BOARD OF COUNTY COMMISSIONERS LAND USE MEETING/PUBLIC HEARING

TUESDAY, SEPTEMBER 9, 2025

AGENDA

Tuesday, September 9, 2025 **2:30 PM** **Hearing Room**

2:30 PM

1. Call to Order

a. Pledge of Allegiance

b. Attorney Certification of Agenda

c. Commissioners Disclosure for Items on This Agenda

2. Land Use Meeting and Public Hearing Agenda Items

a. Sundown Oaks Metropolitan District – New Service Plan – Project File: SV2025-005.
DJ Beckwith, Principal Planner — *Department of Community Development*

Attachments: Staff Report - SV2025-005
Supplemental Memo - SV2025-005

b. Acceptance of 3 ROW and 3 Slope & Drainage Easements for Hammerhead Turnarounds Associated with the Twin Mesa Metro District Road Vacation Request. Douglas County Project Number DV2025-300
Brad Jackson, PE Public Works Engineering — *Department of Public Works Engineering*

Attachments: DOC090525-09052025164322
Conley - ROW - Signed
Conley - Slope & Drainage - Signed
Crowell-Lamm - ROW - Signed
Crowell-Lamm - Slope & Drainage - signed
Wirth - ROW - signed
Wirth - Slope Drainage - signed

To be Continued to September 23, 2025 at 2:30 p.m.

c. Twin Oaks Road and Clarkes Circle Road Vacations – Project File: SB2025-026.
Eric Pavlinek, Principal Planner — *Department of Community Development*

Attachments: SB2025-026 - Twin Oaks Road and Clarkes Circle Road Vacations - BCC Staff Report
Staff Report - SB2025-026

To be Continued to September 23, 2025 at 2:30p.m.

d. 3879 N. State Highway 83 – Amended 5-Year Lone Creek Farms Fall Festival – Major Entertainment Event – Project File: EE2025-009.
Matt Jakubowski, AICP, Chief Planner — *Department of Community Development*

Attachments: Staff Report - EE2025-009
Supplemental Info - EE2025-009

e. 1433 Lake Gulch Rd – Gilly's Pumpkin Patch – Major Entertainment Event – Project File: EE2025-008.
Trevor Bedford, AICP, Senior Planner — *Department of Community Development*

Attachments: Staff Report - EE2025-008

f. 6359 Airport Road – 5-Year Colorado Scottish Festival – Major Entertainment Event – Project File: EE2025-007.
Matt Jakubowski, AICP, Chief Planner — *Department of Community Development*

Attachments: Staff Report - EE2025-007
Supplemental Info - EE2025-007

3. Adjournment

The Next Land Use Meeting / Public Hearing Will be Held on Tuesday, September 23, 2025 @ 2:30 p.m.

MEETING DATE: September 9, 2025

STAFF PERSON RESPONSIBLE: DJ Beckwith, Principal Planner

DESCRIPTION: Sundown Oaks Metropolitan District - New Service Plan - Project File: SV2025-005.

SUMMARY: The request is for approval of a new service plan for the Sundown Oaks Metropolitan District.

STAFF ASSESSMENT: The Board is authorized to act on a service plan per C.R.S. Section 32-1-203. Based upon this section, the Board shall deny the service plan application if there is not sufficient information to address the Approval Criteria #1-4. Additionally, the Board may deny the service plan application, at its sole discretion, if there is not sufficient information to address the Approval Criteria #5-9. A red-lined copy of the service plan is included in the attachments; it highlights areas where the applicant's service plan deviates from the County's Service Plan Template.

REVIEW:

Terence T Quinn - FYI	Notified - FYI	8/29/2025
Kati Carter	Approve	8/29/2025
Jeff Garcia	Approve	9/3/2025
Andrew Copland	Escalated	9/3/2025
Christie Guthrie	Escalated	9/4/2025
Jill Janz	Approve	9/5/2025
Christie Guthrie	Escalated	9/5/2025
Jill Janz	Approve	9/5/2025
Doug DeBord	Approve	9/5/2025
Samantha Hutchison - FYI	Notified - FYI	9/5/2025

ATTACHMENTS:

Staff Report - SV2025-005
Supplemental Memo - SV2025-005

DOUGLAS COUNTY
COLORADO

Service Plan Staff Report

Date:	August 28, 2025
To:	Douglas County Board of County Commissioners
Through:	Douglas J. DeBord, County Manager
From:	Terence T. Quinn, AICP, Director of Community Development
CC:	DJ Beckwith, Principal Planner Lauren Pulver, Planning Supervisor Kati Carter, AICP, Assistant Director of Planning Resources
Subject:	**Sundown Oaks Metropolitan District – New Service Plan**
Project File:	**SV2025-005**

Planning Commission Meeting:	**August 4, 2025 @ 6:00 p.m.**
Board of County Commissioners Meeting:	**September 2, 2025 @ 1:30 p.m.**
Board of County Commissioners Hearing:	**September 9, 2025 @ 2:30 p.m.**

I. EXECUTIVE SUMMARY

The request is for approval of a new service plan for the Sundown Oaks Metropolitan District (District). The purpose of the service plan is to serve the public improvement and service needs of the Sundown Oaks Development (Project) which includes the Sundown and Oak Bluff subdivisions.

The Project consists of approximately 173 acres of land that is zoned Rural Residential. The property is located in the Franktown Rural Community Area of the 2040 Comprehensive Master Plan (CMP).

At a public meeting on August 4, 2025, the Planning Commission (PC) recommended denial of the service plan application by a vote of 6-2 citing approval criteria related to financial viability, compliance with the CMP, need for the District, and if a District is in best interest of the area to be served.

II. APPLICATION INFORMATION

A. Applicant
Northstar Custom Homes
10226 Dransfeldt Road
Parker, CO 80134

B. Applicant's Representative
Nicole Peykov

Spencer Fane LLP
1700 Lincoln Street, Suite 2000
Denver, CO 80203

C. Request

Approval of a service plan for the purpose of providing the following services:

- Water Infrastructure
- Storm Sewer
- Sanitation and Wastewater Infrastructure
- Street Improvements
- Traffic Safety Protection
- Parks and Recreation
- Television Relay and Translation
- Mosquito Control
- Fire Protection
- Covenant Enforcement and Design Review
- Security

D. Process

Service plans and service plan amendments are processed in compliance with Colorado Revised Statutes (C.R.S.) Section 32-1-201 through 209 (the Control Act) and the County's Service Plan Review Procedures (Procedures).

The Procedures also provide that the Board of County Commissioners (Board) review the service plan to determine its compliance with specific criteria set forth in the Control Act; see the discussion in Section IX – Staff Analysis.

E. Location

The District is located near the intersection of Burning Tree Drive and East Tanglewood Road, Douglas County, Colorado. Generally, the District is located north of State Highway 86 and east of Parker Road in the Franktown Rural Community as identified in the 2040 CMP.

III. CONTEXT

A. Background

The property within the District is zoned Rural Residential (RR) and is anticipated to include 37 residential lots and zero square feet of commercial space. The population of the District at build-out is expected to be 111 residents. Based upon the information provided by the applicant, each of the residential properties within the District will have an average value of approximately $2,200,000 once developed.

B. Adjacent Land Uses and Zoning

North, east, and west of the District is privately owned land zoned RR. South of the District is privately owned land zoned RR, Large Rural Residential (LRR) and Agricultural One (A-1).

IV. DISTRICT FINANCIAL INFORMATION

A. Estimated Infrastructure Cost

Based on preliminary engineering survey for improvements, the estimated costs for infrastructure on the property are $9,057,551.

B. Operations Costs

Based on information in the service plan, the District expects to initially impose 10 mills to pay for costs associated with operations and maintenance (O&M). The maximum O&M mill levy is contemplated to be 20 mills.

C. Organizational Costs

The organizational costs for the District, which include legal, engineering, surveying, and accounting services are estimated to be $75,000.

D. Developer Advances

The District anticipates receiving initial funding for both capital and ongoing administrative requirements from Developer Advances. Anticipated Developer Advances total $9,000,000. Developer contributions that will not be repaid by the District are anticipated to be $5,000,000.

E. District Revenues

Revenues for the District come primarily from a mill levy on taxable property within its boundaries. The District may also rely upon other revenue sources such as fees, rates, tolls, penalties, or charges. The maximum debt service mill levy is contemplated to be 50 mills.

F. Mill Levies

A maximum total mill levy of 70 mills is proposed to support debt service and O&M for the District. The Debt Service Mill Levy Term is 40 years.

G. Authorized Debt

The total debt limit for the District is $6,000,000.

V. SERVICES

A. Water and Sanitary Sewer

It is anticipated that the District will not provide water or sanitation services. Each home within the Project will receive water from individual groundwater wells. The District also anticipates that each home within the Project will utilize individual on-site

septic to serve as their wastewater treatment system. The service plan includes powers that allow the District to build and maintain water and sanitation infrastructure, if needed.

B. Services to be Provided by Other Governmental Entities

It is anticipated that fire protection shall be provided by Franktown Fire Protection District.

VI. REFERRALS

Referrals for the proposed service plan were sent to the following agencies, and a majority of the agencies either did not respond or responded with no comment; all responses received are included in the attachments.

- AT&T Long Distance - ROW
- Bannockburn HOA
- Black Hills Energy
- Burning Tree Ranch HOA
- CenturyLink (Lumen)
- Cherry Creek Basin Water Quality Authority
- Colorado Department of Transportation CDOT-Region # 1
- Colorado Division of Water Resources
- Colorado Geological Survey
- Comcast
- CORE Electric Cooperative
- Douglas County Addressing Analyst
- Douglas County Assessor
- Douglas County Building Services
- Douglas County Conservation District
- Douglas County Engineering Services
- Douglas County Health Department
- Douglas County Libraries
- Douglas County Office of Emergency Management
- Douglas County School District RE 1
- Douglas County Sheriff's Office
- Douglas County Wildfire Mitigation
- Foxhill Metro Districts #1 & 2
- Franktown Business Area Metro District
- Franktown Citizens Coalition II Inc
- Franktown FD
- Pinery Water and Wastewater District
- RTD – Planning & Development Dept
- Rural Water Authority of Douglas County
- Town of Castle Rock

- Two Bridges Metro District
- Villages at Castle Rock Metro District 6
- Xcel Energy-Right of Way & Permits

Douglas County staff requested technical revisions to the service plan. These revisions include formatting and language changes. The applicant submitted a revised service plan to address those comments.

Douglas County Engineering Services (Engineering) reviewed the proposed service plan and requested that clarifying language be added so that storm sewer and street improvements would all be subject to the approval of Douglas County. The applicant updated the language, and Engineering had no additional comments.

Bannockburn HOA reviewed the proposed plan and commented that all lots should be five acres to coincide with current Franktown area zoning standards. Bannockburn also had concerns regarding traffic, road uses and of the use of wells in the Upper Dawson aquifer. These comments have been provided to the applicants.

Franktown Citizens Coalition II Inc. (FCC II) reviewed the proposed plan and shared concerns with the impact of a metropolitan district on the Franktown Rural Community based on the power of eminent domain and conflicting needs of the community. A representative of FCC II has met with the service plan applicants. All comments from the FCC II have been provided to the applicants.

Burning Tree Ranch HOA commented citing concerns with the impact of and lack of need for a metropolitan district and impacts to groundwater.

The service plan application was also sent to the following County consultants for review:
- Hilltop Securities, Inc (financial plan review)
- BBC Research & Consulting (market study review)

In response to comments from the PC, the applicant submitted a revised service plan that reduced the District debt limit from $10 million to $6 million. The revised service plan included an updated financial plan. As of the writing of this staff report, Hilltop Securities, Inc (Hilltop) has not completed review of the revised service plan.

BBC Researching & Consulting (BBC) reviewed the submitted market study and commented that the absorption analysis in the study makes unsupported assumptions on the estimated market demand for higher priced houses and questioned whether these projections would be realized. BBC commented that if the absorption rate followed the historical patterns, it would likely result in a delay in home sales which could impair the district's ability to generate the revenues necessary to service its debt on schedule. These comments have been shared with applicants.

Public comment was submitted by residents of the proposed District. Staff received numerous letters in opposition to the District. These letters are included in the attachments.

VII. PUBLIC NOTICE AND INPUT

In accordance with C.R.S. § 32-1-204, public notice was published in the Douglas County News-Press and sent to surrounding jurisdictions and property owners.

VIII. PLANNING COMMISSION HEARING

At a public meeting on August 4, 2025, the Planning Commission (PC) recommended denial of the service plan application by a vote of 6-2 citing approval criteria related to financial viability, compliance with the CMP, need for the District, and if a District is in best interest of the area to be served. Members of the public spoke in opposition citing concerns over use of a metropolitan district and impacts to groundwater.

IX. STAFF ANALYSIS

The CMP promotes the sustainability of special districts in Goal 5-3. Essentially, it looks for special districts to be financially sound and managed in the best interest of County residents.

The PC is required to evaluate information pertaining to existing zoning, development growth rates, and projections for required services necessary to demonstrate a need for the District. These, and other issues requiring analysis as identified by the Control Act, are examined in the analysis of the approval criteria.

1. **There is sufficient existing and projected need for organized service in the area to be serviced by the proposed special district.**

   Staff Comment: The area encompassed by the District boundaries is currently zoned Rural Residential and there is a projected need for the District.

2. **The existing service in the area to be served by the proposed special district is inadequate for present and projected needs.**

   Staff Comment: The existing public service infrastructure within the proposed District's boundary area are lacking; therefore, existing services are inadequate for the projected needs of the service area.

3. **The proposed special district is capable of providing economical and sufficient service to the area within its proposed boundaries.**

Staff Comment: Based upon comments from the County's financial consultant, the service plan demonstrates the District can provide these services economically.

4. **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.**

   Staff Comment: Based upon comments from the County's financial consultant, the District's revenues as projected in the financial plan would be sufficient to discharge the proposed indebtedness.

5. **Adequate service is not, or 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.**

   Staff Comment: In addition to the County, the other municipal and special district entity providing services within the District's boundary area is Franktown Fire Protection District. These entities are not able, or are unwilling, to provide all the services desired within a reasonable time or on a comparable basis.

6. **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 under section 31-1-204(1), C.R.S.**

   Staff Comment: All facilities will be constructed in accordance with the standards of the County and any other applicable local, state, or Federal rules and regulations.

7. **The proposal is in substantial compliance with a master plan adopted pursuant to section 30-28-106, C.R.S.**

   Staff Comment: The service area of the District falls within the Franktown Rural Community of the CMP. The density of the proposed District is consistent with a density of 1 dwelling unit per 5 acres identified within the CMP, based on the standards of the Preliminary Plan approved in 2019. The CMP also outlines goals for the Franktown Rural Community that support maintaining Franktown's historically rural character and preserving existing vegetation. The proposed development, which will be served by the proposed District, supports these concepts by setting aside 50% open space to preserve existing vegetation and natural features on the site.

   Goal 5-3 of the 2040 Comprehensive Master Plan promotes the sustainability of special districts, including ensuring that special districts are financially sound through the independent evaluation of all financing plans. The County works

closely with a third-party consultant to evaluate the financial feasibility of all new special districts and special district amendments.

8. **The proposal is in compliance with any duly adopted county, regional, or state long-range water quality management plan for the area.**

   Staff Comment: Based on information provided by the applicant, the District is in compliance with Colorado's Water Quality Management Plan.

9. **The creation of the proposed special district will be in the best interests of the area proposed to be served.**

   Staff Comment: Based upon the level of services proposed for the area, and lack of service provision from existing service providers in the area, the District appears to be in the best interest of the area proposed to be served.

X. STAFF ASSESSMENT

The Board is authorized to act on a service plan per C.R.S. Section 32-1-203.

Based upon this section, the Board shall deny the service plan application if there is not sufficient information to address the Approval Criteria #1-4 above. Additionally, the Board may deny the service plan application, at its sole discretion, if there is not sufficient information to address the Approval Criteria #5-9 above.

A red-lined copy of the service plan is included in the attachments; it highlights areas where the applicant's service plan deviates from the County's Service Plan Template (Template).

With regard to the Procedures, the applicants have addressed the Board's areas of interest as follows:

Mill levy

The service plan anticipates an estimated total mill levy of 70 mills. It is anticipated that the initial debt service mill will be 50 mills. The initial O&M mill is anticipated to be 10 mills, with a maximum mill levy of 20 mills.

Mill levy roll-off provision

Districts may propose to eliminate the mill levy cap at such time the District's assessed valuation is greater than 50% of the outstanding debt; this is referred to as a mill levy roll-off.

The applicant has included the Template language regarding a mill levy roll-off provision.

Inclusions and exclusions

The Template includes language that allows an organizer to identify future inclusion and exclusion areas, which allows greater flexibility to the District for boundary changes. The Template also includes a provision for notification to the County of any other proposed boundary changes not identified in the service plan; this notification allows the County time to request a formal material modification to the service plan to further review the proposed changes.

The applicant has included the Template language regarding future inclusions and exclusions.

Condemnation powers

The Template provides eminent domain powers only as necessary to construct public improvements identified in a service plan. The Template also provides that any other use of eminent domain requires a 45-day inquiry notice to the County.

The applicant has included the Template language regarding the use of eminent domain.

Debt limits, developer advances, system development fees

The District has a total of $6,000,000 authorized debt limit. Developer Advances total $9,000,000, of which, $5,000,000 is not anticipated to be repaid by the District.

Provision of extraterritorial service

The service plan does not include any future inclusion areas or extraterritorial service areas.

The applicant has included the Template language regarding future changes to the District boundaries.

Consolidation and transition plan

The Template requires that the District initiates the dissolution process when the District has neither any financial obligations nor O&M obligations.

The applicant has included the Template language regarding future dissolution.

Provision for long-term, renewable water supply

It is anticipated that each home within the Project will receive water from individual groundwater wells.

ATTACHMENTS **PAGE**

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RESOLUTION NO. R-025-____
THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

A RESOLUTION APPROVING THE SERVICE PLAN OF SUNDOWN OAKS METROPOLITAN DISTRICT

WHEREAS, on July 15, 2025, a service plan for the proposed Sundown Oaks Metropolitan District was filed with the Douglas County Clerk and Recorder ("Clerk"), and the Clerk, on behalf of the Board of County Commissioners ("Board"), mailed a Notice of Filing of Special District Service Plan to the Division of Local Government in the Department of Local Affairs on July 15, 2025; and

WHEREAS, on August 4, 2025, the Douglas County Planning Commission ("Planning Commission") issued a recommendation of denial of the Service Plan to the Board; and

WHEREAS, on August 22, 2025, an updated version of the Service Plan (the "Service Plan") was submitted to Douglas County, which addresses the concerns raised by the Planning Commission; and

WHEREAS, on September 2, 2025, the Board set a public hearing on the Service Plan for September 9, 2025 ("Public Hearing"), and ratified: (1) publication of the notice of the date, time, location and purpose of such Public Hearing, which was published in *The Douglas County News-Press* on August 14, 2025; and (2) notice of the date, time and location of the Public Hearing which was mailed on August 11, 2025, to the governing body of the existing municipalities and special districts which have levied an *ad valorem* tax within the next preceding tax year and which have boundaries within a radius of three miles of the proposed boundaries of Sundown Oaks Metropolitan District (the "District") and, on August 11, 2025, to the petitioner and to the property owners, pursuant to the provisions of § 32-1-204(1.5), C.R.S.; and

WHEREAS, on September 9, 2025, a Public Hearing on the Service Plan was opened at which time all interested parties, as defined in § 32-1-204, C.R.S., were afforded an opportunity to be heard, and all testimony and evidence relevant to the Service Plan and the organization of the proposed District was heard, received and considered.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO, THAT:

Section 1. The Board does hereby determine that all procedural requirements of §§ 32-1-201, *et seq.,* C.R.S., relating to the Service Plan have been fulfilled and that the Board has jurisdiction in the matter.

Section 2. The Board does hereby find:

(a) that there is sufficient existing and projected need for organized service in the area to be serviced by the proposed District; and

(b) that the existing service in the area to be served by the proposed District is inadequate for present and projected needs; and

(c) that the proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries; and

(d) that 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; and

(e) that adequate service is not, or will not be, available to the area through Douglas County or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis; and

(f) that the facility and service standards of the proposed District are compatible with the facility and service standards of Douglas County and each municipality which is an interested party under § 32-1-204, C.R.S.; and

(g) that the proposal is in substantial compliance with the Douglas County Comprehensive Master Plan; and

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

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

(j) that 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 §§ 32-1-201, *et seq.,* C.R.S.

Section 3. The Board hereby approves the Service Plan without conditions; provided, however, that such action shall not imply the approval of any land development activity within the proposed District or its service area, or of any specific number of buildable units identified in the Service Plan, unless the Board has approved such development activity as part of a separate development review process.

Section 4. The legal description of the District shall be as provided in Exhibit A, attached hereto and incorporated herein by reference.

Section 5. A certified copy of this resolution shall be filed in the records of Douglas County.

PASSED AND ADOPTED this 9th day of September, 2025, in Castle Rock, Douglas County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

BY:_____
Chair

ATTEST:

_____
Deputy Clerk

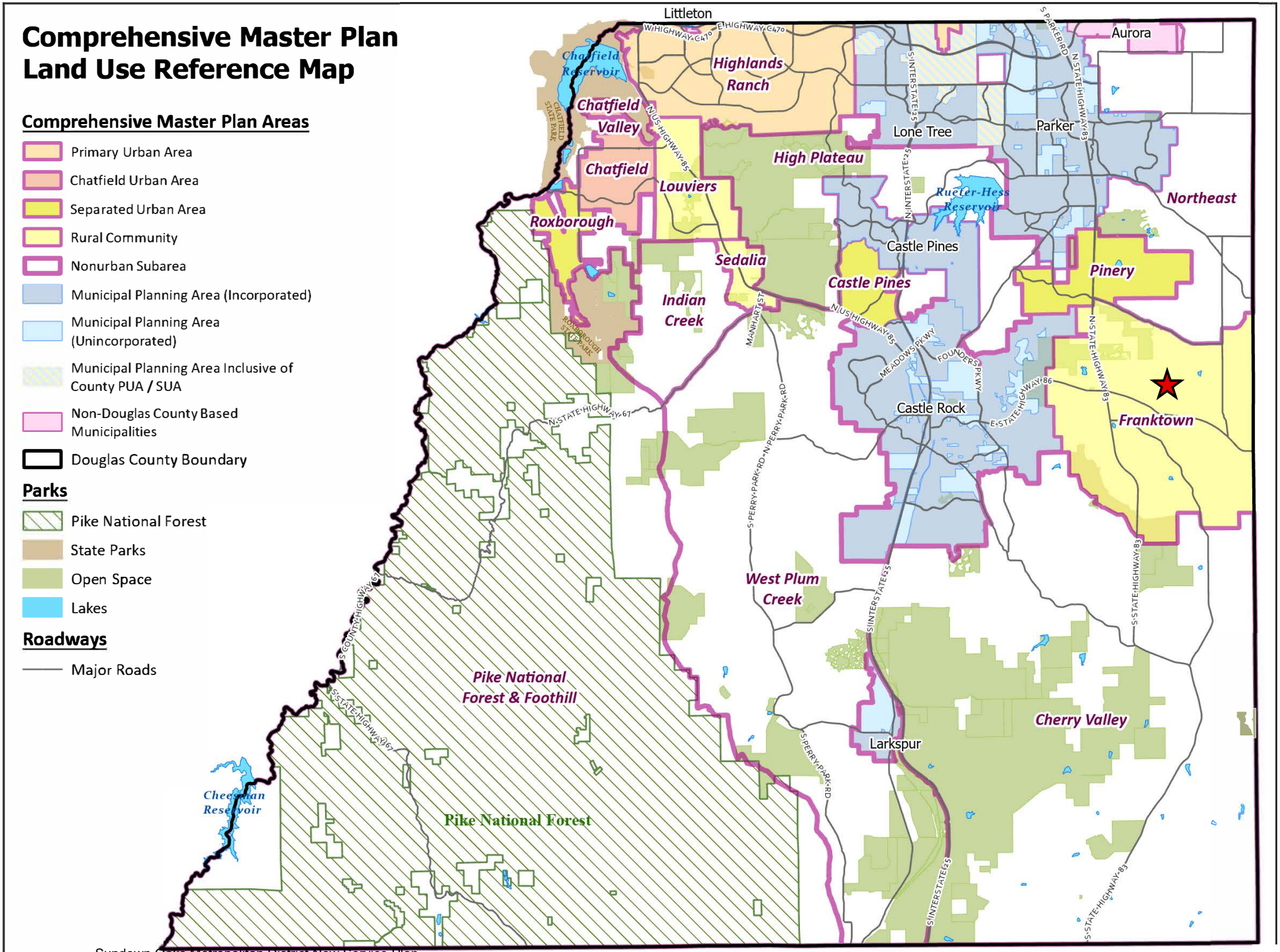
EXHIBIT A
(Legal Description of Sundown Oaks Metropolitan District)

A tract of land situated in the Northeast ¼ of Section 1, Township 8 South, Range 66 West and in the North ½ of Section 6, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Beginning at the Northwest corner of the Northeast ¼ of Section 6 and considering the North line of said Northeast ¼ to bear S 89°29'42"E with all bearings contained herein relative thereto;
Thence S 89°29'42"E along said North line a distance of 1567.21 feet;
Thence S 42°22'33"W a distance of 350.63 feet;
Thence S 12°44'04"W a distance of 633.61 feet;
Thence S 13°28'32"E a distance of 450.11 feet;
Thence N 89°29'09"W a distance of 576.25 feet;
Thence N 18°19'51"E a distance of 278.59 feet;
Thence N 25°22'25"W a distance of 232.32 feet;
Thence Northwesterly along the arc of a curve to the right a distance of 140.13 feet, said curve has a radius of 199.00 feet, a central angle of 40°20'47" and a chord that bears N 47°22'57"W a distance of 137.25 feet to a point of tangent;
Thence N 27°12'34"W along said tangent a distance of 25.30 feet to a point of curve;
Thence Westerly along the arc of a curve to the left a distance of 290.99 feet, said curve has a radius of 230.00 feet and a central angle of 72°29'20" to a point of tangent;
Thence S 80°19'56"W along said tangent a distance of 119.06 feet to a point of curve;
Thence Westerly along the arc of a curve to the right a distance of 16.64 feet, said curve has a radius of 500.00 feet and a central angle of 01°54'26";
Thence N 88°53'53"W a distance of 230.46 feet to the East line of the Northwest ¼ of Section 6;
Thence S 01°06'41"W along said East line a distance of 674.50 feet;
Thence N 88°49'13"W a distance of 716.83 feet;
Thence Northwesterly along the arc of a curve to the left a distance of 75.70 feet, said curve has a radius of 311.60 feet, a central angle of 13°55'11" and a chord that bears N 62°10'55"W a distance of 75.52 feet to a point of curve;
Thence Northwesterly along the arc of a curve to the left a distance of 219.63 feet, said curve has a radius of 4169.13 feet and a central angle of 03°01'06" to a point of tangent;
Thence N 72°09'37"W along said tangent a distance of 112.92 feet to a point of curve;

Thence Northwesterly along the arc of a curve to the right a distance of 257.09 feet, said curve has a radius of 369.42 feet and a central angle of 39°52'28";
Thence S 60°54'30"W a distance of 209.52 feet;
Thence S 89°32'31"W a distance of 1084.92 feet to the East line of the North ½ of the Northeast ¼ of Section 1;
Thence S 00°39'06"E a distance of 180.54 feet to the Southeast corner of said North ½ of the Northeast ¼;
Thence N 88°52'28"W a distance of 2654.27 feet to the Southwest corner of said North ½ of the Northeast ¼;
Thence N 00°57'30"W a distance of 1289.73 feet to the Northwest corner of said North ½ of the Northeast ¼;
Thence S 89°48'08"E a distance of 2660.19 feet to the Northeast corner of said North ½ of the Northeast ¼;
Thence S 88°55'53"E along the North line of the Northwest ¼ of Section 6 a distance of 76.85 feet;
Thence S 08°26'37"E a distance of 420.37 feet;
Thence S 76°59'00"E a distance of 190.66 feet;
Thence N 59°37'41"E a distance of 604.94 feet;
Thence N 13°01'08"W a distance of 142.81 feet to the North line of the Northwest ¼ of Section 6;
Thence S 88°55'53"E a distance of 1789.91 feet to the Point of Beginning.

Containing a total of 172.86 acres, more or less.

Comprehensive Master Plan Land Use Reference Map



Comprehensive Master Plan Areas

- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads

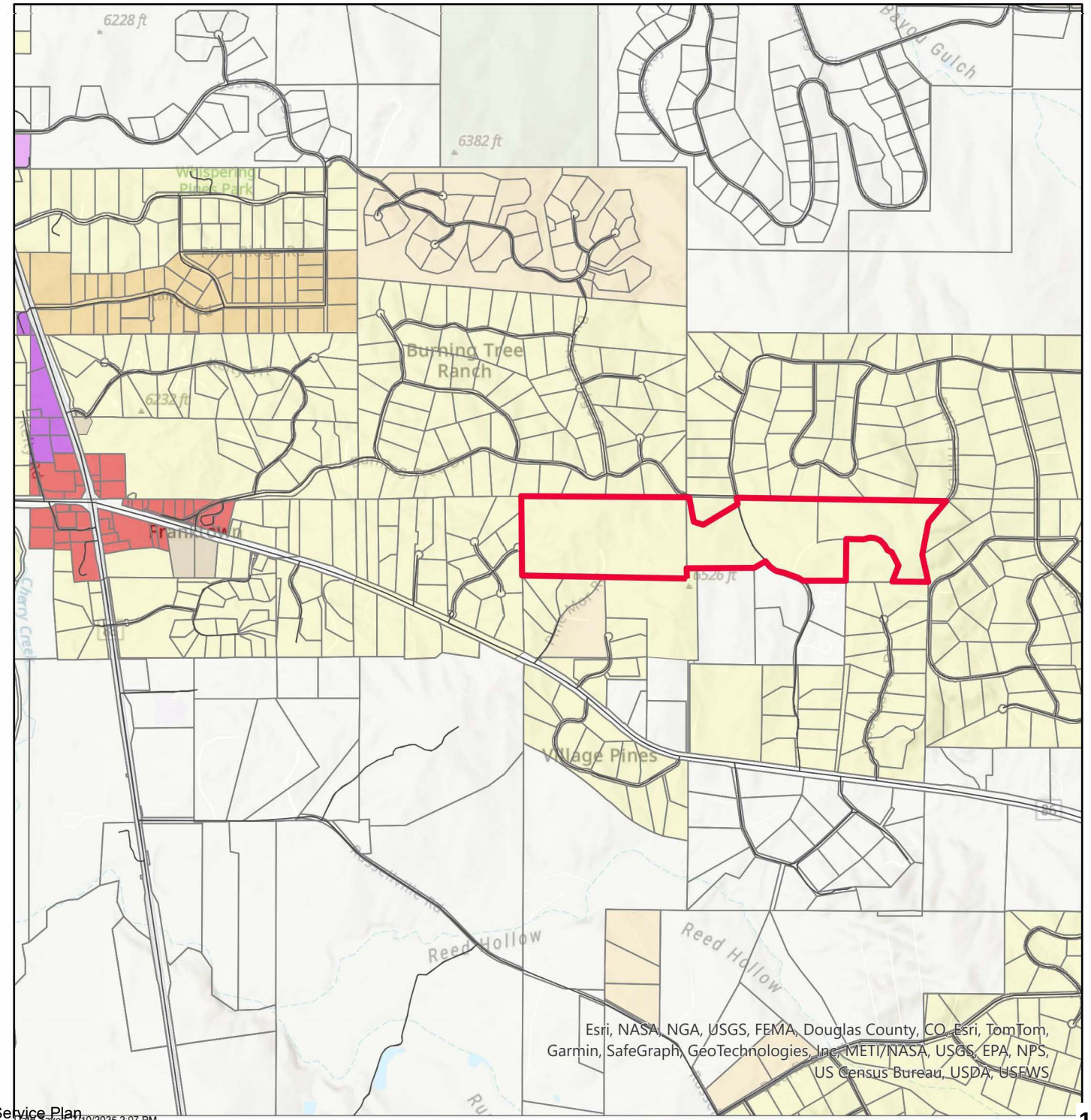
SUNDOWN OAKS METROPOLITAN DISTRICT

SV2025-005
ZONING MAP

N

LEGEND

- Roads
- Major Roads
- Parcels - PARCELS
- A1 - AGRICULTURAL ONE
- LRR - LARGE RURAL RESIDENTIAL
- RR - RURAL RESIDENTIAL
- ER - ESTATE RESIDENTIAL
- C - COMMERCIAL
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- PD - PLANNED DEVELOPMENT



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DOUGLAS COUNTY
Department of Community Development
Planning Services
100 Third Street, Castle Rock, CO 80104
(303.660.7460)
www.douglas.co.us

SPECIAL DISTRICT SERVICE PLAN APPLICATION

PLEASE FILL OUT THIS APPLICATION FORM COMPLETELY

DISTRICT NAME: Sundown Oaks Metropolitan District

LOCATION: Intersection of Burning Tree Dr. and E. Tanglewood Rd.

LEGAL DESCRIPTION: (attach))

PLANNED DEVELOPMENT SUBDIVISIONNAME(S): Sundown Oaks

FILING#:

SECTION#: 1 6

TOWNSHIP: 8 South 8 South

RANGE: 66 West 65 West

PROPERTY TAX PARCEL #(s): PRESENT ZONING: Res./Vacant

2507-010-00-001 GROSS ACREAGE: 173

2509-060-00-040

2509-062-00-002

2509-061-00-001

PLANNING OFFICE USE ONLY

☐ NEW DISTRICT/PRESUBMITTAL ☐ MAJOR MODIFICATION

☑ NEW DISTRICT ☐ CONSOLIDATION

DATE COMPLETE APPLICATION SUBMITTED

COMPLETE

This service plan has been reviewed by the Douglas County Community Development Department and is considered complete for purposes of submittal to the County Clerk as a formal application for staff review and subsequent public hearings. This completeness finding is not an endorsement or approval of the service plan or special district.

Signed

PLANNER SIGNATURE Date 7/14/2025 DATE

FEE (if required) $500.00 PROJECT NO. SV2025-005

APPLICANT (Petitioner not Consultant)

NAME: Northstar Custom Homes

ADDRESS: 10226 Dransfeldt Road

Parker, CO 80134

PHONE: (303) 708-9100 FAX:

AUTHORIZED REPRESENTATIVE

NAME: Steve Gage

ADDRESS: 10226 Dransfeldt Road

Parker, CO 80134

PHONE: (303) 708-9100 FAX:

LEGAL CONSULTANT

NAME: Spencer Fane LLP; Nicole Peykov

ADDRESS: 1700 Lincoln Street, Suite 2000

Denver, CO 80203

PHONE: 303- 839-3715 FAX: 303-839-3838

FINANCIAL CONSULTANT

NAME: RBC Capital Markets, LLC Attn. Michael Persichitte

ADDRESS: 1801 California Street, Suite 3850; Denver, CO 80202

PHONE: 303-595-1292 FAX:

ENGINEERING CONSULTANT

NAME: Canyon Creek Engineering, Phil Geising

ADDRESS: PO Box 3072, Parker, CO 80134

PHONE: (303) 870-0953 FAX:

PROPERTY OWNER (Provide separate list if more than one owner)

NAME: Sundown Subdivision, LLC; Oak Bluff Subdivision LLC

ADDRESS: 609 W. Littleton Blvd., Suite 206

Littleton, CO 80120

PHONE: FAX:

To the best of my knowledge, the information contained on this application is true and accurate.

APPLICANT SIGNATURE 6/2/2025 DATE

SERVICE PLAN

FOR

SUNDOWN OAKS METROPOLITAN DISTRICT

DOUGLAS COUNTY, COLORADO

Prepared

by

Spencer Fane LLP
1700 Lincoln Street, Suite 2000
Denver, CO 80203

FORMAL SUBMITTAL: July 2, 2025

APPROVAL DATE: _____, 2025

APPROVAL SUMMARY

This Service Plan for the Sundown Oaks Metropolitan District was approved by the Douglas County Board of County Commissioners on (date). Resolution No. _____, approving this Service Plan, has been recorded at Reception No. _____ on (date). The organizational and TABOR elections took place on (date). The court decree organizing the District was recorded with the Douglas County Clerk and Recorder on (date) at Reception No. _____.

ORGANIZERS AND CONSULTANTS

This Service Plan has been prepared by the Organizers and the following participating consultants:

Organizer	District Counsel
NorthStar Custom Homes, Inc. Attn: Steven Gage 1128 Neptunite Place Castle Rock, CO 80108 Phone: 303-725-1466 Email: stevengage71@gmail.com	Spencer Fane LLP Attn: Nicole Peykov 1700 Lincoln Street, Suite 2000 Denver, CO 80203 Phone: 303-839-3800 Email: npeykov@spencerfane.com
Financial Advisor	Engineer
RBC Capital Markets, LLC Attn: Michael Persichitte 1801 California Street, Suite 3850 Denver, Colorado 80202 Phone: (303) 595-1292 E-mail: michael.persichitte@rbccm.com	Canyon Creek Engineering Attn: Phil Giesing, P.E. P.O. Box 3072 Parker, CO 80134 Phone: 303-805-1803 Email: phil@canyoncreekengineering.com

EXECUTIVE SUMMARY

This service plan is for the Sundown Oaks Metropolitan District (the "District"), which will serve the public improvement needs of Sundown Oaks. The District is generally located near the intersection of Burning Tree and East Tanglewood Road and contains approximately 173 acres. The District will include 37 residential units and 0 square feet of commercial space.

The District will have a single district structure. This structure will allow the District to control both financing and services.

The District shall be authorized to provide the following services: fire protection, mosquito control, parks and recreation, safety protection, sanitation, solid waste disposal facilities or collection and transportation of solid waste, street improvement, television relay and translation, and water and other services described in C.R.S. §§ 32-1-1001 and 1004, as amended, and subject to the limitations in this Service Plan.

The total authorized debt limit for the District shall be Six Million Dollars ($6,000,000.00). The District anticipates the issuance of an initial series of bonds in the amount of Three Million Six Hundred and Twenty-Five Thousand Dollars ($3,625,000) in 2027. The initial debt service mill levy will be 50.000 mills, with a Maximum Debt Service Mill Levy of 50.000 mills. The initial operations and maintenance mill levy will be 10.000 mills, with a Maximum Operations and Maintenance Mill Levy of 20.000 mills. The combined initial mill levy for the District will be 60.000 mills, with a maximum combined mill levy of 70.000 mills.

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Exhibit G Resolution of Approval

Exhibit H Compliance with Section 18A, Water Supply – Overlay District

Exhibit I Compliance with Colorado's Water Quality Management Plan

Exhibit J Advance and Reimbursement Agreement

Exhibit K Intergovernmental Agreements

Exhibit L Annual Report Requirements

Exhibit M District Court Decree

I. INTRODUCTION

This service plan (the "Service Plan") for the Sundown Oaks Metropolitan District (the "District") is for a special district organized under Title 32 of the Colorado Revised Statutes to serve the public improvement needs of Sundown Oaks Development (the "Project"). The District is generally located near the intersection of Burning Tree Drive and East Tanglewood Road (see **Exhibit A**, Vicinity Map) and contains approximately 173 acres (see **Exhibits B & C**, Legal Description and District Boundary Map).

Pursuant to the requirements of the Special District Control Act, C.R.S. §32-1-201, *et seq.*, as amended, and the Special District Service Plan Review Procedures for Douglas County (the "County"), the following items are included in this Service Plan:

1. A description of the powers granted to and services to be provided by the District;
2. A general description of the facilities to be constructed and the standards of such construction, including a statement of how the facility and service standards of the District are compatible with facility and service standards of the County and of any municipalities and special districts which are interested parties;
3. A general written description of the estimated cost of acquiring land, engineering services, legal services, administrative services, initial indebtedness and estimated maximum interest rates and discounts, and other major expenses related to the organization and initial operation of the District;
4. A summary of general conditions regarding oversight of the District by the County;
5. A legal description and map of the District's boundaries and an estimate of the population and valuation for assessment of the District;
6. A summary of estimated costs for improvements to be financed and constructed by the District;
7. A preliminary engineering and architectural survey showing how the improvements and services are to be provided;
8. A financial plan showing how District improvements and services are to be financed, including the operating revenue for the first budget year of the District;
9. The resolution of approval adopted by the Board of County Commissioners;
10. Information demonstrating compliance with Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended, and compliance with Colorado's Water Quality Management Plan;
11. A description of any advance and reimbursement agreements;
12. A description of any arrangement or agreement with any political subdivision for the performance of any services between the District and such other political subdivision; and
13. The recorded court decree organizing the District.

Exhibits A through **M,** attached hereto, are hereby incorporated into the Service Plan.

II. PURPOSE OF THE DISTRICT

The purpose of the District is to provide public improvements and services for the benefit of all anticipated inhabitants and taxpayers of the District, either within or without its boundaries. The District also serves to finance and oversee the construction of these public improvements and to provide for ongoing operations and maintenance services.

III. DISTRICT FRAMEWORK

The District will be organized under a single district structure and will be responsible for all aspects of financing and services authorized under this Service Plan.

IV. NEED FOR 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 practicable to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, financing, and ongoing operations of the public improvements needed for the Project. Formation of the District is therefore necessary in order for the public improvements and services required for the Project to be provided in the most economical manner possible.

V. LOCATION AND BOUNDARIES

The District is located near the intersection of Burning Tree Drive and East Tanglewood Road in Douglas County. A vicinity map is attached hereto as **Exhibit A**. The area of the initial District's boundary encompasses approximately 173 acres. A legal description of the District's boundaries is attached hereto as **Exhibit B**. A map of the initial District's boundaries is attached hereto as **Exhibit C**.

It is anticipated that the District's boundaries may change from time to time as it undergoes inclusions and exclusions pursuant to C.R.S. §§ 32-1-401, *et seq.*, and C.R.S. §§ 32-1-501, *et seq.*, as amended. Prior to any inclusions or exclusions, the District shall provide forty-five (45) days published notice and written notice to the Board of County Commissioners pursuant to C.R.S. § 32-1-207(3)(b). If, within such forty-five (45) day period, the Board of County Commissioners objects to the inclusion or exclusion, then the inclusion or exclusion shall be prohibited and constitute a material modification of this Service Plan requiring an amendment, pursuant to Section XIII of the Service Plan and C.R.S. § 32-1-207(2).

VI. ASSESSED VALUATION/PROJECTIONS/LAND USE/POPULATION

The property within the District is zoned vacant or Rural Residential. The current assessed value of property within the initial boundaries of the District is 0.00 as of the date of this Service Plan. The estimated assessed value at full build-out is Six Million Two Hundred and Five Thousand Six Hundred Fifty Three Dollars ($6,205,653) and is expected

to be sufficient to reasonably discharge the debt under the Financial Plan. Initially, the District will include 37 residential units and 0 square feet of commercial space. Based upon an estimated three (3) persons per residence, the population of the District at build-out will be One Hundred Eleven (111) residents.

Approval of this Service Plan by the County does not constitute nor imply approval of the development of a specific area within the District, nor does it constitute or 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 hereto, unless such land use plans have been approved by the Board of County Commissioners as part of a separate development review process.

VII. POWERS AND RESPONSIBILITIES

The District shall have the power and authority to provide the public improvements and related operation and maintenance services within and without the boundaries of the District as such power and authority is permitted by this Service Plan and described in the Special District Act, C.R.S. Title 32, and other applicable statutes, common law, and the Colorado Constitution, subject to the limitations set forth herein.

A. General Powers

The District shall have the authority to construct, operate, and maintain the services and facilities as described in Section VIII.A of this Service Plan.

B. Miscellaneous Powers

In addition to the powers enumerated above, the District's Board shall have the power and authority:

1. To amend this Service Plan as provided for in Section XV, Modification of Service Plan;

2. To forego, reschedule, or restructure the financing and construction of certain improvements and facilities in order to better accommodate the pace of growth, resource availability, and potential inclusions and exclusions of property within the District, with prior notice to the County in accordance with C.R.S. § 32-1-202(2)(b), as amended; and

3. To have and exercise all rights and powers necessary or incidental to, or implied from, the specific powers granted to the District in this Service Plan.

4. To have and exercise the power of eminent domain, but only as necessary to construct, install, access, relocate or redevelop the public improvements identified in this Service Plan in the locations shown in Exhibit E. Any other use of eminent domain shall require the District to provide forty-five (45) days published notice and written notice to the Board of County Commissioners pursuant to C.R.S. § 32-1-207(3)(b). If, within such

forty-five (45) day period, the Board of County Commissioners objects to the use of eminent domain, then it shall be prohibited and constitute a material modification of this Service Plan requiring an amendment, pursuant to Section XIII of the Service Plan and C.R.S. § 32-1-207(2).

VIII. DISTRICT SERVICES, FACILITIES, AND IMPROVEMENTS

A. Services and Facilities

The District shall have the authority pursuant to C.R.S. §§ 32-1-1001 and 32-1-1004, as amended, to provide the following services and public improvements described in this section.

1. Water

It is anticipated that each individual home within the Project will receive water service from its own groundwater well. The District, while not providing water services, shall have the power and authority to finance, design, construct, and install, 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. The District shall have the power and authority to contract with other private or governmental entities to provide any or all of the services the District is authorized or empowered to provide.

2. Storm Sewer

The District shall have the power and authority to finance, design, construct, acquire, install, maintain, and provide for flood and surface drainage improvements, including, but not limited to, culverts, dams, retaining walls, access way inlets, detention and retention ponds, paving, roadside swales, curbs and gutters, disposal works and facilities, water quality facilities, and all necessary and proper equipment, with all necessary and incidental and appurtenant facilities, land and easements, together with extensions and improvements thereto, all subject to the approval of Douglas County pursuant to Douglas County rules and regulations.

Stormwater improvements subject to Colorado Discharge Permit System Regulations, if applicable, shall be owned and maintained by the District or such other governmental entity that may accept dedication. Dedication to another governmental entity of stormwater improvements subject to such regulations shall be subject to approval by the County. In no event will the District dedicate such detention ponds or facilities to a private

homeowner's association, or other property owner's association, for operations or maintenance.

3. Sanitation and Wastewater Treatment

It is anticipated that each individual home within the Project will utilize its own on-site wastewater treatment system. Nonetheless, the District shall have the power and authority to finance, design, construct, acquire, install, assess tap or other facility fees, related to wastewater facilities and appurtenant facilities, land and easements, together with extensions and improvements thereto.

4. Street Improvements

The District shall have the power and authority to finance, design, construct, acquire, install, maintain, and provide for arterial and collector streets and roadway improvements including, but not limited to, bridges, curbs, gutters, culverts, storm sewers and drainage facilities, detention and retention ponds, retaining walls and appurtenances, sidewalks, paving, lighting, grading, landscaping, streetscaping, placement of underground utilities, snow removal, tunnels, and other street improvements, and architectural enhancements to any or all of the above, with all necessary and incidental and appurtenant facilities, land and easements, together with extensions and improvements thereto, all subject to the approval of Douglas County pursuant to Douglas County rules and regulations.

5. Traffic Safety Protection

The District shall have the power and authority to finance, design, construct, acquire, install, maintain, and provide for safety protection through traffic control devices and safety controls on streets, as well as such other facilities and improvements as are necessary or prudent, including, but not limited to, signalization at intersections, traffic signs, area identification signs, directional assistance and driver information signs, with all necessary and incidental and appurtenant facilities, and land and easements, together with extensions and improvements thereto. All traffic and safety control devices will be consistent with and in compliance with County rules and regulations.

6. Parks and Recreation

The District 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, 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 extensions and improvements thereto.

7. Television Relay and Translation

The District shall have the power and authority to finance, design, construct, install, acquire, operate, and maintain television relay and translator facilities, with all necessary and incidental and appurtenant facilities, land and easements, together with extensions and improvements thereto.

8. Mosquito Control

The District shall have the power and authority to finance, design, construct, acquire, install, operate, maintain, and provide for systems and methods for elimination and control of mosquitoes.

9. Fire Protection

The District shall have the power and authority to finance, design, construct, acquire, install, operate, and provide for fire cisterns.

10. Covenant Enforcement and Design Review

The District shall have the power and authority to provide covenant enforcement and design review services subject to the limitations set forth in C.R.S. § 32-1-1004(8), as amended.

11. Security

The District shall have the power and authority to provide security services within the boundaries of the District, subject to the limitations set forth in C.R.S. § 32-1-1004(7), as amended. In no way is this power and authority intended to limit or supplant the responsibility and authority of local law enforcement (i.e., the Douglas County Sheriff's Department) within the boundaries of the District.

B. Estimated Costs and Phasing of Improvements

An estimate of the costs of the public improvements which may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained, or financed was prepared based upon a preliminary engineering survey on the property and is approximately Nine Million Fifty-Seven Thousand Five Hundred and Fifty-One Dollars ($9,057,551.00) as shown in **Exhibit D**. **Exhibit D** includes an engineer's opinion of costs in current dollars of each public improvement, together with an explanation of methods, basis, and/or assumptions used. All descriptions of the public improvements to be constructed, and their related costs, are estimates only and are subject to modification as engineering, development plans, economics, the County's requirements, and construction scheduling may require. The District will continue to develop and refine cost estimates contained herein and prepare for issuance of debt. Any increase in public improvement

costs greater than twenty percent (20%), but less than forty percent (40%), of the stated amount in **Exhibit D**, exclusive of any contingency shown in **Exhibit D,** shall require an administrative review by County staff. Any increase in public improvement costs in excess of forty percent (40%) of the stated amount in **Exhibit D**, exclusive of any contingency shown in **Exhibit D**, will constitute a material modification of the Service Plan and will require review by the County and action by the Board of County Commissioners in accordance with Section XIII. All construction cost estimates assume construction to applicable local, State, or Federal requirements.

Maps showing the preliminary location of the public improvements that the District is authorized to acquire or construct are attached hereto as **Exhibit E**. Phasing of construction shall be determined by the District to meet the needs of taxpayers within its boundaries. The District shall own, maintain, and replace public improvements constructed, installed, or acquired by the District or shall dedicate such public improvements to such other entity as shall accept dedication, subject to any limitations specified in this Service Plan.

In all instances, the District shall ensure that the public improvements are designed and constructed in accordance with the standards and specifications of the County or other such entity that may have authority over such design and construction. The District shall obtain approval of civil engineering and other plans and any applicable permits for the construction and installation of public improvements from the County and/or other appropriate regulatory agencies.

C. Services to be Provided by Other Governmental Entities

The Project is located within and fire protection services will be provided by the Franktown Fire Protection District.

D. Compliance with Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended

It is anticipated that each individual home within the Project will receive a water supply from its own groundwater well and will utilize its own on-site wastewater treatment system. It is anticipated that the District will construct an underground cistern for fire control purposes. The District has met the requirements of Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended, as described in the Water Supply Plan in **Exhibit H**.

E. Compliance with Colorado's Clean Water Quality Management Plan

The Project will be served by individual septic sewer systems. Therefore, compliance with Colorado's Water Quality Management Plan is not applicable to this Project at this time.

IX. EXISTING AND PROPOSED AGREEMENTS

It is anticipated that the District may enter into an intergovernmental agreement with Franktown Fire Protection District.

X. FINANCIAL INFORMATION

A. General

This section describes the nature, basis, and method of funding and debt and mill levy limitations associated with the District's public improvements. A detailed Financial Plan and statement of assumptions is contained in **Exhibit F**.

B. Assumptions

The maximum debt limitation contained herein is based on the assumption that each of the 37 residential properties in the District will have an average value of approximately Two Million Two Hundred Thousand Dollars ($2,200,000). The Financial Plan demonstrates that the District has the ability to finance the public improvements identified herein, will be capable of discharging the indebtedness on a reasonable basis, and will operate on a sound fiscal basis.

C. Identification of District Revenue

The District will impose a mill levy on taxable property within its boundaries as a primary source of revenue for repayment of debt and for operations and maintenance. The District may also rely upon various other revenue sources authorized by law. At the District's discretion, these may include the power to assess fees, rates, tolls, penalties, or charges as provided for in C.R.S. § 32-1-1001(1), as amended.

A Maximum Total Mill Levy of 70.000 mills is authorized to support debt service and operations and maintenance of the District. The District may request an amendment to the Service Plan, in accordance with Section XIII, to eliminate mill levy caps when the debt to assessed value ratio falls below fifty percent (50%).

If, on or after January 1, 2026, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut, or abatement, the mill levy limitation applicable to such debt and operating and maintenance expenses may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith so that to the extent possible, the actual tax revenue generated by the mill levy are neither diminished nor enhanced as a result of such changes ("Mill Levy Adjustment"). For purposes of the foregoing, a change in the ratio of actual valuation and any constitutional or legislative changes in the actual value against which the assessment rate is applied shall be deemed to be a change in the method of calculating assessed valuation.

D. Debt Service Mill Levy

A maximum mill levy of 50.000 mills is authorized to support the debt service of the District, subject to the limitation of the Maximum Total Mill Levy. An initial debt service mill levy of 50.000 mills will produce revenue sufficient to support debt service costs through the bond repayment period (see **Exhibit F**, Financial Plan).

E. Maximum Debt Service Mill Levy Imposition Term

The District shall not impose a debt service mill levy which exceeds forty (40) years after the year of the initial imposition of such debt service mill levy unless (1) a majority of the Board of Directors of the District imposing the mill levy are residents of such District, and (2) such Board of Directors has voted in favor of issuing Debt with a term which requires or contemplates the imposition of a debt service mill levy for a longer period of time than the limitation contained herein.

F. Operations and Maintenance Mill Levy

A maximum mill levy of 20.000 mills is authorized to support the operations and maintenance of District services and public improvements, subject to the limitation of the Maximum Total Mill Levy. An initial operations and maintenance mill levy of 10.000 mills will produce revenue sufficient to support the operations and maintenance of District services and public improvements (see **Exhibit F**, Financial Plan).

G. District Expenditures

The estimated cost of public improvements for the District is Nine Million Fifty-Seven Thousand Five Hundred and Fifty-seven Dollars ($9,057,551.00). **Exhibit D** includes, in current dollars, the estimated cost of each public improvement, together with an explanation of the methods, basis, and/or assumptions used to establish such costs.

The District will require operating funds to plan and cause the public improvements contemplated herein to be constructed, operated, and maintained as permitted herein. Such costs are expected to include reimbursement of organizational costs, legal, engineering, accounting, bond issuance costs, and compliance with State budgeting, audit, and reporting, and other administrative and legal requirements. The organizational costs for the District for legal, engineering, surveying, and accounting services are estimated to be Seventy Five Thousand Dollars ($75,000). The first year's operating budget is estimated to be Fifty Thousand Dollars ($50,000).

H. Debt

1. Debt Limitation

The total debt limit for the District is Six Million Dollars ($6,000,000), inclusive of costs of issuance, inflation, and other similar costs. For purposes of this

Service Plan, debt shall be considered any outstanding bonds, notes, contracts, or other financial obligations of the District payable in whole or in part from *ad valorem* taxes or other revenues of the District for the purposes of financing, acquiring, constructing, or improving any of the public improvements contemplated herein. The debt limit shall not be increased unless approved by the County and as permitted by statute and the Colorado Constitution. Any change in debt limit shall be considered a material modification of the Service Plan, subject to the provisions of Section XIII of this Service Plan. The maximum term of any bond issue, including refunding and refinancing, shall be thirty (30) years from the original date of issuance.

2. Maximum Voted Interest Rate and Maximum Underwriting Discount

The interest rate on any debt is limited to the market rate at the time debt is issued. In the event of a default, the maximum voted interest rate on any debt shall not exceed twelve percent (12%). The maximum underwriting discount shall be five percent (5%). Debt, when issued, shall comply with all relevant requirements of this Service Plan, State law, and Federal law as is then applicable to the issuance of public securities.

XI. DEVELOPER ADVANCES AND REIMBURSEMENTS

The District anticipates receiving initial funding for both capital and ongoing administrative requirements from developer advances. Such advances may be made to the District subject to the District's obligation to reimburse the same, as may be evidenced by short-term reimbursement agreements or other acceptable agreements or resolutions. The interest rate on developer reimbursements shall not exceed the current Bond Buyer 20-Bond GO Index plus four percent (4%).

Such advances, which the Board is obligated to appropriate on an annual basis, shall count against the maximum allowable debt limit under this Service Plan and may be repaid by the District from bond proceeds or other legally available sources of revenue. Developer advances shall be subordinate to the District general obligation bonds and refinancing of the same shall not require County approval. Any amount of outstanding principal and accrued interest on such developer advances that remains unpaid as of the expiration of the Maximum Debt Service Mill Levy Imposition Term shall be deemed to be forever discharged and satisfied in full. The total developer advances are anticipated to be approximately Nine Million Dollars ($9,000,000.00). Developer contributions, which will not be repaid by the District, are anticipated to be approximately Five Million Dollars ($5,000,000.00).

XII. ANNUAL REPORT

The District shall be responsible for submitting an annual report to the County no later than August 1 of each year in accordance with the procedures set forth in C.R.S. § 32-1-207(3)(c) and (d), as amended. The annual report shall conform to the format attached hereto as **Exhibit L**, or in a format agreed to by the County.

XIII. MODIFICATION OF SERVICE PLAN

Pursuant to C.R.S. § 32-1-207, as amended, the District shall obtain prior written approval of the County before making any material modification to this Service Plan. Material modifications require a Service Plan amendment and include modifications of a basic or essential nature, including, but not limited to, the following: any addition to the types of services provided by the District; a decrease in the level of services; a decrease in the financial ability of the District to discharge the existing or proposed indebtedness; or a decrease in the existing or projected need for organized service in the area. Inclusion of property that is located in a county or municipality with no other territory within the District may constitute a material modification of the Service Plan.

In the event the District plans to undertake an action which may not be permitted by this Service Plan, it shall be the District's responsibility to contact County staff to seek an administrative determination as to whether the action in question is permitted by the Service Plan. If County staff determines that the action may constitute a material modification, the District shall submit a proposal for action to the Board of County Commissioners. Thereafter, the Board of County Commissioners will determine whether the proposed action constitutes a material modification. If the Board of County Commissioners determines that the proposed action constitutes a material modification, then the action shall be prohibited and constitute a material modification of this Service Plan requiring an amendment, pursuant to Section XIII of the Service Plan and C.R.S. § 32-1-207(2).

XIV. DISCLOSURE STATEMENT

The District shall provide notice to all purchasers of property in the District regarding the District's authority to levy and collect *ad valorem* taxes and to impose and collect rates, fees, tolls, and charges, by recording a disclosure statement against the property within the District with the Office of the Douglas County Clerk and Recorder. Such disclosure statement shall also provide information concerning the structure of the Board and summarize how purchasers may participate in the affairs of the Board. The disclosure statement shall be recorded within thirty (30) days following the recordation of the court decree organizing the District.

XV. DISSOLUTION

It shall be mandatory for the District to initiate dissolution proceedings when the District has neither any financial obligations nor operations and maintenance obligations. The District may file a petition in the district court for dissolution when there are no financial obligations or outstanding bonds, or any such financial obligations or outstanding bonds are adequately secured by escrow funds or securities meeting the investment requirements in C.R.S. §§ 24-75-601, *et seq.,* as amended. The District's dissolution shall be subject to approval of a plan of dissolution in the district court of the County, pursuant to C.R.S. § 32-1-704, as amended.

XVI. DEFINITIONS

In this Service Plan, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Board: the board of directors of the District

Board of County Commissioners: the Board of County Commissioners of Douglas County, Colorado

Control Act: Part 2 of Title 32 (Special Districts) of the Colorado Revised Statutes (C.R.S.), which outlines review procedures for service plans for a special district

County: Douglas County, Colorado

Debt: any bond, note debenture, contract, or other multiple-year financial obligation of a District

Developer: the owner of the property proposing development of the project

District: the Sundown Oaks Metropolitan District

District Boundaries: the boundaries of the area described in the legal description attached hereto as **Exhibit B**

District Boundary Map: the map attached hereto as **Exhibit C**, showing the District's boundaries

Financial Plan: the Financial Plan described in Section X and attached as **Exhibit F**, which describes: (a) how the public improvements are to be financed; (b) how the debt is expected to be incurred; and (c) the estimated operating revenue derived from property taxes for the first budget year.

General Obligation Bond: bonds or other obligations for the payment of which the District has promised to impose an *ad valorem* property tax mill levy

Maximum Debt Service Mill Levy: the maximum mill levy the District is permitted to impose for payment of debt as set forth in Section X.D

Maximum Debt Service Mill Levy Imposition Term: the maximum number of years the District is authorized to have a debt service mill levy in place, as set forth in Section X.E. below

Maximum Operations and Maintenance Mill Levy: the maximum mill levy the District is permitted to impose for the payment of operating and maintenance expenses as set forth in Section X.E

Maximum Total Mill Levy: the maximum mill levy the District is permitted to impose for the payment of debt as set forth in Section X.D. and operating and maintenance expenses as set forth in Section X.E

Project: the development or property commonly referred to as Sundown Oaks

Public Improvements: the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped, and financed as generally described in the Special District Act to serve the future taxpayers and inhabitants of the District as determined by the Board of the District

Revenue Bond: bonds issued by the District to finance a specific project, the income from which will be used for repaying the bond

Service Plan: the service plan for the District approved by the Board of County Commissioners

Special District Act: C.R.S. § 32-1-101, *et seq.*, as amended

State: the State of Colorado

XVII. RESOLUTION OF APPROVAL

The District incorporates the Board of County Commissioner's resolution approving this Service Plan into this Service Plan to be presented to the district court attached hereto as **Exhibit G**.

XVIII. STATUTORY FINDINGS AND CONCLUSIONS

It is submitted that this Service Plan for the District, as required by C.R.S. § 32-1-203, as amended, establishes that:

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

The purpose of the District is to finance and construct certain public improvements and to provide other additional services necessary to support the Sundown Oaks development. The proposed improvements and services are not, and in good faith based upon information and belief, will not be available to the community through the County or other existing municipality or quasi-municipal corporation, including special districts, within a reasonable time and on a comparable basis.

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

The proposed improvements and services are not, and in good faith based upon information and belief, will not be available to the community through the County or other existing municipality or quasi-municipal corporation, including special districts, within a reasonable time and on a comparable basis.

3. The District is capable of providing economical and sufficient service to the area within its boundaries;

The formation of the District will ensure that the public improvements and other services are sufficient and constructed within a reasonable period of time for the benefit of the property owners located in the community.

4. The area to be included in the District has, or will have, the financial ability to discharge the indebtedness on a reasonable basis.

The estimated costs of the improvements and facilities to be constructed, installed and/or acquired by the District are set forth in this Service Plan. The Financial Plan describes the anticipated issuance of debt and repayment based on the projected development within the District boundaries. The Financial Plan demonstrates the District's ability to finance the facilities identified in this Service Plan and capability of discharging the proposed indebtedness on a reasonable basis.

5. Adequate service is not, or 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;

The proposed improvements and services are not, and in good faith based upon information and belief, will not be available to the area through the County or other existing municipality or quasi-municipal corporation, including special districts, within a reasonable time and on a comparable basis.

6. The facility and service standards of the District are compatible with the facility and service standards of each county within which the District is to be located and each municipality which is an interested party under C.R.S. § 32-1-204(1), as amended;

As stated elsewhere in this Service Plan, all facilities and services proposed will be constructed in accordance with the standards and specifications of Douglas County, the State of Colorado, and any other appropriate jurisdictions.

7. The proposal is in substantial compliance with the Douglas County Comprehensive Master Plan, as amended, adopted pursuant to C.R.S. § 30-28-106, as amended;

The Developer has reviewed the County's Comprehensive Master Plan and is aware of the County's desire to reflect, acknowledge and balance the common values, rights, and needs of all County residents and landowners, and its desire to honor and protect the unique, diverse communities and resources within the County. It is the Developer's belief that the proposal is compatible with the community vision for the future and complies with the policies necessary to achieve sustainable growth within the County as expressed in the Comprehensive Master Plan.

8. The proposal is in compliance with Colorado's Water Quality Management Plan, as amended; and

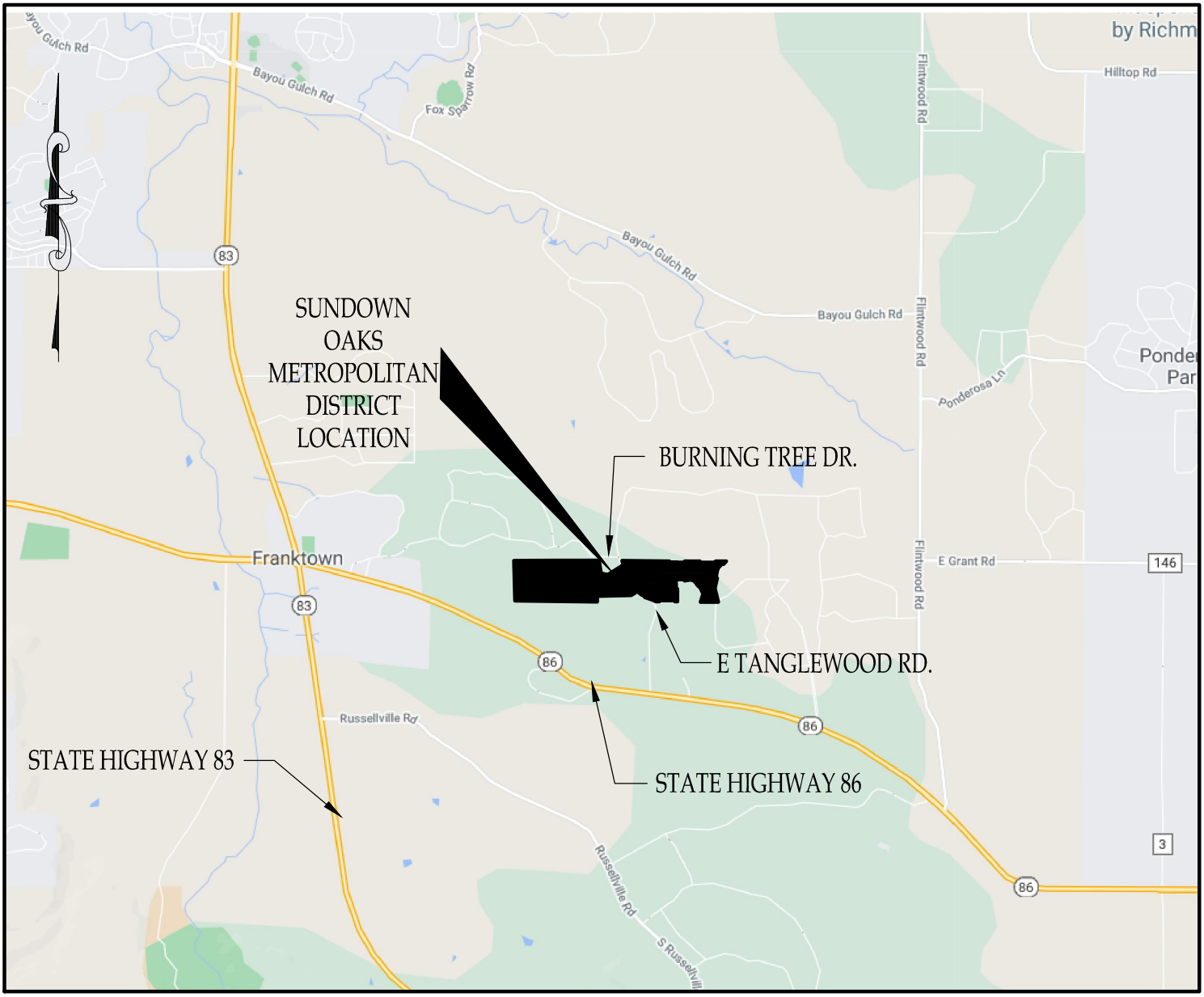
Each individual home and homeowner within the Project will be responsible for its own on-site wastewater treatment system.

9. The creation of the District will be in the best interests of the area to be served.

As described throughout this Service Plan, the proposed improvements and services necessary to serve the Project are not, and in good faith based upon information and belief, will not be available to the area through the County or other existing municipality or quasi-municipal corporation, including special districts, within a reasonable time and on a comparable basis. The formation of the District will ensure that the public improvements and other services are sufficient and constructed within a reasonable period of time for the benefit of the property owners located in the community.

Exhibit A
Vicinity Map

SUNDOWN OAKS METROPOLITAN DISTRICT
VICINITY MAP



SCALE: 1" = 5000'

SECTIONS-1&6 TOWNSHIP-8 S RANGES-65&66 W

Exhibit B
Legal Description

DAVID E. ARCHER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS
105 Wilcox Street * Castle Rock, CO 80104
PHONE (303) 688-4642 * FAX (303) 688-4675 * karcher@davidearcher.com

Job No. 21-1638
August 16, 2021

PROPERTY DESCRIPTION:

A tract of land situated in the Northeast ¼ of Section 1, Township 8 South, Range 66 West and in the North ½ of Section 6, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Beginning at the Northwest corner of the Northeast ¼ of Section 6 and considering the North line of said Northeast ¼ to bear S 89°29'42"E with all bearings contained herein relative thereto;
Thence S 89°29'42"E along said North line a distance of 1567.21 feet;
Thence S 42°22'33"W a distance of 350.63 feet;
Thence S 12°44'04"W a distance of 633.61 feet;
Thence S 13°28'32"E a distance of 450.11 feet;
Thence N 89°29'09"W a distance of 576.25 feet;
Thence N 18°19'51"E a distance of 278.59 feet;
Thence N 25°22'25"W a distance of 232.32 feet;
Thence Northwesterly along the arc of a curve to the right a distance of 140.13 feet, said curve has a radius of 199.00 feet, a central angle of 40°20'47" and a chord that bears N 47°22'57"W a distance of 137.25 feet to a point of tangent;
Thence N 27°12'34"W along said tangent a distance of 25.30 feet to a point of curve;
Thence Westerly along the arc of a curve to the left a distance of 290.99 feet, said curve has a radius of 230.00 feet and a central angle of 72°29'20" to a point of tangent;
Thence S 80°19'56"W along said tangent a distance of 119.06 feet to a point of curve;
Thence Westerly along the arc of a curve to the right a distance of 16.64 feet, said curve has a radius of 500.00 feet and a central angle of 01°54'26";
Thence N 88°53'53"W a distance of 230.46 feet to the East line of the Northwest ¼ of Section 6;
Thence S 01°06'41"W along said East line a distance of 674.50 feet;
Thence N 88°49'13"W a distance of 716.83 feet;
Thence Northwesterly along the arc of a curve to the left a distance of 75.70 feet, said curve has a radius of 311.60 feet, a central angle of 13°55'11" and a chord that bears N 62°10'55"W a distance of 75.52 feet to a point of curve;
Thence Northwesterly along the arc of a curve to the left a distance of 219.63 feet, said curve has a radius of 4169.13 feet and a central angle of 03°01'06" to a point of tangent;
Thence N 72°09'37"W along said tangent a distance of 112.92 feet to a point of curve;

PROPERTY DESCRIPTION (continued)

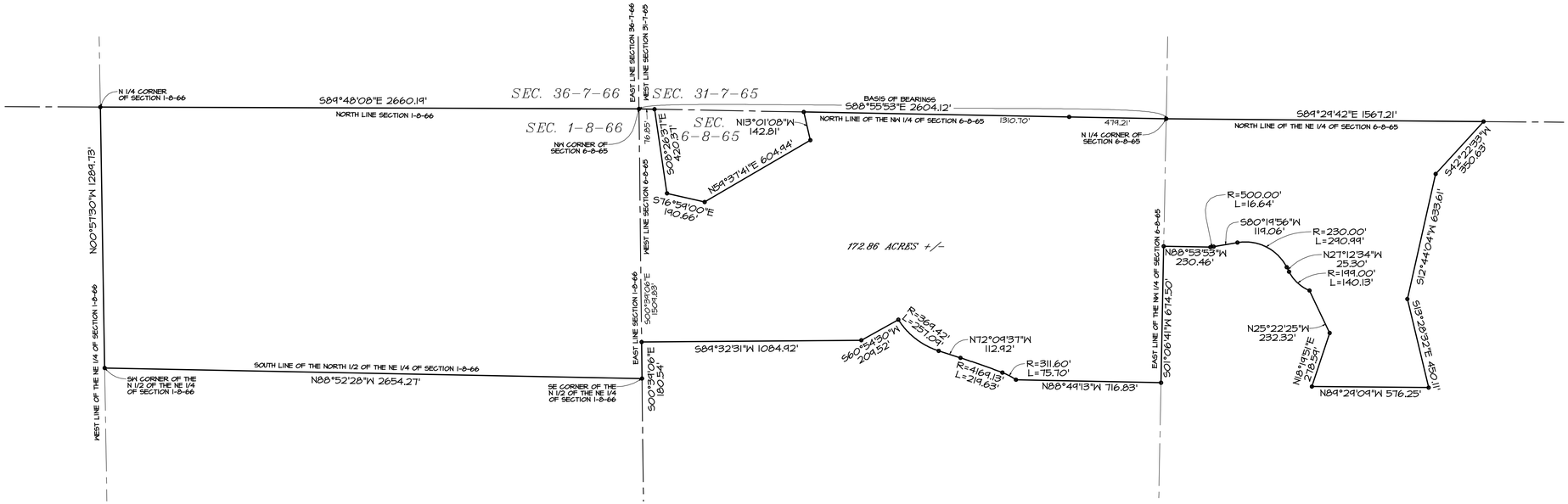
Thence Northwesterly along the arc of a curve to the right a distance of 257.09 feet, said curve has a radius of 369.42 feet and a central angle of 39°52'28";
Thence S 60°54'30"W a distance of 209.52 feet;
Thence S 89°32'31"W a distance of 1084.92 feet to the East line of the North ½ of the Northeast ¼ of Section 1;
Thence S 00°39'06"E a distance of 180.54 feet to the Southeast corner of said North ½ of the Northeast ¼;
Thence N 88°52'28"W a distance of 2654.27 feet to the Southwest corner of said North ½ of the Northeast ¼;
Thence N 00°57'30"W a distance of 1289.73 feet to the Northwest corner of said North ½ of the Northeast ¼;
Thence S 89°48'08"E a distance of 2660.19 feet to the Northeast corner of said North ½ of the Northeast ¼;
Thence S 88°55'53"E along the North line of the Northwest ¼ of Section 6 a distance of 76.85 feet;
Thence S 08°26'37"E a distance of 420.37 feet;
Thence S 76°59'00"E a distance of 190.66 feet;
Thence N 59°37'41"E a distance of 604.94 feet;
Thence N 13°01'08"W a distance of 142.81 feet to the North line of the Northwest ¼ of Section 6;
Thence S 88°55'53"E a distance of 1789.91 feet to the Point of Beginning.

Containing a total of 172.86 acres, more or less.
This description was prepared under the direct supervision of Johnny Calvin Hicks, PLS36570 for and on behalf of David E. Archer and associates, Inc.

Exhibit C
District Boundary Map

SUNDOWN OAKS METRO DISTRICT BOUNDARY

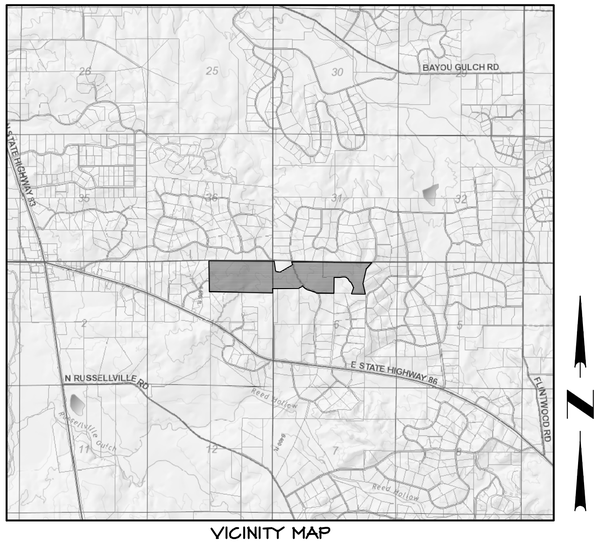
In Section 1, Township 8 South, Range 66 West, and In Section 6, Township 8 South, Range 65 West, 6th P.M., Douglas County, Colorado



PROPERTY DESCRIPTION:

A tract of land situated in the Northeast 1/4 of Section 1, Township 8 South, Range 66 West and in the North 1/2 of Section 6, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Beginning at the Northwest corner of the Northeast 1/4 of Section 6 and considering the North line of said Northeast 1/4 to bear S 89°29'42"E with all bearings contained herein relative thereto;
Thence S 89°29'42"E along said North line a distance of 1567.21 feet;
Thence S 42°22'33"W a distance of 350.63 feet;
Thence S 12°44'04"W a distance of 633.61 feet;
Thence S 13°28'32"E a distance of 450.11 feet;
Thence N 89°29'09"W a distance of 576.25 feet;
Thence N 18°19'51"E a distance of 278.59 feet;
Thence N 25°22'25"W a distance of 232.32 feet;
Thence Northwesterly along the arc of a curve to the right a distance of 140.13 feet, said curve has a radius of 199.00 feet, a central angle of 40°20'47" and a chord that bears N 47°22'57"W a distance of 137.25 feet to a point of tangent;
Thence N 27°12'34"W along said tangent a distance of 25.30 feet to a point of curve;
Thence Westerly along the arc of a curve to the left a distance of 290.99 feet, said curve has a radius of 230.00 feet and a central angle of 72°29'20" to a point of tangent;
Thence S 80°19'56"W along said tangent a distance of 119.06 feet to a point of curve;
Thence Westerly along the arc of a curve to the right a distance of 16.64 feet, said curve has a radius of 500.00 feet and a central angle of 01°54'26";
Thence N 88°53'53"W a distance of 230.46 feet to the East line of the Northwest 1/4 of Section 6;
Thence S 01°06'41"W along said East line a distance of 674.50 feet;
Thence N 88°49'13"W a distance of 716.83 feet;
Thence Northwesterly along the arc of a curve to the left a distance of 75.70 feet, said curve has a radius of 311.60 feet, a central angle of 13°55'11" and a chord that bears N 62°10'55"W a distance of 75.52 feet to a point of curve;
Thence Northwesterly along the arc of a curve to the left a distance of 219.63 feet, said curve has a radius of 4169.13 feet and a central angle of 03°01'06" to a point of tangent;
Thence N 72°09'37"W along said tangent a distance of 112.92 feet to a point of curve;
Thence Northwesterly along the arc of a curve to the right a distance of 257.09 feet, said curve has a radius of 369.42 feet and a central angle of 39°52'28";
Thence S 60°54'30"W a distance of 209.52 feet;
Thence S 89°32'31"W a distance of 1084.92 feet to the East line of the North 1/2 of the Northeast 1/4 of Section 1;
Thence S 00°39'06"E a distance of 180.54 feet to the Southeast corner of said North 1/2 of the Northeast 1/4;
Thence N 88°52'28"W a distance of 2654.27 feet to the Southwest corner of said North 1/2 of the Northeast 1/4;
Thence N 00°57'30"W a distance of 1289.73 feet to the Northwest corner of said North 1/2 of the Northeast 1/4;
Thence S 89°48'08"E a distance of 2660.19 feet to the Northeast corner of said North 1/2 of the Northeast 1/4;
Thence S 88°55'53"E along the North line of the Northwest 1/4 of Section 6 a distance of 76.85 feet;
Thence S 08°26'37"E a distance of 420.37 feet;
Thence S 76°59'00"E a distance of 190.66 feet;
Thence N 59°37'41"E a distance of 604.94 feet;
Thence N 13°01'08"W a distance of 142.81 feet to the North line of the Northwest 1/4 of Section 6;
Thence S 88°55'53"E a distance of 1789.91 feet to the Point of Beginning.

Containing a total of 172.86 acres, more or less.
This description was prepared under the direct supervision of Johnny Calvin Hicks, PLS36570 for and on behalf of David E. Archer and associates, Inc.



VICINITY MAP

GRAPHIC SCALE 1"=3000'

0 3000 6000 9000

BASIS OF BEARINGS
Bearings are deeded and based on the consideration that the North line of the NW 1/4 of Section 6 bears N88°55'53"W as shown hereon between the identified monuments.

GRAPHIC SCALE 1"=300'

0 300 600 900

All measurements shown hereon are U.S. Survey Feet.

Conflicting boundary evidence is as shown.

