEET; THENCE SOUTH 33 DEGREES 21 MINUTES 54 SECONDS EAST A DISTANCE OF 38.41 FEET; THENCE SOUTH 47 DEGREES 17 MINUTES 41 SECONDS EAST A DISTANCE OF 86.33 FEET; THENCE SOUTH 64 DEGREES 09 MINUTES 57 SECONDS EAST A DISTANCE OF 94.87 FEET; THENCE SOUTH 80 DEGREES 48 MINUTES 35 SECONDS EAST A DISTANCE OF 101.84 FEET; THENCE SOUTH 61 DEGREES 19 MINUTES 38 SECONDS EAST A DISTANCE OF 141.06 FEET; THENCE NORTH 82 DEGREES 46 MINUTES 11 SECONDS EAST A DISTANCE OF 108.65 FEET; THENCE SOUTH 88 DEGREES 09 MINUTES 15 SECONDS EAST A DISTANCE OF 52.66 FEET; THENCE SOUTH 80 DEGREES 32 MINUTES 47 SECONDS EAST A DISTANCE OF 61.96 FEET; THENCE SOUTH 65 DEGREES 00 MINUTES 13 SECONDS EAST A DISTANCE OF 28.10 FEET; THENCE SOUTH 72 DEGREES 21 MINUTES 55 SECONDS EAST A DISTANCE OF 39.19 FEET; THENCE NORTH 80 DEGREES 50 MINUTES 46 SECONDS EAST A DISTANCE OF 53.31 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 20 SECONDS EAST A DISTANCE OF 59.22 FEET; THENCE NORTH 69 DEGREES 17 MINUTES 32 SECONDS EAST A DISTANCE OF 67.16 FEET; THENCE NORTH 81 DEGREES 21 MINUTES 20 SECONDS EAST A DISTANCE OF 79.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 64.36 FEET; THENCE SOUTH 50 DEGREES 51 MINUTES 09 SECONDS EAST A DISTANCE OF 50.33 FEET; THENCE NORTH 38 DEGREES 29 MINUTES 42 SECONDS EAST A DISTANCE OF 283.74 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 05 DEGREES 50 MINUTES 23 SECONDS, A RADIUS OF 640.00 FEET, AND A LENGTH OF 65.23 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 28; THENCE SOUTH 00 DEGREES 26 MINUTES 21 SECONDS EAST AND ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 28 A DISTANCE OF 685.75 FEET TO THE POINT OF BEGINNING, EXCEPT THOSE PORTIONS CONTAINED IN INSTRUMENTS RECORDED JUNE 11, 2013 AT RECEPTION NO. 213076016 AND RECORDED MAY 7, 2012 UNDER RECEPTION NO. 212052339 AND RECORDED JUNE 5, 2012 UNDER RECEPTION NO. 212064636, EL PASO COUNTY, COLORADO.

Form 13084 01/2011 wd.odt

Warranty Deed (Photographic)

SC55045947

{18166005}

**RESOLUTION 2023-**

**4-WAY RANCH METROPOLITAN DISTRICT NO. 1 EL PASO COUNTY, COLORADO**

**A RESOLUTION CONSENTING TO THE ORGANIZATION OF A METROPOLITAN DISTRICT, WHOSE BOUNDARIES WILL OVERLAP WITH THE BOUNDARIES OF 4-WAY RANCH METROPOLITAN DISTRICT NO. 1**

WHEREAS, 4-Way Ranch Metropolitan District No. 1 (“**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado operating under Article 1 of Title 32, C.R.S.; and

WHEREAS, Section 32-1-107(2), C.R.S., provides generally that no special district may be organized wholly or partly within an existing special district providing the same service; and

WHEREAS, Section 32-1-107(3)(b)(IV), C.R.S., provides that an overlapping special district may be authorized to provide the same service as the existing special district if, among other requirements, the board of directors for the existing special district consents to the overlapping special district providing the same service; and

WHEREAS, the District also has the authority to provide public improvements and services pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, and its Service Plan; and

WHEREAS, the District is currently providing certain of the services set forth in its Service Plan and Amended Service Plan, with water and wastewater services being provided by 4-Way Ranch Metropolitan District No. 2 (“**District 2**”) which services are the subject of an intergovernmental agreement between the District and District 2 dated April 25, 2018 and maintaining certain District property related to its services property (the “**District Improvements and Services**”); and

