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El Paso County, CO

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Div of Local Government

RESOLUTION NO. 19-283

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

RESOLUTION TO APPROVE THE SERVICE PLAN FOR GARDENS AT
NORTH CAREFREE METROPOLITAN DISTRICT (ID-19-001)

WHEREAS, Mule Deer Investments, LLC, did file an application with the Planning and Community Development Department of El Paso County, pursuant to Section 32-1-204 (2), C.R.S., for the review of a draft service plan for Click here to enter text. Metropolitan District; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on July 2, 2019 upon which date the Planning Commission did by formal resolution recommend approval of the subject Service Plan with conditions and a notation(s); and

WHEREAS, on July 23, 2019, the Board ordered a public hearing to be held on the Service Plan; and

WHEREAS, notice of the hearing before the Board was duly published on July 3, 2019., as required by law; and

WHEREAS, notice of the hearing before the Board was duly mailed by first class mail, 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; and 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

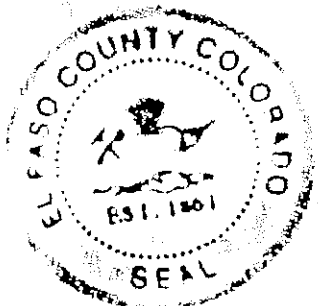
WHEREAS, pursuant to the provisions of Title 32, Article 1, C.R.S., as amended, the Board held a public hearing on the Service Plan for the District on July 23, 2019 and

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 Gardens at North Carefree 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 finds as follows:

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El Paso County, CO

219087970



Office of County Clerk and Recorder, El Paso County, State of Colorado.
Certified to be a full, true and correct copy of record in my office.

Instrument: 219087970 Book: _____ Page: _____
Date: 08/01/2019 By: *Mary Jo Ariza* Deputy Clerk

Chuck Broerman, El Paso County, CO Clerk & Recorder

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, Colorado, hereby determines that the requirements of Sections 32-1-207, C.R.S., relating to the modification of a service plan for the Gardens at North Carefree Metropolitan District have been fulfilled in a timely manner;

BE IT FURTHER RESOLVED the Board hereby approves the Service Plan submitted for the Gardens at North Carefree Metropolitan District, for property more particularly described in Exhibit A, which is attached hereto and incorporated by reference;

AND BE IT FURTHER RESOLVED that the following Conditions shall be placed upon this approval:

CONDITIONS OF APPROVAL

1. As stated in the proposed amended service plan, the maximum combined debt service and operational mill levy shall not exceed 50 mills (Gallagher-adjusted) for any property within the District, with no more than 40 mills devoted to debt service and not more than 10 mills devoted to operations and maintenance until and unless the District 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 District shall be limited to \$5 million until and unless the District receives Board of County Commissioner approval to increase the maximum authorized debt.
3. The use of eminent domain powers by the District shall be considered a material modification of the service plan requiring prior approval by the Board of County Commissioners at an advertised open and public hearing. If, at the PCD Director's discretion, the proposed material modification to allow the use of eminent domain authority requires an amendment to the service plan, such amendment shall be heard by both the Planning Commission and the Board of County Commissioners.
4. As stated in the attached amended Service Plan, any future annexation of territory by the District (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 District 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 Gardens at North Carefree 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 of the disclosure form to reflect current contact information and calculations.
6. The 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)(l).
7. As stated in the attached service plan, approval of the proposed service plan hereby gives the District the express authority of covenant enforcement, including the imposition of fees for such enforcement.
8. As stated in the attached service plan, 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. 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.
9. 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 District.

2. Any expansions, extensions, or construction of new facilities by the 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.

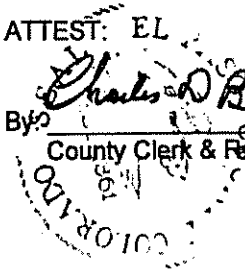
AND BE IT FURTHER RESOLVED that all resolutions or parts thereof, in conflict with the provisions hereof, are hereby repealed.

DONE THIS 23rd day of July, 2019, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

ATTEST: EL

Chelsi Riverman
By: _____
County Clerk & Recorder



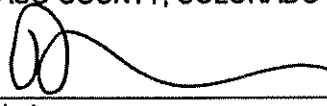
By: 
Chair

EXHIBIT A

BEING LOT 2, MULE DEER BUSINESS PARK FILING NO.1 AND A TRACT OF LAND LOCATED IN THE EAST 1/2 OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF AKERS DRIVE (80 FEET WIDE) AS PLATTED IN MULE DEER BUSINESS PARK FILING NO.1, RECORDED WITH RECEPTION NO. 206712353 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF NORTH CAREFREE CIRCLE (120 FEET WIDE) AS PLATTED IN PRONGHORN MEADOWS FILING NO.1, RECORDED WITH RECEPTION NO. 202165571 OF SAID RECORDS;

THE FOLLOWING FIVE (5) COURSES ARE ON THE EASTERLY RIGHT-OF-WAY OF SAID AKERS DRIVE;

1) THENCE S00°41'40"E A DISTANCE OF 552.98 FEET TO A POINT OF CURVE TO THE LEFT;

2) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 960.00 FEET, A DELTA ANGLE OF 04°35'19", AN ARC LENGTH OF 76.88 FEET, WHOSE LONG CHORD BEARS S02°59'19"E A DISTANCE OF 76.86 FEET;

3) THENCE S05°16'59"E A DISTANCE OF 277.56 FEET TO THE NORTHWEST CORNER OF LOT 2, OF SAID MULE DEER BUSINESS PARK FILING NO.1;

4) THENCE S05°16'59"E ON THE WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 142.31 FEET TO A POINT OF CURVE TO THE RIGHT;

5) THENCE ON THE ARC OF SAID CURVE AND SAID WESTERLY LINE OF LOT 2, HAVING A RADIUS OF 1040.00 FEET, A DELTA ANGLE OF 03°59'26", AN ARC LENGTH OF 72.43 FEET, WHOSE LONG CHORD BEARS S03°17'16"E A DISTANCE OF 72.42 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2;

THENCE N88°42'27"E ON THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 413.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2;

THENCE N00°02'55"E ON THE EAST LINE OF SAID LOT 2, A DISTANCE OF 209.74 FEET TO THE NORTHEAST CORNER OF SAID LOT 2;

Page 7

THENCE N00°02'55"E A DISTANCE OF 906.69 FEET TO A POINT ON THE
SOUTHERLY RIGHT-OF-WAY OF SAID NORTH CAREFREE CIRCLE;

THENCE S89°18'20"W ON SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE
OF 467.50 FEET TO THE POINT OF BEGINNING.