REVISIONS	DAVID E. ARCHER & ASSOCIATES, INC.	SCALE 1"=300'	TITLE SUNDOWN OAKS METRO DISTRICT BOUNDARY
	LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING	DATE 08-16-2021	In Sec. 1, Township 8 South, Range 66 West, and In Sec. 6, Township 8 South, Range 65 West, 6th P.M., Douglas County, Colorado.
	PHONE (303) 688-4642	DRN. NDS CKD.	CLIENT Sundown Oaks Metro District
	105 WILCOX ST. CASTLE ROCK, COLORADO 80104	APVD.	Sheet 1 of 1 JOB NUMBER 21-1638

Plotted: Aug 25, 2025 @ 05:50:29
G:\Drawings\2021\21-1638\Metro District\Sundown Oaks Metro District Boundary.pro

Exhibit D
Cost of Improvements

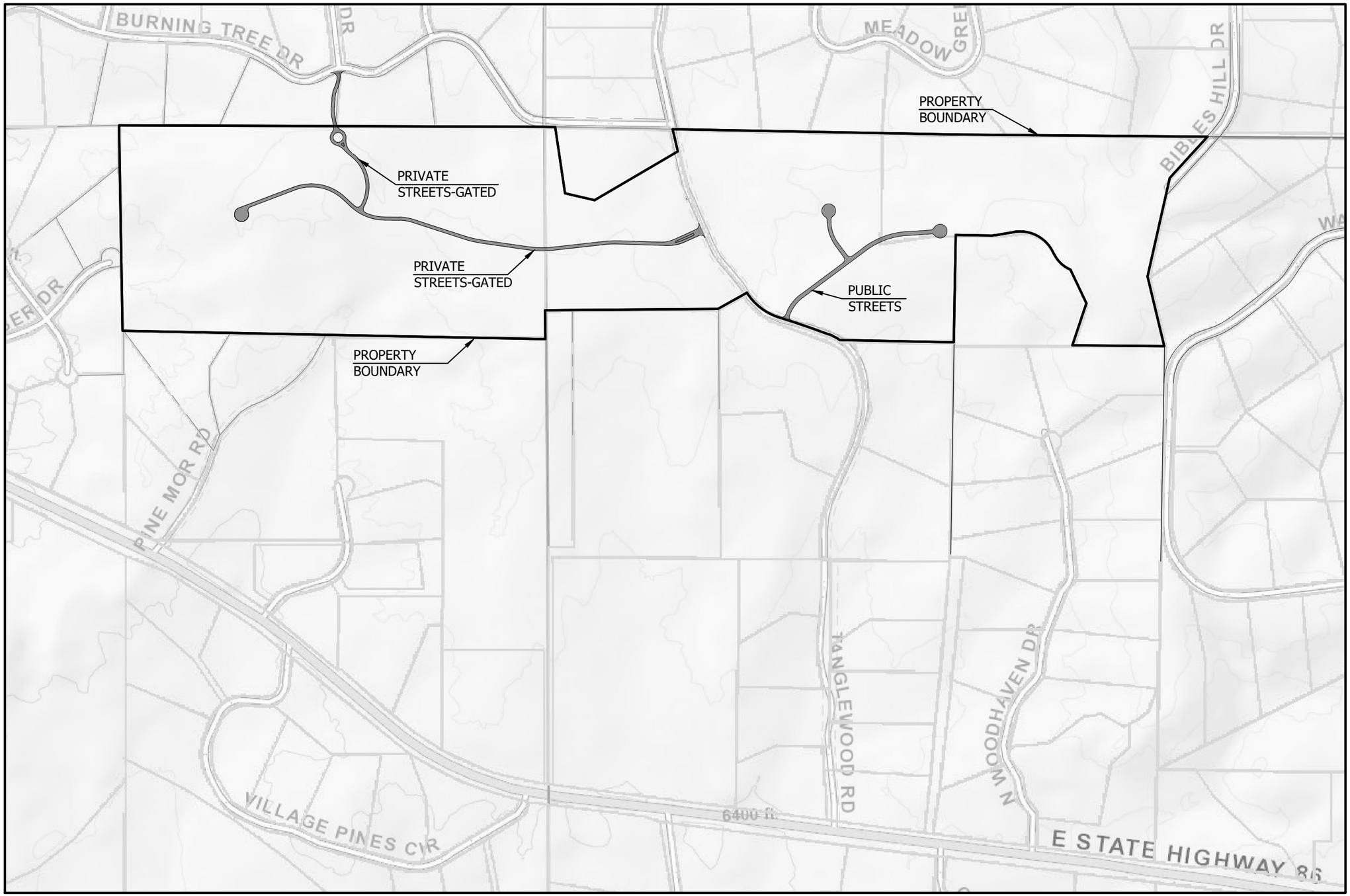
Cost Estimate Sundown Oaks Metro District		West Side (Oak Bluffs)	East Side (Sundown)
Mobilization		30,000.00	21,000.00
Surveying/Engineering		105,000.00	85,000.00
Permits/Bonds		80,000.00	60,000.00
Supervision		180,000.00	160,000.00
Erosion Control		90,000.00	66,000.00
Demo		78,000.00	60,300.00
	Hardscapes at tie in to Tanglewood		
	Tree and Brush Mitigation		
	Wood and wire fencing		
Earthwork & Paving		570,000.00	438,500.00
	Cuts & Fills		
	Rough cut and gutter prep		
	Rough prep for paving		
	4' wide trail system		
	10' pond road D and H		
	Shape ponds A, D and H		
	Curb and Gutter	144,000.00	98,000.00
	Asphalt Paving install (6" AC over *" ABC)(includes scarify, moisture, base under curb)	555,000.00	373,000.00
Storm System		1,166,000.00	719,500.00
	36" RCP		
	24" RCP		
	24" FES (2)		
	18" RCP		
	18" FES (8)		
	5' Storm manhole (3)		
	15' Type R		

	5' Type R (2)		
	Type C		
	Forebay (3)		
	Trickle Channels		
	Outlet Structure (3)		
	Riprap installations		
Entry Gate Assembly		160,000.00	155,000.00
	Pillars, Cementm Stone, Wall		
	Gates and motors		
	Electrical Connections		
	Spillway Wall		
Landscaping		94,000.00	82,000.00
Hardscaping		26,000.00	21,000.00
Tree Mitigation for Fire		185,000.00	125,000.00
CDOT Left Turn Lane			
	Mobilization	12,000.00	12,000.00
	Erosion Control	27,000.00	27,000.00
	Earthwork & Paving	898,000.50	898,000.50
	Surveying		
	Potholing		
	Traffic Control		
	Demo Paving		
	Demo Trees		
	Cuts and Fills		
	Import Fill		
	Over X existing subgrade for new shoulder paving 2"		
	Shoulder Paving		
	Shoulder Topsoil		
	Road signs and delineator post remove and reinstall existing		
	Striping		

Temporary driveway protections			
Contingency		722,250.00	534,000.00
SUBTOTAL EACH SUBDIVISION		5,122,250.50	3,935,300.50
TOTAL FOR 37 LOTS BOTH SUBDIVISIONS	9,057,551.00		

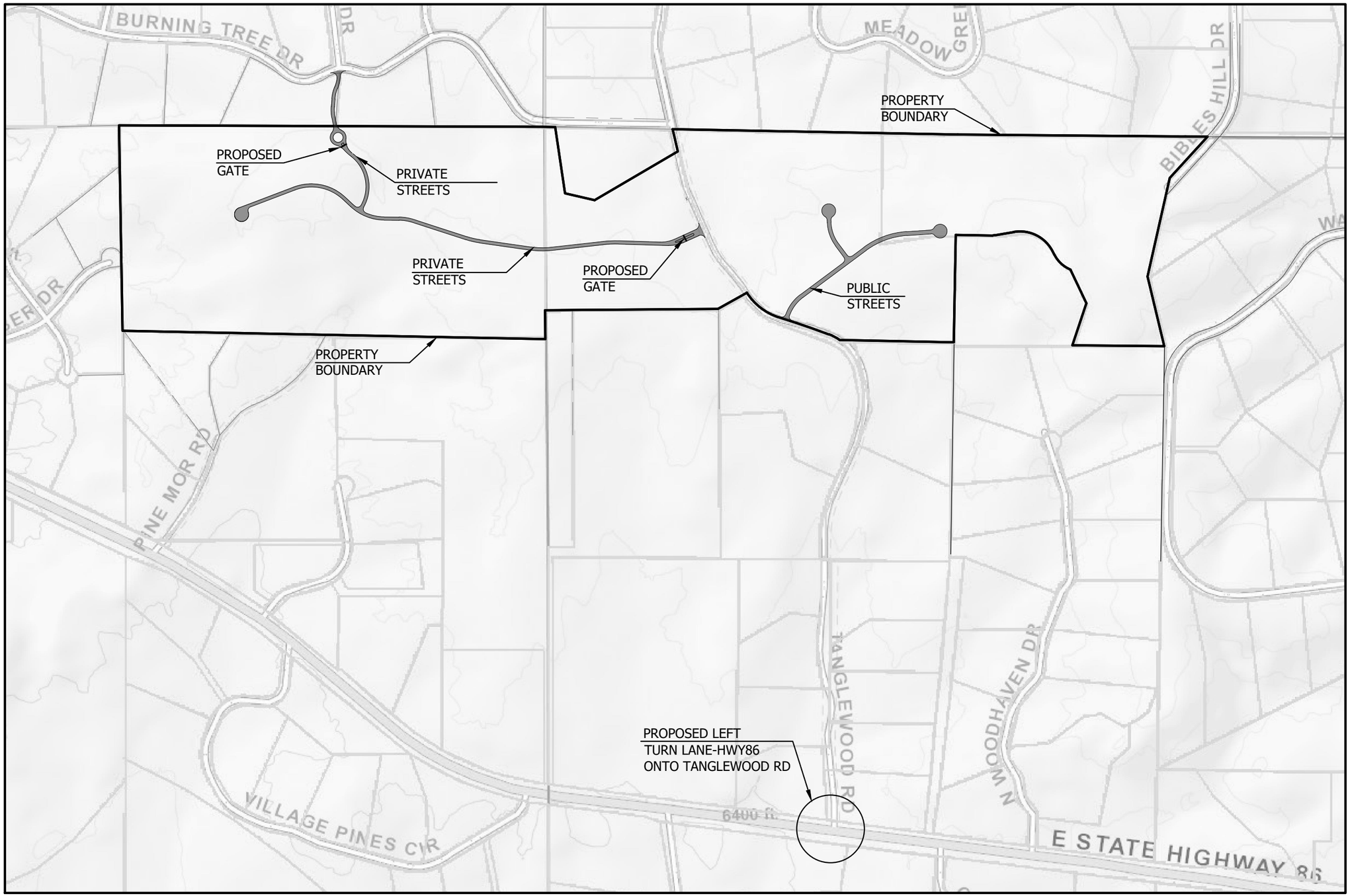
Exhibit E
Map of Improvements

SCALE:
1” = 600’



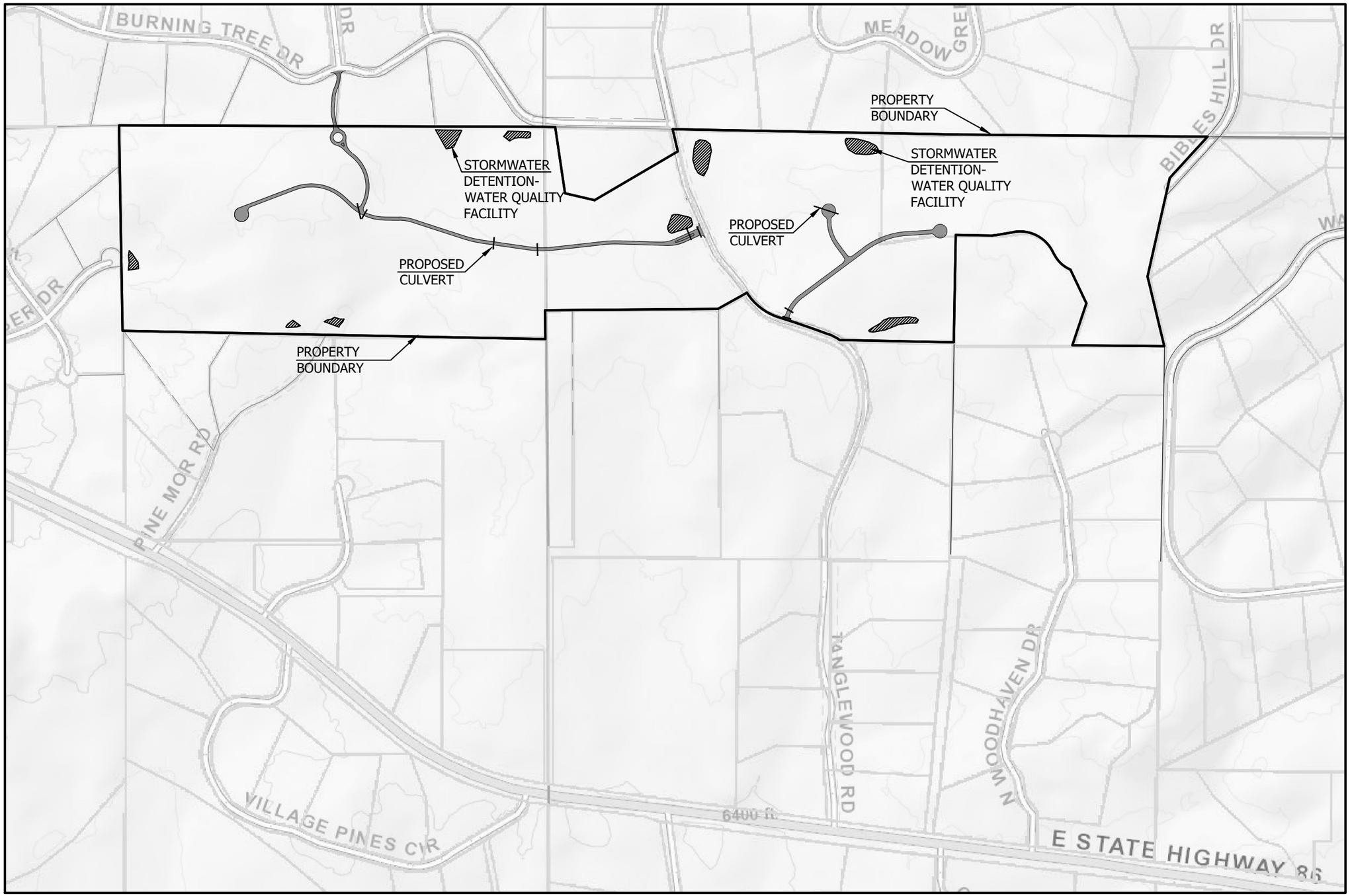
SERVICE PLAN EXHIBIT - STREETS

SCALE:
1” = 600’



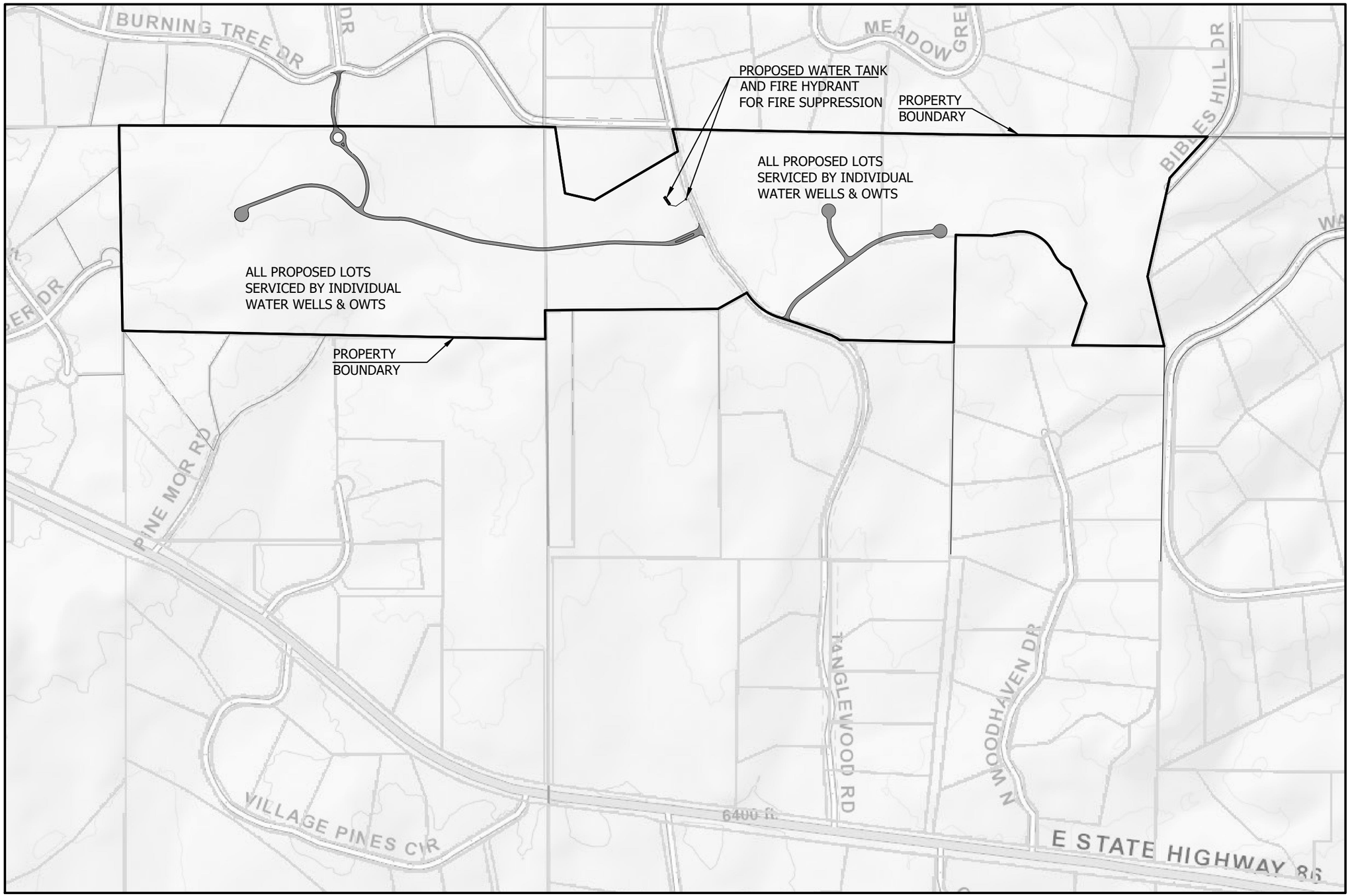
SERVICE PLAN EXHIBIT - TRAFFIC

SCALE:
1” = 600’



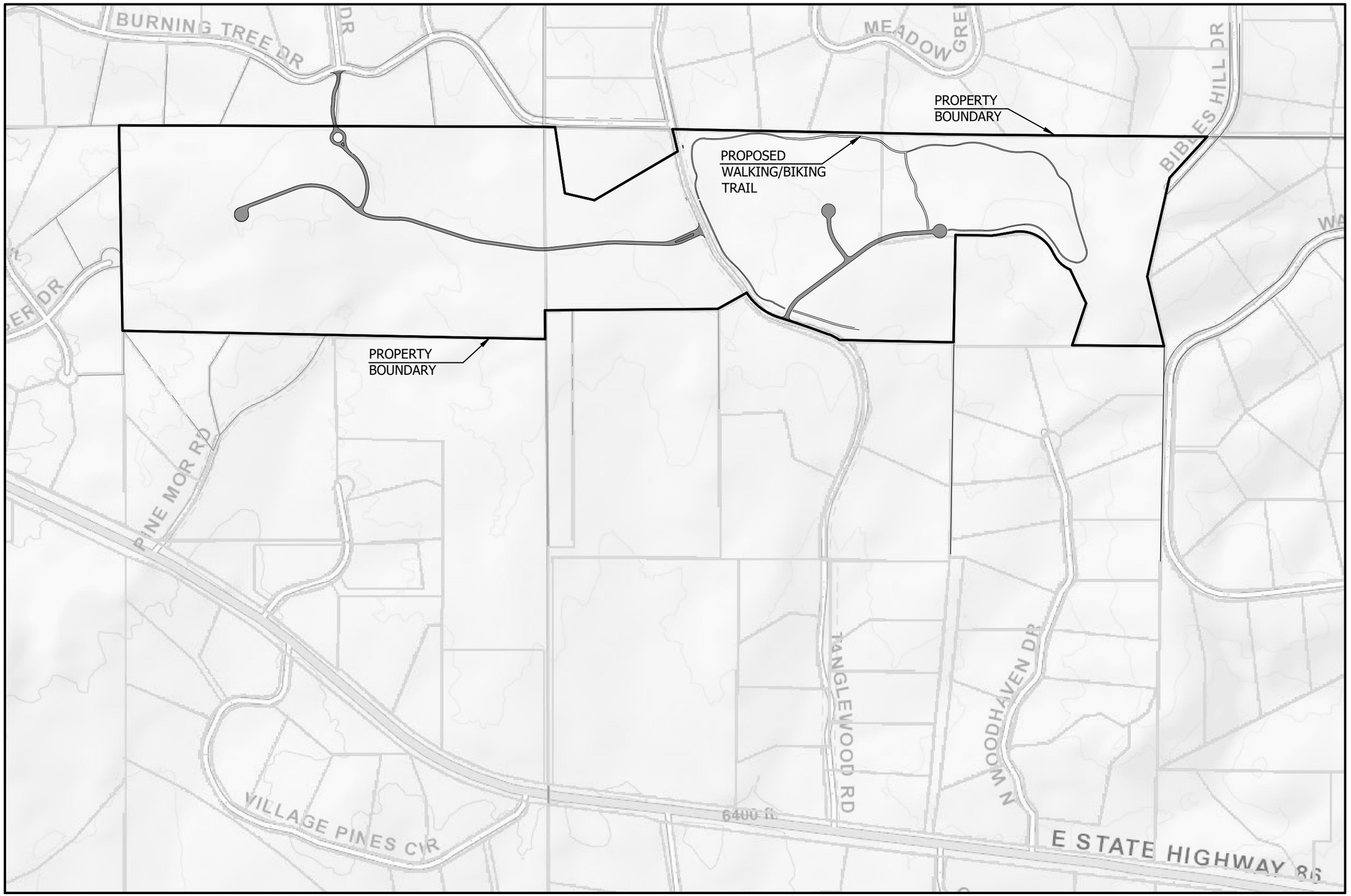
SERVICE PLAN EXHIBIT - DRAINAGE

SCALE:
1” = 600’



SERVICE PLAN EXHIBIT - WATER-SEWER

SCALE:
1” = 600’



SERVICE PLAN EXHIBIT - PARKS & REC

Exhibit F
Financial Plan

Sundown Oaks Metropolitan District

District Financing Analysis - DRAFT - 50 D/S MILLS

May 2025 Development Assumptions

SERVICE PLAN SUBMITTAL

Financing Summary

Sources and Uses

Sources	2027	Total
Par Amount	3,625,000	3,625,000
Premium/(Discount)	-	-
Other	-	-
Total Sources	**3,625,000**	**3,625,000**

Uses	2027	Total
Project Fund - Released at Closing	2,703,802	2,703,802
N/A	-	-
Total Project Fund	**2,703,802**	**2,703,802**
Capitalized Interest	400,260	400,260
Debt Service Reserve Fund	348,438	348,438
Costs of Issuance	172,500	172,500
Total Uses	**3,625,000**	**3,625,000**

Total Debt Service Summary

Stated Term (Each Issuance)	30.0 Yrs
Estimated Interest Rates	6.25%
Senior Principal	3,625,000
Senior Interest	5,360,808
Total Senior Principal & Interest	8,985,808
Less: Capitalized Interest (Principal & Earnings @ 0.00%)	(400,260)
Less: Debt Service Reserve Fund (Principal & Earnings @ 0.00%)	(348,438)
Senior Net Debt Service	8,237,110

Other Information

Total District D/S Mill Levy	50.000
Commercial Assessment %	27.90%
Residential Assessment %	6.70%
Property Tax Revenue %	100%

Sundown Oaks Metropolitan District
District Financing Analysis - DRAFT - 50 D/S MILLS
May 2025 Development Assumptions
TOTAL CAPACITY NORTH SIDE PHASE

Square Footage or Residential Units																		
Type	**Builder**	**Product**	**Desc**	**Units**	**Built**	**To Be Built**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**Total**
Commercial	TBD	Single Family - Sundown	Lots Added	17		17			6	6	5							17
	TBD	Single Family - Oaks	Lots Added	20		20			2	5	5	5	3					20
Lots Added	**Total**			**37**		**37**			**8**	**11**	**10**	**5**	**3**					**37**
	TBD	Single Family - Sundown	Lots Deleted	-17		-17			-3	-5	-5	-4						-17
	TBD	Single Family - Oaks	Lots Deleted	-20		-20				-2	-5	-5	-5	-3				-20
Lots Deleted	**Total**			**-37**		**-37**			**-3**	**-7**	**-10**	**-9**	**-5**	**-3**				**-37**
Annual Change									**5**	**4**		**-4**	**-2**	**-3**				
Residential	TBD	Single Family - Sundown	Homes Added	17		17			3	5	5	4						17
	TBD	Single Family - Oaks	Homes Added	20		20				2	5	5	5	3				20
Annual Change				**37**		**37**			**3**	**7**	**10**	**9**	**5**	**3**				**37**
Cumulative Residential Built Total									**3**	**10**	**20**	**29**	**34**	**37**	**37**	**37**	**37**	

Inflated Market Value Per Square Foot or Residential Unit @ 2.00%																		
Type	**Builder**	**Product**	**Desc**	**2025 MV**	**Built**	**To Be Built**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**Total**
Commercial	TBD	Single Family - Sundown	Lots Added	500,000		500,000			520,200	530,604	541,216							530,053
	TBD	Single Family - Oaks	Lots Added	500,000		500,000			520,200	530,604	541,216	552,040	563,081					542,447
Lots Added		**Weighted Avg**		**500,000**		**500,000**			**520,200**	**530,604**	**541,216**	**552,040**	**563,081**					**536,753**
	TBD	Single Family - Sundown	Lots Deleted	500,000		500,000			-520,200	-530,604	-541,216	-552,040						-536,933
	TBD	Single Family - Oaks	Lots Deleted	500,000		500,000				-530,604	-541,216	-552,040	-563,081	-574,343				-553,296
Lots Deleted		**Weighted Avg**		**500,000**		**500,000**			**-520,200**	**-530,604**	**-541,216**	**-552,040**	**-563,081**	**-574,343**				**-545,778**
Type	**Builder**	**Product**	**Desc**	**2025 MV**	**Built**	**To Be Built**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**Total**
Residential	TBD	Single Family - Sundown	Homes Added	2,200,000		2,200,000			2,288,880	2,334,658	2,381,351	2,428,978						2,362,505
	TBD	Single Family - Oaks	Homes Added	2,200,000		2,200,000				2,334,658	2,381,351	2,428,978	2,477,557	2,527,108				2,434,503
		Weighted Avg		**2,200,000**		**2,200,000**			**2,288,880**	**2,334,658**	**2,381,351**	**2,428,978**	**2,477,557**	**2,527,108**				**2,401,423**

Inflated Market Value - Annual Additions																		
Type	**Builder**	**Product**	**Desc**	**2025 MV**	**Built**	**To Be Built**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**Total**
Commercial	Total		Lots Added	18,500,000		18,500,000			4,161,600	5,836,644	5,412,161	2,760,202	1,689,244					19,859,850
	Total		Lots Deleted	-18,500,000		-18,500,000			-1,560,600	-3,714,228	-5,412,161	-4,968,364	-2,815,406	-1,723,029				-20,193,787
Commercial Total									**2,601,000**	**2,122,416**		**-2,208,162**	**-1,126,162**	**-1,723,029**				**-333,937**
Residential	TBD	Single Family - Sundown	Homes Added	37,400,000		37,400,000			6,866,640	11,673,288	11,906,754	9,715,911						40,162,593
	TBD	Single Family - Oaks	Homes Added	44,000,000		44,000,000				4,669,315	11,906,754	12,144,889	12,387,787	7,581,325				48,690,070
Residential Total				**81,400,000**		**81,400,000**			**6,866,640**	**16,342,603**	**23,813,508**	**21,860,800**	**12,387,787**	**7,581,325**				**88,852,663**
Grand Total				**81,400,000**		**81,400,000**			**9,467,640**	**18,465,019**	**23,813,508**	**19,652,638**	**11,261,624**	**5,858,297**				**88,518,726**

Assessed Value - Annual Additions																	
Completion Year					**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	
Collection Year		**2025 MV**	**Built**	**To Be Built**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**2036**	**2037**	**Total**
Commercial	**27.90%**						**725,679**	**592,154**		**-616,077**	**-314,199**	**-480,725**				**-93,168**
Residential	**6.70%**	**5,453,800**		**5,453,800**			**460,065**	**1,094,954**	**1,595,505**	**1,464,674**	**829,982**	**507,949**				**5,953,128**
Total Annual Additions		**5,453,800**		**5,453,800**			**1,185,744**	**1,687,108**	**1,595,505**	**848,597**	**515,782**	**27,224**				**5,859,960**

Sundown Oaks Metropolitan District
District Financing Analysis - DRAFT - 50 D/S MILLS
May 2025 Development Assumptions
SERVICE PLAN SUBMITTAL

Cash Flow Summary

		12/01/2025	12/01/2026	12/01/2027	12/01/2028	12/01/2029	12/01/2030	12/01/2031	12/01/2032	12/01/2033	12/01/2034	12/01/2035	12/01/2036
Property Tax Revenue Information	**Include**												
Beginning Assessed Value		-	-	-	1,185,744	2,872,852	4,525,814	5,374,411	5,997,682	6,024,905	6,205,653	6,205,653	6,391,822
Additions		-	-	1,185,744	1,687,108	1,595,505	848,597	515,782	27,224	-	-	-	
Reappraisal Adjustments		-	-	-	-	57,457	-	107,488	-	180,747	-	186,170	-
Total District Assessed Value		-	-	1,185,744	2,872,852	4,525,814	5,374,411	5,997,682	6,024,905	6,205,653	6,205,653	6,391,822	6,391,822
District Mill Levy		50.000	50.000	50.000	50.000	50.000	50.000	50.000	50.000	50.000	50.000	50.000	50.000
% Reappraisal Growth				0.00%		2.00%		2.00%		3.00%		3.00%	
District Property Tax Revenue		-	-	59,287	143,643	226,291	268,721	299,884	301,245	310,283	310,283	319,591	319,591
Specific Ownership Tax @ 7.00%		-	-	4,150	10,055	15,840	18,810	20,992	21,087	21,720	21,720	22,371	22,371
Treasurer's Fee - 2.00%		-	-	(1,186)	(3,074)	(4,843)	(5,751)	(6,418)	(6,447)	(6,640)	(6,640)	(6,839)	(6,839)
Property Tax Revenue		-	-	62,252	150,624	237,288	281,780	314,458	315,886	325,362	325,362	335,123	335,123
Capital Fee Revenue													
Capital Fee Per Lot		-	-	-	-	-	-	-	-	-	-	-	-
% Realized		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
% Growth/Inflation		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
		100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Lots		-	-	3	7	10	9	5	3	-	-	-	-
System Development Fees		-	-	-	-	-	-	-	-	-	-	-	-
Revenue After SDF's		-	-	62,252	150,624	237,288	281,780	314,458	315,886	325,362	325,362	335,123	335,123
Total Revenue for Debt Service		-	-	62,252	150,624	237,288	281,780	314,458	315,886	325,362	325,362	335,123	335,123
Senior Debt Service Information													
Principal		-	-	-	-	-	-	15,000	15,000	25,000	25,000	35,000	40,000
Additions		-	-	-	-	-	-	-	-	-	-	-	-
Interest Rate		6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%
Interest		-	-	207,682	226,563	226,563	226,563	226,563	225,625	224,688	223,125	221,563	219,375
Capitalized Interest			-	(207,682)	(113,281)	(56,641)	(22,656)	-	-	-	-	-	-
Total Debt Service Payments		-	-	-	113,281	169,922	203,906	241,563	240,625	249,688	248,125	256,563	259,375
Debt Service Coverage					1.33	1.40	1.38	1.30	1.31	1.30	1.31	1.31	1.29
Operations Mill Levy		10.000	10.000	10.000	10.000	10.000	10.000	10.000	10.000	10.000	10.000	10.000	10.000
Revenues Available for Operations		-	-	11,857	28,729	45,258	53,744	59,977	60,249	62,057	62,057	63,918	63,918
Anticipated Expenses		-	-	(11,857)	(28,729)	(45,258)	(53,744)	(59,977)	(60,249)	(62,057)	(62,057)	(63,918)	(63,918)
Net Fund Balance		-	-	-	-	-	-	-	-	-	-	-	-

Sundown Oaks Metropolitan District
District Financing Analysis - DRAFT - 50 D/S MILLS
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SERVICE PLAN SUBMITTAL

Cash Flow Summary

		12/01/2037	12/01/2038	12/01/2039	12/01/2040	12/01/2041	12/01/2042	12/01/2043	12/01/2044	12/01/2045	12/01/2046	12/01/2047	12/01/2048
Property Tax Revenue Information	**Include**												
Beginning Assessed Value		6,391,822	6,583,577	6,583,577	6,781,084	6,781,084	6,984,517	6,984,517	7,194,052	7,194,052	7,409,874	7,409,874	7,632,170
Additions													
Reappraisal Adjustments		191,755	-	197,507	-	203,433	-	209,535	-	215,822	-	222,296	-
Total District Assessed Value		**6,583,577**	**6,583,577**	**6,781,084**	**6,781,084**	**6,984,517**	**6,984,517**	**7,194,052**	**7,194,052**	**7,409,874**	**7,409,874**	**7,632,170**	**7,632,170**
District Mill Levy		**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**
% Reappraisal Growth		**3.00%**		**3.00%**		**3.00%**		**3.00%**		**3.00%**		**3.00%**	
District Property Tax Revenue		329,179	329,179	339,054	339,054	349,226	349,226	359,703	359,703	370,494	370,494	381,608	381,608
Specific Ownership Tax @ 7.00%		23,043	23,043	23,734	23,734	24,446	24,446	25,179	25,179	25,935	25,935	26,713	26,713
Treasurer's Fee - 2.00%		(7,044)	(7,044)	(7,256)	(7,256)	(7,473)	(7,473)	(7,698)	(7,698)	(7,929)	(7,929)	(8,166)	(8,166)
Property Tax Revenue		**345,177**	**345,177**	**355,532**	**355,532**	**366,198**	**366,198**	**377,184**	**377,184**	**388,500**	**388,500**	**400,155**	**400,155**
Capital Fee Revenue													
Capital Fee Per Lot		-	-	-	-	-	-	-	-	-	-	-	-
% Realized		**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	**NA**
% Growth/Inflation		**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**
		100%	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**
Lots		-	-	-	-	-	-	-	-	-	-	-	-
System Development Fees		-	-	-	-	-	-	-	-	-	-	-	-
Revenue After SDF's		**345,177**	**345,177**	**355,532**	**355,532**	**366,198**	**366,198**	**377,184**	**377,184**	**388,500**	**388,500**	**400,155**	**400,155**
Total Revenue for Debt Service		**345,177**	**345,177**	**355,532**	**355,532**	**366,198**	**366,198**	**377,184**	**377,184**	**388,500**	**388,500**	**400,155**	**400,155**
Senior Debt Service Information													
Principal		50,000	50,000	65,000	65,000	80,000	85,000	100,000	105,000	120,000	125,000	145,000	155,000
Additions		-	-	-	-	-	-	-	-	-	-	-	-
Interest Rate		6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%
Interest		216,875	213,750	210,625	206,563	202,500	197,500	192,188	185,938	179,375	171,875	164,063	155,000
Capitalized Interest		-	-	-	-	-	-	-	-	-	-	-	-
Total Debt Service Payments		266,875	263,750	275,625	271,563	282,500	282,500	292,188	290,938	299,375	296,875	309,063	310,000
Debt Service Coverage		**1.29**	**1.31**	**1.29**	**1.31**	**1.30**	**1.30**	**1.29**	**1.30**	**1.30**	**1.31**	**1.29**	**1.29**
Operations Mill Levy		**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**
Revenues Available for Operations		65,836	65,836	67,811	67,811	69,845	69,845	71,941	71,941	74,099	74,099	76,322	76,322
Anticipated Expenses		(65,836)	(65,836)	(67,811)	(67,811)	(69,845)	(69,845)	(71,941)	(71,941)	(74,099)	(74,099)	(76,322)	(76,322)
Net Fund Balance		-	-	-	-	-	-	-	-	-	-	-	-

Sundown Oaks Metropolitan District
District Financing Analysis - DRAFT - 50 D/S MILLS
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SERVICE PLAN SUBMITTAL

Cash Flow Summary

		12/01/2049	12/01/2050	12/01/2051	12/01/2052	12/01/2053	12/01/2054	12/01/2055	12/01/2056	12/01/2057	Totals
Property Tax Revenue Information	**Include**										
Beginning Assessed Value		7,632,170	7,861,135	7,861,135	8,096,969	8,096,969	8,339,878	8,339,878	8,590,074	8,590,074	
Additions											5,859,960
Reappraisal Adjustments		228,965	-	235,834	-	242,909	-	250,196	-	171,801	2,908,857
Total District Assessed Value		**7,861,135**	**7,861,135**	**8,096,969**	**8,096,969**	**8,339,878**	**8,339,878**	**8,590,074**	**8,590,074**	**8,761,876**	**8,768,817**
District Mill Levy		**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**50.000**	**40.000**	
% Reappraisal Growth		**3.00%**		**3.00%**		**3.00%**		**3.00%**		**2.00%**	
District Property Tax Revenue		393,057	393,057	404,848	404,848	416,994	416,994	429,504	429,504	350,475	10,470,785
Specific Ownership Tax @ 7.00%		27,514	27,514	28,339	28,339	29,190	29,190	30,065	30,065	24,533	707,431
Treasurer's Fee - 2.00%		(8,411)	(8,411)	(8,664)	(8,664)	(8,924)	(8,924)	(9,191)	(9,191)	(7,500)	(223,481)
Property Tax Revenue		**412,159**	**412,159**	**424,524**	**424,524**	**437,260**	**437,260**	**450,378**	**450,378**	**367,508**	**10,954,734**
Capital Fee Revenue											
Capital Fee Per Lot		-	-	-	-	-	-	-	-	-	
% Realized		**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	**NA**	
% Growth/Inflation		**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	**0.00%**	
		100%	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	
Lots		-	-	-	-	-	-	-	-	-	
System Development Fees		-	-	-	-	-	-	-	-	-	
Revenue After SDF's		**412,159**	**412,159**	**424,524**	**424,524**	**437,260**	**437,260**	**450,378**	**450,378**	**343,466**	
Total Revenue for Debt Service		**412,159**	**412,159**	**424,524**	**424,524**	**437,260**	**437,260**	**450,378**	**450,378**	**367,508**	**10,954,734**
Senior Debt Service Information											
Principal		170,000	185,000	205,000	215,000	240,000	255,000	280,000	300,000	475,000	3,625,000
Additions		-	-	-	-	-	-	-	-		
Interest Rate		6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	
Interest		145,313	134,688	123,125	110,313	96,875	81,875	65,938	48,438	29,688	5,360,808
Capitalized Interest		-	-	-	-	-	-	-	-	(348,438)	
Total Debt Service Payments		315,313	319,688	328,125	325,313	336,875	336,875	345,938	348,438	156,250	8,237,109
Debt Service Coverage		**1.31**	**1.29**	**1.29**	**1.30**	**1.30**	**1.30**	**1.30**	**1.29**	**2.35**	
Operations Mill Levy		**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	**10.000**	
Revenues Available for Operations		78,611	78,611	80,970	80,970	83,399	83,399	85,901	85,901	87,619	2,838,332
Anticipated Expenses		(78,611)	(78,611)	(80,970)	(80,970)	(83,399)	(83,399)	(85,901)	(85,901)	(87,619)	(2,838,332)
Net Fund Balance		-	-	-	-	-	-	-	-	-	-

Sundown Oaks Metropolitan District
District Financing Analysis - DRAFT - 50 D/S MILLS
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Debt Service Summary

Senior - 2027

Date	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
Principal	-	-	-	-	-	15,000	15,000	25,000	25,000	35,000	40,000
Coupon	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%
Interest	-	207,682	226,563	226,563	226,563	226,563	225,625	224,688	223,125	221,563	219,375
Total P+I	-	207,682	226,563	226,563	226,563	241,563	240,625	249,688	248,125	256,563	259,375
CAPI	-	(207,682)	(113,281)	(56,641)	(22,656)	-	-	-	-	-	-
DSRF	-	-	-	-	-	-	-	-	-	-	-
Net D/S	**-**	**-**	**113,281**	**169,922**	**203,906**	**241,563**	**240,625**	**249,688**	**248,125**	**256,563**	**259,375**

Senior - Total

Date	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
Principal	-	-	-	-	-	15,000	15,000	25,000	25,000	35,000	40,000
Interest	-	207,682	226,563	226,563	226,563	226,563	225,625	224,688	223,125	221,563	219,375
Total P+I	-	207,682	226,563	226,563	226,563	241,563	240,625	249,688	248,125	256,563	259,375
CAPI	-	(207,682)	(113,281)	(56,641)	(22,656)	-	-	-	-	-	-
DSRF	-	-	-	-	-	-	-	-	-	-	-
Net D/S	**-**	**-**	**113,281**	**169,922**	**203,906**	**241,563**	**240,625**	**249,688**	**248,125**	**256,563**	**259,375**

Sundown Oaks Metropolitan District
District Financing Analysis - DRAFT - 50 D/S MILLS
May 2025 Development Assumptions
SERVICE PLAN SUBMITTAL

Debt Service Summary

Senior - 2027

Date	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047
Principal	50,000	50,000	65,000	65,000	80,000	85,000	100,000	105,000	120,000	125,000	145,000
Coupon	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%
Interest	216,875	213,750	210,625	206,563	202,500	197,500	192,188	185,938	179,375	171,875	164,063
Total P+I	266,875	263,750	275,625	271,563	282,500	282,500	292,188	290,938	299,375	296,875	309,063
CAPI	-	-	-	-	-	-	-	-	-	-	-
DSRF	-	-	-	-	-	-	-	-	-	-	-
Net D/S	**266,875**	**263,750**	**275,625**	**271,563**	**282,500**	**282,500**	**292,188**	**290,938**	**299,375**	**296,875**	**309,063**

Senior - Total

Date	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047
Principal	50,000	50,000	65,000	65,000	80,000	85,000	100,000	105,000	120,000	125,000	145,000
Interest	216,875	213,750	210,625	206,563	202,500	197,500	192,188	185,938	179,375	171,875	164,063
Total P+I	266,875	263,750	275,625	271,563	282,500	282,500	292,188	290,938	299,375	296,875	309,063
CAPI	-	-	-	-	-	-	-	-	-	-	-
DSRF	-	-	-	-	-	-	-	-	-	-	-
Net D/S	**266,875**	**263,750**	**275,625**	**271,563**	**282,500**	**282,500**	**292,188**	**290,938**	**299,375**	**296,875**	**309,063**

Sundown Oaks Metropolitan District
District Financing Analysis - DRAFT - 50 D/S MILLS
May 2025 Development Assumptions
SERVICE PLAN SUBMITTAL

Debt Service Summary

Senior - 2027

Date	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	Totals
Principal	155,000	170,000	185,000	205,000	215,000	240,000	255,000	280,000	300,000	475,000	3,625,000
Coupon	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	6.25%	
Interest	155,000	145,313	134,688	123,125	110,313	96,875	81,875	65,938	48,438	29,688	5,360,807
Total P+I	310,000	315,313	319,688	328,125	325,313	336,875	336,875	345,938	348,438	504,688	8,985,807
CAPI	-	-	-	-	-	-	-	-	-	-	(400,260)
DSRF	-	-	-	-	-	-	-	-	-	(348,438)	(348,438)
Net D/S	**310,000**	**315,313**	**319,688**	**328,125**	**325,313**	**336,875**	**336,875**	**345,938**	**348,438**	**156,250**	**8,237,109**

Senior - Total

Date	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	Totals
Principal	155,000	170,000	185,000	205,000	215,000	240,000	255,000	280,000	300,000	475,000	3,625,000
Interest	155,000	145,313	134,688	123,125	110,313	96,875	81,875	65,938	48,438	29,688	5,360,807
Total P+I	310,000	315,313	319,688	328,125	325,313	336,875	336,875	345,938	348,438	504,688	8,985,807
CAPI	-	-	-	-	-	-	-	-	-	-	(400,260)
DSRF	-	-	-	-	-	-	-	-	-	(348,438)	(348,438)
Net D/S	**310,000**	**315,313**	**319,688**	**328,125**	**325,313**	**336,875**	**336,875**	**345,938**	**348,438**	**156,250**	**8,237,109**

Exhibit G
Resolution of Approval

RESOLUTION NO. R-025- _____

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

A RESOLUTION APPROVING THE SERVICE PLAN OF
SUNDOWN OAKS METROPOLITAN DISTRICT

WHEREAS, on **[INSERT DATE]**, a service plan for the proposed Sundown Oaks Metropolitan District ("Service Plan") was filed with the Douglas County Clerk and Recorder ("Clerk"), and the Clerk, on behalf of the Board of County Commissioners ("Board"), mailed a Notice of Filing of Special District Service Plan to the Division of Local Government in the Department of Local Affairs on **[INSERT DATE]**; and

WHEREAS, on **[INSERT DATE]**, the Douglas County Planning Commission recommended approval of the Service Plan to the Board; and

WHEREAS, on **[INSERT DATE]**, the Board set a public hearing on the Service Plan for **[INSERT DATE]** ("Public Hearing"), and (1) ratified publication of the notice of the date, time, location and purpose of such Public Hearing, which was published in *The Douglas County News-Press* on **[INSERT DATE]**; and (2) caused notice of the date, time and location of the Public Hearing to be mailed on **[INSERT DATE]**, to the governing body of the existing municipalities and special districts which have levied an *ad valorem* tax within the next preceding tax year and which have boundaries within a radius of three miles of the proposed boundaries of Sundown Oaks Metropolitan District ("District") and, on **[INSERT DATE]**, to the petitioners and to the property owners, pursuant to the provisions of § 32-1-204(l.5), C.R.S.; and

WHEREAS, on **[INSERT DATE]**, a Public Hearing on the Service Plan was opened at which time all interested parties, as defined in § 32-1-204, C.R.S., were afforded an opportunity to be heard, and all testimony and evidence relevant to the Service Plan and the organization of the proposed District was heard, received and considered.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO, THAT:

Section 1. The Board does hereby determine that all procedural requirements of §§ 32-1-201, *et seq.*, C.R.S., relating to the Service Plan have been fulfilled and that the Board has jurisdiction in the matter.

Section 2. The Board does hereby find:

(a) that there is sufficient existing and projected need for organized service in the area to be serviced by the proposed District; and

(b) that the existing service in the area to be served by the proposed District is inadequate for present and projected needs; and

(c) that the proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries; and

(d) that 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; and

(e) that adequate service is not, or will not be, available to the area through Douglas County or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis; and

(f) that the facility and service standards of the proposed District are compatible with the facility and service standards of Douglas County and each municipality which is an interested party under § 32-1-204, C.R.S.; and

(g) that the proposal is in substantial compliance with the Douglas County Comprehensive Master Plan; and

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

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

(j) that 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 §§ 32-1-201, *et seq.*, C.R.S.

Section 3. The Board hereby approves the Service Plan without conditions; provided, however, that such action shall not imply the approval of any land development activity within the proposed District or its service area, or of any specific number of buildable units identified in the Service Plan, unless the Board has approved such development activity as part of a separate development review process.

Section 4. The legal description of the District shall be as provided in **Exhibit A**, attached hereto and incorporated herein by reference.

Section 5. A certified copy of this resolution shall be filed in the records of Douglas County.

PASSED AND ADOPTED this ___ day of _____, 20__, in Castle Rock, Douglas County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

BY: _____
, Chair

ATTEST:

_____

_____
Deputy Clerk

EXHIBIT A
(Legal Description)

Exhibit H
Compliance with Section 18A, Water Supply – Overlay District

December 21, 2023 **WATER PLAN for 95CW288 and 2022CW3071 decrees**

Oak Bluff and Sundown Subdivisions Water Plan, approximately 179 acres

Oak Bluff subdivision consists of 21 Rural Residential home sites roughly 4.5 to 5 acres on 106acres. Sundown subdivision consists of 17 homesites, approximately 2 acres each, on 73 acres. Combined these subdivisions are approximately 179acres. These sites are located east of Franktown near the southwest corner of Burning Tree Drive and Tanglewood Road. The site lies in the NE quarter of Section 1, Township 8S, Range 66W and in the NW quarter of Section 6, Township 8S, Range 65W of the 6th P.M. The Rural Residential single family home sites will be served by individual well and septic systems. There are no wells currently on the property.

Source of Water

A water supply letter by Hayes Poznanovic Korver, LLC. dated 4-18-23 defines the amounts of water available under two decreed cases see attachment A. The water decreed in Case No. 95CW288 for Parcel A(190.73acres) and in Case No. 2022CW3071 used to serve the lot owners and the Home Owner's Association (HOA). Upper Dawson water will have groundwater reserved by the HOA's for augmentation.

Aquifer	Decreed volumes in Case No. 1995CW288	**Prorated amount for 179acres**
Upper Dawson	44.2 acre feet (NNT)	41.5 af (NNT)
Lower Dawson	24.0 acre feet (NT)	22.5 af (NT)
Denver	64.8 acre feet (NT)	60.8 af (NT)
Arapahoe	89.2 acre feet (NT)	83.7 af (NT)
Laramie-Fox Hills	55.8 acre feet (NT)	52.4 af (NT)

Aquifer	Decreed volumes in Case No. 2022CW3071
Upper Dawson	11.15acre feet (NNT)*decreed augmentation plan, 10.8 af (NNT)

Water Demand

As per the water demand standards in Douglas County Zoning Resolution Section 18A, the home sites will require 1 acre foot of water per year, and irrigated areas will require 2.5 acre feet per acre. In addition, a 30,000 gallon water tank will be constructed and filled on Tract A, 0.1 acre foot of water demand is dedicated for use to fill the 30,000 gallon fire water storage tank as necessary (proposed for Lower Dawson well). Augmentation water for the Upper Dawson aquifer withdraws will also be reserved in the Laramie-Fox Hills aquifer and dedicated to the Oak Bluff and Sundown Home Owner's Associations.

38 Rural Residential home sites (1acre foot, Douglas County requirement)	38.0 acre feet
.8 acre irrigated area at 2 entries	2.0 acre feet
Fire water storage and use	0.1 acre feet
Total demand from development	40.1 acre feet

Water Allocation Plan
OAK BLUFF and SUNDOWN

Upper Dawson Aquifer Total Available: 41.5+10.8 = 52.3 acre feet per year(100year supply)
Although the expected use is 1 acre foot per year (100year supply), all 38 lots will be allocated 1.3 acre feet as follows: Lots 1 through 12 in Sundown will be allocated 0.9af from Case No. 2022CW3071 for a total of 10.8af. Lots 1 through 12 Sundown will also be allocated 0.4af from Case No. 95CW288 for a total of 4.8af.
The remaining allocations are from Case No. 95CW288; Lots 13 through 17, Sundown and Lots 1 through 21, Oak Bluff will be allocated 1.3acre feet per year. The Oak Bluff HOA will be allocated 1.6 acre feet for irrigation. The Sundown Home Owner's Association will be allocated 1.3 acre feet for irrigation or other uses allowed in the decree. The total 52.3 acre feet will be augmented with water from the Laramie-Fox Hills aquifer, if necessary, augmentation water will be reserved by the respective HOA's.

Lower Dawson Aquifer Total: 22.5 acre feet
All 38 lots will be allocated 0.5 acre feet each (19 acre feet) in the Lower Dawson Aquifer for future use, the Oak Bluff Home Owners Association will be allocated 2 acre feet and Sundown HOA allocated 1.5 acre feet for a total of 22.5 acre feet. The Oak Bluff Home Owners Association may access the Lower Dawson Aquifer for filling of the 30,000gal. fire suppression water tank, if other methods of filling the tank are not chosen.

Denver Aquifer Total: 60.8 acre feet
All 38 residential lots will be allocated 1.6 acre feet per lot for a total of 60.8 acre feet.

Arapahoe Aquifer Total: 83.7 acre feet
All 38 residential lots will be allocated 2.1 acre feet per lot (79.8 acre feet).
The Oak Bluff Home Owners Association will be allocated 2.2 acre feet and Sundown HOA will be allocated 1.7 acre feet. Total allocation of Arapahoe aquifer 83.7 acre feet per year (100yr supply).

Laramie-Fox Hills Aquifer Total: 52.4 acre feet
The Oak Bluff Home Owners Association will be allocated 27.5af + 1.6af = 29.1 acre feet.
The Sundown Home Owner's Association will be allocated 22.3af + 1 af = 23.3 acre feet.
To be reserved by the HOA's for future augmentation.

These amounts in each aquifer will be conveyed at time of lot purchase and will remain attached to the lot and/or the respective Oak Bluff or Sundown Home Owners Associations. The property will have restrictive covenants to enforce this water plan and dedicate the water to the land owners and Home Owners Associations with the restriction the water cannot be conveyed or sold.

Attachment A	Water Supply Letter	
Attachment B	Water decrees	
Attachment C	Vicinity Map	Prepared by: Phil Giesing P.E.27384

HAYES POZNANOVIC KORVER LLC
ATTORNEYS AT LAW

700 17TH STREET, SUITE 1800
DENVER, COLORADO 80202

TELEPHONE (303) 825-1980 FACSIMILE (303) 825-1983

April 18, 2023

Douglas County Community & Development Services
100 Third St, #220
Castle Rock, CO 80104

Re: Oakbluff Minor Development
Sundown Minor Development

To Whom it May Concern:

The following provides an overview of the proposed water supplies that will serve up to thirty-eight (38) residential lots, on a total of 177.323 acres, generally located in the N1/2 of the NE1/4 of Section 1, Township 8 South, Range 66 West of the 6th P. M., and the N1/2 of the NW1/4, and the NW1/4 of the NW1/4 of Section 6, Township 8 South, Range 65 West of the 6th P.M., in Douglas County ("Subject Property"). This letter is based on amounts of groundwater decreed and the augmentation plan approved in Case Nos. 1995CW288 and 2022CW3071, District Court, Water Division 1. The groundwater appears to be owned by the Applicant. This letter provides no opinion on the actual physical supply of groundwater available and is not a title opinion. Each lot will each be served by an individual well.

Each subdivision will have the following number of single-family units:

- Oak Bluff – 21 lots
- Sundown – 17 Lots

Each subdivision will use individual wells into the Upper Dawson Aquifer.

Decreed Annual Volumes

The following volumes are available and approved for use, reuse, and successively use and, after use, leased, sold, or otherwise disposed of for the municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, to be used on or off the land. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes both on and off the Subject Property. The groundwater in the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers is nontributary ("NT") as defined in C.R.S. §§ 37-82-101(2) and 37-92-102(l)(b), and the groundwater in the Upper Dawson is not-nontributary ("NNT") as described in C.R.S. §§ 37-90-103(10.7) and 37-90-137(9)(c.5).

Decreed Volumes in Case No. 1995CW288:

Aquifer	Annual Amount (100 Years)
Upper Dawson (NNT)*	44.2 acre-feet
Lower Dawson (NT)	24.0 acre-feet
Denver (NT)	64.8 acre-feet
Arapahoe (NT)	89.2 acre-feet
Laramie-Fox Hills (NT)	55.8 acre-feet

* 12 acre-feet was reserved for future exempt wells, a portion of which was decreed in Case No. 22CW3071.

Decreed Volumes in Case No. 2022CW3071:

Aquifer	Annual Amount (100 Years)
Upper Dawson (NNT)	11.15 acre-feet

Augmentation Plans

Case No. 1995CW288:

The 1995CW288 Decree approved and augmentation plan for the use of up to 44.2 acre-feet per year of NNT Upper Dawson Aquifer groundwater for 100 years for in-house, stock watering, and irrigation uses.

Case No. 2022CW3071:

The 2022CW3071 Decree approved an augmentation plan for the use of up to 10.8 acre-feet per year NNT Upper Dawson Aquifer groundwater for 100 years for in-house, irrigation, and fire protection uses.

Water Supply Sufficiency

The amount of groundwater in the NNT Upper Dawson Aquifer underlying the Subject Property allowed to be withdraw under the augmentation plans is sufficient to provide in-house and irrigation use on the Subject Property for up to 38 residential wells, each withdrawing up to 1.3 acre-feet per year for 100 years.

If you have any questions or comments, please feel free to call.

Sincerely,

HAYES POZNANOVIC KORVER LLC

Eric K Trout

Eric K. Trout

DISTRICT COURT, WATER DIVISION 1, COLORADO Weld County Courthouse P.O. Box 2038 Greeley, CO 80632	DATE FILED: October 27, 2022 3:36 PM CASE NUMBER: 2022CW3071 **▲ COURT USE ONLY ▲**
APPLICATION FOR UNDERGROUND WATER RIGHTS AND PLAN FOR AUGMENTATION OF OAK BLUFF SUBDIVISION, LLC. and SUNDOWN SUBDIVISION, LLC., Applicants, IN DOUGLAS COUNTY	Case Number: 2022CW3071
FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, AND JUDGMENT AND DECREE	

A claim for a plan for augmentation was filed in this case on May 26, 2022. All matters contained in the application having been reviewed, such testimony having been taken and evidence presented as was necessary, and being otherwise fully advised in the premises, it is hereby the Findings of Fact, Conclusions of Law, Ruling of the Referee, and Judgment and Decree, as follows:

FINDINGS OF FACT

1. Name and address of Applicants:

   Oak Bluff Subdivision, LLC., a Colorado limited liability company
   Sundown Subdivision, LLC., a Colorado limited liability company
   609 W Littleton Blvd, Suite 206
   Littleton, CO 80120

2. Statements of Opposition: No statements of opposition were filed and the time for filing of such statements has expired.

3. Subject Matter Jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.

4. Consultation: The Water Referee consulted with the Division Engineer, as required by C.R.S. § 37-92-302(4), on the application, on August 8, 2022, and the Division Engineer filed its summary of consultation on August 31, 2022. The amounts herein are consistent with and conform to the values and amounts referenced in the State Engineer's Determinations of Facts dated August 9, 2022.

GROUNDWATER RIGHTS

5. Subject Property: Approximately 177.323 acres on 4 contiguous parcels generally located in the N1/2 of the NE1/4 of Section 1, Township 8 South, Range 66 West of the 6th P.M., and the N1/2 of the NW1/4, and the NW1/4 of the NE1/4,
6. of Section 6, Township 8 South, Range 65 West of the 6th, P.M., Douglas County, State of Colorado, as shown on Exhibit A ("Subject Property").

7. Prior Decree Information: The groundwater underlying the Subject Property was decreed in Case No. 1995CW288, District Court, Water Division 1 on July 25, 1996, (the "95CW288 Decree"). The groundwater was conveyed to the Applicants via the quitclaim deeds recorded at Reception Nos. 2020061315, 2020061316, 2020061328, 2020061329 on July 13, 2020, at the Douglas County Clerk and Recorder's Office.

8. Annual Amount: Upper Dawson Aquifer groundwater was reserved for exempt uses under Parcel A in the 95CW288 Decree. The Subject Property is a part of Parcel A. This decree adjudicates a portion of the reserved Upper Dawson Aquifer groundwater. The volume below is based on a 100-year aquifer life:

Aquifer	Annual Amount (acre-feet)	Total Amount (acre-feet)
Upper Dawson (NNT)	11.15	1,115

7. 95CW288 Decreed Uses: The water withdrawn from the subject aquifers will be used, reused, and successively used and, after use, leased, sold or otherwise disposed of for the municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, to be used on or off the land. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes.

8. Decreed Uses: Domestic, including in-house use, commercial, irrigation, stockwatering, fire protection, and augmentation purposes, including storage, both on and off the Subject Property.

PLAN FOR AUGMENTATION

9. Plan for Augmentation:

   9.1 Groundwater to be Augmented: 10.8 acre-feet per year for 100 years of not-nontributary Upper Dawson Aquifer groundwater.

   9.2 Water to be Used for Augmentation: Return flows associated with use of the not-nontributary Upper Dawson Aquifer and return flows or direct discharge of nontributary groundwater.

9.3 The Upper Dawson Aquifer groundwater will be used on up to twelve (12) lots, in up to twelve (12) individual wells (0.9 acre-feet per well), for in-house use in one single-family residence (0.3 acre-feet per year per well, 3.6 acre-feet per year total), irrigation, including lawn, garden, and trees of up to 12,000 square-feet per lot (0.6 acre-feet per well, 7.2 acre-feet per year), and fire protection, through one or more wells on the Subject Property. Conservatively, water use in single-family dwellings will equal at least 0.2 acre-feet of water annually for in-house uses, and the use of non-evaporative septic systems typically results in consumption of approximately 10% of such use, resulting in return flows of at least 0.18 acre-feet per year from each single-family residence, and 2.16 acre-feet per year at full build-out. Various components of this plan for augmentation are predicated on these estimations, and Applicants shall be required to use a non-evaporative septic system to treat and dispose of water used for in-house use.

9.4 Replacement During Pumping: During pumping of the Upper Dawson Aquifer groundwater, Applicants will replace actual depletions to the affected stream system pursuant to C.R.S. § 37-90-137(9)(c.5). In the 100th year, the total depletion is 12.49% of the amount withdrawn or 1.35 acre-feet total. Return flow from in-house use of the Upper Dawson Aquifer water for the residences is at least 0.18 acre-feet per year, and 2.16 acre-feet per year at full build-out, as described above, and such return flow is sufficient to replace actual depletions for pumping of the entire 10.8 acre-feet per year for 100 years. Return flows accrue to the South Platte River system via Cherry Creek. Because return flows from all uses are estimated rather than measured, Applicants agree that such return flows shall be used only to replace depletions under this plan for augmentation and will not be sold, leased, traded, or assigned in whole or in part for any other purpose. If for any reason, sufficient return flows are not available to replace the actual depletions shown on **Exhibit B**, the Applicants, or successors in interest, are required to pump water directly into the stream in the amount that has not been replaced by return flows. If such water is withdrawn from the Upper Dawson Aquifer well(s) operated under the augmentation plan the amount of water being pumped from the well(s) for other purposes must be reduced so that the allowed annual withdrawal from the well(s) is not exceeded. Such replacement must be made prior to the irrigation season for the following year.

9.5 Post-pumping Depletion Augmentation: Assuming maximum pumping of 10.8 acre-feet per year for 100 years from the Upper Dawson Aquifer, the maximum total depletion to the affected stream systems is approximately 13.92% of the annual amount withdrawn or 1.50 acre-feet in the 130th year. Applicants will reserve 10.8 acre-feet per year, 1,080 acre-feet total, of the nontributary Laramie-Fox Hills Aquifer groundwater decreed in the 95CW288 Decree, owned by Applicants, for use in this plan, but reserves the right to substitute the use of other nontributary groundwater, including return flows, either underlying the Subject Property, or from another location which is legally available for such purpose, for replacement of post-pumping depletions at such time that post-pumping

depletions may begin. The Court retains continuing jurisdiction in this matter to determine if the supply is adequate.

9.6 Applicants will begin making post pumping replacements when (1) the Applicants or successors in interest have acknowledged in writing that all withdrawals for beneficial use of the Upper Dawson Aquifer groundwater has permanently ceased, or (2) for a period of 10 consecutive years that no Upper Dawson Aquifer groundwater has been withdrawn. Until such time as the post pumping depletions begin the Applicant must continue to replace during pumping depletions to the stream using return flows, by pumping water directly to the stream to replace such depletions or using another replacement source approved by the Division Engineer. At the time that post pumping depletions begin as described in this paragraph, Applicant or successors in interest will be required to construct a well and pump groundwater to replace post-pumping depletions, subject to the terms and conditions of Paragraph 8.5. This condition constitutes a covenant running with the land.

9.7 Applicants will replace post-pumping depletions for the shortest of the following periods: (1) The period provided by C.R.S. § 37-90-137(9)(c.5), or (2) the expressed period specified by the Colorado Legislature, should it specify one and providing the Applicant obtain Water Court approval for such modification, or (3) the period determined by the State Engineer, should they choose to set such a period and have jurisdiction to do so, or (4) the period established through rulings of the Colorado Supreme Court on relevant cases, or (5) until Applicant petition the Water Court and the State Engineer's Office and prove that they have complied with any statutory requirement.

10. Failure of Applicants and/or successors in interest to comply with the terms of the decree may result in an order of the Division Engineer's office to curtail or eliminate pumping of the well. This decree shall be recorded in the real property records of Elbert County so that a title examination of the property, or any part thereof, shall reveal to all future purchasers the existence of this decree.

11. Administration of Plan for Augmentation:

11.1 Applicants shall report to the Division Engineer for Water Division 1 upon request, a summary of the amount of water pumped by each Denver Basin well, the annual depletion, the amount of replacement water provided by each replacement source, the net impact on the stream and any other information required by the Division Engineer to properly administer the decree on an accounting form acceptable to the Division Engineer.

11.2 All withdrawals which are the subject of this decree will be metered.

11.3 Pursuant to C.R.S. § 37-92-305(8), the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

11.4 The Applicants, or successors in interest, at the direction of the Division Engineer shall make post-pumping replacements to the South Platte River stream system via Cherry Creek, or its tributaries, pursuant to the amounts referenced on the depletion curve attached on **Exhibit B**.

12. Retained Jurisdiction for Plan for Augmentation:

12.1 Pursuant to C.R.S. § 37-92-304(6), the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.

12.2 Any party seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify this decree shall set forth with particularity the factual basis and the requested decretal language to effect the petition. The party lodging the petition shall have the burden of going forward to establish prima facie facts alleged in the petition. If the Court finds those facts to be established, Applicants shall thereupon have the burden of proof to show: (1) that any modification sought by Applicants will avoid injury to other appropriators, or (2) that any modification sought by Objector is not required to avoid injury to other appropriators, or (3) that any term or condition proposed by Applicants in response to the objector's petition does avoid injury to other appropriators.

12.3 The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary water for use on the Subject Property is required. After notice to the State Engineer's Office, if Applicants can demonstrate to the Court that post-pumping depletions need no longer be replaced, the Court may remove the requirement that the nontributary water must be reserved.

CONCLUSIONS OF LAW

13. Full and adequate notice of the application was given, and the Court has jurisdiction over the subject matter and over the parties whether they have appeared or not.

14. Applicants have complied with all requirements and met all standards and burdens of proof, including but not limited to C.R.S. §§ 37-90-137(9)(c.5), 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(3), (4), (6), (8), to adjudicate the plan for augmentation and are

entitled to a decree confirming and approving the plan for augmentation as described in the Findings of Fact.

15. The Water Court has jurisdiction over this proceeding pursuant to C.R.S. § 37-90-137(6). This Court concludes as a matter of law that the application herein is one contemplated by law pursuant to C.R.S. § 37-90-137(4). The application for a decree confirming Applicants' right to withdraw and use groundwater decreed herein from the Upper Dawson Aquifer should be granted pursuant to C.R.S. §§ 37-90-137(4) and (9)(c.5), subject to the provisions of this decree. The withdrawal of up to 10.8 acre-feet per year and 1,080 acre-feet total of the Upper Dawson Aquifer groundwater, and in accordance with the terms of this decree and the 95CW288 Decree, will not injuriously affect the owner of or persons entitled to use water under a vested water right or a decreed conditional water right. The remaining amount of Upper Dawson Aquifer groundwater decreed in Case No. 95CW288 and herein will not be withdrawn and used until it is included in a separate plan for augmentation.

JUDGMENT AND DECREE

16. The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Ruling and Decree as if the same were fully set forth herein.

17. Applicants and/or successors may withdraw the subject groundwater herein through wells to be permitted by the State Engineer's Office located anywhere on the Subject Property in the average annual amounts and at the estimated average rates of flow specified herein, subject to the limitations herein and the retained jurisdiction by this Court.

18. Applicants may withdraw an average annual amount of 10.8 acre-feet per year and not more than 1,080 acre-feet total of the Upper Dawson Aquifer groundwater under the plan for augmentation decreed herein pursuant to § 37-90-137(9)(c.5), C.R.S.

19. The groundwater rights described in the Findings of Fact are hereby approved, confirmed and adjudicated, including and subject to the terms and conditions specified herein and in the 95CW288 Decree. No owners of or persons entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the pumping of Applicants' groundwater resources as decreed herein.

20. Pursuant to C.R.S. § 37-92-305(5), the replacement water herein shall be of a quality so as to meet the requirements for which the water of the senior appropriator has normally used.

21. The plan for augmentation as described in the Findings of Fact is hereby approved, confirmed, and adjudicated, including and subject to the terms and conditions specified herein.

22. No owners of or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the operation of the plan for augmentation as decreed herein.

23. Retained Jurisdiction:

23.1 The Court retains jurisdiction as necessary to adjust the average annual amounts of groundwater available under the Subject Property to conform to actual local aquifer characteristics as determined from adequate information obtained from wells, pursuant to C.R.S. § 37-92-305(11). Within 60 days after completion of any well decreed herein or any test hole(s), Applicants or any successor in interest to these water rights shall serve copies of such log(s) upon the State Engineer.

23.2 At such time as adequate data is available, any person, including the State Engineer, may invoke the Court's retained jurisdiction to make a Final Determination of Water Right. Within four months of notice that the retained jurisdiction for such purpose has been invoked, the State Engineer shall use the information available to him to make a final determination of water rights findings. The State Engineer shall submit such finding to the Water Court and the Applicants.

23.3 If no protest to such finding is made within 60 days, the Final Determination of Water Rights shall be incorporated into the decree by the Water Court. In the event of a protest, or in the event the State Engineer makes no determination within four months, such final determination shall be made by the Water Court after notice and hearing.

23.4 Except as otherwise provided in Paragraphs 23.1-23.3, above, pursuant to C.R.S. § 37-92-304(6), the plan for augmentation decreed herein shall be subject to the reconsideration of this Court on the question of material injury to vested water rights of other, for a period of five (5) years. Any person, within such period, may petition the Court to invoke its retained jurisdiction. Any person seeking to invoke the Court's retained jurisdiction shall file a verified petition with the Court setting forth with particularity the factual basis for requesting that the Court reconsider injury to petitioner' s vested water rights associated with the operation of this decree, together with proposed decretal language to effect the petition. The party filing the petition shall have the burden of proof of going forward to establish a prima facie case based on the facts alleged in the petition. If the Court finds those facts are established, Applicants shall thereupon have the burden of proof to show: (i) that the petitioner is not injured, or (ii) that any modification sought by the petitioner is not required to avoid injury to the petitioner, or (iii) that any term or condition proposed by Applicants in response to the petition does avoid injury to the petitioner. The Division of Water Resources as a petitioner shall be entitled to assert injury to the vested water rights of others. If no such petition is filed within such period and the retained jurisdiction period is not extended by the

Court in accordance with the provisions of the statute, this matter shall become final under its own terms.

Continuing Jurisdiction: Pursuant to C.R.S. § 37-92-304(6), the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration by the water judge on the question of injury to the vested rights of others for such period after the entry of such decision as is necessary or desirable to preclude or remedy any such injury.

24. The groundwater rights decreed herein are vested property rights appurtenant to the Subject Property and shall remain appurtenant unless expressly severed by conveyance to someone other than the property owner. If any deed for the Subject Property is silent to the conveyance of the water rights decreed herein, it is assumed that the water rights have been conveyed as an appurtenance to the Subject Property, unless all or part of the water rights have been previously severed.

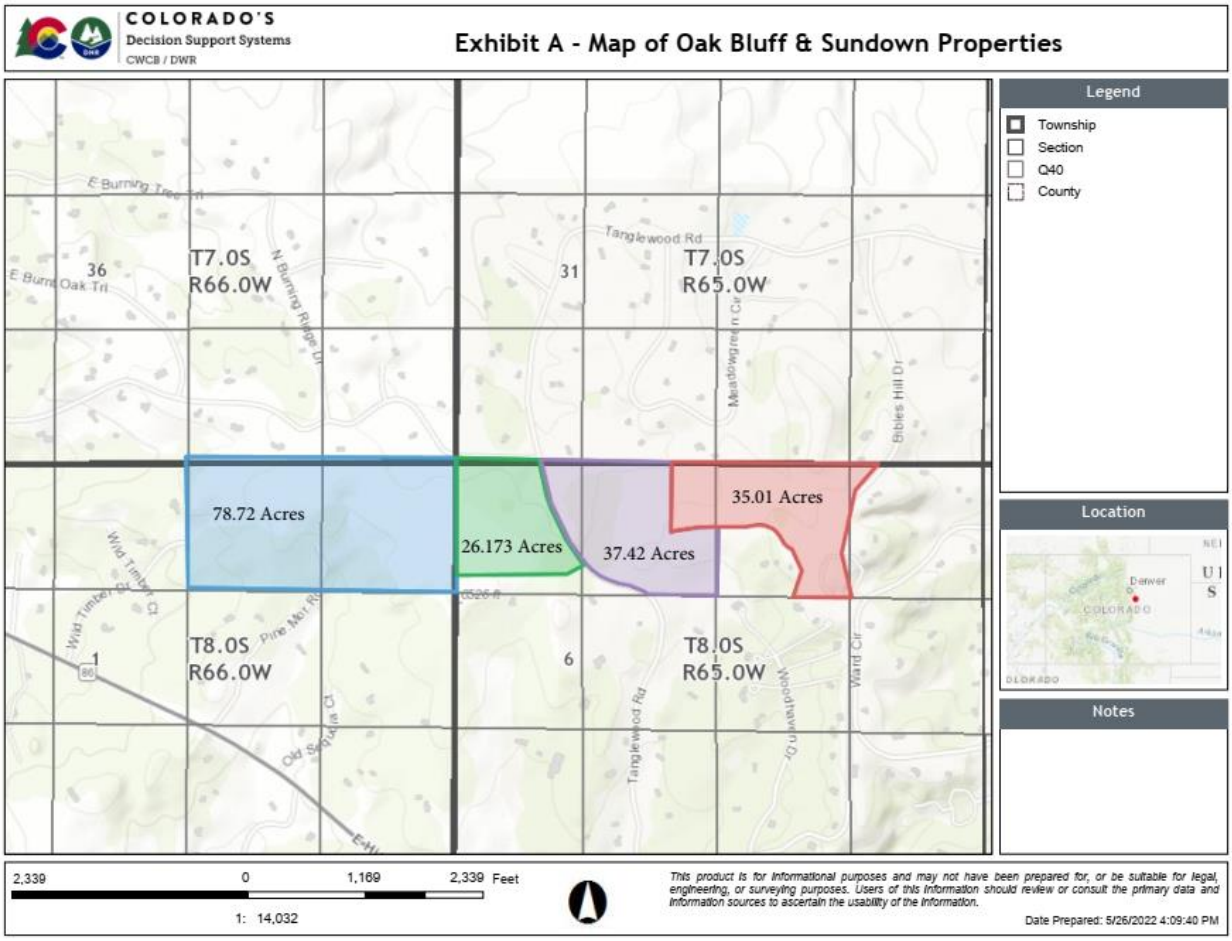
Date: October 5, 2022

John S. Cowan
Water Referee
Water Division One

The Court finds that no protest was filed in this matter. The foregoing is confirmed and is made the judgment and decree of this Court.

Date: October 27, 2022

_____
Shannon Lyons
Alternate Water Judge
Water Division One



Oak Bluff Subdivision, et al.
22CW3071

EXHIBIT A

Oak Bluff & Sundown Properties – Legal Descriptions

78.72 Acres – Oak Bluff Subdivision – Legal Description

N1/2 NE1/4, Section 1, Township 8 South, Range 66 West of the 6th P.M.

26.173 Acres – Oak Bluff Subdivision – Legal Description

A part of the W1/2 of Section 6, Township 8 South, Range 65 West of the 6th P.M., being more particularly described as follows: Commencing at the NW corner of said Section 6, said point being the point of beginning; thence South 88 degrees 47 minutes 54 seconds West and along the North line of the NW¼ of said Section 6, a distance of 814.21 feet to a point on the centerline of an 80.00 foot wide ingress and egress easement; thence Southerly distance of 299.99 feet to a point of curve; 2. Along a curve to the left have a delta of 11 degrees 14 minutes 18 seconds, a radius of 1,016.35 feet, a distance of 199.35 feet measured along the arc to a point of tangent; 3. South 24 degrees 07 minutes 28 seconds East, a distance of 295.52 feet to a point of curve; 4. Along a curve to the left having a delta of 22 degrees 51 minutes 10 seconds, a radius of 406.95 feet, a distance of 162.31 feet measured along the arc to a point of reverse curve; 5. Along a curve to the right having a delta of 14 degrees 49 minutes 25 seconds, a radius of 730.30 feet, a distance of 188.94 feet measured along the arc to a point of reverse curve; thence South 61 degrees 02 minutes 29 seconds West, a distance of 209.52 feet; thence South 89 degrees 40 minutes 30 seconds West, a distance of 1,088.84 feet to a point on the West line of the NW1/4 of said Section 6; thence North 00 degrees 19 minutes 25 seconds West, a distance of 1,152.05 feet to the point of beginning. Basis of bearing is the West center line of the NW1/4 of said Section 6, being considered to bear North 00 degrees 19 minutes 25 second West.

37.42 Acres – Sundown Subdivision – Legal Description

A tract of land situated in the Northwest ¼ of Section 6, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Commencing at the North 1/4 corner of Section 6 and considering the North line of the Northwest ¼ Section 6 to bear N 88°55'53"W with all bearings contained herein relative thereto;
Thence N 88°55'53"W along said North line a distance of 479.21 feet to the True Point of Beginning; Thence N 88°55'53"W along said North line a distance of 1310.70 feet to a point on the centerline of an 80 foot easement recorded at Book 636 at Page 142; Thence Southeasterly along said centerline the following 9 courses;

1. Thence S 13°01'07"E a distance of 300.00 feet to a point of curve;
2. Thence Southeasterly along the arc of a curve to the left a distance of 199.35 feet, said curve has a radius of 1016.35 feet, a central angle of 11 °14'18" to a point of tangent;
3. Thence S 24°15'27"E a distance of 295.52 feet to a point of curve;
4. Thence Southeasterly along the arc of a curve to the left a distance of 162.31 feet, said curve has a radius of 406.95 feet, a central angle of 22°51 '07" to a point of reverse curve;
5. Thence Southeasterly along the arc of a curve to the right a distance of 188.94 feet, said curve has a radius of 730.31 feet, a central angle of 14°49'25" to a point of reverse curve;
6. Thence Southeasterly along the arc of a curve to the left ° a distance of 257.09 feet, said curve has a radius of 369.42 feet, a central angle of 39 52'28" to a point of tangent;
7. Thence S 72°09'37"E a distance of 112.92 feet to a point of curve;
8. Thence Southeasterly along the arc of a curve to the right a distance of 219.63 feet, said curve has a radius of 4169.13 feet, a central angle of 3°01 '06" to a point of a compound curve;
9. Thence Southeasterly along the arc of a curve to the right a distance of 75.70 feet, said curve has a radius of 311.60 feet, a central angle of 13°55'11" to a point of nontangent;

Thence S 88°49'13"E a distance of 716.83 feet to a point on the East line of the Northwest¼ of Section 6;
Thence N 1 °06'41"E along said East line a distance of 674.50 feet to a point on the South right of way line of a 60 foot easement;
Thence Westerly along said South right of way line the following 4 courses;

1. Thence N 88°53'53"W a distance of 34.04 feet to a point of curve;
2. Thence Westerly along the arc of a curve to the left a distance of 215.18 feet, said curve has a radius of 1470.00 feet, a central angle of 8°23'13" to a point of tangent;
3. Thence S 82°42'54"W a distance of 135.66 feet to a point of curve;
4. Thence Westerly along the arc of a curve to the left a distance of 99.75 feet, said curve has a radius of 420.00 feet, a central angle of 13°36'28" to a point of nontangent;

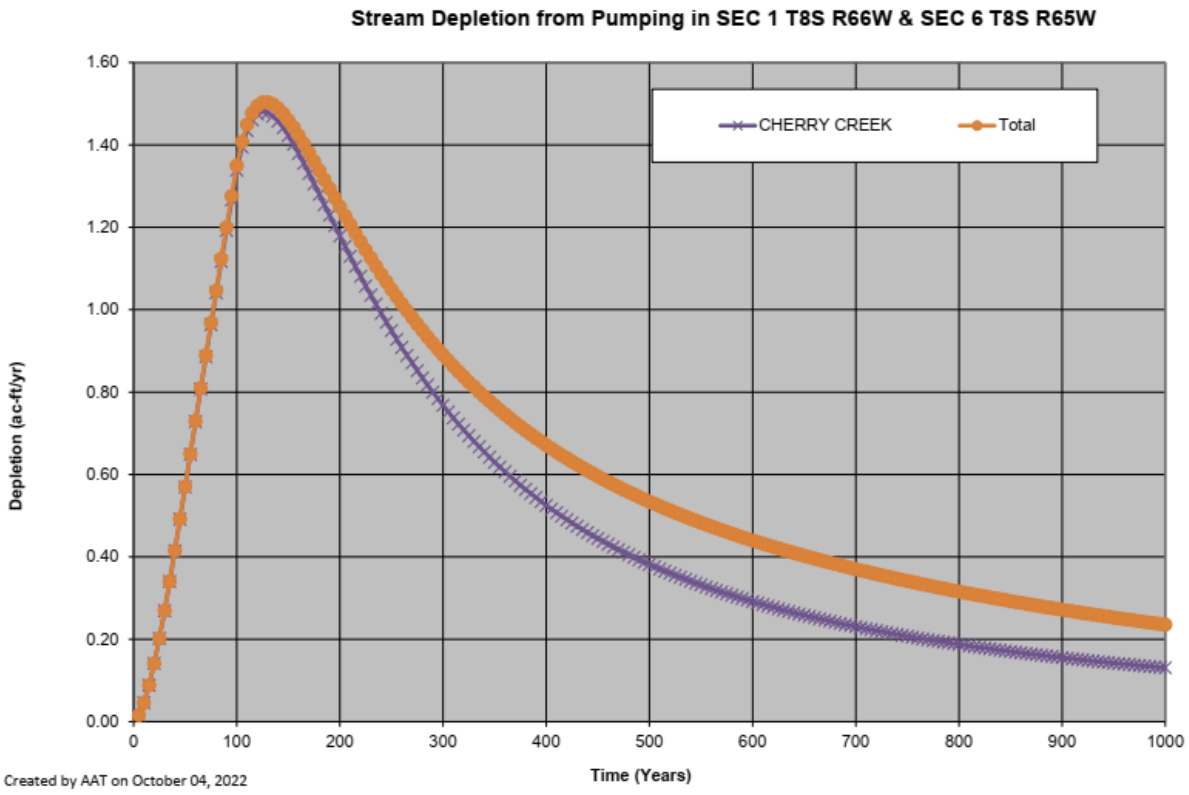
Thence N 1 °04'07"E a distance of 691.60 feet to the Point of Beginning.

35.01 Acres – Sundown Subdivision – Legal Description

A tract of land situated in the North 1/2 of Section, Township 8 South, Range 65 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:
Beginning at the North 1/4 corner of Section 6 and considering the North line of the Northwest ¼ Section 6 to bear N 88°55'53"W with all bearings contained herein relative thereto;
Thence N 88°55'53"W along said North line a distance of 479.21 feet;
Thence S 1°04'07"W a distance of 691.60 to a point on the Suth right of way line of a 60 foot easement;
Thence Westerly along said South right of way line the following 9 courses;

1. Thence Easterly along the arc of a curve to the right a distance of 99.75 feet, said curve has a radius of 420.00 feet, a central angle of 13°36'28" and a cord that Bears N 75°54'40"E a distance of 99.52 to a point of tangent;
2. Thence N 82°42'54"E a distance of 135.66 feet to a point of curve;
3. Thence Easterly along the arc of a curve to the Right a distance of 215.18 feet, said curve has a radius of 1470.00 feet, a central angle of 8°23'13" to a point of tangent;
4. Thence S 88°53'53"E a distance of 264.50 feet to a point of curve;
5. Thence Easterly along the arc of a curve to the left a distance of 16.64 feet, said curve has a radius of 500.00 feet, a central angle of 1 °54'26" to a point of tangent;
6. Thence N 80°19'56"E a distance of 119.06 feet to a point of curve;
7. Thence Southeasterly along the arc of a curve to the right a distance of 290.99 feet, said curve has a radius of 230.00 feet, a central angle of 72°29'20" to a point of tangent;
8. Thence S 27°12'34"E a distance of 25.30 feet to a point of curve;
9. Thence Southeasterly along the arc of a curve to the left a distance of 140.13 feet, said curve has a radius of 199.00 feet, a central angle of 40° 20'47" to a point of nontangent;

Thence S 25°22'25"E a distance of 232.32 feet;
Thence S 18°19'51"W a distance of 278.59 feet;
Thence S 89°29'09"E a distance of 576.25 feet;
Thence N 13°28'32"W a distance of 450.11 feet;
Thence N 12°44'04"E a distance of 633.61 feet;
Thence N 42°22'33"Ea distance of 350.63 feet to a point on the North line of the Northeast¼ of section 6;Thence N 89°29'42"W along said North line a distance of 1567.21 feet to the Point of Beginning.



Oak Bluff Subdivision, et al.
22CW3071

EXHIBIT B

CENTRAL FILES

DISTRICT COURT, WATER DIVISION 1, COLORADO

Case No. 95CW288

RECEIVED
AUG 01 1996
WATER RESOURCES
STATE ENGINEER
COLO.

FILED IN
DISTRICT COURT
JUN 26 '96
WELD COUNTY, COLO.

FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, JUDGMENT AND DECREE

CONCERNING THE APPLICATIONS FOR WATER RIGHTS OF CARROLL LAND COMPANY, INC. AND THE ESTATE OF WALLACE E. CARROLL,

IN DOUGLAS COUNTY.

This claim for for nontributary and not nontributary groundwater and approval of plan for augmentation, having been filed on December 29, 1995, and all matters contained in the application having been reviewed, and testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, the following is hereby the Ruling of the Referee as follows:

FINDINGS OF FACT

1. Name, address and telephone number of Applicants:

Carroll Land Company, Inc. and the Estate of Wallace E. Carroll
c/o 6300 South Syracuse Way, Suite 300
Englewood, Colorado 80111
(303) 773-2800

2. No statements of opposition were filed and the time for filing of such statements has expired.

3. Subject matter jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.

APPROVAL OF GROUNDWATER RIGHTS

4. Aquifers and location of ground water: Applicants seek a decree for rights to all ground water recoverable from the not nontributary Upper Dawson and nontributary Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers underlying two noncontiguous parcels of land. Parcel A is comprised of approximately 190.73 acres of land, located in parts of Section 1, T8S, R66W and Section 6, T8S, R65W, both of the 6th P.M., as more particularly described on Attachment A hereto. Parcel B is comprised of approximately 82.20 acres of land, located in parts of Section 2, T8S, R66W of the 6th P.M., as more particularly described and shown on Attachment B hereto. Both Parcels A and B ate shown on Attachment C hereto and are hereafter referred to as the "Subject Property". The Subject Property is not located within the boundaries of a designated ground water basin.

5. Well locations, pumping rates and annual amounts: The ground water may be withdrawn at rates of flow necessary to efficiently withdraw the amounts decreed herein so long as the permitted rates are not exceeded. The ground water underlying Parcel A will be withdrawn through any number of wells necessary, to be located at any location on Parcel A, and the ground water underlying Parcel B will be withdrawn through any number of wells necessary, to be located at any location on Parcel B, so long as the wells are located within 200 feet of their respective permitted locations. Applicants hereby waive any 600 foot spacing rule. Applicants may withdraw Upper Dawson groundwater decreed herein as associated with Parcel A through existing well Permit No. 103741, which will is completed into the Upper Dawson aquifer as described in the Determination of Facts for the Upper Dawson dated February 9, 1996. Applicants will apply for a new well permit for the existing well to change the well from an exempt to a fee well to withdraw the Upper Dawson groundwater decreed herein. The estimated annual amounts available for withdrawal underlying Parcels A and B are as follows:

PARCEL A

Aquifer	Saturated Thickness	Amount
Upper Dawson	150 feet	44.2 acre-feet(NNT)*
Lower Dawson	63 feet	24.0 acre-feet(NT)

Denver	200 feet	64.8 acre-feet(NT)
Arapahoe	275 feet	89.2 acre-feet(NT)
Laramie-Fox Hills	195 feet	55.8 acre-feet(NT)

*Amount reduced for Permit No. 103741 pursuant to the Determination of Facts for this aquifer, and reduced by 12 acre-feet per year for uses which are legally available pursuant to Section 37-92-602, C.R.S., on four 47.68 acre tracts of land. The amount of excluded groundwater for use through these exempt wells is approximately 1200 acre-feet from the total amount of groundwater available in the Upper Dawson aquifer underlying Parcel A, or 6.29 acre-feet per surface acre.