WHEREAS, District has received a request from the KO1515, LLC for the organization of a metropolitan district (the “**Overlay District**”) whose proposed boundaries will overlap with the boundaries of the District, and are depicted in Exhibit A, attached hereto; and

WHEREAS, it is anticipated that upon formation, the Overlay District will be authorized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, as amended, and the service plan for the Overlay District to provide various public improvements and services, including water, sanitary sewer, storm sewer, streets, transportation, traffic safety protection, television relay and translation, mosquito control, covenant enforcement, security, park and recreation, and fire protection improvements and services (collectively, the “**Overlay Improvements**”) to support the development within the Overlay District’s proposed boundaries, however, the Overlay District will not provide, public improvements or services that will duplicate or interfere with District 's current or future public improvements; and

WHEREAS, it is anticipated that following the construction of the Overlay Improvements, the Overlay District will transfer the streets, park and recreation, storm sewer, transportation,

traffic safety protection, and fire protection improvements to El Paso County, and will transfer the water and sanitary sewer improvements to 4-Way Ranch Metropolitan District No. 2 for ownership and maintenance; and

WHEREAS, the District consents to the organization of the Overlay District upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District that:

1. Pursuant to Section 32-1-107(3)(b)(IV), C.R.S., the District hereby consents to the organization and overlapping boundaries of the Overlay District and to the Overlay District possessing the authority to provide the Overlay Improvements subject to the following conditions:

a. The improvements and facilities to be financed, designed, acquired or constructed by the Overlay District may not duplicate or interfere with the District Improvements and Services or any improvements planned to be constructed by the District.

b. The Overlay District shall construct all improvements and appurtenances in accordance with any applicable standards and specifications of the District, and other governmental entities with jurisdiction.

c. The Overlay District will abide by the District’s generally applicable rules and regulations.

d. The Overlay District will be authorized to construct Overlay Improvements outside of its boundaries to the extent necessary to serve the property within its boundaries, but will not provide services outside of its boundaries without written consent from the District.

e. In the event the Overlay District is providing a service within its boundaries, the District will no longer be obligated to provide the same service within the Overlay District’s boundaries and the District will not impose any fees or taxes related to those services.

Dated this 3<sup>rd</sup> day of January, 2023.

**4-WAY RANCH METROPOLITAN DISTRICT NO. 1**

DocuSigned by:  
By: Mark Belles  
B0B63A05E9654B9...  
President

Attest:

DocuSigned by:  
Kevin Campbell  
D1E91BD50D4349D...

**EXHIBIT A**

A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 28 AND THE NORTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY LINE OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WESTERLY END BY A 3-1/4" ALUMINUM CAP STAMPED "PS INC 1996 PLS 30087" AND AT THE EASTERLY END BY AN ILLEGIBLE 3-1/4" ALUMINUM CAP, ASSUMED TO BEAR SOUTH 89 DEGREES 47 MINUTES 29 SECONDS EAST A DISTANCE OF 5270.55 FEET.

COMMENCING AT THE NORTH ONE-QUARTER CORNER OF SAID SECTION 33, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 29 MINUTES 25 SECONDS EAST AND ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 33 A DISTANCE OF 531.44 FEET TO A POINT ON THE NORTHERLY LINE OF AN OPEN SPACE TRACT OWNED BY EL PASO COUNTY; THENCE SOUTH 45 DEGREES 55 MINUTES 49 SECONDS WEST AND ALONG THE NORTH LINE OF AN OPEN SPACE TRACT OWNED BY EL PASO COUNTY A DISTANCE OF 1120.13 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 33; THENCE NORTH 89 DEGREES 52 MINUTES 19 SECONDS WEST AND ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 33 A DISTANCE OF 1244.14 FEET TO THE SOUTHEASTERLY CORNER OF 4 WAY RANCH FILING NO. 1 AS PLATTED IN THE EL PASO COUNTY RECORDS UNDER RECEPTION NO. 206712416; THENCE NORTHERLY AND ALONG THE BOUNDARY OF 4 WAY RANCH FILING NO. 1 THE FOLLOWING SIXTEEN (16) COURSES:

1. NORTH 02 DEGREES 27 MINUTES 23 SECONDS EAST A DISTANCE OF 104.58 FEET;
2. NORTH 17 DEGREES 26 MINUTES 00 SECONDS WEST A DISTANCE OF 90.67 FEET;
3. NORTH 33 DEGREES 15 MINUTES 23 SECONDS WEST A DISTANCE OF 117.65 FEET;
4. NORTH 46 DEGREES 37 MINUTES 58 SECONDS WEST A DISTANCE OF 111.92 FEET;
5. NORTH 45 DEGREES 44 MINUTES 00 SECONDS WEST A DISTANCE OF 135.29 FEET;
6. NORTH 37 DEGREES 54 MINUTES 04 SECONDS WEST A DISTANCE OF 77.43 FEET;
7. NORTH 69 DEGREES 38 MINUTES 28 SECONDS WEST A DISTANCE OF 63.38 FEET;
8. NORTH 82 DEGREES 03 MINUTES 50 SECONDS WEST A DISTANCE OF 73.71 FEET;
9. NORTH 64 DEGREES 06 MINUTES 52 SECONDS WEST A DISTANCE OF 66.05 FEET;
10. NORTH 40 DEGREES 27 MINUTES 09 SECONDS WEST A DISTANCE OF 60.18 FEET;
11. NORTH 23 DEGREES 15 MINUTES 18 SECONDS WEST A DISTANCE OF 46.89 FEET;
12. NORTH 02 DEGREES 19 MINUTES 25 SECONDS EAST A DISTANCE OF 78.58 FEET;
13. NORTH 09 DEGREES 28 MINUTES 16 SECONDS EAST A DISTANCE OF 72.82 FEET;
14. NORTH 64 DEGREES 09 MINUTES 32 SECONDS EAST A DISTANCE OF 76.66 FEET;
15. NORTH 25 DEGREES 50 MINUTES 28 SECONDS WEST A DISTANCE OF 120.00 FEET;
16. NORTH 01 DEGREES 31 MINUTES 24 SECONDS EAST A DISTANCE OF 5.63 FEET;

THENCE NORTH 64 DEGREES 09 MINUTES 32 SECONDS EAST A DISTANCE OF 777.32 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 26 DEGREES 14 MINUTES 06 SECONDS, A RADIUS OF 1405.00 FEET, AND A LENGTH OF 643.30 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 472.54 FEET; THENCE SOUTH 33 DEGREES 21 MINUTES 54 SECONDS EAST A DISTANCE OF 38.41 FEET; THENCE SOUTH 47 DEGREES 17 MINUTES 41 SECONDS EAST A DISTANCE OF 86.33 FEET; THENCE SOUTH 64 DEGREES 09 MINUTES 57 SECONDS EAST A DISTANCE OF 94.87 FEET; THENCE SOUTH 80 DEGREES 48 MINUTES 35 SECONDS EAST A DISTANCE OF 101.84 FEET; THENCE SOUTH 61 DEGREES 19 MINUTES 38 SECONDS EAST A DISTANCE OF 141.06 FEET; THENCE NORTH 82 DEGREES 46 MINUTES 11 SECONDS EAST A DISTANCE OF 108.65 FEET; THENCE SOUTH 88 DEGREES 09 MINUTES 15 SECONDS EAST A DISTANCE OF 52.66 FEET; THENCE SOUTH 80 DEGREES 32 MINUTES 47 SECONDS EAST A DISTANCE OF 61.96 FEET; THENCE SOUTH 65 DEGREES 00 MINUTES 13 SECONDS EAST A DISTANCE OF 28.10 FEET; THENCE SOUTH 72 DEGREES 21 MINUTES 55 SECONDS EAST A DISTANCE OF 39.19 FEET; THENCE NORTH 80 DEGREES 50 MINUTES 46 SECONDS EAST A DISTANCE OF 53.31 FEET; THENCE NORTH 62 DEGREES 43 MINUTES 20 SECONDS EAST A DISTANCE OF 59.22 FEET; THENCE NORTH 69 DEGREES 17 MINUTES 32 SECONDS EAST A DISTANCE OF 67.16 FEET; THENCE NORTH 81 DEGREES 21 MINUTES 20 SECONDS EAST A DISTANCE OF 79.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 64.36 FEET; THENCE SOUTH 50 DEGREES 51 MINUTES 09 SECONDS EAST A DISTANCE OF 50.33 FEET; THENCE NORTH 38 DEGREES 29 MINUTES 42 SECONDS EAST A DISTANCE OF 283.74 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 05 DEGREES 50 MINUTES 23 SECONDS, A RADIUS OF 640.00 FEET, AND A LENGTH OF 65.23 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 28; THENCE SOUTH 00 DEGREES 26 MINUTES 21 SECONDS EAST AND ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 28 A DISTANCE OF 685.75 FEET TO THE POINT OF BEGINNING, EXCEPT THOSE PORTIONS CONTAINED IN INSTRUMENTS RECORDED JUNE 11, 2013 AT RECEPTION NO. 213076016 AND RECORDED MAY 7, 2012 UNDER RECEPTION NO. 212052339 AND RECORDED JUNE 5, 2012 UNDER RECEPTION NO. 212064636, EL PASO COUNTY, COLORADO.