THE ABOVE TRACT OF LAND CONTAINS 503,669 SQUARE FEET OR 11.563
ACRES, MORE OR LESS.

GARDENS AT NORTH CAREFREE METROPOLITAN DISTRICT

SERVICE PLAN

EL PASO COUNTY, COLORADO

July 23, 2019

Prepared by:

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Div of Local Government

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1-719-331-0083

DEVELOPER

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CONSULTANTS:

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Colorado Springs, CO
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- A. Maps and Legal Description
 - 1. Vicinity Maps and Initially Included Property Map
 - 2. Legal Description of Initially Included Properties
- B. Development Summary
- C. Infrastructure Capital Costs
- D. Financial Plan Summary
- E. Annual Report and Disclosure Form

SUMMARY

The following is a summary of general information regarding the proposed 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:	Gardens at North Carefree Metropolitan District ("District")
Property Owners:	Mule Deer Investments, LLC
Developer:	Covington Homes, LLC
Description of Development:	70 residential lots on 11.563 acres in eastern El Paso County at the intersection of North Carefree Circle and Akers drive with an average value of \$325,000
Proposed Improvements to be Financed:	Water lines, waste water lines, roads, traffic control, storm drainage, park and recreation features, and drainage facilities.
Proposed Ongoing Services:	Park and recreation , drainage, covenant enforcement and design review
Infrastructure Capital Costs:	\$2,676,962
Maximum Debt Authorization:	\$5,000,000
Proposed Debt Mill Levy:	30 Mills.
Proposed O & M Mill Levy:	10 Mills.
Proposed Special Purpose Mill Levy	0 Mills
Proposed Maximum Mill Levy	50 mills.
Proposed Fees:	None

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: None.

Annual Report and Disclosure Statement: means the statement of the same name required to be filed annually with the Board of County Commissioners.

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: A Title 32 district in which all property owners and residents may participate in district elections.

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: 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 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 Gardens at North Carefree Metropolitan District as described in this Service Plan.

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.

Gallagher Adjustment: means an allowed adjustment to the Maximum Debt Service Mill Levy, Maximum Operational Mill Levy, or Maximum Special Mill Levy intended to offset the effect of adjustments to the ratio between market value and assessed value of taxable property within the District that would cause a reduction in the revenue otherwise produced from such Maximums based on the ratio between market value and assessed value as of January 1 in the year in which the District's organizational election is held.

Initial District Boundaries: means the initial boundaries of the District as described in Exhibit A.

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: The maximum combined Gallagher-adjusted 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 \$5,000,000.

Maximum Debt Service Mill Levy: The maximum Gallagher-adjusted 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: The maximum Gallagher-adjusted ad valorem mill levy the District may certify against any property within the District for the purposes 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 maximum Gallagher-adjusted ad valorem

mill levy which is allowed in addition to the allowable Maximum Debt Service Mill Levy and the Maximum Operational Mill Levy (*E.g. a special earmarked levy for fire protection or covenant enforcement etc. – identify use within definition*)

Planning and Community Development Department The department of the County formally charged with administering the development regulations of the County.

Public Improvements: Those improvements constituting Regional Public Improvements and Local Public Improvements collectively.

Public Improvement Fee: means any privately-imposed transaction-based charge on property within the boundaries of the District that is received by the District for application to authorized District purposes.

Regional Public Improvements: 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 Section 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, Generalized Planned Unit Development (PUD) Development Plans, site-specific PUD plans, or subdivision plans.

III. INTRODUCTION

A. Overall Purpose and Intent

The Gardens at North Carefree Metropolitan District will be created pursuant to Title 32 Colorado Revised Statutes. 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, their 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 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 "Gardens at North Carefree" (the "Project"). The Public Improvements will be constructed for the use and benefit of all anticipated inhabitants and taxpayers of the District. The primary purpose of the District will be to finance the construction of these Public Improvements. This is a Conventional Representative District.

B. Need for the District

There are currently no other 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 Public Improvements needed for the Project. Formation of the District is therefore necessary in order for the Public Improvements required for the Project to be provided in the most economic manner possible. A district allows for the new growth to fund the cost of public improvements while lowering the cost of the same to the homeowner. This keeps the cost of the new home competitive in the market place. A district will always be in place for any maintenance purposes such as drainage facilities.

C. County Objectives in Forming the District

The County recognizes this 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 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 this District.

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 resident electors, it is the further 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 – Design and construction of the necessary water lines to connect to the Cherokee Metropolitan District together with necessary easements and appurtenant facilities. All improvements will be dedicated to Cherokee Metropolitan District
2. WASTEWATER – Design and construction of the necessary wastewater lines to connect to the Cherokee Metropolitan District together with necessary easements and appurtenant facilities. All improvements will be dedicated to Cherokee Metropolitan District.
3. STREET IMPROVEMENTS AND SAFETY PROTECTION - Design and construction of arterial, collector and local streets and related safety protection devices including, but not limited to, lighting, landscaping, and traffic and safety controls and devices. Streets are to be dedicated to El Paso County and will be maintained by the County.
4. PARK AND RECREATION – Design, acquire, construct, operate and maintain recreational facilities including, but not limited to pocket parks, open spaces, trails, fencing and landscaping.

The District shall have no authority to apply for or utilize any Conservation Trust (Lottery) funds without the express prior consent of the Board of County Commissioners. 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. Such approval, although required, is not considered to be a major modification which would require the need to revise the Service Plan.

5. MOSQUITO CONTROL - 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.
6. DRAINAGE – Design, acquire, and construct all necessary drainage facilities (offsite and onsite) including, but not limited to, detention ponds, culverts, pipes, channels, swales, and weirs in accordance with an approved El Paso County drainage plan and in conjunction with adjoining drainage features and to provide the maintenance of the same.
7. COVENANT ENFORCEMENT AND DESIGN REVIEW - Covenant enforcement limited to the funding of the costs of architectural control and enforcement.

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.

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.

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 by the District 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.

H. INTERGOVERNMENTAL AGREEMENTS (IGA'S).

The District is authorized to enter into IGAs to the extent permissible by law.

I. DESCRIPTION OF PROPOSED BOUNDARIES.

1. Initial District Boundaries. A vicinity map showing the general location of the District and its boundaries is included as Exhibit A. The legal description of the district boundaries is in Exhibit A.

2. Analysis of Alternatives. the creation of the district will be in the best interests of the property proposed to be served. the district will have the flexibility and statutory powers to provide long-term services to the residents within its boundaries. new districts have numerous advantages over other vehicles which could be utilized to supply services to this area.