PARCEL B

Aquifer	Saturated Thickness	Amount
Upper Dawson	98 feet	10.1 acre-feet(NNT)*
Lower Dawson	46 feet	7.6 acre-feet(NT)
Denver	250 feet	35.0 acre-feet(NT)
Arapahoe	270 feet	37.8 acre-feet(NT)
Laramie-Fox Hills	190 feet	23.4 acre-feet(NT)

*Amount reduced by 6 acre-feet per year for uses which are legally available pursuant to Section 37-92-602, C.R.S., on two 41.14 acre tracts of land. The amount of excluded groundwater for use through these exempt wells is approximately 600 acre-feet from the total amount of groundwater available in the Upper Dawson aquifer underlying Parcel B, or 7.29 acre-feet per surface acre.

The amounts conform with the values and amounts referenced in the State Engineer's Determination of Facts dated February 9, 1996.

6. Proposed Use: The water withdrawn from the subject aquifers will be used, reused, successively used, and after use leased, sold, or otherwise disposed of for the following beneficial purposes: municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, both on and off the Subject Property. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes.

7. Final average annual amounts of withdrawal:

A. Final determination of the applicable average saturated sand thicknesses and resulting average annual amounts available to Applicants will be made pursuant to the retained jurisdiction of this Court, as described in paragraph 25 below. The court shall use the acre-foot

amounts in paragraph 5 herein in the interim period, until a final determination of water rights is made.

B. The allowed annual amount of ground water which may be withdrawn through the wells specified above and any additional wells, pursuant to 37-90-137(10), C.R.S., may exceed the average annual amount of withdrawal decreed herein for that aquifer, as long as the total volume of water withdrawn through such wells and any additional wells therefor subsequent to the date of this decree does not exceed the product of the number of years since the date of the issuance of any well permits or the date of this decree, whichever is earliest in time, multiplied by the average annual amount of withdrawal decreed herein for that aquifer, as specified above or as determined pursuant to the retained jurisdiction of the Court. However, amounts set forth in well permits will not be exceeded.

8. Source of ground water and limitations on consumption:

A. The ground water to be withdrawn from the Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers is "nontributary groundwater" as defined in 37-90-103(10.5), C.R.S., and in the Denver Basin Rules, the withdrawal of which will not, within 100 years, deplete the flow of a natural stream, including a natural stream as defined in 37-82-101(2) and 37-92-102(1)(b), C.R.S., at an annual rate greater than 1/10 of 1% of the annual rate of withdrawal. The ground water to be withdrawn from the Upper Dawson aquifer is "not nontributary" as defined in 37-90-137(9)(c), C.R.S. and such water may be withdrawn pursuant to the plan for augmentation approved herein.

B. Applicants may not consume more than 98% of the annual quantity of water withdrawn from the nontributary Lower Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers. The relinquishment of 2% of the annual amount of water withdrawn to the stream system, as required by the Denver Basin Rules effective January 1, 1986, may be satisfied by any method selected by the Applicants and accepted as satisfactory to the State Engineer, so long as Applicants can demonstrate that an amount equal to 2% of such withdrawals (by volume) have been relinquished to the stream system.

C. There is unappropriated groundwater available for withdrawal from the subject aquifers beneath the Subject Property, and the vested water rights of others will not be materially injured by such withdrawals as described herein. Withdrawals hereunder are allowed on the basis of an aquifer life of 100 years, assuming no substantial artificial recharge within 100 years. No material injury to vested water rights of others will result from the issuance of permits for wells which will withdraw nontributary groundwater or the exercise of the rights and limitations specified in this decree.

9. Additional wells and well fields:

A. Applicants may construct additional and replacement wells in order to maintain levels of production, to meet water supply demands or to recover the entire amount of groundwater in the subject aquifers underlying the Subject Property. As additional wells are planned, applications shall be filed in accordance with 37-90-137(10), C.R.S. However, water underlying Parcels A and B will only be withdrawn through wells located on each specific parcel.

B. Two or more wells constructed into a given aquifer on a specific parcel shall be considered a well field. In effecting production of water from such well field, Applicants may produce the entire amount which may be produced from any given aquifer through any combination of wells within the well field.

C. In considering applications for permits for wells or additional wells to withdraw the groundwater which is the subject of this decree, the State Engineer shall be bound by this decree and shall issue said permits in accordance with provisions of 37-90-137(10), C.R.S., subject to paragraph 5 herein.

D. In the event that the allowed average annual amounts decreed herein are adjusted pursuant to the retained jurisdiction of the Court, Applicants shall obtain permits to reflect such adjusted average annual amounts prior to withdrawing the adjusted amounts. Subsequent permits for any wells herein shall likewise reflect any such adjustment of the average annual amounts decreed herein.

E. The water in the Upper Dawson aquifer is not nontributary and up to 54.3 acre-feet per year and no more than 54.3 acre-feet total may be withdrawn pursuant to the augmentation plan decreed herein.

APPROVAL OF PLAN FOR AUGMENTATION

10. Approval of plan for augmentation:

A. Water to be augmented: Up to 44.2 acre-feet per year and 10.1 acre-feet per year of not nontributary Upper Dawson aquifer, underlying Parcels A and B, respectively.

B. Water to be used for augmentation: Return flows associated with use of the not nontributary Upper Dawson ground water and return flows or direct discharge of not nontributary or nontributary ground water decreed herein.

C. Development and Consumptive Use: The Upper Dawson aquifer groundwater may be used on the Subject Property for inhouse, stockwatering, and irrigation uses. Approximately 90% of the amount used for inhouse use and approximately 20% of water used for irrigation will return to the stream systems. All water used for stockwatering is considered to be consumed. Sewage treatment of inhouse use will be provided by non-evaporative septic systems.

D. Replacement during pumping: During pumping of the Upper Dawson ground water, Applicants will replace depletions to Cherry Creek in an amount of water equal to the actual depletions pursuant to §37-90-137(9)(c). In the 100th year, the total depletion to the stream system from withdrawals from the Upper Dawson aquifer on the Subject Property is approximately 14.472% of the amount withdrawn on an annual basis (7.86 acre-feet). Return flows from inhouse use and irrigation use accrues to Cherry Creek and those return flows are sufficient to replace actual depletions caused by pumping of up to 54.3 acre-feet per year from the Upper Dawson aquifer while the wells are being pumped. However, if there is not enough inhouse use or land being irrigated to supply the necessary return flows, Applicants may be required to directly discharge the not nontributary groundwater underlying the Subject Property to Cherry Creek. Because return flows from all uses are estimated rather than measured, Applicants agree that such return flows shall be used only to replace depletions under this plan for augmentation, and will not be sold, traded or assigned in whole or in part for any other purpose.

E. Postpumping Depletion Augmentation: Assuming maximum pumping of 54.3 acre-feet per year from the Upper Dawson aquifer for one hundred years, the maximum depletion based on a total withdrawal of 5430 acre-feet under this plan for augmentation is 15.869% (8.616 acre-feet) which occurs to Cherry Creek in the 119th year. It is Applicants' position that depletions which occur after pumping ceases are not injurious. The Office of the State Engineer does not agree with this position. Nevertheless, in order to reach settlement with the Office of the State Engineer, Applicants will reserve 4420 acre-feet and 1010 acre-feet of nontributary Laramie-Fox Hills water underlying Parcels A and B, respectively, decreed herein for use in this plan. The Court retains continuing jurisdiction in this matter to determine if the supply is adequate.

F. Applicants shall replace post-pumping depletions for the shortest of the following periods: the period provided by C.R.S. 37-90-137(9)(c); the expressed period specified by the Colorado Legislature, should it specify one and providing the Applicants obtain water court approval for such modification; the period determined by the State Engineer, should he choose to set such a period and have jurisdiction to do so; the period established through rulings of the Colorado Supreme Court on relevant cases, or until Applicants petition the water court and after notice to the State Engineer and any parties in the case and proves that he has complied with any statutory requirement.

11. Applicants shall pay the cost imposed by operation of this augmentation plan. Failure of either the Applicants or successors in interest to the Subject Property to comply with the terms of the decree may result in an order of the Division Engineer's office to curtail or eliminate pumping of the Upper Dawson groundwater. This decree shall be recorded in the real property records of Douglas County so that a title examination of the property, or any part thereof, shall reveal to all future purchasers the existence of this decree.

12. Administration of plan for augmentation:

A. Applicants shall report annually to the Division Engineer for Water Division 1 and the appropriate Water Commissioner the monthly metered withdrawals of each well, on an accounting form acceptable to the Division Engineer.

B. All withdrawals which are the subject of this decree will be metered.

C. Pursuant to 37-92-305(8), C.R.S., the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

D. The Applicants at the direction of the Division Engineer, shall make post pumping replacements to the Cherry Creek stream system pursuant to the amounts referenced on the depletion curve attached hereto on Attachment D.

13. Retained jurisdiction for plan for augmentation:

A. Pursuant to 37-92-304(6), C.R.S. the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.

B. Any person seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify the Decree shall set forth with particularity the factual basis upon which the requested decretal language to effect the petition. The party lodging the petition shall have the burden of going forward to establish prima facia facts alleged in the petition. If the court finds those facts to be established, Applicants shall thereupon have the burden of proof to show: (1) that any modification sought by Applicants will avoid injury to other appropriators, or (2) that any modification sought by Objector is not required to avoid injury to other appropriators or (3) that any term or condition proposed by Applicants in response to the Objectors' petition does avoid injury to other appropriators.

C. The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary water for use on the property is required. If

Applicants can demonstrate to the Court or by agreement with Objector that post-pumping depletions need no longer be replaced, the court may remove the requirement that the Laramie-Fox Hills nontributary water described above must be reserved.

CONCLUSIONS OF LAW

14. The Water Court has jurisdiction over this proceeding pursuant to 37-90-137(6), C.R.S. This Court concludes as a matter of law that the application herein is one contemplated by law. Section 37-90-137(4), C.R.S. The application for a decree confirming Applicant's right to withdraw and use all unappropriated ground water from the nontributary aquifers beneath the property as described herein pursuant to 37-90-137(4), C.R.S., should be granted, subject to the provisions of this decree. The application for a decree confirming Applicant's right to withdraw and use all ground water from the Upper Dawson aquifer should be granted pursuant to 37-90-137(4) and (9)(c), C.R.S., subject to the provisions of this decree. The withdrawal of up to 54.3 acre-feet annually of the Upper Dawson aquifer water in accordance with the terms of this decree will not result in material injury to vested water rights of others. Applicants shall apply for a new well permit for the existing well Permit No. 103741 to allow that well to withdraw Upper Dawson aquifer groundwater decreed herein.

15. This plan for augmentation satisfies the requirements of 37-90-137(9)(c), C.R.S. for replacement of actual depletions to the affected stream systems for withdrawals of up to 54.3 acre-feet per year and no more than 5430 acre-feet total from the Upper Dawson aquifer.

16. The rights to ground water determined herein shall not be administered in accordance with priority of appropriation. Such rights are not "conditional water rights" as defined by 37-92-103(6), C.R.S., requiring findings of reasonable diligence are not applicable to the ground water rights determined herein. The determination of ground water rights herein need not include a date of initiation of the withdrawal project. See 37-92-305(11), C.R.S

JUDGMENT AND DECREE

The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Ruling and Decree as if the same were fully set forth herein.

17. Full and adequate notice of the application was given and the Court has jurisdiction over the subject matter, and over the parties whether they have appeared or not.

18. For purposes of jurisdiction in this case, § 37-92-302(2), C.R.S., does not require that the application be supplemented with a well permit or evidence of its denial.

19. The Applicants may withdraw the subject ground water herein through wells to be located anywhere on the property, in the average annual amounts and at the estimated average rates of flow specified herein, subject to paragraph 5 above, and the retained jurisdiction by this Court.

20. Applicants may withdraw up to 54.3 acre-feet per year and no more than 5430 acre-feet total of not nontributary ground water from the Upper Dawson aquifer under the plan for augmentation decreed herein pursuant to § 37-90-137(9)(c), C.R.S.

21. Applicants has complied with all requirements and met all standards and burdens of proof, including but not limited to §§37-90-137(9)(c), 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(1), (2), (3), (4), (6), (8) and (9), C.R.S., to adjudicate their plan for augmentation, and is therefore entitled to a decree confirming and approving their plan for augmentation as described in the findings of fact.

22. Pursuant to section 37-92-305(5), C.R.S., the replacement water herein shall be of a quality so as to meet the requirements for which the water of the senior appropriator has normally used.

23. The proposed plan for augmentation as described in the findings of fact, is hereby approved, confirmed and adjudicated, including and subject to the terms and conditions specified herein.

24. No owners of, or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the operation of the plan for augmentation as decreed herein.

25. Retained Jurisdiction:

A. The Court retains jurisdiction as necessary to adjust the average annual amounts of groundwater available under the property to conform to actual local aquifer characteristics as determined from adequate information obtained from wells, pursuant to § 37-92-305(11), C.R.S. Within 60 days after completion of any well decreed herein, or any test hole(s), Applicants or any successor in interest to these water rights shall serve copies of any geophysical or other log(s) obtained from such well or test hole(s) upon the State Engineer.

B. At such time as adequate data is available, any person including the State Engineer may invoke the Court's retained jurisdiction to make a finding and determination of water rights availability. Within four months of notice that the retained jurisdiction for such purpose has been invoked, the State Engineer shall use the information available to him to make a final finding and determination of water rights availability. The State Engineer shall submit such finding to the Water Court and to the Applicants.

C. If no protest to such finding is made within 60 days, the Final Determination of Water Rights shall be incorporated into the decree by the Water Court. In the event of a protest, or in the event the State Engineer makes no determination within four months, such final determination shall be made by the Water Court after notice and hearing.

26. Continuing Jurisdiction.

A. Pursuant to § 37-92-304(6), C.R.S. the court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The court also retains continuing jurisdiction for the purposes of determining compliance with the terms of the augmentation plan, or for the purpose of amending this decree to provide for a different type of wastewater treatment.

Dated this 25 day of June, 1996.

Raymond S. Liesman
Water Referee
Water Division 1

THE COURT DOTH FIND THAT NO PROTEST WAS FILED IN THIS MATTER, THEREFOR THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: July 25, 1996

Jonathan W. Hays
Water Judge
Water Division 1

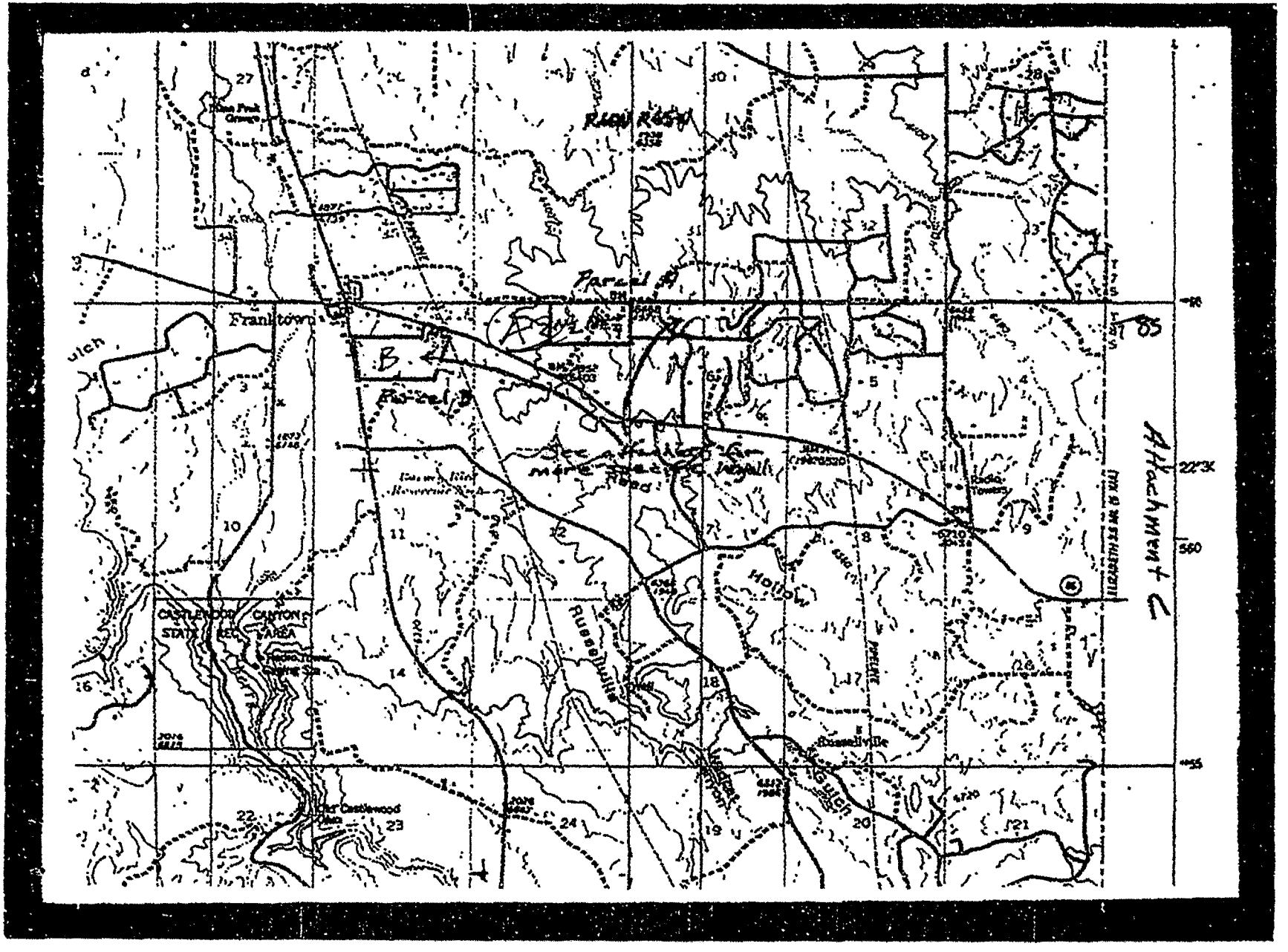

Parcel A
Parcel B
Franktown
Attachment C

EXHIBIT B

DISTRICT COURT, WATER DIVISION 1, COLORADO Court Address: P.O. Box 2038 Greeley, Colorado 80632	DATE FILED: December 2, 2015 11:01 AM CASE NUMBER: 2015CW3059
CONCERNING THE APPLICATION FOR WATER RIGHTS OF: CARROLL LAND COMPANY AND FRANKTOWN DEVELOPMENT COMPANY, Applicants, IN DOUGLAS COUNTY.	Δ COURT USE ONLY Δ Case Number: 2015CW3059

FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, AND JUDGMENT AND DECREE OF THE WATER COURT

A claim for approval of change of water right was filed in this case on May 29, 2015. All matters contained in the application having been reviewed, testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, the following is hereby the Ruling of the Referee:

FINDINGS OF FACT

1. Name and address of Applicant:

   Carroll Land Company and Franktown Development Company
   7505 Village Square Drive, #200
   Castle Pines, CO 80108

2. Opposers: No statements of opposition have been filed, and the time for filing of such statements has expired.

3. Subject matter jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.

4. Decree information: Case No. 95CW288, Water Division 1, decreed on July 25, 1996. The property which is the subject of the decree is approximately 273 acres located in parts of Sections 1 and 2, T8S, R66W, and Section 6, T8S, R65W of the 6th P.M., as shown on Attachment A (Subject Property).

5. Decreed change: In Case No. 95CW288, an augmentation plan was approved for the use of 54.3 acre-feet per year of not nontributary Upper Dawson aquifer groundwater for in-house, stock watering and irrigation uses. The decree also requires that an equal amount of nontributary

Laramie-Fox Hills aquifer groundwater be reserved for future use in the plan. By this change the augmentation plan is revised to reduce the annual amount of Upper Dawson aquifer groundwater which may be withdrawn pursuant to the plan for augmentation decreed in Case No. 95CW288 to 18.7 acre-feet per year. Also pursuant to this change, the amount of nontributary aquifer groundwater reserved for use in the augmentation plan is reduced to 18.7 acre-feet per year and 1870 acre-feet total.

6. No other parts of the decree in Case No. 95CW288 are changed herein.

CONCLUSIONS OF LAW

7. This Court has jurisdiction over the subject matter of these proceedings and over all who may be affected thereby, whether they have chosen to appear or not pursuant to Section 37-92-302, 37-92-304, and 37-92-305, C.R.S.

8. Timely and adequate notice of the pendency of this action was given in the manner provided by law.

9. The change of water rights decreed herein is, as a matter of law, permissible and comes within the definitions authorized by statute.

10. The terms and conditions as set forth in this decree are adequate to prevent injury to the owners of, or persons entitled to use, water under a vested water right or a decreed conditional water right pursuant to Section 37-92-305, C.R.S

11. Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation as decreed in Case No. 95CW288 for reconsideration of the question of whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also retains continuing jurisdiction for the purpose of determining compliance with the terms of the augmentation plan associated with the water herein.

JUDGMENT AND DECREE

12. The foregoing Findings of Fact and Conclusions of Law are fully incorporated herein.

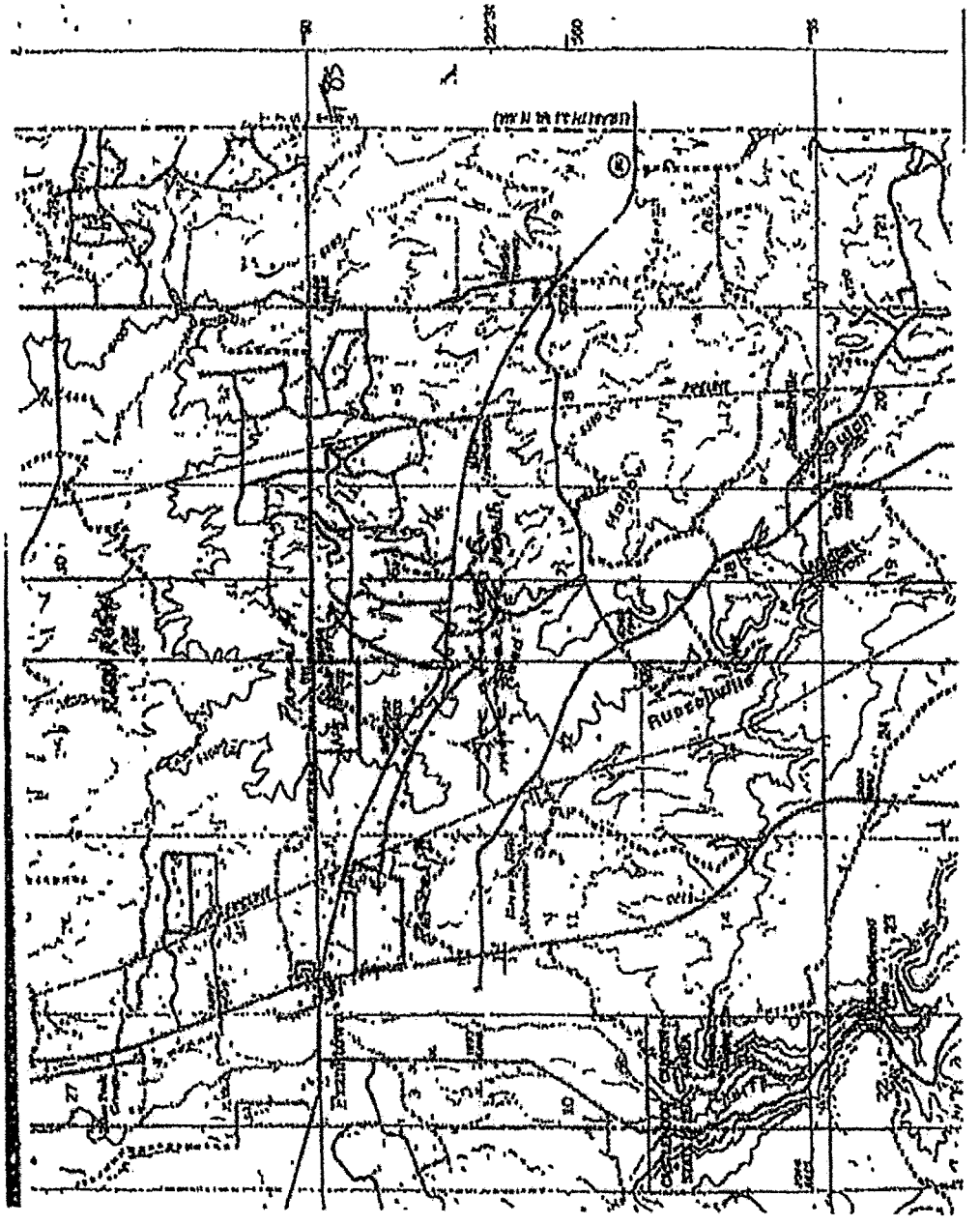
Date: November 9, 2015

John S. Cowan
Water Referee
Water Division 1

The court finds that no protest was filed in this matter. The foregoing ruling is confirmed and approved, and is made the judgment and decree of this Court.

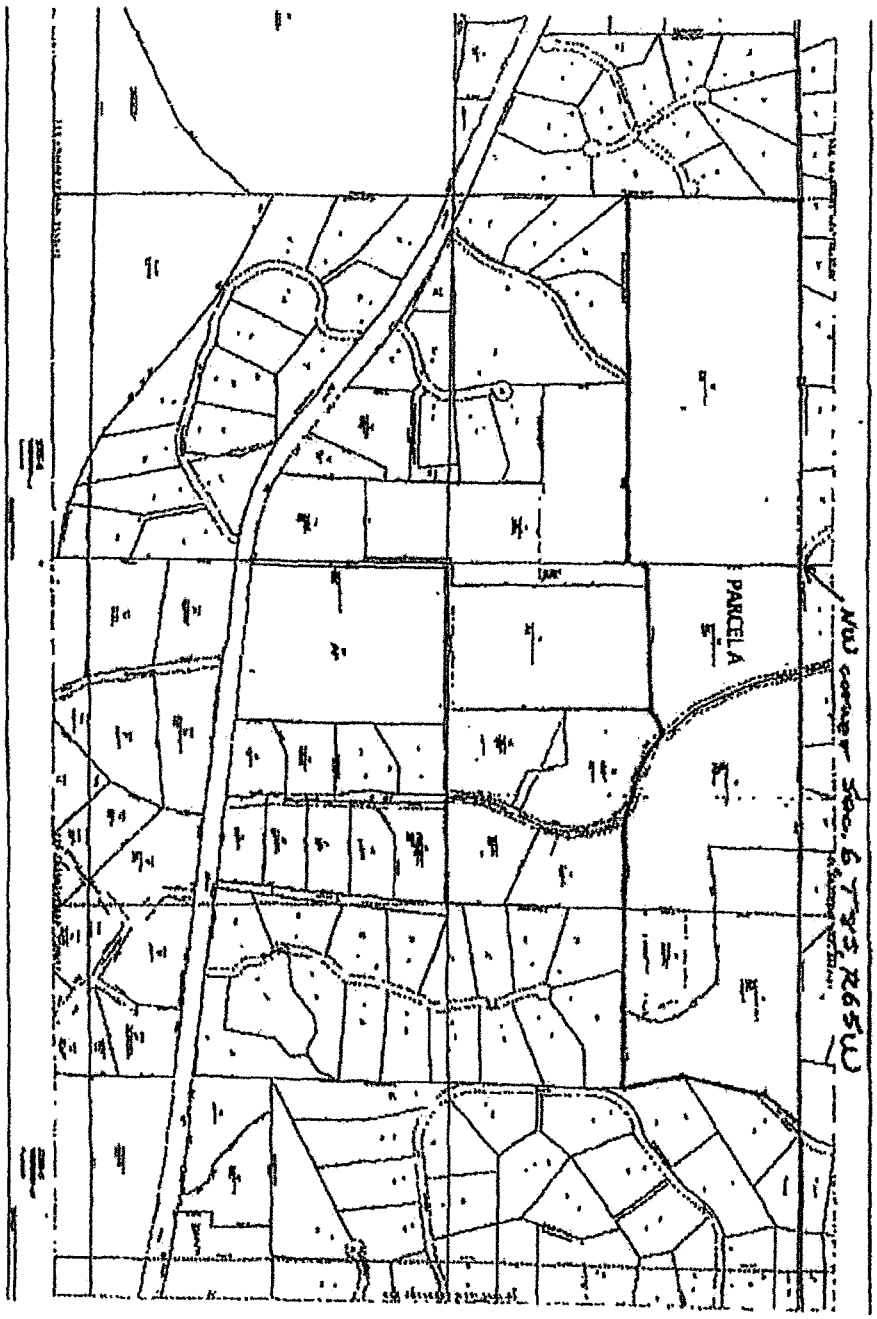
Date: December 2, 2015.

James F. Hartmann
Water Judge, Water Division 1



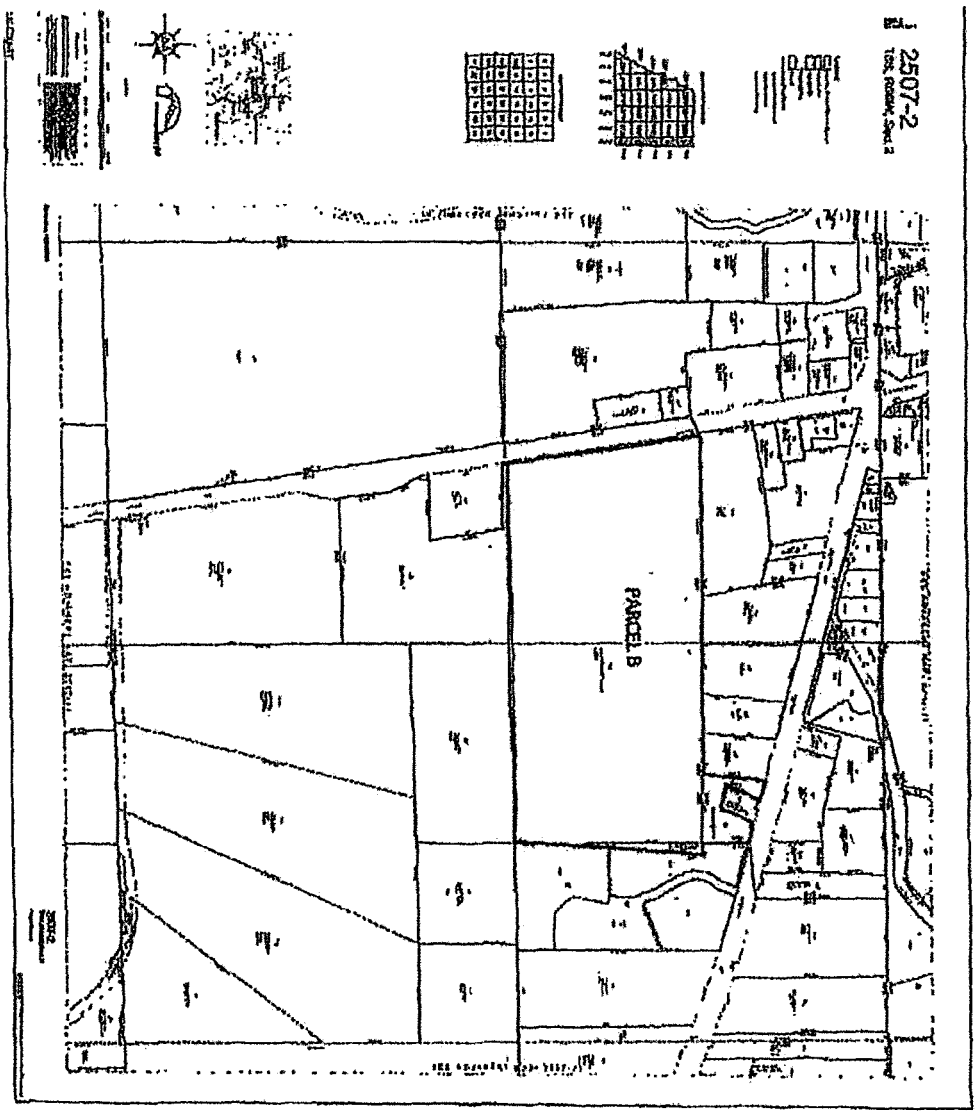
Carroll Land Company, et al.
15CW3059

ATTACHMENT A-1



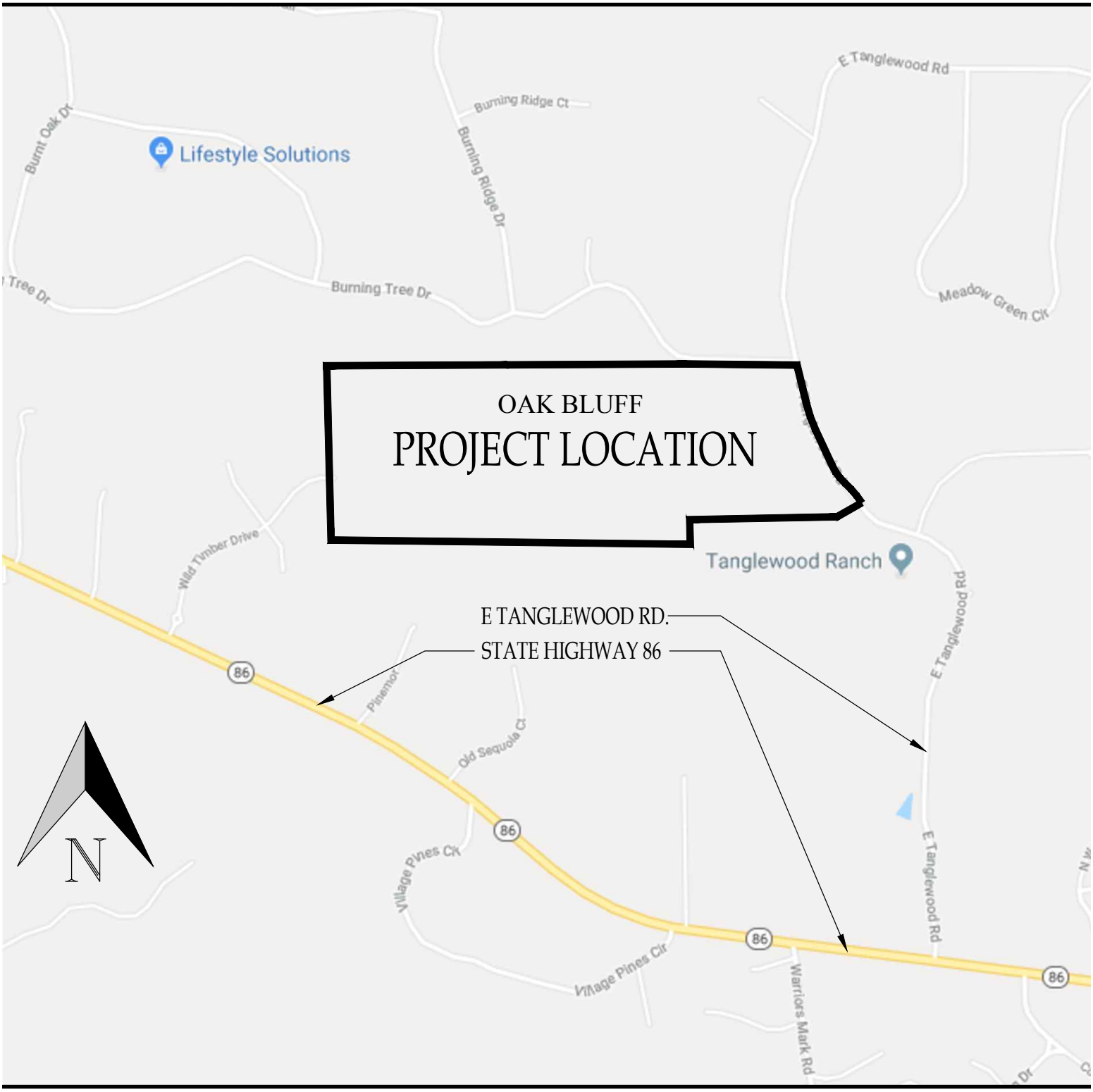
Carroll Land Company, et al.
15CW3059

ATTACHMENT A-2



Carroll Land Company, et al.
1SCW3059

ATTACHMENT A-3



VICINITY MAP

SCALE: 1" = 1000'-0"

SECTIONS-1&6 TOWNSHIP-8 S RANGES-65&66 W

Exhibit I
Compliance with Colorado's Water Quality Management Plan

There will be individual septic systems that will be installed and operated pursuant to Douglas County regulations.

Exhibit J
Advance and Reimbursement Agreement

REIMBURSEMENT AGREEMENT
(Operations)

THIS REIMBURSEMENT AGREEMENT ("Agreement") is made and entered into this ____ day of _____, 2025, by and between SUNDOWN OAKS METROPOLITAN, a quasi-municipal corporations and political subdivision of the State of Colorado (the "District"); and _____, a Colorado _____ (the "Developer").

RECITALS

WHEREAS, the District is duly and validly organized as a quasi-municipal corporation and political subdivision of the State of Colorado in accordance with the provisions of Title 32, Colorado Revised Statutes; and

WHEREAS, the Developer has an interest related to property within the District's boundaries; and

WHEREAS, the District will use its best efforts to issue bonds to pay for certain capital expenditures, as contemplated in the Service Plan, as the same was approved by the Douglas County Board of County Commissioners; and

WHEREAS, the current financial model for the District acknowledges a deficiency in revenues expected to be generated by the District to pay costs related to the operations of the District; and

WHEREAS, the District anticipates that it will be unable to adequately fund initial administrative and operational expenses on an annual basis without financial assistance in the form of advances contemplated by this Agreement; and

WHEREAS, in order to encourage development within the boundaries of the District and to ensure the continued existence and operation of the District, the Developer anticipates providing funding to the District for the purposes of assisting with the provision of general administrative and operating functions of the District with the expectation of being reimbursed therefor; and

WHEREAS, the District intends to reimburse the Developer for the advances made to the District by the Developer on behalf of the District; and

WHEREAS, the District finds that this Agreement is in the best interests of its current and future taxpayers.

NOW, THEREFORE, for and in consideration of the premises and of the mutual representations, warranties, covenants, agreements, and undertakings set forth herein, the parties agree as follows:

COVENANTS AND AGREEMENT

1. Expenditures. As used in this Agreement, "Expenditures" means operating costs paid by the District to vendors of goods and services provided to or on behalf of the District. Expenditures also include those costs for which the Developer provides monetary advances to the District for administrative and operational expenses of the District, including but not limited to management fees, legal fees, financial consulting fees, engineering fees and general operations and maintenance costs related to the public purposes of the District.

2. Reimbursement. In consideration of advances made by the Developer to the general operating account of the District in accordance with the terms of this Agreement, the District agrees to pay reimbursements plus interest to the Developer pursuant to the terms hereof.

3. Liability. Subject to the terms of this Agreement, the obligations of the District to make the reimbursements plus interest (the "Reimbursement Obligation") arise upon the receipt of any advance of funds made by the Developer to the District, which the District's accountant shall record and track. No advance(s) shall be made until the District has advised the Developer of the amount of the requested advance(s) (the "Advance Request") and the Developer has been provided with an opportunity to review and approve the same. The District hereby agrees that all funds requested will be used for Expenditures permitted under this Agreement. Within ten (10) business days following receipt of an Advance Request, the Developer shall approve the same and cause the full amount of the Advance Request to be deposited into the general operating account of the District. If the Developer fails to approve any Advance Request made by the District, the specific reasons for such action shall be documented in writing and shall be provided to the District in accordance with section 17 hereof.

Reimbursement for advances made by the Developer to the District in each year shall include interest on the outstanding amounts due from the District to the Developer at the annual rate of eight percent (8%) simple interest beginning on the date of advance to the date of repayment, but in no event shall interest be charged that exceeds the AAA 30-year MMD (Municipal Market Data) index interest rate by more than 400 Basis Points for the year the interest is applied. Both such date of advance and date of repayment shall be counted in the determination of the number of days for which interest is payable.

All reimbursements made by the District to the Developer shall be duly recorded in the financial records of the District. The District shall determine and document repayments of amounts due for reimbursement.

4. No Pledge of Specific Revenues or Security. No specific source of funds is pledged, and no other form of security is pledged, to the payment of the Reimbursement Obligation. No security in the form of letters of credit, bond insurance, stand-by credit agreements, or other form of credit enhancement shall be utilized by the District for the payment of, or as security for, the Reimbursement Obligation.

5. No Indebtedness or Financial Obligation. It is the intent of the District and the Developer that this Agreement shall NOT constitute a "debt" or a "multiple-fiscal year direct or

indirect district debt" or other financial obligation whatsoever of the District within the meaning of the Colorado constitution or any other Colorado law and shall be subject to annual appropriation.

Nothing herein shall be construed to pledge District revenues for future years or impose obligations that would require the use of future revenues from a tax otherwise available for general purposes.

Nothing herein, however, shall prevent the Developer and the District from entering into an agreement that includes a reimbursement obligation in the future that has the effect of renewing this Agreement in substantially the same manner that a lease-purchase agreement may be renewed. The Developer has no claim or penalty against the District in the event that this Agreement is not renewed. The Developer agrees that the District has not pledged its credit to its obligations under this Agreement.

6. Termination. This Agreement shall remain in full force and effect until December 31, 2025, and shall be automatically renewed for additional one (1) year periods unless either party provides written notice to the other party at least thirty (30) days prior to December 31 of the then effective term.

7. Not Negotiable. This Agreement is not a negotiable instrument.

8. Enforcement. This Agreement shall be enforceable by either party by actions at law or in equity, and the non-breaching party shall be entitled to any and all remedies available at law or in equity, including, but not limited to, specific performance and/or damages.

9. Amendment. This Agreement is subject to amendment only by the written consent of the parties. Such amendment shall be effective as of the date the amendment is executed by the parties or such other date as the parties shall designate.

10. Severability. This Agreement is intended to be performed in accordance with and only to the extent permitted by all applicable laws, ordinances, rules, and regulations of the State of Colorado. If any provisions of this Agreement or application thereof to any person or circumstance shall for any reason and to any extent be invalid or unenforceable, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.

11. Construction of Language. The language used in this Agreement and all parts thereof shall be construed as a whole according to its fair meaning, and not strictly for nor against either party, and both parties have equally participated in the preparation of this Agreement.

12. Non-Waiver. No waiver of any conditions, remedy or provision of this Agreement shall be deemed to have been made unless expressly made in writing and signed by the party against whom such a waiver is charged; and

(a) The failure of either party to insist in any one or more cases upon the performance of any of the provisions, covenants, or conditions of this Agreement or to exercise

any option herein contained, shall not be construed as a waiver thereof or as a relinquishment for the future of any such provisions, covenants, conditions or options;

(b) The acceptance or performance of anything required by this Agreement to be performed with knowledge of the breach or failure of a covenant, condition or provision hereof shall not be deemed a waiver of such breach or failure; and

(c) No waiver by a party of a breach by the other party shall be construed as a waiver with respect to any other or subsequent breach.

13. Governing Law. The terms and provisions of this Agreement shall be governed by, and shall be construed in accordance with, the laws of the State of Colorado.

14. Assignment. This Agreement is personal to the Developer and District, and neither party has any right, power, or authority to assign all or part of this Agreement, or to delegate any duties or obligations arising hereunder unless both parties agree in writing to such assignment.

15. Captions and Headings. The headings throughout this Agreement are for convenience and reference only, and shall in no way be deemed to define, limit, or add to the meaning of any provision of this Agreement.

16. Integration. This Agreement embodies the entire agreement and understanding between the parties concerning the subject matter hereof and supersedes all prior agreements and understandings, if any, between the parties relating to the subject matter thereof.

17. Notices. All notices, requests, demands, consents and other communications hereunder shall be transmitted in writing and shall be deemed to have been duly given when hand delivered or sent by certified United States mail, postage prepaid, with return receipt requested, addressed to the parties as follows:

District: Sundown Oaks Metropolitan District
c/o Spencer Fane LLP
Attn: Nicole Peykov
1700 Lincoln Street, Suite 2000
Denver, CO 80203
Phone: 303-839-3800
Email: npeykov@spencerfane.com

Developer: _____
_____
_____
Attn: _____
Phone: _____
Email: _____

Either party may change the address at which it receives written notice by so notifying the other party in writing in the manner provided herein.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the date first above written.

SUNDOWN OAKS METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

_____
President

ATTEST:

_____
Secretary

_____,
a Colorado limited liability company

By: _____

Name: _____

Its: _____

FACILITIES FUNDING AND ACQUISITION AGREEMENT

THIS **FACILITIES FUNDING AND ACQUISITION AGREEMENT** ("Agreement") is made and entered into to be effective as of the __ day of _____, 2025, by and between **SUNDOWN OAKS METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado (the "District"), _____, a Colorado _____ (the "Developer") (collectively, the "Parties").

RECITALS

WHEREAS, Developer is the owner or developer of certain property situated in Douglas County, Colorado, that will be developed as part of a commercial development (the "Property"); and

WHEREAS, in order to serve the future property owners and taxpayers of the Property, certain public infrastructure improvements must be acquired, constructed or installed including but not limited to water, storm sewer, sanitation and wastewater treatment, road and street improvements, park and recreation improvements, and any other public improvements authorized by the District's Service Plan, as amended ("Improvements"); and

WHEREAS, the District does not currently have funds available for the construction and installation of the Improvements within the area to be developed by Developer; and

WHEREAS, Developer has agreed to either initially construct the Improvements to convey to the District or to initially fund the construction of the Improvements by the District; and

WHEREAS, the District and Developer have determined that for reasons of economic efficiency and timeliness it is in the best interests of the District to establish a means by which either: (1) Developer will construct or cause to have constructed by a general contractor ("Contractor") the Improvements which the District will acquire after they have been completed; or (2) Developer will initially fund the construction and installation of the Improvements by the District subject to reimbursement as provided herein; and

WHEREAS, the District's Service Plan authorizes the issuance of general obligation bonds in sufficient amounts to pay for all or a portion of the Improvements; and

WHEREAS, the District and Developer desire to set forth the procedures for the reimbursement of the costs related to the Improvements.

NOW, THEREFORE, in consideration of the foregoing and the respective agreements of the Parties contained herein, the Parties agree as follows:

COVENANTS AND AGREEMENTS

1. Improvements. Improvements constructed by Developer pursuant to the terms of this Agreement shall be eligible for acquisition by the District upon compliance by Developer with

the requirements of Section 2. Developer shall give notice to the District of its intent to either construct the Improvements pursuant to the provisions of Section 2 of this Agreement or advance the funds for the District to construct the Improvements pursuant to Section 3 of this Agreement.

2. Construction of Improvements. Developer agrees to design, construct, and complete the Improvements in full conformance with the design standards and specifications as established and in use by Douglas County, and any other applicable entities having jurisdiction ("Governmental Entities") pursuant to the provisions of this Agreement. The District will retain an independent, professional engineer licensed in the State of Colorado ("Engineer") to review the Improvements to determine if the Improvements are approved for reimbursement in accordance with the provisions of this Agreement.

A. Cost Verification Procedures. Developer agrees to advance funds to the District to allow the District to make reasonable verification of the costs and suitability of Improvements to be acquired by the District from Developer. One of the two following procedures shall be used to verify the costs of the Improvements:

(i) Prior to awarding a construction contract for any Improvements, Developer shall obtain a minimum of three (3) written bids for the Improvements. Developer shall provide the District with copies of all bids received for the Improvements prior to awarding the contract(s). In the event Developer determines that the lowest responsible bidder is not the lowest bidder on a contract, Developer shall provide documentation justifying the use of the contractor selected to the District prior to awarding the contract; or

(ii) Prior to requesting that the District acquire any Improvements pursuant to this Agreement, Developer shall obtain a certification of the Engineer that the costs for the design, construction and completion of the Improvements are reasonable and comparable for similar projects as constructed in the Denver Metropolitan Area, and complies with the requirements of Section 2.B.

B. Improvements Acquisition. Subject to the receipt of funding pursuant to Section 4 herein, the District agrees to make payment to Developer for all costs related to the Improvements, including but not limited to, organizational costs, all costs of design, testing, engineering, construction, and related consultant fees, plus simple interest thereon to be accrued at the rate of eight percent (8%) from the date of expenditure through the date of repayment. Prior to the District acquiring the Improvements, the Engineer shall certify that the costs for the design, construction, and completion of the Improvements are reasonable and comparable for similar projects as constructed in the Denver Metropolitan Area. The Engineer, in the Engineer's sole professional discretion, may request documents and information as the Engineer deems necessary and appropriate ("Certification Documents") from the Developer to determine if the costs of the Improvements shall be so certified.

The Developer shall only have an obligation to provide the Certification Documents to the Engineer and shall not have a contractual obligation to provide any other documents beyond the Certification Documents actually provided to the Engineer. The purpose of the Certification Documents is to allow the Engineer to examine and certify the costs of the Improvements. By

entering into this Agreement, the District has not directed or assigned to the Developer any obligation to have care, custody, or control of any District documents.

C. Dedication of Improvements. Improvements shall be dedicated as set forth in the District's Service Plan, as required with agreements with the Governmental Entities, or as otherwise directed by the District.

D. Warranty Requirements. All of the Improvements shall have at least a one (1) year warranty (or longer if required by the Governmental Entities) from the date of substantial completion of the completed Improvements and if requested by the District, a security mechanism in form approved by the District to secure the warranty if the District accepts such Improvements prior to the expiration of the warranty.

3. Construction by District/Advances from Developer. As an alternative to Developer's construction of and the District's subsequent acquisition of the Improvements in accordance with Section 2 hereof, at Developer's election, and upon notification to the District and subject to funding pursuant to Section 4, the District may construct all or a portion of the Improvements and acquire related real property interests. If Developer requests the District to construct the Improvements it shall do so subject to prior receipt of funding from Developer and compliance with notice, budget and all requirements for bidding of public improvements. In the event Developer elects to have the District construct the Improvements, the District and Developer acknowledge that until the District has moneys available to fund costs related to the construction of the Improvements, Developer will advance funds to the District to undertake the design, testing, engineering, construction, related consultant fees and construction management of the Improvements ("Construction Related Expenses"). The District shall submit a certified statement to Developer of the Construction Related Expenses based on the bids it receives, and prepared by its engineer. Developer agrees to advance funds to the District up to the amount of the certified Construction Related Expenses (the "Maximum Advance Amount"). Developer acknowledges that the District will be entering into contracts with engineers, architects, surveyors, accountants, managers, attorneys and others in reliance upon Developer's commitments herein to provide funding up to the Maximum Advance Amount. The District shall provide Developer written notice if an advance is required to cover Construction Related Expenses. Developer shall provide the requested advance, subject to the Maximum Advance Amount, within fifteen (15) business days of receipt of notice requesting such advance ("Developer Advance"). Failure of Developer to provide the Developer Advance shall be a default under this Agreement and the District may cease construction until the Developer Advance is made. In the event the cost of the Improvements exceeds the Maximum Advance Amount and the Developer will not advance sufficient funds to complete the Improvements, the District shall have no further responsibility to continue construction. Developer hereby agrees to indemnify the District against any damages caused by the Developer's failure to provide a requested Developer Advance.

A. Construction Contracts. The District agrees that it will enter into contracts for construction of the Improvements with the lowest responsible bidder, which contracts are incorporated herein by this reference ("Contracts"). References to the Contracts herein shall refer to the Contracts as may be constituted or modified by the parties thereto and shall refer to both singular and plural.

B. Construction. The District agrees to design, construct, and complete the Improvements in full conformance with the design standards and specifications as established and in use by the District and other Governmental Entities pursuant to the provisions of this Agreement and if applicable, approved by a professional engineer licensed in the State of Colorado.

C. Accounting. Within forty-five (45) days of final payment on any Contract awarded pursuant to this Agreement, the District shall conduct an accounting of the funds received pursuant to this Agreement. In the event Developer Advances deposited hereunder exceed the actual costs and expenses incurred for the Improvements, the District shall within thirty (30) days of such accounting refund such excess amounts to Developer or shall apply the remaining amounts to the unpaid balance of any other Contract.

4. Reimbursement. The Parties agree that no payment shall be required of the District for Improvements constructed and/or acquired under Section 2 hereof or for Developer Advances pursuant to Section 3 hereof unless and until the District issues bonds ("Bonds") or other appropriate legally available instruments. The Bonds or other instrument(s) may be secured by the collection of fees the District imposes, general property tax revenues of the District, or other available revenue the District receives. The Developer acknowledges that the limit of the District's reimbursement obligation under this Agreement shall be the amount of Bond proceeds or other revenues that can be obtained through collection of fees, property taxes or other revenues of the District, subject to the limitations of the Service Plan and applicable laws. Developer understands and agrees that any Bonds or other instrument shall comply with state statutes and regulations for registration or exemption. In the event the District is unable to reimburse Developer for Developer Advances or the acquisition of Improvements within thirty (30) years of the date of the advancement, any amount of principal and accrued interest outstanding at such time shall be deemed to be forever discharged and satisfied in full. *It is hereby agreed and acknowledged that this Agreement evidences an intent to reimburse Developer hereunder, but this Agreement shall not constitute a debt or indebtedness of the District within the meaning of any constitutional or statutory provision, nor shall it constitute a multiple fiscal year financial obligation, and the making of any reimbursement hereunder shall be at all times subject to annual appropriation by the District in its absolute discretion.*

A. Payment. Until such time as the District issues Bonds, payments made by the District to Developer shall be credited as follows: first against accrued and unpaid interest on Developer Advances; second against the principal amount due on Developer Advances; third against accrued and unpaid interest on the acquisition of Improvements; and finally against the principal amount due for acquisition of Improvements. Once Bonds or other reimbursement instruments are issued to the Developer, the terms contained therein will control and supersede this Agreement for amounts that have been reimbursed thereby.

B. Financial Capability of District. The District may cause to be prepared a financial plan that provides an example of how the District may finance some or all of the Improvements and for reimbursing the Developer. Any such financial plan is based on assumptions provided by the Developer and others and there are no guarantees that the projections are accurate or that the District will have the ability to issue bonds in the amounts or in the timeframes described in the Service Plan.

5. Representations.

A. Developer Representations. Developer hereby represents and warrants to and for the benefit of the District:

(i) That it has the full power and legal authority to enter into this Agreement; and

(ii) Neither the execution and delivery of this Agreement nor the compliance by Developer with any of its terms, covenants, or conditions is or shall become a default under any other agreement or contract to which Developer is a party or by which Developer is or may be bound; and

(iii) Developer has taken or performed all requisite acts or actions which may be required by the organizational or operational documents to confirm its authority to execute, deliver and perform each of its obligations under this Agreement.

These representations and warranties are made as of the date hereof and shall be deemed continually made by Developer to the District for the entire term of this Agreement.

B. District Representations. The District hereby represents and warrants to and for the benefit of the Developer:

(i) That it has the full power and legal authority to enter into this Agreement; and

(ii) To the best of the District's knowledge, neither the execution and delivery of this Agreement nor the compliance by the District with any of its terms, covenants, or conditions is or shall become a default under any other agreement or contract to which the District is a party or by which the District is or may be bound; and

(iii) To the best of the District's knowledge, the District has taken or performed all requisite acts or actions which may be required by the organizational or operational documents to confirm its authority to execute, deliver and perform each of its obligations under this Agreement.

These representations and warranties are made as of the date hereof and shall be deemed continually made by the District to the Developer for the entire term of this Agreement.

6. Term. The term of this Agreement shall extend from the date hereof through and including December 31, 2054, unless terminated earlier by the mutual written agreement of the Parties.

7. Notices. All notices, demands, requests or other communications to be sent by one party to the other hereunder or required by law shall be in writing and shall be deemed to have been validly given or served by delivery of same in person to the address or by courier delivery, via Federal Express or other nationally recognized overnight air courier service, via facsimile with

a hard copy immediately following thereafter by United States mail, or by depositing same in the United States mail, postage prepaid, addressed as follows:

To the District: Sundown Oaks Metropolitan District
c/o Spencer Fane LLP
1700 Lincoln Street, Suite 2000
Denver, CO 80203
Attention: Nicole Peykov
Phone: (303) 839-3715
Fax: (303) 839-3838
Email: npeykov@spencerfane.com

To the Developer: _____
_____
_____
_____

All notices, demands, requests or other communications shall be effective upon such personal delivery or one (1) business day after being deposited with Federal Express or other nationally recognized overnight air courier service or three (3) business days after deposit in the United States mail. By giving the other party hereto at least ten (10) days written notice thereof in accordance with the provisions hereof, each of the Parties shall have the right from time to time to change its address.

8. Assignment. Developer shall not assign any of its rights nor delegate any of its duties hereunder to any person or entity without having first obtained the prior written consent of the District, which may approve or reject such assignment in its sole and absolute discretion. Any purported assignment or delegation in violation of the provisions hereof shall be void and ineffectual.

9. Default/Remedies. In the event of a breach or default of this Agreement by either party, the non-defaulting party shall be entitled to exercise all remedies available at law or in equity, specifically including suits for specific performance and/or monetary damages. In the event of any proceeding to enforce the terms, covenants or conditions hereof, the prevailing party in such proceeding shall obtain as part of its judgment or award its reasonable attorneys' fees. Failure by Developer to provide Developer Advances as required hereunder shall be a default subject to immediate termination of this Agreement by the District.

10. Governing Law and Venue. This Agreement shall be governed and construed under the laws of the State of Colorado, and any proceedings shall take place in the County wherein the District is located, and not elsewhere.

11. Inurement. Each of the terms, covenants and conditions hereof shall be binding upon and inure to the benefit of the Parties hereto and their respective successors and assigns.

12. Integration. This Agreement constitutes the entire agreement between the Parties with respect to the matters addressed herein. All prior discussions and negotiations regarding the subject matter hereof are merged herein.

13. Parties Interested Herein. Nothing expressed or implied in this Agreement is intended or shall be construed to confer upon, or to give to, any person other than the District and Developer any right, remedy, or claim under or by reason of this Agreement or any covenants, terms, conditions, or provisions thereof, and all the covenants, terms, conditions, and provisions in this Agreement by and on behalf of the District and Developer shall be for the sole and exclusive benefit of the District and Developer.

14. Severability. If any covenant, term, condition, or provision under this Agreement shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such covenant, term, condition, or provision shall not affect any other provision contained herein, the intention being that such provisions are severable.

15. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document.

16. Conditions Precedent. The performance by Developer of its obligations set forth herein shall constitute conditions precedent to the performance of the obligations of the District as set forth herein.

17. Paragraph Headings. Paragraph headings are inserted for convenience of reference only.

[*Signature page to follow*]

IN WITNESS WHEREOF, the Parties have executed this Facilities Funding and Acquisition Agreement as of the day and year first set forth above.

"DISTRICT"

SUNDOWN OAKS METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: _____
_____, President

ATTEST:

_____
_____, Secretary

"DEVELOPER"

_____
a Colorado _____

By: _____

Name: _____

Its: _____

EXHIBIT A

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS that _____, hereinafter referred to as "Grantor," for and in consideration of Ten Dollars ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, paid by Sundown Oaks Metropolitan District, hereinafter referred to as the "District," a quasi-municipal corporation and political subdivision of the State of Colorado, whose address is c/o Spencer Fane LLP, 1700 Lincoln Street, Suite 2000, Denver, Colorado 80203, organized and existing under the laws of the State of Colorado, County of Douglas, has bargained and sold, and by these presents, does grant and convey unto the District, its successors and assigns, all of its right, title and interest in the improvements as described below and shown on Exhibit A attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the same unto the District, its successors and assigns forever; and Grantor, its successors and assigns, shall warrant and defend the sale of said property, improvements, services and facilities made unto the District, its successors or assigns, against all and every person or persons whomsoever, and warrants that the conveyance of the property, improvements, services and facilities to the District, its successors or assigns, is made free from any claim or demand whatever.

IN WITNESS WHEREOF, Grantor, by and through its authorized representatives, hereby executes this Bill of Sale and sets it seal as of this ____ day of _____, 20__.

GRANTOR

_____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 20__, by_____, as _____ of_____.

Witness my hand and official seal.

My commission expires: _____

_____
Notary Public

Exhibit K
Intergovernmental Agreements

An agreement with the Franktown Fire Protection District is anticipated in regards to specific service requirements and operation of cistern and other firefighting facilities.

Exhibit L
Annual Report Requirements

The District shall be responsible for submitting an annual report to the County no later than August 1 of each year. The annual report shall conform to the following format:

Sundown Oaks Metropolitan District

Year ANNUAL REPORT

(For Activities Completed in Year, and With Information About Prospective Years)

I. District Description - General Information
   a. Board members, officers' titles, and terms
   b. Changes in board membership in past year
   c. Name and address for official District contact
   d. Elections held in the past year and their purpose

II. Boundary changes for the report year and proposed changes for the coming year

III. List of intergovernmental agreements (existing or proposed) and a brief description of each detailing the financial and service arrangements
   a. Contracts for operations, debt, and other contractual obligations with sub-districts or operating and taxing districts
   b. Reimbursement agreements with developers and/or builders for advances to fund capital costs and administrative/operational and maintenance costs of the District

IV. Service Plan
   a. List and description of services authorized in Service Plan
   b. List and description of facilities authorized in Service Plan
   c. List and description of any extraterritorial services, facilities, and agreements

V. Development Progress

a. Indicate the estimated year of build-out, as set forth in the Service Plan
b. List the services provided with the date service began compared to the date authorized by the Service Plan
c. List changes made to the Service Plan, including when the change was authorized, when it was implemented or is expected to be implemented
d. List facilities to be acquired or constructed or leased back as set forth in the Service Plan and compare the date of completion or operation with the date authorized by the Service Plan
e. List facilities not completed. Indicate the reason for incompletion and provide a revised schedule, if any
f. List facilities currently under construction with the percentage complete and an anticipated date of completion
g. Indicate the population of the District for the previous five (5) years and provide population projections for the next five (5) years
h. List the planned number of housing units by type and the number of commercial and industrial properties with respective square footage and anticipated dates of completion/operation. Compare the completed units and completed commercial and industrial properties to the amount planned in the Service Plan.
i. List any enterprises created by and/or operated by or on behalf of the District, and summarize the purpose of each

VI. Financial Plan and Financial Activities

a. Provide a copy of the audit or exemption from the audit for the reporting year.
b. Provide a copy of the budget, showing the reporting and previous years.
c. Show revenues and expenditures of the District for the previous five (5) years and provide projections for the next five (5) years. Include any non-District or non-governmental financial support. Include and list individually all fees, rates, tolls, etc., with a summary of the purpose of each. Show other miscellaneous tax revenue, such as specific ownership taxes.

For the same period, show actual and projected mill levies by purpose (showing mill levies for each individual general obligation, revenue-based obligation, or contractual obligation).

d. List all debt that has been issued, including all individual issuances with a schedule of service until the debt is retired
e. List individually all authorized but unissued debt, including the purpose, ballot issue letter designation and election date, and amounts authorized and unissued
f. List the total amount of debt issued and outstanding as of the date of the annual report and compare to the maximum authorized debt level as set forth in the Service Plan
g. Enterprises of the District
    i. Include revenues of the enterprise, showing both direct support from the District and all other sources
    ii. Include expenses of the enterprise, showing both direct payments to the District and all other obligations
h. Detail contractual obligations
    i. Describe the type of obligation, current year dollar amount, and any changes in the payment schedule, e.g. balloon payments.
    ii. Report any inability of the District to pay current obligations that are due within the current budget year
    iii. Describe any District financial obligations in default
i. Actual and Assessed Valuation History
    i. Report the annual actual and assessed valuation for the current year and for each of seven (7) years prior to current year
    ii. For each year, compare the certified assessed value with the Service Plan estimate for that year. If Service Plan estimates are not available, indicate the same and report the certified value.

j. Mill Levy History
    i. Report the annual mill levy for the current year and for each of the seven (7) years prior to current year. Break the mill levies out by purpose (e.g., debt issuance and operations and maintenance)
    ii. For each year, compare the actual mill levy with the Service Plan estimate for that year. If Service Plan estimates are not available, indicate the same and report the actual mill levies.

k. Miscellaneous Taxes History
    i. Report the annual miscellaneous tax revenue for the current year and for each of the seven (7) years prior to the current year. Break the tax revenue out by purpose (e.g., general operations, revenue-based obligations, debt by issue, contractual obligations, other)
    ii. For each year, compare the actual miscellaneous tax revenue with the Service Plan estimate for that year (if provided in Plan). If the Service Plan estimates are not available, indicate the same and report the actual taxes.

l. Estimated Assessed Valuation of District at 100% Build-Out
    i. Provide an updated estimate and compare this with the Service Plan estimate.

m. Estimated Amount of Additional General Obligation Debt to be Issued by the District between the End of Current Year and 100% Build-Out.
    i. Provide an updated estimate based on current events. Do not include refunding bonds.

Exhibit M
District Court Decree

SERVICE PLAN

FOR

~~[~~SUNDOWN OAKS~~]~~ METROPOLITAN DISTRICT

DOUGLAS COUNTY, COLORADO

Prepared

by

~~[~~NAME OF PERSON OR ENTITY~~]~~
~~[~~ADDRESS~~]~~
~~[~~ADDRESS~~]~~

~~[~~DATE~~]~~

~~[~~APPROVAL DATE (ON FINAL SERVICE PLAN)~~]~~
Spencer Fane LLP
1700 Lincoln Street, Suite 2000
Denver, CO 80203

FORMAL SUBMITTAL: July 2, 2025

APPROVAL DATE: _____, 2025

TEMPLATE

APPROVAL SUMMARY

This Service Plan for the ~~(District Name)~~Sundown Oaks Metropolitan District was approved by the Douglas County Board of County Commissioners on ~~(date)~~(date). Resolution No. _____, approving this Service Plan, has been recorded at Reception No. _____ on ~~(date).~~(date). The organizational and TABOR elections took place on ~~(date)~~(date). The court decree organizing the District was recorded with the Douglas County Clerk and Recorder on ~~(date)~~(date) at Reception No. _____.

TEMPLATE

ORGANIZERS AND CONSULTANTS

This Service Plan has been prepared by the Organizers and the following participating consultants:

Organizer	District Counsel
~~Company~~ NorthStar Custom Homes, Inc. Attn: ~~———~~Steven Gage ~~Address~~ ~~City, State Zip~~ 1128 Neptunite Place Castle Rock, CO 80108 Phone: 303-725-1466 ~~Fax:~~ Email: stevengage71@gmail.com	~~Company~~ Spencer Fane LLP Attn: Nicole Peykov ~~Address~~ ~~City, State Zip~~ 1700 Lincoln Street, Suite 2000 Denver, CO 80203 Phone: 303-839-3800 ~~Fax:~~ Email: npeykov@spencerfane.com
Financial Advisor	**Engineer**
~~Company~~ RBC Capital Markets, LLC Attn: Michael Persichitte ~~Address~~ ~~City, State Zip~~ 1801 California Street, Suite 3850 Denver, Colorado 80202 Phone: (303) 595-1292 ~~Fax:~~ ~~Email:~~E-mail: michael.persichitte@rbccm.com	~~Company~~ Canyon Creek Engineering Attn: Phil Giesing, P.E. ~~Address~~ ~~City, State Zip~~ P.O. Box 3072 Parker, CO 80134 Phone: 303-805-1803 ~~Fax:~~ Email: phil@canyoncreekengineering.com

~~**[ADDITIONAL CONSULTANTS MAY BE ADDED AT THE DISCRETION OF THE ORGANIZERS.]**~~

TEMPLATE

EXECUTIVE SUMMARY

This service plan is for the ~~_____~~Sundown Oaks Metropolitan District (the "District"), which will serve the public improvement needs of ~~(name of development).~~Sundown Oaks. The District is generally located ~~at _____~~near the intersection of Burning Tree and East Tanglewood Road and contains approximately ~~_____~~173 acres. The District will include ~~_____~~37 residential units and ~~_____~~0 square feet of commercial space.

The District will have a single district structure. This structure will allow the District to control both financing and services.

~~The District shall be authorized to provide the following services: (List the proposed services for this District from the following services defined in C.R.S. § 32-1-103(10): fire protection, mosquito control, parks and recreation, safety protection, sanitation, solid waste disposal facilities or collection and transportation of solid waste, street improvement, television relay and translation, transportation, and water and other services as described in C.R.S. §§ 32-1-1001 and 1004, as amended.)~~

The District shall be authorized to provide the following services: fire protection, mosquito control, parks and recreation, safety protection, sanitation, solid waste disposal facilities or collection and transportation of solid waste, street improvement, television relay and translation, and water and other services described in C.R.S. §§ 32-1-1001 and 1004, as amended, and subject to the limitations in this Service Plan.

The total authorized debt limit for the District shall be ~~_____ ($000.00).~~Six Million Dollars ($6,000,000.00). The District anticipates the issuance of an initial series of bonds in the amount of ~~_____ ($000.00) on (date).~~Three Million Six Hundred and Twenty-Five Thousand Dollars ($3,625,000) in 2027. The initial debt service mill levy will be ~~_____~~50.000 mills, with a Maximum Debt Service Mill Levy of ~~_____~~50.000 mills. The initial operations and maintenance mill levy will be ~~_____~~10.000 mills, with a Maximum Operations and Maintenance Mill Levy of ~~_____~~20.000 mills. The combined initial mill levy for the District will be ~~_____~~60.000 mills, with a maximum combined mill levy of ~~_____~~70.000 mills.

TEMPLATE

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TEMPLATE

I. INTRODUCTION

This service plan (the "Service Plan") for the Sundown Oaks Metropolitan District (the "District") is for a special district organized under Title 32 of the Colorado Revised Statutes to serve the public improvement needs of ~~(name of development)~~Sundown Oaks Development (the "Project"). The District is generally located near the intersection of Burning Tree Drive and East Tanglewood Road (see **Exhibit A**, Vicinity Map) and contains approximately 173 acres (see **Exhibits B & C**, Legal Description and District Boundary Map).

Pursuant to the requirements of the Special District Control Act, C.R.S. §32-1-201, *et seq.*, as amended, and the Special District Service Plan Review Procedures for Douglas County (the "County"), the following items are included in this Service Plan:

1. A description of the powers granted to and services to be provided by the District;
2. A general description of the facilities to be constructed and the standards of such construction, including a statement of how the facility and service standards of the District are compatible with facility and service standards of the County and of any municipalities and special districts which are interested parties;
3. A general written description of the estimated cost of acquiring land, engineering services, legal services, administrative services, initial indebtedness and estimated maximum interest rates and discounts, and other major expenses related to the organization and initial operation of the District;
4. A summary of general conditions regarding oversight of the District by the County;
5. A legal description and map of the District's boundaries and an estimate of the population and valuation for assessment of the District;
6. A summary of estimated costs for improvements to be financed and constructed by the District;
7. A preliminary engineering and architectural survey showing how the improvements and services are to be provided;
8. A financial plan showing how District improvements and services are to be financed, including the operating revenue for the first budget year of the District;
9. The resolution of approval adopted by the Board of County Commissioners;
10. Information demonstrating compliance with Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended, and compliance with ~~the Denver Regional Council of Governments' Clean Water~~Colorado's Water Quality Management Plan;
11. A description of any advance and reimbursement agreements;
12. A description of any arrangement or agreement with any political subdivision for the performance of any services between the District and such other political subdivision; and
13. The recorded court decree organizing the District.

Exhibits A through **M,** attached hereto, are hereby incorporated into the Service Plan.

II. PURPOSE OF THE DISTRICT

The purpose of the District is to provide public improvements and services for the benefit of all anticipated inhabitants and taxpayers of the District, either within or without its boundaries. The District also serves to finance and oversee the construction of these public improvements and to provide for ongoing operations and maintenance services.

III. DISTRICT FRAMEWORK

The District will be organized under a single district structure and will be responsible for all aspects of financing and services authorized under this Service Plan.

IV. NEED FOR 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 practicable to undertake the planning, design, acquisition, construction, installation, relocation, redevelopment, financing, and ongoing operations of the public improvements needed for the Project. Formation of the District is therefore necessary in order for the public improvements and services required for the Project to be provided in the most economical manner possible.

V. LOCATION AND BOUNDARIES

The District is located ~~.~~near the intersection of Burning Tree Drive and East Tanglewood Road in Douglas County. A vicinity map is attached hereto as **Exhibit A**. The area of the initial District's boundary encompasses approximately 173 acres. A legal description of the District's boundaries is attached hereto as **Exhibit B**. A map of the initial District's boundaries is attached hereto as **Exhibit C**.

It is anticipated that the District's boundaries may change from time to time as it undergoes inclusions and exclusions pursuant to C.R.S. §§ 32-1-401, *et seq.*, and C.R.S. §§ 32-1-501, *et seq.*, as amended. ~~***Future inclusion and exclusion areas are identified in Exhibit C.***~~ Prior to any inclusions or exclusions ~~***that are not identified in Exhibit C***~~, the District shall provide forty-five (45) days published notice and written notice to the Board of County Commissioners pursuant to C.R.S. § 32-1-207(3)(b). If, within such forty-five (45) day period, the Board of County Commissioners objects to the inclusion or exclusion, then the inclusion or exclusion shall be prohibited and constitute a material modification of this Service Plan requiring an amendment, pursuant to Section XIII of the Service Plan and C.R.S. § 32-1-207(2).

VI. ASSESSED VALUATION/PROJECTIONS/LAND USE/POPULATION

The property within the District is zoned ~~as of (date).~~ vacant or Rural Residential. The current assessed value of property within the initial boundaries of the District is ~~($000.00) as~~0.00 as of the date of ~~(date).~~this Service Plan. The estimated assessed value at full build-out is ~~($000.00)~~Six Million Two Hundred and Five Thousand Six Hundred Fifty Three Dollars ($6,205,653) and is expected to be sufficient to reasonably discharge the debt under the Financial Plan. Initially, the District will include ~~37~~ residential units and ~~0~~ square feet of commercial space. Based upon an estimated ~~(0.00)~~three (3) persons per residence, the population of the District at build-out will be ~~(00)~~One Hundred Eleven (111) residents.

Approval of this Service Plan by the County does not constitute nor imply approval of the development of a specific area within the District, nor does it constitute or 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 hereto, unless such land use plans have been approved by the Board of County Commissioners as part of a separate development review process.

VII. POWERS AND RESPONSIBILITIES

The District shall have the power and authority to provide the public improvements and related operation and maintenance services within and without the boundaries of the District as such power and authority is permitted by this Service Plan and described in the Special District Act, C.R.S. Title 32, and other applicable statutes, common law, and the Colorado Constitution, subject to the limitations set forth herein.

A. General Powers

The District shall have the authority to construct, operate, and maintain the services and facilities as described in Section VIII.A of this Service Plan.

B. Miscellaneous Powers

In addition to the powers enumerated above, the District's Board shall have the power and authority:

1. To amend this Service Plan as provided for in Section XV, Modification of Service Plan;

2. To forego, reschedule, or restructure the financing and construction of certain improvements and facilities in order to better accommodate the pace of growth, resource availability, and potential inclusions and exclusions of property within the District, with prior notice to the County in accordance with C.R.S. § 32-1-202(2)(b), as amended; and

3. To have and exercise all rights and powers necessary or incidental to, or implied from, the specific powers granted to the District in this Service Plan.

4. To have and exercise the power of eminent domain, but only as necessary to construct, install, access, relocate or redevelop the public improvements identified in this Service Plan in the locations shown in Exhibit E. Any other use of eminent domain shall require the District to provide forty-five (45) days published notice and written notice to the Board of County Commissioners pursuant to C.R.S. § 32-1-207(3)(b). If, within such forty-five (45) day period, the Board of County Commissioners objects to the use of eminent domain, then it shall be prohibited and constitute a material modification of this Service Plan requiring an amendment, pursuant to Section XIII of the Service Plan and C.R.S. § 32-1-207(2).

VIII. DISTRICT SERVICES, FACILITIES, AND IMPROVEMENTS

A. Services and Facilities

The District shall have the authority pursuant to C.R.S. §§ 32-1-1001 and 32-1-1004, as amended, to provide the following services and public improvements described in this section.

~~(Please include the following paragraphs for those services and facilities that will be provided by the District.)~~

1. Water

It is anticipated that each individual home within the Project will receive water service from its own groundwater well. The District, while not providing water services, shall have the power and authority to finance, design, construct, ~~acquire,~~and 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. The District shall have the power and authority to contract with other private or governmental entities to provide any or all of the services the District is authorized or empowered to provide.

~~***As identified in the Service Plan Review Procedures, the Board of County Commissioners is interested in the provision of long term renewable water supplies in the County. Please be prepared to discuss any plans for long-term, renewable water service (including infrastructure and financial information), if applicable.***~~

2. Storm Sewer

The District shall have the power and authority to finance, design, construct, acquire, install, maintain, and provide for flood and surface drainage improvements, including, but not limited to, culverts, dams, retaining walls, access way inlets, detention

and retention ponds, paving, roadside swales, curbs and gutters, disposal works and facilities, water quality facilities, and all necessary and proper equipment, with all necessary and incidental and appurtenant facilities, land and easements, together with extensions and improvements thereto, all subject to the approval of Douglas County pursuant to Douglas County rules and regulations.

Stormwater improvements subject to Colorado Discharge Permit System Regulations, if applicable, shall be owned and maintained by the District or such other governmental entity that may accept dedication. Dedication to another governmental entity of stormwater improvements subject to such regulations shall be subject to approval by the County. In no event will the District dedicate such detention ponds or facilities to a private homeowner's association, or other property owner's association, for operations or maintenance.

3. Sanitation and Wastewater Treatment

~~The~~It is anticipated that each individual home within the Project will utilize its own on-site wastewater treatment system. Nonetheless, the District shall have the power and authority to finance, design, construct, acquire, install, ~~maintain,~~ assess tap or other facility fees, ~~and provide for sanitary sewers and~~related to ~~transport wastewater to an appropriate wastewater treatment facility, with all necessary and incidental~~wastewater facilities and appurtenant facilities, land and easements, together with extensions and improvements thereto.

4. Street Improvements

The District shall have the power and authority to finance, design, construct, acquire, install, maintain, and provide for arterial and collector streets and roadway improvements including, but not limited to, bridges, curbs, gutters, culverts, storm sewers and drainage facilities, detention and retention ponds, retaining walls and appurtenances, sidewalks, paving, lighting, grading, landscaping, streetscaping, placement of underground utilities, snow removal, tunnels, and other street improvements, and architectural enhancements to any or all of the above, with all necessary and incidental and appurtenant facilities, land and easements, together with extensions and improvements thereto, all subject to the approval of Douglas County pursuant to Douglas County rules and regulations.

5. Traffic Safety Protection

The District shall have the power and authority to finance, design, construct, acquire, install, maintain, and provide for safety protection through traffic control devices and safety controls on streets, as well as such other facilities and improvements as are necessary or prudent, including, but not limited to, signalization at intersections, traffic signs, area identification signs, directional assistance and driver information signs, with all necessary and incidental and appurtenant facilities, and land and easements, together with

extensions and improvements thereto. All traffic and safety control devices will be consistent with and in compliance with County rules and regulations.

6. Parks and Recreation

The District 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, 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 extensions and improvements thereto.

7. Television Relay and Translation

The District shall have the power and authority to finance, design, construct, install, acquire, operate, and maintain television relay and translator facilities, with all necessary and incidental and appurtenant facilities, land and easements, together with extensions and improvements thereto.

8. Mosquito Control

The District shall have the power and authority to finance, design, construct, acquire, install, operate, maintain, and provide for systems and methods for elimination and control of mosquitoes.

9. Fire Protection

The District shall have the power and authority to finance, design, construct, acquire, install, operate, and provide for fire ~~protection, ambulance, and emergency medical and rescue services, including necessary equipment, personnel, and facilities~~cisterns.

10. Covenant Enforcement and Design Review

The District shall have the power and authority to provide covenant enforcement and design review services subject to the limitations set forth in C.R.S. § 32-1-1004(8), as amended.

11. Security

The District shall have the power and authority to provide security services within the boundaries of the District, subject to the limitations set forth in C.R.S. § 32-1-1004(7), as amended. In no way is this power and authority intended to limit or supplant

the responsibility and authority of local law enforcement (i.e., the Douglas County Sheriff's Department) within the boundaries of the District.

B. Estimated Costs and Phasing of Improvements

An estimate of the costs of the public improvements which may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained, or financed was prepared based upon a preliminary engineering survey on the property and is approximately ~~($000.00)~~Nine Million Fifty-Seven Thousand Five Hundred and Fifty-One Dollars ($9,057,551.00) as shown in **Exhibit D**. **Exhibit D** includes an engineer's opinion of costs in current dollars of each public improvement, together with an explanation of methods, basis, and/or assumptions used. All descriptions of the public improvements to be constructed, and their related costs, are estimates only and are subject to modification as engineering, development plans, economics, the County's requirements, and construction scheduling may require. The District will continue to develop and refine cost estimates contained herein and prepare for issuance of debt. Any increase in public improvement costs greater than twenty percent (20%), but less than forty percent (40%), of the stated amount in **Exhibit D**, exclusive of any contingency shown in **Exhibit D,** shall require an administrative review by County staff. Any increase in public improvement costs in excess of forty percent (40%) of the stated amount in **Exhibit D**, exclusive of any contingency shown in **Exhibit D**, will constitute a material modification of the Service Plan and will require review by the County and action by the Board of County Commissioners in accordance with Section XIII. All construction cost estimates assume construction to applicable local, State, or Federal requirements.

Maps showing the preliminary location of the public improvements that the District is authorized to acquire or construct are attached hereto as **Exhibit E**. Phasing of construction shall be determined by the District to meet the needs of taxpayers within its boundaries. The District shall own, maintain, and replace public improvements constructed, installed, or acquired by the District or shall dedicate such public improvements to such other entity as shall accept dedication, subject to any limitations specified in this Service Plan.

In all instances, the District shall ensure that the public improvements are designed and constructed in accordance with the standards and specifications of the County or other such entity that may have authority over such design and construction. The District shall obtain approval of civil engineering and other plans and any applicable permits for the construction and installation of public improvements from the County and/or other appropriate regulatory agencies.

C. Services to be Provided by Other Governmental Entities

~~(List all services to be provided by other governmental entities, including other special districts.)~~

The Project is located within and fire protection services will be provided by the Franktown Fire Protection District.

D. Compliance with Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended

~~The (District or name of existing or extraterritorial district) shall provide water supply services to the Project. **[PICK ONE OF THE FOLLOWING SENTENCES, AS APPROPRIATE] (1)** _____~~It is anticipated that each individual home within the Project will receive a water supply from its own groundwater well and will utilize its own on-site wastewater treatment system. It is anticipated that the District will construct an underground cistern for fire control purposes. The District has met the requirements of Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended, as described in ~~its letter in **Exhibit H**. **(2)** _____ has met the requirements of Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended, as described in~~ the Water Supply Plan in **Exhibit H**.

E. Compliance with ~~DRCOG~~Colorado's Clean Water Quality Management Plan

_____ ~~has asserted its~~The Project will be served by individual septic sewer systems. Therefore, compliance with ~~the DRCOG Clean~~Colorado's Water Quality Management Plan ~~as demonstrated in **Exhibit I**~~is not applicable to this Project at this time.

IX. EXISTING AND PROPOSED AGREEMENTS

~~_____ (Explain any existing or proposed agreements with other governmental entities.)~~
_____ It is anticipated that the District may enter into an intergovernmental agreement with Franktown Fire Protection District.

X. FINANCIAL INFORMATION

A. General

This section describes the nature, basis, and method of funding and debt and mill levy limitations associated with the District's public improvements. A detailed Financial Plan and statement of assumptions is contained in **Exhibit F**.

B. Assumptions

The maximum debt limitation contained herein is based on the assumption that each of the _____37 residential properties in the District will have an average value of approximately _____ ~~($000.00), and commercial space will have an average value of _____ ($000.00) per square foot.~~Two Million Two Hundred Thousand Dollars ($2,200,000). The Financial Plan demonstrates that the District has the ability to finance the public improvements identified herein, will be capable of discharging the indebtedness on a reasonable basis, and will operate on a sound fiscal basis.

C. Identification of District Revenue

The District will impose a mill levy on taxable property within its boundaries as a primary source of revenue for repayment of debt and for operations and maintenance. The District may also rely upon various other revenue sources authorized by law. At the District's discretion, these may include the power to assess fees, rates, tolls, penalties, or charges as provided for in C.R.S. § 32-1-1001(1), as amended.

A Maximum Total Mill Levy of 70.000 mills is authorized to support debt service and operations and maintenance of the District. The District may request an amendment to the Service Plan, in accordance with Section XIII, to eliminate mill levy caps when the debt to assessed value ratio falls below fifty percent (50%).

~~In the event of legislation implementing changes in the ratio of actual valuation to assessed valuation for residential real property, pursuant to Article X, section 3(1)(b) of the Colorado Constitution, the mill levy limitations provided herein will be increased or decreased as to all taxable property in the District to reflect such changes so that, to the extent possible, the actual tax revenues generated by the mill levy, as adjusted, are neither diminished nor enhanced as a result of such changes ("Gallagher Adjustment"). If~~If, on or after January 1, 2026, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut, or abatement, the mill levy limitation applicable to such debt and operating and maintenance expenses may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith so that to the extent possible, the actual tax revenue generated by the mill levy are neither diminished nor enhanced as a result of such changes~~.~~ ("Mill Levy Adjustment"). For purposes of the foregoing, a change in the ratio of actual valuation and any constitutional or legislative changes in the actual value against which the assessment rate is applied shall be deemed to be a change in the method of calculating assessed valuation.