Form 13084 01/2011 wd.odt

Warranty Deed (Photographic)

SC55045947

{18166005}

RESOLUTION NO. 23-

BOARD OF COUNTY COMMISSIONERS

COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION TO APPROVE A SPECIAL DISTRICT SERVICE PLAN  
4-WAY COMMERCIAL METROPOLITAN DISTRICT

WHEREAS, KO1515, LLC, did file an application with the Planning and Community Development Department of El Paso County, pursuant to C.R.S. §32-1-204(2), for the review of a draft Service Plan for 4-Way Commercial Metropolitan District for property more particularly described in Exhibit A, which is attached hereto and incorporated by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on June 15, 2023, upon which date the Planning Commission did by formal resolution recommend approval of the subject Service Plan with conditions and notations; and

WHEREAS, on June 27, 2023, the Board of County Commissioners ordered a public hearing to be held on the Service Plan on July 18<sup>th</sup>, 2023; and

WHEREAS, notice of the hearing before the Board of County Commissioners was duly published in *The Colorado Springs Gazette* on June 28, 2023, as required by law; and

WHEREAS, notice of the hearing before the Board of County Commissioners was duly mailed by first class mail, on June 28, 2023, to interested persons, defined as: The owners of record of all property within the proposed Title 32 district as such owners of record are listed in the proposed Service Plan. On June 28, 2023, notice of the hearing before the Board of County Commissioners was duly mailed by first class mail to the governing body of any municipality or special district which has levied an ad valorem tax within the next preceding tax year, and which has boundaries within a radius of three (3) miles of the proposed district's boundaries; and

WHEREAS, pursuant to the provisions of Title 32, Article 1, C.R.S., as amended, the Board of County Commissioners held a public hearing on the Service Plan for the District on July 18, 2023; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, study of the proposed Service Plan for 4-Way Commercial Metropolitan District, presentation, and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, and comments from all interested persons, and comments by the El Paso

County Planning Commission during the hearing, this Board of County Commissioners finds as follows:

1. That the application for the draft service plan for the Special District was properly submitted for consideration by the Planning Commission and Board of County Commissioners.
2. That proper publication and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of El Paso County.
3. That the hearings before the Planning Commission and the Board of County Commissioners of El Paso County were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested persons were heard at those hearings.
4. That all exhibits were received into evidence.
5. There is sufficient existing and projected need for organized service in the area to be served by the proposed Special District.
6. Existing service in the area to be served by the proposed Special District is inadequate for present and projected needs.
7. The proposed Special District is capable of providing economical and sufficient service to the area within the proposed boundaries.
8. The area to be included in the proposed Special District has or will have the financial ability to discharge the proposed indebtedness on a reasonable basis.
9. Adequate service is not or will not be available to the area through the County, other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis.
10. The facility and service standards of the proposed Special District are compatible with the facility and service standards of each county within which the proposed Special District is to be located and each municipality which is an interested party.
11. The proposal is in substantial compliance with a Master Plan adopted pursuant to C.R.S. §30-28-106.
12. The proposal is in compliance with any duly adopted county, regional or state long-range water quality management plan for the area.
13. The creation of the proposed Special District will be in the best interests of the area proposed to be served.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners, State of Colorado, hereby determines that the requirements of C.R.S §32-1-203, relating to the approval of a Service Plan for the 4-Way Commercial Metropolitan District have been fulfilled in a timely manner; and