While a Homeowners Association might be set up to provide these services by way of covenants imposed on the real property, an Association may lack both the financing ability, the

flexibility and the longevity that would be provided by the District. Additionally, an Association would not possess certain of the statutory powers that are allowed to the District.

It is not contemplated that there will be a Homeowners Association. Covenant enforcement and after full development, architectural approval, will be the responsibility of a Colorado Not For Profit Corporation whose expenses will be funded by the District mill levies.

Insofar as the development consists of proposed residential densities within its boundaries, there should be an entity separate from the developer to finance the cost of public improvements on a long-term basis. A publicly controlled district with an elected board of directors, versus a Homeowners Association or any private Utility Company, would be the most capable of providing these municipal services.

Although there is municipal debt to be authorized, the developer/owner will supply the credit enhancements needed for the initial debt or will purchase the initial bonds to be issued. limited tax general obligation debt will be issued as is justified by the assessed valuation. In addition there will be a mill levy cap not to exceed 40 mills.

3. 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-districts as contemplated in the Special District Act.
- g. Inclusion into the District of any property over five (5) miles from the combined area of the Initial District Boundaries and the Additional Inclusion Areas unless explicitly contemplated in this Service Plan.

IV. DEVELOPMENT ANALYSIS

A. Existing Developed Conditions.

At the present time there are no public improvements within the District boundaries and there is no population.

B. Total Development At Project Buildout

At complete project build-out, development within the District is planned to consist of 70 detached single family residential units. The prices of homes in the project are expected to average \$325,000 in year 2019 dollars.

C. Development Phasing and Absorption

Absorption of the project is projected to take approximately 3 years, beginning in 2019 and is further described in the Development Summary Table found at Exhibit B.

D. Status of Underlying Land Use Approvals

The underlying land use approval has been approved by the Planning Commission and the Board of County Commissioners..

V. INFRASTRUCTURE SUMMARY

Attached as Exhibit C is an analysis of the Infrastructure Capital Costs for the entire projects which are anticipated to be required within this District and total \$2,726,550. A general description of the categories of Public Improvements is included in Exhibit C of this Service Plan. The total costs of the Public Improvement is estimated to be approximately \$2,345,000 in year 2019 dollars and it is estimated that the Developer will finance the Public Improvements subject to reimbursement from District revenues.

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 NPDES 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.

VI. FINANCIAL PLAN SUMMARY

A. Financial Plan Assumptions and Debt Capacity Model.

Since it is not contemplated that bonds would be issued, there is a simplified financial plan at Exhibit D. As revenues are generated the contractual mill levy would be used to reimburse the

developer for the cost of infrastructure.

B. Maximum Authorized Debt.

The District is authorized to issue Debt up to 5,000,000 in principal amount; however it is not anticipated that bonds will be issued. The amount owing for developer reimbursement may be converted to debt. This amount is necessary in order to cover future inflationary costs and to have a cushion in the case additional public improvements are required.

C. Maximum Mill Levies.

1. Maximum Debt Service Mill Levy. The Maximum Debt Service Mill Levy shall be forty (40) mills subject to Gallagher 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 law.

2. Maximum Operational Mill Levy. The Maximum Operational Mill Levy Cap shall be ten (10) mills, subject to Gallagher Adjustment.

3. Maximum Special Purpose Mill Levy Cap. The Maximum Special Purpose Mill Levy is 0 Mills.

4. Maximum Combined Mill Levy. The Maximum Combined Mill Levy is 50 Mills, subject to Gallagher Adjustment.

Increases to or removal of the Maximum Mill Levies shall be subject to Board of County Commissioner approval without the need for a formal Service Plan Amendment (unless the Board otherwise requires).

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. Such approval, although required, is not considered to be a Material Modification of the Service Plan which would trigger the need to amend said Service Plan. 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 30 years from the date of the issuance thereof.

E. Developer Funding Agreements.

The Developer does intend to enter into Developer Funding Agreements with the District in addition to recovery of the eligible costs associated with creation of this District. 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 AND INTERGOVERNMENTAL AGREEMENTS

A. Overlapping Taxing Entities.

The directly overlapping taxing entities and their respective Year 2018 mill levies are as follows:

El Paso County	8.068	mills
School District No. 49	43.044	mills

Pikes Peak Library District	4.0	mills
Falcon Fire Protection	14.886	mills
Total	69.998	mills

The total mill levy including the proposed levy to be certified by this District is 109.998 mills.

It is not anticipated that there will be any financial impacts to these entities.

B. Neighboring Jurisdictions.

The following additional taxing and or service providing entities include territory within three miles of the Initial District Boundaries:

- Banning Lewis Ranch Metro #2
- Banning Lewis Ranch Regional Metro
- Barnes & Powers North BID
- Barnes & Powers South BID
- Central Colorado Conservation
- Cherokee Metropolitan District
- Cimarron Hills Fire protection
- City of Colorado Springs
- Colorado Springs School No. 11
- Constitution Heights Metropolitan
- Dublin North Metropolitan No. 2
- El Paso County
- El Paso County Conservation
- El Paso County PID #2
- Ellicott Metropolitan
- Ellicott School No. 22
- Falcon Fire Protection
- Falcon School District No. 49
- Fist & Main BID
- First & Main BID #2
- First & Main North BID
- Meadowbrook Crossing Metropolitan
- Mountain Valley Metropolitan
- Mountain Vista Metropolitan
- Norwood SIMD
- Pikes Peak Library District
- Powers Corridor Metropolitan
- Powers Metropolitan
- Southeastern Water Conservancy District
- Stetson Hills SMD
- Stetson Ridge Metro No. 1
- Stetson Ridge Metro No. 2
- Stetson Ridge Metro No. 3

The Sands Metropolitan No. 1
The Sands Metropolitan No. 2
The Sands Metropolitan No. 3
The Sands Metropolitan No. 4

There will be no adverse financial impacts to these entities.

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 the dissolution of the District, 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 C.R.S. 32-1-207(3)(d) and as further articulated by the Board of County Commissioners.