D. Debt Service Mill Levy

A maximum mill levy of 50.000 mills is authorized to support the debt service of the District, subject to the limitation of the Maximum Total Mill Levy. An initial debt service mill levy of 50.000 mills will produce revenue sufficient to support debt service costs through the bond repayment period (see **Exhibit F**, Financial Plan).

E. Maximum Debt Service Mill Levy Imposition Term

The District shall not impose a debt service mill levy which exceeds forty (40) years after the year of the initial imposition of such debt service mill levy unless (1) a majority of the Board of Directors of the District imposing the mill levy are residents of such District, and (2) such Board of Directors has voted in favor of issuing Debt with a term which requires or contemplates the imposition of a debt service mill levy for a longer period of time than the limitation contained herein.

~~E.~~F. Operations and Maintenance Mill Levy

A maximum mill levy of ~~____~~20.000 mills is authorized to support the operations and maintenance of District services and public improvements, subject to the limitation of the Maximum Total Mill Levy. An initial operations and maintenance mill levy of ~~_____~~10.000 mills will produce revenue sufficient to support the operations and maintenance of District services and public improvements (see **Exhibit F**, Financial Plan).

~~F.~~G. District Expenditures

The estimated cost of public improvements for the District is ~~_____($000.00).~~Nine Million Fifty-Seven Thousand Five Hundred and Fifty-seven Dollars ($9,057,551.00). **Exhibit D** includes, in current dollars, the estimated cost of each public improvement, together with an explanation of the methods, basis, and/or assumptions used to establish such costs.

The District will require operating funds to plan and cause the public improvements contemplated herein to be constructed, operated, and maintained as permitted herein. Such costs are expected to include reimbursement of organizational costs, legal, engineering, accounting, bond issuance costs, and compliance with State budgeting, audit, and reporting, and other administrative and legal requirements. The organizational costs for the District for legal, engineering, surveying, and accounting services are estimated to be ~~_____($000.00).~~Seventy Five Thousand Dollars ($75,000). The first year's operating budget is estimated to be ~~_____($000.00).~~Fifty Thousand Dollars ($50,000).

~~G.~~H. Debt

1. Debt Limitation

The total debt limit for the District is ~~_____($000.00),~~Six Million Dollars ($6,000,000), inclusive of costs of issuance, inflation, and other similar costs. For purposes of this Service Plan, debt shall be considered any outstanding bonds, notes, contracts, or other financial obligations of the District payable in whole or in part from *ad valorem* taxes or other revenues of the District for the purposes of financing, acquiring, constructing, or improving any of the public improvements contemplated herein. The debt limit shall not be increased unless approved by the County and as permitted by statute and the Colorado Constitution. Any change in debt limit shall be considered a material modification of the Service Plan, subject to the provisions of Section XIII of this Service Plan. The maximum term of any bond issue, including refunding and refinancing, shall be thirty (30) years from the original date of issuance.

2. Maximum Voted Interest Rate and Maximum Underwriting Discount

The interest rate on any debt is limited to the market rate at the time debt is issued. In the event of a default, the maximum voted interest rate on any debt shall not

exceed twelve percent (12%). The maximum underwriting discount shall be five percent (5%). Debt, when issued, shall comply with all relevant requirements of this Service Plan, State law, and Federal law as is then applicable to the issuance of public securities.

XI. DEVELOPER ADVANCES AND REIMBURSEMENTS

The District anticipates receiving initial funding for both capital and ongoing administrative requirements from developer advances. Such advances may be made to the District subject to the District's obligation to reimburse the same, as may be evidenced by short-term reimbursement agreements or other acceptable agreements or resolutions. The interest rate on developer reimbursements shall not exceed the current Bond Buyer 20-Bond GO Index plus four percent (4%).

Such advances, which the Board is obligated to appropriate on an annual basis, shall count against the maximum allowable debt limit under this Service Plan and may be repaid by the District from bond proceeds or other legally available sources of revenue. Developer advances shall be subordinate to the District general obligation bonds and refinancing of the same shall not require County approval. Any amount of outstanding principal and accrued interest on such developer advances that remains unpaid as of the expiration of the Maximum Debt Service Mill Levy ~~term~~Imposition Term shall be deemed to be forever discharged and satisfied in full. The total developer advances are anticipated to be ~~($000.00).~~approximately Nine Million Dollars ($9,000,000.00). Developer contributions, which will not be repaid by the District, are anticipated to be ~~($000.00).~~approximately Five Million Dollars ($5,000,000.00).

XII. ANNUAL REPORT

The District shall be responsible for submitting an annual report to the County no later than ~~(date)~~August 1 of each year in accordance with the procedures set forth in C.R.S. § 32-1-207(3)(c) and (d), as amended. The annual report shall conform to the format attached hereto as **Exhibit L**, or in a format agreed to by the County.

XIII. MODIFICATION OF SERVICE PLAN

Pursuant to C.R.S. § 32-1-207, as amended, the District shall obtain prior written approval of the County before making any material modification to this Service Plan. Material modifications require a Service Plan amendment and include modifications of a basic or essential nature, including, but not limited to, the following: any addition to the types of services provided by the District; a decrease in the level of services; a decrease in the financial ability of the District to discharge the existing or proposed indebtedness; or a decrease in the existing or projected need for organized service in the area. Inclusion of property that is located in a county or municipality with no other territory within the District may constitute a material modification of the Service Plan.

In the event the District plans to undertake an action which may not be permitted by this Service Plan, it shall be the District's responsibility to contact County staff to seek an

administrative determination as to whether the action in question is permitted by the Service Plan. If County staff determines that the action may constitute a material modification, the District shall submit a proposal for action to the Board of County Commissioners. Thereafter, the Board of County Commissioners will determine whether the proposed action constitutes a material modification. If the Board of County Commissioners determines that the proposed action constitutes a material modification, then the action shall be prohibited and constitute a material modification of this Service Plan requiring an amendment, pursuant to Section XIII of the Service Plan and C.R.S. § 32-1-207(2).

XIV. DISCLOSURE STATEMENT

The District shall provide notice to all purchasers of property in the District regarding the District's authority to levy and collect *ad valorem* taxes and to impose and collect rates, fees, tolls, and charges, by recording a disclosure statement against the property within the District with the Office of the Douglas County Clerk and Recorder. Such disclosure statement shall also provide information concerning the structure of the Board and summarize how purchasers may participate in the affairs of the Board. The disclosure statement shall be recorded within thirty (30) days following the recordation of the court decree organizing the District.

XV. DISSOLUTION

It shall be mandatory for the District to initiate dissolution proceedings when the District has neither any financial obligations nor operations and maintenance obligations. The District may file a petition in the district court for dissolution when there are no financial obligations or outstanding bonds, or any such financial obligations or outstanding bonds are adequately secured by escrow funds or securities meeting the investment requirements in C.R.S. §§ 24-75-601, *et seq.,* as amended. The District's dissolution shall be subject to approval of a plan of dissolution in the district court of the County, pursuant to C.R.S. § 32-1-704, as amended.

XVI. DEFINITIONS

In this Service Plan, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Board: the board of directors of the District

Board of County Commissioners: the Board of County Commissioners of Douglas County, Colorado

Control Act: Part 2 of Title 32 (Special Districts) of the Colorado Revised Statutes (C.R.S.), which outlines review procedures for service plans for a special district

County: Douglas County, Colorado

Debt: any bond, note debenture, contract, or other multiple-year financial obligation of a District

Developer: the owner of the property proposing development of the project

District: the ~~———~~Sundown Oaks Metropolitan District

District Boundaries: the boundaries of the area described in the legal description attached hereto as **Exhibit B**

District Boundary Map: the map attached hereto as **Exhibit C**, showing the District's boundaries

Financial Plan: the Financial Plan described in Section X and attached as **Exhibit F**, which describes: (a) how the public improvements are to be financed; (b) how the debt is expected to be incurred; and (c) the estimated operating revenue derived from property taxes for the first budget year.

General Obligation Bond: bonds or other obligations for the payment of which the District has promised to impose an *ad valorem* property tax mill levy

Maximum Debt Service Mill Levy: the maximum mill levy the District is permitted to impose for payment of debt as set forth in Section X.D

Maximum Debt Service Mill Levy Imposition Term: the maximum number of years the District is authorized to have a debt service mill levy in place, as set forth in Section X.E. below

Maximum Operations and Maintenance Mill Levy: the maximum mill levy the District is permitted to impose for the payment of operating and maintenance expenses as set forth in Section X.E

Maximum Total Mill Levy: the maximum mill levy the District is permitted to impose for the payment of debt as set forth in Section X.D. and operating and maintenance expenses as set forth in Section X.E

Project: the development or property commonly referred to as ~~———~~Sundown Oaks

Public Improvements: the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped, and financed as generally described in the Special District Act to serve the future taxpayers and inhabitants of the District as determined by the Board of the District

Revenue Bond: bonds issued by the District to finance a specific project, the income from which will be used for repaying the bond

Service Plan: the service plan for the District approved by the Board of County Commissioners

Special District Act: C.R.S. § 32-1-101, *et seq.*, as amended

State: the State of Colorado

XVII. RESOLUTION OF APPROVAL

The District incorporates the Board of County Commissioner's resolution approving this Service Plan into this Service Plan to be presented to the district court attached hereto as **Exhibit G**.

XVIII. STATUTORY FINDINGS AND CONCLUSIONS

It is submitted that this Service Plan for the District, as required by C.R.S. § 32-1-203, as amended, establishes that:

~~[PLEASE INCLUDE A PARAGRAPH WITH EACH CONCLUSION EXPLAINING HOW THE DISTRICT HAS MET THIS REQUIREMENT]~~

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

The purpose of the District is to finance and construct certain public improvements and to provide other additional services necessary to support the Sundown Oaks development. The proposed improvements and services are not, and in good faith based upon information and belief, will not be available to the community through the County or other existing municipality or quasi-municipal corporation, including special districts, within a reasonable time and on a comparable basis.

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

The proposed improvements and services are not, and in good faith based upon information and belief, will not be available to the community through the County or other existing municipality or quasi-municipal corporation, including special districts, within a reasonable time and on a comparable basis.

3. The District is capable of providing economical and sufficient service to the area within its boundaries;

The formation of the District will ensure that the public improvements and other services

are sufficient and constructed within a reasonable period of time for the benefit of the property owners located in the community.

4. The area to be included in the District has, or will have, the financial ability to discharge the indebtedness on a reasonable basis~~;~~.

The estimated costs of the improvements and facilities to be constructed, installed and/or acquired by the District are set forth in this Service Plan. The Financial Plan describes the anticipated issuance of debt and repayment based on the projected development within the District boundaries. The Financial Plan demonstrates the District's ability to finance the facilities identified in this Service Plan and capability of discharging the proposed indebtedness on a reasonable basis.

5. Adequate service is not, or 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;

~~6.~~ The proposed improvements and services are not, and in good faith based upon information and belief, will not be available to the area through the County or other existing municipality or quasi-municipal corporation, including special districts, within a reasonable time and on a comparable basis.

6. The facility and service standards of the District are compatible with the facility and service standards of each county within which the District is to be located and each municipality which is an interested party under C.R.S. § 32-1-204(1), as amended;

As stated elsewhere in this Service Plan, all facilities and services proposed will be constructed in accordance with the standards and specifications of Douglas County, the State of Colorado, and any other appropriate jurisdictions.

7. The proposal is in substantial compliance with the Douglas County Comprehensive Master Plan, as amended, adopted pursuant to C.R.S. § 30-28-106, as amended;

The Developer has reviewed the County's Comprehensive Master Plan and is aware of the County's desire to reflect, acknowledge and balance the common values, rights, and needs of all County residents and landowners, and its desire to honor and protect the unique, diverse communities and resources within the County. It is the Developer's belief that the proposal is compatible with the community vision for the future and complies with the policies necessary to achieve sustainable growth within the County as expressed in the Comprehensive Master Plan.

8. The proposal is in compliance with ~~the regional Clean~~Colorado's Water Quality Management Plan, as amended; and

Each individual home and homeowner within the Project will be responsible for its own

on-site wastewater treatment system.

9. The creation of the District will be in the best interests of the area to be served.

j. Mill Levy History

i. Report the annual mill levy for the current year and for each of the seven (7) years prior to current year. Break the mill levies out by purpose (e.g., debt issuance and operations and maintenance)

ii. For each year, compare the actual mill levy with the Service Plan estimate for that year. If Service Plan estimates are not available, indicate the same and report the actual mill levies.

k. Miscellaneous Taxes History

i. Report the annual miscellaneous tax revenue for the current year and for each of the seven (7) years prior to the current year. Break the tax revenue out by purpose (e.g., general operations, revenue-based obligations, debt by issue, contractual obligations, other)

ii. For each year, compare the actual miscellaneous tax revenue with the Service Plan estimate for that year (if provided in Plan). If the Service Plan estimates are not available, indicate the same and report the actual taxes.

l. Estimated Assessed Valuation of District at 100% Build-Out

i. Provide an updated estimate and compare this with the Service Plan estimate.

m. Estimated Amount of Additional General Obligation Debt to be Issued by the District between the End of Current Year and 100% Build-Out.

i. Provide an updated estimate based on current events. Do not include refunding bonds.

Project Name: Sundown Oaks Metropolitan District
Project File #: SV2025-005
Date Sent: 06/04/2025 **Date Due:** 06/18/2025

Agency	Date Received	Agency Response	Response Resolution
AT&T Long Distance - ROW	06/05/2025	See Letter: No Conflict.	No Response Required.
Bannockburn HOA	06/18/2025	See Letter: Comments provided related to concerns with lot sizes, use of ground water, increased traffic, and possible financial burdens of Metro Districts.	This comment has been forwarded to the applicant.
Black Hills Energy		No Response Received.	No Response Required.
Burning Tree Ranch HOA	08/18/2025	See Letter: Comments provided related to concerns of impacts of a metropolitan district, lack of need for a district, and impacts to groundwater.	This comment has been forwarded to the applicant.
CenturyLink (Lumen)	06/21/2025	See Letter: No Objection.	No Response Required.
Cherry Creek Basin Water Quality Authority	06/09/2025	Received: The Cherry Creek Basin Water Quality Authority (Authority) acknowledges notification from Douglas County that the proposed development plans for SV2025-005, Sundown Oaks Metropolitan District, New Service Plan Application have been or will be reviewed by Douglas County for compliance with the applicable Regulation 72 construction and post-construction requirements. Based on the Authority's current policy, the Authority will no longer routinely conduct a technical review and instead the Authority will defer to Douglas County's review and ultimate determination that the proposed development plans comply with Regulation 72. If a technical review of the proposed development plan is needed, please contact LandUseReferral@ccbwqa.org. The review may include consultation with the Authority's Technical Manager to address specific questions or to conduct a more detailed Land Use Review, if warranted. (verbatim)	No Response Required.

Project Name: Sundown Oaks Metropolitan District
Project File #: SV2025-005
Date Sent: 06/04/2025 **Date Due:** 06/18/2025

Agency	Date Received	Agency Response	Response Resolution
Colorado Department of Transportation CDOT-Region # 1	06/05/2025	See Letter: No Comment	No Response Required.
Colorado Division of Water Resources	07/02/2025	See Letter: No additional comments on Sundown Oaks Metropolitan District Special District service plan.	No Response Required.
Colorado Geological Survey	06/18/2025	Received: No Comment. (verbatim)	No Response Required.
Comcast		No Response Received.	No Response Required.
CORE Electric Cooperative		No Response Received.	No Response Required.
Douglas County Addressing Analyst	06/05/2025	Received: No Comment. (verbatim)	No Response Required.
Douglas County Assessor		No Response Received.	No Response Required.
Douglas County Building Services	06/06/2025	Received: No Comment. (verbatim)	No Response Required.
Douglas County Conservation District	06/16/2025	See Letter: Comments provided related to the area's high wildfire risk, recommendation that a Noxious Weed Control plan be developed, references that there is no mention of wildlife protection or corridors. Additional comment that the Conservation District does not support development proposals located in or near drainages or disturbance of wetlands.	This comment has been forwarded to the applicant.
Douglas County Engineering Services	06/18/2025	See Letter: Section VIII #2 Storm Sewer and #4 Street Improvements – First Paragraphs should end with the following: "all subject to the approval of Douglas County."	The applicant has addressed this comment.
Douglas County Health Department	06/16/2025	See Letter: Comment provided related to domestic well drinking water contamination risks and all on-site wastewater treatment systems will need to be permitted and inspected by the DCHD.	This comment has been forwarded to the applicant.
Douglas County Libraries		No Response Received.	No Response Required.
Douglas County Office of Emergency Management	06/04/2025	Received: No Comment. (verbatim)	No Response Required.
Douglas County School District RE 1		No Response Received.	No Response Required.
Douglas County Sheriff's Office		No Response Received.	No Response Required.

Project Name: Sundown Oaks Metropolitan District
Project File #: SV2025-005
Date Sent: 06/04/2025 **Date Due:** 06/18/2025

Agency	Date Received	Agency Response	Response Resolution
Douglas County Wildfire Mitigation	06/18/2025	Received: No Comment. (verbatim)	No Response Required.
Foxhill Metro Districts #1 & 2		No Response Received.	No Response Required.
Franktown Business Area Metro District		No Response Received.	No Response Required.
Franktown Citizens Coalition II Inc	06/04/2025	See Letters: Comments provided related to concerns with approval of a Metropolitan District in the Franktown Rural Community.	Applicant has met with FCC II a representative. All comments have been forwarded to applicants.
Franktown FD		No Response Received.	No Response Received.
Pinery Water and Wastewater District	06/13/2025	Received: No Comment. (verbatim)	No Response Required.
RTD – Planning & Development Dept	06/17/2025	Received: Department Comments Bus Operations No exceptions Bus Stop Program No exceptions Commuter Rail No exceptions Construction Management No exceptions Engineering No exceptions Light Rail No exceptions Real Property No exceptions Service Development No exceptions Transit Oriented Development No exceptions Utilities No exceptions This review is for Design concepts and to identify any necessary improvements to RTD stops and property affected by the design. This review of the plans does not eliminate the need to acquire, and/or go through the acquisition process of any agreements, easements or permits that may be required by the RTD for any work on or around our facilities and property. (verbatim)	No Response Required.
Rural Water Authority of Douglas County		No Response Received.	No Response Required.
Town of Castle Rock	06/10/2025	Received: No Comment. (verbatim)	No Response Required.
Two Bridges Metro District		No Response Received.	No Response Required.
Villages at Castle Rock Metro District 6		No Response Received.	No Response Required.

Project Name: Sundown Oaks Metropolitan District
Project File #: SV2025-005
Date Sent: 06/04/2025 **Date Due:** 06/18/2025

Agency	Date Received	Agency Response	Response Resolution
Xcel Energy-Right of Way & Permits	06/11/2025	See Letter: No apparent conflict.	No Response Required.

DJ Beckwith

From: annb cwc64.com <annb@cwc64.com>
Sent: Thursday, June 5, 2025 12:31 PM
To: DJ Beckwith
Cc: Pam Choy (pc2914@att.com); duanew cwc64.com; jt cwc64.com
Subject: Sundown Oaks Franktown, Colorado Douglas County eReferral #SV2025-005
Attachments: Sundown Oaks Franktown, Colorado.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Hi DJ,

This is in response to your eReferral with a utility map showing any buried AT&T Long Line Fiber Optics near Sundown Oaks Franktown, Colorado. The Earth map shows the project area in red and the buried AT&T Long Line Fiber Optics in yellow. Based on the address and/or map you provided, there should be NO conflicts with the AT&T Long Line facilities.

Please feel free to contact us with any questions or concerns.

Ann Barnowski
Clearwater Consulting Group Inc
120 9th Avenue South
Suite 140
Nampa, ID 83651
Annb@cwc64.com

The attached google earth maps are intended to show approximate locations of the buried AT&T long line fiber optic cable. The maps are provided for informational purposes only. In no way should the maps be used for anything other than general guidelines as to where the fiber is or is not and any other use of these maps is strictly prohibited.

-----Original Message-----
From: dbeckwith@douglas.co.us <dbeckwith@douglas.co.us>
Sent: Wednesday, June 4, 2025 2:44 PM
To: annb cwc64.com <annb@cwc64.com>
Subject: Douglas County eReferral (SV2025-005) Is Ready For Review

There is an eReferral for your review. Please use the following link to log on to your account:
https://apps.douglas.co.us/planning/projects/Login.aspx

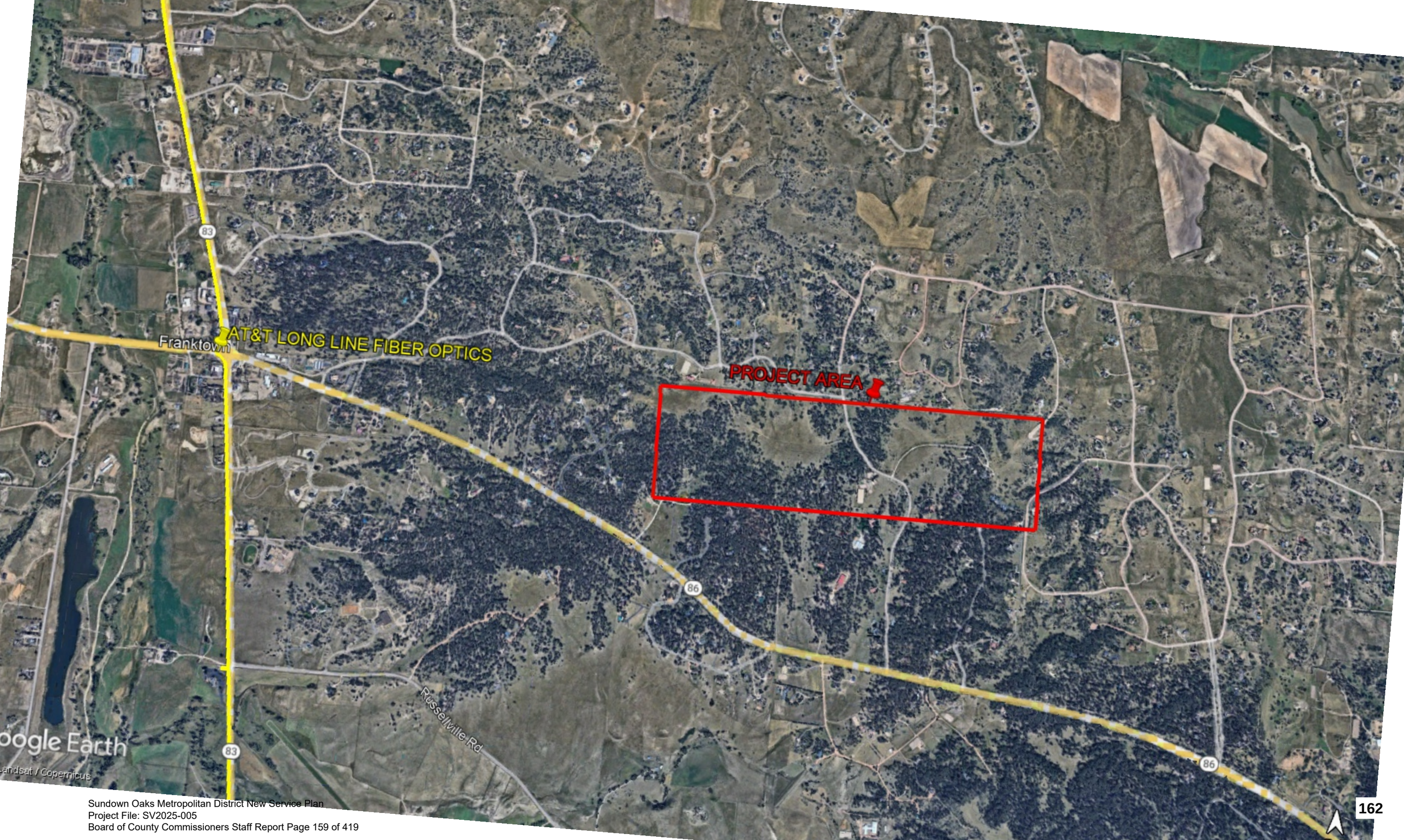
SV2025-005, Sundown Oaks Metropolitain District, new service plan application.

This referral will close on Wednesday, June, 18, 2025.

If you have any questions, please contact me.

Sincerely,

DJ Beckwith
Planning Resources


AT&T LONG LINE FIBER OPTICS
PROJECT AREA
Franktown
83
86
Russellville Rd
oogle Earth
andsat / Copernicus

DJ Beckwith

From: Dave Delgado <DDelgado@bannockburnhoa.org>
Sent: Wednesday, June 18, 2025 2:21 PM
To: DJ Beckwith
Subject: Bannockburn HOA input to Douglas county regarding proposed new Sundown Oaks Metropolitan District

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

On behalf of the Directors of the Bannockburn HOA, we appreciate this opportunity to provide our concerns regarding the proposed Sundown Oaks Metropolitan District, Project no. SV2025-005, which will be near our HOA. Our concerns include the following :

1. The minimum size of ALL LOTS should be five acres to coincide with current Franktown area zoning standards, as well as surrounding existing subdivision lot sizes. Therefore, we recommend a minimum five-acre lot size for ALL LOTS to be consistent with current resident preferences and zoning rules that are in support of maintaining the lifestyle already in place to current residents.
2. The Sundown Oaks Metropolitan District asserts that water to households will be provided by private wells and that there is sufficient ground water for each lot to have an individual well for both home and outdoor use. However, there is a significant concern among Franktown residents, including those in the Bannockburn HOA, that the ground source of water, the Upper Dawson aquifer, is already potentially oversubscribed/over-tapped to assure long term availability to current residents. Specifically, if new residents access this water source based on a higher density calculation, current homeowners could be required to pay costs associated with drilling deeper wells in the short term and potential future public water service connection and provision fees by a neighboring city. We find this to be an untenable financial burden to place on current homeowners in Franktown and surrounding cities and counties. We recommend that a different water source other than the Upper Dawson aquifer be identified and applied to the Project.
3. Access and roads will be significantly impacted when considering the planned Sundown Oaks Metropolitan District and other planned subdivisions in the immediate area. Costs for road enhancements and improvements are likely required to accommodate increased traffic on Tanglewood and Highway 86 that the developers should be responsible to pay in advance of development activities.
4. We are concerned that this Metropolitan District will introduce, amplify and perpetuate known issues and concerns about said "districts" since they are documented widely across Colorado as imposing long-term and in some cases indefinite negative financial impacts to new residents and the broader community.

In summary, your consideration of our concerns is appreciated. Please feel free to contact me with any questions you may have.

Best regards,

Dave Delgado
Bannockburn HOA - President

Burning Tree Ranch Homeowners Association
P.O. Box 312
Franktown, CO 80116
btrboard@gmail.com

8/18/2025

DJ Beckwith – Principal Planner
Douglas County Department of Community Development
100 Third St.
Castle Rock, CO 80104

RE: Referral - Sundown Oaks Metropolitan District – Project File # SV2025-005

Burning Tree Ranch HOA is strongly opposed to any Metro district in Franktown, let alone one that will be bordering our neighborhood. Sundown Oaks, which was formerly known as Oak Bluffs and Sundown developments, respectively. These long-term, still active individual developments have been plagued with issues for years within and bordering the neighborhoods of Bannockburn and Burning Tree Ranch.

Sundown - Bannockburn

- 73 Acres, 17 homes, 2 acres each.
- 2-acre lots are well below the 5-acre minimum for the area.
- Homes will be on well and septic systems.
- The County's Bonus Density clause, allowing for more homes on less land if you allow more open space, doesn't necessarily mean that it's the right thing to do especially when it doesn't conform or match the surrounding area and the open space isn't usually conducive for wildlife corridors or ample space between homes.

Oak Bluff – Bordering Burning Tree Ranch

- 105 acres, 21 homes, 4-5 acre lots.
- 4-acre average lots are similar to other neighboring areas.
- Water cisterns are already installed on site for fire protection use.
- Homes will be on well and septic systems for each lot.
- Traffic and access to the development has and will be an issue.

This site was previously going to be used as a supplemental water supply for the formerly proposed Franktown Village development located on the SE corner of Hwy 83 and Hwy 86. Water would be piped off this site and down through Burning Tree Ranch across Hwy 86 to the proposed Franktown Business area Metropolitan district to satisfy the water requirements associated with the Franktown Village Planned development.

Obviously, the aquifers couldn't handle the proposed project and needed to take water from other areas for the project to happen. This would have put a strain on the aquifers supplying Bannockburn, Burning Tree Ranch, Pine Mor, and Timbers Pointe which are in the immediate area.

There are No positive points for a Metro District but, plenty of documented issues such as

- Very little or no oversight on Metro districts.
- Exempt from independent ethics commissions.
- Heavy increased tax burdens on the homeowners.
- Strain on current aquifers and use of supplemental water from unsafe aquifers.

- Developers relieved of financial burden for the project, no incentive to see or finish the project as intended – homeowners left with the burden.
- Surrounding area suffers when project is not finished or homes stand empty because of non-affordability due to high tax burden. Creates a "non-desirable area" affect to potential home buyers.
- The ability to carry-out eminent domain for their benefit.
- Metro District Board usually consists of the developer on the Board and decisions are based on what is beneficial for the developer not the homeowners.

Burning Tree Ranch is <u>NOT</u> in support of Metro Districts in Franktown and especially for an area less than the surrounding area for acreage and number of homes by the Sundown Oaks Metro District. The proposed surrounding area, which includes the proposed area, is already serviced by the County, and all other areas have individual wells and septic systems as well. To say that this development can't be built without a metro district in place is utterly ridiculous.

Sincerely,

Burning Tree Ranch HOA

June 4, 2025

REFERRAL RESPONSE REQUEST

Comments Due By: June 18, 2025

File # / Name: SV2025-005 / Sundown Oaks Metropolitan District

Request: Metropolitan District – New Service Plan

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐ No Comment

☑ Please be advised of the following concerns:

Qwest Corporation d/b/a CENTURYLINK, QC ("CenturyLink") has reviewed the request for the subject development and have determined there are no CenturyLink facilities within the subject area.
It is the intent and understanding of CenturyLink that this development shall not reduce our rights to any other existing easements or rights we have on this site or in the area. This No objection response is submitted WITH THE STIPULATION that IF CenturyLink facilities are damaged within the area as described, the Applicant will bear the cost of relocation (https://relocation-request.lumen.com/rmpp/#/relocationreq) and/or repair of said facilities. - P866415

Agency: Lumen/ CenturyLink	NIS| Right-of-Way Agent II | Contractor - Faulk & Foster VeShon.Sheridan@Lumen.com / nre.easement@lumen.com
Your Name: VeShon Sheridan *(please print)*	**Your Signature:** **Date:** 6/18/2025

You are encouraged to attend the hearing(s) in the Commissioner's Hearing Room at 100 Third Street, Castle Rock. The hearing date(s) may be obtained by calling 303-660-7460. If you are unable to submit written comments by the due date or need additional materials/information, please contact this office.

Sincerely,

DJ Beckwith
Principal Planner

Enclosure

DJ Beckwith

From: Varner - CDOT, Jessica <jessica.varner@state.co.us>
Sent: Thursday, June 5, 2025 8:10 AM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District Service Plan (SV2025-005)

Follow Up Flag: Follow up
Flag Status: Flagged

Hi DJ,
I have reviewed the referral for (Sundown Oaks Metropolitan District Service Plan) and have no comment.
Thank you for the opportunity to review this referral.

--
Thank you,

Jessica Varner
Permits Unit- Region 1

P 720.541.0441 | F 303.757.9053
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
Jessica.varner@state.co.us | www.codot.gov | www.cotrip.org

July 2, 2025

DJ Beckwith, Principal Planner
Douglas County Planning Services
Transmission via email: dbeckwith@douglas.co.us

Re: Sundown Oaks Metropolitan District – New Service Plan
Case Number: SV2025-005
Part of Sec. 1, Twp. 8S, Rng. 66W, 6th P.M. and Sec. 6, Twp. 8S, Rng. 65W, 6th P.M., Douglas County
Water Division 1, Water District 8

Dear DJ Beckwith,

We have received your June 4, 2025 referral regarding the above referenced proposal for Sundown Oaks Metropolitan District New Service Plan.

This referral does not appear to qualify as a "subdivision" as defined in Section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer's March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

The proposal seeks to create a Special District to construct, own, and operate certain public improvements for the Oak Bluff and Sundown residential development, to be known as the Sundown Oaks Metropolitan District. (hereinafter " District"). The Oak Bluff Development is for 21 single-family residential lots on 105 acres and the Sundown development is for 17 single-family residential on 71 acres.

The proposed water source for each residential lot is an individual on lots well to be constructed into the Upper Dawson aquifer to withdraw 1.0 acre-foot per year per lot, which will be operating pursuant to the decreed augmentation plans in case nos. 95CW288 and 22CW3071.

The plan for augmentation decreed in case no. 95CW288 for 190.73 acres allows for an average diversion of 44. 2 acre-feet annually for a maximum of 100 years for in house use, irrigation and stockwatering. The plan for augmentation decreed in case no. 22CW3071 allows for an average diversion of 10.8 acre-feet annually for a maximum of 100 years for use in up to 12 wells on 12 individual lots (0. 9 acre- feet per year per lot) for in-house use in one single family residence, irrigation, including lawn, garden, and trees of up to 12,000 square-feet per lot and fire protection. According to a letter dated December 21, 2023 from Canyon Creek Engineering, the HOA for Sundown will be dedicated 1.3 acre-feet from the Upper Dawson aquifer for irrigation for case no. 95CW288 and 1.5 acre-feet from the Lower Dawson aquifer for the filling of the 30,000-gallon fire water storage tank for use by Franktown Fire Department. In addition, the HOA for Oak Bluff will be dedicated 1.6 acre-feet from the Upper Dawson aquifer for irrigation for case no. 95CW288 and 2.0 acre-feet from the Lower Dawson aquifer for the filling of the 30,000-gallon fire water storage tank for use by Franktown Fire Department.

The State Engineer's Office provided comments on the water supply plan for the Sundown and Oak Bluff developments in letters dated February 6, 2004, therefore we have no additional comments on Sundown Oaks Metropolitan District Special District service plan.

Should you have any questions, please contact me at 303-866-3581 x8246 or at ioana.comaniciu@state.co.us

Sincerely,

Ioana Comaniciu, P.E.
Water Resources Engineer

Ec: Referral no. 34140

Docusign Envelope ID: CF0CA9C0-7A9E-47FC-9EFE-F1698883E752

June 4, 2025

REFERRAL RESPONSE REQUEST

Comments Due By: June 18, 2025

File # / Name: SV2025-005 / Sundown Oaks Metropolitan District

Request: Metropolitan District – New Service Plan

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐ No Comment	
☐ Please be advised of the following concerns:	
☒ See letter attached for detail.	
Agency: Douglas County Conservation District	**Phone #:** (303) 218 - 2622
Your Name: David Shohet, President *(please print)*	**Your Signature:** Signed by: David.Shohet 6E6057CEE3D2404... **Date:** 6/16/2025

You are encouraged to attend the hearing(s) in the Commissioner's Hearing Room at 100 Third Street, Castle Rock. The hearing date(s) may be obtained by calling 303-660-7460. If you are unable to submit written comments by the due date or need additional materials/information, please contact this office.

Sincerely,

DJ Beckwith
Principal Planner

Enclosure

Docusign Envelope ID: CF0CA9C0-7A9E-47FC-9EFE-F1698883E752

DOUGLAS
—CONSERVES—
DOUGLAS COUNTY CONSERVATION DISTRICT
PO Box 688 / 7519A E. Hwy 86 Franktown, CO 80116 / Phone 303-218-2622

DATE: June 18, 2025

RE: SV2025-005

The Douglas County Conservation District (the District) provides Douglas County subdivision reviews as directed by Senate Bill 35. District comments are made on the suitability of soils for the proposed land uses, floodwater management, and watershed protection. The District also often submits advisory comments regarding rural water supply issues, agricultural land use conversion, and endangered species protection if the development plan affects those issues.

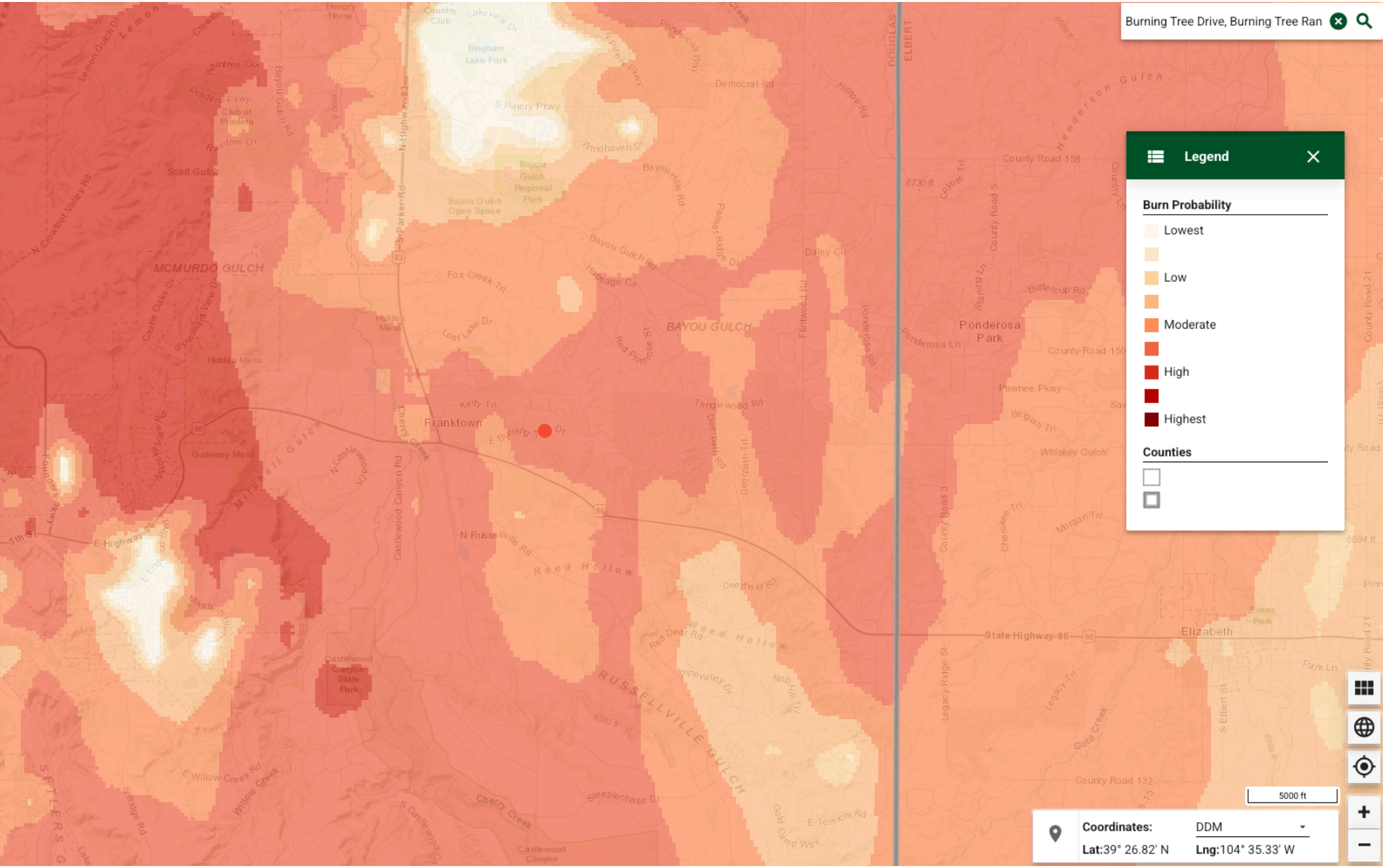
This Service Plan is for 173 acres and 37 residential units in the wildland – urban interface and carries "High" wildfire risk (attached and sourced from https://co-pub.coloradoforestatlas.org/#/). For more information on protecting property from wildfire https://www.douglas.co.us/building-division/wildfire-mitigation/protect-your-home-wildfire-mitigation/ . Wildfire in this area can negatively affect the water quality downhill in Cherry Creek.

There is no Integrated Noxious Weed Control plan and it is recommended that an integrated weed management program be reviewed and approved by the Douglas County Weed Inspector and/or Weed Advisory board, the County Extension Agent, Natural Resources Conservation Service, or a qualified weed management professional prior to the land use authority approval.

There is no mention of protecting wildlife or wildlife corridors in the design of the community as defined by the Douglas County Comprehensive Master Plan, Section 9 Wildlife https://www.douglas.co.us/planning/master-plans/comprehensive-master-plan/.

The channels of many of the major streams are not stable and undergo substantial shifts in alignment during flood events. Upstream development increases the magnitude and frequency of local flooding. Floods that exceed the computed 100-year storm do regularly occur. The District does not support development proposals that are located in or near drainages or development that disturbs wetlands. See FEMA note above.

Thank you for the opportunity to review this project. Direct any questions to Heather Kelly, District Manager, at Admin@DouglasConserves.org or (303) 218 – 2622.


Burning Tree Drive, Burning Tree Ran
Legend
Burn Probability
Lowest
Low
Moderate
High
Highest
Counties
Franktown
Ponderosa Park
Elizabeth
MCMURDO GULCH
BAYOU GULCH
RUSSELLVILLE GULCH
Reed Hollow
State Highway 86
5000 ft
Coordinates:
DDM
Lat:39° 26.82' N
Lng:104° 35.33' W

DOUGLAS COUNTY
COLORADO

Department of Community Development
Planning Resources

www.douglas.co.us

June 4, 2025

REFERRAL RESPONSE REQUEST

Comments Due By: June 18, 2025

File # / Name: SV2025-005 / Sundown Oaks Metropolitan District

Request: Metropolitan District – New Service Plan

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐ No Comment	
☒ Please be advised of the following concerns: Section VIII #2 Storm Sewer and #4 Street Improvements - First paragraphs should end withthe following: "all subject to the approval of Douglas County".	
☐ See letter attached for detail.	
Agency: Engineering	**Phone #:** 4318
Your Name: Al Peterson	**Your Signature:** Allan Peterson
(please print)	**Date:** 6/18/2025

You are encouraged to attend the hearing(s) in the Commissioner's Hearing Room at 100 Third Street, Castle Rock. The hearing date(s) may be obtained by calling 303-660-7460. If you are unable to submit written comments by the due date or need additional materials/information, please contact this office.

Sincerely,

DJ Beckwith
Principal Planner

Enclosure

DOUGLAS COUNTY
HEALTH DEPARTMENT COLORADO

June 16, 2025

DJ Beckwith
100 Third St.
Castle Rock, CO 80104

RE: SV2025-005

Dear Mr. Beckwith

Thank you for the opportunity to review and comment on the application for a Special District Service Plan. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has the following comments.

Domestic Wells
Drinking water contaminated with pathogens can cause a variety of illnesses in humans. It is important to protect source water from contamination, and to treat drinking water to eliminate pathogens before it is provided for human consumption. The Colorado Division of Water Resources (DWR) is the agency that regulates well permitting. More information can be found here https://dwr.colorado.gov/.

On-Site Wastewater Treatment System (OWTS)
Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. DCHD has no objection to the property being served by an OWTS provided that the system is permitted, inspected and operated in accordance with DCHD's current OWTS Regulation. In order to start the process, the applicant may contact DCHD at the time of development. More information is available at https://www.douglas.co.us/health-department/environmental-health/.

Please contact me at 720-907-4888 or bfreyer@douglas.co.us if you have any questions about our comments.

Sincerely,

Brent Freyer
Environmental Health Specialist II
Douglas County Health Department

8/4/25 Planning Commission Exhibit 1

FRANKTOWN CITIZENS COALITION, II

Paper and Exhibits in opposition to

Proposed Sundown Oaks Metro district

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FRANKTOWN CITIZENS COALITION'S OPPOSITION TO SUNDOWN OAKS PROPOSED METROPOLITION DISTRICT

ARE METRO DISTRICTS JUST SCAMS TO PUSH THE FINANCIAL BURDEN DOWN THE ROAD TO RESIDENTS?

I. STATUTORY REQUIREMENTS NECESSARY FOR APPROVAL OF METRO DISTRICT

Colorado statutes delineate ALL the requirements that are necessary to approve a metro district in "**Action on a Service Plan**,"

C.R.S. 32-1-203 (2)

(2) The board of county commissioners ***shall disapprove*** *(Emphasis added)* the Service Plan unless evidence satisfactory to the board of each of the following is present:

(a) There is sufficient existing and projected ***need*** (*emphasis added)* for organized service in the area to be serviced by the proposed special district.

A METRO DISTRICT IS DEFINITELY NOT NEEDED.

THEREFORE, REQUIRED DOUGLAS COUNTY SERVICE PLAN REVIEW PROCEDURES IN XVIII STATUTORY FINDINGS AND CONCLUSIONS

NUMBER 1 AND 5 HAVE ALSO NOT BEEN MET. (SEE ANALYSIS BELOW AT II)

(b) The existing area to be served by the proposed special district is inadequate for the present and projected needs.

THE EXISTING AREA IS MORE THAN ADEQUATE FOR PRESENT AND PROJECTED NEEDS.

THEREFORE, REQUIRED DOUGLAS COUNTY SERVICE PLAN REVIEW PROCEDURES IN XVIII STATUTORY FINDINGS AND CONCLUSIONS NUMBER 2 HAVE ALSO NOT BEEN MET. (SEE ANALYSIS BELOW AT III)

(c) The proposed special district is capable of provided economical and sufficient service to the area within its proposed boundaries.

THERE IS NOTHING ECONOMICAL ABOUT THE SERVICES

THEREFORE, REQUIRED DOUGLAS COUNTY SERVICE PLAN REVIEW PROCEDURES IN XVIII STATUTORY FINDINGS AND CONCLUSIONS NUMBER 3 HAVE ALSO NOT BEEN MET. (SEE ANALYSIS BELOW AT IV)

(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.

THE DISTRICT DOES NOT HAVE THE ABILITY TO DISCHARGE THE PROPOSED INDEBTEDNESS ON A REASONABLE BASIS.

THEREFORE, REQUIRED DOUGLAS COUNTY SERVICE PLAN REVIEW PROCEDURES IN XVIII STATUTORY FINDINGS AND CONCLUSIONS NUMBER 4 HAVE ALSO NOT BEEN MET. (SEE ANALYSIS BELOW AT V)

II. DEVELOPER MUST PROVE:

C.R.S. 32-1-203 (2)(a)

(a) There is sufficient existing and projected *need (emphasis added)* for organized service in the area to be serviced by the proposed special district.

A METRO DISTRICT IS DEFINITELY NOT NEEDED.

The Service Plan describing the "Need for the District," page 2, is vague, ambiguous, disingenuous and conclusory. It has no facts or evidence to support any need for a metro district. There are large developments all over rural Franktown that meet Douglas County's Article 5 (Subdivision and planned Developments) and meet infrastructure requirements, traffic control/safety requirements, deceleration lanes, fire protection requirements, surface drainage requirements, street improvements, parks and recreation, covenant design and enforcement, and television relay and translation **WITHOUT** a metro district. Developer/builders

advanced the funds to pay for the infrastructure, including supportive projects outside the district boundary (i.e., sidewalks, intersections, roads, ditches, culverts, water lines, sewer lines, deceleration lanes out onto highways, etc.). The developer/builders were paid back the costs (and received a handsome profit) of building these infrastructure items with the proceeds from selling the now "developed lot" (connected to the infrastructure and supported by the other improvements inside and outside the district boundary) to homebuilders or homeowners. By purchasing homes, the homeowners ultimately repaid those costs and profits just as they repaid the costs and paid profits for the person building the home on the developed lot.

WITH A METRO DISTRICT, IT'S DIFFERENT. IN A METRO DISTRICT THE HOMEOWNER WOULD BE "STUCK" WITH EVER CONTINUING EXTRA TAXES OVER AND ABOVE COUNTY PROPERTY TAXES, EXTRA OPERATION AND MAINTENANCE FEES AND AN EVER BURGEONING DEBT AS THEY ARE IN A METRO DISTRICT. THIS DEBT CONTINUES EVEN AFTER THEY'VE PAID OFF THEIR MORTGAGE!

SIGNIFICANT: A SPECIFIC EXAMPLE OF A DEVELOPMENT IN FRANKTOWN CALLED ARROWPOINT ESTATES IS IRREFUTABLE EVIDENCE THAT THIS DEVELOPER/BUILDER'S REQUEST FOR A METRO DISTRICT IS NOT NEEDED.

SIGNIFICANT: A SPECIFIC EXAMPLE OF A DEVELOPMENT IN FRANKTOWN CALLED ARROWPOINT ESTATES IS IRREFUTABLE EVIDENCE THAT THIS DEVELOPER/BUILDER'S REQUEST FOR A METRO DISTRICT IS NOT NEEDED. ARROWPOINT ESTATES IS AN ALMOST IDENTICAL, POINT FOR POINT, DEVELOPMENT MIRRORING THE PROPOSED METRO DISTRICT BUT IS NOT A METRO DISTRICT. IT IS VESTED IN BY THE SAME DEVELOPER/BUILDER[1] THAT IS PROPOSING A METRO DISTRICT FOR SUNDOWN OAKS .

Arrowpoint Estates Subdivision is at Hwy 83 and 86 in Franktown. The very ***SAME VESTED DEVELOPER/BUILDER*** (Northstar Custom Homes) of that Arrowpoint Estates is the very ***SAME VESTED DEVELOPER/BUILDER*** for the development in the proposed Sundown Oaks Metro District. **It's important to note** that an advertisement for a home in Arrowpoint listed for $2.697 million has an even **lower purchase price** than the advertised homes in the proposed metro district, (1.8 million to 3.5 million for Sundown and 2 million to 4 million for Oak Bluff))[2] but still lists very similar development plans,

[1] Website for Vision Commercial Development and Residential, 2023, Owner Mr. Steve Gage, "Vision is proud to be responsible for the land acquisition of this project. We manage the entitlements and oversaw the infrastructure development.

[2] Advertised by Vision Commercial Development and Residential, Owner Mr. **Steve Gage., See exhibits 10 & 11**

taxes and deeded water rights."[3] There is no basic difference with Sundown Oaks' plans!

IT SHOULD BE NOTED THAT on June 30, 2025 the president of the FCC II, Inc., Diana Love and the member-at-large of the FCC II, Richard Love, met with the vested Builder/Developer of the proposed Sundown Oaks Metro District, Mr. Steven Gage. When Mr. Gage was asked the reasons for proposing a metro district when the community was against it, Mr. Gage only gave one reason. He responded: "I don't like metro districts either. But the County has required a deceleration lane at Tanglewood and 86. Of the four estimates I got, $2.4 million was the least amount. If you can get me $800,000, I will pull the request for a metro district."

Mr. Gage also stated that he "planned to ask $700,000 for some of the large back, five acre lots with a gorgeous view of Pikes Peak." It appears (See analysis in (d) below) that the prices for the lots and the homes will more than pay for the infrastructure, the home buildings and the turn lane for $2.4 million plus a very large profit over and above ALL the costs.

IT IS INTERESTING THAT MR. GAGE SAID HE NEEDED A METRO DISTRICT BECAUSE THE COUNTY REQUIRED A DECELERATION LANE ON

[3] Advertisement for home in Arrowpoint Development, 1555 Arrowpoint Cr., Franktown, Builder and owner, Northstar Custom Homes, Date February 28, 2025,. **Megan Gage** at Brokers Guild Real Estate, Zillow

TO HWY 86. BECAUSE, ON THE COUNTY'S WEBSITE FOR ARROWPOINT ESTATES, THE CONCLUSION OF THE BUILDER/DEVELOPERS' PROJECT NARRATIVE MAKES CLEAR THAT NO METRO DISTRICT WAS NEEDED EVEN THOUGH A DECELERATION LANE WAS REQUIRED JUST LIKE IN THIS METRO DISTRICT PROPOSAL.

"*CONCLUSION* Arrowpoint subdivision will provide secluded home sites with quick access to the county road network. Homeowners will enjoy vistas of the Cherry Creek valley as well as some mountain views within their own lots or along the trails within the open space tracts. The Arrowpoint Home Owners Association will be responsible for maintaining the roadway, open space, trails, and drainage facilities within the development. **The developer plans on constructing all of the roads, private and *CDOT turn lane*, [emphasis added] and drainage features in one phase."**[4]

So even though the Builder/Developer constructed/will construct almost the same scenario for both developments, including a deceleration lane/left turn lane and there's no metro district in Arrowpoint, and EVEN THOUGH HE IS CHARGING MUCH MORE FOR SOME OF THE SUNDOWN OAKS HOMES, he's still asking for a metro district for Sundown Oaks. What's the catch? Money.

[4] Douglas County Planning Pro, SB2020-032

One more very notable point: The Builder/developer has known about, and showed his intention to apply for, the aforementioned deceleration lane as far back as, at least, 2021, or farther. This is laid out in his engineer's report to the County[5] as part of the construction for the underlying *development projects*, Sundown Oaks, that was started in 2019. But despite all of this time, he did not apply for a metro district to the County until June 2025, over six years from the start of the development project at Sundown Oaks. **This significant lapse in time between the start of the development project and the application for a metro district appears to show the proposal for a metro district was only an afterthought not a "need."**

To underscore that evidence, in this proposed metro district, the Developer has not shown that the land within the District cannot/and or will not be sold at a substantial profit to cover the costs of the proposed improvements. The Developer/Builder is currently pre-marketing the fully completed houses and properties within the District between $1.8 million and $4 million.[6] There are 37 home lots planned between the two areas to be developed. The anticipated infrastructure

---

[5] *"A left turn deceleration lane for eastbound Highway 86 will be applied for and constructed per CDOT standards."* Canyon Creek Engineering, 11-15-21, SB2019-038

[6] Advertised by Vision Commercial Development and Residential, Owner Mr. Steve Gage, See Exhibits Nos. 11 & 12

cost is $9,057,551 in the service plan, Exhibit D. That is $244,799[7] per lot to recover 100% of the Developer's investment. Is that cost, plus a substantial profit, already built into the $1.8 - $4 million anticipated price of the homes? Are the homeowners then going to be obligated to pay a metro tax of $9,009 for the 1.8 million dollar home per year, and $20,020 for the 4 million dollar home per year at the maximum 70 mills levy rate, to reimburse the developer for those SAME costs?

The Developer has provided a cost estimate for the infrastructure, but the Commissioners should require the Developer to also provide an estimate for all costs the Developer will incur such as the cost of the lots, and if the Developer is also the Builder this disclosure should also include the estimated costs of constructing the house on the lot, landscaping, and other costs incurred to fully develop the lot. Then they should be required to disclose how much the homebuilder or home buyer will be expected to pay for the developed lot. Without an estimate of anticipated profit margins apart from any revenue from the metro district, there is no way to determine the need criteria for the proposed metro district. A very large profit here would not be surprising as studies have shown that "developers routinely pay themselves 200 to 1000% profit in metro district development, when

[7] It should be noted that in Exhibit 3 from Charles Wolfersberger this calculation is based on the Douglas County Assessor's valuation of the land at $2, 901, 500. Here we used the developers own valuation of $0. Service plan at VII, page 2.

the industry average nationwide is 15 – 30% profit."[8] The Board of Douglas County Commissioners has the authority to require additional disclosures. See below under Board of County Commissioners Authority.

There is no evidence in the service plan showing any need for a metro district. In fact, it is patently obvious, that comparing the facts between Sundown Oaks and Arrowpoint, coupled with the finances (see also (d) below), will completely undermine the service plan's supposed "Need for District."

The statute is clear that for ANY approval for a metro district the service plan MUST MEET the statute's requirements for "NEED." The service plan does not meet that requirement.

III. THE BUILDER/DEVELOPER MUST PROVE:

C.R.S. 32-1-203 (2)(b)

The existing area to be served by the proposed special district is inadequate for the present and projected needs.

[8] See Exhibit 6, John Henderson, founder of Coloradans for Metro District Reform

THE EXISTING AREA IS MORE THAN ADEQUATE FOR PRESENT AND PROJECTED NEEDS.

A. NO WATER SYSTEM NEEDED

Because of the topography and location, water systems cannot even be built at this location!

The service plan, VIII, page 4, requests the "power and authority" to provide services that are *unattainable* in Franktown, e.g. distribution systems, treatment facilities, etc. The Service Plan then states: "It is anticipated that each individual home within the Project will receive water service from its ***own*** *(emphasis added)* groundwater well."

This is the same as Arrowpoint Estates that has no metro district because it's not needed. Wells are attainable for every individual home therefore, water systems are NOT needed.

B. NO SOLID WASTE DISPOSAL FACILITY NEEDED.

There are numerous private companies in the Franktown area, separate from a metro district, that handle solid waste disposal that homeowners would have, and should have, the ability to choose from instead of being forced to use the metro district's choice.

C. NO SANITATION AND WASTEWATER TREATMENT FACILITY NEEDED.

Only individual septic tanks can be installed to handle this. Private companies pump out the septic tanks. Because the treatment of wastewater in this area is through septic systems and private company sanitation pumpers, sanitation and wastewater facilities are absolutely not necessary.

Regardless that these are not necessary, nor can they even be built in this area because of the topography, the service plan, still says it "shall have the power and authority . . . to assess tap or other facility FEES (emphasis added)...to transport wastewater to an appropriate wastewater treatment facility." (VIII, page 5) This sentence, as do many throughout the service plan, underscores the developer's *only* reason for their request for a metro district, *MONEY*, not the need for a metro district.

The same as no water system needed, this is also the same as Arrowpoint Estates that has no metro district because it's not needed. Septic system, i.e. each homeowners on-site wastewater treatment system, are attainable for every individual home, therefore, sanitary sewers and wastewater treatment systems re NOT needed.

D. FIRE PROTECTION NOT NEEDED TO BE PROVIDED BY A METRO DISTRICT. The service plan acknowledges that Franktown Fire Protection District will provide "fire protection services" NOT the metro district. Under "Service to be Provided by Other Government Entities,

the service plan states "The Project is located within and fire protection will be provided by the Franktown Fire Protection District." This is in direct conflict with the service plan's Executive Summary which states, the "District shall be authorized to provide the following services: fire protection . . ."

IV. THE BUILDER/DEVELOPER MUST PROVE:

C.R.S. 32-1-203(2)(c)

The proposed special district is capable of provided economical and sufficient service to the area within its proposed boundaries.

THERE IS NOTHING ECONOMICAL ABOUT THE SERVICES.

How is charging a resident twice for the cost of the same infrastructure "economical"?

How is financing the cost of the infrastructure through developer advances with high interest rates and then re financing that debt with a second level of debt - paying interest on the interest on the advances

where there is no marketplace control or accountability for developer government spending (metro districts) and adding the high cost of management companies, lawyers, consultants, accountants?

How is all this more "economical" than simply adding it to the cost of the home (which is done anyway - see first point)?

V. THE BUILDER/DEVELOPER MUST PROVE:

C.R.S. 32-1-203(2)(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.

THE FINANCIAL DESIGN IN THE SERVICE PLAN SHOWS THAT THE METRO DISTRICT DOES NOT HAVE THE FINANCIAL ABILITY TO DISCHARGE THE PROPOSED INDEBTEDNESS ON A REASONBLE BASIS.[9]

[9] Contributed by Debbie Bowman, FCC II, Secretary and Hyla Jenks, FCC II, T+reasurer

"Colorado metro districts and developers create billions in debt, leaving homeowners with soaring tax bills."[10]

A. The Service Plan at Section XVIII(4) incorrectly states the District has, or will have, the financial ability to discharge the indebtedness on a reasonable basis. As will be shown, the District does not have the financial ability to discharge the debt the Developer proposes to advance. The Financial Plan also clearly shows that the District can only barely afford to pay off a $3.625 million debt. The Service Plan is completely silent on any reasonable basis for discharging the amount of debt allowed by the Service Plan and anticipated by the Developer.

There are also, in general, multiple contradictions and ambiguities scattered throughout the Service Plan. The interest rate on Developer advances changes several times throughout the Service plan. There are multiple references to the debt the District is obligated to pay to the Developer, such as debt limitation, repayment of debt, debt service, debt shall be considered any outstanding bonds, notes, contracts, or other financial obligation of the District, and the interest rate on debt. Yet Exhibit J, Reimbursement Agreement, at number 5, states that the

[10] The Denver Post, 6/26/2020

Reimbursement Agreement does not constitute a debt or other financial obligation of the District. Why is this financial obligation suddenly not a debt? The Financial Plan Exhibit F Page 1 shows the property tax revenue is based on a Douglas County residential assessment rate of 6.7%; however, that rate was a temporary rate for the year 2024, and the assessment rate as of 2025 is 7.15%. The revenue that can be obtained through fees and miscellaneous other sources has no limit, and appears to be at the discretion of the District when and how much they chose to inflict on the future home owners. And there is no accounting for the $75,000 annual anticipated organizational and maintenance costs.

B. COSTS

The Developer estimates the costs of the infrastructure or public improvements for the District to be $9,057,551. Service Plan Section VIII(B) and Exhibit D.

There is also a litany of administrative, operational, maintenance and organizational costs which include, but are not limited to, legal fees, engineering services, accounting services, bond issuance costs, compliance with state budgeting, audit and reporting costs, other administrative and legal requirements, financial consulting fees, general operations and maintenance costs. See Service Plan Section VIII(B) and Exhibit J (1). Section X(F) estimates the organizational costs for the

District for legal, engineering, surveying and accounting services to be $75,000; however they estimate the first year's operating budget to be $50,000. It is unclear if the other services and costs besides legal, engineering, surveying and accounting are in addition to the estimated $75,000 annual operating expenses.

C. DEVELOPER ADVANCES AND REIMBURSEMENTS Section XI

The developer anticipates advancing the funding to the District for both capital and ongoing administrative expenses. The District is obligated to reimburse all the Developer's advances, which may be repaid from "bond proceeds or other legally available sources of revenue" Section XI, page 10. These other available sources of revenue "may include the power to assess fees, rates, tolls, penalties or charges," Section X(C). All advances shall count against the maximum allowable debt limit of the Service Plan.

Section XI also states that refinancing of the advances "shall not require County approval." Do the homeowners have a say in the refinancing of the debt they are responsible for?

The Developer anticipates advancing approximately $9,000,000. However, the cost of the infrastructure alone is $9,057,051. The miscellaneous administrative, operational, organizational and maintenance costs are a minimum of $75,000 annually; however there

appears to be no limit on the fees, nor other sources of revenue, that can be assessed.

D. DEBT

The maximum debt limit is $10,000,000, which is all financial obligations of the District.

The Service Plan Section X(G) states that the interest rate on any debt is limited to the market rate, yet Section XI states that Developer reimbursements shall not exceed current Bond Buyer GO Index plus 4%. However, Exhibit J, Reimbursement Agreement, states that reimbursements shall be made at the annual rate of 8% simple interest, but shall not exceed the AAA 30-year MMD (Municipal Market Data) index interest rate by more than 400 Base Points. It is unclear at what interest rate the Developer expects to be reimbursed, but at a minimum of 8%.

Even though the Developer expects to advance about $9,000,000, the Financial Plan is based on a total debt for project funds of only $3,625,000. This amount is expected to be acquired through the issuance of 30 year bonds at 6.25% interest. This debt will be repaid by imposing a maximum mill levy on taxable property in the District of 50 mills. The primary source of revenue to support operations and maintenance will be a maximum mill levy of 20 mills. They are

imposing an initial levy of 10 mills for operations and maintenance, which leaves another 10 mill levy available to them, which can be assessed at any time. Additionally, the bond yield is at 6.25% interest, yet the Developer is expecting to be reimbursed at the rate of at least 8% interest.

The total bond interest on the $3,625,000 debt is $5,360,808 for a total debt service of $8,985,808. The projected revenue from the 50 mill property tax is $10,470,785. The projected tax revenue for operations and maintenance at 10 mills is $2,838,332. This is assuming that all 37 homes are built, and sold, and the average value of all the homes is the minimum value of $2,200,000, with a consistent 3% growth rate.

Since the Developer anticipates advancing about $9,000,000 for the proposed improvements of the District, yet is only issuing $3,625,000 of debt, that leaves a deficit of $5,375,000. The total debt limit is $10,000,000, which is available at any time with no one's permission or approval. This would allow for another $6,375,000 of debt. Yet they have maximized the revenue available through the 50 mills property tax levy, which just barely pays off the $3,625,000 debt. They have initial infrastructure costs of $9,057,551 plus an unknown amount of miscellaneous operations and maintenance costs. Despite their claims otherwise, they have no ability to repay any additional debt above the $3,625,000. How do they plan on funding any such additional debt?

Are they planning on using the unlimited fees, rates, tolls, penalties and charges available to them?

The Developer also states that the total anticipated assessed value of the District at full build out is approximately $6,205,653. Service Plan Section VI. The debt limit is $10,000,000. That is a debt to assessed value ratio of approximately 161%, well above what is considered a safe ratio.

Subordinate Debt There is also a type of debt that creates even more potential financial disaster. That type of debt is called subordinate debt. Subordinate debt, also known as junior or subordinated debt, is a type of debt that has a lower priority for repayment compared to senior debt.[11] The catch is that "payments on Subordinate debt **cannot be made** until the General Obligation bonds are paid off."[12] Subordinate debt is repaid after senior debt. This means it carries more risk for investors, and as a result, it typically has a higher interest rate. Subordinate debt in metro districts is often structured as cash flow bonds, meaning principal and interest payments are not scheduled until maturity, and unpaid interest may compound.[13] A big problem for these debts is that investors in subordinate debt face a

[11] AI Overview
[12] Larry Gable, Wild Point Metro District, Exhibit 6
[13] AI Overview

higher risk of non-payment if the district's revenue is insufficient to cover all debt obligations. **And if a metro district struggles to repay its debt, it may need to increase taxes on residents to meet its obligations.**[14]

VI. SECTION 18A, WATER SUPPLY COMPLIANCE IS NECESSARY TO COMPLY WITH THE DOUGLAS COUNTY MASTER PLAN.[15]

THE SERVICE PLAN DOES NOT COMPLY WITH SECTION 18A, THUS, IT DOES NOT COMPLY WITH THE COMPREHENSIVE MASTER PLAN.

THEREFORE, REQUIRED DOUGLAS COUNTY SERVICE PLAN REVIEW PROCEDURES IN XVIII STATUTORY FINDINGS AND CONCLUSIONS NUMBER 7 HAVE ALSO NOT BEEN MET. (SEE ANALYSIS HERE)

The particular part of the zoning regulations that this information is most closely related to would be Section 1503-10 of Section 18A.

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[14] AI Overview

[15] Section 1503-10 of Section 18 A. AI Overview

The Service Plan states: "The District has met the requirements of Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended, as described in the Water Supply Plan in Exhibit H. " In reviewing Exhibit H, the problems with proper augmentation of the Upper Dawson prevent the service plan from meeting the requirements of Section 1503-10 of Section 18A.

Therefore, the service plan has NOT shown that Section 1503-10 of Section 18 A has been met. This Douglas County Zoning Resolution is "intrinsically linked" to and part of the implementation of the Douglas County Comprehensive Master Plan (CMP). "The CMP serves as a basis for regulatory actions, including the zoning regulations. Therefore, the Water Supply Overlay District (Section 18A) helps implement the CMP's goals regarding water conservation and management, according to the Colorado Division of Local Government."[16] Without complying with Section 1503-10, Section 18A, there also is NO compliance with the Douglas County Master Plan.

IMPORTANT: THE WATER PLAN FOR THE SUNDOWNOAKS DEVELOPMENT IS A SIGNIFICANT PROBLEM FOR BOTH THE DEVELOPMENT AND THE PROPOSAL FOR A METRO DISTRICT.

[16] Colorado Department of Local Affairs, Colorado Division of Local Government., AI Overview

The water plan for this development requires augmentation for the Upper Dawson as per law. Unfortunately, the Service Plan in the Canyon Creek Engineering report, page 1, states that the augmentation is reserved from the Laramie Fox Hills Aquifer (LFHA). See, also, Court Order 95CW288. That is untenable. The LFHA is extremely toxic. To use it to augment the Upper Dawson would poison wells in the Upper Dawson. The developer will need to go back to the water court, which has retained jurisdiction to determine adequacy, for a hearing on the water plan for the development. That hearing would be necessary in order to prevent the use of the LFHA and to have another adequate aquifer decreed as the only one allowed for use to augment the Upper Dawson.

The reasons are myriad and supported by all of the scientific literature, and corresponding media literature and the reactions of several different municipalities to the problems manifested by water from the LFHA would seem to indicate definitively that this water is, if not sufficiently treated and diluted (but not just diluted), unfit for human consumption. Additionally, in most parts of the Denver Basin (including the Sundown-Oaks development area), LFHA is somewhere between 2500 and 3000 feet below the surface, which would require wells costing considerably over one million dollars each, with pumps equally

consumption. Additionally, in most parts of the Denver Basin (including the Sundown-Oaks development area), LFHA is somewhere between 2500 and 3000 feet below the surface, which would require wells costing considerably over one million dollars each, with pumps equally prohibitive in cost to the average homeowner. This is an absurd choice as part of an augmentation agreement for the Upper Dawson aquifer if Upper Dawson is to be used for human drinking and bathing water.

LARAMIE-FOX HILLS WATER QUALITY AND ACCESSIBILITY[17]

a) The Laramie-Fox Hills lies in the Denver Basin system of aquifers, and is the deepest of the 4 major aquifers (2 of which may be further subdivided). Its furthest vertical reaches are almost directly under Franktown, at nearly 2400 feet. A well drilled to that depth can easily cost over one million dollars; the pumps alone can be in the hundreds of thousands. This great depth also makes the water physically hot, once acquired.

(b) It is depleting very fast where it is being used. While it does recharge, this process is infinitesimally slow and nowhere near as fast as the use rates – slower than that of all the aquifers above it, from

[17] Contributed by Malcolm Bedell, Franktown, 80116, Is a published paleontologist with training in geology and other hydrology related subjects.

in the confining rock, which has been extensively mined (over 300 known mines). Heat and bacteria working on the coal form noxious compounds like Hydrogen sulfates and sulfides, methane, and nitrites – all exceeding EPA standards. Manganese, selenium and iron are also present in large quantities, the iron staining clothes; the other metals having other detrimental effects. Hydrogen sulfide is corrosive to iron, steel, copper, brass, and silver cooking utensils. Coffee and cooked food are affected. Ion bases of water softening systems are destroyed, producing black slime. Sulfates can have a strong laxative effect on both people and livestock, leading to dehydration – a special maximum allowable level of 250 mg. per liter. Levels hundreds of times that have been found in L-FH wells.

d) Only 5-10 percent of Elbert and Douglas County wells (as of 2014) were L-FH, used mostly for livestock and industry. Mathematical models devised to show what should be found in many of these wells have not corroborated well with actual findings – it can be far worse.

e) The process of cleaning this water is more difficult than with any other in the Denver Basin. This involves treatment with acids, dilution with water from other aquifers in a continuous process over time. Sometimes, expensive "shock treatment" of wells becomes necessary. Simple chlorination is inadequate.

f) Robson and Banta (1995) describe "putrid odor and little value for most uses, such as drinking water." Douglas County says, "In the deeper portions of the basin, high water temperatures and sulfur content in the coal beds makes this water less desirable for municipal supply." Highlands Ranch blends water from other aquifers with the Laramie-Fox Hills (20 % L-FH) but had to build an entire treatment plant to do so which involves adding sodium hypochlorite, ammonia and other chemicals to clear the water of poisons of various kinds, then restore disturbed pH balances with caustic soda. While this is for human consumption, it is very expensive and is only allowed at peak water use times in the middle of summer. The town of Bennett found also that it had to build an entire treatment plant (theirs over 2.5 million dollars in 1990s currency value) and, once again, could only use it sparingly. The town of Castle Rock will reduce development credit to 1/3 of normal if Laramie-Fox Hills water is being proposed as part of a plan due to the "speculative yield and exceptional production and treatment costs of this resource." If L-FH is "encumbered under a not-non-tributary augmentation plan," then no development credit will be allowed at all.

g) Laramie-Fox Hills water is proposed to be part of the augmentation plan for the "not-non-tributary "Upper Dawson water at Sundown-Oak which, in turn, is proposed as the subdivision's primary water supply.

To our best knowledge, no test wells have been drilled there to the L-FH which would result in an inadequate well field analysis. Further, there are no L-FH wells in anything like the immediate vicinity. Everything about this part of the proposal is supposition and surmise. In court, that would be called "hearsay."

h) How exactly could this water practically be considered for its designated purpose when it is the dirtiest, deepest, most expensive to drill, and most difficult to treat and clean?

Therefore, this service plan is NOT credible in order to prove required compliance with 1503-10, Section 18A either as part of an augmentation plan for the use of the Upper Dawson, nor as any sort of back-up for future well failures in the Upper Dawson.

Parenthetically, using maybe the Lower Dawson as a source for the 38,000 gallon cistern offered as a solution to the needs of firefighters who would be charged with protecting the new subdivision might, also, not be a best choice considering the high use rate for this aquifer both in terms of how fast measurements at known sensing stations have seen decreases in the height of its water table as well as its popularity among homeowners in surrounding subdivisions, thus, the needed

water court's review for an adequate augmentation aquifer for the Upper Dawson

VII. THIS PROPOSED SPECIAL DISTRICT IS NOT IN THE BEST INTERESTS OF THE AREA TO BE SERVED C.R.S. 32-1-203

2.5) The creation of the proposed special district will be in the best interests of the area proposed to be served.

THIS PROPOSED METRO DISTRICT IS NOT IN THE BEST INTERESTS OF THE PEOPLE TO BE SERVED.

THEREFORE, REQUIRED DOUGLAS COUNTY SERVICE PLAN REVIEW PROCEDURES IN XVIII STATUTORY FINDINGS AND CONCLUSIONS NUMBER 9 HAVE ALSO NOT BEEN MET. (SEE ANALYSIS HERE)

The Service Plan makes the bold claim that the proposed District is in the best interest of the area to be served and also that the financial agreements are in the best interest of the current and future taxpayers, but is it actually in the future taxpayers best interest to have all this debt burden placed on them before they even purchase property in the

District? Who is actually looking out for the future tax payers? **They have no voice in the formation of the proposed District, nor the financial agreements that create the debt that they will ultimately be responsible for repaying.**

"Colorado law permits developers to elect themselves to serve on a district's board of directors, then use that position to approve tens of millions of dollars in public financing for their businesses, and leverage the property taxes on homes they haven't yet built. No regulations stop these developer-controlled boards from approving arrangements that are financially advantageous to their business, allowing them to finance overly ambitious plans without fear of liability, knowing future homeowners ultimately shoulder the burden."[18]

In fact, in this proposed metro district, the future homeowners will be subject to the following exorbitant tax rates for the combination of the district taxes (70 mills maximum) and the County taxes for Franktown (86.184 mill levy):

For the minimum priced 1.8 million dollar home, the district property taxes are $9009. The county property taxes are $11,092, for a total of $20,101 per year.

[18] EDITORIAL: An Unsettling Story About Colorado Metro Districts, Part Two, Bill Hudson, 4/30/2025

For the maximum priced $4 million dollar home, the district property taxes are $20,020. The county property taxes are $24,648 for a total of $44,668 per year.

A metro District Board can add these property taxes and any fees (no limit on these in the service plan) to each home even before there are any buyers!

VIII. ENFORCEMENT OF METRO DISTRICT MISHANDLING:

A. More often than not, metro districts which are mishandled ***generally have no enforcement for violations***. "Colorado's 2,000+ metropolitan districts remain one of the least regulated forms of government in Colorado. "[19] "The Colorado Division of Local Affairs (DOLA) strengthens local communities by providing resources, funding, and technical assistance in areas like housing, property tax, and community development. DOLA works with local governments and community leaders to enhance governance, address housing challenges, and improve property tax administration,"[20] but it does not have regulatory oversight over metro districts. "There is no state agency or division that

[19] Wolfersberger, LLC
[20] Colorado Division of Local Affairs, AI overview

has regulatory oversight over metro districts,"[21] so there is no oversight or enforcement for violations of C.R.S. 32, fraud, breached contracts, violations of the service plan, TABOR election violations, misuse of public funds, noncompliance with voter imposed borrowing limits, and ethical violations by Metro Districts and their developers.[22] "Colorado voters passed Amendment 41 which added Article XXIX "Ethics in Government" to the State of Colorado's constitution. Amendment 41 created the Colorado Independent Ethics Commission (CIEC). . . [But, even though Metro Districts are quasigovernment entities],. . . Per Section 2 of Article XXIX, the definition of "local government" includes counties and municipalities ***but "it excludes special districts created under the Special District Act"***[23](emphasis added) And A *Denver Post* investigation into the inner workings of the state's 1,800 metro districts found a "governmental system that operates without the usual oversight of voters, without the usual restrictions on conflicts of interest, and without the usual checks and balances to ensure communities won't spiral into insolvency."[24]

AN EXAMPLE HAPPENING RIGHT NOW: Mount Carbon Metro District. A developer in that district has no water connection which leaves the

[21] Colorado Department of Local Affairs, Jacob Miler, Administrative Assistant II, 7/22/2025, See Exhibit No. 1
[22] See Exhibit No. 2
[23] Wolfersberger, LLC
[24] The Denver Post, 6/26/2020

homeowners with no water at all, yet the developer is still selling homes! "Re: More Red Rocks Ranch homeowners left high and dry. And around the Denver metro area and beyond, a reported 30 prospective Red Rocks Ranch homeowners are living in hotels, Airbnb's and with family members, waiting to close on new homes that have no water taps to serve them. . . . Mount Carbon Metro District agreed to build the town infrastructure required to meet the development's needs, but hasn't yet completed all that work or finished a required update to its intergovernmental agreement with Morrison. . .. David O'Leary, an attorney for Mount Carbon, said in October 2024 that he believed the new IGA would be ready in about a month. ***Nine months later,*** [emphasis added] it remains unfinished and unapproved. . . Meanwhile, Lennar's Red Rocks website says it is "actively selling" and offering "incredible deals."[25]

[25] Colorado Community Media

B. BECAUSE THERE'S NO STATE ENFORCEMENT, MUNICIPALITIES ARE PROHIBITING OR RESTRICTING METRO DISTRICTS

Municipalities dealing with metro district problems are increasing in number. Because of the problems with metro districts for the municipalities, and, especially the homeowners, municipalities across Colorado are either ending metro districts in their municipality or putting significant restrictions on them. Just some examples are:

1. Pagosa Springs.

At a town council meeting, April 29, 2025, "Planning Commission member Mark Weiler begin to open the discussion to the most crucial question: why would the Town want to allow a problematic form of government that can end up doubling the property tax burdens for homeowners?"[26] On June 3. 2025, the city of Pagosa Springs passed a law *prohibiting* metro districts in the town limits.

2. Aurora

"Limits mill levy for debt repayment to 50 mills and sets a maximum term for mill levy imposition at 40 years. Financial Restrictions:

- Mill Levy Cap:

Metro districts are limited to a maximum mill levy of 50 mills for debt repayment, with adjustments allowed for the Gallagher Amendment.

[26] EDITORIAL: An Unsettling Story About Colorado Metro Districts, Part Two, Bill Hudson, 4/30, 2025

- Mill Levy Term:

The term for imposing a mill levy for debt repayment is capped at 40 years.

- Debt Limitations:

Restrictions are placed on the structure and interest rates of privately placed debt, requiring external financial advice.

- Taxation Oversight:

The City of Aurora requires developers to provide written notice to homebuyers about the maximum debt mill levy and the district's taxing authority"[27]

3. Loveland

"Established Title 20 of the Loveland Municipal Code to regulate metro districts, including 18 requirements for service plans covering taxation, debt management, transparency, and ongoing oversight. . . .amendments to the city's metro district code, including expanded disclosure requirements for homebuyers, mandatory signage in metro district neighborhoods, and the requirement for intergovernmental agreements between metro districts and the city. These changes aim to enhance transparency and accountability for metro districts, addressing concerns about debt management and mill levies.

Here's a more detailed breakdown:

[27] Aurora Metro District restrictions, AI overview

- **Disclosure Requirements:**

New amendments require developers to disclose more information to prospective homebuyers, including a notation in online property listings about the property being within a metro district and the potential for additional tax assessments.

- **Signage:**

Mandatory signage will be required in metro district neighborhoods to further alert potential buyers about their status.

- **Intergovernmental Agreements:**

Metro districts will now be required to enter into intergovernmental agreements with the city to ensure better coordination and enforcement of regulations.

- **Ongoing Refinement:**

The city is continuing to refine its metro district policies, including the service plan."[28]

4. Fort Collins

"Key Aspects of Fort Collins Metro District Policies:

- **Transparency and Disclosure:**

The City requires that residents buying homes in a metro district understand how it will impact their property taxes, including the mill levy and debt term.

- **Public Benefits:**

[28] Loveland Metro District restrictions, AI Overview

The city prioritizes metro districts that offer extraordinary public benefits, such as affordable housing, and may award points to development proposals meeting certain criteria in areas like housing and infrastructure.

- **Council Discretion:**
  City Council retains the authority to approve, conditionally approve, or reject service plans for metro districts on a case-by-case basis.
- **Review Process:**
  The city reviews metro district service plans, and there's an automatic review in two years to assess the policy's effectiveness and make necessary adjustments.
- **Limitations:**
  The maximum mill levy for a metro district is 50 mills, and debt terms are typically limited to 40 years."[29]

5. Commerce City "Their municipal code outlines sanctions for metro districts that violate service plans or applicable laws." [30]

6. Berthoud . . . "has restrictions related to property development, including specific rules for subdivisions, driveways, and public improvements. Additionally, there are regulations for parking, vehicle storage, and even pet control in parks and open spaces." [31]

7. Longmont "Longmont City Council has placed restrictions on the creation of metro districts, particularly those focused on residential

[29] Fort Collins metro ddistrict restrictions, AI overview
[30] Commerce City metro district restrictions, AI overview
[31] Berthoud Metro District restrictions, AI overview

development. These restrictions include limits on the number of residential units in mixed-use developments and require increased oversight by the council. Additionally, Longmont has ordinances regulating activities in commercial areas and addressing noise levels, among other things."[32]

IX. COLORADO STATUTES AND CASE LAW ALLOW THE TAKING OF PRIVATE PROPERTY BY METRO DISTRICTS UNDER EMINENT DOMAIN

(C.R.S. 32-1-1004, C.R.)

Pursuant to certain restrictions by statute, a metro district does have the power of eminent domain. This power gives metro districts the ability to reach OUTSIDE its boundaries and, USING EMINENT DOMAIN A METRO DISTRICT, CAN affect surrounding properties for certain purposes.

The statute reads.

"A metropolitan district may have and exercise the power of eminent domain and dominant eminent domain and, in the manner provided by article 1 of title 38, may take any property necessary to the exercise of the powers granted, both within and *without the special district*

[32] Longmont Metro District restrictions, AI overview

(Emphasis added), only for the purposes of fire protection, sanitation, street improvements, television relay and translator facilities, water, or water and sanitation, except for the acquisition of water rights, and, within the boundaries of the district, if the district is providing park and recreation services, only for the purpose of easements and rights-of-way for access to park and recreational facilities operated by the special district and only where no other access to such facilities exists or can be acquired by other means. A metropolitan district shall not exercise its power of dominant eminent domain within a municipality or the unincorporated area of a county, other than within the boundaries of the jurisdiction that approved its service plan, without *a written resolution approving the exercise of dominant eminent domain* (Emphasis added) by the governing body of the municipality in connection with property that is located within an incorporated area or by the board of county commissioners of the county in connection *with property that is located within an unincorporated area(Emphasis added).*"

In 2019 "the Colorado Supreme Court confirmed that the exercise of condemnation authority by a developer-formed metropolitan district constitutes public use, so long as the purpose of the taking is for some public benefit."[33] ***Carousel Farms Metropolitan District v. Woodcrest***

[33] News and Events, Otten Johnson Robinson Nef and Raganetti, 2019

Homes, Inc. **"The Colorado Supreme Court's decision reverses a Colorado Court of Appeals decision that had stymied many metropolitan districts' efforts to condemn public right of ways, utility easements, and parks and trails in connection with new development projects." Thus, if the proposed Metro District is approved, any of these that fit within the statute that Sundown Oaks wishes to use eminent domain to accomplish will now be allowed!**

The question then is; do any of the areas delineated in the proposed metro district fit within the statute? The service plan states at POWERS AND RESPONSIBLITIES, VII, page 5, Parks and Recreation, "The District SHALL [emphasis added] have the power and authority to . . .construct, acquire, install . . . public park and public recreation centers . . .bike trails, pedestrian trails, pedestrian bridges . . . and other services, programs and facilities, . . land and easements, together with extensions and improvements thereto."

Based on the requested POWERS AND RESPONSIBLITIES service plan request and the case law, IF APPROVED, the proposed metro district can use eminent domain for the taking of private property outside the boundaries of the proposed metro district!

The areas around this proposed metro district are rural residential HOAs and should **NOT** ever be subject to eminent domain from a metro district.