BE IT FURTHER RESOLVED the Board of County Commissioners hereby approves the Service Plan submitted for the 4-Way Commercial Metropolitan District, for property more particularly described in Exhibit A, which is attached hereto and incorporated by reference; and

AND BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. As stated in the proposed Service Plan, the maximum combined mill levy shall not exceed 65 mills for any property within the 4-Way Commercial Metropolitan District, with no more than 50 mills devoted to commercial debt service, no more than 10 mills devoted to operations and maintenance, no more than 5 mills for special purpose, all subject to Assessment Rate Adjustment, unless the District receives Board of County Commissioner approval to increase the maximum mill levy.
2. As stated in the attached Service Plan, the maximum authorized debt for the 4-Way Commercial Metropolitan District shall be limited to \$36,685,000.00 until and unless the District receives Board of County Commissioner approval to increase the maximum authorized debt.
3. Approval of the Service Plan for the 4-Way Commercial Metropolitan District includes the ability of the District to use eminent domain powers for the acquisition of property to be owned, controlled, or maintained by the District or another public or non-profit entity and is for the material use or benefit of the general public. The District may not use the power of eminent domain without prior approval by the Board of County Commissioners at a publicly noticed hearing after a showing that the use of eminent domain is necessary in order for the District to continue to provide service(s) within the District's boundaries and that there are no other alternatives that would not result in the need for the use of eminent domain powers.
4. The 4-Way Commercial Metropolitan District shall provide a disclosure form to future purchasers and or lessors of property in a manner consistent with the approved Special District Annual Report form. The developer(s) shall provide written notation on each subsequent final plat associated with the development of the annually filed public notice.



County staff is authorized to administratively approve updates to the disclosure form to reflect current contact information and calculations.

5. The 4-Way Commercial Metropolitan District is expressly prohibited from creating separate sub-districts except upon prior notice to the Board of County Commissioners, and subject to the Board of County Commissioners' right to declare such creation to be a material modification of the service plan, pursuant to C.R.S. § 32-1-1101(1)(f)(I).
6. Approval of this application shall not constitute relinquishment or undermining of the County's authority to require the developer to complete subdivision improvements as required by the Land Development Code and Engineering Criteria Manual and to require Subdivision Improvement Agreements or Development Agreements and collateral of the developer to guarantee the construction of improvements.
7. Any future proposed development of right-of-way that creates a division of land less than 35 acres within the subject parcels will require approval of final plat(s), and such final plat(s) must be recorded prior to undertaking land disturbing activities, excluding pre-subdivision site grading stand-alone request.

#### NOTATIONS

1. Approval of this Service Plan shall in no way be construed to infer a requirement or obligation of the Board of County Commissioners to approve any future land use requests within the boundaries of the District.
2. Any expansions, extensions, or construction of new facilities by the 4-Way Commercial Metropolitan District will require prior review by the Planning and Community Development Department to determine if such actions are subject to the requirements of Appendix B of the Land Development Code, Guidelines and Regulations for Areas and Activities of State Interest (a.k.a. "1041 Regulations").

AND BE IT FURTHER RESOLVED, the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

AND BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be filed in the records of the County and submitted to the petitioners for the purpose of filing in the District Court of El Paso County.

AND BE IT FURTHER RESOLVED that all resolutions or parts thereof, in conflict with the provisions hereof, are hereby repealed.

DONE THIS 18th day of July 2023, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
EL PASO COUNTY, COLORADO

ATTEST:

By: \_\_\_\_\_  
Chair

By: \_\_\_\_\_  
County Clerk & Recorder

EXHIBIT A  
LEGAL DESCRIPTIONS

OVERALL INITIAL INCLUSION AREA:

For the portion of the property located north of Stapleton Drive

Description:

A tract of land in the Southwest Quarter of Section 28 and the Northwest Quarter of Section 33 Township 12 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at the Northeast Corner of the Northwest Quarter of said Section 33; thence S 00° 32'40" E 531.35 feet along the East Line of the Northwest Quarter of said Section 33; thence S 45° 52'34" W 18.02 feet to the North right of way line of Stapleton Drive; thence along the North right of way line of Stapleton Drive the following 2 courses,

