September 10, 2019

TimberRidge Development Group, LLC

TimberRidge Estates, LLC

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RE: The Retreat Metro Districts Nos. 1 and 2 – Service Plan – (ID-17-002)

This is to inform you that the above-reference request for approval of the above listed service plan was heard and an approval was made by the El Paso County Board of County Commissioners on September 10, 2019, at which time an approval was made to approve the service plan. The request is for approval of an amended and restated Colorado Revised Statutes Title 32 Special District service plan for the Retreat Metro Districts Nos. 1 and 2. The proposed Districts are located north of the proposed Briargate-Stapleton corridor, east of Vollmer Road and adjacent to Arroya Lane and within Sections 21, 22, 27, and 28, Township 12 South, Range 65 West of the 6th P.M. The applicants are proposing the following: a maximum debt authorization of $14.5 million, a debt service mill levy of 50 mills, an operations and maintenance mill levy of 10 mills, and 5 mills for covenant enforcement. The proposed maximum combined mill levy is 65 mills. The Special District Policy III.F.2 states:

The statutory purposes of the proposed Districts include: 1) water and sewage disposal services, 2) street improvements, transportation and safety protection; 3) design, construction, and maintenance of drainage facilities; 4) design, acquisition of land, construction, and maintenance of recreation facilities; 5) mosquito control; 6) covenant enforcement, 7) television relay and translation, and 8) security services. Properties within the boundaries of the proposed Districts are included within the Black Forest Preservation Plan (1987). (Parcel Nos. 52000-00-398, 52270-00-001, 52270-00-003, 52270-00-004. 52280-00-019, and 52220-00-023)

This approval is subject to the following:

**CONDITIONS OF APPROVAL**

1. As stated in the proposed service plan, the maximum combined mill levy, including mills for debt service, operations and maintenance, and covenant enforcement shall not exceed 65 mills for any property within the Districts, with no more than 50 mills devoted to debt service, no more than 10 mills devoted to operations and maintenance, and no more than 5 mills for covenant enforcement until and unless the Districts receive Board of County Commissioner approval to increase the maximum mill levies.
2. As stated in the attached service plan, the maximum authorized debt for the Districts shall be limited to $14.5 million until and unless the Districts receive Board of County Commissioner approval to increase the maximum authorized debt.
3. Approval of the service plan for the proposed Districts includes the use of eminent domain powers by the Districts for the acquisition of property that the Districts intend to be owned, controlled, or maintained by the Districts or other public or non-profit entity and is for the material use or benefit of the general public. The Districts may not use the power of eminent domain without a recommendation by the Board of County Commissioners at a publicly noticed hearing that the use of eminent domain is necessary in order for the Districts to continue to provide service(s) within the Districts’ boundaries and that there are no other alternatives that would not result in the need for the use of eminent domain powers.
4. As stated in the attached Service Plan,any future annexation of territory by the Districts (any territory more than five (5) miles from any District boundary line) shall be considered a material modification of the amended Service Plan and shall require prior Board of County Commissioners’ approval.
5. The Districts shall provide a disclosure form to future purchasers of property in a form consistent with the approved Special District Annual Report form. The developer shall provide written notation on each subsequent final plat associated with the subsequent development of the annually filed public notice and include reference to the El Paso County Planning and Community Development website where the most up-to-date notice can be found. County staff is authorized to administratively approve updates to the disclosure form to reflect current contact information and calculations.
6. The Districts are 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).
7. As stated in the attached service plan, approval of the proposed service plan hereby gives the Districts the express authority of covenant enforcement, including the imposition of fees for such enforcement.
8. 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 at the final plat stage to guarantee the construction of improvements.

**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 Districts.
2. Any expansions, extensions, or construction of new facilities by the Districts 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.ka. “1041 Regulations).

This represents the Planning and Community Development Department’s understanding of the action taken by the Board of County Commissioners.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,

Kari Parsons, Planner III

File No. ID-17-002