X. BOARD OF COUNTY COMMISSIONERS AUTHORITY. THE BOARD OF COUNTY COMMISSIONERS HAS THE AUTHORITY TO REQUIRE INFORMATION IN THE SERVICE PLAN, TO APPROVE THE SERVICE PLAN, TO DISAPPROVE THE SERVICE OR TO CONDITIONALLY APPROVE THE SERVICE PLAN.

Because of the service plan's significant deficiencies, this service plan should be denied. In the alternative, the Board has authority to request further information.

1. C.R.S. 32-1-202 states:

2) The service plan shall contain the following:

(h) Information, along with other evidence presented at the hearing, satisfactory to establish that each of the criteria set forth in section 32-1-203, if applicable, is met;

(i) Such additional information as the board of county commissioners may require by resolution on which to base its findings pursuant to section 32-1-203;

2. C.R.S.32-1-203 STATES:

1. . . . WITH REFERENCE TO THE REVIEW OF ANY SERVICE PLAN, THE BOARD OF COUNTY COMMISSIONERS HAS THE FOLLOWING AUTHORITY:

(c) To conditionally approve the service plan subject to the submission of additional information relating to or the modification of the proposed service plan.

For the BOCC to accurately assess if the service meets the statutory and County requirements, in addition to the financial disclosures required above, the BOCC should also require the following:

a) The Commissioners should require prior approval of the TABOR election ballot measures, to ensure the following:

(1)The total amount of authorized debt in the TABOR election is no more than the amount of debt authorized in the Service Plan, and preferably no more than the $3,625,000 proposed in their financial plan that can be repaid. If the developer needs to issue more debt, they must come back to the County for permission until the residents begin to arrive and can provide checks and balances on issuing debt they will be obligated to pay.

(2) The TABOR ballots do not eliminate the right of future residents to vote on issuing bond debt and expressly expire in 3 years.

AND:

(3) No fees may be assessed by a board which includes persons affiliated with or receiving any income from the developer without first submitting the question to a vote of the residents who will be paying the fees, and any fees must be re-approved annually.

(4) The price paid for each developed lot must be confirmed with affidavits from the homebuilder or homeowner.

(5)The Developer must provide monthly documentation of all money received, the source of the income, and the costs paid to any vendor for operations related to the metro district.

(6) Any financial agreement entered into by the developer on behalf of the future residents should expire once the residents begin to arrive, and may only be validated by a ballot measure presented at an election of the residents by more than 10% of home-owning residents who have no financial interest in such agreement.

XI. CONCLUSION

For all the reasons stated above, and as has been shown, the Service Plan has failed to show that a metro district is necessary to serve the future residents of the area. The District does not have the ability to discharge the proposed indebtedness on a reasonable basis, and there is also no evidence that the proposed District is in the best interest of the future residents. Profit alone is definitely NOT sufficient to meet the statutory requirements.

A. DENIAL OF THE PROPOSED METRO DISTRICT:

Based on all of the above, the Franktown Citizens' Coalition respectfully requests that Douglas County deny the developer's request for the Sundown Oaks Metropolitan District.

B. FURTHERMORE, in the interest of ALL of the citizens of Douglas County, the Franktown Citizens' Coalition requests that the Douglas County Board of Commissioners takes a public position that the creation of anymore metro districts in Douglas County **Will Not** be approved. **Because metro districts at least DOUBLE the homeowners' tax burden, plus uncontrolled fees, they are not in the best interests of the citizens of Douglas County. "Financing through a metro district is more expensive because in most cases the developer is double dipping . . ." With a metro district "financing there are two loans, two**

sets of interest and paying interest on interest." [34] With a position of not approving any more metro districts in Douglas County, the Commissioners will protect their citizens of Douglas County from the over burdensome, financial problems that metro districts create. See a prime example, Exhibit 2, Two Bridges Metro District. Also, supporting this request is the potential damage caused by metro districts clearly explained by John Henderson, a published expert on metro district abuse in his letter to the County included herein.[35]

Respectfully submitted by,

FRANKTOWN CITIZENS' COALITION II, INC., BOARD AND STEERING COMMITTEE
Diana Love, President
Troy Dayton, Vice President
Debra Bowman, Secretary
Hyla Jenks, Treasurer
Richard Love, Member-at-Large

Steering Committee
Malcolm Bedell
Bob Skowron
Kimberly Adams

[34] See Exhibit 6, page 2. John Henderson, founder of Coloradans for Metro District Reform
[35] See Exhibit 6, John Henderson, founder of Coloradans for Metro District Reform

XII. EXHIBIT LIST

1. Email from the Colorado Department of Local Affairs

2. Opposition Letter and timeline from Korin Barr, past President of Two Bridges Metro District.

3. Letter from Charles Wolfersberger LLC, President

4. Letter from Chuck Howell, past board member. Fox Hills Metro District

5. Letter from John Henderson, founder of Coloradans for Metro District Reform

6. Opposition letter from Larry Gable, Wild Point Metro District

7. Opposition letter from Dave Delgado, President, Bannockburn HOA

8. Opposition Letter from Alan Erickson, President, Fox Glen HOA

9. Letter from Bob Speaker, Broker Owner, Keller Williams Action Realty

10. Vision Commercial and Residential advertisement, Mr. Steven Gage, Owner

11. Vision Commercial and Residential advertisement, Mr. Steven Gage, Owner

Exhibit 1
1 page

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Junk Email 22

"a.mednick@comcast.n...

administration@deerfiel...

rllove1@msn.com

Inbox 18

Junk Email 22

Drafts 104

Sent Items 1

Deleted Items 1089

travels

1MD

23andMe

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Metro District Oversight

MJ

Miller - DOLA, Jacob <jac

To: You

Tue 7/22/2025 1:23 PM

You forwarded this message on Tue 7/22/2025 4:59 PM

Start reply with: Thank you! | Thank you so much for checking. | Thank you for checking.

Good afternoon Diana,

From what I have been able to determine, through research online and by asking individuals within DOLA, I have come to the same conclusion as you. There is no state agency or division that has regulatory oversight over metro districts. Please let me know if you have any other questions! Thank you.

Jacob Miller
Administrative Assistant II
COLORADO
Department of Local Affairs
1313 Sherman Street, Room 521, Denver, CO 80203
jacob.w.miller@state.co.us |
http://www.colorado.gov/dola

Reply Forward

https://outlook.live.com/mail/0/inbox/id/AAkALgAAAAAHYQDEapmEc2byACqAC%2FEWg0An8%2Fc7qM9B0KJEJPvMFub%2BgAIoYOktAAA

Exhibit 2

11 pages

July 25, 2025

To the County Commissioners:

My name is Korin Barr: homeowner and former President of the Two Bridges Metropolitan District in Franktown, CO.

I am 100% OPPOSED to any Metropolitan Districts being allowed not only in Douglas County but the entire State of Colorado. My husband and I bought a lot in December of 2018, and until October of 2019, 2 weeks before we were to close on our home, we were in a Metropolitan District, and that was it! No details, no explanation, no paperwork, just a blanket statement from our Lender that our monthly payment was rising over $1,000 to accommodate the Mill Levy! Every time, even in writing, when asked what our taxes would be, we were told $5500 until it more than doubled to accommodate the 65 Mills...whatever that meant at that time! Throughout our 11 months of building, NOT ONCE did any employee, the owners/developers of our subdivision even our lender, disclose WHAT this was and WHY! Had we known, I can guarantee you we would NOT have built our million-dollar-plus home knowing we would never pay off the debt our Developer placed us in. As you will read, attached a detailed timeline of what happened and WHY I spearheaded, along with a couple of my neighbors who were DUPED as well, to recall the Developers off the Board and get on the Board.

Few Homeowners in our State would even know where to begin to figure this out and take the time without PAY researching, educating, and trying to fix what these developers did. When we

took over, we were $80K in the RED from a developer-run Board. They were 9 months delinquent on paying our management company, at the time, and our legal and accounting firms. I recently resigned after spending almost 7 years trying to right their wrongs, and I am pleased to say that our Metro District is in the Black by nearly $400,000. I also discovered costs that should have been developer costs charged to the Metro District in our Bonds. We are litigating to get reimbursed for those fees, amongst other things.

You will see that the County Commissioners approved a ridiculous amount of credit for our Developer to use if need be, up to $186 Million. That is insanity to the max!!

This needs to STOP. It only hurts the hardworking taxpayers and enriches even more the wealthy developers who make a ton of money and are greedy and want more!

This is NOT a joke. This is people's livelihood being ruined because of this insane debt they get saddled with, and I am sure there are similar issues to Two Bridges in every Metro District. Please do not let this builder do a Metropolitan District in Franktown!

Respectfully,

Korin Barr

TWO BRIDGES METROPOLITAN DISTRICT

December 30, 2018. Put a deposit on the Lot to build. Asked a specific question: What would taxes be on a purchase price of $1,200,000? Was told by the Sales Manager $5500/year. NO MENTION OF LIVING IN A METROPOLITAN DISTRICT. HOUSE WOULD BE BUILT BY NOVEMBER 2018.

April 2018-Break Ground: STILL NO MENTION OF METROPOLITAN DISTRICT

OCTOBER 2018-Finalized mortgage and closing date was October 30, 2018.

OCTOBER 30, 2018-received a phone call from the lender that they made a mistake, and our monthly payment was

going up by over $1000 because our property taxes were going to be doubled, $11,000. Of course, this made no sense to us, so we asked why, and that is when we were told halfheartedly, we lived in a Metro District, and that is why the cost went up. We asked what that was to not only the salesperson, but even the owners of the company that built our home. We were met with silence. Our closing of our house got delayed by two weeks to November 13 of 2018. We had sold our house. We were staying at a friend's house in our subdivision and had nowhere to go. We could have gotten out, but they had us over a barrel. We moved in, and that is when we met another future neighbor who had closed six weeks before we did, and we all had the same concern. What is the Metro District? We had been going to the developer-run board meetings throughout, asking questions about this Metro District, only to get dismissed.

July 2018-attended a budget board meeting where the developer-run board, consisting of the two owners and three of their employees, discussed bond information. They were very cagey as a lot of under-contract homeowners and home buyers were present, and it felt like they didn't want to talk openly in this public meeting because we were all there. We left, and two weeks later, in

August 2018, they held another meeting, which was not made public, and they voted on our current bond, A, and bond B debt. Bond A was for $3.2 million, and Bond B was for $580,000. By that time, we figured out kind of what was going on and have been doing our due diligence on our prompting, three HOMEOWNERS, my husband and I, included, to retain an attorney to help us recall the developers and their employees off the board. By December 2019, another homeowner who spearheaded this got on the board; the three employees resigned, and we kept one of the developer owners on the Board. To put it mildly, the two owners were not happy that we called this recall and were successful.

DECEMBER 2019-PRESENT- My capacity from December 2019, when I became Treasurer of the Two Bridges Metropolitan District, then President in 2023, has allowed able to deep dive into every single document about how our Metro District came about and what it all meant. To have uncovered that this builder had put not only myself, but my fellow neighbors, and every future homeowner who would come to build, in severe debt, I made it my mission to figure this out. I reached out to DOLA. I reached out to the state of Colorado. I reached out to former attorneys and accountants who helped develop this Metro District and

got myself an education I never expected. We found documentation showing that the August 2018 board meeting was not to be made public, breaking every rule of Metro District disclosure for public meetings, so they could vote these two bonds through. I uncovered that prior to us doing the recall, the developer-run board was getting ready to initiate more bond debt as the County Commissioners gave them up to $186 million for our Two Bridges Metropolitan District. A key person at DOLA explained to me that from the county level up to the state level, developers, lenders, brokers, or, for lack of a better expression, all in bed together, they were all getting greased by taxpayer money. That's what these Metro Districts do.

Two bridges are an unusual place to have a Metro District. We are 60 homes. The infrastructure had already been put in by a prior developer who owned our land and ended up going bankrupt. Our current developer purchased this property while it was in foreclosure and somehow managed to saddle us with the debt from the previous developer that went through bankruptcy, and incur a few more expenses under them, and put that on us, HOMEOWNERS. Knowing what I do about what is justifiable expenses and what are developer expenses my fellow board member and I plowed through endlessly

documents after documents, finances after finances creating spreadsheets asking attorneys what was legitimate Metro District costs and what were legitimate developer costs to uncover hundreds of thousands of dollars that were incorrectly put into a bond that we are paying for. We uncovered a $1.3 million error in the final bond paperwork submitted to the bank that holds our bonds. Out of all the legal entities, the accountants the auditors who had to approve these numbers I cannot believe that myself who flunked math in ninth grade together with my fellow board member who was a teacher we uncovered a $1.3 million error that went into our bonds and no one caught it yet we are stuck paying for that error. How is this possibly fair?

Over the years, we have listened to occasional newscasts about Metro District and people like me who have spent their lives working to be able to build their dream home, and have never been disclosed in a Metro District, and what that means. They are never disclosed the debt incurred that is being turned over to them, and as they're trying to enjoy their home that they save their money for their whole working lives year after year find out that they can no longer afford their home because their property taxes keep going up to accommodate the Mill Levy and

next thing you know these people are upside down and they can't afford to stay in their dream home. The interest rates on these bond debts are obscene, 8% per annum, and will never get paid in my lifetime, my children's lifetime, or even my grandchildren's lifetime. And when they do come up after 30 or 40 years, the developer gets to take the tax benefit write-off. This is a very clear example of how the developer does what I call a double dip, and they get paid on the front by the homeowner building with them and their lot premiums. They jack up their costs by 80% on the design center, and then they get us again with these Metro Districts, and they're making hand over fist, and we taxpayers may even have to declare bankruptcy. It starts with the county commissioners, and it goes up from there. Until that gets changed, any future homeowner building or buying in a Metro District will suffer. To me, that is criminal. We are the laughingstock of the United States of America. Florida has CCDs. Most of the builders will pay it off rather than saddle the taxpayer with the bill. And if they do saddle the taxpayer with the bill, they're at full disclosure, so people know what they're getting into and have a choice, and it is for a much shorter period at a rate that is affordable. California has Melaruse. Melaruse got changed when the HOMEOWNERS in California realized what the politicians were doing and making money again at

the expense of the taxpayer. They got sued, and now it has changed, and it's a more favorable kind of way Florida works. In Colorado, they don't care. They keep taking out these Metro Districts, approving them, giving these developers an unlimited amount of spending money to put the future taxpayers and homeowners in debt forever. What is wrong with this picture, and when will it stop?

The bottom line, as far as I am concerned, with all of my wealth of knowledge that I know about Metro Districts, they are destructive, and they are only a vehicle to make the developers and their cronies richer at the expense of the taxpayer. I have yet to find one Metro District (other than Highlands Ranch, which, in my opinion, is the only Metro District that has done it right, the way Metro Districts in Colorado were set up in 1980 to do). It is the responsibility of the Developer and Realtors who represent their clients to be educated on the Metro District, and there is no excuse for failure to disclose. And when I say disclose, I mean everything. Every homebuyer has the right to know where their money is going to why, and how it got to that point. This should not be brought to their attention after the fact. The only way to avoid this, in my opinion, is to get rid of them. Shame on the county commissioners for approving this unlimited amount of debt.

In addition, some county commissioners run on a platform that they're here to serve and protect the homeowners and the taxpayers of the county they live. That's not true. That is not what has been happening with these Metro Districts. And the only reason why they are not getting dissolved is because they are a money maker for everyone involved, except the homeowner/taxpayer. There needs to be better oversight on these audits of these expenses that get put on the homeowner through these bonds. I should not have spent the last 6 ½ years of my life researching this, learning about it, educating myself, and fighting for repayment of funds that went into our bond debt and demanding through our council of our Metro District that the developer reimburse us for those costs. In my mind, our bonds for our Metro District should be taken away, and let all of us live in this community where we were all told our property taxes were going to be half of what they are; instead, half of what they are going to pay off this debt that the developers put us in.

I have recently resigned my position as President of the Two Bridges Metropolitan District, as I have accomplished what I needed to, which is making sure that there are certain monies that get reimbursed by the developer into our Metro District. I have set my community up with

savings now instead of the negative dollar amount we were in when we recalled our developers off the board.

I support 100% any effort against Metro Districts being used in Douglas County, and for that matter, in the whole state of Colorado. Every part of my being tells me that this is wrong and unfair, and completely illegal. I hope someone reads this and takes this very seriously. I am leaving the State of Colorado, and a big part of that is because almost 7 years ago, my husband and I wanted to build our dream home, and it has been nothing but a headache from day one. We wanted to build our dream home and relax, and never have to worry about money, and the Metro Districts have taken all of that away from not only me, but my fellow neighbors. It's a real shame that these Metro Districts, in my mind, take away from anyone wanting to have the American dream.

Exhibit 3
3 pages

Wolfersberger, LLC
Unlocking Neighborhood Wealth

8354 Northfield Blvd
Building G, Suite 3700
Denver, CO 80238
(720) 541-7725

July 25, 2025

Douglas County
Department of Community Development
Planning Services
100 Third Street, Castle Rock, CO 80104

Re: Proposed formation of the Sundown Oaks Metropolitan District

To whom it may concern:

I have been asked by certain citizens within the County to share information and my professional experiences that may be useful in evaluating whether a need exists for the proposed formation of the Sundown Oaks Metropolitan District (District) in Franktown.

I am the president and owner of Wolfersberger, LLC, which specializes in providing management and accounting services for Colorado metropolitan districts. Wolfersberger, LLC serves over 35 metropolitan districts in Colorado and its clients are comprised solely of homeowner-controlled metropolitan districts.

I am a CPA and, prior to starting my firm in 2011, worked 9 years for the Public Company Accounting Oversight Board, an agency formed by the US Government to oversee the work and conduct of CPA firms that audit the financial statements of companies that are publicly traded on the US stock markets.

For the past three years, I have testified at the State Capital in favor of a bill (that has failed three years in a row) that would cause metropolitan district boards to become subject to the oversight of the Colorado Independent Ethics Commission (which was created by Colorado voters in 2006 through an amendment to the Colorado Constitution).

Home Lot Sales Analysis

Per the Douglas County Assessor's website, the current assessed value of the four undeveloped land tracts (totaling 177.3 acres) that comprise most, or substantially all, taxable land within the District is approximately **$2,901,500**.

Per Exhibit D to the District's proposed service plan, the total estimated cost to install public improvements within the District is **$9,057,551** – which includes a cost contingency totaling $1,256,250 or 13.8% of the total cost estimate.

Per the proposed service plan, the total number of home lots within this District totals **37 home lots.**

Between 2012 and 2021, annual operating profits of the seven largest home builders in the United States ranged between **(2.0%) and 23.9%** and the 10-year average operating profit margins of these builders ranged between **8.3% and 18.5%.**

If home lots within this proposed District sold for an average of $400,500 per lot, such lot sales would generate revenue of approximately $14,818,500 – which is 23.9% above $11,959,051, which is the combination of the current assessed value of the land plus 100% of the total estimated cost to install public improvements within the District. 23.9% is the highest annual operating profit margin achieved among the seven largest national home builders between 2012 and 2021.

Generally, land developers should be allowed to earn a reasonable rate of return on their land development activities or else it will be difficult for land to be developed. However, governments should *not* be used to assist private companies with earning extraordinary rates of return on their investments. **If the landowner is projecting the average lot price to be greater than $400,500, then it is likely the formation of the Sundown Oaks Metro District and subsequent issuance of debt by this District will force homeowners of the District to pay property tax assessments for the next 30 years to fund extraordinary profits realized by the developer of this project.**

Undeveloped home lots between 1.5 areas and 2 acres (half the size of the average 4-acre sized lots within the proposed District) within the Fox Hill subdivision – which is less than 2 miles east of this undeveloped land – sold in the approximate range of **$235,000 and $399,000 between 2018 and 2022**. Based on the home lot sales history in Fox Hill, it appears reasonable that the landowner within the District could sell vacant lots at or above $400,500 per lot, which would likely result in the landowner not only recovering most or all costs incurred to install the public infrastructure but also earn a reasonable profit from such construction activities.

Conclusion: If the average home lot sales price within the District **exceeds $400,500**, it may be difficult for the petitioner of the proposed District to reasonably support its claim and conclusion (per XVIII of the proposed Service Plan) that "sufficient need" exists for government-financed public infrastructure within the District.

Proposed Borrowing Limit of Proposed District

Section X.G.1 of the proposed service plan establishes a maximum borrowing limit of **$10 million**.

Exhibit F (Financial Plan) to the Service Plan contains a payoff projection for the District issuing $3,625,000 in debt. The payoff projection assumes the District levies the maximum allowed debt levy (50 mills) over a 30-year period.

Based on the financial assumptions provided in Exhibit F, the proposed District will not generate sufficient tax revenue under a 50-mill debt levy to repay a debt greater than $3,625,000.

Conclusion: The proposed $10 million maximum borrowing limit provided in the proposed District's service plan is **275% higher** than the maximum amount of debt the District is able to repay per the Financial Plan in Exhibit F to the Service Plan.

The General Economics of Current Land Development Does Not Support the Need to Create Metro Districts

I have evaluated the purchase and sales of land developed for residential use over the past 10 years in Colorado by reviewing deeds filed with the Clerk & Recorder's Office of several counties that document the price of raw land purchased by developers and, subsequent to the installation of public infrastructure on such land, the prices of vacant home lots on such land sold by developers to home builders.

I have also evaluated the cost of public infrastructure constructed by such developers by reviewing the financial statements of developer-controlled metro districts that provide the developers with debt-funded subsidies that are equal to all or a majority of all public infrastructure construction costs such developers claim they have incurred to develop their raw land.

I am aware of numerous instances over the past 10 years where land purchased by a developer is developed and then subsequently sold by the developer to home builders at substantially higher prices than the developer's land purchase cost and the developer's claimed costs to construct the public infrastructure on such land. In many cases, the revenue from home lots sales collected by developers has been well over 100% higher than the developers' original land purchase prices and public infrastructure construction costs.

Based on land purchase and sales data I have collected, funds from debt issued by metro districts and provided to such developers in most cases cause the net profits realized by developers from home lot sales to exceed 200% (and as high as 1,500%).

The County should consider the following two basic facts related to land development:

Fact #1: Generally, developed land is more valuable than raw, undeveloped land.

Fact #2: Generally, developed land (which enjoys the benefits of public infrastructure) can be sold for a higher price than raw undeveloped land.

Conclusion: The County should consider NOT approving the creation of this proposed district unless the developer can demonstrate home lot prices will be substantially lower than $400,500 and the construction of the public infrastructure on this land is not financially viable without receiving tax-funded subsidies from a metro district.

Respectfully submitted,

Charles Wolfersberger, CPA
Wolfersberger, LLC

Exhibit 4
2 pages

Mr. Beckwith,

Please see below. I have a 5 year history of living in a Metro District in Douglas County. I have also served as a resident board member in Fox Hill Metro
District #2.

I appreciate the opportunity to share my experience with Metro Districts.

Chuck Howell

3095 Red Kit Rd.

Franktown, CO 80116

Metropolitan Districts (MD's) perspective points

- **All** Metro Districts in Colorado lack any real government oversight as stated by the Attorney General of Colorado's office...Kurtis Morrison, Asst. Attorney General of Colorado, 7-10-2025.
- Metro Districts have a lack of timely enforcement and mechanism for enforcement of issues for residents when there are issues. Example is audited financial. There is no government agency that has authority to enforce the audit laws for MD as stated by the State of Colorado's Auditor's office. Marissa Edwards officials in the state auditor's office. In the Fox Hill development the developer is two years behind in required state audits with no penalty for lack of compliance.
- In MD's with only a single board that is controlled by the developer by that time residents are allowed to be elected to the board the developer board has already imposed on residents financial conditions through their property taxes conditions that they had no voice in and no recourse action.
- In the Metro District structure of a Service District and a Taxing District (Master – Servant) as in Fox Hill (Douglas County) this structure is actually inefficient, contrary to what service plans outline. Service plans are confusing and contradictory as written by the legal team of the developer. In the case of Fox Hill the service plan was written by David O'Leary, the attorney for the developer. The Developer initially and controls both boards and selects its members. In Fox Hill those two boards were made up of the same members. The taxing district board is now made up of residents but based on the service plan have no legal authority to manage the district. So residents while even serving on the board have no authority to run or manage the district.

- County Commissioners are not knowledgeable about MD's and the legal staff of the county also is not very knowledgeable about MD's so you see how legal teams of developers dictate the conditions for MD's in Douglas County.
- In MD's you have taxation without the representation of residents. Developer controlled boards set the mill levies that MD residents will pay. NO resident input is required or allowed by these developer controlled boards.
- MD's hide the financial debt that future residents will be responsible for through their Douglas County property taxes. There is not full disclosure to property owners who buy property in a MD. Once a buyer purchases property in a MD they are indebted to the district for the repayment of debt issued by the developer. This in essence is a "Tax for Profit" scheme allowed by Colorado MD laws.
- The majority of home buyers are not fully informed of the taxing authority of a MD and most real estate agents are not aware of what a MD is and in fact fail to disclose to their potential buyers what a MD is. A third party real estate listing more often than not does not disclose that a property is in a MD example....In Fox Hill all third party listing list the for sale property has having HOA fees when in fact Fox Hill has no HOA or HOA fees but does have MD quarterly fees above and beyond MD property taxes.
- The bottom line is that MD's are not resident friendly and allow Developers to make millions in profit by using Douglas County property taxes to repay them for infrastructure that is already paid for through the sale of lots within the MD.
- MD district housing is NOT more affordable in fact the housing in a MD is more expensive as shown by many studies. Example: Metro District Impacts on Housing Costs, Anderson Economic Group, March 2021
- This spring of 2025 the Town Council of Pagosa Springs, Colorado voted to not allow the creation of MD's in their jurisdiction after months of study on the subject.

Chuck Howell

3095 Red Kit Rd.

Franktown, CO 80116

Former Treasure Fox Hill Metro District #2

EXHIBIT 5
3 pages

Outlook

FCCII Opposition to Metro District

From John Henderson <jkhjr1@gmail.com>
Date Tue 7/29/2025 4:00 AM
To Dbeckwith@douglas.co.us <Dbeckwith@douglas.co.us>
Cc Love Diana <rllove1@msn.com>

To the Honorable Douglas County Board of Commissioners

I write to endorse and fully support the significant research and analysis contained in the study and report prepared by FCCII.

I was a resident of Solterra, a large community in Lakewood Colorado that recalled its developer board, installed a resident board and then, through the residents, took control of our taxing and spending for our metro district government.

Since initiating that effort, I have continued to research everything written and otherwise published regarding metro districts nationally as well as the rest of the country.

I am an attorney admitted in Colorado. Over the past 45 years I have actively advocated on behalf of residents regarding land use issues in Connecticut, Virginia, Kansas and Colorado. I have represented both residents and developers professionally in addition to my extensive volunteer work.

I have been a developer.

In Colorado I have been recognized as a published expert on metro district abuse by the Denver Post, the Denver Gazette, CBS Local Station, numerous local news papers, the City of Lakewood, the City of Longmont, the City of Erie, the City of Dillon and Jefferson County. I have published more than a 100 articles, videos and training publications on Colorado metro districts. I was a founding member of Coloradans for Metro District Reform and have testified at state legislative hearings for 5 years regarding metro district reform. I have also answered calls from more than 100 residents, potential homebuyers, real estate agents, news organizations and towns asking me to evaluate particular districts. My first evaluation of my district in Solterra in 2015 took about three months because the documents were hard to find and not readily available from the developer controlled districts. Documents are still not readily available but I know where to find them and they are, not surprisingly, routinely very similar. The evaluation process now takes a couple hours.

All my work is volunteer.

I have evaluated the metro district at issue here. I have published that information for the residents, some of which has been vetted and included in the FCCII study and report.

My evaluations are anchored in the developer's documents. Much of what I do is simply disclose documents that are not readily available and help explain how the documents are created, how they structure metro districts and what they do to the future residents and community at large. Again, the life and impact of metro districts is very similar from one to another of the over 2000 districts in Colorado. The location and numbers change but the foundational financial and governing mechanisms are virtually the same.

As here with this new district, there is no need for the district unless the developer can meet its burden under Title 32 to prove to the County that it is cheaper to the residents to finance repayment for the cost of infrastrcture through metro district financing instead of financing the repayment through the cost of the homes.

The math is pretty simple.

Financing through a metro district is more expensive because in most cases the developer is double dipping - charging for the cost of the infrastructure in the cost of the developed lot he sells to a homebuilder or himself as the homebuilder, which cost is passed on the the homebuyers. The homebuyer pays for their share of the infrastructure, including construction of public improvements outside the district like a turning lane for a highway, when they pay for the home property. Then, under the guise of metro district financing, as if they had not already paid for the infrastructure when they bought their home, the residents are required to pay again - a second time - for the infrastructure through the metro district taxing. Double dipping. Pay when you buy the home. Pay again through metro district financing. Same infrastructure.

Even if the developer proves through verifiable documentation available to the public that they are discounting the cost of the homes and NOT charging for the infrastructure when they sell the developed lot or home (and the homes are, in fact. that much less expensive), financing that repayment cost through metro district financing is still more expensive than through home mortgage financing (assuming the homebuyer needs a mortgage and doesn't pay some or all in cash).

With a mortgage there is one loan. One line of interest. With metro district financing there are two loans, two sets of interest and paying interest on interest. There are the developer advances which are loans with interest. Then there are the bonds to pay off the advances. The bonds carry interest payments paying down the advances and the interest which accrued on the advances. Again, the simple math shows metro district financing is always more expensive. There is no "need" to charge residents more for the same product.

And the metro district finance model doesn't end with issuing bonds. There is also the cost of a management company, lawyers, accountants and consultants to make sure the district complies with all the Title 32 regulations. Typically this significant cost of running a metro district is another profit center for the developer as he funnels his costs through the metro district (at additional profit).

From the studies we have conducted and seen, developers routinely pay themselves 200 to 1000 % profit in metro district development when the industry average nationwide is 15 - 30% profit. This is, by definition, not the most economical way to pay the developer back for their advances to fund infrastructure costs. Metro district financing is, by definition, the opposite of "affordable" housing.

My research and experience also shows that the governance of metro districts through the developer dominated boards is all designed to ensure that the developer, not the residents, maintains complete

control over the residents taxing and spending until the developers lock the residents into debt payable to third party investors (i.e. the Teachers Retirement Fund in Illinois). This is the exact opposite of representative government guaranteed by the United States and Colorado Constitutions.

The check and balance applicable here are you. The residents who will unwittingly become subject to "agreements" the developers entered into with themselves "on behalf of" these residents (with whom there is an absolute conflict of interest) will have no power until it is too late and they are buried in debt with zero accountability for how the money was spent and zero ability to provide oversight while the money is being spent. That is your job. And under Title 32 you have the power to require monthly oversight and control over when and how much debt is issued. The FCCII raises defects in the financing and governance of this particular metro district which cannot be ignored without violating your fiduciary duty to the community and future residents.

A true test of the viability of this district is simple. If the developer decides to withdraw the application for a district because "its not worth it" to comply with the necessary oversight and limitations on taxing and spending as well as adherence to fundamental governance provisions, then there is no "need" for a metro district.

Let the marketplace do its job. If residents decide to buy the home with the cost of infrastructure paid through the cost of the home, they are making a fully transparent and well informed decision. The county should not be complicit in enabling developer's efforts to compromise the power of the marketplace by limiting the informed homebuyer's choices, increasing the cost and not fully disclosing knowledge of the additional costs to the homebuyer.

Homebuyers know exactly what they are getting for how much when they buy without a metro district. Not so much with a metro district.

Thank you for your time and attention to this matter. Your community is very fortunate to have volunteers like the FCCII group.

All my work the past 9 years has been volunteer. We don't do it for money or personal gain. We do it, we make these sacrifices, because the integrity and ultimate success of local government demands it. And if self government doesn't work at this level, there is little hope for it anywhere else.

John Henderson
207-607-1822

Sent from my iPhone

Exhibit 6
2 pages

Commissioners,

My name is Larry Gable and I live in Elbert County. I was an Accountant for 40+ years and currently live in a Metro District. Knowing what I know today, I would never buy a property in a Metro District. Their use by Developers is egregious and abusive. After 16 years, myself and 4 neighbors took control of our Metro District and immediately saved our community $20,000 per year in annual costs. Unfortunately, the majority of the damage to our community was already done.

I would like to address the topic of "Subordinated Debt". When Developers create a Metro and issue the general obligation bonds, interest and payments begin immediately with interest payments every 6 months. The first two or three years there are no homes to assess, so the Developer must make the payments accordingly. These payments are "expensed" by the Developer and end up on the Balance Sheet as a receivable known as "Developer Advances".

I will use the Ritoro Metro District as a classic example. The General Obligation bonds were issued in 2019 for $13,000,000. In 2022, the Developer, his wife and children controlled the Metro District and decided to convert the "Developer Advances" of $3,100,000 into Municipal "tax-exempt bonds", aka, Subordinated Debt at 7.50%. The prevailing interest rate was around 4.50%.

Here is the catch, payments on Subordinated Debt **cannot be made** until the General Obligation bonds are paid off. In this case, that will be 2049. Compound interest will accrue until the first payment is

made in 2050. The balance of the Debt in 2050 with principal and interest will be $22,600,000. Payments of principal and interest over the next 13 years will total $36,300,000, completely tax free to the bondholder, the Developer or his family in this case. The average annual Metro District property tax for this will be a minimum of $8,335 for the 13 years on top of their customary property taxes.

Developers use the Metro District to literally rip their consumers off. They are the only ones who benefit at the expense of the homeowner. There is no oversight by DOLA. An ethical Developer will pass the "infrastructure costs" on to the home buyer upfront and all of this nonsense will go away.

Developers will tell you the average cost per home is $30,000 to $35,000 for the infrastructure. I would bet money they do not reduce the price of their homes by this amount. The long term cost to the homeowner after 30 years will be in the neighborhood of $150,000 when Metro District Management fees are included.

Should you require additional input, please feel free to contact me.

Respectfully,

Larry Gable
33265 Wyndham Cir
Elizabeth, CO 80107

303-632-6140

Exhibit 7
2 pages

July 29, 2025

To: Douglas County Board of County Commissioners via "DJ Beckwith" <dbeckwith@douglas.co.us>

Subject: Subject: Bannockburn HOA updated and amended input to Douglas County regarding proposed new Sundown Oaks Metropolitan District

On behalf of the Directors of the Bannockburn HOA, we appreciate this opportunity to provide our updated and amended comments and concerns regarding the proposed Sundown Oaks Metropolitan District, Project no. SV2025-005, which will be near our HOA. Our concerns include the following:

1. After further review, it is our understanding that because of the application of the bonus density regulation that was requested and approved, Douglas County has already provided approval for lot sizes less than the minimum size of five acres on a portion of the development. We are disappointed since a minimum five-acre lot size for all lots would be more consistent with current resident preferences to support and maintain the lifestyle already in place for current residents. Another concern is that their consultant, Canyon Creek Engineering, indicated that the larger lot will be "roughly 4.5 to 5 acres". Under Franktown's rural residential zoning, 5 acres is the minimum.
2. The Sundown Oaks Metropolitan District asserts that water to households will be provided by private wells and that there is sufficient ground water for each lot to have an individual well for both home and outdoor use. This alone should negate the need for a Metropolitan District. However, there is a significant concern among Franktown residents, including those in the Bannockburn HOA, that the ground source of water, the Upper Dawson aquifer, is already potentially oversubscribed/over-tapped to assure long term availability to current residents. Specifically, if new residents access this water source based on a higher density calculation, current homeowners could be required to pay costs associated with drilling deeper wells in the short term and potential future public water service connection and provision fees by a neighboring city. We find this to be an untenable financial burden to place on current homeowners in Franktown and surrounding cities and counties. We recommend that a different water source other than the Upper Dawson aquifer be identified and applied to the Project. Further, it is our understanding that a water source for augmentation of the Upper Dawson is the Larimer Fox Hills Aquifer, which we understand to be highly toxic. The potential use of that aquifer, in combination with the Upper Dawson aquifer or another water source, could literally poison and contaminate the water sourced from the Upper Dawson aquifer or to another water source, and should be avoided entirely. Lastly, since a wastewater treatment facility is not

allowed or feasible in Franktown, this is another reason there is no need for a Metropolitan District regardless of the water source.

3. Access and roads will be impacted when considering the planned Sundown Oaks Metropolitan District and other planned subdivisions in the immediate area. Costs for any road enhancements and improvements are likely required to accommodate increased traffic on Tanglewood and Highway 86 that the developers should be responsible to pay in advance of development activities. This does not necessitate the need for a Metropolitan District as those costs could be incorporated into lot and development costs paid by future homeowners as a one-time cost. For example, the nearby Arrowpoint development did not require a Metropolitan District, and it too required enhancements to roads to the subdivision.
4. We are concerned that this Metropolitan District will introduce, amplify and perpetuate known issues and concerns about said "districts" since they are well documented widely across Colorado as imposing long-term and, in some cases, indefinite negative financial impacts to new residents and the broader community.

In summary, your consideration of our concerns is appreciated. Please feel free to contact me with any questions you may have.

Best regards,

Dave Delgado

Dave Delgado
Bannockburn HOA - President

Exhibit 8
1 page

From: Alan Erickson
President, Fox Glen HOA
Franktown

To: Douglas County Commissioners

Subject: Sundown Oaks Metropolitan District, SV2505-5

Fox Glen is a rural neighborhood south of Franktown, where I live and serve as president of the HOA. I am writing to express my opposition to the proposed Sundown Oaks Metropolitan District.

The Upper Dawson aquifer is already oversubscribed and its use should be discouraged for new developments. The Laramie-Fox Hills aquifer should not be used due to its poor water quality.

A metropolitan district is potentially harmful to the community and has no place in a rural development such as Sundown Oaks. There are many cases of terrible outcomes from metropolitan districts in Colorado. Individual wells and septic systems mostly obviate the need for a metropolitan district. Development costs can be conveyed to the owners at purchase. Maintenance of common amenities can be managed by an HOA.

Thank you for your consideration.
Alan Erickson

Exhibit 4
1 page

Douglas County Board of County Commissioner's

A metro district and/or a HOA are both involved in the sale of homes, but they differ in their purpose, cost, taxes, and governance

As a professional real estate agent dedicated to maintaining transparency and providing valuable information to my buyers, I believe it is essential to introduce a real estate document. This document should be given to and signed by buyers, indicating that the homes they will be viewing are located in a Metro District. It should clearly be stated that these homes may be subject to specific regulations. Additionally, it should inform prospective buyers about the need to research the offerings and provisions of a Metro District, as well as the possibility of additional taxes and costs.

To facilitate this, the Real Estate Board should develop an additional disclosure form to be provided to buyers. Furthermore, the seller's contract packet should include a checkbox to indicate whether the home is in a Metro District. The responsibility for this would fall on the Real Estate Board, agents, and brokerage houses.

In the interest of transparency, builders' sales offices in "New Communities" such as Independence and Gold Creek should also provide prospective buyers with a document indicating that the community is a Metro District and that additional costs may apply. This document should be given to prospective buyers when they sign in to view the model homes. The burden of this responsibility would lie with the builder and the sales office.

It is crucial for the real estate community and prospective buyers to understand that a Metro District may or may not offer additional assets. However, it is important for everyone to be aware of the potential benefits or drawbacks.

Bob Speaker
Keller Williams Action Realty
Broker Owner
303-517-7692

Exhibit 10
1 page

Oak Bluff Estates Tanglewood Drive and Oak Bluff Lane, Franktown, CO 80116

Under construction

Oak Bluff Estates, an exclusive 20-lot gated sanctuary in Franktown, Colorado, offers 5-acre estates designed for luxury living, with homes ranging from $2 to $4 million. Surrounded by towering trees and panoramic views of the Front Range, this community promises unparalleled seclusion and elegance, just a short drive from Denver and Colorado Springs. Set to ...

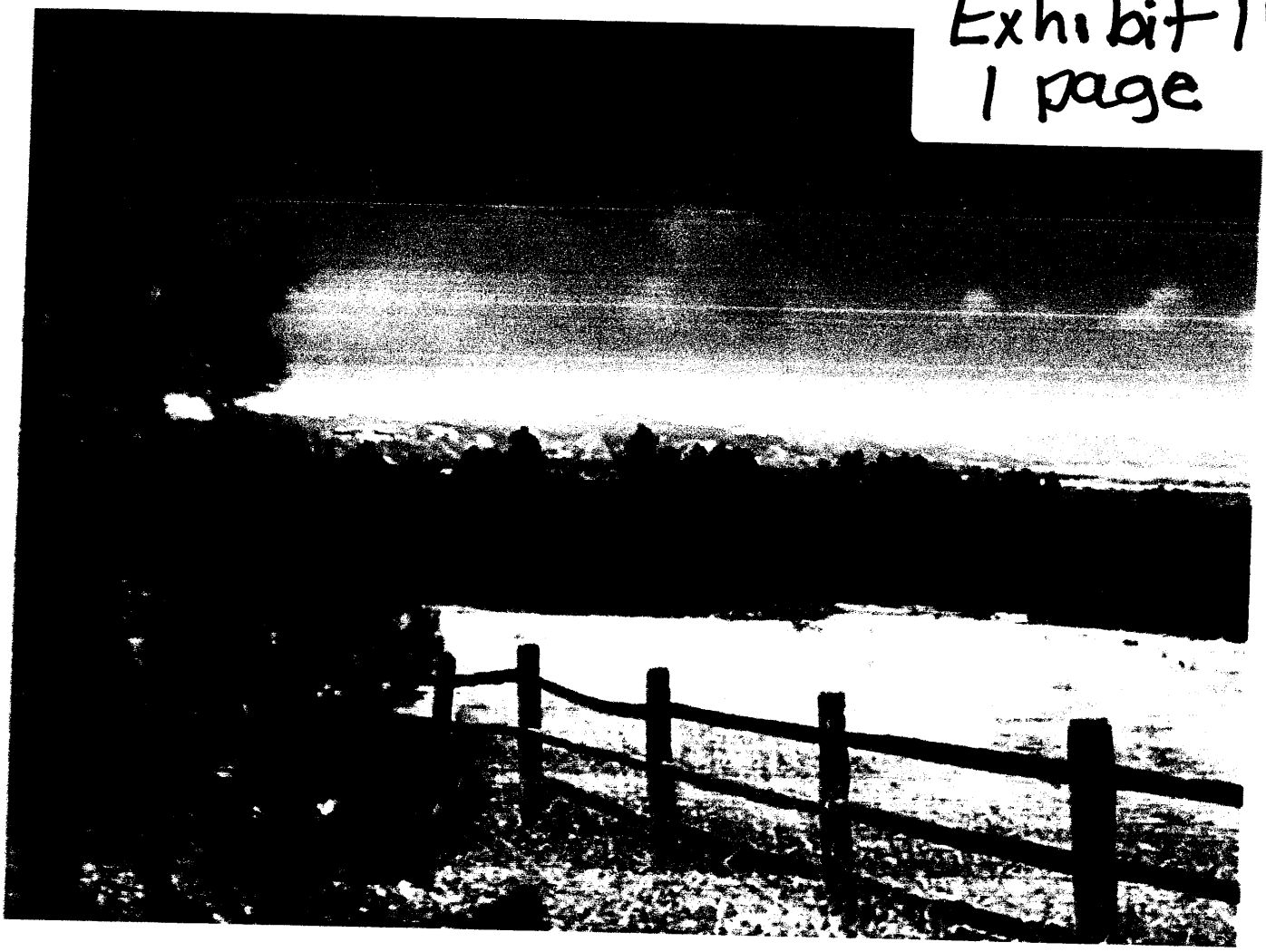
Know More

Commercial

20 Units

4 Million

Exhibit 11
1 page



Sundown Estates Tanglewood Drive and Sundown Court, Franktown CO 80116 Under Construction

Sundown Estates, a premier 17-lot luxury gated community in Franktown, Colorado, redefines high-end living with two-acre lots boasting stunning Front Range views and lush, treed privacy. Strategically located between Denver and Colorado Springs, this exclusive development sets a new benchmark for luxury in the region, with homes priced from $1.8 to $3.5 million. Building on ...

Know More

Commercial

17 Units 3.5 Million

DJ Beckwith

From: Diana Love <rllove1@msn.com>
Sent: Sunday, July 20, 2025 12:52 PM
To: Matt Jakubowski; DJ Beckwith
Cc: Troy Dayton; Debbie; Hyla Tryon Jenks
Subject: Renewed request for continuance of Sundown Oaks Planning Commission Hearing scheduled on August 4th

Mr. Jakubowski and Mr. Beckwith,

I am including you both because both of you have been involved with this project from two different perspectives. We have requested this continuance because of the complicated problems/issues/law with the Sundown Oaks application for a Metro District in Franktown. The significant amount of time that transpired for, and between, the time of the approval of the development that is the basis for the Metro District request, compared to the short time for the request for a Metro district, has been one of the reasons that created these complicated issues and the need for in-depth research of the application of Colorado laws. The Franktown Citizens Coalition (FCC II) requested at least a 90-day continuance of the Planning Commission hearing on August 4th. Sundown Oaks development was in the approval process for over 6 years without a request for a Metro District until just this June 2025 which gives the community very little time to prepare on the extremely complicated issues and laws.

Mr. Beckwith, your response to the FCC II's request for an extension was only that you forwarded it to the applicant but, as yet, had not received a reply. We understand and appreciated your response, but because of the shortness of time, we need a decision and so are renewing our request. We are hoping our request will be approved. To deny a continuance request from the community if the applicant either does not respond or has the authority to require our continuance request be denied, would put control of the County's hearing process in the applicant's control. This is not a balanced approach to County government where all sides' requests and issues must be equally considered and decided on.

We are also requesting an updated schedule for the whole process because there are different dates on submittals from the applicant.

Thank you very much for your consideration of this request.

Respectfully,

Diana Love
President
FCC II

DJ Beckwith

From: Diana Love <rllove1@msn.com>
Sent: Thursday, July 17, 2025 11:28 PM
To: DJ Beckwith
Subject: RE: Sundown Oaks Metro District hearings

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Beckwith,

So it's their decision alone? Constituents have no say even though the time frame picked by the applicant does not give the affected community very much time?? Something's wrong. Who would be the person at the County to reach out to in order to get the date changed?

Diana Love
President
FCC II

Sent from my T-Mobile 5G Device

-------- Original message --------
From: DJ Beckwith <dbeckwith@douglas.co.us>
Date: 7/17/25 12:53 PM (GMT-07:00)
To: Diana Love <rllove1@msn.com>
Subject: RE: Sundown Oaks Metro District hearings

Greetings Ms. Love,

The proposed dates are still the same as we discussed on the phone.

- PC Meeting August 4th, 2025 @ 6pm
- BCC Hearing September 9th, 2025 @ 2:30pm

Your request to postpone has been forwarded to the applicant. At this time, the applicant has not responded to that request and has shown that they wish to proceed with the application.

All the best,
DJ Beckwith | Principal Planner
Douglas County Department of Community Development
Planning Resources
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4330 **Main** | 303-660-7460
Email | dbeckwith@douglas.co.us

From: Diana Love <rllove1@msn.com>
Sent: Thursday, July 17, 2025 11:40 AM
To: DJ Beckwith <dbeckwith@douglas.co.us>
Subject: Sundown Oaks Metro District hearings

Mr. Beckwith,

I am reaching out for information on a couple of things please.

First: I have received no notice on the hearing dates for Sundown Oaks application for a Metro District.

Second: People in my community have sent me emails from you to them about the tentative dates already.

Third: My organization has requested a continuance due to the short turn around time that Sundown Oaks has asked for giving the community little time to prepare.

Please let me know. Thank you.

Diana Love
President
FCC II, Inc.

Sent from my T-Mobile 5G Device

DJ Beckwith

From: Diana Love <rllove1@msn.com>
Sent: Tuesday, July 8, 2025 10:40 AM
To: DJ Beckwith
Cc: TROY Dayton; hyjinx79@q.com; Debbie; snoflke18@hotmail.com; Malcolm Bedell; Bob Skowron
Subject: Sundown Oaks Proposed Metro District's requested date for Planning Commission Hearing

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Beckwith,

We are requesting an extension of proposed Planning Commission date of August 4, 2025.

The Sundown Oaks proposed Metro District presubmittal plan has requested meeting and hearing dates. The first is a meeting with the staff which can include outside agencies, etc. It's not clear when this will occur. We would respectfully like to be included in those meetings.

Also,

We would ask staff to begin their review of these first issues below. Many more issues and facts will follow in an opposition paper we will be filing.

I. SUNDOWN OAKS PROBLEMS:

A. The FCC II, after review of the proposed Sundown Oaks service plan, sees MANY issues/problems with the service plan not meeting, just for example, the statutory requirements of:

C.R.S.,Section 32

And,

Douglas County's
Comprehensive Master Plan.

B. Problems with other areas:

1. Finances - the proposed financial plan is confusing and doesn't present well.

2. Service Plan has the most holes in areas dealing with: is there even a need (C.R.S 32) for a Metro District in this area? (There is NOT!). (Other C.R.S. requirements are not met, which will be addressed in our opposition paper) Issues like water quality safety (not water rights) problems are not met, etc.

3. Potential future eminent domain requests (areas that financially could have serious, negative effects)

4. Fees on top of County taxes and fees (property taxes, operation and maintenance fees, etc.)

5. Surrounding community needs that conflict with a Metro District. The controlling statute (C.R.S. 32) shows this.

6. Significant conflicts in service plan. One small example of many, see on commercial area of the service plan. Section 6, pg 3. Says "0 Sq feet of commercial space" but on the next paragraph it says "approval of the service plan does not constitute or imply approval of...the total site/floor area of commercial or industrial buildings identified in this service plan.

There are many, many more issues!

II. RESPECTFULLY, THE FCC II ASKS FOR A COPY OF ANY STAFF MEETING MINUTES WITH SUNDOWN OAKS.

III. Further comments/details will follow as issues with reviews of this plan. and facts on this, are developed. Our opposition paper will be extensive and detailed, so it will take time. Also, we are working with other Metro Districts, and experts, on the tremendous difficulties that Metro Districts cause. As you are aware, interacting with other districts takes time.

Because of that, and more, we respectfully ask that the Planning Commission date requested by the developer of August 4, 2025 not be set on that date, and it be extended 90 days, at a minimum.

Sincerely,

Diana Love
President
FCC II, Inc.

Sent from my T-Mobile 5G Device

DJ Beckwith

Subject: FW: Development in area of Metro District

From: Diana Love <rllove1@msn.com>
Sent: Tuesday, June 17, 2025 9:46 AM
To: DJ Beckwith <dbeckwith@douglas.co.us>
Subject: RE: Development in area of Metro District

Mr. Beckwith,

Thank you again for your courtesy. Please do forward my request to meet with the applicant.

Best regards,

Diana Love
President
FCC II

Sent from my T-Mobile 5G Device

-------- Original message --------
From: DJ Beckwith <dbeckwith@douglas.co.us>
Date: 6/17/25 9:19 AM (GMT-07:00)
To: Diana Love <rllove1@msn.com>
Subject: RE: Development in area of Metro District

Good Morning Mrs. Love,

In response to your question on meeting with the applicant of Sundown Oaks MD. We can let the applicant know that you have reached out and would like to set time for a meeting, however, the County will not facilitate a meeting. The referral process is for the purpose of letting the applicants know what issues and concerns are present with any given project, and we forward that communication to the applicants so they are aware and can respond to those issues. The public hearings are another place to allow for public opinions to be heard and addressed by the applicant before the Planning Commission and the County Commissioners, as they make their determinations on approval of the project.

Please let me know if you would like me to forward your request to meet to the applicant.

I hope this helps clarify your question. Let me know if you have any additional questions.

All the best,
DJ Beckwith | Principal Planner

DJ Beckwith

From: Diana Love <rllove1@msn.com>
Sent: Wednesday, June 4, 2025 4:50 PM
To: DJ Beckwith
Cc: Troy Dayton; Debbie; Hyla Tryon Jenks
Subject: RE: Douglas County eReferral (SV2025-005) Is Ready For Review

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for the referral.

This has lots of issues/problems we will be addressing in detail and getting out to the community. Even as a start, there aren't even 5 acres per residence, as required by county zoning, etc. etc! There seems to a lot of "yo yo" effects where if they don't get/like one thing, they will keep going back and forth for approvals on different things. Also, it appears there are many issues regarding the CMP, regardless of the statement that it is in "substantial compliance with the CMP 30-28-106, as amended."

The problems laid out wherein the "existing services in the area to be served by the District is inadequate for present and PROJECTED (emphasis added) needs" are just a beginning of the problems, etc. this development brings.

Much more to follow.

Thank you again. Best regards,

Diana Love
President, FCC II

Sent from my T-Mobile 5G Device

-------- Original message --------
From: dbeckwith@douglas.co.us
Date: 6/4/25 2:45 PM (GMT-07:00)
To: rllove1@msn.com
Subject: Douglas County eReferral (SV2025-005) Is Ready For Review

There is an eReferral for your review. Please use the following link to log on to your account:
https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fapps.douglas.co.us%2Fplanning%2Fprojects%2FLogin.aspx&data=05%7C02%7C%7C6d7c4a81e0514c08cae508dda3a8bbee%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638846667287843757%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=i%2Fj24w%2Fer9xbT1wAXm3QBn3%2FhqACqnaip99eZoM%2BnMI%3D&reserved=0

SV2025-005, Sundown Oaks Metropolitain District, new service plan application.

This referral will close on Wednesday, June, 18, 2025.

If you have any questions, please contact me.

Sincerely,

DJ Beckwith
Planning Resources
100 Third Street
Castle Rock, CO 80104
303-660-7460 (main)

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

June 11, 2025

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104

Attn: DJ Beckwith

Re: Sundown Oaks Metropolitan District, Case # SV2025-005

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans for **Sundown Oaks Metropolitan District** and currently has **no apparent conflict**.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com

Memorandum

8055 E. Tufts Avenue, Suite 350
Denver, CO 80237
(303) 248-2518 Direct

Mattie Prodanovic
Senior Vice President
Mattie.Prodanovic@hilltopsecurities.com

Date: June 30, 2025

To: Douglas County, Colorado

Subject: Review of Proposed Service Plan for the Sundown Oaks Metropolitan District

Hilltop Securities Inc. ("Hilltop") has been engaged by Douglas County, Colorado (the "County") to review the proposed Service Plan for the Sundown Oaks Metropolitan District (the "District").

Hilltop's review is based on the assumptions provided by the Organizer and other publicly available information. Our report should not be viewed as an independent economic forecast or as a confirmation of assumptions for the cost of public infrastructure, real estate market, development cycles, current or projected property values, or construction and absorption of homes within the development.

District Overview and Summary of the Service Plan

The District will utilize a single district structure and the total Service Area of the District is approximately 173 acres, all of which is expected to be utilized for residential development. At full build out, the Organizer anticipates the District will include 37 residential units that will be developed between 2027 and 2032, with an average home value of $2.2 million. The District's projected assessed value at full build out for collection in 2034, assuming development is completed in 2032, is projected to be approximately $6.2 million.

The Service Plan establishes a Maximum Total Mill Levy for the District of 70 mills, comprised of a debt service mill levy and operations and maintenance mill levy. The maximum levy for debt service is 50 mills and the maximum mill levy for operations and maintenance is 20 mills, although the Service Plan states a planned levy of 10 mills for operations and maintenance. Both District mill levies are subject to adjustment to changes in the calculation of assessed value based on changes to the calculation assuming a base year calculation of 2026. The Service Plan states that while the District can adjust its mill levies higher to account for changes in assessed value calculations that would otherwise negatively impact District revenues, it is also required to adjust mill levies lower if adjustments are made to the calculation of assessed value that increase revenues solely from the change in calculation such that any adjustment is revenue neutral.

The Service Plan limits the total amount of debt that can be issued by the District to $10 million. This debt limit is inclusive of all new money proceeds including funds allocated for project costs and costs of issuance. It is assumed that it is also inclusive of credit enhancements such as debt service reserve funds and capitalized interest funds, although it is not expressly stated in the Service Plan. The Service Plan requires that any individual series of bonds issued by the District have a maximum term of 30 years from the date of issuance including any refunding or refinancing. This language is somewhat unclear as it could be interpreted that all bonds related to an initial new money issuance must have a final term within 30 years of the original issuance or that each individual issuance could have its own 30-year term. In the latter scenario, the District could continue to perpetually refund an original bond issuance and restart the 30-year term at each refunding given there is no limit on time that the District may impose a debt service mill levy.

The Service Plan clearly states that developer advances will be counted against the debt limit and that these advances would be subordinate to general obligation bonds issued by the District. The Service Plan notes that the developer advances to the District are expected to be approximately $9 million, which matches the total anticipated costs as noted below and is within the debt limit established in the Service Plan. Additionally, the Service Plan notes that any developer advances remaining unpaid as of the expiration of the Maximum Debt Service Mill Levy term are deemed to be discharged. However, there is no term defined in the Service Plan for the debt service mill levy and as described above, the District's debt could

continually be extended in the future which would provide revenues to repay developer advances.

The Service Plan limits the maximum voted interest rate on any debt to a maximum of 12.00% and interest rate on developer reimbursements is limited to the current Bond Buyer 20-Bond GO Index plus 4%. The Service Plan does not specify that interest on any debt or developer advances should be simple, meaning interest on obligations of the District is allowed to compound. The Service Plan limits the maximum underwriting discount to 5.00%.

Proposed Financial Plan

Operation and Maintenance

The Service Plan estimates the first year's operating budget of the District at $75,000 and organizational costs to be approximately $50,000. The Financial Plan shows revenues from the operations and maintenance mill levy are sufficient to pay the estimated first year's operating budget beginning in collection year 2030. Prior to this time, the District may utilize developer advances to cover operating and organizational costs of the District.

Debt

The District currently estimates total costs of the improvements are approximately $9 million as detailed in Exhibit D of the Service Plan, which includes an estimated contingency of approximately 15%. The Service Plan contains language that the District will need to submit materials for administrative review if there is an increase in these costs greater than 20% but less than 40%. If costs increase in excess of 40%, it will constitute a material modification of the Service Plan and will require review by the County. The Financial Plan, included as Exhibit F, includes a bond issuance in 2027 in the aggregate par amount of $3,625,000 (the "Series 2027 Bonds"). The table below summarizes the key results of the projected Financial Plan.

Projected Financing Results	
Par Issued	$3,625,000
Project Fund Deposit	$2,703,802
Other Use of Proceeds	Reserve Fund Capitalized Interest Cost of Issuance

The projected par amount of approximately $3.6 million is within the debt limit in the Service Plan of $10 million. The estimated total project fund deposit of approximately $2.7 million is less than the anticipated development costs of $9 million by approximately $6.3 million. The Service Plan notes that it is anticipated there will be approximately $5 million of developer contributions which may not be repaid by the District, which is approximately $1.3 million less than the estimated shortfall. However, the Service Plan notes there will be an anticipated $9 million of developer advances, which would cover the estimated project costs.

Capitalized interest funded with proceeds from the bonds is used to fully pay debt service on the Series 2027 Bonds in collection year 2027 and partially pay debt service in collection years 2028 through 2030. Capitalized interest usually cannot be funded for longer than three years, so it is assumed that the amounts paid for in 2030 is due to the transaction closing later in 2027, but the financing details are not provided in the Financial Plan to verify that assumption. Proceeds from the Series 2027 Bonds are also used to fund a Debt Service Reserve Fund, which is fully funded at the maximum annual debt service on the bonds. The Financial Plan projects that revenues from the debt service mill levy, along with capitalized interest funds in the years described above, are sufficient to cover debt service on the Series 2027 Bonds through final maturity in 2057. The Financial Plan shows the District is able to retire the debt service on the Series 2027 Bonds within 30 years of issuance.

Financial Plan Assumptions

The Financial Plan makes certain assumptions regarding the structure and interest rates of each of the proposed issuances and the actual results will be different from the submitted Financial Plan based on what the market conditions are at each time of issuance. The table below summarizes these key assumptions.

Financial Plan Assumptions	
Interest Rate	6.25%
Debt Service Coverage	1.30x
Final Maturity / Term	2057 (30 Years)
Structure	Current Interest
Rating / Credit	Non-Rated
Biennial Reassessment	
Residential	3.00%

The interest rate assumption and targeted debt service coverage ratio are reasonable estimates given the current market and the inclusion of a debt service reserve fund is consistent with the credit structure. If, at the time of issuance, the interest rate or credit structure of the District's bonds are different than what is currently assumed in the Financial Plan, the District may generate more or less project funds than the amount currently shown.

Conclusion

As is true with sample financial projections included in any Service Plan for metropolitan districts, these financial projections do not constitute a commitment to construct any residential development, nor do they obligate the Organizer to begin new construction on any specific timetable. The actual implementation of the debt program may vary significantly from the projections in the Financial Plan. The timing, amounts, and interest rates of the planned debt issuances will be subject to market conditions and to the credit analysis performed at the time of issuance by third-party investors. The ability to issue debt in the future will also depend on the level of development achieved within the District, and on the rate of taxes imposed by the District in relationship to the limits created by the Service Plan.

Given the assumptions in the Financial Plan, it is reasonable that the District will be capable of extinguishing all bonds within the parameters established in the Service Plan. The actual amount the District will be able to borrow for the initial costs of the public improvements or to reimburse to the developer will be impacted by changes in these assumptions, market conditions, and investor demand between now and the time of issuance.

HilltopSecurities
A Hilltop Holdings Company

Memorandum

8055 E. Tufts Avenue, Suite 350
Denver, CO 80237
(303) 248-2518 Direct

Mattie Prodanovic
Senior Vice President
Mattie.Prodanovic@hilltopsecurities.com

Date: July 3, 2025

To: Douglas County, Colorado

Subject: Review of Proposed Service Plan for the Sundown Oaks Metropolitan District

Hilltop Securities Inc. ("Hilltop") has been engaged by Douglas County, Colorado (the "County") to review the proposed Service Plan for the Sundown Oaks Metropolitan District (the "District").

Hilltop's review is based on the assumptions provided by the Organizer and other publicly available information. Our report should not be viewed as an independent economic forecast or as a confirmation of assumptions for the cost of public infrastructure, real estate market, development cycles, current or projected property values, or construction and absorption of homes within the development.

District Overview and Summary of the Service Plan

The District will utilize a single district structure and the total Service Area of the District is approximately 173 acres, all of which is expected to be utilized for residential development. At full build out, the Organizer anticipates the District will include 37 residential units that will be developed between 2027 and 2032, with an average home value of $2.2 million. The District's projected assessed value at full build out for collection in 2034, assuming development is completed in 2032, is projected to be approximately $6.2 million.

The Service Plan establishes a Maximum Total Mill Levy for the District of 70 mills, comprised of a debt service mill levy and operations and maintenance mill levy. The maximum levy for debt service is 50 mills and the maximum mill levy for operations and maintenance is 20 mills, although the Service Plan states a planned levy of 10 mills for operations and maintenance. The Service Plan also establishes a Maximum Debt Service Mill Levy Imposition Term of 40 years after initial imposition of the levy. Both District mill levies are subject to adjustment to changes in the calculation of assessed value based on changes to the calculation assuming a base year calculation of 2026. The Service Plan states that while the District can adjust its mill levies higher to account for changes in assessed value calculations that would otherwise negatively impact District revenues, it is also required to adjust mill levies lower if adjustments are made to the calculation of assessed value that increase revenues solely from the change in calculation such that any adjustment is revenue neutral.

The Service Plan limits the total amount of debt that can be issued by the District to $10 million. This debt limit is inclusive of all new money proceeds including funds allocated for project costs and costs of issuance. It is assumed that it is also inclusive of credit enhancements such as debt service reserve funds and capitalized interest funds, although it is not expressly stated in the Service Plan. The Service Plan requires that any individual series of bonds issued by the District have a maximum term of 30 years from the date of issuance including any refunding or refinancing. This language is somewhat unclear as it could be interpreted that all bonds related to an initial new money issuance must have a final term within 30 years of the original issuance or that each individual issuance could have its own 30-year term. In the latter scenario, the District could continue to perpetually refund an original bond issuance and restart the 30-year term at each refunding given there is no limit on time that the District may impose a debt service mill levy.

The Service Plan clearly states that developer advances will be counted against the debt limit and that these advances would be subordinate to general obligation bonds issued by the District. The Service Plan notes that the developer advances to the District are expected to be approximately $9 million, which matches the total anticipated costs as noted below and is within the debt limit established in the Service Plan. Additionally, the Service Plan notes that any developer advances remaining unpaid as of the expiration of

the Maximum Debt Service Mill Levy term are deemed to be discharged, which is 40 years as described above.

The Service Plan limits the maximum voted interest rate on any debt to a maximum of 12.00% and interest rate on developer reimbursements is limited to the current Bond Buyer 20-Bond GO Index plus 4%. The Service Plan does not specify that interest on any debt or developer advances should be simple, meaning interest on obligations of the District is allowed to compound. The Service Plan limits the maximum underwriting discount to 5.00%.

Proposed Financial Plan

Operation and Maintenance

The Service Plan estimates the first year's operating budget of the District at $75,000 and organizational costs to be approximately $50,000. The Financial Plan shows revenues from the operations and maintenance mill levy are sufficient to pay the estimated first year's operating budget beginning in collection year 2030. Prior to this time, the District may utilize developer advances to cover operating and organizational costs of the District.

Debt

The District currently estimates total costs of the improvements are approximately $9 million as detailed in Exhibit D of the Service Plan, which includes an estimated contingency of approximately 15%. The Service Plan contains language that the District will need to submit materials for administrative review if there is an increase in these costs greater than 20% but less than 40%. If costs increase in excess of 40%, it will constitute a material modification of the Service Plan and will require review by the County. The Financial Plan, included as Exhibit F, includes a bond issuance in 2027 in the aggregate par amount of $3,625,000 (the "Series 2027 Bonds"). The table below summarizes the key results of the projected Financial Plan.

Projected Financing Results	
Par Issued	$3,625,000
Project Fund Deposit	$2,703,802
Other Use of Proceeds	Reserve Fund Capitalized Interest Cost of Issuance

The projected par amount of approximately $3.6 million is within the debt limit in the Service Plan of $10 million. The estimated total project fund deposit of approximately $2.7 million is less than the anticipated development costs of $9 million by approximately $6.3 million. The Service Plan notes that it is anticipated there will be approximately $5 million of developer contributions which may not be repaid by the District, which is approximately $1.3 million less than the estimated shortfall. However, the Service Plan notes there will be an anticipated $9 million of developer advances, which would cover the estimated project costs.

Capitalized interest funded with proceeds from the bonds is used to fully pay debt service on the Series 2027 Bonds in collection year 2027 and partially pay debt service in collection years 2028 through 2030. Capitalized interest usually cannot be funded for longer than three years, so it is assumed that the amounts paid for in 2030 is due to the transaction closing later in 2027, but the financing details are not provided in the Financial Plan to verify that assumption. Proceeds from the Series 2027 Bonds are also used to fund a Debt Service Reserve Fund, which is fully funded at the maximum annual debt service on the bonds. The Financial Plan projects that revenues from the debt service mill levy, along with capitalized interest funds in the years described above, are sufficient to cover debt service on the Series 2027 Bonds through final maturity in 2057. The Financial Plan shows the District is able to retire the debt service on the Series 2027 Bonds within 30 years of issuance which is also within the Maximum Debt Service Mill Levy Term of 40 years as established in the Service Plan.

Financial Plan Assumptions

The Financial Plan makes certain assumptions regarding the structure and interest rates of each of the proposed issuances and the actual results will be different from the submitted Financial Plan based on what

the market conditions are at each time of issuance. The table below summarizes these key assumptions.

Financial Plan Assumptions	
Interest Rate	6.25%
Debt Service Coverage	1.30x
Final Maturity / Term	2057 (30 Years)
Structure	Current Interest
Rating / Credit	Non-Rated
Biennial Reassessment	
Residential	3.00%

The interest rate assumption and targeted debt service coverage ratio are reasonable estimates given the current market and the inclusion of a debt service reserve fund is consistent with the credit structure. If, at the time of issuance, the interest rate or credit structure of the District's bonds are different than what is currently assumed in the Financial Plan, the District may generate more or less project funds than the amount currently shown.

Conclusion

As is true with sample financial projections included in any Service Plan for metropolitan districts, these financial projections do not constitute a commitment to construct any residential development, nor do they obligate the Organizer to begin new construction on any specific timetable. The actual implementation of the debt program may vary significantly from the projections in the Financial Plan. The timing, amounts, and interest rates of the planned debt issuances will be subject to market conditions and to the credit analysis performed at the time of issuance by third-party investors. The ability to issue debt in the future will also depend on the level of development achieved within the District, and on the rate of taxes imposed by the District in relationship to the limits created by the Service Plan.

Given the assumptions in the Financial Plan, it is reasonable that the District will be capable of extinguishing all bonds within the parameters established in the Service Plan. The actual amount the District will be able to borrow for the initial costs of the public improvements or to reimburse to the developer will be impacted by changes in these assumptions, market conditions, and investor demand between now and the time of issuance.

Memorandum

8055 E. Tufts Avenue, Suite 350
Denver, CO 80237
(303) 248-2518 Direct

Mattie Prodanovic
Senior Vice President
Mattie.Prodanovic@hilltopsecurities.com

Date: August 27, 2025

To: Douglas County, Colorado

Subject: Review of Proposed Service Plan for the Sundown Oaks Metropolitan District

Hilltop Securities Inc. ("Hilltop") has been engaged by Douglas County, Colorado (the "County") to review the proposed Service Plan for the Sundown Oaks Metropolitan District (the "District").

Hilltop's review is based on the assumptions provided by the Organizer and other publicly available information. Our report should not be viewed as an independent economic forecast or as a confirmation of assumptions for the cost of public infrastructure, real estate market, development cycles, current or projected property values, or construction and absorption of homes within the development.

District Overview and Summary of the Service Plan

The District will utilize a single district structure and the total Service Area of the District is approximately 173 acres, all of which is expected to be utilized for residential development. At full build out, the Organizer anticipates the District will include 37 residential units that will be developed between 2027 and 2032, with an average home value of $2.2 million. The District's projected assessed value at full build out for collection in 2034, assuming development is completed in 2032, is projected to be approximately $6.2 million.

The Service Plan establishes a Maximum Total Mill Levy for the District of 70 mills, comprised of a debt service mill levy and operations and maintenance mill levy. The maximum levy for debt service is 50 mills and the maximum mill levy for operations and maintenance is 20 mills, although the Service Plan states a planned levy of 10 mills for operations and maintenance. The Service Plan also establishes a Maximum Debt Service Mill Levy Imposition Term of 40 years after initial imposition of the levy. Both District mill levies are subject to adjustment to changes in the calculation of assessed value based on changes to the calculation assuming a base year calculation of 2026. The Service Plan states that while the District can adjust its mill levies higher to account for changes in assessed value calculations that would otherwise negatively impact District revenues, it is also required to adjust mill levies lower if adjustments are made to the calculation of assessed value that increase revenues solely from the change in calculation such that any adjustment is revenue neutral.

The Service Plan limits the total amount of debt that can be issued by the District to $6 million. This debt limit is inclusive of all new money proceeds including funds allocated for project costs and costs of issuance. It is assumed that it is also inclusive of credit enhancements such as debt service reserve funds and capitalized interest funds, although it is not expressly stated in the Service Plan. The Service Plan requires that any individual series of bonds issued by the District have a maximum term of 30 years from the date of issuance including any refunding or refinancing. This language is somewhat unclear as it could be interpreted that all bonds related to an initial new money issuance must have a final term within 30 years of the original issuance or that each individual issuance could have its own 30-year term. In the latter scenario, the District could continue to perpetually refund an original bond issuance and restart the 30-year term at each refunding given there is no limit on time that the District may impose a debt service mill levy.

The Service Plan clearly states that developer advances will be counted against the debt limit and that these advances would be subordinate to general obligation bonds issued by the District. The Service Plan notes that the developer advances to the District are expected to be approximately $9 million, which matches the total anticipated costs as noted below and is greater than the debt limit established in the Service Plan. Additionally, the Service Plan notes that any developer advances remaining unpaid as of the expiration of

the Maximum Debt Service Mill Levy term are deemed to be discharged, which is 40 years as described above. The Service Plan notes that $5 million of these advances are not anticipated to be repaid.

The Service Plan limits the maximum voted interest rate on any debt to a maximum of 12.00% and interest rate on developer reimbursements is limited to the current Bond Buyer 20-Bond GO Index plus 4%. The Service Plan does not specify that interest on any debt or developer advances should be simple, meaning interest on obligations of the District is allowed to compound. The Service Plan limits the maximum underwriting discount to 5.00%.

Proposed Financial Plan

Operation and Maintenance

The Service Plan estimates the first year's operating budget of the District at $75,000 and organizational costs to be approximately $50,000. The Financial Plan shows revenues from the operations and maintenance mill levy are sufficient to pay the estimated first year's operating budget beginning in collection year 2030. Prior to this time, the District may utilize developer advances to cover operating and organizational costs of the District.

Debt

The District currently estimates total costs of the improvements are approximately $9 million as detailed in Exhibit D of the Service Plan, which includes an estimated contingency of approximately 15%. The Service Plan contains language that the District will need to submit materials for administrative review if there is an increase in these costs greater than 20% but less than 40%. If costs increase in excess of 40%, it will constitute a material modification of the Service Plan and will require review by the County. The Financial Plan, included as Exhibit F, includes a bond issuance in 2027 in the aggregate par amount of $3,625,000 (the "Series 2027 Bonds"). The table below summarizes the key results of the projected Financial Plan.

Projected Financing Results	
Par Issued	$3,625,000
Project Fund Deposit	$2,703,802
Other Use of Proceeds	Reserve Fund Capitalized Interest Cost of Issuance

The projected par amount of approximately $3.6 million is within the debt limit in the Service Plan of $6 million. The estimated total project fund deposit of approximately $2.7 million is less than the anticipated development costs of $9 million by approximately $6.3 million. The Service Plan notes that it is anticipated there will be approximately $5 million of developer contributions which may not be repaid by the District, which is approximately $1.3 million less than the estimated shortfall. However, the Service Plan notes there will be an anticipated $9 million of developer advances, which would cover the estimated project costs.

Capitalized interest funded with proceeds from the bonds is used to fully pay debt service on the Series 2027 Bonds in collection year 2027 and partially pay debt service in collection years 2028 through 2030. Capitalized interest usually cannot be funded for longer than three years, so it is assumed that the amounts paid for in 2030 is due to the transaction closing later in 2027, but the financing details are not provided in the Financial Plan to verify that assumption. Proceeds from the Series 2027 Bonds are also used to fund a Debt Service Reserve Fund, which is fully funded at the maximum annual debt service on the bonds. The Financial Plan projects that revenues from the debt service mill levy, along with capitalized interest funds in the years described above, are sufficient to cover debt service on the Series 2027 Bonds through final maturity in 2057. The Financial Plan shows the District is able to retire the debt service on the Series 2027 Bonds within 30 years of issuance which is also within the Maximum Debt Service Mill Levy Term of 40 years as established in the Service Plan.

Financial Plan Assumptions

The Financial Plan makes certain assumptions regarding the structure and interest rates of each of the proposed issuances and the actual results will be different from the submitted Financial Plan based on what

the market conditions are at each time of issuance. The table below summarizes these key assumptions.

Financial Plan Assumptions	
Interest Rate	6.25%
Debt Service Coverage	1.30x
Final Maturity / Term	2057 (30 Years)
Structure	Current Interest
Rating / Credit	Non-Rated
Biennial Reassessment	
Residential	3.00%

The interest rate assumption and targeted debt service coverage ratio are reasonable estimates given the current market and the inclusion of a debt service reserve fund is consistent with the credit structure. If, at the time of issuance, the interest rate or credit structure of the District's bonds are different than what is currently assumed in the Financial Plan, the District may generate more or less project funds than the amount currently shown.

Conclusion

As is true with sample financial projections included in any Service Plan for metropolitan districts, these financial projections do not constitute a commitment to construct any residential development, nor do they obligate the Organizer to begin new construction on any specific timetable. The actual implementation of the debt program may vary significantly from the projections in the Financial Plan. The timing, amounts, and interest rates of the planned debt issuances will be subject to market conditions and to the credit analysis performed at the time of issuance by third-party investors. The ability to issue debt in the future will also depend on the level of development achieved within the District, and on the rate of taxes imposed by the District in relationship to the limits created by the Service Plan.

Given the assumptions in the Financial Plan, it is reasonable that the District will be capable of extinguishing all bonds within the parameters established in the Service Plan. The actual amount the District will be able to borrow for the initial costs of the public improvements or to reimburse to the developer will be impacted by changes in these assumptions, market conditions, and investor demand between now and the time of issuance.

July 15, 2025

Laura Heinrich
Spencer Fane LLP
1700 Lincoln St, Suite 2000
Denver, CO 80203

Re: Sundown Oaks Metropolitan District – New Service Plan
Project File No. SV2025-005

Dear Ms. Heinrich:

The following schedule has been set for the above referenced application:

ACTION	DATE
Application stamped complete, Department of Community Development	**7/15/25**
PC meeting	**8/4/25, 6:00 pm**
BCC meeting to set hearing date	**8/26/25, 1:30 pm**
BCC hearing	**9/9/25, 2:30 pm**
BCC adopts resolution of approval or provides reason for denial	**9/9/25, 2:30 pm**

All meetings will be held in the Board of County Commissioners' Hearing Room at 100 Third Street, Castle Rock.

Please note some additional deadlines for this application; the staff report for the Board of County Commissioners hearing is to be mailed on August 28, 2025. The final version of the Service Plan, as it is to be delivered to the Board, should be provided to our office by Monday, August 25, 2025.

To ensure the applications are processed and heard according to the above schedule, it will be important for you to provide and comply with the following requirements.

A. NOTICING

State Statutes require public notice for the Board of County Commissioners hearing. The Douglas County *Service Plan Review Procedures* ("Review Procedures") require the

applicant to fulfill the following noticing requirements. Please also refer to Section 32-1-204, C.R.S. for further information:

1. Newspaper Noticing

   A notice needs to be published in the *Douglas County News-Press* at least 20 days before the BCC hearing. The notice shall include the date, time, location, purpose of the hearing, and a general description of the land contained within the boundaries of the metropolitan district and information outlining methods and procedures pursuant to Section 32-1-203 (3.5), C.R.S., concerning the filing of the petition for exclusion of territory. See the relevant section of the State Statutes and the Review Procedures for further explanation of this last issue.

   Please provide Planning Resources with a copy of the draft notice before it is sent to the newspaper for publishing so we can confirm all information is included.

2. Existing Surrounding Municipalities and Special Districts

   A written notice must be sent to "the governing body of any existing 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 miles of the proposed special district boundaries" (Section 32-1-204 (1), C.R.S., as amended).

   This notice needs to state the date, time and location of the Board of Commissioners' public hearing. This notice must be sent out at least 20 days prior to the Board's hearing. Please provide Planning Resources with a copy of the above draft notice and a list of the municipalities or special districts prior to mailing the notice.

3. Property Owners

   Pursuant to Section 32-1-204(1.5), C.R.S., not more than 30 days or less than 20 days prior to the Board of County Commissioners hearing, a notice stating the date, time, location, and purpose of the Board of Commissioners public hearing, a reference to the type of special district, maximum mill levy, if any, or stating that there is no maximum that may be imposed by the proposed special district, and procedures for the filing of a petition for exclusion pursuant to Section 32-1-203(3.5), C.R.S., as amended, shall be sent to the owners of property within the proposed special district as listed on the records of the County Assessor.

   Please note that Planning Resources maintains its interpretation that public notice requirements as described within State statutes are applicable to this request. Based upon the identified Board of County Commissioners' hearing date of Tuesday, September 9, 2025, public notice to all property owners within the boundaries of the districts is required to be mailed between August 10 and August 20, 2025.

B. AFFIDAVIT OF NOTICE

Once the above noticing has been completed, an affidavit of publication will be required from the *Douglas County News-Press* to verify that the notice was published. In addition,

the Department of Community Development will need an affidavit of notice stating that the other two noticing requirements have been completed. These affidavits must be delivered to the Department of Community Development not less than five (5) business days prior to the Board of County Commissioners' hearing.

C. RESOLUTION

The applicant needs to provide the Department of Community Development a copy (electronic only is acceptable) of the resolution(s) by August 25, 2025, in time for the September 9, 2025, Board of County Commissioners' hearing.

Any revisions to the Service Plan pursuant to the conditions of approval that may be in the staff report for the September 9, 2025, hearing will need to be provided prior to the Board hearing of the same date.

If you have any questions on the above requirements, please call the undersigned at (303) 660-7460.

Sincerely,

DJ Beckwith
Principle Planner

cc: Lauren Pulver, Planning Supervisor
Katherine Carter, AICP, Assistant Director of Planning Services
Christopher Pratt, Managing County Attorney

June 23, 2025

Laura S. Heinrich
Spencer Fane LLP
1700 Lincoln St, Suite 2000
Denver, CO 80203

Re: Sundown Oaks Metropolitan District - New Service Plan
Project File No. SV2025-005

Dear Ms. Heinrich:

Thank you for the submittal of the Sundown Oaks Metropolitan District new service plan. We have completed the presubmittal review of the service plan and have comments as stated below. Additionally, copies of referral agency comments received to-date are enclosed.

General Formatting Comments:

1. Update all references to "Colorado Clean Water Plan" to "Colorado's Water Quality Management Plan."

2. In the first paragraph of Section VI, "Assessed Valuation/Projections/Land Use/Population" please Update the following language, "the property is zoned residential" to "the property is zoned Rural Residential".

3. In Section VIII, "Services, Facilities, And Improvements", A 1 and 3, please provide additional language explicitly stating that the District will not provide these services and narrow the language to include only the powers necessary for the District to build infrastructure but not provide water and sanitation services directly.

4. In Section XI, "Developer Advances and Reimbursements" first sentence of the second paragraph, please change the text style to match the rest of the service plan.

Referral Agency and County Consultant Comments:

1. Please address the comments provided by Douglas County Engineering.

If you have any questions on the above requirements, please call the undersigned at (303)-660-7460.

Sincerely,

DJ Beckwith, Principal Planner

cc: Lauren Pulver, Planning Supervisor
Kati Carter, AICP, Assistant Director of Planning Resources
Chris Pratt, Managing County Attorney

From: Lauren Pulver
To: Peykov, Nicole
Cc: DJ Beckwith
Subject: RE: Planning Commission Follow Up
Date: Friday, August 22, 2025 1:05:00 PM

Thanks Nicole. No concerns on our end regarding water rights. Our staff report is due next week so we will get the updated service plan to our financial consultant for review asap. Depending on their timeline, the staff report may reflect that the review is not yet complete but we will update the Board prior to the hearing with Hilltop's conclusions.

You can send your presentation anytime prior to the hearing – same day is fine.

From: Peykov, Nicole <npeykov@spencerfane.com>
Sent: Friday, August 22, 2025 12:17 PM
To: Lauren Pulver <lpulver@douglas.co.us>
Cc: DJ Beckwith <dbeckwith@douglas.co.us>
Subject: RE: Planning Commission Follow Up

Hi Lauren,

We reduced the debt limit in the Service Plan from $10M to $6M to address some of the concerns that were raised during the Planning Commission meeting. Although the public improvement cost estimates are around $9M, given the bond modeling with today's assumptions, it will be difficult for the District to issue enough bonds to cover all the costs. With that in mind, we figured it was prudent to lower the debt limit to an amount the District could more realistically issue in the future, while keeping in mind the possibility of interest rates decreasing and the average home price increasing.

Regarding your comment below about removing the water rights power, the developer intends to use the District to provide services such as snow removal, open space maintenance, covenant enforcement, and design review services instead of creating an HOA. We think this path will be more efficient and less expensive for the homeowners, particularly because the County requires a governmental entity to own and maintain the stormwater improvements, and so the existence of the District is necessary regardless. As such, a small portion of the water rights may need to be transferred to the District for the District to provide irrigation water to the open space. Will you please let me know if there is an issue with this approach?

Also, we are working on revising the presentation for the BOCC hearing. Will you please let me know by when you will need the presentation?

Thanks,

Nicole R. Peykov Partner
Spencer Fane LLP

1700 Lincoln Street | Suite 2000 | Denver, CO 80203
O 303-839-3715
npeykov@spencerfane.com | spencerfane.com

From: Lauren Pulver <lpulver@douglas.co.us>
Sent: Tuesday, August 5, 2025 11:59 AM
To: Peykov, Nicole <npeykov@spencerfane.com>
Cc: DJ Beckwith <dbeckwith@douglas.co.us>
Subject: [EXTERNAL] Planning Commission Follow Up

[Warning] This E-mail came from an External sender. Please do not open links or attachments unless you are sure it is trusted.

Hi Nicole,

I'm following up to confirm that the District still plans to move forward to BCC hearings following the PC recommendation for denial last night?

I was also reviewing the service plan again and, given the public comment regarding review of 18A, it may be beneficial for the District to remove "water rights" as a power to clarify that the District will not provide water service. I know we have included specific language to address this, but this may add additional clarity.

Let me know if you have any questions!