Course 1: N 43° 41'10" W 344.15,

Course 2: On a curve to the left with a radius of 1405.00 feet, an arc distance of 1127.25 feet, chord being N 66°37'01" W 1097.26 feet; thence N 00°02'16" E 472.31 feet; thence S 33°06'23" W 38.23 feet; thence S 47°20'54" E 86.31 feet; thence S 64°11'25" E 94.79 feet; thence S 80° 44'44" E 101.96 feet; thence S 61° 15'34" E 141.09 feet; thence N 82° 37'58" E 108.63 feet; thence S 88° 02'18" E 52.46 feet; thence S 80° 29'21" E 62.10 feet; thence S 64° 44'27" E 28.07 feet; thence S 72° 25'24" E 39.10 feet; thence N 80° 32'12" E 53.40 feet; thence N 62°41'35" E 59.14 feet; thence N 68° 54'08" E 67.16 feet; thence N 81° 40'20" E 79.00 feet; thence N 89° 54'58" E 64.36 feet; thence S 50° 43'58" E 50.43 feet; thence N 38° 28'19" E 283.60 feet; thence on a curve to the right with a radius of 640.00 feet, an arc distance of 65.22 feet, chord being N 41° 25'43" E 65.19 feet to the East Line of the Southwest Quarter of said Section 28; thence S 00° 26'34" E 685.50 feet to the point of beginning, containing 15.5 acres.

Subject to easements and restrictions of record

For the portion of the property located south of Stapleton Drive

Description:

A tract of land in the Northwest Quarter of Section 33 Township 12 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at a point that is S 00° 32'40" E 1248.74 feet and S 89° 27'20" W 756.12 feet from the Northeast Corner of the Northwest Quarter of said Section 33; thence S 89°21'54" W 518.84 feet to a capped PLS 38254 rebar; thence S 89° 05'22" W 196.52 feet to a capped PLS 38254 rebar; thence S 89° 24'38" W 346.20 feet to a capped PLS 38254 rebar; thence S 00°17'22" E 39.41 feet to capped PLS 38254 rebar; thence N 89° 52'17" W 237.85 feet to the Southwest Corner of Lot 13, 4 Way Ranch Filing No. 1 as platted in the El Paso County Records under Reception No. 206712416; thence along the Easterly Line of said Lots 13 and 14, 4 Way Ranch Filing No. 1, the following 13 courses,

Course 1: N 02°32'27" E 104.58 feet,

Course 2: N 17°20'56" W 90.67 feet,

Course 3: N 33°10'19" W 117.65 feet,

Course 4: N 46°32'54" W 111.92 feet,

Course 5: N 45°38'56" W 135.29 feet,

Course 6: N 37°49'00" W 77.43 feet,

Course 7: N 69° 33'24" W 63.38 feet,

Course 8: N 81° 58' 46" W 73.71 feet,  
Course 9: N 64° 01' 48" W 66.05 feet,  
Course 10: N 40° 22' 05" W 60.18 feet,  
Course 11: N 27° 05' 02" W 46.89 feet,  
Course 12: N 03° 48' 16" E 78.58 feet,  
Course 13: N 09° 33' 20" E 72.86 feet to the South right of way line of Stapleton Drive; thence along the Southerly Line of Stapleton Drive the following 9 courses,

Course 1: N 64° 28' 13" E 855.66 feet,  
Course 2: On a curve to the right with a radius of 1275.00 feet, an arc distance of 1198.14 feet, chord being S 88° 55' 14" E 1154.54 feet,  
Course 3: On a curve to the right with a radius of 20.00 feet, an arc distance of 33.70 feet, chord being S 13° 43' 29" E 29.85 feet,  
Course 4: S 34° 33' 01" W 79.10 feet,  
Course 5: S 55° 26' 59" E 100.11 feet,  
Course 6: N 34° 33' 01" E 87.29 feet,  
Course 7: On a curve to the right with a radius of 20.00 feet, an arc distance of 31.37 feet, chord being N 79° 29' 01" E 28.25 feet,  
Course 8: On a curve to the right with a radius of 1275.00 feet, an arc distance of 266.18 feet, chord being S 49° 36' 31" E 265.70 feet,  
Course 9: S 43° 41' 10" E 345.14 feet; thence  
S 45° 58' 32" W 894.27 feet to the point of beginning, containing 51.6 acres.

Subject to easements and restrictions of record.