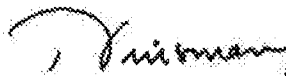


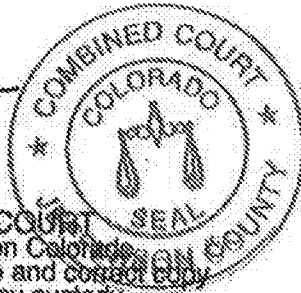
DISTRICT COURT, JEFFERSON COUNTY, COLORADO	
Court Address: 100 Jefferson County Parkway, Golden, CO, 80401-6002	
DATE FILED: November 23, 2016 11:13 AM	
In the Matter of: SHERIDAN STATION WEST METROPOLITAN DISTR	
△ COURT USE ONLY △	
Case Number: 2016CV31370	
Division: 11	Courtroom:
Order and Decree re Sheridan Station West Metropolitan District	

The motion/proposed order attached hereto: SO ORDERED.

Issue Date: 11/23/2016


TODD L. VRIESMAN

District Court Judge



COMBINED COURT
County of Jefferson Colorado
Certified to be a full, true and correct copy
of the original in my custody.

Clerk of the Combined Court

By


Deputy Clerk

Dated

11-30-2016

DISTRICT COURT, COUNTY OF JEFFERSON, STATE OF COLORADO 100 Jefferson County Parkway Golden, Colorado 80401 303-772-2500	
IN RE THE ORGANIZATION OF SHERIDAN STATION WEST METROPOLITAN DISTRICT	
BY THE COURT	▲ COURT USE ONLY ▲
	Case Number: 16CV31370 Div.: 11 Ctrm.: 4B
ORDER AND DECREE CREATING DISTRICT, ISSUING CERTIFICATES OF ELECTION, AND RELEASING BOND	

THIS MATTER comes before the Court on the Motion for Order and Decree Creating District, Issuing Certificates of Election, and Releasing Bond filed by the Petitioners in regard to the organization of Sheridan Station West Metropolitan District (the “District”). The Court, being fully advised in the premises, hereby FINDS AND ORDERS:

1. That the required Notice of Election was duly published in a newspaper of general circulation in the District, one time, in compliance with law.

2. That a majority of the votes cast at the election held on November 8, 2016, in which the question of organization of the District was submitted to eligible electors, were in favor of organization, and that the election was held in accordance with Articles 1 through 13.5 of Title 1, C.R.S., and Section 20 of Article X of the Colorado Constitution.

3. The following ballots were cast on the question of organization of the District:



VOTES CAST

<u>FOR</u> the Organization of the District	11
<u>AGAINST</u> the Organization of the District	0

4. That all of the provisions of law, and more particularly all of the requirements of Title 32, Article 1, Part 3, C.R.S., have been complied with, met and performed, in the organization of the District.

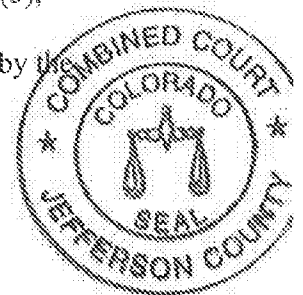
5. That the District shall be and is hereby duly and regularly organized in accordance with the requirements of Article 1 of Title 32, C.R.S.

6. That the District shall be known as "Sheridan Station West Metropolitan District," the corporate name as designated in the Petition filed with this Court.

7. That the District is located in the City of Lakewood, Jefferson County, Colorado, as more particularly described in Exhibit A, attached hereto and made a part hereof.

8. That the District shall be a quasi-municipal corporation and a political subdivision of the State of Colorado with all the powers thereof.

9. That the following qualified persons were duly elected as members of the District's first Board of Directors for the indicated terms, and as further shown on the Certificates of Election, to be issued by this Court in accordance with Section 32-1-305.5(5), C.R.S., which Certificates are submitted herewith separate from this order for execution by the Court:



<u>NAME</u>	<u>TERM</u>
Jordan Scharg	until the next regular election
Michael Martines	until the next regular election
Douglas Elenowitz	until the second regular election
Paul Malone	until the second regular election
Scott M. Watkins	until the second regular election

10. That the interest of the District and the public interest and necessity demand the incurrence of indebtedness to carry out the objectives and purposes of the District requiring the creation of a general obligation indebtedness:

(a) The District has the power to provide for the acquisition, construction, installation, and completion of certain: water improvements, sanitation improvements, street improvements, safety protection, parks and recreation improvements, transportation improvements, television relay and translation, mosquito control, covenant enforcement, and design review services.