Thanks,
Lauren

Lauren Pulver | Planning Supervisor
Douglas County Department of Community Development
Planning Resources
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4357 **Main** | 303-660-7460
Email | lpulver@douglas.co.us

DJ Beckwith

From: DJ Beckwith
Sent: Thursday, July 3, 2025 10:22 AM
To: Heinrich, Laura
Cc: Peykov, Nicole; Lauren Pulver
Subject: RE: Sundown Oaks Metropolitan District- Formal Submittal

Thank you Laura,

We will plan for the following schedule:

PC meeting	**8/4/25, 6:00 pm**
BCC meeting to set hearing date	**8/26/25, 1:30 pm**
BCC hearing	**9/9/25, 2:30 pm**
BCC adopts resolution of approval or provides reason for denial	**9/9/25, 2:30 pm**

That is fine to have the check deliver on July 10th.

Let me know if you have any questions.

All the best,
DJ Beckwith | Principal Planner
Douglas County Department of Community Development
Planning Resources
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4330 **Main** | 303-660-7460
Email | dbeckwith@douglas.co.us

From: Heinrich, Laura <lheinrich@spencerfane.com>
Sent: Thursday, July 3, 2025 10:14 AM
To: DJ Beckwith <dbeckwith@douglas.co.us>
Cc: Peykov, Nicole <npeykov@spencerfane.com>; Lauren Pulver <lpulver@douglas.co.us>
Subject: RE: Sundown Oaks Metropolitan District- Formal Submittal

Hi DJ,

I am writing to confirm that we would like the dates below. Steve Gage will be able to deliver a check around July 10. I believe that you said yesterday that this will be fine, but please let me know if you need a check sooner.

Thanks,

Laura

Planning Resources
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4330 **Main** | 303-660-7460
Email | dbeckwith@douglas.co.us

From: Heinrich, Laura <lheinrich@spencerfane.com>
Sent: Thursday, July 3, 2025 7:54 AM
To: DJ Beckwith <dbeckwith@douglas.co.us>
Cc: Peykov, Nicole <npeykov@spencerfane.com>
Subject: RE: Sundown Oaks Metropolitan District- Formal Submittal

Good morning, DJ,

I have one more question for you. Would it be possible for us to bump the Planning Commission date out to August 4?

Thanks,

Laura

Laura S. Heinrich | Attorney
Spencer Fane LLP
_____
1700 Lincoln St, Suite 2000 | Denver, CO 80203
O 303.839.3979
lheinrich@spencerfane.com | spencerfane.com

From: Heinrich, Laura
Sent: Wednesday, July 2, 2025 5:00 PM
To: DJ Beckwith <dbeckwith@douglas.co.us>
Cc: Peykov, Nicole <npeykov@spencerfane.com>
Subject: FW: Sundown Oaks Metropolitan District- Formal Submittal

Hi DJ,

Is it possible for the developer to pay the $500 fee with a credit card?

Thanks,

Laura

Laura S. Heinrich | Attorney
Spencer Fane LLP
_____
1700 Lincoln St, Suite 2000 | Denver, CO 80203
O 303.839.3979
lheinrich@spencerfane.com | spencerfane.com

Cc: Lauren Pulver <lpulver@douglas.co.us>; Peykov, Nicole <npeykov@spencerfane.com>
Subject: Sundown Oaks Metropolitan District- Formal Submittal

Good afternoon,

Attached for formal submittal for the proposed Sundown Oaks Metropolitan District are a cover letter, an updated Service Plan, and the application. We will also be overnighting a package to your attention with these documents. A check in the amount of $500 was previously delivered to your office. Please let us know if you need anything else.

Best,

Laura

Laura S. Heinrich | Attorney
Spencer Fane LLP

_____
1700 Lincoln St, Suite 2000 | Denver, CO 80203
O 303.839.3979
lheinrich@spencerfane.com | spencerfane.com

From: DJ Beckwith <dbeckwith@douglas.co.us>
Sent: Tuesday, June 24, 2025 8:52 AM
To: Peykov, Nicole <npeykov@spencerfane.com>; Heinrich, Laura <lheinrich@spencerfane.com>
Cc: Lauren Pulver <lpulver@douglas.co.us>
Subject: [EXTERNAL] RE: Sundown Oaks Metropolitan District Presubmittal

[Warning] This E-mail came from an External sender. Please do not open links or attachments unless you are sure it is trusted.

Greetings Laura and Nicole,

I have attached the County's comment letter that includes all comments received from referral agencies. There will be some additional comments coming in from our financial consultant as well as from the Franktown Citizens Coalition. We will provide those comments when they are received.

Once you have reviewed the comments and are prepared to submit the final application, please mail me a hard copy of the service plan, application, and a check for $500 made out to the Douglas County Clerk and Recorder.

Following formal submittal, we will finalize the Schedule Letter.
Please let me know if you have any questions.

All the best,
DJ Beckwith | Principal Planner
Douglas County Department of Community Development
Planning Resources
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4330 **Main** | 303-660-7460
Email | dbeckwith@douglas.co.us

DJ Beckwith

From: Heinrich, Laura <lheinrich@spencerfane.com>
Sent: Tuesday, July 1, 2025 11:38 AM
To: DJ Beckwith; Lauren Pulver
Cc: Peykov, Nicole
Subject: Sundown Oaks Metropolitan District- Maximum Debt Service Mill Levy Term
Attachments: 2025a_1219_signed.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Pursuant to Section 2 of HB 25-1219, attached hereto, which was signed into law on May 29, 2025, we need to add a definition of "Maximum Debt Service Mill Levy Term" to the Service Plan for Sundown Oaks Metropolitan District. I prepared the definition below to include in the definitions section of the Service Plan, but we would like for you to confirm what the County's policy is regarding the term. Our recommendation is that the number of years that we include in the definition below be between 40 - 50 years.

> Maximum Debt Service Mill Levy Term: the maximum term for imposition of a debt service mill levy on any property after the initial year of imposition of such debt service mill levy, which has been determined by the County to be ___ years.

Thanks,

Laura

Laura S. Heinrich | Attorney
Spencer Fane LLP
_____
1700 Lincoln St, Suite 2000 | Denver, CO 80203
O 303.839.3979
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SpencerFane

LAURA S. HEINRICH
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File No. 5523490.0001

June 2, 2025

VIA FEDEX AND EMAIL

DJ Beckwith
Principal Planner
Douglas County Department of Community Development
Planning Resources
100 Third Street
Castle Rock, Colorado 80104
dbeckwith@douglas.co.us

Re: (Proposed) Sundown Oaks Metropolitan District

Dear Mr. Beckwith:

Enclosed for formal submittal are the updated Service Plan for Sundown Oaks Metropolitan District as well as the application that we previously submitted.

We reviewed your comment letter, dated June 23, 2025, as well as the referral agency and County consultant comments contained therein. We have also reviewed the memorandum from Hilltop Securities dated June 30, 2025. The following is a summary of the revisions that we made to the Service Plan:

- Addition of a "Maximum Debt Service Mill Levy Term" as Section X.E of the Service Plan to address the requirement in Section 2 of House Bill 25-1219, which was signed into law on May 29, 2025;
- Revised Section VIII.A.2 (Storm Sewer) and VIII.A.4 (Street Improvements) to add language to state that the power to install such improvements is subject to the approval of Douglas County pursuant to Douglas County rules and regulations;
- Revised Section VIII.A.1 (Water) and Section VIII.A.3 (Sanitation and Wastewater Treatment) in order to narrow the language;
- Updated all references to "Colorado Clean Water Plan" to "Colorado's Water Quality Management Plan"; and
- Revised the references to residential zoning in the first paragraph of Section VI, "Assessed Valuation/Projections/Land Use/Population" to be "Rural Residential".

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A check in the amount of $500 made out to the Douglas County Clerk and Recorder was previously delivered to your office.

We are hoping to be scheduled for Planning Commission and for a Board of County Commissioners Hearing as soon as possible. Please do not hesitate to contact us if you have any questions or if you need further information.

Best regards,

/s/ Laura S. Heinrich

Laura S. Heinrich

Enclosures

DE 10152882.1

DJ Beckwith

From: Heinrich, Laura <lheinrich@spencerfane.com>
Sent: Monday, June 2, 2025 3:53 PM
To: DJ Beckwith
Cc: Peykov, Nicole
Subject: Sundown Oaks Metropolitan District Presubmittal
Attachments: 2025 - Cover Letter - Sundown Oaks MD Pre-submittal(10071491.1).pdf; Application, Sundown Oaks Metropolitan District(10071524.1).pdf; Service Plan - Sundown Oaks MD, 2025-06-02(10071434.1).pdf; Redline Comparison, DC Model Service Plan to Sundown Oaks MD(10071483.1).docx; Proposed Sundown Oaks Metro - 3 Mile Radius - 5.30.2025.xlsx; November 2025 Organizational Schedule - Sundown Oaks Metropolitan District(10071551.1).pdf

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon,

Please find attached the following documents for Sundown Oaks Metropolitan District:

1. Cover Letter
2. Service Plan Application
3. Service Plan
4. Redline Comparison of Douglas County Model Service Plan to Service Plan for Sundown Oaks Metropolitan District
5. List of all Districts, Municipalities, and Counties within a 3-Mile Radius
6. Proposed Schedule

Let us know if you have any questions or need anything else from us.

Best,

Laura

Laura S. Heinrich | Attorney
Spencer Fane LLP
_____
1700 Lincoln St, Suite 2000 | Denver, CO 80203
O 303.839.3979
lheinrich@spencerfane.com | spencerfane.com

Residential Market and Absorption Analysis

Sundown Oaks Metropolitan District

Franktown, Colorado

Prepared For:
Sundown Oaks Metropolitan District

Economic & Market Research / Land & Development Planning
Landscape Architecture / Community Planning & Design
Golf Feasibility Analysis

RESIDENTIAL MARKET AND ABSORPTION ANALYSIS

Sundown Oaks Metropolitan District

Franktown, Colorado

PREPARED FOR:
SUNDOWN OAKS METROPOLITAN DISTRICT

JUNE 23, 2025
THK REFERENCE #9183-000

PREPARED BY:

THK associates, inc
5675 DTC BOULEVARD, SUITE 200
GREENWOOD VILLAGE, COLORADO 80111
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Economic & Market Research / Land & Development Planning
Landscape Architecture / Community Planning & Design
Golf Feasibility Analysis

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EXECUTIVE SUMMARY

Executive Summary

The Sundown and Oak Bluff community is located at the intersection of Burning Tree Drive and East Tanglewood Road in Franktown/Douglas County. Sundown is located on the eastern side of East Tanglewood Road southeast of Burning Tree Drive. The Sundown subject lots are located 34.0 miles south of Denver International Airport, 31.5 miles southeast of downtown Denver, 18.0 miles southeast of Centennial Airport, 15.8 miles south of E-470, 11.0 miles east of I-25, and 4.0 miles east of Highway 83. The Sundown subject sites are very strategically positioned parcels located approximately 18.6 miles southeast of the rapidly expanding interchange of E-470 and I-25. Oak Bluff is located south of Burning Tree Drive and west of East Tanglewood Road.

The Oak Bluff subject lots are located 32.5 miles south of Denver International Airport, 28 miles southeast of downtown Denver, 14.5 miles southeast of Centennial Airport, 13.2 miles south of E-470, 7.35 miles east of I-25, and 1.6 miles east of Highway 83. The Oak Bluff subject sites are very strategically positioned parcels located approximately 14.00 miles southeast of the rapidly expanding interchange of E-470 and I-25.

This study assessed the market demand for planned and anticipated development within the Sundown Oaks development along with reasonable market and assessed values created from this project, which is located within the Sundown Oaks Metropolitan District.

The Sundown Oaks Metropolitan Community is proposed for:

- 37 Residential Units

This report analyzes each of the proposed land use types outlined above and determines the market demand and expected absorption period for each land use type based on historical, current, and projected area market conditions. This report also analyzes market values for each of the proposed land use types, which are based on market values of comparable properties for sale as provided by Douglas County assessor's offices.

The tables on the following pages summarize the Sundown Oaks Metropolitan District absorption and market values. THK has determined to be supportable by historical, current, and projected area market conditions.

Sundown Oaks Proposed Land Use by Product Type

Unit Type	Total Homes	Anticpated Year of Completion	Value per Unit - 2025	Value per Lot - 2025
Single Family Detached	37	2030	$2,200,000	$500,000
Total	**37**			

Source: THK Associates, Inc.

Sundown Oaks Detached Residential Absorption Schedule

Year	PTA Annual Market Demand	Single-Family Attached: Site Annual Market Demand (20%/ 25% Capture)	Single-Family Attached: Site Cumulative Market Demand	Sundown Oaks: Annual Absorption	Sundown Oaks: Cumulative Absorption
2025	187	**** Planning and Development****			
2026	191	**** Planning and Development****			
2027	195	9	9	9	9
2028	199	9	18	9	18
2029	204	9	27	9	27
2030	209	10	37	10	37
Total	1,185	37	37	37	**37**

Source: THK Associates, Inc.

Sundown Oaks is proposing a single-family detached development. All residential single-family detached homes are projected to be built-out by 2030. Average supportable market values for single-family detached homes are $2,200,000. It is THK's opinion that the metro district's values are reasonable in the marketplace. The Sundown Oaks Primary Trade Area has seen an annual inflation rate of 2.5% in home prices between 2021 and 2025 year-to-date. THK expects interest rates to decrease in the near future, which will increase the home inflation rate over the years to come, therefore in our market and assessed value calculation over the next 30 years THK utilized a 3.0% inflation rate.

I. INTRODUCTION

I. Introduction

The purpose of this market analysis has been to determine future absorption by product type for the Sundown Oaks community. The Sundown and Oak Bluff community is located at the intersection of Burning Tree Drive and East Tanglewood Road in Franktown/Douglas County. The entirety of the Sundown Oaks subject community is 177-acres. The Sundown property is approximately 73-acres and is planned for 17, 2-acre sites. The Oak Bluff property is approximately 104-acres and is planned for 20 home sites, averaging 4.71-acres in size.

The study examines the absorption and market and assessed values for the proposed residential uses in the community. THK's research includes market projections for a variety of residential product types. At the conclusion of THK's analysis, an absorption estimate of the proposed residential product type at the Sundown Oaks Community is detailed.

In order to estimate future residential construction absorption and market and assessed values for the Sundown Oaks site, THK has undertaken the following research:

- Prepared an economic base analysis of the Ten County market area (Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Elbert Counties, Jefferson, Larimer, and Weld).
- Profiled submarkets within the regional environs including population and household growth, employment growth, income characteristics, permit data, housing supply, and other relevant statistics.
- Inspected the Sundown Oaks site.
- Reviewed any documents related to the Sundown Oaks Metropolitan District.
- Inventoried active and upcoming single family home communities in the Sundown Oaks Primary Trade Area.
- Identified sales of single-family homes and lots within the Sundown Oaks Primary trade area over the past four years.
- This assessment of supply and demand allowed THK to estimate the absorption and pricing of the proposed homes.
- Estimated value estimates based on competitive communities.
- Researched and opined on a reasonable bi-annual inflation rate.

II. SITE AND AREA DESCRIPTION

II. Site and Area Description

The Sundown subject sites are located 34.0 miles south of Denver International Airport, 31.5 miles southeast of downtown Denver, 18.0 miles southeast of Centennial Airport, 15.8 miles south of E-470, 11.0 miles east of I-25, and 4.0 miles east of Highway 83. The Sundown subject sites are very strategically positioned parcels located approximately 18.6 miles southeast of the rapidly expanding interchange of E-470 and I-25.

The Oak Bluff subject sites are located 32.5 miles south of Denver International Airport, 28 miles southeast of downtown Denver, 14.5 miles southeast of Centennial Airport, 13.2 miles south of E-470, 7.35 miles east of I-25, and 1.6 miles east of Highway 83. Due to the decreasing availability of affordable and available land in Metro Denver, demand for housing continues to expand beyond Denver's core. The Oak Bluff subject sites are very strategically positioned parcels located approximately 14.00 miles southeast of the rapidly expanding interchange of E-470 and I-25.

Two miles east of I-25 and E-470 and 13 miles northwest of the Sundown Oaks subject sites, is the Compark Business Campus. It has added 312 homes, an 85,000 square foot data center, 425,000 square feet of retail space, and 220,000 square feet of office space. Near the interchange of E-470 and Highway 83, 10.5 miles north of the subject site, Ryland Homes has built 500 homes in Whispering Pines, Kings Point has plans for 3,000 homes, Toll Brothers and Standard Pacific built 1,800 age 55+ homes at Inspiration. Attractions include the Rueter-Hess Reservoir 9.0 miles northwest, and the Outlets at Castle Rock shopping destination located 9.4 miles west of the Sundown Oaks community. The Outlets at Castle Rock have over 100 stores and restaurants.

Area maps, aerials, and site photos are shown on the following pages.

Figure 1- Denver Metropolitan Area Regional Location

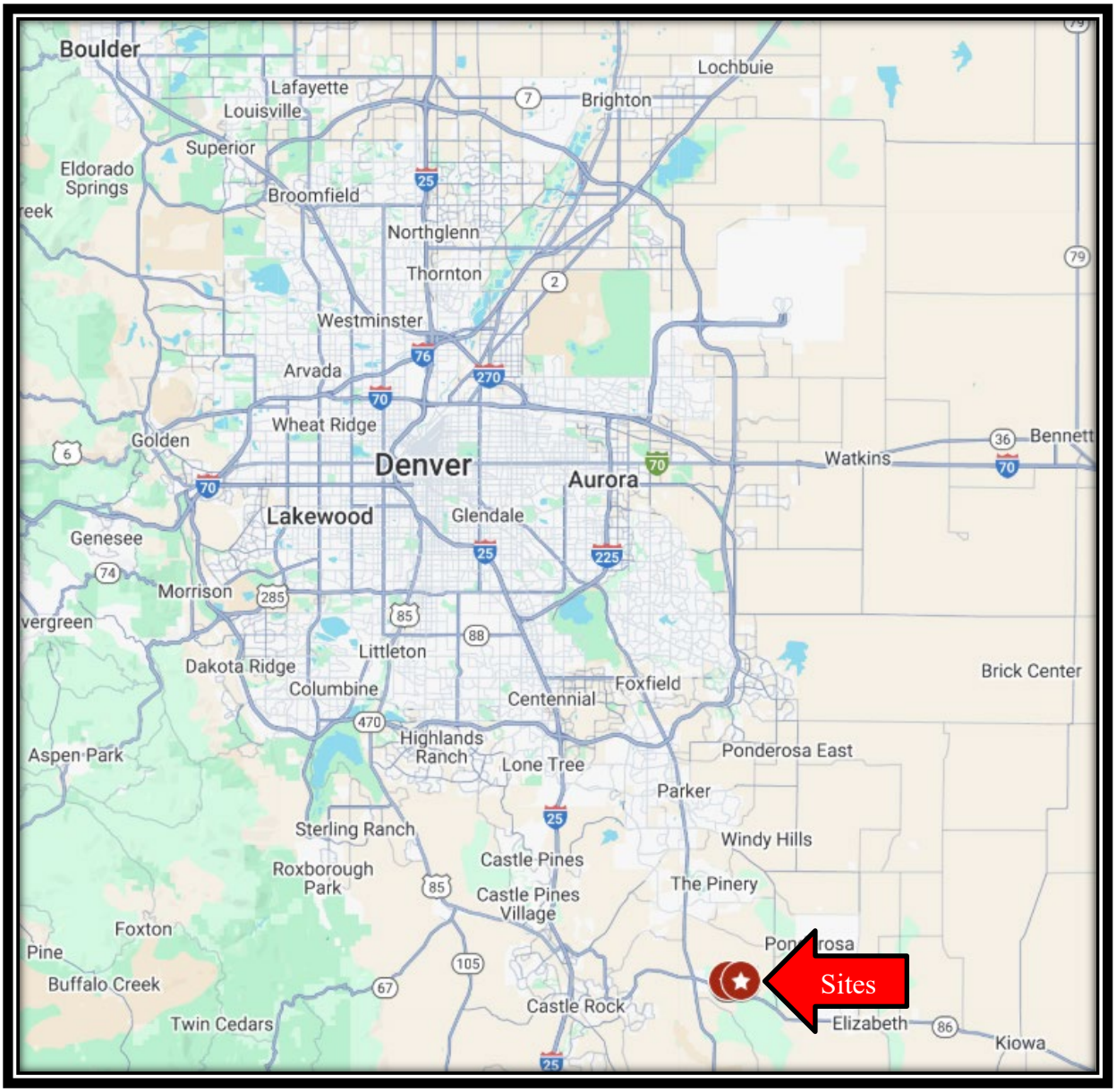


Figure 2- Sundown Oaks Regional Location

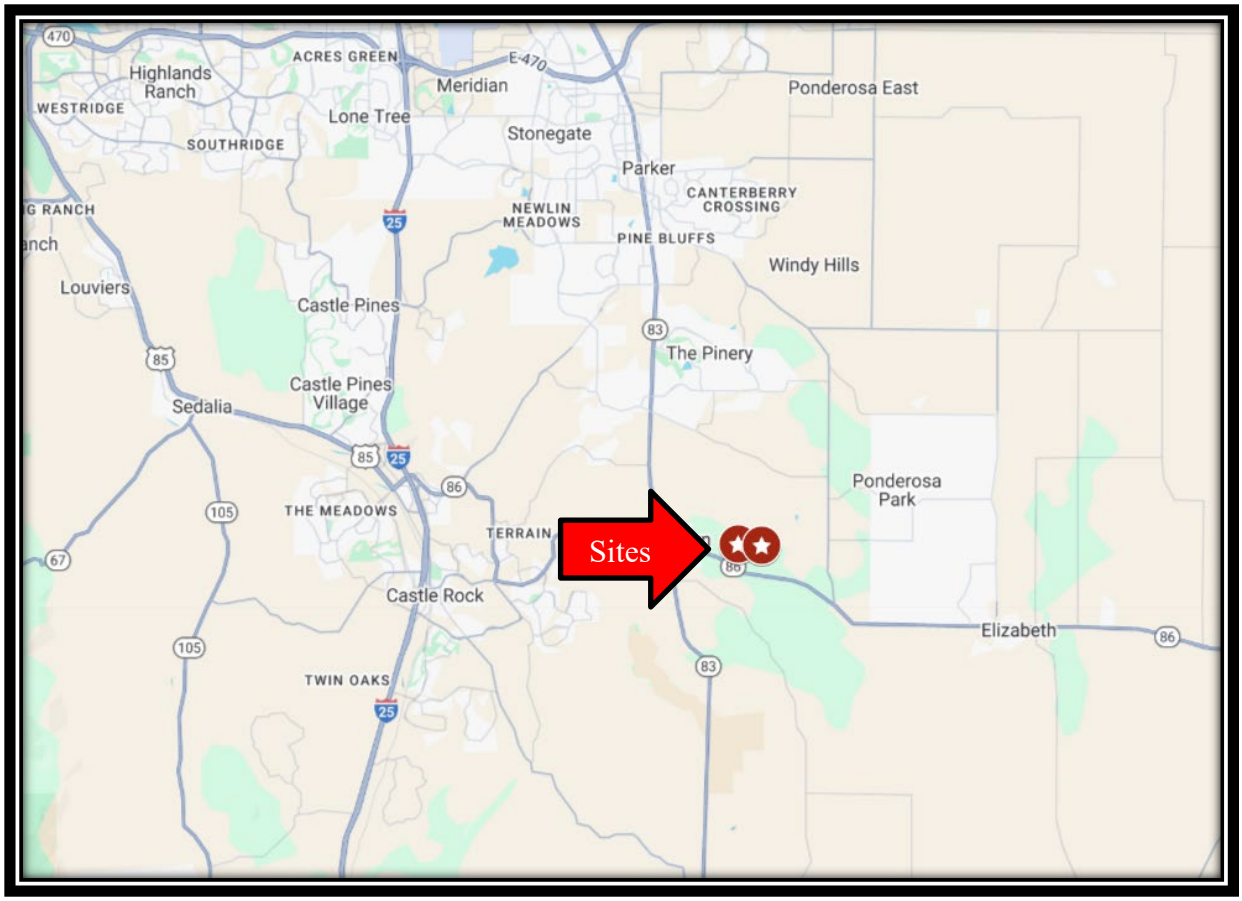
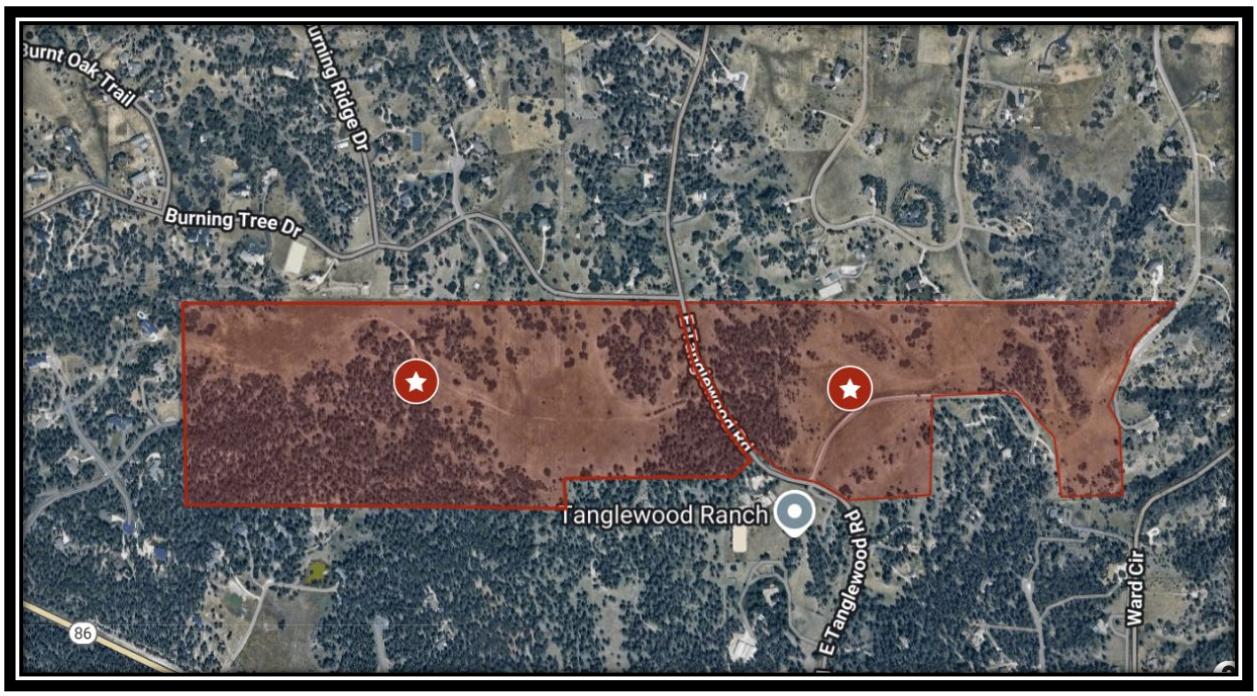


Figure 3- Sundown Oaks Site Aerial



Sundown Oaks Site

III. ECONOMIC BASE ANALYSIS

III. Economic Base Analysis

A. HISTORICAL EMPLOYMENT GROWTH

Table III-1 on the following page shows historical employment growth by year for The Ten County market area (Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Elbert, Jefferson, Larimer, and Weld counties).

Employment trends are prime indicators of the economic growth of an area. Increases in employment generate growth for most sectors of the local economy and dictate the rate at which it will expand.

Total full- and part-time employment in the Ten County market area grew from 1,152,005 in 1980 to 3,122,322 in 2025, for an average annual increase of 43,736 jobs. Over the last decade, 58,310 jobs per year were added, for an average annual growth rate of 2.3%.

Table III-1: Ten County Market Area Employment Trends, 1980-2025

Year	Total Employment	Annual Change	
		Numerical	Percent
1980	1,154,201	44,258	5.0%
1981	1,200,155	45,954	4.0%
1982	1,235,985	35,830	3.0%
1983	1,261,477	25,492	2.1%
1984	1,333,901	72,424	5.7%
1985	1,358,267	24,366	1.8%
1986	1,355,191	-3,076	-0.2%
1987	1,342,433	-12,758	-0.9%
1988	1,380,346	37,913	2.8%
1989	1,400,210	19,864	1.4%
1990	1,427,162	26,952	1.9%
1991	1,461,635	34,473	2.4%
1992	1,489,065	27,430	1.9%
1993	1,554,164	65,099	4.4%
1994	1,616,520	62,356	4.0%
1995	1,664,596	48,076	3.0%
1996	1,727,334	62,738	3.8%
1997	1,802,354	75,020	4.3%
1998	1,875,518	73,164	4.1%
1999	1,932,678	57,160	3.0%
2000	2,017,042	84,364	4.4%
2001	2,031,859	14,817	0.7%
2002	2,009,483	-22,376	-1.1%
2003	1,997,978	-11,505	-0.6%
2004	2,032,097	34,119	1.7%
2005	2,081,074	48,977	2.4%
2006	2,129,635	48,561	2.3%
2007	2,205,927	76,292	3.6%
2008	2,232,453	26,526	1.2%
2009	2,179,125	-53,328	-2.4%
2010	2,171,930	-7,195	-0.3%
2011	2,223,202	51,272	2.4%
2012	2,277,947	54,745	2.5%
2013	2,358,217	80,270	3.5%
2014	2,449,602	91,385	3.9%
2015	2,539,227	89,625	3.7%
2016	2,617,497	78,270	3.1%
2017	2,683,484	65,987	2.5%
2018	2,759,187	75,703	2.8%
2019	2,832,375	73,188	2.7%
2020	2,676,036	-156,339	-5.5%
2021	2,822,839	146,803	5.5%
2022	3,006,286	183,447	6.5%
2023 Estimate	3,032,439	26,153	0.9%
2024 Estimate	3,062,197	29,758	1.0%
2025 Estimate	3,122,322	60,125	2.0%
Annual Change			
1980-2025		43,736	2.2%
1990-2025		48,433	2.3%
2000-2025		44,211	1.8%
2010-2025		63,359	2.5%
2015-2025		58,310	2.3%
2020-2025		74,871	3.4%

Source: Bureau of Economic Analysis, and THK Associates, Inc.

B. PROJECTED EMPLOYMENT GROWTH

Table III-2, illustrates the projected job growth for the Ten County market area, which is expected to add approximately 69,582 jobs annually on average from 2025-2035.

Table III-2: Ten County Market Area Employment Projections, 2025-2035

Year	Total Employment	Annual Change	
		Numerical	Percent
2025	3,122,322	-	-
2026	3,184,259	61,937	2.0%
2027	3,247,749	63,490	2.0%
2028	3,312,843	65,094	2.0%
2029	3,379,593	66,751	2.0%
2030	3,448,056	68,462	2.0%
2031	3,518,288	70,232	2.0%
2032	3,590,348	72,061	2.0%
2033	3,664,301	73,952	2.1%
2034	3,740,210	75,909	2.1%
2035	3,818,142	77,933	2.1%
Annual Change 2025-2035		**69,582**	**2.0%**

Source: Bureau of Economic Analysis and THK Associates, Inc.

C. POPULATION AND HOUSEHOLD GROWTH TRENDS

Employment, population, and household growth drive demand for residential real estate development.

Table III-3 shows that in the Ten County market area, population and households have increased since 1980 by 2.0% and 2.0%, respectively. Since 2010, population has increased by 83,506 people per year to 4,612,340 in 2025, for an average annual growth rate of 2.0%.

Households in the Ten County market area have grown by 1.9% per year over the last fifteen years. Since 2010, households in the region have increased by 29,085 annually to 1,756,007 in 2025.

Table III-3: Estimates of Population and Households in the Denver Ten County Market Area, 1980-2025

	Adams County		Arapahoe County		Boulder County		Broomfield County		Denver County		Douglas County		Jefferson County		Larimer County		Weld County		Elbert County		**Ten County Total**	
Year	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	**Pop**	**HH**
1980	245,944	84,219	293,621	106,018	189,625	68,964	--	--	492,365	211,566	25,153	7,857	371,753	129,778	149,184	54,086	123,440	42,750	6,850	2,380	**1,897,935**	**707,618**
1990	257,874	93,914	391,902	155,367	208,913	82,510	25,032	8,992	467,229	210,943	60,406	20,786	437,056	166,520	186,137	70,575	131,729	47,533	9,644	3,351	**2,175,922**	**860,491**
2000	347,987	122,803	487,900	190,892	269,625	106,485	39,434	14,251	554,688	239,242	175,792	60,938	525,287	205,408	251,493	97,163	180,795	63,194	19,872	6,670	**2,852,873**	**1,107,046**
2010	441,603	153,764	572,003	224,011	294,567	119,300	55,889	21,414	600,158	263,107	285,465	102,018	534,543	218,160	299,630	120,295	252,825	89,349	23,068	8,380	**3,359,751**	**1,319,798**
2020	533,501	192,087	677,136	262,519	348,828	133,340	82,077	32,015	759,214	336,152	369,347	131,260	615,579	240,109	369,347	144,065	348,828	129,179	27,313	8,853	**4,131,170**	**1,609,579**
2025	578,829	208,407	740,631	280,204	369,771	140,720	101,496	35,008	863,616	371,470	430,487	151,573	644,683	249,695	402,029	157,289	448,881	151,364	31,916	10,345	**4,612,340**	**1,756,077**
(1980-2025):																						
Numerical	7,400	2,760	9,930	3,871	4,000	1,595	--	--	8,250	3,553	9,010	3,194	6,070	2,665	5,620	2,293	7,230	2,414	560	177	**60,320**	**23,299**
Percent	1.9%	2.0%	2.1%	2.2%	1.5%	1.6%	--	--	1.3%	1.3%	6.5%	6.8%	1.2%	1.5%	2.2%	2.4%	2.9%	2.8%	3.5%	3.3%	2.0%	2.0%
Percent of 10-County Total	12.3%	11.8%	16.5%	16.6%	6.6%	6.8%	--	--	13.7%	15.3%	14.9%	13.7%	10.1%	11.4%	9.3%	9.8%	12.0%	10.4%	0.9%	0.8%	100.0%	100.0%
(1990-2025):																						
Numerical	9,170	3,271	9,960	3,567	4,600	1,663	2,180	743	11,330	4,586	10,570	3,737	5,930	2,376	6,170	2,478	9,060	2,967	640	200	**69,612**	**25,588**
Percent	2.3%	2.3%	1.8%	1.7%	1.6%	1.5%	4.1%	4.0%	1.8%	1.6%	5.8%	5.8%	1.1%	1.2%	2.2%	2.3%	3.6%	3.4%	3.5%	3.3%	2.2%	2.1%
Percent of 10-County Total	13.2%	12.8%	14.3%	13.9%	6.6%	6.5%	3.1%	2.9%	16.3%	17.9%	15.2%	14.6%	8.5%	9.3%	8.9%	9.7%	13.0%	11.6%	0.9%	0.8%	100.0%	100.0%
(2000-2025):																						
Numerical	9,234	3,424	10,109	3,572	4,006	1,369	2,482	830	12,357	5,289	10,188	3,625	4,776	1,771	6,021	2,405	10,723	3,527	482	147	**70,379**	**25,961**
Percent	2.1%	2.1%	1.7%	1.5%	1.3%	1.1%	3.9%	3.7%	1.8%	1.8%	3.6%	3.7%	0.8%	0.8%	1.9%	1.9%	3.7%	3.6%	1.9%	1.8%	1.9%	1.9%
Percent of 10-County Total	13.1%	13.2%	14.4%	13.8%	5.7%	5.3%	3.5%	3.2%	17.6%	20.4%	14.5%	14.0%	6.8%	6.8%	8.6%	9.3%	15.2%	13.6%	0.7%	0.6%	100.0%	100.0%
(2010-2025)																						
Numerical	9,148	3,643	11,242	3,746	5,014	1,428	3,040	906	17,564	7,224	9,668	3,304	7,343	2,102	6,827	2,466	13,070	4,134	590	131	**83,506**	**29,085**
Percent	1.8%	2.0%	1.7%	1.5%	1.5%	1.1%	4.1%	3.3%	2.5%	2.3%	2.8%	2.7%	1.3%	0.9%	2.0%	1.8%	3.9%	3.6%	2.2%	1.4%	2.0%	1.9%
Percent of 10-County Total	11.0%	12.5%	13.5%	12.9%	6.0%	4.9%	3.6%	3.1%	21.0%	24.8%	11.6%	11.4%	8.8%	7.2%	8.2%	8.5%	15.7%	14.2%	0.7%	0.5%	100.0%	100.0%

Source: Bureau of Census and THK Associates, Inc.

D. TEN-COUNTY INCOME LEVELS

Table III-4 illustrates the per capita personal income level and annual change over the last 36 years for Ten County Market Area, by county, and the United States as a whole. Table III-4 illustrates an increase in wealth for the Ten County area, which will positively impact both residential and commercial real estate within the county over the next several years.

Table III-4: Per Capita Personal Income by County for the Ten County, 1990-2025

	Adams County		Arapahoe County		Boulder County		Broomfield County		Denver County		Douglas County		Jefferson County		Larimer County		Weld County		Elbert County		United States	
Year	Income	Annual Change	Income	Annual Change	Income	Annual Change	Income	Annual Change	Income	Annual Change	Income	Annual Change	Income	Annual Change	Income	Annual Change	Income	Annual Change	Income	Annual Change	Income	Annual Change
1990	$16,330	--	$24,379	--	$22,416	--	--	--	$23,320	--	$25,072	--	$21,661	--	$17,978	--	$15,533	--	$17,809	--	$19,621	--
1991	$16,796	2.9%	$24,876	2.0%	$23,149	3.3%	--	--	$23,438	0.5%	$30,328	21.0%	$22,760	5.1%	$18,583	3.4%	$16,077	3.5%	$18,507	3.9%	$20,030	2.1%
1992	$17,674	5.2%	$25,840	3.9%	$24,790	7.1%	--	--	$24,376	4.0%	$32,436	7.0%	$23,623	3.8%	$19,581	5.4%	$16,988	5.7%	$20,603	11.3%	$21,090	5.3%
1993	$18,522	4.8%	$26,998	4.5%	$25,987	4.8%	--	--	$25,277	3.7%	$35,653	9.9%	$24,781	4.9%	$20,606	5.2%	$18,168	6.9%	$22,588	9.6%	$21,733	3.0%
1994	$19,377	4.6%	$28,637	6.1%	$27,401	5.4%	--	--	$26,430	4.6%	$37,723	5.8%	$25,474	2.8%	$21,442	4.1%	$18,787	3.4%	$23,813	5.4%	$22,575	3.9%
1995	$20,154	4.0%	$30,209	5.5%	$29,080	6.1%	--	--	$28,277	7.0%	$39,511	4.7%	$27,051	6.2%	$22,754	6.1%	$19,323	2.9%	$24,273	1.9%	$23,607	4.6%
1996	$20,910	3.8%	$32,314	7.0%	$30,835	6.0%	--	--	$29,666	4.9%	$39,551	0.1%	$28,585	5.7%	$24,327	6.9%	$20,547	6.3%	$25,371	4.5%	$24,771	4.9%
1997	$22,347	6.9%	$33,388	3.3%	$32,791	6.3%	--	--	$31,002	4.5%	$39,282	-0.7%	$30,751	7.6%	$25,754	5.9%	$21,467	4.5%	$24,671	-2.8%	$25,993	4.9%
1998	$23,811	6.6%	$36,261	8.6%	$35,192	7.3%	--	--	$34,097	10.0%	$39,853	1.5%	$33,830	10.0%	$27,099	5.2%	$23,155	7.9%	$26,372	6.9%	$27,557	6.0%
1999	$25,270	6.1%	$38,739	6.8%	$37,436	6.4%	--	--	$35,915	5.3%	$41,387	3.8%	$35,172	4.0%	$28,273	4.3%	$24,333	5.1%	$28,038	6.3%	$28,675	4.1%
2000	$27,118	7.3%	$42,831	10.6%	$41,817	11.7%	--	--	$39,489	10.0%	$44,194	6.8%	$38,710	10.1%	$31,041	9.8%	$25,552	5.0%	$31,240	11.4%	$30,657	6.9%
2001	$27,864	2.8%	$41,679	-2.7%	$42,333	1.2%	--	--	$40,041	1.4%	$42,852	-3.0%	$41,783	7.9%	$32,229	3.8%	$26,116	2.2%	$32,788	5.0%	$31,589	3.0%
2002	$27,982	0.4%	$41,180	-1.2%	$41,489	-2.0%	$41,621	--	$40,220	0.4%	$38,955	-9.1%	$40,929	-2.0%	$31,997	-0.7%	$24,871	-4.8%	$31,518	-3.9%	$31,832	0.8%
2003	$28,307	1.2%	$41,502	0.8%	$42,260	1.9%	$41,593	-0.1%	$40,892	1.7%	$37,614	-3.4%	$41,040	0.3%	$31,878	-0.4%	$25,200	1.3%	$31,570	0.2%	$32,681	2.7%
2004	$28,551	0.9%	$40,776	-1.7%	$43,232	2.3%	$43,741	5.2%	$42,033	2.8%	$41,266	9.7%	$42,632	3.9%	$32,759	2.8%	$26,905	6.8%	$34,989	10.8%	$34,251	4.8%
2005	$28,932	1.3%	$41,791	2.5%	$46,245	7.0%	$47,412	8.4%	$46,511	10.7%	$46,527	12.7%	$43,338	1.7%	$34,106	4.1%	$28,569	6.2%	$36,645	4.7%	$35,849	4.7%
2006	$29,751	2.8%	$44,957	7.6%	$49,090	6.2%	$53,431	12.7%	$50,786	9.2%	$51,151	9.9%	$44,926	3.7%	$35,926	5.3%	$29,898	4.7%	$37,341	1.9%	$38,114	6.3%
2007	$30,849	3.7%	$46,420	3.3%	$50,834	3.6%	$57,868	8.3%	$52,270	2.9%	$54,897	7.3%	$46,169	2.8%	$37,874	5.4%	$32,016	7.1%	$40,282	7.9%	$39,844	4.5%
2008	$31,761	3.0%	$43,602	-6.1%	$52,114	2.5%	$62,872	8.6%	$54,509	4.3%	$56,270	2.5%	$46,753	1.3%	$38,191	0.8%	$33,762	5.5%	$42,293	5.0%	$40,904	2.7%
2009	$30,815	-3.0%	$39,767	-8.8%	$46,942	-9.9%	$57,309	-8.8%	$47,126	-13.5%	$55,031	-2.2%	$44,500	-4.8%	$36,870	-3.5%	$32,573	-3.5%	$41,876	-1.0%	$39,284	-4.0%
2010	$30,754	-0.2%	$40,980	3.1%	$50,465	7.5%	$54,157	-5.5%	$49,040	4.1%	$53,727	-2.4%	$45,302	1.8%	$37,455	1.6%	$33,092	1.6%	$39,126	-6.6%	$40,547	3.2%
2011	$32,392	5.3%	$46,782	14.2%	$52,309	3.7%	$56,309	4.0%	$54,236	10.6%	$56,700	5.5%	$47,361	4.5%	$39,105	4.4%	$35,055	5.9%	$48,200	23.2%	$42,739	5.4%
2012	$33,917	4.7%	$48,429	3.5%	$54,984	5.1%	$58,467	3.8%	$57,896	6.7%	$60,614	6.9%	$49,331	4.2%	$40,922	4.6%	$37,088	5.8%	$44,851	-6.9%	$44,605	4.4%
2013	$34,811	2.6%	$49,668	2.6%	$56,706	3.1%	$55,036	-5.9%	$61,732	6.6%	$62,501	3.1%	$51,347	4.1%	$42,550	4.0%	$38,793	4.6%	$47,758	6.5%	$44,860	0.6%
2014	$36,809	5.7%	$53,215	7.1%	$60,575	6.8%	$57,640	4.7%	$68,076	10.3%	$66,067	5.7%	$54,588	6.3%	$45,152	6.1%	$42,283	9.0%	$50,141	5.0%	$47,071	4.9%
2015	$38,452	4.5%	$54,455	2.3%	$64,287	6.1%	$58,798	2.0%	$67,037	-1.5%	$67,678	2.4%	$56,959	4.3%	$47,007	4.1%	$43,925	3.9%	$52,011	3.7%	$49,019	4.1%
2016	$39,565	2.9%	$55,207	1.4%	$65,363	1.7%	$60,556	3.0%	$64,209	-4.2%	$68,823	1.7%	$57,921	1.7%	$48,422	3.0%	$43,745	-0.4%	$54,434	4.7%	$50,015	2.0%
2017	$41,321	4.4%	$57,116	3.5%	$69,968	7.0%	$63,349	4.6%	$74,573	16.1%	$70,383	2.3%	$60,265	4.0%	$51,748	6.9%	$44,479	1.7%	$56,017	2.9%	$52,118	4.2%
2018	$43,544	5.4%	$61,906	8.4%	$73,518	5.1%	$68,038	7.4%	$79,023	6.0%	$75,255	6.9%	$63,319	5.1%	$54,207	4.8%	$48,035	8.0%	$60,057	7.2%	$54,606	4.8%
2019	$45,481	4.4%	$64,477	4.2%	$76,527	4.1%	$70,996	4.3%	$81,405	3.0%	$78,455	4.3%	$66,017	4.3%	$55,884	3.1%	$50,198	4.5%	$62,554	4.2%	$56,490	3.5%
2020	$48,115	5.8%	$66,691	3.4%	$79,649	4.1%	$67,495	-4.9%	$85,411	4.9%	$78,980	0.7%	$68,829	4.3%	$58,725	5.1%	$52,054	3.7%	$65,795	5.2%	$59,510	5.3%
2021	$49,983	3.9%	$70,178	5.2%	$83,544	4.9%	$72,544	7.5%	$91,695	7.4%	$82,895	5.0%	$71,541	3.9%	$61,220	4.2%	$54,403	4.5%	$71,818	9.2%	$61,556	3.4%
2022	$52,257	4.6%	$73,346	4.5%	$86,626	3.7%	$73,839	1.8%	$94,611	3.2%	$85,818	3.5%	$74,412	4.0%	$63,395	3.6%	$56,994	4.8%	$76,264	6.2%	$63,990	4.0%
2023 Estimate	$54,447	4.2%	$76,437	4.2%	$89,955	3.8%	$75,624	2.4%	$98,674	4.3%	$88,693	3.3%	$77,219	3.8%	$65,741	3.7%	$59,381	4.2%	$79,801	4.6%	$66,368	3.7%
2024 Estimate	$56,648	4.0%	$78,752	3.0%	$93,267	3.7%	$75,842	0.3%	$103,015	4.4%	$90,507	2.0%	$79,908	3.5%	$68,171	3.7%	$61,186	3.0%	$83,969	5.2%	$68,765	3.6%
2025 Estimate	$58,887	4.0%	$82,456	4.7%	$96,793	3.8%	$78,339	3.3%	$107,855	4.7%	$93,894	3.7%	$82,798	3.6%	$70,747	3.8%	$63,928	4.5%	$89,232	6.3%	$71,278	3.7%
1990-2025	**$1,216**	**3.7%**	**$1,659**	**3.5%**	**$2,125**	**4.3%**	**-**	**-**	**$2,415**	**4.5%**	**$1,966**	**3.8%**	**$1,747**	**3.9%**	**$1,508**	**4.0%**	**$1,383**	**4.1%**	**$2,041**	**4.7%**	**$1,476**	**3.8%**
2015-2025	**$2,043**	**4.4%**	**$2,800**	**4.2%**	**$3,251**	**4.2%**	**$1,954**	**2.9%**	**$4,082**	**4.9%**	**$2,622**	**3.3%**	**$2,584**	**3.8%**	**$2,374**	**4.2%**	**$2,000**	**3.8%**	**$3,722**	**5.5%**	**$2,226**	**3.8%**
2020-2025	**$2,154**	**4.1%**	**$3,153**	**4.3%**	**$3,429**	**4.0%**	**$2,169**	**3.0%**	**$4,489**	**4.8%**	**$2,983**	**3.5%**	**$2,794**	**3.8%**	**$2,404**	**3.8%**	**$2,375**	**4.2%**	**$4,687**	**6.3%**	**$2,354**	**3.7%**

Source: U.S. Dept. of Commerce, Bureau of Economic Analysis, & THK Associates, Inc.

E. RESIDENTIAL CONSTRUCTION TRENDS

Tables III-5A on the following pages show the quantity of single family and multifamily permits by year in the Ten County market area. The number of building permits being issued in the Ten County market area slowed with the economic downturn in the late 2000s. Permits issued within the Ten County market area over the last forty four, ten, and five-year periods have averaged 22,833, 28,456, and 29,898 respectively. From 1980 to 2024, single family permits accounted for 65.1% of the total permits issued. Over the last three-year period, this ratio has lowered slightly to 52.8%, indicating a slight market shift towards more multi-family housing.

Table III-5A: Residential Building Permits Issued by County in the Metro Ten County, 1980 - 2024

Single Family

	Adams		Arapahoe		Boulder		Broomfield		Denver		Douglas		Jefferson		Larimer		Weld		Elbert		Ten County Total
Year	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	**Permits**
1980	1,658	13.5%	4,367	35.5%	1,093	8.9%	0	0.0%	1,023	8.3%	377	3.1%	1,997	16.2%	1,309	10.6%	469	3.8%	111	0.9%	**12,293**
1981	951	8.3%	4,648	40.8%	825	7.2%	0	0.0%	808	7.1%	989	8.7%	2,061	18.1%	900	7.9%	210	1.8%	86	0.8%	**11,392**
1982	1,125	9.0%	4,753	38.1%	1,464	11.7%	0	0.0%	951	7.6%	938	7.5%	2,173	17.4%	840	6.7%	243	1.9%	117	0.9%	**12,487**
1983	2,139	9.8%	6,643	30.5%	2,451	11.2%	0	0.0%	1,943	8.9%	1,594	7.3%	4,632	21.2%	1,895	8.7%	507	2.3%	153	0.7%	**21,804**
1984	2,614	15.4%	3,546	20.9%	1,848	10.9%	0	0.0%	1,185	7.0%	1,910	11.2%	3,638	21.4%	1,794	10.6%	461	2.7%	158	0.9%	**16,996**
1985	2,152	15.5%	3,019	21.7%	1,359	9.8%	0	0.0%	757	5.4%	1,731	12.4%	2,777	20.0%	1,633	11.7%	486	3.5%	184	1.3%	**13,914**
1986	1,931	14.8%	1,778	13.6%	1,558	11.9%	0	0.0%	736	5.6%	2,171	16.6%	2,806	21.5%	1,711	13.1%	356	2.7%	225	1.7%	**13,047**
1987	826	9.5%	1,133	13.0%	1,259	14.5%	0	0.0%	404	4.6%	1,817	20.9%	1,748	20.1%	1,204	13.8%	317	3.6%	161	1.8%	**8,708**
1988	504	8.0%	565	9.0%	915	14.5%	0	0.0%	133	2.1%	1,626	25.8%	1,208	19.1%	1,085	17.2%	275	4.4%	137	2.2%	**6,311**
1989	413	6.9%	561	9.4%	889	14.9%	0	0.0%	149	2.5%	1,471	24.7%	1,171	19.7%	1,047	17.6%	254	4.3%	100	1.7%	**5,955**
1990	433	6.4%	656	9.8%	1,014	15.1%	0	0.0%	168	2.5%	1,587	23.6%	1,549	23.1%	1,053	15.7%	258	3.8%	97	1.4%	**6,718**
1991	691	7.5%	1,099	12.0%	1,531	16.7%	0	0.0%	278	3.0%	1,916	20.9%	2,026	22.1%	1,288	14.1%	336	3.7%	102	1.1%	**9,165**
1992	1,379	10.1%	1,814	13.2%	2,416	17.6%	0	0.0%	311	2.3%	2,586	18.9%	2,930	21.4%	1,772	12.9%	509	3.7%	194	1.4%	**13,717**
1993	1,947	11.5%	2,246	13.2%	2,864	16.9%	0	0.0%	375	2.2%	3,295	19.4%	3,060	18.0%	2,316	13.6%	868	5.1%	368	2.2%	**16,971**
1994	2,537	13.9%	2,348	12.9%	2,263	12.4%	0	0.0%	584	3.2%	4,042	22.2%	2,767	15.2%	2,564	14.1%	1,096	6.0%	558	3.1%	**18,201**
1995	2,416	13.8%	2,069	11.8%	2,154	12.3%	0	0.0%	501	2.9%	4,073	23.3%	2,707	15.5%	2,272	13.0%	1,310	7.5%	488	2.8%	**17,502**
1996	2,625	14.1%	2,500	13.4%	1,774	9.5%	0	0.0%	718	3.9%	4,812	25.9%	2,039	11.0%	2,458	13.2%	1,687	9.1%	416	2.2%	**18,613**
1997	2,667	13.2%	2,668	13.2%	2,401	11.9%	0	0.0%	1,028	5.1%	4,991	24.7%	2,294	11.4%	2,299	11.4%	1,839	9.1%	316	1.6%	**20,187**
1998	2,939	12.5%	3,029	12.9%	2,969	12.7%	0	0.0%	1,654	7.0%	5,286	22.5%	2,105	9.0%	2,659	11.3%	2,827	12.0%	295	1.3%	**23,468**
1999	3,280	12.8%	4,306	16.8%	2,383	9.3%	0	0.0%	1,966	7.7%	5,569	21.8%	2,016	7.9%	2,643	10.3%	3,403	13.3%	287	1.1%	**25,566**
2000	2,979	12.0%	4,246	17.1%	2,526	10.2%	0	0.0%	1,677	6.8%	4,760	19.2%	1,932	7.8%	2,748	11.1%	3,970	16.0%	317	1.3%	**24,838**
2001	4,446	19.0%	3,531	15.1%	1,960	8.4%	0	0.0%	1,271	5.4%	4,048	17.3%	1,524	6.5%	2,658	11.3%	3,982	17.0%	301	1.3%	**23,420**
2002	4,044	18.2%	3,294	14.8%	1,358	6.1%	514	2.3%	1,763	7.9%	3,516	15.8%	1,334	6.0%	2,586	11.6%	3,837	17.2%	185	0.8%	**22,246**
2003	4,081	19.5%	2,397	11.4%	1,165	5.6%	423	2.0%	2,122	10.1%	3,499	16.7%	1,237	5.9%	2,368	11.3%	3,682	17.6%	154	0.7%	**20,974**
2004	4,418	17.1%	3,071	11.9%	1,147	4.4%	615	2.4%	4,098	15.9%	4,227	16.4%	1,629	6.3%	2,758	10.7%	3,854	14.9%	219	0.8%	**25,817**
2005	4,197	17.1%	3,185	13.0%	824	3.4%	658	2.7%	2,081	8.5%	5,483	22.4%	1,641	6.7%	2,313	9.4%	4,120	16.8%	258	1.1%	**24,502**
2006	2,796	16.2%	2,747	15.9%	477	2.8%	918	5.3%	1,952	11.3%	3,279	19.0%	1,019	5.9%	1,496	8.7%	2,603	15.1%	244	1.4%	**17,287**
2007	1,453	13.5%	1,657	15.4%	407	3.8%	584	5.4%	1,407	13.1%	1,835	17.1%	702	6.5%	1,126	10.5%	1,556	14.5%	150	1.4%	**10,727**
2008	674	11.8%	755	13.2%	307	5.4%	190	3.3%	981	17.1%	926	16.2%	384	6.7%	657	11.5%	852	14.9%	57	1.0%	**5,726**
2009	487	12.6%	564	14.6%	142	3.7%	160	4.1%	559	14.4%	580	15.0%	296	7.7%	363	9.4%	718	18.6%	39	1.0%	**3,869**
2010	626	11.8%	802	15.2%	284	5.4%	232	4.4%	762	14.4%	822	15.5%	473	8.9%	499	9.4%	789	14.9%	33	0.6%	**5,289**
2011	537	10.0%	614	11.5%	195	3.6%	199	3.7%	852	15.9%	1,011	18.9%	440	8.2%	710	13.3%	794	14.8%	30	0.6%	**5,352**
2012	797	9.6%	961	11.6%	270	3.3%	162	2.0%	1,218	14.7%	1,698	20.5%	858	10.3%	1,153	13.9%	1,182	14.2%	45	0.5%	**8,299**
2013	1,025	9.7%	1,198	11.4%	350	3.3%	356	3.4%	1,526	14.5%	1,993	18.9%	977	9.3%	1,507	14.3%	1,611	15.3%	79	0.7%	**10,543**
2014	1,091	8.8%	1,260	10.1%	606	4.9%	439	3.5%	1,990	16.0%	2,224	17.9%	1,142	9.2%	1,705	13.7%	1,997	16.0%	116	0.9%	**12,454**
2015	1,463	10.6%	1,687	12.2%	739	5.3%	403	2.9%	1,981	14.3%	2,183	15.8%	1,431	10.3%	1,770	12.8%	2,181	15.8%	149	1.1%	**13,838**
2016	1,875	13.0%	2,031	14.1%	697	4.8%	533	3.7%	2,259	15.7%	2,014	14.0%	1,516	10.5%	1,650	11.5%	1,820	12.6%	120	0.8%	**14,395**
2017	1,874	11.9%	2,362	15.0%	710	4.5%	398	2.5%	2,560	16.3%	2,386	15.2%	1,229	7.8%	2,040	13.0%	2,166	13.8%	163	1.0%	**15,725**
2018	2,467	14.6%	2,186	13.0%	825	4.9%	587	3.5%	2,526	15.0%	2,723	16.2%	1,070	6.3%	1,729	10.3%	2,742	16.3%	217	1.3%	**16,855**
2019	2,283	14.4%	2,357	14.8%	658	4.1%	337	2.1%	2,257	14.2%	2,651	16.7%	830	5.2%	1,610	10.1%	2,911	18.3%	196	1.2%	**15,894**
2020	2,735	16.6%	2,918	17.7%	542	3.3%	223	1.4%	1,167	7.1%	2,816	17.1%	823	5.0%	2,193	13.3%	3,046	18.5%	296	1.8%	**16,463**
2021	2,823	15.0%	3,028	16.1%	343	1.8%	268	1.4%	1,550	8.3%	3,722	19.8%	1,073	5.7%	2,149	11.4%	3,814	20.3%	413	2.2%	**18,770**
2022	2,046	13.9%	1,552	10.5%	648	4.4%	179	1.2%	1,323	9.0%	3,219	21.8%	1,074	7.3%	1,395	9.5%	3,319	22.5%	252	1.7%	**14,755**
2023 Estimate	1,863	14.4%	2,265	17.5%	800	6.2%	119	0.9%	1,174	9.1%	1,988	15.4%	980	7.6%	1,266	9.8%	2,493	19.3%	349	2.7%	**12,948**
2024 Estimate	1,956	15.2%	2,359	18.3%	439	3.4%	57	0.4%	872	6.8%	2,120	16.4%	931	7.2%	1,370	10.6%	2,805	21.7%	780	6.0%	**12,909**
*2024 Permits are through December																					
44-Year Average 1980-2024	2,007	13.5%	2,373	16.0%	1,214	8.2%	193	1.3%	1,289	8.7%	2,645	17.8%	1,666	11.2%	1,709	11.5%	1,767	11.9%	203	1.4%	**14,864**
10-Year Average 2014-2024	2,052	13.5%	2,165	14.2%	657	4.3%	349	2.3%	1,879	12.4%	2,593	17.0%	1,117	7.3%	1,751	11.5%	2,649	17.4%	227	1.5%	**15,210**
5-Year Average 2020-2024	2,350	14.9%	2,424	15.4%	598	3.8%	225	1.4%	1,494	9.5%	2,879	18.3%	956	6.1%	1,723	10.9%	3,117	19.8%	301	1.9%	**15,766**
3-Year Average 2022-2024	2,244	14.5%	2,282	14.7%	597	3.9%	189	1.2%	1,349	8.7%	2,976	19.2%	1,042	6.7%	1,603	10.4%	3,209	20.7%	338	2.2%	**15,491**

Table III-5A: Residential Building Permits Issued by County in the Metro Ten County, 1980 - 2024

Multi-Family

Year	Adams		Arapahoe		Boulder		Broomfield		Denver		Douglas		Jefferson		Larimer		Weld		Elbert		Ten County Total
	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	Permits	Percent of Total	**Permits**
1980	189	3.1%	2,443	39.5%	480	7.8%	0	0.0%	1,459	23.6%	33	0.5%	1,045	16.9%	434	7.0%	104	1.7%	0	0.0%	**6,187**
1981	264	4.8%	2,611	47.1%	416	7.5%	0	0.0%	1,008	18.2%	0	0.0%	910	16.4%	272	4.9%	58	1.0%	0	0.0%	**5,539**
1982	550	6.2%	3,083	34.9%	647	7.3%	0	0.0%	2,059	23.3%	82	0.9%	1,926	21.8%	297	3.4%	202	2.3%	4	0.0%	**8,846**
1983	1,577	11.6%	5,412	39.9%	1,905	14.0%	0	0.0%	1,856	13.7%	296	2.2%	1,884	13.9%	528	3.9%	116	0.9%	8	0.1%	**13,574**
1984	1,857	13.9%	4,768	35.7%	2,076	15.5%	0	0.0%	1,240	9.3%	243	1.8%	1,976	14.8%	1,091	8.2%	107	0.8%	4	0.0%	**13,358**
1985	1,328	14.6%	2,988	32.8%	699	7.7%	0	0.0%	882	9.7%	431	4.7%	1,345	14.7%	1,009	11.1%	441	4.8%	0	0.0%	**9,123**
1986	1,592	18.7%	2,468	29.0%	543	6.4%	0	0.0%	2,004	23.5%	189	2.2%	1,135	13.3%	240	2.8%	344	4.0%	0	0.0%	**8,515**
1987	268	6.7%	992	24.9%	493	12.4%	0	0.0%	922	23.2%	8	0.2%	808	20.3%	347	8.7%	144	3.6%	0	0.0%	**3,982**
1988	4	0.2%	1,293	55.3%	72	3.1%	0	0.0%	539	23.0%	0	0.0%	206	8.8%	199	8.5%	26	1.1%	0	0.0%	**2,339**
1989	96	7.1%	15	1.1%	254	18.8%	0	0.0%	477	35.4%	3	0.2%	458	34.0%	26	1.9%	20	1.5%	0	0.0%	**1,349**
1990	0	0.0%	0	0.0%	446	59.9%	0	0.0%	30	4.0%	0	0.0%	73	9.8%	183	24.6%	13	1.7%	0	0.0%	**745**
1991	46	9.1%	0	0.0%	19	3.8%	0	0.0%	137	27.2%	0	0.0%	25	5.0%	255	50.7%	21	4.2%	0	0.0%	**503**
1992	12	0.6%	476	23.0%	383	18.5%	0	0.0%	195	9.4%	360	17.4%	472	22.8%	156	7.6%	12	0.6%	0	0.0%	**2,066**
1993	542	20.4%	741	27.9%	203	7.7%	0	0.0%	623	23.5%	0	0.0%	145	5.5%	302	11.4%	97	3.7%	0	0.0%	**2,653**
1994	525	9.4%	2,032	36.4%	360	6.4%	0	0.0%	1,257	22.5%	0	0.0%	706	12.6%	638	11.4%	68	1.2%	0	0.0%	**5,586**
1995	944	14.0%	1,487	22.1%	940	14.0%	0	0.0%	285	4.2%	711	10.6%	1,675	24.9%	525	7.8%	160	2.4%	6	0.1%	**6,727**
1996	269	4.2%	1,221	19.1%	970	15.1%	0	0.0%	714	11.1%	918	14.3%	1,115	17.4%	1,033	16.1%	169	2.6%	2	0.0%	**6,409**
1997	1,414	19.2%	1,463	19.9%	858	11.7%	0	0.0%	1,233	16.7%	572	7.8%	1,068	14.5%	478	6.5%	278	3.8%	0	0.0%	**7,364**
1998	1,344	12.2%	1,428	13.0%	2,167	19.7%	0	0.0%	3,035	27.5%	1,156	10.5%	1,088	9.9%	563	5.1%	242	2.2%	16	0.1%	**11,023**
1999	450	6.1%	1,493	20.2%	609	8.2%	0	0.0%	1,413	19.1%	1,595	21.5%	747	10.1%	948	12.8%	154	2.1%	4	0.1%	**7,409**
2000	2,500	20.0%	3,894	31.1%	254	2.0%	0	0.0%	1,972	15.8%	1,635	13.1%	1,084	8.7%	776	6.2%	399	3.2%	0	0.0%	**12,514**
2001	1,684	11.4%	4,404	29.9%	1,361	9.2%	0	0.0%	3,187	21.6%	2,004	13.6%	785	5.3%	1,006	6.8%	319	2.2%	4	0.0%	**14,750**
2002	1,787	18.8%	1,511	15.9%	359	3.8%	368	3.9%	2,863	30.2%	987	10.4%	590	6.2%	450	4.7%	574	6.0%	12	0.1%	**9,489**
2003	597	14.1%	959	22.6%	263	6.2%	214	5.0%	914	21.5%	194	4.6%	189	4.5%	635	15.0%	281	6.6%	12	0.3%	**4,246**
2004	640	14.5%	777	17.7%	225	5.1%	119	2.7%	0	0.0%	870	19.8%	715	16.3%	494	11.2%	560	12.7%	0	0.0%	**4,400**
2005	375	9.4%	837	21.0%	317	7.9%	113	2.8%	1,083	27.1%	80	2.0%	453	11.4%	574	14.4%	159	4.0%	0	0.0%	**3,991**
2006	112	1.9%	787	13.1%	269	4.5%	164	2.7%	1,900	31.6%	690	11.5%	1,025	17.1%	744	12.4%	319	5.3%	0	0.0%	**6,010**
2007	356	5.2%	2,224	32.5%	228	3.3%	476	6.9%	2,275	33.2%	428	6.2%	360	5.3%	215	3.1%	291	4.2%	3	0.0%	**6,853**
2008	108	1.8%	1,009	16.6%	715	11.8%	637	10.5%	2,199	36.2%	467	7.7%	205	3.4%	608	10.0%	128	2.1%	0	0.0%	**6,076**
2009	6	0.4%	608	37.3%	203	12.4%	0	0.0%	329	20.2%	271	16.6%	83	5.1%	88	5.4%	43	2.6%	0	0.0%	**1,631**
2010	36	1.6%	477	20.9%	373	16.4%	0	0.0%	470	20.6%	93	4.1%	104	4.6%	654	28.7%	74	3.2%	0	0.0%	**2,281**
2011	12	0.4%	192	5.6%	114	3.4%	0	0.0%	1,698	50.0%	284	8.4%	524	15.4%	480	14.1%	95	2.8%	0	0.0%	**3,399**
2012	220	2.4%	754	8.2%	479	5.2%	1,848	20.1%	4,360	47.4%	590	6.4%	172	1.9%	711	7.7%	57	0.6%	0	0.0%	**9,191**
2013	4	0.0%	1,881	18.7%	861	8.5%	540	5.4%	4,346	43.1%	520	5.2%	736	7.3%	870	8.6%	315	3.1%	0	0.0%	**10,073**
2014	24	0.2%	637	6.6%	765	7.9%	381	3.9%	3,968	41.1%	1,006	10.4%	1,377	14.3%	793	8.2%	711	7.4%	0	0.0%	**9,662**
2015	123	1.2%	1,143	11.4%	425	4.2%	44	0.4%	5,959	59.2%	714	7.1%	420	4.2%	664	6.6%	576	5.7%	0	0.0%	**10,068**
2016	171	1.2%	2,636	18.4%	1,116	7.8%	13	0.1%	5,559	38.9%	1,318	9.2%	1,096	7.7%	1,874	13.1%	514	3.6%	0	0.0%	**14,297**
2017	522	3.7%	395	2.8%	844	6.1%	18	0.1%	7,965	57.1%	1,309	9.4%	1,147	8.2%	888	6.4%	853	6.1%	0	0.0%	**13,941**
2018	289	2.1%	1,375	9.9%	2,043	14.8%	198	1.4%	5,352	38.7%	1,342	9.7%	1,070	7.7%	1,211	8.8%	958	6.9%	0	0.0%	**13,838**
2019	381	3.5%	1,140	10.4%	906	8.3%	6	0.1%	5,073	46.5%	508	4.7%	986	9.0%	931	8.5%	986	9.0%	0	0.0%	**10,917**
2020	1,111	10.6%	1,188	11.3%	998	9.5%	204	1.9%	3,892	37.0%	573	5.5%	1,338	12.7%	400	3.8%	805	7.7%	0	0.0%	**10,509**
2021	1,864	9.2%	2,491	12.3%	894	4.4%	233	1.2%	8,450	41.8%	2,337	11.5%	1,442	7.1%	1,072	5.3%	1,454	7.2%	0	0.0%	**20,237**
2022	765	4.4%	1,774	10.1%	973	5.5%	359	2.0%	6,973	39.7%	1,548	8.8%	1,132	6.5%	1,202	6.9%	2,818	16.1%	32	0.2%	**17,544**
2023 Estimate	954	6.3%	3,199	21.1%	846	5.6%	1,158	7.7%	4,551	30.1%	1,580	10.4%	205	1.4%	1,415	9.3%	1,226	8.1%	0	0.0%	**15,134**
2024 Estimate	343	4.0%	1,568	18.1%	1,249	14.4%	348	4.0%	3,122	36.0%	1,011	11.7%	240	2.8%	416	4.8%	365	4.2%	0	0.0%	**8,662**
*2024 Permits are through December																					
44-Year Average 1980-2024	634	7.9%	1,652	20.5%	690	8.6%	161	2.0%	2,425	30.1%	635	7.9%	819	10.2%	643	8.0%	393	4.9%	2	0.0%	**8,053**
10-Year Average 2014-2024	620	4.6%	1,598	11.7%	981	7.2%	261	1.9%	5,774	42.4%	1,224	9.0%	1,021	7.5%	1,045	7.7%	1,090	8.0%	3	0.0%	**13,615**
5-Year Average 2020-2024	1,015	6.8%	1,958	13.2%	923	6.2%	392	2.6%	5,788	38.9%	1,309	8.8%	1,021	6.9%	1,004	6.8%	1,458	9.8%	6	0.0%	**14,868**
3-Year Average 2022-2024	1,194	6.8%	2,488	14.1%	904	5.1%	583	3.3%	6,658	37.7%	1,822	10.3%	926	5.3%	1,230	7.0%	1,833	10.4%	11	0.1%	**17,638**

Table III-5A: Residential Building Permits Issued by County in the Metro Ten County, 1980 - 2024

Total

Year	Adams Permits	Adams Percent of Total	Arapahoe Permits	Arapahoe Percent of Total	Boulder Permits	Boulder Percent of Total	Broomfield Permits	Broomfield Percent of Total	Denver Permits	Denver Percent of Total	Douglas Permits	Douglas Percent of Total	Jefferson Permits	Jefferson Percent of Total	Larimer Permits	Larimer Percent of Total	Weld Permits	Weld Percent of Total	Elbert Permits	Elbert Percent of Total	Ten County Total Permits
1980	1,847	10.0%	6,810	36.9%	1,573	8.5%	0	0.0%	2,482	13.4%	410	2.2%	3,042	16.5%	1,743	9.4%	573	3.1%	111	0.6%	**18,480**
1981	1,215	7.2%	7,259	42.9%	1,241	7.3%	0	0.0%	1,816	10.7%	989	5.8%	2,971	17.5%	1,172	6.9%	268	1.6%	86	0.5%	**16,931**
1982	1,675	7.9%	7,836	36.7%	2,111	9.9%	0	0.0%	3,010	14.1%	1,020	4.8%	4,099	19.2%	1,137	5.3%	445	2.1%	121	0.6%	**21,333**
1983	3,716	10.5%	12,055	34.1%	4,356	12.3%	0	0.0%	3,799	10.7%	1,890	5.3%	6,516	18.4%	2,423	6.8%	623	1.8%	161	0.5%	**35,378**
1984	4,471	14.7%	8,314	27.4%	3,924	12.9%	0	0.0%	2,425	8.0%	2,153	7.1%	5,614	18.5%	2,885	9.5%	568	1.9%	162	0.5%	**30,354**
1985	3,480	15.1%	6,007	26.1%	2,058	8.9%	0	0.0%	1,639	7.1%	2,162	9.4%	4,122	17.9%	2,642	11.5%	927	4.0%	184	0.8%	**23,037**
1986	3,523	16.3%	4,246	19.7%	2,101	9.7%	0	0.0%	2,740	12.7%	2,360	10.9%	3,941	18.3%	1,951	9.0%	700	3.2%	225	1.0%	**21,562**
1987	1,094	8.6%	2,125	16.7%	1,752	13.8%	0	0.0%	1,326	10.4%	1,825	14.4%	2,556	20.1%	1,551	12.2%	461	3.6%	161	1.3%	**12,690**
1988	508	5.9%	1,858	21.5%	987	11.4%	0	0.0%	672	7.8%	1,626	18.8%	1,414	16.3%	1,284	14.8%	301	3.5%	137	1.6%	**8,650**
1989	509	7.0%	576	7.9%	1,143	15.6%	0	0.0%	626	8.6%	1,474	20.2%	1,629	22.3%	1,073	14.7%	274	3.8%	100	1.4%	**7,304**
1990	433	5.8%	656	8.8%	1,460	19.6%	0	0.0%	198	2.7%	1,587	21.3%	1,622	21.7%	1,236	16.6%	271	3.6%	97	1.3%	**7,463**
1991	737	7.6%	1,099	11.4%	1,550	16.0%	0	0.0%	415	4.3%	1,916	19.8%	2,051	21.2%	1,543	16.0%	357	3.7%	102	1.1%	**9,668**
1992	1,391	8.8%	2,290	14.5%	2,799	17.7%	0	0.0%	506	3.2%	2,946	18.7%	3,402	21.6%	1,928	12.2%	521	3.3%	194	1.2%	**15,783**
1993	2,489	12.7%	2,987	15.2%	3,067	15.6%	0	0.0%	998	5.1%	3,295	16.8%	3,205	16.3%	2,618	13.3%	965	4.9%	368	1.9%	**19,624**
1994	3,062	12.9%	4,380	18.4%	2,623	11.0%	0	0.0%	1,841	7.7%	4,042	17.0%	3,473	14.6%	3,202	13.5%	1,164	4.9%	558	2.3%	**23,787**
1995	3,360	13.9%	3,556	14.7%	3,094	12.8%	0	0.0%	786	3.2%	4,784	19.7%	4,382	18.1%	2,797	11.5%	1,470	6.1%	494	2.0%	**24,229**
1996	2,894	11.6%	3,721	14.9%	2,744	11.0%	0	0.0%	1,432	5.7%	5,730	22.9%	3,154	12.6%	3,491	14.0%	1,856	7.4%	418	1.7%	**25,022**
1997	4,081	14.8%	4,131	15.0%	3,259	11.8%	0	0.0%	2,261	8.2%	5,563	20.2%	3,362	12.2%	2,777	10.1%	2,117	7.7%	316	1.1%	**27,551**
1998	4,283	12.4%	4,457	12.9%	5,136	14.9%	0	0.0%	4,689	13.6%	6,442	18.7%	3,193	9.3%	3,222	9.3%	3,069	8.9%	311	0.9%	**34,491**
1999	3,730	11.3%	5,799	17.6%	2,992	9.1%	0	0.0%	3,379	10.2%	7,164	21.7%	2,763	8.4%	3,591	10.9%	3,557	10.8%	291	0.9%	**32,975**
2000	5,479	14.7%	8,140	21.8%	2,780	7.4%	0	0.0%	3,649	9.8%	6,395	17.1%	3,016	8.1%	3,524	9.4%	4,369	11.7%	317	0.8%	**37,352**
2001	6,130	16.1%	7,935	20.8%	3,321	8.7%	0	0.0%	4,458	11.7%	6,052	15.9%	2,309	6.0%	3,664	9.6%	4,301	11.3%	305	0.8%	**38,170**
2002	5,831	18.4%	4,805	15.1%	1,717	5.4%	882	2.8%	4,626	14.6%	4,503	14.2%	1,924	6.1%	3,036	9.6%	4,411	13.9%	197	0.6%	**31,735**
2003	4,678	18.5%	3,356	13.3%	1,428	5.7%	637	2.5%	3,036	12.0%	3,693	14.6%	1,426	5.7%	3,003	11.9%	3,963	15.7%	166	0.7%	**25,220**
2004	5,058	16.7%	3,848	12.7%	1,372	4.5%	734	2.4%	4,098	13.6%	5,097	16.9%	2,344	7.8%	3,252	10.8%	4,414	14.6%	219	0.7%	**30,217**
2005	4,572	16.0%	4,022	14.1%	1,141	4.0%	771	2.7%	3,164	11.1%	5,563	19.5%	2,094	7.3%	2,887	10.1%	4,279	15.0%	258	0.9%	**28,493**
2006	2,908	12.5%	3,534	15.2%	746	3.2%	1,082	4.6%	3,852	16.5%	3,969	17.0%	2,044	8.8%	2,240	9.6%	2,922	12.5%	244	1.0%	**23,297**
2007	1,809	10.3%	3,881	22.1%	635	3.6%	1,060	6.0%	3,682	20.9%	2,263	12.9%	1,062	6.0%	1,341	7.6%	1,847	10.5%	153	0.9%	**17,580**
2008	782	6.6%	1,764	14.9%	1,022	8.7%	827	7.0%	3,180	26.9%	1,393	11.8%	589	5.0%	1,265	10.7%	980	8.3%	57	0.5%	**11,802**
2009	493	9.0%	1,172	21.3%	345	6.3%	160	2.9%	888	16.1%	851	15.5%	379	6.9%	451	8.2%	761	13.8%	39	0.7%	**5,500**
2010	662	8.7%	1,279	16.9%	657	8.7%	232	3.1%	1,232	16.3%	915	12.1%	577	7.6%	1,153	15.2%	863	11.4%	33	0.4%	**7,570**
2011	549	6.3%	806	9.2%	309	3.5%	199	2.3%	2,550	29.1%	1,295	14.8%	964	11.0%	1,190	13.6%	889	10.2%	30	0.3%	**8,751**
2012	1,017	5.8%	1,715	9.8%	749	4.3%	2,010	11.5%	5,578	31.9%	2,288	13.1%	1,030	5.9%	1,864	10.7%	1,239	7.1%	45	0.3%	**17,490**
2013	1,029	5.0%	3,079	14.9%	1,211	5.9%	896	4.3%	5,872	28.5%	2,513	12.2%	1,713	8.3%	2,377	11.5%	1,926	9.3%	79	0.4%	**20,616**
2014	1,115	5.0%	1,897	8.6%	1,371	6.2%	820	3.7%	5,958	26.9%	3,230	14.6%	2,519	11.4%	2,498	11.3%	2,708	12.2%	116	0.5%	**22,116**
2015	1,586	6.6%	2,830	11.8%	1,164	4.9%	447	1.9%	7,940	33.2%	2,897	12.1%	1,851	7.7%	2,434	10.2%	2,757	11.5%	149	0.6%	**23,906**
2016	2,046	7.1%	4,667	16.3%	1,813	6.3%	546	1.9%	7,818	27.2%	3,332	11.6%	2,612	9.1%	3,524	12.3%	2,334	8.1%	120	0.4%	**28,692**
2017	2,396	8.1%	2,757	9.3%	1,554	5.2%	416	1.4%	10,525	35.5%	3,695	12.5%	2,376	8.0%	2,928	9.9%	3,019	10.2%	163	0.5%	**29,666**
2018	2,756	9.0%	3,561	11.6%	2,868	9.3%	785	2.6%	7,878	25.7%	4,065	13.2%	2,140	7.0%	2,940	9.6%	3,700	12.1%	217	0.7%	**30,693**
2019	2,664	9.9%	3,497	13.0%	1,564	5.8%	343	1.3%	7,330	27.3%	3,159	11.8%	1,816	6.8%	2,541	9.5%	3,897	14.5%	196	0.7%	**26,811**
2020	3,846	14.3%	4,106	15.2%	1,540	5.7%	427	1.6%	5,059	18.8%	3,389	12.6%	2,161	8.0%	2,593	9.6%	3,851	14.3%	296	1.1%	**26,972**
2021	4,687	12.0%	5,519	14.1%	1,237	3.2%	501	1.3%	10,000	25.6%	6,059	15.5%	2,515	6.4%	3,221	8.3%	5,268	13.5%	413	1.1%	**39,007**
2022	2,811	8.9%	2,555	8.1%	1,621	5.1%	538	1.7%	8,296	26.3%	4,767	15.1%	2,206	7.0%	2,597	8.2%	6,137	19.5%	284	0.9%	**31,528**
2023 Estimate	2,817	11.2%	2,555	10.1%	1,646	6.5%	1,277	5.1%	5,725	22.7%	3,568	14.2%	1,185	4.7%	2,681	10.7%	3,719	14.8%	349	1.4%	**25,173**
2024 Estimate	2,299	11.4%	2,556	12.7%	1,688	8.4%	405	2.0%	3,994	19.8%	3,131	15.5%	1,171	5.8%	1,786	8.8%	3,170	15.7%	780	3.9%	**20,200**
*2024 Permits are through December																					
44-Year Average																					
1980-2024	2,641	11.6%	3,942	17.3%	1,904	8.3%	354	1.6%	3,714	16.3%	3,280	14.4%	2,486	10.9%	2,352	10.3%	2,160	9.5%	206	0.9%	**22,833**
10-Year Average																					
2014-2024	2,672	9.4%	3,394	11.9%	1,638	5.8%	610	2.1%	7,653	26.9%	3,816	13.4%	2,138	7.5%	2,796	9.8%	3,739	13.1%	230	0.8%	**28,456**
5-Year Average																					
2020-2024	3,365	11.3%	3,646	12.2%	1,522	5.1%	617	2.1%	7,282	24.4%	4,188	14.0%	1,977	6.6%	2,727	9.1%	4,574	15.3%	308	1.0%	**29,898**
3-Year Average																					
2022-2024	3,438	10.8%	3,543	11.1%	1,501	4.7%	772	2.4%	8,007	25.1%	4,798	15.0%	1,969	6.2%	2,833	8.9%	5,041	15.8%	349	1.1%	**31,903**

Source: U.S. Department of Commerce, HUD, C-40 Reports and THK Associates, Inc.

F. HISTORICAL POPULATION AND HOUSEHOLD GROWTH TRENDS

The following Table III-6 is the projected growth in employment, population and households in the Ten County market area. By way of comparison, the Ten County area currently has an employment participation rate of 67.7%. Proportionally, average annual employment growth from 2000 to 2010 was less than population growth, effectively causing the employment participation ratio to decrease over the 2000 to 2010 time period. The drop may be attributed in large part to the Great Recession which occurred over the late to middle part of the 2000 to 2010 decade. Even though employment participation dropped from 2000 to 2020, household and population growth still remained strong. Employment, population and households in the Ten County area are projected to grow by 69,582 jobs, 78,483 people and 29,858 households, respectively, on average annually from 2025 to 2035.

Table III-6: Projected Permanent Population and Households in Ten County Market Area, 2025-2035

Year	Total Employment	Employment Participation Ratio	Permanent January 1, Population	Annual Population Change	Population in Group Quarters	Permanent Population In Households	Permanent Population Per Household	Households	Annual Household Change
1980	1,154,201	0.608	1,897,935	---	35,112	1,862,823	2.6325	707,618	--
1990	1,427,162	0.656	2,175,922	27,800	39,167	2,136,755	2.4832	860,491	15,290
2000	2,017,042	0.707	2,852,873	67,700	49,901	2,802,972	2.5319	1,107,046	24,660
2010	2,171,930	0.646	3,359,751	50,690	56,735	3,303,016	2.5027	1,319,798	21,280
2020	2,676,036	0.648	4,131,170	77,140	56,155	4,075,015	2.5317	1,609,579	28,980
2025	3,122,322	0.677	4,612,340	102,463	56,124	4,556,216	2.5945	1,756,077	36,625
2026	3,184,259	0.680	4,683,160	70,821	56,138	4,627,022	2.5950	1,783,033	26,956
2027	3,247,749	0.683	4,755,543	72,383	56,152	4,699,391	2.5955	1,810,581	27,548
2028	3,312,843	0.686	4,829,537	73,994	56,166	4,773,371	2.5960	1,838,739	28,158
2029	3,379,593	0.689	4,905,194	75,657	56,180	4,849,014	2.5965	1,867,527	28,788
2030	3,448,056	0.692	4,982,566	77,372	56,194	4,926,372	2.5970	1,896,964	29,437
2031	3,518,288	0.695	5,061,709	79,143	56,208	5,005,500	2.5975	1,927,072	30,108
2032	3,590,348	0.698	5,142,680	80,971	56,222	5,086,457	2.5980	1,957,872	30,800
2033	3,664,301	0.701	5,225,538	82,859	56,236	5,169,302	2.5984	1,989,387	31,515
2034	3,740,210	0.704	5,310,347	84,809	56,250	5,254,096	2.5989	2,021,641	32,254
2035	3,818,142	0.707	5,397,170	86,823	56,265	5,340,905	2.5994	2,054,657	33,016
Average Annual Change (2025-2045)									
Numerical:	**69,582**		**78,483**		**14**	**78,469**		**29,858**	
Percent:	**2.0%**		**1.6%**		**0.0%**	**1.6%**		**1.6%**	

Source: Dept of Commerce, Bureau of the Census and THK Associates, Inc.