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 proposed District, the applicable 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 Services 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, Development Services 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 which 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 number of residential units or the total site/floor area of commercial or industrial 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;

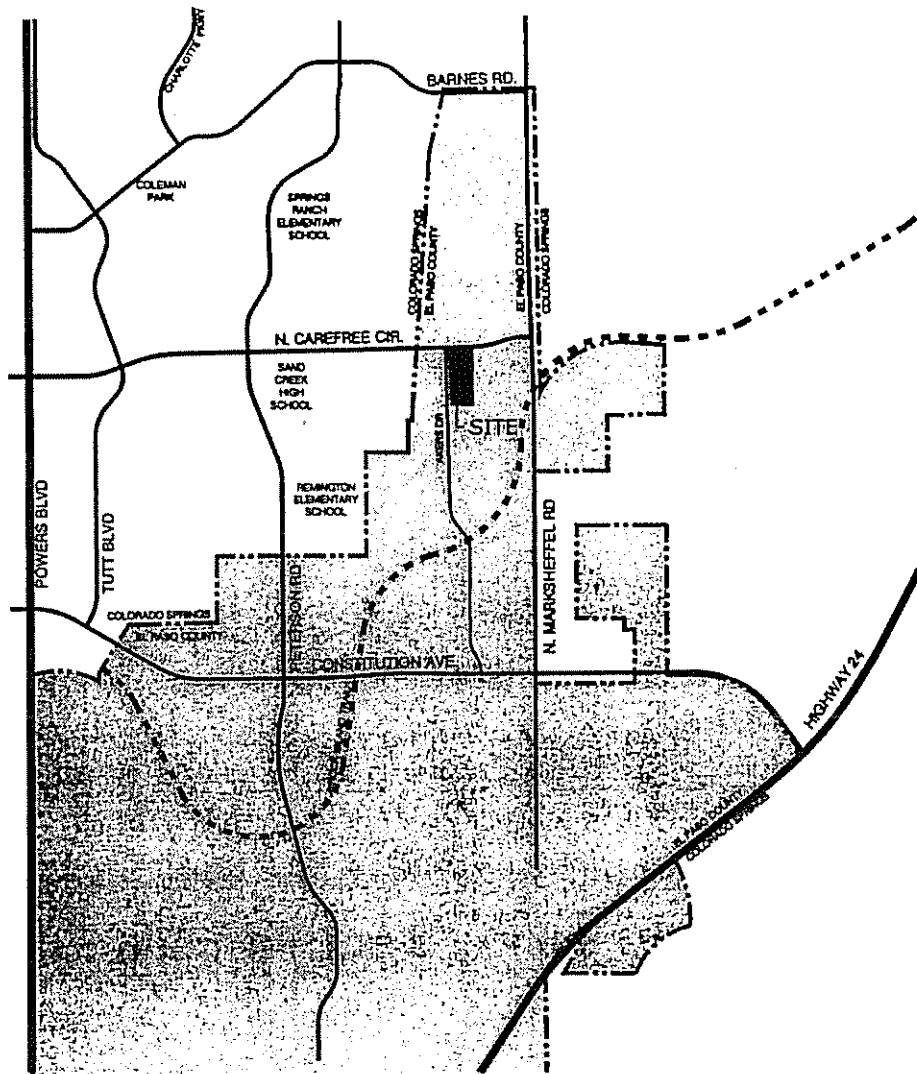
G. The proposal is in substantial compliance with the County master plan.

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

Susemihl, McDermott & Downie, P.C.

EXHIBIT A
MAPS AND LEGAL DESCRIPTION

EXHIBIT A
MAPS AND LEGAL DESCRIPTION



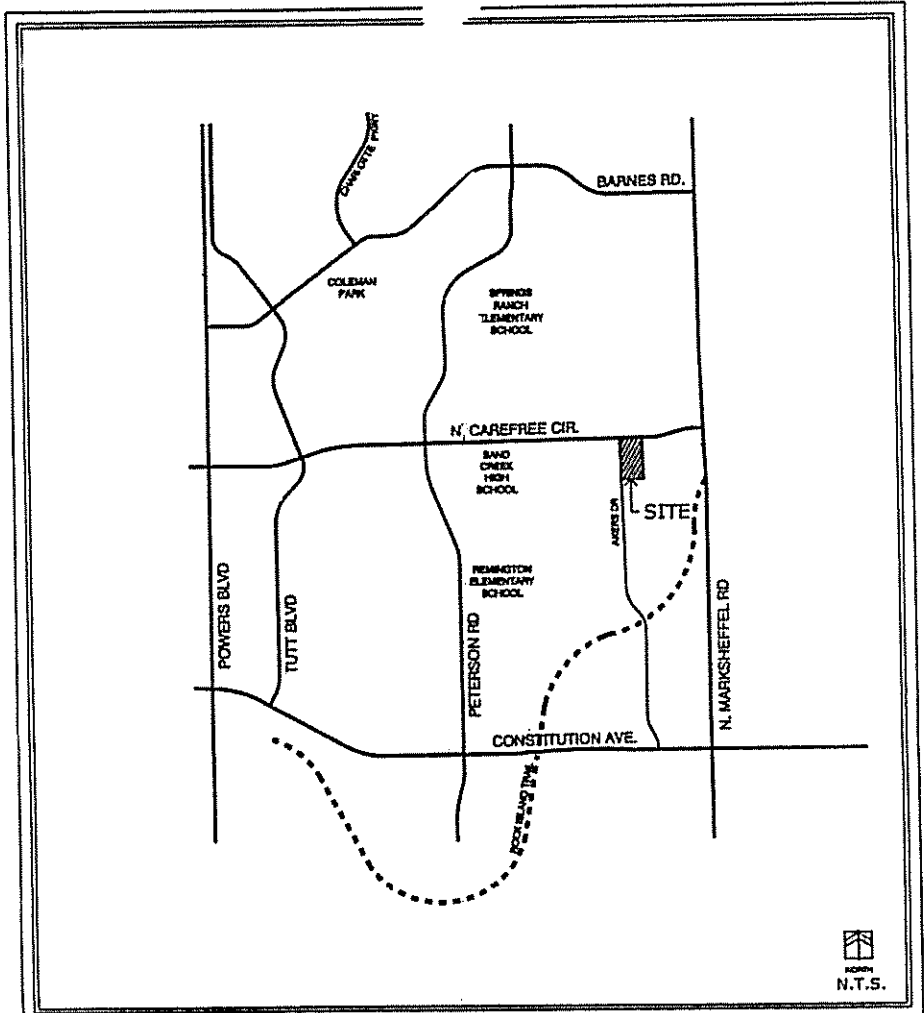
NORTH
SCALE: 1" = 3000'

GARDENS_AT_NORTH_CAREFREE

DATE: 3/5/2019



N.E.S. Inc.
679 N. Cascade Ave.
Suite 300
Colorado Springs, CO 80903
Tel: 719.471.0073
Fax: 719.471.0767
www.nescolorado.com




 NORTH
 N.T.S.