(b) 5. The estimated principal amount of the indebtedness to be authorized is not greater than: Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for water improvements; Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for street improvements; Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for sanitation improvements; Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for

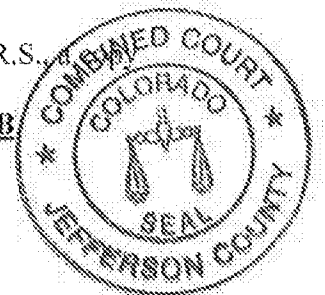


safety protection improvements ; Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for park and recreation improvements; Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for transportation improvements; Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for television relay and translation improvements; Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for mosquito control; Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for operating and maintenance expenses; Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for refunding purposes; and Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) for an Intergovernmental Agreement; and the amount of principal to be incurred does not exceed such amount;

(c) The estimated cost of the improvements to be defrayed out of any state or federal grant is unknown at this time; and

(d) The maximum net effective interest rate to be paid on such indebtedness is eighteen percent (18%) per annum.

11. The District shall be a governmental subdivision of the State of Colorado, and a body corporate and politic with all the powers of a public or quasi-municipal corporation. The facilities, services and financial arrangements of the District shall conform as far as practicable to the approved Service Plan and the Resolution of Approval of the City Council of the City of Lakewood, Colorado. The approved Service Plan and Resolution of Approval required by Title 32, Article 1, Part 2, C.R.S., previously filed in the within action, shall be and the same are hereby incorporated by reference in this Order. Pursuant to Section 32-1-205(2), C.R.S., of the Resolution of Approval is attached hereto and incorporated herein as Exhibit B.



12. The Board of Directors shall take such steps and proceedings as the needs of the District require; and in accordance with Section 32-1-306, C.R.S., within thirty (30) days after the date hereof, the District shall transmit the following:

(a) A certified copy of this Order and Decree Creating District, and a copy of the District's approved Service Plan to the Clerk and Recorder of Jefferson County, Colorado, and to the Division of Local Government (the "DLG"); and

(b) A certified copy of the Court's findings and this Order and Decree Creating District to the County Clerk and Recorder in each of the Counties in which the District or a part thereof extends for recording, as provided in Section 32-1-105, C.R.S.; and

(c) A copy of the District's approved Service Plan to each such County Clerk and Recorder, for retention as a public record for public inspection; and

(d) A copy of the District's Service Plan, together with a copy of the Court's findings and this Order and Decree Creating District to the DLG; and

(e) A copy of the District map to the Jefferson County Assessor in each county in which the District or a part thereof extends and with the DLG according to its standards.

DONE IN COURT _____, 2016,

BY THE COURT:

Judge



EXHIBIT A
Legal Description

EXHIBIT A-1
INITIAL DISTRICT BOUNDARY LEGAL DESCRIPTION:

BEING A PORTION OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 69 WEST, 6TH P.M. CITY OF LAKEWOOD, COUNTY OF JEFFERSON, STATE OF COLORADO. MORE PARTICULARLY DESCRIBE AS FOLLOWS:

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, BEING MONUMENTED ON THE EAST 1/4 CORNER BY AN ILLEGIBLE 3-1/4" BRASS CAP IN RANGE BOX AND MONUMENTED ON THE CENTER 1/4 CORNER BY AN ILLEGIBLE 3-1/4" BRASS CAP IN RANGE BOX. SAID LINE BEARS SOUTH 89°47'38" WEST WITH A DISTANCE OF 2648.68 FEET.