G. TEN-COUNTY HOUSING TRENDS

Table III-7 on the following page compares data among the 2000, 2010, and 2020 U.S. Census regarding total housing units in the Ten-County market area. The table also includes an estimate for the housing stock in 2025. The total housing units are separated into total occupied housing units and of those housing units which are occupied by renters. There is also a breakdown based on unit type.

Total housing units in the Ten-County market increased from 1,145,879 to 1,826,777 during the 2000-to-2025-time frame, while simultaneously owner-occupied units went from 67% to 65% over that same period. About 69% of the housing market in the Ten-Market area was made up of single-family residents in 2000, 28% of housing was multifamily and 3% was miscellaneous. In 2025, it is estimated that 69% of the housing stock is single family, 29% is multifamily and 2% is miscellaneous.

Table III-7: Total Housing Units and Type, 2000, 2010 US Census & 2020 US Census, 2025 Estimate, in the Denver Ten County Market Area

	2000 US Census		2010 US Census		2020 US Census		2025 Estimate			
	Ten County Total	% of Total	Ten County Total	% of Total	Ten County Total	% of Total	Douglas County	% of Total	Ten County Total	% of Total
Total # of Housing Units	1,145,879	100%	1,409,063	100%	1,675,041	100%	157,041	9%	1,826,777	100%
Occupied Units	1,100,376	96%	1,311,418	93%	1,600,726	96%	151,573	97%	1,745,732	96%
Owner Occupied	733,342	67%	869,596	66%	1,139,275	71%	119,841	79%	1,139,275	65%
Renter Occupied	367,034	33%	441,822	34%	606,458	38%	31,733	21%	606,458	35%
Unit Type Breakdown										
Single-Family	756,403	69%	916,019	70%	1,200,684	75%	124,003	82%	1,200,684	69%
Multi-Family	308,576	28%	361,161	28%	506,758	32%	26,680	18%	506,758	29%
Miscellaneous*	35,397	3%	34,239	3%	38,242	2%	890	1%	38,242	2%
1 Unit - Detached	675,915	61%	815,638	62%	1,058,592	66%	116,422	77%	1,058,592	61%
1 Unit - Attached	80,488	7%	100,380	8%	142,092	9%	7,581	5%	142,092	8%
2 Units	20,385	2%	19,271	1%	19,119	1%	217	0%	19,119	1%
3-4 Units	37,924	3%	40,521	3%	51,719	3%	2,070	1%	51,719	3%
5-9 Units	53,912	5%	67,454	5%	82,562	5%	5,755	4%	82,562	5%
10-19 Units	71,009	6%	90,994	7%	110,479	7%	6,326	4%	110,479	6%
20+ Units	125,346	11%	142,920	11%	95,631	6%	12,312	8%	95,631	5%
Mobile Homes	34,862	3%	33,737	3%	147,248	9%	747	0%	147,248	8%
Boat, RV, Van, etc.	535	0%	502	0%	36,258	2%	144	0%	36,258	2%

*Miscellaneous housing includes mobile homes, RV's, vans, boats, etc.

Source: US Census Bureau and THK Associates, Inc.

IV. RESIDENTIAL MARKET ANALYSIS

IV. Residential Market Analysis

A. Projected Residential Demand by Unit Type

The potentials for new residential development are subject to a variety of pressures including interest rates, inflation, and social, political, and other economic influences. These influences coupled with overall growth in population and household formations create the aggregate demand for new housing. Historical trends and housing permits for new housing construction were also examined to show how past construction levels and trends have coincided with population, demographic changes, and economic conditions.

Figure 4 on the following page depicts the Sundown Oaks Primary Trade Area (PTA), which consists of an approximate 15- to 20-minute drive time from the subject site. The Sundown Oaks PTA is the geographic area where a majority of potential residential buyers at the subject site would also be expected to search.

Tables IV-1 and IV-2 highlight the historical and projected population and household growth trends in the Two County market area and the Sundown Oaks PTA. From 1990 to 2025, the population within the Two County market area rose from 60,406 to 374,074, while households climbed from 20,786 to 133,090. Since 1990, population within the Two County area averaged 5.3% annual growth, while households averaged 5.4% annual growth. During the same period, the population within the Sundown Oaks PTA grew from 10,426 to 43,863, or 4.2% annually, while households rose from 3,353 to 15,193, or 4.4% per year.

From 2025 through 2035, THK forecasts population and households within the Two County area to grow to 481,846 and 173,217, respectively, or by 2.6% and 2.7% per year, respectively. During the same timeframe, the Sundown Oaks PTA is projected to increase to 55,387 people and 19,259 households, for an average growth rate of 2.4% and 2.4% respectively, per year.

Table IV-3 summarizes the projected demand for specific residential housing types for the Two County Market Area based on annual household growth from 2025 to 2035. During this period, THK projects demand for residential housing to grow 4,116 dwellings annually, including 2,881 ownership housing units and 1,235 rental housing dwellings.

Table IV-4 summarizes the projected demand for specific residential housing types for the Sundown Oaks PTA based on annual household growth from 2025 to 2035. During this period, THK projects demand for residential housing to grow by 419 dwellings annually, including by 335 ownership housing units and 84 rental housing dwellings. Based off market trends in the PTA and historical building permit activity, THK projects that 50% of new ownership demand will be for single-family detached units and 30% is projected for attached (townhome and condominium) dwellings, for an average of 210 and 125 units per year, respectively.

Figure 4- Sundown Oaks Primary Trade Area (PTA)

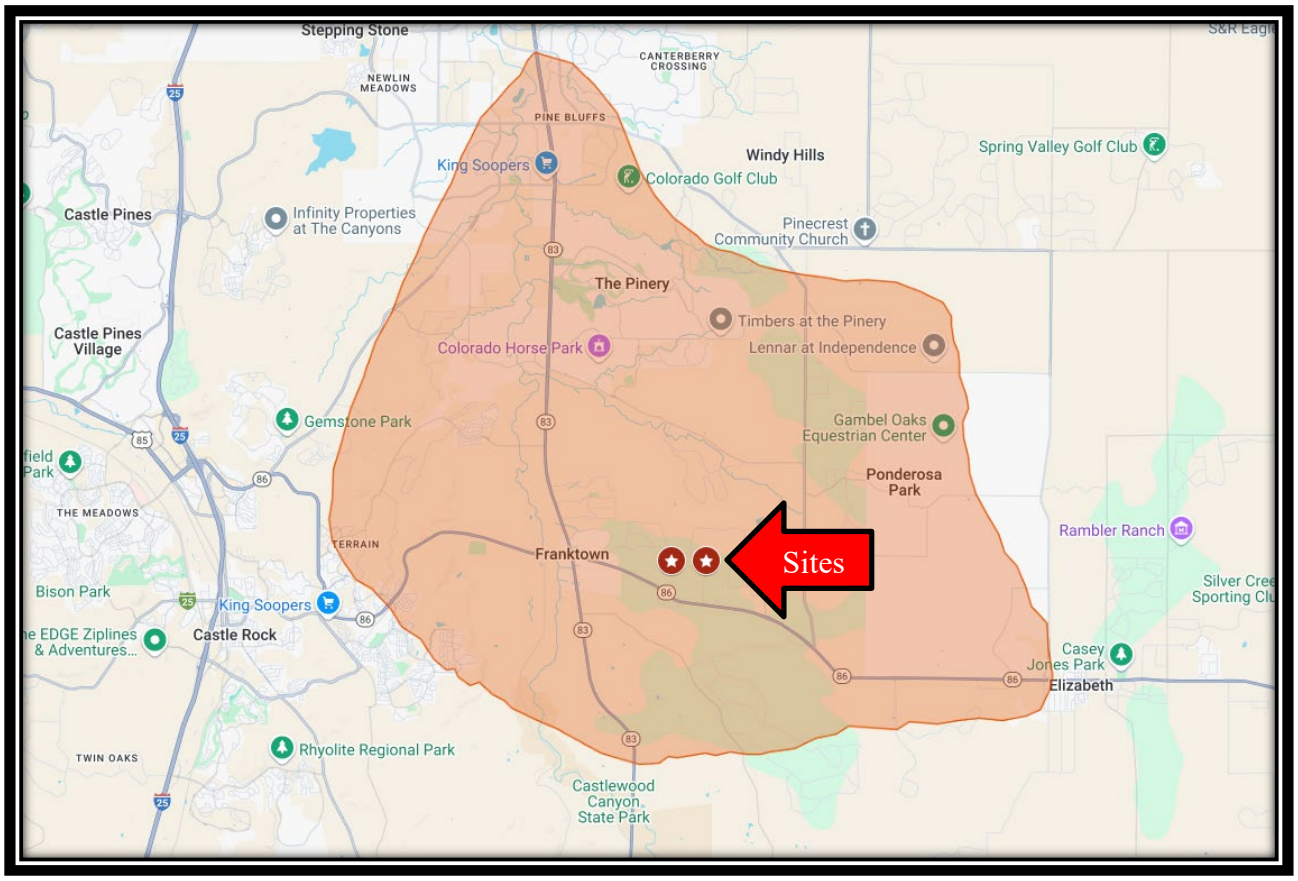


Table IV-1: Population and Household Trends in the Two County Market Area and Sundown Oaks PTA, 1990-2025

						Annual Average					
						1990-2025		2000-2025		2010-2025	
Two County Market Area	1990	2000	2010	2020	2025						
Population	60,406	175,792	285,465	366,888	374,074	8,962	5.3%	7,931	3.1%	5,907	1.8%
Households	20,786	60,938	102,018	130,534	133,090	3,209	5.4%	2,886	3.2%	2,071	1.8%
Sundown Oaks PTA											
Population	10,426	19,182	29,290	38,339	43,863	955	4.2%	987	3.4%	972	2.7%
Households	3,353	6,442	10,169	13,290	15,193	338	4.4%	350	3.5%	335	2.7%
Sundown Oaks PTA as a percent of Two County Market Area											
Population	17.3%	10.9%	10.3%	10.4%	11.7%	10.7%		12.4%		16.4%	
Households	16.1%	10.6%	10.0%	10.2%	11.4%	10.5%		12.1%		16.2%	

Source: U.S. Bureau of the Census and THK Associates, Inc.

Table IV-2: Population and Household Trends in the Two County Market Area and the Sundown Oaks, 2025-2035

				Annual Average			
				2025-2030		2025-2035	
Two County Market Area	2025	2030	2035	Numerical	Percent	Numerical	Percent
Population	374,074	423,536	481,846	9,892	2.5%	10,777	2.6%
Households	133,090	151,505	173,217	3,683	2.6%	4,013	2.7%
Sundown Oaks PTA							
Population	43,863	49,289	55,387	1,085	2.4%	1,152	2.4%
Households	15,193	17,106	19,259	383	2.4%	407	2.4%
Sundown Oaks PTA as a percent of Two County Market Area							
Population	11.7%	11.6%	11.5%	11.0%		10.7%	
Households	11.4%	11.3%	11.1%	10.4%		10.1%	

Source: U.S. Bureau of the Census, Pcensus & THK Associates, Inc.

Table IV-3: Two County Market Area Market Projected Residential Demand, 2025-2035

Year	Households	Annual Household Growth	Total Housing Unit Demand*	Ownership Units			Rental Housing
				Total Ownership Units	Detached Single Family	Attached Single Family	
2025	133,090	3,335	3,474	2,432	1,581	851	1,042
2026	136,538	3,448	3,591	2,514	1,634	880	1,077
2027	140,099	3,561	3,709	2,596	1,687	909	1,113
2028	143,778	3,678	3,832	2,682	1,743	939	1,150
2029	147,578	3,800	3,959	2,771	1,801	970	1,188
2030	151,505	3,927	4,091	2,864	1,862	1,002	1,227
2031	155,564	4,059	4,228	2,960	1,924	1,036	1,268
2032	159,759	4,195	4,370	3,059	1,988	1,071	1,311
2033	164,096	4,337	4,518	3,163	2,056	1,107	1,355
2034	168,580	4,484	4,671	3,270	2,126	1,144	1,401
2035	173,217	4,637	4,830	3,381	2,198	1,183	1,449
Average Annual Demand 2025-2035	**152,164**		**4,116**	**2,881**	**1,873**	**1,008**	**1,235**
		% of Total	**100.0%**	**70.0%**	**45.5%**	**24.5%**	**30.0%**
Total Demand 2025-2035			**45,273**	**31,692**	**20,600**	**11,092**	**13,581**

* Assumes 96% Occupancy in 2025 Remains Constant

Source: THK Associates, Inc.

Table IV-4: Sundown Oaks PTA Market Projected Residential Demand, 2025-2035

Year	Households	Annual Household Growth	Total Housing Unit Demand*	Ownership Units			Rental Housing
				Total Ownership Units	Detached Single Family	Attached Single Family	
2025	15,193	357	372	298	187	111	74
2026	15,558	365	380	304	191	113	76
2027	15,931	373	389	311	195	116	78
2028	16,313	382	398	318	199	119	80
2029	16,705	392	408	326	204	122	82
2030	17,106	401	418	334	209	125	84
2031	17,517	411	428	342	214	128	86
2032	17,937	420	438	350	220	130	88
2033	18,367	430	448	358	225	133	90
2034	18,808	441	459	367	230	137	92
2035	19,259	451	470	376	236	140	94
Average Annual Demand 2025-2035	**17,154**		**419**	**335**	**210**	**125**	**84**
		% of Total	**100%**	**80%**	**50%**	**30%**	**20%**
Total Demand 2025-2035			**4,608**	**3,684**	**2,310**	**1,374**	**924**

* Assumes 96% Occupancy in 2025 Remains Constant

Source: THK Associates, Inc.

B. Residential Purchasing Capacity, Rental Capacity and Demand by Price Range

To better quantify the demand for new residential units in the PTA, THK breaks down the existing households by income range and then converts those income ranges into monthly purchasing and rental capacity. In determining housing affordability, THK estimates that households that purchase a home will spend approximately 30% of their gross income on housing on average, and renter households will spend approximately 30% of their gross income on housing. According to SiteWise, the median household income within the Sundown Oaks PTA is $151,529. Based on this median household income, residents in the Sundown Oaks PTA could afford a $700,920 home, or monthly rental payments of $3,790. Roughly 55% of households can afford a home priced above $700,920. This is shown in Table IV-5 below.

Table IV-5: Residential Purchasing and Rental Capacity in the Sundown Oaks PTA

Income Range	Percent of Households	Number of Households	Home Purchasing Capacity	Estimated Monthly Payment (P&I)*	Monthly Rental Capacity**
Under $24,999	3%	413	Under $120,400	$620	Under $625
$25,000 - $39,999	4%	604	$120,500 - $192,700	$1,000	$625 - $999
$40,000 - $49,999	2%	301	$192,700 - $240,900	$1,250	$1,000 - $1,249
$50,000 - $59,999	3%	462	$240,900 - $289,100	$1,500	$1,250 - $1,499
$60,000 - $74,999	5%	776	$289,100 - $361,400	$1,880	$1,500 - $1,874
$75,000 - $99,999	11%	1,645	$361,400 - $481,800	$2,500	$1,875 - $2,499
$100,000 - $124,999	11%	1,708	$481,800 - $602,300	$3,130	$2,500 - $3,124
$125,000 - $149,999	10%	1,577	$602,300 $722,700	$3,750	$3,125 $3,749
$150,000 - $174,999	12%	1,813	$722,700 $843,200	$4,380	$3,750 $4,374
$175,000 - $199,999	11%	1,599	$843,200 $963,600	$5,000	$4,375 $4,999
$200,000 & Above	28%	4,295	$963,600 & Above	$6,250	$5,000 & Above
Median Income* $151,529	**100%**	**15,193**	**$700,920**		**$3,790**

* Assumes 30% of income used for housing (before taxes and insurance), 20% down payment, 30 yr term, 6.75% interest rate

** Assumes 30% of income used for rental payment

Source: Sitewise and THK Associates, Inc.

C. Home Sales in the Sundown Oaks PTA

THK inventoried lot sales and detached single family home sales, per ReColorado, in the Sundown Oaks PTA from January 1, 2021, through June 11, 2025. The sales showed a total of 30 and 262 sales respectively.

Table IV-6A: Lot Sales by Price in the Sundown Oaks PTA, 2021-2025 YTD

Lot Sales - Sundown Oaks PTA

Year	Under $299,999	Percent of Total	$300,000 $399,999	Percent of Total	$400,000 $499,999	Percent of Total	$500,000 $599,999	Percent of Total	$600,000 Above	Percent of Total	Total Sales
2021	1	8.3%	3	25.0%	8	66.7%	0	0.0%	0	0.0%	12
2022	0	0.0%	0	0.0%	2	66.7%	1	33.3%	0	0.0%	3
2023	1	50.0%	0	0.0%	0	0.0%	0	0.0%	1	50.0%	2
2024	1	11.1%	1	11.1%	6	66.7%	1	11.1%	0	0.0%	9
2025 YTD *	2	50.0%	0	0.0%	1	25.0%	1	25.0%	0	0.0%	4
TOTAL	5	16.7%	4	13.3%	17	56.7%	3	10.0%	1	3.3%	30

* 2025 YTD, 6/11/2025
**2-5 acre lot sales

Source: REColorado and THK Associates, Inc.

Approximately 16.7% of lot sales during the period were for units priced below $299,999, with the $300,000 to $399,999 price range comprising a further 13.3% of sales. Lots sold in the $400,000 to $499,999 price range comprised 56.7% of total sales, lots sold in the $500,000 to $599,999 price range comprised 10% of total sales. Finally, lots sold in the price range of $600,000 and above comprised 3.3% of total sales.

Table IV-6B: Detached Single Family Home Sales by Price in the Sundown Oaks PTA, 2021-2025 YTD

Detached Single Family - Sundown Oaks PTA

Year	Under $749,999	Percent of Total	$750,000 $999,999	Percent of Total	$1,000,000 $1,749,999	Percent of Total	$1,750,000 $2,499,999	Percent of Total	$2,500,000 Above	Percent of Total	Total Sales
2021	17	23%	15	20%	32	20%	7	9%	4	5%	75
2022	8	14%	13	22%	33	56%	1	2%	4	7%	59
2023	6	13%	7	15%	29	60%	3	6%	3	6%	48
2024	7	13%	6	11%	28	51%	9	16%	5	9%	55
2025 YTD	1	4%	6	24%	10	40%	5	20%	3	12%	25
TOTAL	39	14.9%	47	17.9%	132	50.4%	25	9.5%	19	7.3%	262

* 2025 YTD, 6/11/2025
**2-5 acre home sales

Source: REColorado and THK Associates, Inc.

Approximately 14.9% of homes sales during the period were for units priced below $749,999, with the $750,000 to $999,999 price range comprising a further 17.9% of sales. Homes sold in the $1,000,000 to $1,749,999 price range comprised 50.4% of total sales, whereas home sold in the $1,750,000 to $2,499,999 price range comprised 9.5% of total sales. Finally, homes sold in the price range of $2,500,000 and above comprised 7.3% of total sales.

D. Representative Comparable Communities in the Sundown Oaks PTA

THK looked at representative comparable communities in the Sundown Oaks PTA. THK found three similar communities, Arrowpoint Estates, Colorado Golf Club, and Tallman Gulch.

Arrowpoint Estates
Arrowpoint Estates is a luxury large-lot residential community located in Franktown, located near the intersection of highways 83 and 86. They offer both individual lots and detached single-family homes. Each lot comprises approximately two acres and includes well and septic systems. There are 19 total lots.

Between January 1, 2021, and June 11, 2025, a total of fifteen lots were sold within the community, with prices ranging from $400,000 to over $600,000. Of these, nine lots sold within the $400,000 to $499,000 range. The remaining six sales were evenly divided, with three lots selling between $500,000 and $599,999, and three exceeding $600,000.

During the same five-year period, Arrowpoint Estates also recorded three home sales, each priced between $1,750,000 and $2,499,999.

Colorado Golf Club

The Colorado Golf Club is a luxury large-lot residential community located in Parker, near the intersection of Parker Road and Stroh Road. The community offers both individual lots and detached single-family homes. There are 169 total lots.

Between January 1, 2021, and June 11, 2025, a total of thirteen lots were sold within the community, with prices ranging from $300,000 to over $600,000. Of these, one lot sold in the $300,000 to $399,999 range, while ten lots sold between $400,000 and $499,999. The remaining two sales were divided between the $500,000 to $599,999 range and above $600,000, with one sale in each category.

During the same five-year period, thirteen homes were sold in the Colorado Golf Club community. All homes sold for prices exceeding $2,500,000.

Tallman Gulch

Tallman Gulch is a luxury lot community located in Parker, near the intersection of Mainstreet and Hilltop Road. Residential home sales in the community began in 2017. As of January 2025, a total of 82 homes had been completed, with an additional 14 lots sold and currently under construction.

Cardel Homes has acquired the remaining lots and is constructing high-end, custom residences. The community consists of 121 total lots, with full lot sales anticipated by the end of 2026.
In 2024, the average home sales price was just under $1,850,000. As of March 2025, 14 homes were sold and under construction, with an average sales price of approximately $2.05 million.

E. Projected Detached Single Family Home Demand by Price Range

The projected demand for detached single family homes, broken down by price range, is illustrated in Table IV-7 below. Based on market trends, historic building permit activity, and analyses of ReColorado detached home sale data in the Sundown Oaks PTA. THK projects the following for attached homes. 7.5% of the total demand for new homes will be under $749,999, 7.5% of the total demand for new homes will be between $750,000 and $999,999, 45% for homes between $1,000,000 and $1,749,000, 30% for homes between $1,750,000 and $2,499,999 and the remaining 10% of the total demand will be for homes above $2,500,000. Based off annual average demand for detached single family homes of 210 units, as previously determined in Table IV-4, the aforementioned price ranges should have average annual demands of 16, 16, 95, 63, and 21 units per year, respectively.

Table IV-7: Average Annual Demand by Price Range Based On Income in the Sundown Oaks PTA

Price Range	Number of Units	Percentage
Detached Single Family		
Under - $749,999	16	7.5%
$750,000 $999,999	16	7.5%
$1,000,000 $1,749,999	95	45.0%
$1,750,000 $2,499,999	63	30.0%
$2,500,000 & Above	21	10.0%
Total Annual Average SF-Attached Demand	**210**	**100%**
10-Year Total SF-Attached Demand	**2,310**	

Source: THK Associates, Inc.

Based on the preceding analysis of residential supply and demand in the PTA, the following illustrates the recommendations for single family detached uses at the Sundown Oaks site.

F. Single Family Residential Potentials for the Sundown Oaks PTA

Based on the preceding analysis of residential supply and demand in the PTA, the following illustrates the recommendations for single family detached uses at the Sundown Oaks site.

As demonstrated in Table IV-8, the PTA is reported to have up to 4 competitive single-family detached properties in the sole price segment.

In the $1,750,000 to $2,499,999 price segment, there are four competitive subdivisions, which indicate a generic capture rate of 20%.

Spencer Fane's development summary illustrates that in 2027 there will be 3 detached homes sold, however THK's absorption analysis indicated demand for 9 attached townhomes.

In the Sundown Oaks environs, a 20% capture rate on units priced between $1,750,000 and $2,499,999, the proposed 37 single-family detached units at the site should be fully absorbed by the year end 2030.

Overall, these capture rates are based on the number of competitive properties within the market area and factor in demand generated from the subject sites' location as well as projected development of other supporting land use types in the region.

Table IV-8: Projected Single Family Detached Unit Demand and Absorption at Sundown Oaks, 2025-2035

Unit Prices:		Under $749,999	$750,000 - $999,999	$1,000,000 - $1,749,999	$1,750,000 - $2,499,999	$2,500,000 - Above	Annual Total	Cumulative Total
Percentage Demand		7.5%	7.5%	45.0%	30.0%	10.0%	100.0%	
Annual Avg. Unit Demand in the Competitive Market Area		16	16	95	63	21	189	189
Number of Competitors:		8	10	9	4	10	41	41
Generic Site Capture Rate:		N/A	N/A	N/A	20.0%	N/A	--	--
Projected Site Capture Rate:		N/A	N/A	N/A	15.0%	N/A	--	--
Annual Absorption (Units)								
	2025			***** Planning and Development *****				
	2026			***** Planning and Development *****				
	2027	N/A	N/A	N/A	9	N/A	9	9
	2028	N/A	N/A	N/A	9	N/A	9	18
	2029	N/A	N/A	N/A	9	N/A	9	27
	2030	N/A	N/A	N/A	10	N/A	10	**37**
Total		**N/A**	**N/A**	**N/A**	**37**	**N/A**	**37**	**37**
Annual Average		**N/A**	**N/A**	**N/A**	**9**	**N/A**	**9**	
Monthly Sales Average		**N/A**	**N/A**	**N/A**	**0.8**	**N/A**	**0.8**	

***N/A - Price Range Not Applicable to the Subject**

Source: THK Associates, Inc.

VI. ABSORPTION AND VALUE SUMMARY

VI. Absorption and Value Summary

THK Associates, Inc. has prepared an absorption schedule based on the preceding market analysis, as well as an estimate of market values that would result from the development of the 177-acre Sundown Oaks Metropolitan District community in Franktown, Douglas County, Colorado. The overall Sundown Oaks property is 177-acres, with Sundown being 73-acres and Oak Bluff being 104-acres.

The Sundown Oaks community is proposed for:

- 37 Residential Units, Including:
    - 37 Single Family Detached Homes

Based on the proposed land uses detailed above, and the market supportable absorption by land use type previously detailed in this analysis, THK was able to determine the expected build-out year.

Table VI-1 on the following page details the absorption schedule for the proposed land use type at the Sundown Oaks community.

Table VI-1: Sundown Oaks Detached Single Family Residential Absorption Schedule

		Single-Family Detached			
		Site Annual	Site Cumulative	Sundown Oaks	
Year	PTA Annual Market Demand	Market Demand (20% / 25% Capture)	Market Demand	Annual Absorption	Cumulative Absorption
2025	187	**** Planning and Development****			
2026	191	**** Planning and Development****			
2027	195	9	9	9	9
2028	199	9	18	9	18
2029	204	9	27	9	27
2030	209	10	37	10	37
Total	1,185	37	37	37	**37**

Source: THK Associates, Inc.

With the absorption schedule for the Sundown Oaks Community, THK has estimated market values that would result from the development of the Sundown Oaks site. These values are based on the representative records for residential communities of Arrowpoint Estates, Tallman Gulch, and Colorado Golf Club. THK's estimated values do not allow for personal property.

Table VI-2 below summarizes the estimated market values of each land use type within the Metropolitan District making up the Sundown Oaks Metropolitan District.

Table VI-2: Sundown Oaks Proposed Land Use by Product Type

Unit Type	Total Homes	Anticpated Year of Completion	Value per Unit - 2025	Value per Lot - 2025
Single Family Detached	37	2030	$2,200,000	$500,000
Total	**37**			

Source: THK Associates, Inc.

All residential single-family detached homes are projected to be built-out by 2030. Average supportable market values for single-family detached homes are $2,200,000 per unit. It is THK's opinion that Sundown Oaks Metropolitan District's values are reasonable in the marketplace. Sundown Oaks Primary Trade Area has experienced a softened residential real estate market due to high interest rates, therefore the PTA has seen an annual inflation rate of 2.5% in home prices between 2021 and 2025 year-to-date. THK expects interest rates to decrease in the near future, which will increase the home inflation rate over the years to come, therefore in our market and assessed value calculation over the next 30 years THK utilized a 3.0% inflation rate.

End of Report

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MEMORANDUM

To: DJ Beckwith and Lauren Pulver, Douglas County Department of Community Development

From: Michael Verdone

Re: Sundown Oaks Metro District Market Study Review

Date: June 27, 2025

Findings

BBC Research & Consulting reviewed the assumptions, methodology, and findings of the referenced Residential Market and Absorption Analysis prepared by THK Associates, as well as the Service Plan prepared by Spencer Fane. BBC's review analyzed the study's conclusions regarding market price, price appreciation, and absorption, with attention to the financial feasibility of the proposed Sundown Oaks Metropolitan District in Douglas County, Colorado.

- The study assumes an average home price of approximately $2.2 million. This estimate is based on pricing data from comparable developments in the primary trade area. While the comparable sales lack specific detail on home characteristics, the developments provide a reasonable market reference. BBC found the assumed pricing to be plausible, contingent upon the builder delivering a product of comparable quality and positioning.
- The analysis also assumes an average annual price appreciation rate of 3 percent. While forecasting appreciation is inherently uncertain, BBC found this assumption reasonable given current market conditions and recent U.S. Census data (as of June 2025), which supports the expectation of continued, though moderate, home price growth.
- Absorption projections in the study assume an average of nine homes sold per year over a four-year buildout period. BBC found this estimate to be potentially optimistic. The study's absorption assumptions rely on a shift in the price distribution of future home sales: specifically, that 30 percent of new homes sold in the trade area will be priced between $1.75 million and $2.49 million. This contrasts with historical data showing only 9.5 percent of home sales in that price range over the past four years. BBC found no supporting data or justification for this shift in demand, and highlighted that using historical sales patterns would support a much lower average annual absorption rate of about 3 homes per year. Additionally, the analysis includes an apparent contradiction between its estimates of housing demand, citing both 210 homes and 52 homes per year as baseline figures. BBC recommends that these discrepancies be reconciled and the assumptions supporting price distribution shifts be more thoroughly substantiated.

If the assumptions in the original Residential Market and Absorption Analysis were totally accurate, the district's ability to generate sufficient property tax and fee revenues to support the proposed debt structure would be assured. However, in light of BBC's findings regarding the absorption analysis—particularly the unsupported assumption of a substantial shift in demand toward higher-priced homes and the internal contradiction in estimated market demand—there is reason to question whether these projections will be realized. If the actual pace of absorption more closely reflects historical patterns, the resulting delay in home sales could impair the district's ability to generate the revenues necessary to service its debt on schedule.

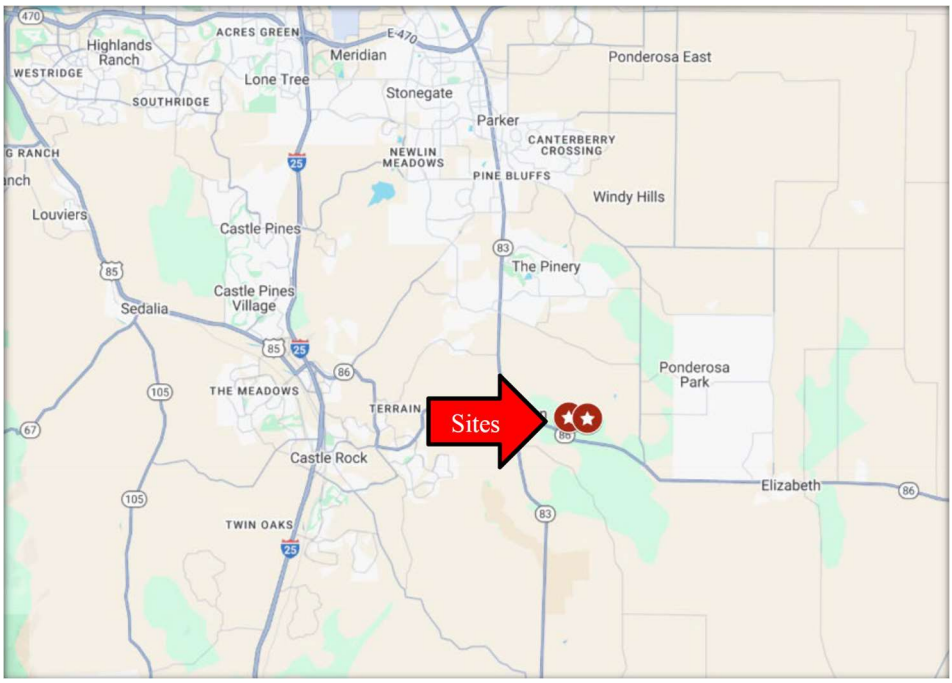
Background

BBC Research & Consulting (BBC) has been asked to review the assumptions, methodology, and findings of the referenced Residential Market and Absorption Analysis prepared by THK Associates dated June 23, 2025. In addition, BBC also reviewed information in the Service Plan for the Sundown Oaks Metropolitan District, prepared by Spencer Fane. The review is intended to provide a third-party objective evaluation to inform the creation of the proposed Sundown Oaks Metropolitan District in Douglas County, Colorado. Figures 1 and 2 provide additional financial and geographic context.

Figure 1.
Overview of Proposed Sundown Oaks Metropolitan District in Douglas County, Colorado

Developer:	Northstar Custom Homes Inc.
Organizer:	Northstar Custom Homes Inc.
Housing Product Mix:	37 large lot, detached single family lots
Average Home Value Assumptions:	$2,200,000
Aggregate Home Value Assumptions:	$81,400,000
Planned Public Improvements:	$9,057,551
First Issuance Anticipated	$3,625,000
Home Construction Start:	2026

Figure 2.
Overview of Proposed Sundown Oaks Metropolitan District in Douglas County, Colorado



Source: THK Associates

Scope of Review

BBC reviewed the data and assumptions used to estimate housing values and absorption rates in the Residential Market and Absorption Analysis prepared by THK Associates as well as the Service Plan prepared by Spencer Fane. The review centered on three primary factors that directly influence the metro district's capacity to service its debt obligations: market price, price appreciation, and absorption. Each of these parameters plays a distinct role in shaping the financial feasibility and timing of revenues tied to property sales, which in turn affect the district's ability to meet its bond or loan payments over time.

Market price is a function of both product positioning and prevailing market conditions. Developers can influence price to some extent through the quality, design, and features of the units, but these factors must be evaluated within the broader competitive landscape. Understanding where a given product sits relative to comparable offerings in the market helps establish realistic expectations for achievable sales prices. A project may aim for premium pricing, but if market demand or nearby alternatives constrain buyer willingness to pay, the actual selling price may fall short of projections. This comparative analysis is critical to ensure financial projections align with the market reality.

Price appreciation is more complex to assess because it involves forecasting future market behavior. While historical trends and supply-demand dynamics can inform these projections, the exercise is inherently speculative. Future home values are subject to a range of variables, including interest rates, inflation, employment, consumer confidence, and broader

macroeconomic shifts. Even with sound modeling, predicting appreciation is an uncertain process, and overly optimistic assumptions can expose a district to financial strain if revenues fall short of expectations.

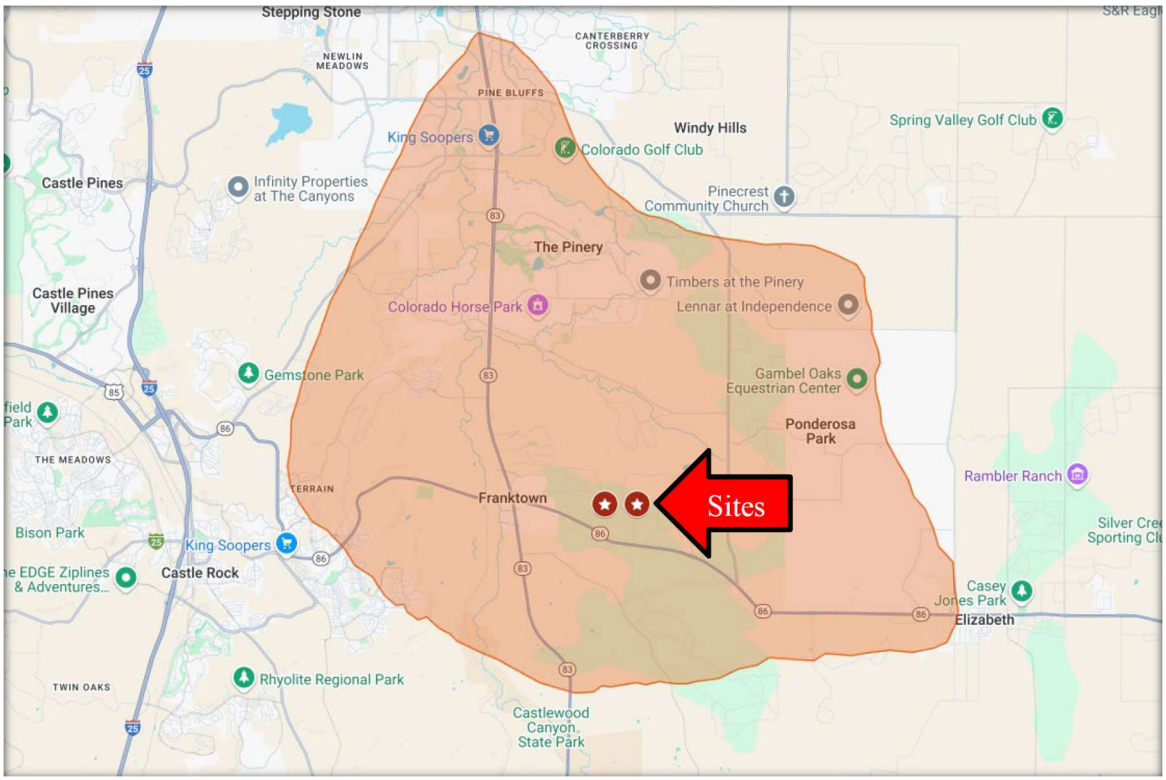
Absorption, or the rate at which homes are sold over time, is similarly challenging to forecast. While past absorption trends and current housing inventory levels provide some basis for estimates, actual sales pace is influenced by future buyer demand, competing developments, and overall market health. A slower-than-expected absorption rate can delay revenue realization, which could impair the district's ability to meet debt service schedules. For this reason, the analysis requires cautious interpretation, balancing ambition with grounded assumptions to ensure fiscal responsibility.

The remainder of this memorandum summarizes BBC's review and findings.

Competitive Market Area (Primary Trade Area)

The Residential Market and Absorption Analysis defined the primary trade area (PTA) as the area within a 15- to 20-minute drive of the subject site (Figure 3).

Figure 3.
Overview of Primary Trade Area Used in the Residential Market and Absorption Analysis of the Sundown Oaks Metropolitan District, Douglas County, Colorado



Source: THK Associates

Pricing

Unit prices. The Residential Market and Absorption Analysis compiled four years of lot and home sales data from 2021 through the first quarter of 2025 for three developments featuring homes similar to those proposed in the Sundown Oaks Metropolitan District: Tallman Gulch, Arrowpoint Estates, and Colorado Golf Club. While many parts of Douglas County include large-lot single-family subdivisions, these three developments were selected based on their recent construction activity within the PTA.

Figure 4 summarizes the sales prices of lots and newly constructed homes in each of the three developments, along with the average prices assumed for lots and completed homes in the proposed Sundown Oaks project. Over the past four years, a total of 30 homes sold across these developments, with prices ranging from a low of $1,750,000 in Arrowpoint Estates to over $2,500,000 in the Colorado Golf Club.

Figure 4.
Lot and Home Sales from 2021 – 2025 for Comparable Developments in the Sundown Oaks Metropolitan District Primary Trade Area

Development Name	Lots Sold	Lot Price Range	Homes Sold	Home Price Range
Sundown Oaks	**-**	**$500,000**	**37***	**$2,200,000**
Arrowpoint Estates	19	$400,000 - $600,000	3	$1,750,000 - $2,499,999
Colorado Golf Club	13	$300,000 - $600,000	13	$2,500,000+
Tallman Gulch	14	-	14	$2,050,000+

Source: THK Associates

Note: *Reflects the number of units that will be brought to market.

While the comparable sales data presented in Figure 4 offers helpful context for understanding market activity in nearby luxury and semi-luxury developments, it should be interpreted with some caution due to limited detail. The analysis does not include key information such as lot sizes, home square footage, architectural style, interior finishes, or other product characteristics that significantly influence home values. As a result, while the pricing data from Arrowpoint Estates, Colorado Golf Club, and Tallman Gulch provides useful benchmarks, it does not offer a precise indication of achievable prices at the subject site.

That said, builders typically design homes to align with specific price points and target buyer segments. If the builder at Sundown Oaks delivers a product comparable in size, quality, and finish level to those in the three reference developments, it is reasonable to expect that similar price points could be attained. In this context, the comparable data serves as a meaningful reference point to inform product planning and support pricing assumptions. Based on these considerations, BBC finds the assumed average home price of $2,200,000 to be reasonable.

Price appreciation. In addition to average home prices, the rate of home price appreciation is a core component of the Sundown Oaks Metro District's financial projections. The Residential Market and Absorption Analysis analyzed historical rates of home price appreciation and found that detached single-family homes have appreciated at an annual rate of about 2.5 percent per year since 2021. Based on that analysis, and the expectation of lower federal funds rates in the

near future, the report determined that a future rate of home price appreciation of 3 percent per year was reasonable.

It is always a difficult exercise to accurately forecast future economic conditions. However, recent data released by the U.S. Census Bureau on June 25, 2025, supports the price appreciation projections used in the Residential Market and Absorption Analysis. According to the U.S. Census release on new housing sales, the average sales price of new houses sold in May 2025 was 2.2 percent above the April 2025 price and 4.6 percent above the May 2024 price, indicating that while down from its peak in 2021, home price appreciation remains positive.[1]

Absorption

The Market Study assumes an average annual absorption rate of nine units over a four-year buildout period (Figure 5). To support this estimate, the Residential Market and Absorption Analysis calculates demand for new single-family homes in the PTA based on the existing population and an assumed annual population growth rate of 2.4 percent. Based on these inputs, the analysis estimates annual demand for approximately 210 new single-family homes in the PTA.

The study then evaluates recent sales activity within the PTA from 2021 through 2025, focusing on both the volume and price distribution of new home sales (Figure 5, below). During this period, approximately 262 new homes were sold, averaging about 52 homes per year. Of those, 15 percent sold for less than $750,000; 18 percent for $750,000 to $999,999; 50 percent for $1 million to $1.749 million; 10 percent for $1.75 million to $2.49 million; and 7 percent for more than $2.5 million.

Figure 5.
Table IV-6B from THK Associates' Residential Market and Absorption Analysis Showing the Distribution of New Home Sales by Price

Table IV-6B: Detached Single Family Home Sales by Price in the Sundown Oaks PTA, 2021-2025 YTD

Detached Single Family - Sundown Oaks PTA

Year	Under $749,999	Percent of Total	$750,000 $999,999	Percent of Total	$1,000,000 $1,749,999	Percent of Total	$1,750,000 $2,499,999	Percent of Total	$2,500,000 Above	Percent of Total	Total Sales
2021	17	23%	15	20%	32	20%	7	9%	4	5%	75
2022	8	14%	13	22%	33	56%	1	2%	4	7%	59
2023	6	13%	7	15%	29	60%	3	6%	3	6%	48
2024	7	13%	6	11%	28	51%	9	16%	5	9%	55
2025 YTD	1	4%	6	24%	10	40%	5	20%	3	12%	25
TOTAL	39	14.9%	47	17.9%	132	50.4%	25	9.5%	19	7.3%	262

* 2025 YTD, 6/11/2025
**2-5 acre home sales

Source: THK Associates and REColorado

Using historical sales data, market trends, building permit activity, and ReColorado home sales within the Sundown Oaks PTA, the Residential Market and Absorption Analysis projects future demand for detached single-family homes by price segment. The projection estimates that 7.5 percent of new homes will be priced below $750,000; another 7.5 percent between $750,000

[1] https://www.census.gov/construction/nrs/pdf/newressales.pdf

and $999,999; 45 percent between $1 million and $1.749 million; 30 percent between $1.75 million and $2.49 million; and 10 percent above $2.5 million. While this segmentation provides a clear framework for estimating absorption, aspects of the analysis raise questions about the underlying assumptions and their implications for the district's financial outlook.

For example, the analysis estimates an annual demand for approximately 210 new detached single-family homes in the PTA, as shown in Table IV-4 of the Residential Market and Absorption Analysis. However, actual sales data from 2021 through 2025 (Table IV-6B of the Residential Market and Absorption Analysis) shows that an average of only 52 new detached single-family homes were sold per year in the PTA during that period. This discrepancy suggests the projected demand may be overstated relative to recent market performance.

In addition, the analysis assumes a notable shift in the price distribution of future home sales, with a significant increase in demand for higher-priced homes. Specifically, while historical data indicates that homes priced between $1.75 million and $2.49 million comprised just 9.5 percent of sales in recent years, the study assumes this segment will grow to 30 percent of all sales between 2026 and 2030. No clear rationale or supporting evidence is provided for this anticipated shift. Given that this assumption substantially affects the projected absorption rate and, by extension, the district's ability to service its debt, it would benefit from further explanation or empirical support.

Figures 6 and 7 illustrate the impact of these differing assumptions, comparing estimated annual absorption using the historical price distribution versus the distribution assumed in the Residential Market and Absorption Analysis. The comparison highlights how sensitive the absorption projections are to changes in the underlying assumptions about market demand.

Figure 6.
Projected Single Family Detached Unit Demand and Absorption at Sundown Oaks, 2025-2035, Using Percentage of Demand from Historical Sales Data

	Unit Prices					
Unit Prices	**Under - $749k**	**$750k - $999.9k**	**$1M - $1.749M**	**$1.75M - $2.49M**	**$2.5M +**	**Annual Total**
Percentage of Demand	14.9%	17.9%	50.4%	9.5%	7.3%	100.00%
Annual Avg. Unit Demand in Competitive Market Area	31	38	106	20	15	211
Project Site Capture Rate				15%		
Annual Absorption						
2025						
2026						
2027				3		
2028				3		
2029				3		
2030				4		
Total				**13**		
Average				**3**		

Note: Percentage of Demand data taken from table IV-6B of the Residential Market and Absorption Analysis.

Source: THK Associates

Figure 7.
Projected Single Family Detached Unit Demand and Absorption at Sundown Oaks, 2025-2035, Using Percentage of Demand Assumed by the Residential Market and Absorption Analysis

	Unit Prices					
Unit Prices	**Under - $749k**	**$750k - $999.9k**	**$1M - $1.749M**	**$1.75M - $2.49M**	**$2.5M +**	**Annual Total**
Percentage of Demand	7.50%	7.50%	45%	30%	10%	100.00%
Annual Avg. Unit Demand in Competitive Market Area	16	16	95	63	21	211
Project Site Capture Rate				15%		
Annual Absorption						
2025						
2026						
2027				9		
2028				9		
2029				9		
2030				10		
Total				**37**		
Average				**9**		

Note: Percentage of Demand data taken from table IV-7 of the Residential Market and Absorption Analysis.

Source: THK Associates

As shown in Figures 6 and 7, the projected absorption rate is highly sensitive to the assumed distribution of demand across price segments. If future sales follow the historical distribution where approximately 9.5 percent of homes sold fall within the $1.75 million to $2.49 million range, the resulting absorption rate would be closer to three homes per year. However, the Residential Market and Absorption Analysis assumes that 30 percent of future sales will occur in this price segment, leading to a projected absorption rate of nine homes per year.

The basis for this projected shift in demand from lower-priced to higher-priced homes is not clearly explained in the analysis. Specifically, the assumption that a reduction in demand for homes priced below $1 million will be offset by increased demand for homes priced at $1.75 million and above is a significant departure from recent market trends. Given the central role this assumption plays in the study's absorption estimates and, by extension, the district's projected revenue stream, additional justification and supporting evidence would strengthen the credibility of the analysis.

Furthermore, clarifying the discrepancy in Table IV-4—which suggests annual demand of approximately 210 homes per year—and Table IV-6B—which shows that an average of just 52 new detached single-family homes were sold annually between 2021 and 2025—would help provide a more transparent and reliable basis for evaluating the district's ability to meet its financial obligations.

DJ Beckwith

From: S Larsen <stephanielarsen23@gmail.com>
Sent: Friday, July 18, 2025 9:19 AM
To: DJ Beckwith
Subject: Re: Concern

Follow Up Flag: Follow up
Flag Status: Flagged

Yes, it is the Sundown Oaks Metro District (SV2025-005) that I oppose.

Thank you,
Stephanie Larsen
9250 Red Primrose St
Franktown, CO 80116

> On Jul 16, 2025, at 2:19 PM, DJ Beckwith <dbeckwith@douglas.co.us> wrote:
>
> Sundown Oaks Metro District (SV2025-005)?

DJ Beckwith

From: mojoincolorado@netscape.net
Sent: Wednesday, July 16, 2025 12:49 PM
To: DJ Beckwith
Subject: RE: Sundown Oaks SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mr Beckwith,

I can't find any other information about this subdivision development aside from the metropolitan district plan.

Simply put, it does not conform on its face to the Franktown Subarea Master Plan.

Acreage per home is too low. Financial estimates to pay back bond issues and maintenance will be higher on a "per property" basis when the development is forced to conform to master plan requirements.

How can a metro district be formed based on illegitimate conditions?

Thank you,

Michael Cunningham
POB 42
Franktown CO 80116
720-998-2503

The other arguable explanation was Columbus's use of the term "una gest in Dios" or "a people in God" which was reduced to "Indios" for every day usage by the Spaniards and later was further changed to "Indian" as the word moved north. And what's more we hear that in 1492 Columbus could not have thought he had reached the Indies because at that time there was no Indies, but they instead were called Hindustan.

https://www.nativetimes.com/index.php/life/commentary/11389-native-american-vs-american-indian-political-correctness-dishonors-traditional-chiefs-of-old

DJ Beckwith

From: Kristine Jensen <msmanufaction@gmail.com>
Sent: Monday, July 14, 2025 6:22 AM
To: DJ Beckwith; Kristine Jensen
Subject: Opposition to Sundown Oaks Metropolitan District (Project No. SV2025-005)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Beckwith,

I am writing to express my strong opposition to the proposed Sundown Oaks Metropolitan District (Project No. SV2025-005) in Franktown, Colorado.

As a concerned resident, I believe this development threatens the rural character, environmental sustainability, and quality of life in our community. Below are my primary concerns:
1. Violation of Zoning Requirements: Franktown's current zoning mandates a minimum of 5 acres per residence to preserve its rural character. The proposed development, with nearly 300 townhomes and a strip mall, disregards this requirement. Such dense development is inconsistent with the Douglas County Comprehensive Master Plan's vision for maintaining rural environments in areas like Franktown.
2. Concerns with the Metropolitan District: The creation of a Metropolitan District for Sundown Oaks raises significant red flags. Across Colorado, Metropolitan Districts have been linked to financial instability and governance issues, often prioritizing developer interests over those of residents. These districts wield considerable power, which could undermine local control and burden future residents with unforeseen costs.
3. Unsustainable Water Usage: The proposal to use Upper Dawson water, augmented by the Laramie Fox Hills aquifer, is deeply troubling. The Laramie Fox Hills aquifer is known to contain toxic elements, posing health risks to the community. Additionally, the increased water demand from a development of this scale threatens to deplete local wells, which many Franktown residents rely on, potentially disrupting our water supply and livelihoods.
4. Traffic and Infrastructure Impacts: The addition of hundreds of new residences and commercial spaces will significantly increase traffic at the already busy intersection of Highway 86 and Highway 83. This could overwhelm local infrastructure, exacerbate congestion, and compromise safety for residents.
5. Threat to Franktown's Rural Character: Franktown's small, tight-knit community of a few hundred residents values its rural charm and open spaces. Doubling the population with a large-scale development like Sundown Oaks would fundamentally alter the area's identity, straining resources and diminishing the quality of life for current and future residents.
I urge Douglas County to reject the Sundown Oaks Metropolitan District proposal and prioritize development that aligns with the Comprehensive Master Plan's goals of preserving rural character, protecting natural resources, and ensuring sustainable growth. I respectfully request that you consider the long-term impacts of this project on our community and deny its approval.
Thank you for your attention to this critical matter.
Sincerely
Kristine Jensen (Franktown Redsident)

DJ Beckwith

From: Flash5219 <flash5219@yahoo.com>
Sent: Sunday, July 13, 2025 11:24 AM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District, Project no. SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir, this Project should not be approved!

It would put more straws in the upper Dawson, more traffic on 86 already over loaded by all the projects in Elizabeth. The Franktown zoning is there for a reason and should remain 5 acres, not half acre which only benefits the developer not the people of Franktown. Then there's the the metropolitan district which should never be allowed do to it's corrupt nature and lack of transparency . Below are links to issues regarding metro districts:
https://www.cbsnews.com/colorado/news/state-lawmakers-metro-districts-colorado-house-weighs-oversight-bill/#
https://pagosadailypost.com/2025/05/07/editorial-an-unsettling-story-about-colorado-metro-districts-part-seven/

I would be fine if the developer wanted to develop his property within the current zoning of 5 acres and NOT as a metropolitan District.

Sincerely, William Davenport

DJ Beckwith

From: Karen Ralicke <kralicke@yahoo.com>
Sent: Sunday, July 13, 2025 10:53 AM
To: DJ Beckwith
Subject: Sundown Oaks Metro District proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Douglas County can not sustain a new metro district, I strongly encourage a no on this plan. We don't have the infrastructure to support this and definitely not the water!

This plan to stop in it's tracks. Do not let this pass.

Karen Ralicke
11480 Antelope Lane
Parker CO 80138

DJ Beckwith

From: Christina@bigcountrypublishing.com
Sent: Tuesday, July 8, 2025 4:14 PM
To: DJ Beckwith; BOCC
Subject: Sundown Oaks Metro District

Follow Up Flag: Follow up
Flag Status: Flagged

As a resident for nearly 50 years in Douglas County, my childhood home in Surrey Ridge, my college years home in Oak Hills and I raised my kids for 20 years in Roxborough, I have now purchased a home in Franktown for it is one of few places in Douglas County that still feels rural.

I am currently serving as a member of the Douglas County Cultural Council and have done decades of volunteering in Douglas County.

I am absolutely heartbroken at the below proposal and ask for the Commissioners to stop this development.

Sincerely, Christina Winslow

Opposition to the Proposed Sundown Oaks Metropolitan District in Franktown
Dear Commissioners,

We, the undersigned and united residents of Franktown, write to express strong opposition to the proposed Sundown Oaks Metropolitan District. As members of a unique, rural, and environmentally conscious community, we urge you to deny the formation of this district due to the significant and lasting harm it would cause to our natural resources, rural character, and local governance under County Rule.

1. Environmental Impact
Franktown's identity is deeply tied to its land and ecology. The area's open spaces, wildlife corridors, and native habitats are irreplaceable. The proposed Sundown Oaks development would lead to:

Destruction of wildlife habitat and critical migration routes.
Loss of open space, which provides vital ecosystem services such as stormwater absorption, erosion control, and carbon capture.
Light pollution, disrupting nocturnal animal behavior and eliminating the dark skies that define Franktown's quiet, rural setting.
Increased risk of vector-borne diseases, such as those carried by ticks and mosquitoes, due to fragmentation of habitat and greater human-wildlife contact.
These environmental disruptions would permanently alter the character and health of our community.

2. Water Resource Concerns
Franktown depends entirely on deep, nonrenewable groundwater aquifers. These aquifers recharge extremely slowly, and many wells in the area have already experienced declining levels.

The type of high-density development enabled by a metropolitan district would dramatically increase demand on this limited water source—putting all current residents, wildlife, and agricultural uses at risk. There is no sustainable water plan in place that could support the scale of use a metropolitan district would require.

3. Threat to Rural Identity and County Rule

Franktown has consistently chosen to remain under County Rule for a reason. Residents here value low-density living, local decision-making, and protecting the rural way of life.

The formation of the Sundown Oaks Metropolitan District would transfer substantial power from residents to private developers. It would open the door to rapid, large-scale development that directly contradicts the community's long-standing planning values and the Franktown Village Subarea Plan, which emphasizes preservation of rural character, open space, and environmental stewardship.

Allowing a metro district here undermines the very fabric of how and why people live in Franktown.

We Ask That You Honor the Voice of the Community
The residents of Franktown are not against thoughtful, sustainable growth—but we are firmly opposed to development that erodes our water security, damages our natural environment, and compromises the County Rule structure that has protected this community for generations.

We respectfully request that you deny the approval of the Sundown Oaks Metropolitan District and support policies that reflect the values and concerns of Franktown residents.

Thank you for your time, service, and commitment to preserving what makes Douglas County and Franktown such a special place to call home.

Sincerely,
The Residents of Franktown, Colorado

DJ Beckwith

From: Theresa Derrick <tderrick2006@yahoo.com>
Sent: Friday, June 27, 2025 8:51 AM
To: DJ Beckwith
Subject: RE: Sundown oaks

Also 2 other wells have gone dry off of upper dawson

Yahoo Mail: Search, Organize, Conquer

On Thu, Jun 12, 2025 at 2:10 PM, DJ Beckwith <dbeckwith@douglas.co.us> wrote:

Greetings Mrs. Derrick,

Thank you for your comment on the proposed Sundown Oaks Metro District.

Your comment will be provided to the Planning Commission and the Board of County Commissioners as they consider the application for Sundown Oaks MD.

All the best,

DJ Beckwith | Principal Planner

Douglas County Department of Community Development

Planning Resources
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4330 **Main** | 303-660-7460

Email | dbeckwith@douglas.co.us

From: Theresa Derrick <tderrick2006@yahoo.com>
Sent: Wednesday, June 11, 2025 5:38 PM
To: DJ Beckwith <dbeckwith@douglas.co.us>
Subject: Sundown oaks

Do not use upper Dawson water. There are too many houses on this aquifer. I oppose this subdivision because franktown is a rural community

Yahoo Mail: Search, Organize, Conquer

DJ Beckwith

From: Marc Willency <mwillency@yahoo.com>
Sent: Wednesday, June 25, 2025 7:17 AM
To: DJ Beckwith
Subject: DISAPPROVE - Sundown Oaks Metro District - Project SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

This would be disastrous for our community.

NO Support

DJ Beckwith

From: Debra Demijohn <dademijohn@hotmail.com>
Sent: Tuesday, June 24, 2025 11:29 AM
To: DJ Beckwith
Subject: The unincorporated Dougco area

Follow Up Flag: Follow up
Flag Status: Flagged

Many agree that this is preposterous. Citizens of Colorado Do NOt Want this kind of
"stuff as many houses in as possible" attitude towards building—especially in farm areas!
Kiowa; Franktown; Parker; and -Castle Rock are places where Nature is an important feature. Take the CALIFORNIA OUT of Colorado!
Stop this nonsense

DJ Beckwith

From: Debra Shoemaker <debrashoemaker1979@gmail.com>
Sent: Thursday, June 19, 2025 8:47 AM
To: DJ Beckwith
Subject: Opposition to Sundown Oaks Metropolitan District Number SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

This email is in opposition to the proposed Sundown Oaks Metropolitan District Number SV2025-005 and in opposition to a metropolitan district in the middle of Franktown. This email is written and submitted on behalf of Franktown resident, Jeffrey Revoir, residing at 395 Willow Lake Drive.

My opposition is as follows:
-Franktown is an unincorporated town and its residents including me sought out this location for its quality of life, charm, rural culture/environment, rural amenities, natural/open space, wide array of wildlife, unique geography and its enduring beauty.
-Most importantly, however, many of my fellow neighbors and residents of Franktown share the same perspective and choose to live, raise their families, work and enjoy their free time in this very community - - for the very same reasons.
-Franktown has retained this exceptionally unique quality since its existence, only because both state and local government, planners, commissions along with their leadership, decision makers, planners, business and residents have consistently worked hard to resist the temptation to convert it into a big-city or a city just like other cities!
-It takes leadership, planners and the Franktown community working together to have great insight, wisdom and foresight to resist the temptation to change and convert Franktown into what its neighboring Castle Rock and Parker cities have gone through.
-I oppose the conversion of Franktown by the addition of a metropolitan district within it.
-The addition of the Metropolitan District would tap water from the Upper Dawson water supply and use water from the Laramie Fox Hills aquifer. Each of which would strain water supplies including water supplies that are limited already due to toxins in some water supplies, which adds strain to non-toxin water supplies.
-In addition, the short and long term effects of the addition of the Metropolitan District would place unknown financial strains on the local Franktown community and its resources due to strain on water resources, added traffic congestion on roadways and public services. All of which will impact local residents and businesses.
-It is disappointing and offensive to learn that the very developers who seek and would have financial gain from the proposed addition of the Metropolitan District have gained access to and decision making ability on planning boards and commissions and will cast votes in their own self interest on these commissions and boards. This is an inherent conflict of interest and an act of self-dealing in their own interests rather than the greater interest of the Franktown community and its residents. **At a minimum, individuals with voting and decision making power should be required to disclose their actual and potential conflicts of interest and also refrain from voting on this proposal and future proposals that involve their conflicted interests.**
-For the above reasons, I oppose the addition of the Sundown Oaks Metropolitan District Number SV2025-005 in Franktown Colorado.

DJ Beckwith

From: URLING KINGERY <urling8@aol.com>
Sent: Wednesday, June 18, 2025 11:08 AM
To: DJ Beckwith
Subject: Sundown oaks metropolitan district

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs, I am very opposed to the sundown Oaks metropolitan district number SV2025-005. water and congestion are my main concerns. We've already lowered our well 500 feet. The roads are more clogged every day.

Thank you,Urling Kingery, 751 Willow Lake Drive, Franktown, Co 80116

Sent from my iPad

DJ Beckwith

From: kira Piel <kirapiel@gmail.com>
Sent: Wednesday, June 18, 2025 3:44 PM
To: DJ Beckwith

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir or Ma'am,

We would like to formally express our concerns and disapproval regarding the proposed Sundown Oaks Subdivision. Our community believes that a metropolitan district is not suitable for our rural area. We are also concerned about the two-acre lot sizes, particularly as Franktown is developed with lots of five acres or more. We are also very concerned about our aquifers and so many homes tapping into it for water.

Could you please provide guidance on the formal channels available for submitting our objections? Thank you in advance foe your assistance in this matter.

Sincerely,
Michael and Kira Piel

Kira Piel
Realtor
BTT Real Estate
303-881-1516 - cell

www.PurchaseofaLifetime.com

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DJ Beckwith

From: Craig Smart <castlewood.acc.president@gmail.com>
Sent: Wednesday, June 18, 2025 5:36 PM
To: DJ Beckwith
Cc: Smart Craig; Castlewood.ACC.VicePresident@gmail.com; Von Probasco
Subject: Proposed Metropolitan Development - Sundown Oaks Metropolitan District No. SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

DJ Beck,

I have been following the Proposed Metropolitan Development - Sundown Oaks Metropolitan District No. SV2025-005 in the Franktown Area at Tanglewood Road & Burning Tree Drive for quite some time. I have great concern and firmly oppose this plan. Franktown has prided itself on being a safe and manageable rural community for many years. The Sundown Oaks Metropolitan District No. SV2025-005 would destroy Franktown by overpopulating the area, increased traffic flow, contaminating Dawson with Laramie Fox Hills Water, increased water usage and availability, and more. Our community should not be impacted by rapacious developers and small lot development.

Question: Is there a plan for wastewater? Have you considered Arapahoe?

Respectfully request you DO NOT APPROVE this project (Sundown Oaks Metropolitan District No. SV2025-005).

Very Respectfully,

Craig Smart
Castlewood ACC President & Franktown Homeowner

DJ Beckwith

From: Brad Thomann <bradthomann1@aol.com>
Sent: Wednesday, June 18, 2025 6:50 PM
To: DJ Beckwith
Subject: Against Sundown Oaks Metro District Project # SV2025-005.

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom it May Concern,

My wife and I strongly oppose this project for the following reasons:

1. Franktown Master Plan is Rural and 5 acre lots. This plan calls for 21 4.5-5 acre lots and 17 homes of 2 acres each. Clearly, this developer is not abiding by the Franktown Master Plan and his plan should be rejected. Franktown is one of three rural designated areas in Douglas County. Do not lower the bar and ruin our rural look and feel. 5 acres in Franktown. Period.

2. We object to the use of any water in the Upper Dawson.

3. We do not understand why Douglas County would approve a Metro District in Franktown. Metro Districts are cash cows for the developers and should not be allowed in Colorado much less Franktown. The developer should build the infrastructure needed and put the price of that directly into the cost of the home. Make the developers put out the capital expense - like any other company - and pass the cost to the consumer's who buy their house. If the cost of the development drives up the cost of the house to where it does not make financial sense, then the developer should rethink their investment. Do not let a Metro District into Franktown. Developers should not have the right to raise taxes on the people.

Thank you for hearing us out.

Kind regards,

Brad and Brenda Thomann
173 Red Deer Road
Franktown, CO
80116

DJ Beckwith

From: wesweaver@reagan.com
Sent: Wednesday, June 18, 2025 1:36 PM
To: DJ Beckwith
Cc: Craig Smart, Castlewood ACC President; Bowles, Tom T
Subject: Project # 2V2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

To the members of the Douglas County Planning .

I have become aware of a proposed development in the Franktown area. As we live in Franktown, I am genuinely concerned with the proposed Sundown Oaks development, Project # 2V2025-005.

1. Changing the density to less than 5 ac. Would cause significant impact to the already congested roads and greatly affect the whole feel of the area from a sum what rural to an extension of big city.
2. As you are aware the water in this county is of great concern. And the proposed water supply for this development is to use the upper Dawson and supplement it with water from the Laramie Fox Hills. This would be an unbelievably bad idea. The water quality of the Dawson is particularly good and does not require treatment, but the water from the Laramie Fox Hills is high in sulfur and other dissolved solids. and is not equal in the least to the Dawson.
3. I would like to know how you are going to assure equal quality.
4. Why are they not going to the Arapahoe aquifer instead? The Dawson does not provide the volume that the Arapahoe does and would require more wells and more cost, even though the Arapahoe is deeper . It would seam a better approach for all.
5. it is my request that you not approve this Project as proposed.

Sincerely ; Wesley Weaver

DJ Beckwith

From: Pat Bergin <bergin.pat@comcast.net>
Sent: Tuesday, June 17, 2025 10:22 PM
To: DJ Beckwith
Cc: Craig Smart
Subject: Opposition to Sundown Oaks Metropolitan District No. SV2025-005.

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,
As residents of Franktown and homeowners in the Castlewood Canyon area, we would like to let you know that we strongly oppose Sundown Oaks Metropolitan District No. SV2025-005.

Sincerely,
Patrick and Patricia Bergin

Sent from my iPhone

DJ Beckwith

From: Matthew Jones <mdjones525@gmail.com>
Sent: Tuesday, June 17, 2025 4:43 PM
To: DJ Beckwith
Subject: Objection to Sundown Oaks Metro District
Attachments: Sundown Metro .pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Please see my dissent to the Sundown Oaks Metro District SV2025-005. Attached is my signed letter, if unable, due to county policy to open attachment, my unsigned dissent is in text form.

Matthew Jones
8576 Burning Tree Dr
Franktown, CO 80116
MDJONES525@GMAIL.COM
405-413-4130

June 17, 2025

Douglas County Board of County Commissioners
Department of Community Development
100 Third Street
Castle Rock, CO 80104

RE: Formal Objection to the Sundown Oaks Metropolitan District Service Plan (SV2025-005)

Dear Commissioners,

I am writing to submit a formal objection to the proposed Service Plan for the Sundown Oaks Metropolitan District (SV2025-005). The proposed district structure—relying on broad powers granted under C.R.S. Title 32—raises serious concerns about fiscal responsibility, environmental sustainability, and the democratic integrity of local governance.

The plan authorizes up to **$10 million in debt** and a **70-mill property tax** on just 37 future homeowners, *none of whom have any say in the creation or governance of the district*. The initial control lies solely with the developer and associated consultants, a structure that invites abuse. The **Colorado Court of Appeals**, in *In re Landmark Towers Ass'n, Inc., 2016 COA 61*, held that a district formed without proper resident disclosure and participation could be invalidated due to procedural flaws and lack of transparency. In that case, property owners were burdened with tax liabilities they had no realistic way to oppose.

Further, a **2004 Colorado Attorney General Opinion (04-2)** cautioned against the use of metropolitan districts as financing arms for private development without adequate public benefit or oversight, highlighting the need for counties to exercise discretion when approving service plans that favor private interests over public necessity.

From an environmental standpoint, the plan calls for **individual groundwater wells and septic systems** but includes no hydrological assessment or mitigation strategy. With multiple new wells drawing from the same aquifer and no centralized treatment or containment plan, there is significant risk of **aquifer depletion and**

contamination from construction runoff and septic failure. These omissions are particularly irresponsible in a designated Water Supply Overlay District.

Additionally, the plan authorizes eminent domain powers, redundant services (e.g., fire, stormwater, and mosquito control), and large-scale developer reimbursements—all without required voter approval or sufficient County-level controls.

I respectfully urge the County to deny or delay this Service Plan until:

1. A full hydrogeologic impact study is completed;

2. A binding environmental protection plan is included; and

3. County policy is updated to prevent overreliance on statutory authority that courts and legal experts have flagged as vulnerable to misuse.

Douglas County residents deserve special districts that reflect **true public need, not speculative financing vehicles for private gain**.

Sincerely,

///esigned///
Matthew Jones

DJ Beckwith

From: Patrick Naper <pnaper1@gmail.com>
Sent: Tuesday, June 17, 2025 9:39 PM
To: DJ Beckwith; rllove1@msn.com

Follow Up Flag: Follow up
Flag Status: Flagged

Sundown Oaks Metropolitan District, Project No. SV2025-005

Dear Mr. Beckwith,

Here we go again! Developers come out to the east side of Douglas County and try to find ways to skirt things that protect the property owners that are already here.

There is a reason this part of the county is designated rural. There is no 'city water'. We are on well water. As you should know, the rural designation calls for minimum 5 acre lots per residence. This is to preserve the aquifers.

The aquifers are not bottomless, yet developers are constantly coming out here and proposing standard developments where a home might have a .2 acre lot. This would allow approximately 20 homes where 1 would otherwise be.

This essentially makes these people like migratory geese. They fly in, take what they want, poop all over the place, and then leave there mess for someone else to clean up.

I guarantee, if you were to come out here, and knock on doors, you wouldn't find anybody that wants this. Your job, first and foremost, is to protect the current residents of Franktown, not cater to the desires of the latest developer looking at ways to skirt the rural designation, to line their pockets.

DO NOT APPROVE THIS.

Sincerely,

Patrick Naper
245 Pin Oak Circle
Franktown, CO 80116

DJ Beckwith

From: Kristin Ryan <KRyan@care4denver.org>
Sent: Tuesday, June 17, 2025 7:59 PM
To: DJ Beckwith
Subject: URGENT - PLEASE STOP SUNDOWN METRO IN FRANKTOWN

Follow Up Flag: Follow up
Flag Status: Flagged

Hi D Beckwith,

I am extremely concerned with the news regarding a proposed metropolitan development plan that is attempting to build in the middle of Franktown. The organization is called Sundown Metro. I just learned of these horrific plans they have in which they are attempting to contaminate our water, violate the current zoning laws, and disrupt the peace that Franktown currently offers.

I understand that the land around us will be built up, but I want to keep to the current zoning regulations as is which is set at 5 acres plus. We are all on the Upper Dawson water supply and this decision to allow this company to proceed with these plans would destroy the future of Franktown. Colorado is known for the West and the open land and beauty. Homes on land lots add the most value as opposed to just being another suburb, city, or Denver. With greedy developers with plans such as Sundown Metro, it brings more people, more damage, followed by more problems to come with it, which will require more resources (such as police etc.) while simultaneously taking away valuable resources like natural land, trees, wildlife, etc. Please put an immediate stop to this to protect the negative impact on the current high value that Franktown has to offer.

Value comes from being different than just another suburb, metropolitan city, or place like Denver. What is sold with the 5 acres and up IS Colorado (the thought of it), the West, peace, quiet, nature, wildlife, beauty, and the like. That is what gets sold. That is what people pay for. Something different than what would be considered the norm. Please focus on the high value based on improved wildlife, environmental, and custom homes. Not concrete sprawl. If more housing is needed build up, not out, or at least better managed.

If you have any questions or would like more information on this topic to stop Sundown Metro, please do not hesitate to contact me at 720-291-9568.

Kristin and Mathew Ryan
Franktown Homeowners

Kristin Ryan, MSN, RN | The Denver Hospice
Clinical Manager Inpatient Care Center & South Team
303.780.4600 Main | 720-291-9568 Mobile
Amy Davis Support Center
8289 E. Lowry Blvd | Denver, CO | 80230

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DJ Beckwith

From: Julie Warhola <juliemwarhola@gmail.com>
Sent: Monday, June 16, 2025 8:54 AM
To: DJ Beckwith
Subject: Sundown Metropolitan District Franktown SV2025-005

Good morning!

We are writing to oppose the proposed Sundown metropolitan district. This proposal contradicts the zoning and the rural nature of Franktown. This community will significantly affect water, noise and traffic in our area and ask that the county does not allow this proposal to pass.

Sincerely,

Dan and Julie Warhola
8682 Burning Tree Drive
Franktown, CO 80116

DJ Beckwith

From: Marlin <mweikum@gmail.com>
Sent: Monday, June 16, 2025 9:37 PM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District Application (Project: SV2025-005)

Follow Up Flag: Follow up
Flag Status: Flagged

Mr Beckwith,

My name is Marlin Weikum. I have lived at 1442 Columbine Dr. Franktown, CO 80116 for over 35 years. I am emailing you in reference to the Sundown Oaks Metropolitan District application, "Project: SV2025-005" which I just became aware of while reading about it on the county's website. I have a few concerns I would like to make you aware of related to this project.

Having my residents attached to the Upper Dawson aquifer makes me concerned with the proposal of using the Upper Dawson for this project and then expecting to augment it with water from the Laramie Fox Hills aquifer to meet water requirements. My understanding is Laramie Fox Hills water is toxic so I would suggest a complete study specifically tied to this application be required to make sure all appropriate options are followed before, during and after development of the project.

I also think it would be appropriate to not allow any lots for this project to be less than the 5 acre as recommended by Douglas County Planning for rural residential zoning. All residences near this development follow that zoning. This would control the number of wells needed and also up the number of lots that could use normal rural sewer systems and eliminate corner cutting when a designed sewer system might be required. Reading the application I believe it requires both a well and sewer to be paid for and supported by a lot's owner.

Finally, and this may be premature to mention at this time, I am a bit concerned, after an initial reading of the application, where relationships between the district and developer are discussed, how the language is not very specific. I see not being more specific could lead to bigger issues as already experienced by previously approved Metropolitan Districts. If this project is to go through I would hope the developer, new district owners, county administration, as well as other Douglas County residents would desire to see a vibrant, stable district developed that would remain a strong asset of Douglas County for a long time to come.

Thank you for your time,

Marlin Weikum

DJ Beckwith

From: Rebecca Bowles <beckyhbowles@gmail.com>
Sent: Sunday, June 15, 2025 5:45 PM
To: DJ Beckwith
Subject: Proposed Development in Franktown

Attention Dbeckwith,

I am writing to you against the proposed new Metropolitan District in Franktown. There are multiple reasons why. First of all, it does not follow the Franktown area zoning which is currently 5 acres per residence. Secondly, it goes against the idea of having a "rural" area in Douglas County such as we are currently, here in Franktown. People moved here for that reason, and if we wanted a metropolitan district we would have moved to one nearby, like Parker, or Castle Rock. We fought hard to preserve the rural area and they agreed to allow it years ago.
We already fought the town of Elizabeth when they attempted to annex into Douglas County along highway 86, and take our water rights, and now we are fighting suburban sprawl with our own County Commissioners!

Another very important reason is that we already are stretched thin in water provisions, there is no guarantee that we have water to support this many people from the Upper Dawson, and using the Fox HIlls aquifer, which is toxic, just means they will use more of the Upper Dawson water.

Needless to say, traffic congestion is already dangerous.

We don't want big metropolitan areas overtaking our rural area and making decisions that impact all of us -and many times they are not financially sound.

I graduated from Douglas County High School and taught for the district 25 years, and I have witnessed the uncontrolled sprawl of Douglas County. I refuse to see Franktown become a "Highlands Ranch" type of environment, and we will fight it to the end.

Please, please do not allow the Metropolitan District to be approved in Franktown.

Rebecca Bowles
303-913-6642
138 S White Tail Dr.
Franktown, CO 80116

DJ Beckwith

From: James Mcardle <jm80126@yahoo.com>
Sent: Sunday, June 15, 2025 7:02 AM
To: DJ Beckwith
Subject: sundown oaks metro district project SV2025-005

We are completely opposed to this project in Franktown that will further deplete the Upper Dawson and not conform to the surrounding area Franktown. Purely urban sprawl which will impact everyone's quality of life. If this is allowed to go forward, at minimum, surrounding wells just beyond the development with select wells beyond must be monitored for a reduction in water level. The owners must then be compensated at no cost to the owners. All impacts of this development to existing services requiring expansion must be paid for by the developer, not the rest of the citizens of Franktown, or Douglas County , for that matter.

Thank you for considering this protest against proceeding with approval of this development.

James and Mary McArdle, 686 Red Deer Road, Franktown, Colorado

DJ Beckwith

From: Scott Lindberg <scott@lindberg.us>
Sent: Saturday, June 14, 2025 10:25 AM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District, Project No. SV2025-005

Dear Douglas County Planning Department,
I am writing to express my opposition to the proposed Sundown Oaks Metropolitan District, Project No. SV2025-005. This proposal raises numerous concerns that directly threaten the rural character, environmental sustainability, and long-term financial well-being of the Franktown community.

1. Lot Sizes and Zoning Violations
The development does not adhere to the current zoning requirement for a minimum of 5 acres per residence in the Franktown area. This requirement exists to preserve the rural nature of our community and to protect essential resources—particularly water. Approving this project would set a dangerous precedent for overriding established land-use regulations in favor of high-density development that is incompatible with Franktown's identity.

2. Metropolitan District Concerns
The creation of a Metropolitan District in the heart of Franktown is deeply troubling. These districts have become notorious across Colorado for placing enormous taxing and governance power in the hands of developer-controlled boards. Too often, residents are left with long-term financial burdens and little recourse. Franktown must not be the next victim of a system that puts developer profits above community interests.

3. Critical Water Issues – Use of Upper Dawson and Laramie Fox Hills Aquifers
The Upper Dawson is already under significant stress, and further depletion risks long-term sustainability for the current residents of Franktown. The Laramie Fox Hills aquifer is known to be of concern for the issues below and would require careful testing and appropriate treatment before use—especially for drinking or augmentation purposes.

Laramie Fox Hills aquifer

- It often has **high mineral content** (TDS, sulfate) that may affect palatability and requires treatment.
- It occasionally contains **radon** or **trace contaminants** in small percentages.
- **Deeper zones** can yield **hot, sulfur-rich water** that is undesirable for drinking without treatment.

In summary, this project is wholly inconsistent with the values, zoning standards, and environmental protections that Franktown residents have long fought to uphold. I urge the County to reject Project No. SV2025-005 in the interest of protecting our land, our water, and our community.

Scott Lindberg
Mobile: 720-394-3308
2241 Burnt Oak Drive, Franktown, CO 80116

DJ Beckwith

From: Ginney <hkakita1@gmail.com>
Sent: Saturday, June 14, 2025 11:18 AM
To: DJ Beckwith
Subject: Community Development Special District Service Plan - New Service Plan (SV2025-005)

Dear Sirs:

In regard to:

- Special District Service Plan - New Service Plan (SV2025-005)

There are a number of reasons we oppose this project before the Douglas County Planning Commission. First, the proposed lots will not all be 5 acres per residence as required in the Franktown area zoning right now. And, second and probably the worst is that they are proposing a Metropolitan District in the middle of Franktown. These Metropolitan Districts are causing financial problems, and other problems, all over the state. Additionally, they are proposing
to use the Upper Dawson and water from the Laramie Fox Hills aquifer to augment that use of the Upper Dawson. To be clear the Laramie Fox Hills water is toxic. Lastly, the last Metropolitan District proposed to supply water for a development in Franktown, the developer's proposed expense was no where near the correct or actual cost. Developers have a habit of proposing projects knowing it isn't Douglas Counties Planning Commission responsibility to ensure
whether the criteria submitted is accurate. They simply do not have the manpower to do so or they would because it's the last thing the County needs is to have to take on expense that should have been the developers.

In numerous meetings before the Planning Commission as well as the County Commissioners the FCCII provided detailed facts as to why such a development in Franktown was and should again be denied. Over the years conditions in Franktown
have not changed except for significant increase in expense to build a Metropolitan District, provide the teachers and class rooms for children, or build the roadways to accommodate additional traffic.

Please stop this project before it goes any further.

Thank you,

Robert and Virginia Regan
101593 Pine Valley Drive
Franktown, CO

DJ Beckwith

From: jackson action <arcticf72003@yahoo.com>
Sent: Thursday, June 12, 2025 12:06 PM
To: DJ Beckwith
Subject: SV 2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

Couldn't be more against this. Aquifers are not infinite, you people need to stop before you screw up everyone's water supply.

Sent from Yahoo Mail for iPhone

DJ Beckwith

From: Adam Rosenberg <adamr60@hotmail.com>
Sent: Thursday, June 12, 2025 5:57 AM
To: DJ Beckwith
Subject: Sundown Oaks Metro District proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

I would like to formally object to the proposed Sundown Oaks Metro district—with specific concern for the 2ac lots proposed in the plan. Maintaining low-density growth, with a minimum of 5ac lots, is in the best interest of long-term water supply for residents in Franktown.

As a long-time resident of Franktown and reliant on Upper Dawson water for my home and property, I have an acute concern for over-utilization of this finite resource.

Thank you for your consideration.

Adam

Adam Rosenberg, DVM
720-840-3243 M

DJ Beckwith

From: Theresa Derrick <tderrick2006@yahoo.com>
Sent: Wednesday, June 11, 2025 5:38 PM
To: DJ Beckwith
Subject: Sundown oaks

Follow Up Flag: Follow up
Flag Status: Flagged

Do not use upper Dawson water. There are too many houses on this aquifer. I oppose this subdivision because franktown is a rural community

Yahoo Mail: Search, Organize, Conquer

DJ Beckwith

From: Joe Call <frcall3rd@gmail.com>
Sent: Tuesday, June 10, 2025 9:34 AM
To: DJ Beckwith
Subject: Sun Oaks Metro District Project Number SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

As residents of Douglas County and Franktown, my wife and I oppose the Sun Oaks Metro District Project. We are concerned about the effects on water and overdevelopment. We do not believe that lots smaller than five acres is in keeping with the Douglas County Master Plan for Franktown.

Sincerely,
Fred R. Call III
Commander, US Coast Guard, Ret.
5311 Fox Glen Ct, Franktown, CO 80116

DJ Beckwith

From: Diane Gray <DianeGrayCO@outlook.com>
Sent: Monday, June 9, 2025 4:10 PM
To: DJ Beckwith
Subject: Proposed project at E. Tanglewood Rd and Burning Tree Drive in Franktown.

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Madam/Sir,

I'm emailing you to express my concerns about the proposed project at E. Tanglewood Rd and Burning Tree Drive in Franktown. This project would have a direct impact on the quality of life that I have enjoyed in the rural area of Douglas County.

Thank you for considering my input, and I appreciate the work that you do to consider the community's interest

Regarding the proposed project at E Tanglewood and Burning Tree, I have several reservations.
Metropolitan Districts have a history of financial and other problems and are run by and for the benefit of the developers and not necessarily the residents. Metropolitan districts in Colorado, while intended to finance infrastructure, have faced challenges including escalating debt, conflicts of interest, and concerns about transparency and accountability. a big concern that I have is that the Metropolitain District may override the planning board and potentially be in violation of the current zoning rules of a minimum of five acres.

The project would increase traffic on Hwy 86 which is already seeing large traffic increases.
It would also further strain the limited resources of the upper Dawson.
In addition school resources including teachers and classrooms are already strained with the growth in the area.

In summary, I urge you to reject the project and the establishment of a metropolitan district due to these significant concerns.

Thank you for considering my perspective

Diane Gray

9694 Desert Paint Brush Ct
Parker CO 80134
303-646-7090

Get Outlook for iOS

DJ Beckwith

From: Benjamin Larrabee <benlarrabee@gmail.com>
Sent: Monday, June 9, 2025 3:41 PM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir,

I'm emailing you in regards to this proposal to which I'm adamantly opposed. Metropolitan Districts have a history of financial and other problems and are run by and for the benefit of the developer not the residents. Metropolitan Districts in Colorado, while intended to finance infrastructure, have faced challenges including escalating debt, conflicts of interest, and concerns about transparency and accountability. The Metropolitan District would override the planning board and be in violation of the zoning rules for a minimum of five acres. The project would increase traffic on Hwy 86 and further strain the limited resources of the Upper Dawson aquifer.

For these reasons, I urge you to reject this project, particularly regarding the establishment of a metropolitan district.

Benjamin Larrabee
I lead people to true identity, through reckless love and contagious encouragement.
The state of our lives is a direct result of choosing to love.

DJ Beckwith

From: Roger Loeb <rog1loeb@gmail.com> on behalf of Roger Loeb <roger@martech.com>
Sent: Tuesday, June 10, 2025 1:35 PM
To: DJ Beckwith
Subject: RE: Sundown Oaks Metropolitan District, Project no. SV2025-005

Dear Mr. Beckwith,

I am writing to voice my strong opposition to the proposed Sundown Oaks Metropolitan District.