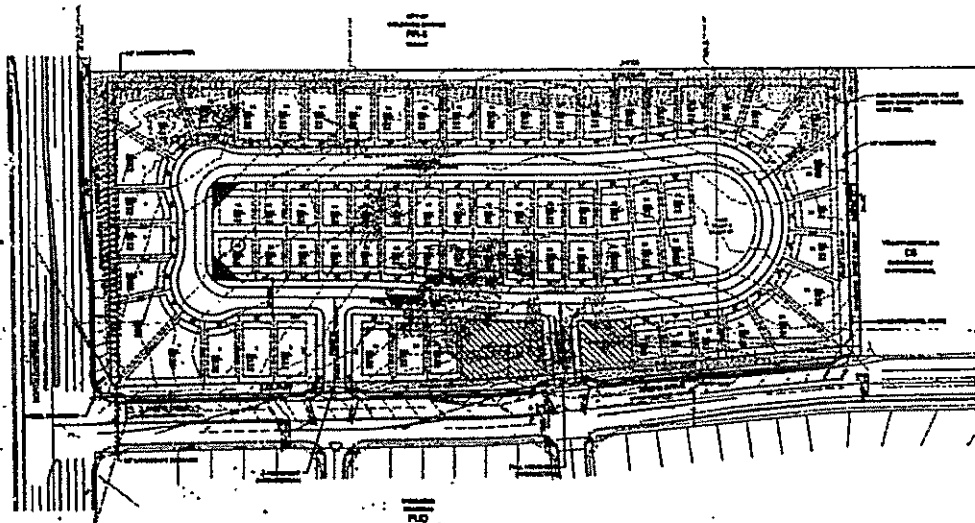
GARDENS AT NORTH CAREFREE

DATE: 5/7/2018

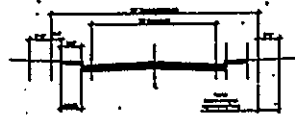

 N.E.S. Inc.
 619 N. Cascade Ave.
 Suite 300
 Colorado Springs, CO 80903
 Tel: 719.571.8072
 Fax: 719.571.8062
www.neshome.com

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THE GARDENS AT NORTH CAREFREE
EL PASO COUNTY, COLORADO



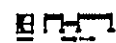
The Gardens at North Carefree
Section
L-1001



SECTION
 WIDTH 70.0' ± AT
 CENTER LINE ± 0.0'
 TOTAL LENGTH 101'
 UNDERPASS UNDER L-1001

MINIMUM SPACE REQUIRED - 100.0' BY 100.0' ± BY
 MAXIMUM SPACE PROVIDED - 100.0' ± BY

MINIMUM SPACE REQUIRED - 100.0' BY 100.0' ± BY
 MAXIMUM SPACE PROVIDED - 100.0' ± BY



Pin County Parcel Information

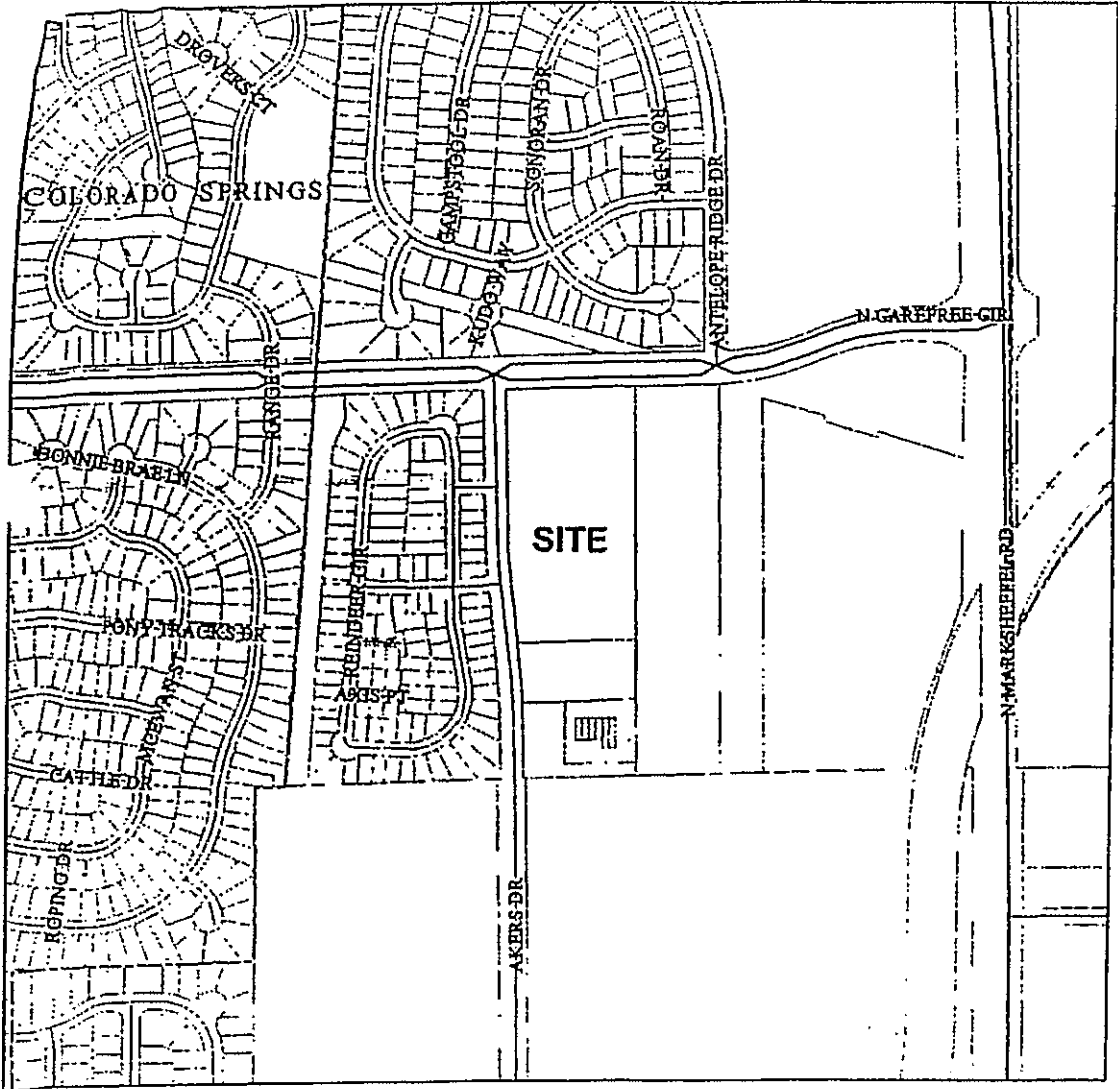
File Name: PUDSI-18-004

NAME
2 MULE DEER INVESTMENTS LLC
5 MULE DEER INVESTMENTS LLC
5

Zone Map No. --

ADDRESS	CITY	STATE	ZIP	ZIPUS
271 LEN ARBOR DR	COLORADO SPRINGS	CO	80920	11466
271 LEN ARBOR DR	COLORADO SPRINGS	CO	80920	11466