COMMENCING AT SAID EAST 1/4 CORNER;
THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4, SOUTH 89°47'38" WEST A DISTANCE OF 1138.64 FEET;
THENCE DEPARTING SAID SOUTH LINE NORTH 00°19'28" EAST WITH A DISTANCE OF 25 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 18TH AVENUE AND POINT OF BEGINNING;
THENCE ALONG A LINE BEING PARALLEL TO AND 25.00 FEET NORTH OF SAID SOUTH LINE OF THE NORTHEAST 1/4 SOUTH 89°47'38" WEST 372.70 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF LOT 2 BLOCK 1 OF GREENSPIRE ESTATES SUBDIVISION;
THENCE DEPARTING SAID RIGHT-OF-WAY LINE NORTH 00°18'03" EAST A DISTANCE OF 165.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 2;
THENCE SOUTH 89°47'38" WEST 144.08 FEET TO THE NORTHWEST CORNER OF LOT 4 BLOCK 1 OF GREENSPIRE ESTATES SUBDIVISION;
THENCE NORTH 00°18'03" EAST 305.45 FEET TO THE NORTHWEST CORNER OF LOT 1 BLOCK 1 OF GREENSPIRE ESTATES SUBDIVISION. SAID POINT BEING 165.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4;
THENCE ALONG A LINE BEING 165.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4, NORTH 89°47'38" EAST 516.97 FEET;
THENCE SOUTH 00°19'28" WEST 470.46 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 219,384 SQUARE FEET OR 5.036 ACRES.



EXHIBIT B

Resolution of Approval

2016-34

A RESOLUTION

APPROVING THE SERVICE PLAN FOR SHERIDAN STATION WEST METROPOLITAN DISTRICT

WHEREAS, pursuant to Section 32-1-204.5, C.R.S., as amended, a Service Plan ("Service Plan") for the proposed Sheridan Station West Metropolitan District ("District") has been submitted to the City Council ("Council") of the City of Lakewood ("City"); and

WHEREAS, pursuant to the provisions of Title 32, Article 1, C.R.S., as amended, the Council held a public hearing on the Service Plan for the District on August 22, 2016; and

WHEREAS, notice of the hearing before the Council was duly published in the Denver Post, a newspaper of general circulation within the City, on July 28, 2016, as required by law, and forwarded to the petitioners, others entitled to postcard or letter notice, the Division of Local Affairs, and the governing body of each municipality and Title 32 district that has levied an ad valorem tax within the next preceding tax year and that has boundaries within a radius of three (3) miles of the District; and

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

WHEREAS, the Council finds that the Service Plan should be approved unconditionally, as permitted by Sections 32-1-203(2) and 32-1-204.5(1)(a), C.R.S., as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

1. The Council hereby determines that all of the requirements of Title 32, Article 1, Part 2, C.R.S., as amended, relating to the filing of the Service Plan for the District have been fulfilled and that notice of the hearing was given in the time and manner required by law.

1. The Council further determines that all pertinent facts, matters and issues were submitted at the public hearing, that all interested parties were heard or had the opportunity to be heard and that evidence satisfactory to the Council of each of the following was presented:

(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 area within the proposed boundaries;

(d) The area to be included in the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;

(e) Adequate service is not, or will not be, available to the area through the City or other existing 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 City and each municipality which is an interested party under Section 32-1-204, C.R.S.;

(g) The proposal is in substantial compliance with a comprehensive plan adopted pursuant to the City code;

(h) The proposal is in compliance with any duly adopted City, regional, or state long-range water quality management plan for the area;

(i) The creation of the proposed District will be in the best interests of the area proposed to be served; and

(j) The Service Plan, based upon the statements set forth in the Service Plan and upon all evidence presented at the Public Hearing on the Service Plan, meets all conditions and requirements of Sections 32-1-201, *et seq.*, C.R.S.

2. The Council hereby approves the Service Plan for the District as submitted.

3. This Resolution shall be filed in the records of the City and a copy thereof submitted to the petitioners for the District for the purpose of filing in the District Court of Jefferson County.

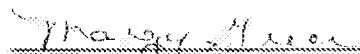
4. All prior resolutions or any parts thereof, to the extent that they are inconsistent with this Resolution, are hereby rescinded.



INTRODUCED, READ AND ADOPTED by a vote of 9 for and 2 against at a regular meeting of the City Council on August 22, 2016, at 7 o'clock p.m. at Lakewood City Hall, 480 South Allison Parkway, Lakewood, Colorado.



ATTEST:


Margy Greer, City Clerk

APPROVED AS TO FORM:


Tim Cox, City Attorney


Adam Paul, Mayor