Date: December 20, 2014



Please report any parcel discrepancies to:
 Pin County Assessor
 1473 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 (719) 320-4288



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BEING LOT 2, MULE DEER BUSINESS PARK FILING NO.1 AND A TRACT OF LAND LOCATED IN THE EAST 1/2 OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF AKERS DRIVE (80 FEET WIDE) AS PLATTED IN MULE DEER BUSINESS PARK FILING NO.1, RECORDED WITH RECEPTION NO. 206712353 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF NORTH CAREFREE CIRCLE (120 FEET WIDE) AS PLATTED IN PRONGHORN MEADOWS FILING NO.1, RECORDED WITH RECEPTION NO. 202165571 OF SAID RECORDS;

THE FOLLOWING FIVE (5) COURSES ARE ON THE EASTERLY RIGHT-OF-WAY OF SAID AKERS DRIVE;

- 1) THENCE S00°41'40"E A DISTANCE OF 552.98 FEET TO A POINT OF CURVE TO THE LEFT;
 - 2) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 960.00 FEET, A DELTA ANGLE OF 04°35'19", AN ARC LENGTH OF 76.88 FEET, WHOSE LONG CHORD BEARS S02°59'19"E A DISTANCE OF 76.86 FEET;
 - 3) THENCE S05°16'59"E A DISTANCE OF ~~277.56 FEET TO THE~~ NORTHWEST CORNER OF LOT 2, OF SAID MULE DEER BUSINESS PARK FILING NO.1;
 - 4) THENCE S05°16'59"E ON THE WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 142.31 FEET TO A POINT OF CURVE TO THE RIGHT;
 - 5) THENCE ON THE ARC OF SAID CURVE AND SAID WESTERLY LINE OF LOT 2, HAVING A RADIUS OF 1040.00 FEET, A DELTA ANGLE OF 03°59'26", AN ARC LENGTH OF 72.43 FEET, WHOSE LONG CHORD BEARS S03°17'16"E A DISTANCE OF 72.42 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2;
- THENCE N88°42'27"E ON THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 413.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2;
- THENCE N00°02'55"E ON THE EAST LINE OF SAID LOT 2, A DISTANCE OF 209.74 FEET TO THE NORTHEAST CORNER OF SAID LOT 2;
- THENCE N00°02'55"E A DISTANCE OF 906.69 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SAID NORTH CAREFREE CIRCLE;
- THENCE S89°18'20"W ON SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 467.50 FEET TO THE POINT OF BEGINNING.

THE ABOVE TRACT OF LAND CONTAINS 503,669 SQUARE FEET OR 11.563
ACRES, MORE OR LESS.

**EXHIBIT B
DEVELOPMENT SUMMARY**

70 residential lots developer over a 3 year period of time commencing in 2019.

EXHIBIT C
INFRASTRUCTURE CAPITAL COSTS

Total public infrastructure capital costs are estimated to be \$2,676,962. See attached breakdown.

PROJECT:	Mule Deer SF
JOB#:	LATEST REVISION-GARDENS
REV DATE:	April 1, 2019
BY:	Berry Brinton

LOTS: 70
 ACRES: 12.00
 DUAC:
 CL: 2,200 LF

ESTIMATE

#	Item Description	Qty	Units	Unit Price	Total Estimate	Bids	Draw Total	date draw	date draw
1 PLANNING:									
1010	Coordination		LS		0				
1020	Master Plan Amendment		LS		0				
1030	Amenity Design		LS		0				
1040	Traffic Design		LS		0				
1050	Subdivision Analysis		LS		0				
1060	Marketing Signs & Logo		LS		0				
1070	Preliminary Lot Layout		LS		0				
1080	Environmental Impact Report		LS		0				
1090	Title Commitment		LS		0				
1100	Development Plan		LS		0				
1120	Zoning		LS		0				
1130	misc closing costs		EA		0				
1999	Other		LS		0				
	TOTAL PLANNING				0				
2 EQUITY/FINANCING EXPENDITURES:									
2010	Phase I Environmental		LS		0				
2020	Market Analysis Study		LS		0				
2030	Appraisal		LS		0				
2040	Legal		LS		0				
2990	Misc Equity/Financing Expenditures				0				
	TOTAL EQUITY/FINANCING EXP				0				
3 ENGINEERING:									
3010	Preliminary Soils Report		LS		0				
3020	Preliminary Plat		LS		0				
3030	Boundary Survey		LS		0				
3040	Topographical Survey		LS		0				
3050	Design Survey		LS		0				
3060	Preliminary Grading		LS		0				
3070	Preliminary Drainage		LS		0				
3080	Preliminary Utility Layout		LS		0				
3090	Final Plat		LS		0				
3100	Final Grading Plan		LS		0				
3110	Final Drainage Report		LS		0				
3120	Stormwater Management Plan		LS		0				
3130	Erosion Control Plan		LS		0				
3140	Sewer Improvement Plan		LS		0				
3150	Sanitary Sewer Plan		LS		0				
3160	Water System Plan		LS		0				
3170	traffic study		LS		0				
3180	FA for grading		LS		0				
3190	misc -final plat submittal		LS		0				
3990	Misc Engineering Design		LS		0				
	TOTAL ENGINEERING				0				
4 SURVEYING:									
4010	Surveying		LOTS		0				
4020	Construction Staking		LS		0				
4030	Drivest Staking		LS		0				
4040	Sanitary Sewer Staking		LS		0				
4050	Water System Staking		LS		0				
4060	Cuts & Gutter Staking		LS		0				
4070	As Bulbs		LS		0				
4080	Storm Sewer Staking		LS		0				
4090	Parking lot surveying		LS		0				
4990	Misc Surveying	70	LS	800	56,000				
	TOTAL SURVEYING				56,000				

PROJECT:	Mile Deer SF
JOB:	LATEST REVISION-GARDENS
REV DATE:	April 1, 2019
BT:	Barry Brinton

LOT#: 79
 ACRES: 12.00
 DUFAC:
 CL: 2,280 LF

ESTIMATE

#	Item Description	Qty	Units	Unit Price	Total Estimate	Bids	Draw Total	date draw	date draw
5 SOILS ENGINEERING:									
5019	Soils Engineering-all testing	1	LS	55,000	55,000				
5060	Misc Soils Engineering-drilling		EA		0				
	TOTAL SOILS ENGINEERING				55,000				
6 CLOSING EXPENSES:									
6019	Land		LS		0				
6020	Property Taxes		LS		0				
6026	Conversions		LS		0				
6048	Recording Fees		LS		0				
6050	Interest Carry		LS		0				
6060	Insurance		LS		0				
6070	Marketing				0				
6080	Misc Closing Costs				0				
	TOTAL CLOSING EXPENSES				0				
	SOFT COST SUBTOTAL				221,900				
7 CONSTRUCTION SUPERVISION:									
7019	Construction Management	1	LS	90,000	90,000				
7999	Misc Project Management		LS		0				
	TOTAL CONSTRUCTION SUPERVISION				90,000				
8 EXCAVATION:									
8019	crusher operations	1	LS	130,000	130,000				
8020	retaining wall	1	LS	70,000	70,000				
8030	cut to BH	1	LS	30,000	30,000				
8040	strip and replace	1	LS	10,000.00	10,000				
8050	landfill		EA		0				
8060	Erosion Control-includes maint.	1	LS	30,000	30,000				
8099	all items, VTC, CWA	1	LS	17800.00	17,800				
	TOTAL EXCAVATION				327,800				
9 SANITARY SEWER:									
9010	4" PVC Barlow-includes bedding	70	EA	900	63,000				
9020	4" PVC-wraps 12	2200	LS	36.80	80,960				
9030	6" Underdrain		LF		0				
9040	6" offset sanitary sewer		LF		0				
9050			LS		0				
9060	60inch Manhole	9	EA	4,000	36,000				
9070	Underdrain - Barlow-average 4 inch		EA		0				
9080	Adjust Manhole		EA		0				
9090	Rock/Frost Excavation-dewatering		LS		0				
9100	Asphalt		SF		0				
9110	Underdrain Channel		EA		0				
9120	Underdrain Total		LS		0				
9099	Sanitary Sewer estimate	1	LS	100,000	100,000				
	TOTAL SANITARY SEWER				200,960				
10 WATER:									
10010	6" Main		LF		0				
10020	6" Bonds		EA		0				
10030	6" Gate Valve		EA		0				
10040	8" Main	2200	LF	30	66,000				
10050	8" Bonds	8	EA	250	2,000				
10060	8" Gate Valve	7	EA	2,500	17,500				
10070	water main lowering		LF		0				
10080	12" coverage		EA		0				
10090	12" Gate Valve		EA		0				
10100	1 inch-includes bedding	70	EA	900	63,000				
10110	Rock/Frost Excavation		LS		0				
10120	tees, reducers, couplings		LS		0				

PROJECT:	Mule Deer SF
JOB#:	LATEST REVISION-DANDENS
REV DATE:	April 1, 2018
BY:	Bury Brinten

LOTS: 79
 ACRES: 12.00
 DU/AC:
 CL: 2,208 LF

ESTIMATE

#	Item Description	Qty	Units	Unit Price	Total Estimate	Bids	Draw Total	date draw	date draw
10130	8" Blowoff		EA		0				
10140	Hydro1 Assembly-	30	EA	5,700	171,000				
10150	water submerfen		LS		0				
10200	Misc Water-estimate	1	LS	48,000	48,000				
	TOTAL WATER				249,000				
11	GAS:								
11010	Gas Service	79	Lots	300	23,700				
11200	Gas-Pipe relab.		LS		0				
	TOTAL GAS				23,700				
12	ELECTRIC:								
12010	Electric Service-	79	Lots	4,000	316,000				
12020	Conduits		LS		0				
12080	Misc Electric-rock terata	1	LS	20,000	20,000				
	TOTAL ELECTRIC				336,000				
13	TELEPHONE:								
13010	Telephone	79	LS	500	39,500				
13020	Trench		LF		0				
13080	Misc Telephone				0				
	TOTAL TELEPHONE				39,500				
14	DRAINAGE CONSTRUCTION:								
14010	drainage estimate		LOTS		0				
14020	18" RCP	300	LF	30	9,000				
14030	24" RCP		LS		0				
14040	24" RCP		LF		0				
14080	WDC3	1	EA	140,000	140,000				
14090	4 DR Inlets-type R & feet	9	LS	7,000	63,000				
14010	Line A		EA		0				
14030	24" RCP		LS		0				
14050	30 RCP	400	LS	30	12,000				
14080	Type D Inlet		EA		0				
	TOTAL DRAINAGE CONSTRUCTION				224,000				
15	CURB & GUTTER:								
15010	Curb & Gutter-	400	LF	20	8,000				
15020	12 Squared Return	4	EA	3,000	12,000				
15030	cross pan	2	SF	4,000	8,000				
15040	ped ramp openings	1	LS	1,000	1,000				
15050	prep and backfill on curb	1	LS	15,000	15,000				
15080	sw by builders		LS		0				
	TOTAL CURB & GUTTER				44,000				
16	ASPHALT PAVING:								
16010	4 or 6 inch or composite-220lb/cy	7333	SF	30	219,990				
16020	soil prep	1	LS	15,000	15,000				
16030	Misc prep	1	SF	20,010	20,010				
16040			LS		0				
16050	cost recovery		LS		0				
	TOTAL ASPHALT PAVING				254,000				
17	SIDEWALK								
17010	Sidewalk-400x	1	LS	85,000.00	85,000				
17080			EA		0				
	TOTAL SIDEWALK				85,000				
18	Fence								
18010	Fence-3 types	1	LS	110,000	110,000				
18020	spread wall fence		EA		0				
18080	subdivision signage-		LS		0				
	TOTAL FENCE				110,000				
19	LANDSCAPING								

PROJECT:	Mule Deer SF
JOB#:	LATEST REVISION-GARDENS
REV DATE:	April 1, 2019
BT:	Burry Brinson

LOTS: 70
ACRES: 12.00
DUFAC:
CL: 2,200 LF

ESTIMATE

#	Item Description	Qty	Units	Unit Price	Total Estimate	Bids	Draw Total	date draw	date draw
19019	mailbox pad		LS		0				
19028	Street Lights		EA		0				
19038	Street Signs		EA		0				
19040	Sed		SF		0				
19050	tree		EA		0				
19060	tree landscaping-	1	LS	20,000	20,000				
19070	tree landscaping		EA		0				
19080	tree landscaping		SF		0				
19090	tree and park landscaping-bid	1	SF	30,000	30,000				
	tree and park landscaping				110,000				
20	FEE'S								
20010	drainage fee-	1	LS	167,300	167,300				
20020	bridge fee-	1	LS	32,510	32,510				
20030	red impact Fee- PAID BY BUILDER		LOTS		0				
20040	school fee-	70	LOTS	180	12,600				
20050	park fee-	70	LOTS	666	46,620				
	TOTAL FEES				196,430				
21	MISCELLANEOUS								
21000	misc	1	LS	15,000	15,000				
	TOTAL MISCELLANEOUS				15,000				
22	WARRANTY								
22000	Warranty	1	LS	0	0				
	TOTAL WARRANTY				0				
24	CONTINGENCY								
24000	Contingency		%	0.03	-59,943				
	TOTAL CONTINGENCY				-59,943				
	HARD COST SUBTOTAL				2,478,962				
	ALL COSTS SUBTOTAL				2,478,962				
	POSSIBLE REIMBURSEMENTS:								
19010	Gas Reimbursements		LOTS		0				
19015	Electric Reimbursements		LOTS		0				
12010	drainage reimb		LOTS		0				
	SUBTOTAL REIMBURSEMENTS				0	0			
	TOTAL AFTER REIMBURSEMENTS				2,478,962	0	0	0	0

EXHIBIT D

FINANCIAL PLAN SUMMARY

ASSUMPTIONS: 70 residential units over a three year period starting in 2019 with an average market price of \$325,000 per unit.

DEBT: Initially, it is not contemplated that this District will issue bonds or any other debt. The developer intends to finance the cost of the public infrastructure subject to reimbursement from the District via 40 mills. The developer reimbursement agreement may not constitute debt under Colorado law if it will be subject to annual appropriations.

FIRST YEAR EXPENSES: In the first year it is contemplated that the legal and engineering costs of District formation will be approximately \$70,000 and the first year cost of operations will be approximately \$10,000.

REVENUE PROJECTIONS.

Year	Units	Market Value	Assessed Value	Revenue (30 mills)	Revenue (10 mills)
2019	24	\$7,800,000	\$557,700	\$22,308	\$5,570
2020	24	\$7,800,000	\$557,700	\$22,308	\$5,570
2021	22	\$7,150,000	\$511,225	\$20,499	\$5,111

DEVELOPER RISK

Assume an annual 2.34%* increase in AV for 20 years and with a mill levy of 40 mills and a market value of 22,750,000 starting in 2022:

Year	Amount	2.34% Increase	Balance
2020	\$27,878.00		\$27,878.00
2021	\$55,756.00	\$1,304.69	\$57,060.69
2022	\$57,060.69	\$1,335.22	\$58,395.91
2023	\$57,060.69	\$1,335.22	\$58,395.91
2024	\$57,060.69	\$1,335.22	\$58,395.91
2025	\$58,395.91	\$1,366.46	\$59,762.37
2026	\$59,762.37	\$1,398.44	\$61,160.81
2027	\$61,160.81	\$1,431.16	\$62,591.98
2028	\$62,591.98	\$1,464.65	\$64,056.63
2029	\$64,056.63	\$1,498.93	\$65,555.55
2030	\$65,555.55	\$1,534.00	\$67,089.55

2031	\$67,089.55	\$1,569.90	\$68,659.45
2032	\$68,659.45	\$1,606.63	\$70,266.08
2033	\$70,266.08	\$1,644.23	\$71,910.31
2034	\$71,910.31	\$1,682.70	\$73,593.01
2035	\$73,593.01	\$1,722.08	\$75,315.09
2036	\$75,315.09	\$1,762.37	\$77,077.46
2037	\$77,077.46	\$1,803.61	\$78,881.07
2038	\$78,881.07	\$1,845.82	\$80,726.89
2039	\$80,726.89	\$1,889.01	\$82,615.90
2040	\$82,615.90	\$1,933.21	\$84,549.11
		Total	\$1,403,937.69

The assumption is that the developer would fund the cost of operations with the 40 mills going to fund the debt. The Revenue projections may not fully reimburse the developer within the 20 year time period. The developer will have additional revenues as the contractor of the new homes; however in the eventuality that the developer is not reimbursed within the 20 year time period, the developer will waive any claims for additional payments from the District. Any debt remaining after 20 years would be the sole responsibility of the developer.

*U.S. Bureau of labor Statistics-House Price History from 2000-2019

EXHIBIT E

EL PASO COUNTY SPECIAL DISTRICT ANNUAL REPORT AND DISCLOSURE FORM

1. **Name of District:** Gardens at North Carefree Metropolitan District

2. **Current Year:** 2019

3. **Contact Information:** Peter M. Susemihl
Susemihl, McDermott & Downie, P.C.
660 Southpointe
Suite 210
Colorado Springs, CO 80906
1-719-6500
psusemihl@smmclaw.com

This District does not have an office within the boundaries of the District.

4. **Meeting Information:** To be determined.

Information concerning meetings can be obtained from the Contact..

5. **Type of District:** This is a Title 32 conventional metropolitan district.

6. **Authorized Purposes of the District:** The Service Plan allows for all allowable purposes for Title 32 Districts.

7. **Active Purposes of the District:** The primary active purpose of the District is to design, construct and finance roads, water and wastewater lines, and drainage structure..

8. **Current Certified Mill Levies:** 30 mills Gallagher adjusted for debt and 10 mills Gallagher adjusted for operations..

9. **Sample Calculation of Current Mill Levy:** Assume a residential home with a value of \$325,000 x 7.2% = assessed value of \$23,400 x .040 mills = tax of \$936.00 per year due to this District.

10. **Maximum Authorized Mill Levy Caps (Note: these are the maximum allowable mill levies which could be certified in the future unless there was a change in state statutes or Board of County Commissioners Approval):** 40 mills

11. **Current Outstanding Debt of the District:** None.

12. **Total Voter Authorized Debt of the District:** \$5,000,000

13. **Debt Proposed to be issued:** None

14. Major facilities/infrastructure improvements initiated or completed in the prior year:
None

15. Summary of major property exclusions or inclusions completed in prior year: None.

Reminder:

1. 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.

2. Colorado Revised Statutes, Section 32-1-823(1) states a certificate of election results shall be filed with the County Clerk and Recorder

_____	<u>Peter M. Susemihl</u>	_____
Signature of Respondent	Print Name	Date

RETURN COMPLETED FORM TO:

El Paso County Board of County Commissioners
Attention: Deputy Clerk to the Board
200 South Cascade Avenue
Colorado Springs, CO 80903

Note: As per Section 32-1-104(2), a copy of this page should also be submitted to:

County Assessor
1675 West Garden of the Gods Road
Suite 2300
Colorado Springs, CO 80907

County Treasurer
1675 West Garden of the Gods Road
Suite 2100
Colorado Springs, CO 80907