Metropolitan Districts shift all the risk and financial burden of subdivision development from the developer onto the future property owners. There are way too many sad stories of people being forced from their homes by excessive property taxes, and there are numerous Metropolitan Districts where the indebtedness far exceeds the value of all the real estate. Legislative attempts to "level the playing" field have been largely defused by well-paid lobbyists and generous campaign contributions.

This specific plan includes an lengthy list of services to be provided without explaining why or how. Providing TV service is ridiculous with the popularity of streaming, but Internet service, now critical, isn't mentioned. A fire department for 37 homes would be expensive to operate, and the area is well-served by Franktown Fire. I question the need for a sewer service in an area where septic systems are common. Without understanding the topology of the property, I cannot understand the need for storm drains. I won't bore you with further observations on this ridiculous service plan that probably cannot be provided within the stated maximum mil levy.

Separately, it's questionable whether Upper Dawson water is sufficient for this number of homes in the limited area. At the very least, the developer should be required to adhere to a minimum lot size of five acres.

I also question the location of such a development adjacent to properties where the dense woods are a key feature. It doesn't seem like the proposed development is consistent with the existing neighborhood.

Thank you for representing all the residents of Douglas County in this matter.

Rog

--
Roger Loeb
President & CEO
The MarTech Group, Inc.
4673 Moonshine Ridge Trail
Parker, CO 80134
(720) 244-8233
roger@martech.com

DJ Beckwith

From: Esther Long <anedlong@icloud.com>
Sent: Monday, June 9, 2025 11:23 AM
To: DJ Beckwith
Subject: Sundown Metropolitan District Project #SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

Surely, you are kidding!!! What is wrong with keeping rural land in parts of Douglas County? Franktown doesn't need a metropolitan district. They have enough water problems with everyone being on five acres. Housing developments are already infringing along Parker Road which are going to cause horrible traffic problems. I live in The Hills of Bayou and we have a life- style we love and we want to keep it that way. I can't imagine a housing development in Franktown. Please build it someplace else.

Esther D. Long
4959 Bayou Hills Road
Parker, CO 80134

DJ Beckwith

From: Carol Schultz <carolbschultz@protonmail.com>
Sent: Monday, June 9, 2025 12:59 PM
To: DJ Beckwith
Subject: Sundown Oaks metro district

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir, I'm emailing you in regards to this proposal to which I'm adamantly opposed. Metropolitan districts in Colorado, while intended to finance infrastructure, have faced challenges including escalating debt, conflicts of interest, and concerns about transparency and accountability. It would override the planning board and be in violation of the zoning rules of a minimum of five acres. The project would increase traffic on Hwy 86 and further strain the limited resources of the upper Dawson. For these reasons, I urge you to reject this project particularly regarding the establishment of a metropolitan district.

I do want to point out that this is done for the developers and NOT the residents of the county. I'm sick to death of every new development saying there's plenty of water. This county is one of three in the state running out of water. And a plan by the moron commissioners to steal water from someplace else in CO is just an abomination. It's time to have them sign waivers that they will be the first to have their own water cut off when there's too little to go around.

I moved here over 20 years ago and can't even stand it anymore.

Carol B Schultz
Home: 303-805-7635
Cell: 303-917-5554

DJ Beckwith

From: kathy.sullivan@myyahoo.com
Sent: Tuesday, June 10, 2025 5:04 PM
To: DJ Beckwith
Subject: re: Sundown Oaks Metropolitan District, Project no. SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern,

I'm emailing you in regard to the Sundown Oaks Metropolitan District, Project no. SV2025-005 proposal to which I'm opposed. Metropolitan Districts have a history of financial and other problems and are run by and for the benefit of the developer not the residents.

Metropolitan districts in Colorado, while intended to finance infrastructure, have faced challenges including escalating debt, conflicts of interest, and concerns about transparency and accountability. It would override the planning board and be **in violation of the zoning rules of a minimum of five acres**. The project would increase traffic on Hwy 86 and further strain the limited resources of the upper Dawson acquifer. It also impedes on the rural way of life that those of us living in this area hold near and dear and why we have chosen to live in this area specifically.

For these reasons, I urge you to reject this project particularly regarding the establishment of a metropolitan district.

Kind regards,

Kathy Sullivan
4210 Bayou Hills Road
Parker, CO 80134
303-246-4052

DJ Beckwith

From: Flash5219 <flash5219@yahoo.com>
Sent: Monday, June 9, 2025 9:58 AM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District, Project no. SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir,

I'm emailing you in regards to this proposal to which I'm adamantly opposed. Metropolitan Districts have a history of financial and other problems and are run by and for the benefit of the developer not the residents. Metropolitan districts in Colorado, while intended to finance infrastructure, have faced challenges including escalating debt, conflicts of interest, and concerns about transparency and accountability. It would override the planning board and be in violation of the zoning rules of a minimum of five acres. The project would increase traffic on Hwy 86 and further strain the limited resources of the upper Dawson.

For these reasons, I urge you to reject this project particularly regarding the establishment of a metropolitan district.

Sincerely, William Davenport

Audit raises questions about financial health of Colorado metro districts
coloradonewsline.com

DJ Beckwith

From: Skip Johnson <skip.johnson@live.com>
Sent: Monday, June 9, 2025 9:59 AM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District

Follow Up Flag: Follow up
Flag Status: Flagged

I am a long term resident in Franktown. Actually a third generation native as well. I am writing to you in opposition of the proposed Metropolitan district. Please do not proceed with this inappropriate development.

Lloyd W Johnson (Skip)

DJ Beckwith

From: cokeiths@aol.com
Sent: Monday, June 9, 2025 9:17 AM
To: DJ Beckwith
Subject: Sundown Oaks Metro District

Follow Up Flag: Follow up
Flag Status: Flagged

To: Douglas County Principal Planner and Planning Group

DJ -

Our family moved to DougCo in 1996. We chose the area because a comprehensive comparison of all ratings and attributes pushed it to the top of the greater Denver area. We've lived in the South Pinery, East Parker, owned on Hilltop and are now in Franktown (Bannockburn). We are jealous of the Franktown development concepts and wish to keep the large tract limits in place. The minimum five-acre parcel concept is THE MOST IMPORTANT factor in property values.

We understand that Sunset Oaks is a proposed development that may have smaller lot sizes. The idea of a Metropolitan District is also troubling, as it brings uncertainty to local governance and compliance and may be independent and therefore not beholden to our local development statutes.

I urge you to keep Franktown "rural." Please ensure developers maintain the 5-acre minimum and keep our local jurisdiction format - no Metropolitan Districts, please.

Thank you for your consideration and thank you to you and your group for keeping the "feel" of our corner of DougCo (large lots). We LOVE our Franktown Rural Community!

Very respectfully,
Walt and Jenny Keith
2351 Frontier Ln
303.726.5433

DJ Beckwith

From: GENE R TAYLOR <porkyboy40@aol.com>
Sent: Monday, June 9, 2025 10:17 AM
To: DJ Beckwith
Subject: Franktown Metropolitan District

Follow Up Flag: Follow up
Flag Status: Flagged

We are totally opposed to this proposal. Gene and Sharron Taylor Sent from my iPhone

DJ Beckwith

From: Tamara Thiess <tamarathiess@gmail.com>
Sent: Monday, June 9, 2025 10:52 AM
To: DJ Beckwith
Subject: Against: Sundown Oaks Metropolitan District, Project no. SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

Hello!
We live at 8480 Burning Tree Trail, Franktown, CO 80116. We strongly oppose the Sundown Oaks Metropolitan District, Project no. SV2025-005. This proposal for a Metro District is a bad idea. I'm a Realtor and I have seen the financial problems that these Metro Districts cause for both sellers and buyers along with the difficulty that sellers have selling their homes simply because they are in a Metro District.
Also, this proposal to use the Upper Dawson water and using water from the Laramie Fox Hills
Aquifer to augment that use of the Upper Dawson is a very poor plan.The Laramie Fox Hills water is toxic! Please do not let this happen!
--

Tamara Thiess
REALTOR®, SRES®, RENE, NAR, CAR
M: **720-318-7146** - feel free to text me!
Keller Williams Real Estate, LLC

Security Warning: I will never send wiring instructions via email.

Before you wire money, call me!

DJ Beckwith

From: Ray Deichsel <rldeichsel@gmail.com>
Sent: Sunday, June 8, 2025 2:02 PM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District Project number SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

We are totally against the above project. This project will have a devastating effect on Franktown. It will ruin the Quality of life, drain our water source (aquifer), destroy the water quality by mixing the Laramie Fox Hills Aquifer with the Upper Dawson and other negative issues plus putting in place a Metropolitan District, which will have far reaching financial and other issues for the county and the folks who call Douglas County their home.

Please don't go down this road. Please vote against this albatross.

Ray and Liz Deichsel, Franktown residents.

DJ Beckwith

From: Lynda Dirkse <lynda.dirkse@gmail.com>
Sent: Sunday, June 8, 2025 12:32 PM
To: DJ Beckwith
Subject: Sundown Oaks proposal

Follow Up Flag: Follow up
Flag Status: Flagged

We are long time residenrts who appreciate the master plan that preserved open areas and riral decelopment in Douglas County. This proposed development is not in keeping with that plan or any existing developments that preserve the rural nature we have and enjoy. Please do not allow this high density development that also puts our wells at risk. Douglas County is known as one of the best counties in the nation but that will not be the case when we allow it to become just another metropolitan area with all the provblems that will bring.

Lynda and David Dirkse

DJ Beckwith

From: Comcast <james_goar@comcast.net>
Sent: Sunday, June 8, 2025 9:10 PM
To: DJ Beckwith
Subject: Opposition to the Formation of a Metropolitan District in Franktown

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Commissioners,
As a **Colorado native** and a **new resident of Franktown**, I am writing to express my strong opposition to the formation of the **Sundown Oaks Metropolitan District**. I moved to Franktown because it represents something rare and deeply meaningful: open land, quiet skies, a deep connection to nature, and a community governed by County Rule—where residents, not developers, shape the future.
This place still feels like Colorado. It feels like what much of the Front Range has lost. And I fear that with the approval of this metropolitan district, we stand to lose it here too.

Our Water Supply Is Not Built for This

Franktown relies on ancient aquifers for its water—closed systems that recharge extremely slowly. With no access to large-scale renewable surface water sources, increased development like that proposed under the Sundown Oaks Metropolitan District would dramatically strain our already fragile water supply.
The wells that sustain families, livestock, and native vegetation cannot support the added demand that dense development brings. Over-pumping would lead to long-term depletion that can't be undone. Water scarcity is not a hypothetical problem here—it is a very real and growing threat.

Open Spaces Are Part of Our Identity and Our Ecosystem

One of the primary reasons I chose Franktown is for its wide open spaces. These are not just pretty views—they are living, breathing ecosystems. They provide habitat for deer, foxes, hawks, pollinators, and countless other species. They also serve as buffers for stormwater, help recharge aquifers, and offer protection against wildfires and erosion.
Development under the Sundown Oaks Metropolitan District would carve up these spaces irreversibly, breaking natural corridors and damaging the ecological balance of the area. The land here is fragile, and once it is disturbed, the damage is permanent.

Light Pollution Will Diminish Wildlife and Our Quality of Life

Franktown's dark skies are one of its quiet gifts. They connect us to the natural world—and to the night. But artificial lighting from roads, buildings, and increased traffic associated with metropolitan districts like Sundown Oaks will pollute that darkness.
This will disrupt migratory patterns, reproduction cycles, and feeding behavior in birds, insects, and mammals. It will also affect human residents—reducing sleep quality, increasing stress, and taking away one of the last places in this region where you can look up and truly see the stars.

Fragmented Land Brings Public Health and Disease Risk

Development that cuts into natural habitats brings unintended consequences—like an increase in ticks, mosquitoes, and the diseases they carry. When animals are pushed into smaller spaces and into closer contact with people, the risk of

zoonotic disease transmission grows. This has been seen in other rapidly suburbanized areas and should not be ignored here.

We Moved Here for County Rule and Self-Determination

One of the defining reasons I chose Franktown over other places was County Rule. I wanted to live in a place where community values come before unchecked growth—where people choose to protect land and water instead of paving it over. A metropolitan district like Sundown Oaks goes directly against that.
It shifts control away from residents and toward developers. It opens the door to dense, unsustainable expansion that will fundamentally alter the soul of this town. That's not what we moved here for.

In Closing

I came to Franktown for the land, the peace, and the values it represents. I'm proud to be a new member of this community, and I feel a deep responsibility to help protect it.
Please do not approve the Sundown Oaks Metropolitan District. It would irreversibly damage the water, land, wildlife, and character of this unique part of Colorado. Franktown deserves better. It deserves to remain what it is—a place where the land still comes first.
Thank you for your time and for hearing the voices of those who love this place.
Sincerely,
Ashley Goar and the Goar household
Residents of Franktown and
Native Coloradan

Sent from my iPhone

DJ Beckwith

From: Hugh Kingery <ouzels8@aol.com>
Sent: Sunday, June 8, 2025 4:00 PM
To: DJ Beckwith
Subject: Sundown Oaks Metro District

Follow Up Flag: Follow up
Flag Status: Flagged

I object to this expansive proposal.

It fails to follow our existing standards of lot size. It will gobble up more of our water, and apparently tap a toxic water source.

Hugh Kingery

DJ Beckwith

From: Kathi Maddox <kathi.maddox@outlook.com>
Sent: Monday, June 9, 2025 8:12 AM
To: DJ Beckwith
Subject: Franktown development

Follow Up Flag: Follow up
Flag Status: Flagged

Please do not let this large development happen in Franktown that supercedes 5 acre housing. We are already way overrun by water supply and traffic—--concerned homeowner in bayou hills—--kathi madddox 4715 bayou hills rd parker co. 303 489-2348 -thank you for this consideration.

DJ Beckwith

From: Dorothy Nelson <dorodon@att.net>
Sent: Sunday, June 8, 2025 7:54 AM
To: DJ Beckwith
Subject: Metropolitan District development in Franktown, Colorado

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

As a long time resident of Franktown, I am OPPOSED to this Metropolitan Development !
As an older citizen, I am distressed over the continual disruption of our lives and our state.
PLEASE, do not allow this to happen!
Thank you,
Dorothy Nelson
Sent from my iPhone

DJ Beckwith

From: William Paxton <willpaxton@hotmail.com>
Sent: Sunday, June 8, 2025 8:23 AM
To: DJ Beckwith
Subject: TOTALLY OPPOSE : Sundown Oaks Metropolitan District, Project no. SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

Please accept this email as our opposition to the Sundown Oaks development.

This rampant rubber stamping of these developments must stop. The water will never support this and it's totally irresponsible for you to allow it to happen.

Not only this but being a Metro District will subject all the property owners to a never-ending financial obligation (most buyers will NEVER know about it until it's too late) they will never be able to get out from under.

All this does is make the developers rich on the backs for future homeowners.

DO THE RIGHT THING AND STOP THIS NOW!!!!

W.P.

DJ Beckwith

From: David Price <dkp1960@gmail.com>
Sent: Sunday, June 8, 2025 8:21 AM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Beckwith,

I am contacting you in strong opposition to the proposed development called Sundown Oaks Metropolitan District, Project no. SV2025-005 This is a large development with a Metropolitan District and lots which will not all be 5 acres per residence as required in Franktown area zoning.

A large METROPOLITAN DISTRICT in the middle of Franktown goes completely against the protected rural character of the city! Metropolitan Districts are causing financial and other problems throughout the state!

This development also proposes using Upper Dawson water and using water from the Laramie Fox Hills aquifer to augment that use of the Upper Dawson. Laramie Fox Hills water is toxic and the Upper Dawson is being drained at an alarming rate.

There are many other problem/issues with this development.

Please protect the quality of life of your Franktown constituents by ensuring this development does not come to fruition.

Thank you for your careful consideration of this matter.

David Price
2290 Deerpath Road
Franktown, CO 80116

DJ Beckwith

From: justwrite123 <justwrite123@aol.com>
Sent: Sunday, June 8, 2025 8:18 AM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District, Project no. SV2025-005

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Beck with,

I am contacting you in strong opposition to the proposed development called Sundown Oaks Metropolitan District, Project no. SV2025-005 This is a large development with a Metropolitan District and lots which ***will not all be 5 acres per residence*** as required in Franktown area zoning.

A large METROPOLITAN DISTRICT in the middle of Franktown goes completely against the protected rural character of the city! Metropolitan Districts are causing financial and other problems throughout the state!

This development also proposes using Upper Dawson water and using water from the Laramie Fox Hills aquifer to augment that use of the Upper Dawson. Laramie Fox Hills water is toxic and the Upper Dawson is being drained at an alarming rate.

There are many other problem/issues with this development.

Please protect the quality of life of your Franktown constituents by ensuring this development does not come to fruition.

Thank you for your careful consideration of this matter.

Julie Price
2290 Deerpath Road
Franktown, CO 80116

Sent from my T-Mobile 5G Device

TO: Dbeckwith@douglas.co.us

RE: Sundown Oak Metropolitan District

https://apps.douglas.co.us/planning/projects/Default.aspx?PossePresentation=SpecialDistrictServicePlanJob&PosseObjectId=98354579

FROM: David Tomsick
9379 Tanglewood Road
Franktown, CO 80116
dtomsick@communiquemarketing.com

I am writing to oppose the ***Sundown Oak Metropolitan District*.**

I live at 9379 East Tanglewood Road in eyeshot of the proposed district. Let me say, I have no opposition to the proposed area being divided up, as long as each lot meets the minimum 5 acre requirements for the area.

Here are my reasons for opposing this proposed district:

1. Proposed lots are under 5 acres. The Bannockburn area was developed in the ***1980s***. The property sites in Bannockburn range in size from 5-10 acres and many of them feature equestrian facilities such as barns, outbuildings, horse fencing, and corrals. The characteristics of this community in which I and my neighbors should not be changed as described in this proposal.

2. According to the proposal, "The purpose of the District is to provide public improvements and services for the benefit of all anticipated inhabitants and taxpayers of the District, either within or without its boundaries..."

   I strongly oppose changing anything outside this proposed area, especially allowing this proposed district control over any previously built communities in the area.

3. According to the proposal, "It is anticipated that the District's boundaries may change from time to time as it undergoes inclusions and exclusions pursuant...

   Does that mean that neighbors in the area are at risk of being absorbed by the district and being required to pay the districts fees, taxes and possibly debt? See the article below on the Meadows District in Castle Rock.

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4. According to the proposal, “To have and exercise the power of eminent domain, but only as necessary to construct, install, access, relocate or redevelop the public improvements identified in this Service Plan in the locations shown in Exhibit.

   The power of eminent domain scares me. Who decides? The developer? How can a developer or a newly created “District” be given so much power as to affect citizens who have lived in homes that were built decades before?

5. The owner of this property has continually proposed questionable development for this property over the past 10 years in which he has put forth plans with little regard for his neighbors.

6. Here’s the best reason for not allowing the development is this article: I have yellow highlighted the key points, the most important being… A metropolitan district empowers developers. ***It's like a lifetime annuity that pays out, guaranteed by the most secure source of revenue you can imagine -- taxes***:

   ## The largest neighborhood of this Colorado city is $434M in debt. Neighbors are now seeking board control.

   Olivia Young, Updated on: February 28, 2025 / 1:49 PM MST / CBS Colorado

It's Castle Rock's largest neighborhood. But many of its residents likely don't know they're paying more than some neighboring communities in taxes. The Meadows is a master-planned community located south of U.S. 85 and west of Interstate 25 in Castle Rock.

A CBS News Colorado investigation is taking a closer look at the community's metro districts and the bond debt that homeowners' taxes are paying.

If you've checked your mailbox recently, you may have found your property tax bill. If you live in The Meadows, you'll see how much you paid your metro district. But where is that money going?

"I've been looking into it for about five years," said Jim Garcia, Meadow’s resident, and real estate agent. Garcia started digging and learned his community was hundreds of millions of dollars in debt to pay off roads built decades ago. "The numbers just didn't add up," Garcia said.

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According to the Meadows metro districts, they issued $70 million in bonds in 1989 to finance roads and infrastructure in the community. That debt was to be paid by neighbors to the developer through property taxes.

In 1993, the bonds were restructured when a new developer took over and capped the property tax rate at 35 mills. "It should have been paid off years ago, and now we have years to go to pay it off," Garcia said.

In 2023, the Districts collected nearly $14 million from homeowners in property taxes, plus over $1 million in car registrations. But despite that revenue, the debt increased by more than $20 million that year.

"So where is all the money going that these residents have been paying for decades?" CBS Colorado's Olivia Young asked John Henderson.

"I believe it's all going to the developers. It's like a lifetime annuity that pays out, guaranteed by the most secure source of revenue you can imagine -- taxes," Henderson responded.

Henderson helped found Coloradans for Metro District Reform. He says The Meadows is the "poster child" for metro district abuses.

“They can't begin to meet the interest payments that are due. So, under the bond agreement that the developers wrote for themselves, the residents can't pay the interest that's due that year, so the unpaid interest continues to be due, plus interest," said Henderson. "It's structured so that the residents will never, ever be able to pay it off. And so, the debt is everlasting."

Henderson has spent years advocating for legislation to reform metro districts and increase oversight. "There's no check and balance at the state level. There's no check and balance at the city/county level," said Henderson.

He says a bill, HB25-1079, recently passed the committee in the Colorado General Assembly that would give the Independent Ethics Commission jurisdiction to hear complaints related to special district officials or employees. Henderson says previous attempts to pass state laws like this have been "buried" in the appropriations committee.

The Meadows is split into seven different metro districts that all share the debt. Each one has its own board. District 4 is the master district, while District 1 is the only one that is controlled by residents.

The same [board] names appear over and over again on Boards 2-7, all tied to the parent company of the current developer. Meeting records indicate the board meets at the development company's offices.

"What recourse do residents in The Meadows have at this point?" CBS Colorado's Olivia Young asked Henderson.

Please do not allow this developer to do the same. Remember, he has not had the interest of his neighbors when proposing development in the past.

DJ Beckwith

From: John Fritschler <jcfritschler@gmail.com>
Sent: Monday, August 25, 2025 11:13 AM
To: DJ Beckwith
Subject: Sundown Oaks Metropolitan District

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing you in opposition to the Sundown Oaks Metropolitan District. Please note that as an interested party the Two Bridges Community HOA has asked our lawyer to file a document opposing this new development.

First we greatly oppose any variation to the stated master plan that would allow for housing lots smaller than the stipulated 5 acres lots. Our community was appropriately forced to follow the requirements in the master plan with no waivers and would expect the same requirements would be applied to any new builds near our community. Our builder even after our community was finished requested additional waivers for building on the land surrounding us, which the county rightly denied. Our communities builder requests were similar to what is being requested right now. Therefore, to allow this wavier for one community and not for a neighboring community would be illogical and unethical.

Second, we agree with the concerns about additional housing units drawing from the aquifer. As it can only sustain so many gallons of water being drawn from it before having long term effects. The communities current plan of augmenting the aquifer from the Laramie Foxhill aquifer is not acceptable as the water has been proven to be not safe and could have an extremely negative affect on the water and the environment in my existing neighborhood.

Third, there's no master plan for the wildlife, which additional housing will greatly affect. In this particular area, we have several large herds of over 20 elk that live in this space as well as countless deer herds, coyotes packs, and numerous other animals. Allowing for higher density communities in the middle of this open Parkland environment for the animals will be extremely detrimental.

There's already so many high density housing community going on west of Parker Road that this area was designated as a safe zone for the animals to be able to live safely. We are seeing strong migration of animals from east of Parker Road to our open space here and to further limit their living options goes against the grain of what Douglas county is supposed to be.

We as a community don't see how small acreage high density housing fits that part of the Douglas County master plan.

Beyond this, the concept of creating a metropolitan district for community that has even less houses than ours will be very challenging in the long-term for the homeowners. With slightly over 60 houses we have found the finances and administration to be quite challenging. Luckily, we have a very active and savy group of homeowners that have been able to correct a lot of challenges that the metro district created. To have a community of half that number of houses is relatively troublesome in my mind.

Finally, the addition of this community on our single road back roads seems like it could create an additional burden that is not necessary.

Therefore we are in opposition to the Sundown Oaks Metropolitan District Sincerely

John Fritschler
3331 Arnica way

Sign and Stop the Metro District in the Sundown Oaks Development

The Issue

The proposed Sundown-Oaks Metro District serves to disproportionately benefit the developer while potentially harming existing communities and the proposed new community.

HOW?

1) TOXIC WATER:

Augmentation of our Upper Dawson aquifer is required by law because the use of the Upper Dawson affects Colorado's streams. The Metro District's chosen source for augmentation of the Upper Dawson is from a toxic water supply, the Laramie Fox Hills Aquifer (LFHA)!!
The augmentation process is not well-understood.
What you're trying to do is replace water which flows underground from the aquifer being used for your well in the Upper Dawson to one of the permanent above-ground streams (a tributary of a larger stream or river).
Water from the Laramie Fox Hills Aquifer bubbles when it comes up. It is warm. It "smells bad." It contains coal deposits, heat and bacteria which create noxious compounds in the aquifer like hydrogen sulfates and sulfides, methane, nitrites (all exceeding EPA standards), manganese, selenium, and iron. These metals and compounds can stain clothes, and corrode steel, copper, brass, silver, and many cooking utensils. Coffee and cooked food are affected. Ion bases for water softening systems are destroyed, producing black slime. Sulfates have a laxative effect on people and livestock, leading to

dehydration – a special concern for infants.
Wells to the LFHA can cost millions of dollars. In the neighborhood of the proposed Sundown-Oak Metro District, the LFHA is nearly half a mile down.
Simple dilution is not a solution. The town of Bennett had to build a multi-million dollar water treatment plant in order to use it for human consumption and then only at certain times of the year, as did two other municipalities for the same reasons.
It appears that the use of LFHA water violates the criteria and intent of the County water regulations 1806A, 1806A.02.4 (3), and 1806A.02 of 18A. The service plan for the proposed metro district on how to do augmentation leaves many important questions unanswered. Which streams would be augmented? Specifically, how would the water for augmentation be obtained?? How augmented? If simply dumped into a stream untreated, the condition of the stream (like Cherry Creek, Plum Creek, Bijou Creek) would be damaged. Cherry Creek's alluvial aquifer, for instance, is used by inhabitants of the Pinery. Wildlife exists along that entire corridor. Without augmentation, small streams get smaller – begin to dry up after losing so much of their underground supply.
Augmentation of our Upper Dawson aquifer is not a joke!

2) METRO DISTRICTS HAVE THE RIGHT OF DOMINANT EMINENT DOMAIN!

Pursuant to Colorado state law, the proposed metro district will have the power of Dominant Eminent Domain allowing it to take adjoining property OVER ANY OTHER GOVERNMENT ENTITY from existing communities. Case law has upheld the right of metro districts to take property OUTSIDE the metro district's boundaries from already existing communities for defined public uses.

3) PEOPLE IN METRO DISTRICTS PAY HIGH, DOUBLE PROPERTY TAXES PLUS OTHER FEES

Upon approval of the metro district by the County, and before any homes are built, the developer(s) elects a Board with himself and others he's picked. This Board passes a tax amount (Metro Bond Taxes) in order to pay the developer's investors and, also, sets up fee schedules to pay maintenance, lawyers' fees, etc.
All is paid by the homeowners. This is above and beyond County taxes. People who eventually buy homes in the metro district have no say. In other words, "Taxation without representation." So the developer gets paid twice: The profit from the sale of the lots and houses, and the Metro Bond Taxes paid by the homeowners to pay off what the developer borrowed. The interest is paid to the developer's investors first before any principal and it is tax free in Colorado.
The Denver Post, 6/26/2020:
"Colorado metro districts and developer's create billions in debt, leaving homeowners with soaring tax bills."

4) THERE IS NO REGULATORY OVERSIGHT ON METRO DISTRICTS

Pursuant to the Colorado Department of Local Affairs "There is NO (emphasis added) state agency or division that has regulatory oversight over metro districts."

5) METRO DISTRICTS ARE EXEMPTED FROM THE COLORADO INDEPENDENT ETHICS COMMISSION

Even though metro districts are quasigovernment entities, they have been exempted from the voter passed Amendment 41, which created the "Colorado Independent Ethics Commission" for oversight of government ethics violations.

6) METRO DISTRICTS HAVE AN INCREASED TAX BURDEN

Metro District homes ARE more challenging to sell, passing the costs of the development to the owners via Metro Bond Taxes (mill levy). Homes in the metro district will have an additional annual tax burden of potentially $20-40k above and beyond the county property tax."

7) METRO DISTRICTS MAY RELIEVE DEVELOPERS OF THE RISK OF NOT ACTUALLY SELLING THE HOMES. POTENTIAL IMPACT ON SURROUNDING COMMUNITIES

Generally, the developer is paid at the issuance of bonds, at the beginning of the process. This leaves the long term economic viability to burden the community and future homeowners alone, at the risk of the success of the development which may or may not come to fruition
If developers have bought their own debt, the developer is at risk if the homes don't sell, as there won't be sufficient tax or fee revenue to pay off the debt. If the bonds are sold to outside investment holders, the metro district may fail if there is not sufficient revenue to pay the debt. This can impact the value of homes in the district as well as the surrounding community because, by proximity, a metro district ties the value of homes in the existing adjacent communities to the promise (wager) of a successful development. Contrast this to similar developments all over Douglas County without a metro district, where the developer is incentivized to sell the homes or risk default, offering some relief to the broader community that the developer has a vested interest in selling these homes.

AS A RESIDENT OF FRANKTOWN, CO PLEASE SIGN THIS PETITION AND SHARE IT TO STOP THIS PROPOSED SUNDOWN-OAKS METRO DISTRICT IN OUR RURAL FRANKTOWN!

Sundown Oaks Metro District Petition Against SV2025-005

Name	City	State	Postal Code	Country	Signed On
Jack Shuler	Franktown	CO	80116	United States	8/17/2025
Carin Shuler	Franktown	CO	80116	United States	8/17/2025
Diana Love	Denver	CO	80219	United States	8/17/2025
Shannon Hill	Fort Worth	TX	76133	United States	8/17/2025
Debra Rich	Franktown	CO	80116	United States	8/17/2025
Kathryn Sparks	Franktown	CO	80116	United States	8/17/2025
Ilana Don	Franktown	CO	80116	United States	8/17/2025
Troy Dayton	Englewood	CO	80111	United States	8/17/2025
Herb Meighan	Franktown	CO	80116	United States	8/17/2025
Cheryl Gerger	Franktown	CO	80116	United States	8/17/2025
Monika Zajac	Denver	CO	80211	United States	8/17/2025
Frederick Pax	Franktown	CO	80116	United States	8/17/2025
Penni Raines	Denver	CO	80220	United States	8/17/2025
Jennifer Crownover	Franktown	CO	80116	United States	8/17/2025
Kimberly Adams	Denver	CO	80252	United States	8/17/2025
Korin Barr	Denver	CO	80252	United States	8/17/2025
Susana Muñoz	Madrid		28019	Spain	8/17/2025
Hyla Jenks	Aurora	CO	80011	United States	8/17/2025
Troy McCarty	Denver	CO	80252	United States	8/17/2025
Debra Jacobs	Elizabeth	CO	80107	United States	8/17/2025
Nathan Myers	Littleton	CO	80128	United States	8/17/2025
Valerie Ickes	Denver	CO	80116	United States	8/17/2025
Larry Gable	Elizabeth	CO	80107	United States	8/17/2025
Bob Speaker	Denver	CO	80221	United States	8/17/2025
Kathleen Maranto	Franktown	CO	80116	United States	8/17/2025
Mike Fairfield	CASTLE ROCK	CO	80108-9408	United States	8/17/2025
Terrance Thorpe	Franktown	CO	80116	United States	8/17/2025
Jennie Atkinson	Franktown	CO	80116	United States	8/17/2025
Doug Ostby	Franktown	CO	80116	United States	8/17/2025
Rebecca Day-Skowron	Franktown	CO	80116	United States	8/17/2025
Erin Ross	Denver	CO	80252	United States	8/17/2025
Jeffrey Collins	Denver	CO	80252	United States	8/17/2025
Marsha Peacock	Franktown	CO	80116	United States	8/17/2025
Alan Erickson	Franktown	CO	80116	United States	8/17/2025
Kasja Larson	Denver	CO	80219	United States	8/17/2025
Kathy Guertin	Parker	CO	80134	United States	8/17/2025
Kayanna Larson	Franktown	CO	80116	United States	8/17/2025
Thane Larson	Franktown	CO	80116	United States	8/17/2025
robert marks	Denver	CO	80116	United States	8/17/2025
Matthew Weippert	Elizabeth	CO	80116	United States	8/17/2025
Sarah Mitchell	Franktown	CO	80116	United States	8/17/2025

Sid Raines	Denver	CO	80206	United States	8/17/2025
Julie Lurz	Franktown	CO	80116	United States	8/17/2025
Cynthia Shelley	Elizabeth	CO	80107	United States	8/17/2025
Mary Rouse	Franktown	CO	80116	United States	8/17/2025
Brian Hutter	Franktown	CO	80116	United States	8/17/2025
Marla Mchugh	Franktown	CO	80116	United States	8/17/2025
Kasja Larson	Franktown	CO	80116	United States	8/18/2025
Frances Howell	Franktown	CO	80116	United States	8/18/2025
Jennifer Rheaume	Parker	CO	80134	United States	8/18/2025
Megan Rheaume	Denver	CO	80224	United States	8/18/2025
Zoe Naqwi	Denver	MN	80226	United States	8/18/2025
Dan Andrus	Dallas	TX	75287	United States	8/18/2025
Magdalena Reynolds	Parker	CO	80138	United States	8/18/2025
Esther Garibay	Guadalajara		44200	Mexico	8/18/2025
Ingrid De La Flor	Aurora	CO	80016	United States	8/18/2025
Charkes Howell	Orlando	FL	32837	United States	8/18/2025
Kira Piel	Denver	CO	80223	United States	8/18/2025
John Edwards	Denver	CO	80207	United States	8/18/2025
Christy Weippert	Franktown	CO	80116	United States	8/18/2025
Jody McFaul	Franktown	CO	80116	United States	8/18/2025
Leslie Albright	Franktown	CO	80116	United States	8/18/2025
Brian Burnett	Franktown	CO	80116	United States	8/18/2025
Donivan McFaul	Franktown	CO	80116	United States	8/18/2025
Dave Delgado	Franktown	CO	80116	United States	8/18/2025
Tammy Denhard	Franktown	CO	80116	United States	8/18/2025
Christian Bowman	Parker	CO	80138	United States	8/18/2025
Dino Cocea	Castle Rock	CO	80104	United States	8/18/2025
Christy Beesley	Parker	CO	80134	United States	8/18/2025
Reece Sparks	Dallas	TX	75212	United States	8/18/2025
jack hume	Denver	CO	80209	United States	8/18/2025
Karen McCracken	Franktown	CO	80116	United States	8/18/2025
John Wonsik	Franktown	CO	80116	United States	8/18/2025
Mark Winkler	Franktown	CO	80116	United States	8/18/2025
Linda Daniels	Denver	CO	80222	United States	8/18/2025
Peter Molitor	Franktown	CO	80116	United States	8/18/2025
Mark Passarini	FRANKTOWN	CO	80116	United States	8/18/2025
David Tomsick	Kailua-Kona	HI	96740	United States	8/18/2025
Tesfu Okbamichael	Denver	CO	80247	United States	8/18/2025
Dennis Smith	Denver	CO	80252	United States	8/19/2025
Axel Rickard	Denver	CO	80210	United States	8/19/2025
Tamara Thiess	Franktown	CO	80116	United States	8/19/2025
Heidi Crosby	Denver	CO	80221	United States	8/19/2025
Debra Ostby	Denver	CO	80209	United States	8/19/2025
Gabriel Martinez	Franktown	CO	80116	United States	8/19/2025

Johny Monge	Commerce City	CO	80022	United States	8/19/2025
Matthew Jones	Franktown	CO	80116	United States	8/19/2025
David Jacobs	Franktown	CO	80116	United States	8/19/2025
Malcolm Bedell	Franktown	CO	80116	United States	8/19/2025
Tamara Clark	Denver	CO	80235	United States	8/19/2025
Kris Albright	Franktown	CO	80116	United States	8/19/2025
Jeri Meacham	Denver	CO	80207	United States	8/19/2025
J. Levi Crownover	Denver	CO	80252	United States	8/19/2025
Craig Denhard	Denver	CO	80210	United States	8/19/2025
Shelby Williams	Denver	CO	80247	United States	8/19/2025
Tim Korf	Franktown	CO	80116	United States	8/19/2025
Meghan Capune	Franktown	CO	80116	United States	8/19/2025
Jake Knudsen	Franktown	CO	80116	United States	8/19/2025
Airiel Centera	Franktown	CO	80116	United States	8/19/2025
Davis Hehr	Franktown	CO	80116	United States	8/20/2025
Rachel Gubbels	Franktown	CO	80116	United States	8/20/2025
Jennifer Tilton	Franktown	CO	80116	United States	8/20/2025
Glenn Scott	Franktown	CO	80116	United States	8/20/2025
Greg Bergin	Franktown	CO	80116	United States	8/20/2025
David Dreyer	Franktown	CO	80116	United States	8/20/2025
Steve Mack	Meredith	NH	3253	Venezuela	8/20/2025
Andrew Bodette	Franktown	CO	80116	United States	8/20/2025
Scott Silverthorn	Dallas	TX	75270	United States	8/20/2025
Russell Centera	Franktown	CO	80116	United States	8/20/2025
Lora Elgin	Franktown	CO	80116-8826	United States	8/20/2025
Lola Brin	Franktown	CO	80116	United States	8/20/2025
Darrell Gettman	Castle Rock	CO	80108	United States	8/20/2025
Kathy Bondesen	Denver	CO	80252	United States	8/20/2025
Taylor Finlinson	Franktown	CO	80116	United States	8/20/2025
Jenine Hopkins	Parker	CO	80138	United States	8/20/2025
Linda Vogel	Denver	CO	80211	United States	8/20/2025
Veronica Gradney	Denver	CO	80252	United States	8/20/2025
Jason Gradney	Franktown	CO	80116	United States	8/20/2025
Rachel Warren	Franktown	CO	80116	United States	8/20/2025
Zoe Epshtein	Franktown	CO	80116	United States	8/20/2025
Kin Shuman	Franktown	CO	80116	United States	8/20/2025
Rebecca Bowles	Franktown	CO	80116	United States	8/20/2025
Stanley Gallery	Franktown	CO	80116	United States	8/20/2025
Linda Thorpe	Franktown	CO	80116	United States	8/20/2025
Sarah Thorpe	Franktown	CO	80116	United States	8/20/2025
Ron VanZandt	Franktown	CO	80116	United States	8/20/2025
Radawn Moore	Franktown	CO	80116	United States	8/20/2025
Damion Smuin	Elizabeth	CO	80107	United States	8/20/2025
Ashley Barefoot	Denver	CO	80247	United States	8/20/2025

Sue Parks	Castle Rock	CO	80109	United States	8/20/2025
Eileen Woodzell	Castle Rock	CO	80109	United States	8/20/2025
Carrie McCarter	Elizabeth	CO	80117	United States	8/20/2025
Douglas Schneider	Franktown	CO	80116	United States	8/20/2025
Christopher Royer	Franktown	CO	80116	United States	8/20/2025
Kathleen Volk	Denver	CO	80223	United States	8/20/2025
Sean Gullick	Franktown	CO	80116	United States	8/20/2025
Cathy Breaux	Franktown	CO	80116	United States	8/20/2025
Camella Gullick	Denver	CO	80211	United States	8/20/2025
Travis Sticka	Camden	NJ	8105	United States	8/20/2025
Angela Newell	Castle Rock	CO	80108	United States	8/20/2025
Anne Lang	Franktown	CO	80116	United States	8/20/2025
Margaret Beveridge	Franktown	CO	80116	United States	8/20/2025
Lawrence Means	Denver	CO	80218	United States	8/20/2025
Kayla Pound-Hankiewicz	Castle Rock	CO	80108	United States	8/20/2025
Bill Simonds	Franktown	CO	80116	United States	8/20/2025
Dawn Simonds	Franktown	CO	80116	United States	8/20/2025
Robert Webb	Denver	CO	80247	United States	8/20/2025
James and Mary McArdle	Franktown	CO	80116	United States	8/20/2025
Bernie Rehling	Denver	CO	80211	United States	8/20/2025
Ronald Grunwald	Parker	CO	80134	United States	8/20/2025
Jorge Paradelo	Castle Rock	CO	80109	United States	8/20/2025
Donald Bowie	Denver	CO	80219	United States	8/20/2025
Noreene Chen	Castle rock	CO	80104	United States	8/20/2025
John Fritschler	Franktown	CO	80116	United States	8/20/2025
Dianne Brewer	Littleton	CO	80127	United States	8/20/2025
Rod McDonald	Parker	CO	80134	United States	8/20/2025
Jeff Watson	Elizabeth	CO	80107	United States	8/20/2025
Jeff Daines	Franktown	CO	80116	United States	8/20/2025
Karen White	Elizabeth	CO	80107	United States	8/20/2025
Elisha Daines	Franktown	CO	80116	United States	8/20/2025
Daryll Montgomery	Denver	CO	80252	United States	8/20/2025
Michael Maher	Elizabeth	CO	80107	United States	8/20/2025
Kirsten Peterson	Franktown	CO	80116	United States	8/20/2025
Jesse Wallace	Castle Rock	CO	80104	United States	8/20/2025
Catherine Wilson	Denver	CO	80252	United States	8/20/2025
Dave Martin	Castle Rock	CO	80104	United States	8/20/2025
Jason Peterson	Denver	CO	80252	United States	8/20/2025
Amy Boone	Denver	CO	80220	United States	8/20/2025
Richard Simpson	Parker	CO	80134	United States	8/20/2025
Tamara Carbajal	Denver	CO	80260	United States	8/20/2025
Olga Hendrickson	Denver	CO	80207	United States	8/20/2025
MiCaela Sticka	Franktown	CO	80116	United States	8/20/2025
Laurel Levihn	Denver	CO	80252	United States	8/20/2025

Gail Segreto	Elizabeth	CO	80107	United States	8/20/2025
James Smith	Castle Rock	CO	80233	United States	8/20/2025
Steiner Robert	Parker	CO	80138	United States	8/20/2025
Vickie Mckay-Rucker	Littleton	CO	80109	United States	8/20/2025
Robert Burton	Elizabeth	CO	80107	United States	8/20/2025
Jaime Jackson	Franktown	CO	80116	United States	8/20/2025
Phuc Truong	Denver	CO	80252	United States	8/20/2025
Daniel SADLER	Denver	CO	80237	United States	8/20/2025
Renee Miller	Castle Rock	CO	80109	United States	8/20/2025
CHAD SANFORD	Denver	CO	80237	United States	8/20/2025
WENDY CALPENO	Salt Lake City	UT	84189	United States	8/20/2025
Nelson Jackson	Franktown	CO	80116	United States	8/20/2025
Dylan Settell	Parker	CO	80134	United States	8/20/2025
Joy Jensen	Castle Rock	CO	80104	United States	8/20/2025
giana Sitzes	Castle Rock	CO	80109	United States	8/20/2025
Candace Montgomery	Denver	CO	80204	United States	8/20/2025
Stefani Hajovsky	Franktown	CO	80116	United States	8/20/2025
Mardella Ganger	Castle Rock	CO	80104	United States	8/20/2025
Kathleen Arneson	Springfield	MO	65802	United States	8/20/2025
Thomas Niedergerke	Denver	CO	80211	United States	8/20/2025
Mary Crystal	Elizabeth	CO	80107	United States	8/20/2025
Donna Davis Sprinkle	Castle Rock	CO	80108	United States	8/20/2025
Lori McElhenny	Denver	CO	80107	United States	8/20/2025
CHANALYN AVILA	Denver	CO	80252	United States	8/20/2025
James Johnson	Parker	CO	80134	United States	8/20/2025
Marilyn McKeown	Boulder	CO	80305	United States	8/20/2025
Fay Norris	Castle Rock	CO	80109	United States	8/20/2025
Kevin Reynolds	Parker	CO	80134	United States	8/20/2025
Deanna Roberts	Franktown	CO	80116	United States	8/20/2025
Margaret Terry	Franktown	CO	80116	United States	8/20/2025
Michael Jolie	Franktown	CO	80116	United States	8/20/2025
Joel Wagner	Franktown	CO	80116	United States	8/20/2025
Ronald Blidar	Denver	CO	80134	United States	8/20/2025
Gregory Womeldorff	Denver	CO	80211	United States	8/20/2025
Julie Montemarano	Franktown	CO	80116	United States	8/20/2025
Alina VanZandt	Franktown	CO	80116	United States	8/20/2025
Courtney Tokarski	Franktown	CO	80116	United States	8/20/2025
Shairse Plescia	Castle Rock	CO	80104	United States	8/20/2025
Jaye Willson	Franktown	CO	80116	United States	8/20/2025
Gregory Jarboe	Elizabeth	CO	80107	United States	8/20/2025
Richard Struck	Franktown	CO	80116	United States	8/20/2025
Carol Burns	Castle Rock	CO	80104	United States	8/20/2025
Stelian Tasu	Denver	CO	80204	United States	8/20/2025
Vickie Heydman	Franktown	CO	80116	United States	8/20/2025

Jennie Atkinson	Franktown	CO	80116	United States	8/21/2025
Jeffrey Adams	Denver	CO	80202	United States	8/21/2025
Cheryl Dolan	Franktown	CO	80116	United States	8/21/2025
Karen Thompson	Franktown	CO	80116	United States	8/21/2025
Peter Locke	Denver	CO	80252	United States	8/21/2025
Julie Price	Franktown	CO	80116	United States	8/21/2025
Shannon Winter	Franktown	CO	80116	United States	8/21/2025
Randee Trouville	Franktown	CO	80116	United States	8/21/2025
Judy Linnett	Franktown	CO	80116	United States	8/21/2025
Adrienne Montgomery	Franktown	CO	80116	United States	8/21/2025
Eric Fischbach	Franktown	CO	80116	United States	8/21/2025
Ryan Winter	Denver	CO	80116	United States	8/21/2025
Stephanie Fischbach	Franktown	CO	80116	United States	8/21/2025
Randy Rosetta	Denver	CO	80207	United States	8/21/2025
Christopher Cooper	Franktown	CO	80116	United States	8/21/2025
Rebecca Realsen	Franktown	CO	80116	United States	8/21/2025
Wendy Holes	Parker	CO	80134	United States	8/21/2025
Rick Realsen	Franktown	CO	80116	United States	8/21/2025
Jennifer Horvath	Denver	CO	80220	United States	8/21/2025
Kaye Wilcox	Franktown	CO	80116	United States	8/21/2025
Roger Arndt	Franktown	CO	80116	United States	8/21/2025
Amy Barr	Franktown	CO	80116	United States	8/21/2025
Shell Blanscet	Elizabeth	CO	80107	United States	8/21/2025
Celia Flanigan	Franktown	CO	80116	United States	8/21/2025
Cynthia Goetz	Franktown	CO	80116	United States	8/21/2025
Joe Williams	Franktown	CO	80116	United States	8/21/2025
Brett Willcockson	Franktown	CO	80116	United States	8/21/2025
Erin Fleck	Elizabeth	CO	80107	United States	8/21/2025
John Eddy	Franktown	CO	80116	United States	8/21/2025
Sierra Eddy	Sedalia	CO	80135	United States	8/21/2025
Todd Gray	Parker	CO	80138	United States	8/21/2025
Eric Mitchell	Elizabeth	CO	80107	United States	8/21/2025
Julie A Benson	Parker	CO	80134	United States	8/21/2025
Paul Dolan	Franktown	CO	80116	United States	8/21/2025
Jimmie Tanner	Castle Rock	CO	80104	United States	8/21/2025
Rafael Romo	Franktown	CO	80116	United States	8/21/2025
julie evans	centennial	CO	80111	United States	8/21/2025
Jeff Gruol	FRANKTOWN	CO	80116	United States	8/21/2025
Bradley Thomann	Franktown	CO	80116	United States	8/21/2025
JAMES BEGIN	Denver	CO	80111	United States	8/21/2025
Shawn Cotter	Englewood	CO	80110	United States	8/21/2025
Jennifer Keith	Franktown	CO	80116	United States	8/21/2025
Michele Schultz	Denver	CO	80210	United States	8/21/2025
KIM KIM	Denver	CO	80219	United States	8/21/2025

BETH BALDWIN	Franktown	CO	80116	United States	8/21/2025
Rob Willson	Franktown	CO	80116	United States	8/21/2025
Jonathan Hartley	Franktown	CO	80116	United States	8/21/2025
Carol Dutenhoeffer	Castle Rock	CO	80104	United States	8/21/2025
Greg Baldwin	Denver	CO	80220	United States	8/21/2025
Shane Bailey	Franktown	CO	80116	United States	8/21/2025
Sonia Baxley	Castle Rock	CO	80104	United States	8/21/2025
Martha Lee	Castle Rock	CO	80104	United States	8/21/2025
Shaurya Javvaji	Parker	CO	80134	United States	8/21/2025
Victoria Hostin	Franktown	CO	80116	United States	8/21/2025
James Rogers	Franktown	CO	80116	United States	8/21/2025
Leslie Vogt	Franktown	CO	80116	United States	8/21/2025
Debbie Nelson	Englewood	CO	80110	United States	8/21/2025
Margaret Graham	Franktown	CO	80116	United States	8/21/2025
Marcia Johnson	Franktown	CO	80116	United States	8/21/2025
David Andrews	Denver	CO	80252	United States	8/21/2025
Sherry Rogers	Franktown	CO	80116	United States	8/21/2025
Leonard Mingroni	Franktown	CO	80116	United States	8/21/2025
Christine Searle	Franktown	CO	80116	United States	8/21/2025
Angela Morgan	Franktown	CO	80116	United States	8/21/2025
Dennis Boyle	Commerce City	CO	80022	United States	8/21/2025
Albert Graham	Franktown	CO	80116	United States	8/21/2025
Ken Wahl	Elizabeth	CO	80107	United States	8/21/2025
Cynthia Graham	Aurora	CO	80116	United States	8/21/2025
Frances Ruiz	Colorado Springs	CO	80919	United States	8/21/2025
Kent Porquez	Castle Rock	CO	80104	United States	8/21/2025
Karen Unrein	Castle Rock	CO	80104	United States	8/21/2025
Heather Kelly	Denver	CO	80207	United States	8/21/2025
william cote	Englewood	CO	80110	United States	8/21/2025
Keith Nowland	Englewood	CO	80111	United States	8/21/2025
Amanda Stephenson	Elizabeth	CO	80107	United States	8/21/2025
Kristi Esch	Elizabeth	CO	80107	United States	8/21/2025
Michael J McClure	Elizabeth	CO	80107	United States	8/21/2025
James Floyd	Castle Rock	CO	80108	United States	8/21/2025
Bettie Suzie Tiller	Franktown	CO	80116	United States	8/21/2025
Carri Grandpre	Franktown	CO	8011	United States	8/21/2025
June Pressnall	Franktown	CO	80116	United States	8/21/2025
David Patterson	Denver	CO	80231	United States	8/21/2025
Shari Jaster	Denver	CO	80116	United States	8/21/2025
Adam Morzos	Franktown	CO	80116	United States	8/21/2025
Derek Baldwin	Denver	CO	80252	United States	8/21/2025
Michele Thompson	Piarker	CO	80138	United States	8/21/2025
Jessica Crawford	Elizabeth	CO	80107	United States	8/21/2025
Veronica Baker	Parker	CO	80138	United States	8/21/2025

Necole Abel	Denver	CO	80206	United States	8/21/2025
Peggy Reed	Denver	CO	80252	United States	8/21/2025
Sharlene Hass	Sedalia	CO	80135	United States	8/21/2025
Dana Simmons	Parker	CO	80134	United States	8/21/2025
David Harms	Elizabeth	CO	80107	United States	8/21/2025
Robert E Gard	Elizabeth	CO	80107	United States	8/21/2025
Mary Dovey	Denver	CO	80252	United States	8/21/2025
Judith Myers	Castle Rock	CO	80109	United States	8/21/2025
Lynn Fagerhaug	Castle Rock	CO	80104	United States	8/21/2025
Steve Bond	Parker	CO	80134	United States	8/21/2025
PATRICIA LUTZ	ELIZABETH	CO	80107	United States	8/21/2025
Joseph W Dorrance	Parker	CO	80138	United States	8/21/2025
Julie Dunhill	Franktown	CO	80116	United States	8/21/2025
Gwendolyn Richardson	Parker	CO	80138	United States	8/21/2025
Denise Sorensen	Castle Rock	CO	80109	United States	8/21/2025
Jordan Scanlon	Elizabeth	CO	80107	United States	8/21/2025
Wendy Fryke	Englewood	CO	80110	United States	8/21/2025
Tomme Elliott	Elizabeth	CO	80107	United States	8/21/2025
denise weikum	Denver	CO	80252	United States	8/21/2025
Craig Spencer	Franktown	CO	80116	United States	8/21/2025
Erick Hahne	Parker	CO	80134	United States	8/21/2025
Deborah L Brainard	Franktown	CO	80116	United States	8/21/2025
Tanya Atagi	Lone Tree	CO	80124	United States	8/21/2025
Rick Kane	Dallas	TX	75270	United States	8/21/2025
JASON WESSBECKER	ELIZABETH	CO	80107	United States	8/21/2025
Andra .Cody	Franktown	CO	80116	United States	8/21/2025
Martha Crawford	Franktown	CO	80116	United States	8/21/2025
Joan Lafon	Franktown	CO	80116	United States	8/21/2025
Erwin Gerger	Denver	CO	80203	United States	8/21/2025
Nicola Baldwin	Elizabeth	CO	80107	United States	8/21/2025
Cathy Willis	Denver	CO	80247	United States	8/21/2025
Edwin Glass	Parker	CO	80134	United States	8/21/2025
Aimee Van Dyke	Englewood	CO	80110	United States	8/21/2025
John Tate	Parker	CO	80134	United States	8/21/2025
Jeri Harms	Elizabeth	CO	80107	United States	8/21/2025
Anita Fortner	Parker	CO	80134	United States	8/21/2025
Jamie Chovan	Parker	CO	80134	United States	8/21/2025
Tonie Becker	Parker	CO	80134	United States	8/21/2025
Marty Hall	Parker	CO	80134	United States	8/21/2025
Alicia Symms-Taylor	Castle Rock	CO	80108	United States	8/21/2025
Adam DeGroff	Franktown	CO	80116	United States	8/22/2025
Phillip Wood	Franktown	CO	80116	United States	8/22/2025
Glenn Onken	Elizabeth	CO	80107	United States	8/22/2025
Donna Wooten	Englewood	CO	80113	United States	8/22/2025

Brandon Wooten	Franktown	CO	80116	United States	8/22/2025
Robert Salazar	Parker	CO	80107	United States	8/22/2025
David Chancellor	Denver	CO	80116	United States	8/22/2025
Cody Imel	Englewood	CO	80110	United States	8/22/2025
Tim Walker	Denver	CO	80252	United States	8/22/2025
Stacy Leigh	Franktown	CO	80116	United States	8/22/2025
Paul Weber	Elizabeth	CO	80107	United States	8/22/2025
Barbara OConnor				United States	8/22/2025
Wayne Lindimore	Englewood	CO	80110	United States	8/22/2025
Melissa Brekke	Colorado Springs	CO	80908	United States	8/22/2025
Debra Boyd	Franktown	CO	80116	United States	8/22/2025
Megan Castro	Denver	CO	80249	United States	8/22/2025
Carron Walpole	Franktown	CO	80116	United States	8/22/2025
Deanna Larimer	Parker	CO	80134	United States	8/22/2025
Diana Hanley	Elizabeth	CO	80107	United States	8/22/2025
Marcus Brinckman	Franktown	CO	80116	United States	8/22/2025
Uta Dierker	Parker	CO	80134	United States	8/22/2025
Scott Lindberg	FRANKTOWN, CO	CO	80116	United States	8/22/2025
Leianna Schroeder	Parker	CO	80134	United States	8/22/2025
Douglas Schima	Denver	CO	80210	United States	8/22/2025
Cynthia Abshire	Elizabeth	CO	80108	United States	8/22/2025
Carrie Velasquez	Parker	CO	80134	United States	8/22/2025
Susan Gardner	Parker	CO	80134	United States	8/22/2025
Gary Clayton	Castle Rock	CO	80104	United States	8/22/2025
Tiffany Jamieson	Elizabeth	CO	80107	United States	8/22/2025
Angela Tucker	Parker	CO	80134	United States	8/22/2025
karen kucewesky	Denver	CO	80247	United States	8/22/2025
Caren Scheider	Parker	CO	80134	United States	8/22/2025
Eugene Collins	Castle Rock	CO	80109	United States	8/22/2025
Tamra Fischer	Denver	CO	80211	United States	8/22/2025
Rodney Remsing	Denver	CO	80252	United States	8/22/2025
Gurpreet Singh	Grand Terrace city	CA	92313	United States	8/22/2025
Travis Atkinson	Franktown	CO	80116	United States	8/22/2025
Virginia Regan	Franktown	CO	80116-8705	United States	8/22/2025
Jamie Sanders	Denver	CO	80109	United States	8/22/2025
Kendall Heise	Castle Rock	CO	80109	United States	8/22/2025
Nicole Clark	Franktown	CO	80116	United States	8/22/2025
David Garbrick	Denver	CO	80247	United States	8/22/2025
Lisa Pollock	Parker	CO	80134	United States	8/22/2025
REECE Fiola	Westminster	CO	80031	United States	8/23/2025
Karen Knotts	Parker	CO	80134	United States	8/23/2025
Renja DeGroff	Franktown	CO	80116	United States	8/23/2025
Donna Federico	Denver	CO	80252	United States	8/23/2025
Veronica Isaac	Franktown	CO	80116	United States	8/23/2025

Laura Stiehl	Castle Rock	CO	80104	United States	8/23/2025
Patty McDonald	Castle Rock	CO	80108	United States	8/23/2025
Rebecca Richardson	Denver	CO	80014	United States	8/23/2025
James Hajovsky	Franktown	CO	80116	United States	8/23/2025
James Reynolds	Parker	CO	80138	United States	8/23/2025
Jayme Liggett	Parker	CO	80134	United States	8/23/2025
William Barton	Elizabeth	CO	80107	United States	8/23/2025
Patrick Klem	Denver	CO	80116	United States	8/23/2025
John Scott	Franktown	CO	80116	United States	8/23/2025
CHRISTOPHER Nelson	Elizabeth	CO	80107	United States	8/23/2025
Jeff Holaday	Denver	CO	80252	United States	8/23/2025
Marilyn Arnold	Franktown	CO	80116	United States	8/23/2025
Jim Cramer	Parker	CO	80134	United States	8/23/2025
Sue Porter	Elizabeth	CO	80107	United States	8/23/2025
Mia Johnson	Elizabeth	CO	80107	United States	8/23/2025
Susan Reincke	Castle Rock	CO	80104	United States	8/23/2025
William Davenport	Parker	CO	80134	United States	8/23/2025
Amarjit Thiara	Canoga park	CA	Ca 91304	United States	8/23/2025
Adrienne Cramer	Denver	CO	80231	United States	8/23/2025
Kelly Lake	Denver	CO	80252	United States	8/23/2025
Randy Holman	Denver	CO	80211	United States	8/23/2025
Regan Castelli	Englewood	CO	80110	United States	8/23/2025
Morgan Woods	Franktown	CO	80116	United States	8/23/2025
Todd Read	Denver	CO	80252	United States	8/23/2025
Kathleen Cooper	Franktown	CO	80116	United States	8/23/2025
Bert Brown	Franktown	CO	80116	United States	8/23/2025
Matthew Chenoweth	Franktown	CO	80116	United States	8/24/2025
Kimberly keinath	Castle Rock	CO	80108	United States	8/24/2025
Quinn Risdon	Castle Rock	CO	80104	United States	8/24/2025
Mike Ryan	Castle Rock	CO	80104	United States	8/24/2025
Cynthia Anderson	Denver	CO	80252	United States	8/24/2025
Ann O'Neill	Franktown	CO	80116	United States	8/24/2025
Constance SorensenSato	Denver	CO	80219	United States	8/24/2025
James Sample	Elizabeth	CO	80107	United States	8/24/2025
ROBERT SKOWRON	Elizabeth	CO	80107	United States	8/24/2025
Katherine Bertsch	Franktown	CO	80116	United States	8/24/2025
Allison Saathoff	Franktown	CO	80116	United States	8/24/2025
Vicki Schlosser	Franktown	CO	80116	United States	8/24/2025
TERRI SHEWMAKER	FRANKTOWN	CO	80116	United States	8/24/2025
Dan Eichenberger	Elizabeth	CO	80701	United States	8/24/2025
Damian Luna	Toronto		M5A	Canada	8/24/2025
Theresa Derrick	Parker	CO	80138	United States	8/24/2025
David Bumanglag	Denver	CO	80203	United States	8/24/2025
Whitney Humphrey	Parker	CO	80134	United States	8/24/2025

Jed Perkins	Boulder	CO	80302	United States	8/24/2025
Phillip Riesselman	Franktown	CO	80116	United States	8/24/2025
Shelley Waschkowsky	Denver	CO	80252	United States	8/24/2025
Stephanie Bacca	Kiowa	CO	80117	United States	8/24/2025
Mathew Waschkowsky	Franktown	CO	80116	United States	8/24/2025
J Crist	Denver	CO	80252	United States	8/24/2025
Nancy Kohlman	Denver	CO	80226-9254	United States	8/24/2025
Lloyd Johnson	Franktown	CO	80116	United States	8/24/2025
Emily Lambardia	Castle Rock	CO	80108	United States	8/24/2025
David Butler	Parker	CO	80134	United States	8/24/2025
Toni Payne	Franktown	CO	80116	United States	8/24/2025
Denisa Bogart	Parker	CO	80134	United States	8/24/2025
Jennifer Hail	Parker	CO	80134	United States	8/24/2025
Diane Gray	Denver	CO	80134	United States	8/24/2025
Roger Loeb	Parker	CO	80134	United States	8/24/2025
Harold Pickinpaugh	Parker	CO	80138	United States	8/24/2025
Tom Cornelius	Franktown	CO	80116	United States	8/24/2025
Jeri Austin	Castle Rock	CO	80104	United States	8/24/2025
Eric Johnson	Denver	CO	80218	United States	8/24/2025
Susan Chenoweth	Franktown	CO	80116	United States	8/24/2025
Stephanie Brieske	Elizabeth	CO	80107	United States	8/24/2025
Robin Denny	Englewood	CO	80111	United States	8/25/2025
Reed Rice	Elizabeth	CO	80107	United States	8/25/2025
David Roh	Denver	CO	80104	United States	8/25/2025
David Price	Denver	CO	80219	United States	8/25/2025
Michelle Curry	Aurora	CO	80011	United States	8/25/2025
Sandrs Berreth	Castle Rock	CO	80104	United States	8/25/2025
Sue Byrns	Franktown	CO	80116	United States	8/25/2025
Dan Brainard	Franktown	CO	80116	United States	8/25/2025
Anna Wolinski	Secaucus	NJ	7094	United States	8/25/2025
Shivam Nain	Denver	CO	80231	United States	8/25/2025
Monica Wheeler	Parker	CO	80138	United States	8/25/2025
Joe Pitrone	Franktown	CO	80116	United States	8/25/2025
Linda English	Aurora	CO	80013	United States	8/25/2025
Alethea Wingert	Parker	CO	80138	United States	8/25/2025
Susie Turco	Franktown	CO	80116	United States	8/25/2025
Timothy Pustari	Parker	CO	80134	United States	8/25/2025
Jenny Galanek	Prosper	TX	75078	United States	8/25/2025
Karlan Emery	ELIZABETH	CO	80107-7879	United States	8/25/2025
Connie Miller	Denver	CO	80208	United States	8/25/2025
Laurel Clark	Parker	CO	80134	United States	8/25/2025
Lynda Dirkse	Parker	CO	80134	United States	8/25/2025
Hector Rodriguez	Denver	CO	80221	United States	8/25/2025
Trina Vasquez	Castle rock	CO	80104	United States	8/25/2025

Steven Beveridge	Franktown	CO	80116	United States	8/25/2025
Michael Tomko	Elizabeth	CO	80107	United States	8/25/2025
Naomi Qussar	Castle Rock	CO	80104	United States	8/25/2025
Julie Herzog	Arvada	CO	80003	United States	8/25/2025
Phyllis Rutherford	Parker	CO	80134	United States	8/25/2025
CATHLEEN WIMMER	Parker	CO	80138	United States	8/25/2025
Judy Lacy	Denver	CO	80211	United States	8/25/2025
Paula Ramos	Parker	CO	80138	United States	8/25/2025
Terry Beh	Castle Rock	CO	80104	United States	8/25/2025
Jennifer Pitrone	Franktown	CO	80116	United States	8/25/2025
Michael Piel Michael Piel	Franktown	CO	80116	United States	8/25/2025
Johnelle Howes	Castle Rock	CO	80104	United States	8/25/2025
Linda Dunhill	Broomfield	CO	80020	United States	8/25/2025
Donna Garbrick	Franktown	CO	80116	United States	8/26/2025
Debra Demijohn	Denver	CO	80220	United States	8/26/2025
Angela Bourelle	Denver	CO	80231	United States	8/26/2025
Evan Shuler	Elizabeth	CO	80107	United States	8/26/2025
Liza Morales	Colorado Springs	CO	80911	United States	8/26/2025
Traci Mclaughlin	Elizabeth	CO	80107	United States	8/26/2025
Deborah Rendon	Lone Tree	CO	80124	United States	8/26/2025
Barbara White	Sedalia	CO	80135	United States	8/26/2025
William Heydman	Denver	CO	80252	United States	8/26/2025
Charlotte pogorelec	castle rock	CO	80134	United States	8/26/2025
Kenneth Rackley	Parker	CO	80138	United States	8/26/2025
Jesse DeChurch	FRANKTOWN	CO	80116	United States	8/26/2025
Kristine Jensen	Franktown	CO	80116	United States	8/26/2025
John Carpenter	Elizabeth	CO	80116	United States	8/26/2025
Mel Jensen	Franktown	CO	80116	United States	8/26/2025
Grant Johns	Franktown	CO	80116	United States	8/26/2025
Deb Wehrer	Denver	CO	80252	United States	8/26/2025
Gregory Miller	Denver	CO	80203	United States	8/26/2025
Pamela Church	Castle Rock	CO	80104	United States	8/26/2025
Cori O'Shea	Castel Rock	CO	80104l	United States	8/27/2025
Melody S	Denver	CO	80208	United States	8/27/2025
Anthony Pepe	Franktown	CO	80116	United States	8/27/2025
Amelia Everette	Denver	CO	80237	United States	8/27/2025
Keith Chambers	Franktown	CO	80116	United States	8/27/2025
Randall Mason	Franktown	CO	80116	United States	8/27/2025
Sarah Sparks	Denver	CO	80223	United States	8/27/2025
Rick Geyer	Csatle rock	CO	80104	United States	8/27/2025
Allen Bolden	Castle Rock	CO	80108	United States	8/27/2025
Raewyn Shell	Denver	CO	80252	United States	8/27/2025
Caryl Grzesik	Parker	CO	80134	United States	8/27/2025
Donna Gruol	Franktown	CO	80116	United States	8/27/2025

Jan Tanner	Denver	CO	80218	United States	8/27/2025
Paula Wright	Franktown	CO	80116	United States	8/27/2025
Rebecca Foo	Parker	CO	80134	United States	8/27/2025
Bobbi Chambers	Sedalia	CO	80135	United States	8/27/2025
Mike Clark	Franktown	CO	80116	United States	8/27/2025
Robert Cline	Franktown	CO	80116	United States	8/27/2025
Erica Clark	Elizabeth	CO	80107	United States	8/27/2025
Bethany Cronk	Castle Rock	CO	80109	United States	8/27/2025
Ronald Schickel	Castle Rock	CO	80109	United States	8/27/2025
Christine Fisher	Castle Rock	CO	80109	United States	8/28/2025
Bobbie Rasco	Denver	CO	80252	United States	8/28/2025
Michael Dobos	Castle rock	CO	80104	United States	8/28/2025
Patricia Dies	Castle Rock	CO	80104	United States	8/28/2025
Joanna Pellegrino	Franktown	CO	80116	United States	8/28/2025
John Horan	Denver	CO	80206	United States	8/28/2025
Gail Segreto	Parker	CO	80138	United States	8/28/2025
Andrew Finkelstein	Dallas	TX	75231	United States	8/28/2025
Myrna Melendez	Conifer	CO	80433	United States	8/28/2025

DOUGLAS COUNTY
COLORADO

Memorandum

Date: September 5, 2025

To: Douglas County Board of County Commissioners

Through: Douglas J. DeBord, County Manager

From: Terence T. Quinn, AICP, Director of Community Development TQ

CC: DJ Beckwith, Principal Planner
Lauren Pulver, Planning Supervisor
Kati Carter, AICP, Assistant Director of Planning Resources

Subject: **Sundown Oaks Metropolitan District – New Service Plan**

Project File: **SV2025-005**

Planning Commission Meeting:	August 4, 2025 @ 6:00 p.m.
Board of County Commissioners Meeting:	August 26, 2025 @ 1:30 p.m.
Board of County Commissioners Hearing:	September 9, 2025 @ 2:30 p.m.

Attached are additional public comments received since the submission of the staff report dated August 28, 2025.

ATTACHMENTS **PAGE**

Public Comments 2

Beth & Greg Baldwin
2247 Meadow Green Circle
Franktown, CO 80116
bethwslc@gmail.com

September 1, 2025

Sent VIA email to: bocc@douglas.co.us

Douglas County Board of County Commissioners
100 Third Street
Castle Rock, CO 80104
Subject: **Opposition to Sundown Oaks Metropolitan District (Project No. SV2025-005)**

Dear Douglas County Commissioners,

We respectfully submit this letter to oppose the proposed **Sundown Oaks Metropolitan District** (Project No. SV2025-005), which aims to authorize a metro district. We urge you to deny this proposal:

- We have serious concerns about the need for a Metro District based on details provided by local groups and public comments that outline specific arguments against it. As we explored Metro Districts on our own, we learned they were originally created as a method of fast-track development during a time when there was a shortage of housing. We question the necessity of fast-tracked development, given the Douglas County comprehensive plan's vision to preserve residents' quality of life. It states that county officials and residents understand the need for balance. One could argue that the residents of Franktown would like to see housing remaining steady. As of today, there are approximately seventy houses available for sale.
- Another concern is water. The project proposes using Upper Dawson water and tapping into the Laramie Fox Hills aquifer—which has raised red flags due to toxicity concerns. This could jeopardize both groundwater safety and broader water supply reliability.
- Residents are now facing the reality that Commissioners approved single-family homes on 2-acre parcels instead of five, which does not match current zoning or community character. The main reason we bought our property was because of the open space behind us. The natural beauty of the hillside sings in the wind, and the Deer and Elk migrate through the fields. We never imagined a subdivision, and especially one that did not comply with the 5-acre rule, would be constructed in our backyard. We agree the landowner has a right to develop their property, but condensing the land was heartbreaking. Approving this area as a Metro District without justification would add insult to injury.
- The Sundown Subdivision is literally in our back yard, and we will be directly affected by the project in every way. Noise, foot traffic and the most concerning is water drainage. The natural swale of water drains directly into our property. When you replace grasslands with asphalt, it is not hard to understand that the water will run quicker downhill. We had an opportunity to meet with Alan Westfall and the Engineer prior to Sundown's approval. He assured us he would compensate us for additional drainage through our property. We have reached out to Mr. Westfall, but our calls have not been returned and we request further clarification on the status of this issue. This is very disheartening as we were more accepting of the subdivision based on the fact the developer was understanding our concerns related to drainage and privacy. He previously agreed to a drainage culvert and said he would help us with relocating trees.
- We take issue with transparency. The initial development process included the community. However, we never received a letter about the Metro District in the second stage. Fortunately, our Bannockburn HOA informed us, but there was little time for public input.

For these reasons, we respectfully ask the Commissioners to:

- **Deny approval** as it fails to meet zoning, environmental, and community standards.
- Prioritize the preservation of community integrity, water safety, and ecological values.
- Support alternative paths for development that respect standards without imposing burdens on existing residents.

Thank you for your attention. We trust you will act in the best interests of the residents and the land we share.

Sincerely,

Beth & Greg Baldwin

"Our backyard, August 2025"

TO: Douglas County Commissioners
Dbeckwith@douglas.co.us

FROM: Joe & Gayle Vrablik
2259 Meadow Green Circle
Franktown, CO 80116
303-378-5475

RE: Sundown Development Project
SB2019-046/Sundown

Relevance: Our property borders north of the subject development. We are situated on 6.14 acres with 842 feet of fence line on the Sundown northern border.

Attachments:
Attach 1) Aerial photos of 2259 Meadow Green Circle
Attach 2) Aerial photos of 2259 Meadow Green Circle marked with conceptual Sundown Development new home locations.
Attach 3) Copy of Revision #2 Sundown Development
Attach 4) Copy of Revision #3 Sundown Development (We were not informed of this revision).
Attach 5) Copy of Revision #2 with marked up Sundown Development home locations and depiction of open space.
Attach 6) Copy of Revision #3 with depiction of increased lot clustering and open space change.
Attach 7) Copy of "Courtesy Notification of Application in Process" we received in September, 2019.

Background:

1. When the decision was made in 2019 to approve the Sundown Development by the Douglas County Commissioners, we met with Matt Jakubowski, AICP/Chief Planner for the County. Matt assured us, in writing, that we would be contacted personally on any future revisions to the

Development plan since we are a contiguous property to the Development. Our property of 6.14 acres has an 842 foot fence line on the south side adjacent to the Development property. (Attach 1 & 2)

The plan was changed and we were not informed. A breach of the people's trust at this level should not be ignored regardless of how minor it may seem to some people. (Attach 3 & 4)

2. Douglas County changed the rules requiring five acre minimum for residential housing with independent septic system and well to two acre minimum with the accommodation of "open space" consisting of 37 of 71 total acres. The County Board of Commissioners removed this "density bonus" option. However, the Sundown Subdivision Development plan was submitted and approved just prior to the "density bonus" removal.

   The five acre minimum lot size was instituted years ago to facilitate the proper disbursement of home grey water in the terrain. It was also established to protect the volume of water usage through individual wells. The County Engineer estimated 1 acre foot of water per lot annual usage. We believe this is inaccurate. We suggest the engineer did not study the difference between high density housing communities with close proximity homes, i.e. one acre or less vs. rural communities with larger property, supplying their own water, i.e. five acres +.

3. The last revision of the Sundown Development plan, of which we were not appraised, compressed the two acre lots, and the "open space" behind our property was reduced. In fact, the westward shift of Lot#17 gained the majority of the "open space". With this change it appears that the two acres of Lot#17 looks as if it is 8-10 acres. (Attach 5 & 6)

These development plan changes were made with no consideration for the contiguous properties or the general community. We did not find out about the revised plan until after it was approved. To us, it feels as if we are being forced into changing our lifestyle. It's like the old expression, "there goes the neighborhood.

4. Our home, a sprawling ranch design on 6.14 acres may be diminished by the 3-4 story Northstar design stuffed onto 2 acre lots. Suffice to say, these homes will not only not fit this community but will obstruct views of Colorado's mountains that we have enjoyed for many years. Additionally, the developer has indicated that the new multi-million dollar homes will increase the value of our property. This twisted logic does not apply to all of us. His comment is an insult to many of us. Our property may well exceed the value of any home he will build on his 2 acre lots. In fact, his homes will probably diminish the value of our property. Our homes' total square footage is approximately 8,100 sq. ft.

Summary:

1. Per the letter from Matt Jakubowski dated 10/2/2019, no public hearings were announced regarding any revisions to the Sundown Development plan-Project SP2019-046. To be revised the applicant {developer) and County Commissioners are required to address all referral and public comments before hearing dates would be considered.

   Those properties bordering the Development were to be informed in writing to facilitate a meeting per the "Courtesy Notification of Application in Process". (Attach 7)

   We were not, and have not been informed, yet a revised Development plan was approved by the Douglas County Board of Commissioners.

2. Per the site features description of the project, Ponderosa pine trees currently existing would be used to "screen lots adjacent to the property". Eight or more mature trees have already been removed and infrastructure work hasn't even begun yet.

3. Individual septic systems will purportedly leach grey water to be captured by the soils on the individual lots. Drainage of rainwater or snow water is to the north on the same fall line as the septic grey water. We do not believe leached grey water will be captured, but will in fact contaminate adjacent lots bordering the Development. To the north this will be exacerbated by the change in land due to building construction and increased run-off from home irrigation systems.

4. The use of individual wells and the projection of annual water volume usage per lot is not based on any ground water study. On our 6.14 acres property we use in excess of 3 acre feet of water annually. Has the Developer completed an appropriate study?

5. A chief concern for us is the obstruction of our view corridor of the mountains which we have appreciated for 25 years. Legal precedence exists which has supported the offended parties (plaintiffs) position. We hope that Douglas County decision makers would consider this from our position, Looking at a one dimensional line drawing does not do justice to the topography of the land. (Attach 1 & 2)

ATTACHMENT 1

ATTACHMENT 2

ATTACHMENT 2

REVISION #2 PRELIM PLAN — ATTACHMENT # 3

SUNDOWN SUBDIVISION PRELIMINARY PLAN

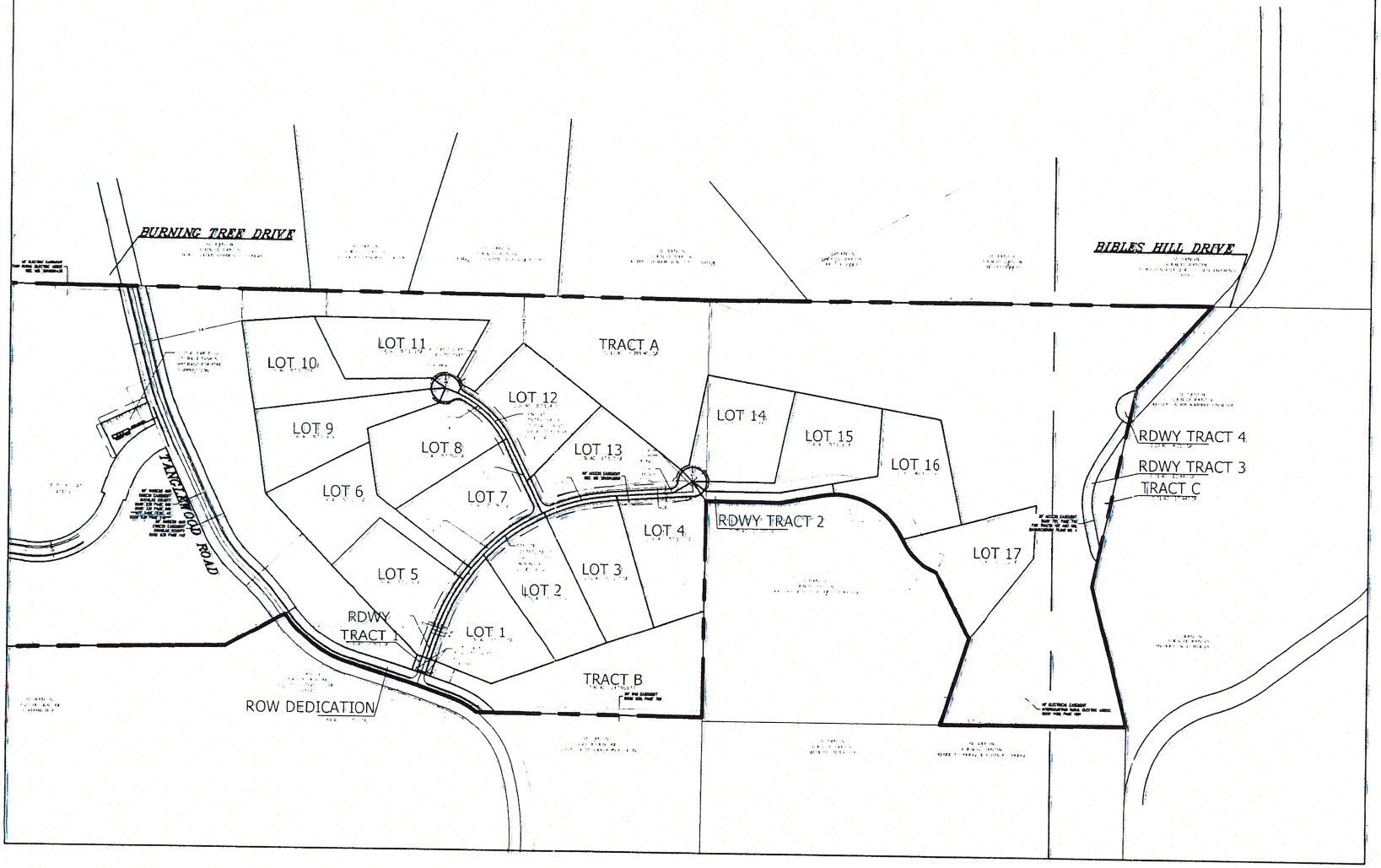
A PARCEL OF LAND LOCATED IN THE NORTH ONE-HALF OF SECTION 6, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO

71.27 ACRES +/- 17 RESIDENTIAL LOTS

SB2019-XXX

N

SCALE: 1" = 500'



CANYON CREEK ENGINEERING

CIVIL PLANNING STRUCTURAL

cce@canyoncreekengineering.com
PO BOX 3072, PARKER, CO 80134 303.805.1803

PROJECT:	SUNDOWN SUBDIV.
JOB #:	18-124
SHEET:	1 OF 1
DATE:	06-19-19
TOPIC:	PRELIMINARY PLAN EXHIBIT

A

REVISION #3 PRELIMINARY - ATTACHMENT #4

9/24

SUNDOWN PRELIMINARY PLAN

A PARCEL OF LAND LOCATED IN THE NORTH ONE-HALF OF SECTION 6, TOWNSHIP 8 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO
72.43 ACRES +/- 17 RESIDENTIAL LOTS & 3 TRACTS
SB2019-046

GRAPHIC SCALE 1" = 100'

DENSITY STATEMENT FOR DENSITY BONUS

THE PROPOSED DENSITY BONUS OF 3 UNITS WILL BE ALLOCATED TO THE SUBDIVISION FOR A TOTAL OF 17 LOTS. FURTHER SUBDIVISION FOR ADDITIONAL LOTS WILL NOT BE PERMITTED BY ZONING.

KEY PLAN

TRACT A

TRACT B

LOT 1 | LOT 2 | LOT 3 | LOT 4 | LOT 5 | LOT 6 | LOT 7 | LOT 8 | LOT 9 | LOT 10 | LOT 11 | LOT 12 | LOT 13 | LOT 14 | LOT 15 | LOT 16 | LOT 17

PROPOSED POND A | PROPOSED POND D | GRAVEL POND ACCESS ENDS A PROPOSED POND

PROPOSED GATE & TURN AROUND

ROW DEDICATION TO DOUGLAS COUNTY AS RIGHT-OF-WAY AT TIME OF PLAT

FIRE CISTERN IS PART OF TRACT A, OAK BLUFF PRELIMINARY PLAT & FOR USE BY SUNDOWN

(P) 30' ACCESS AND EGRESS EASEMENT DOUGLAS COUNTY BOOK 939, PAGE 633 AND BOOK 936, PAGE 1 AND MARRIOTT SANE DEED AT BOOK 635 PAGE 147

(P) 30' DRAINAGE EASEMENT

(P) 10' NON-EXCLUSIVE UTILITY, DRAINAGE, ACCESS ESMT. (TYP.)

(P) 15' NON-EXCLUSIVE UTILITY, DRAINAGE ACCESS ESMT. (TYP.)

(P) 10' GRAVEL TRAIL & POND ACCESS

(P) 60' WIDE ROADWAY EASEMENT (TYP.)

60' ACCESS EASEMENT REC. NO. D3021339 TO BE VACATED

INTERSECTIONAL ANGLE IS 5°W

CENTERLINE OF BLACK DOG PLACE

RESIDENTIAL RURAL RESIDENTIAL ANDREW MICHAEL LIAN & FEDGE LIAN NOT PART OF THIS PLAT

RESIDENTIAL RURAL RESIDENTIAL DAN HAMMACK & ELENA HAMMACK NOT PART OF THIS PLAT

MOUNTABLE CURB AND GUTTER, MODIFIED RURAL LOCAL TYPE EE

ROW DEDICATION

(P) 10' ELECTRICAL EASEMENT AREA BOOK 1193, PAGE 1828

CANYON CREEK ENGINEERING
CIVIL PLANNING STRUCTURAL
ccce@canyoncreekengineering.com
PO BOX 3092, PARKER, CO 80134 303.805.1803

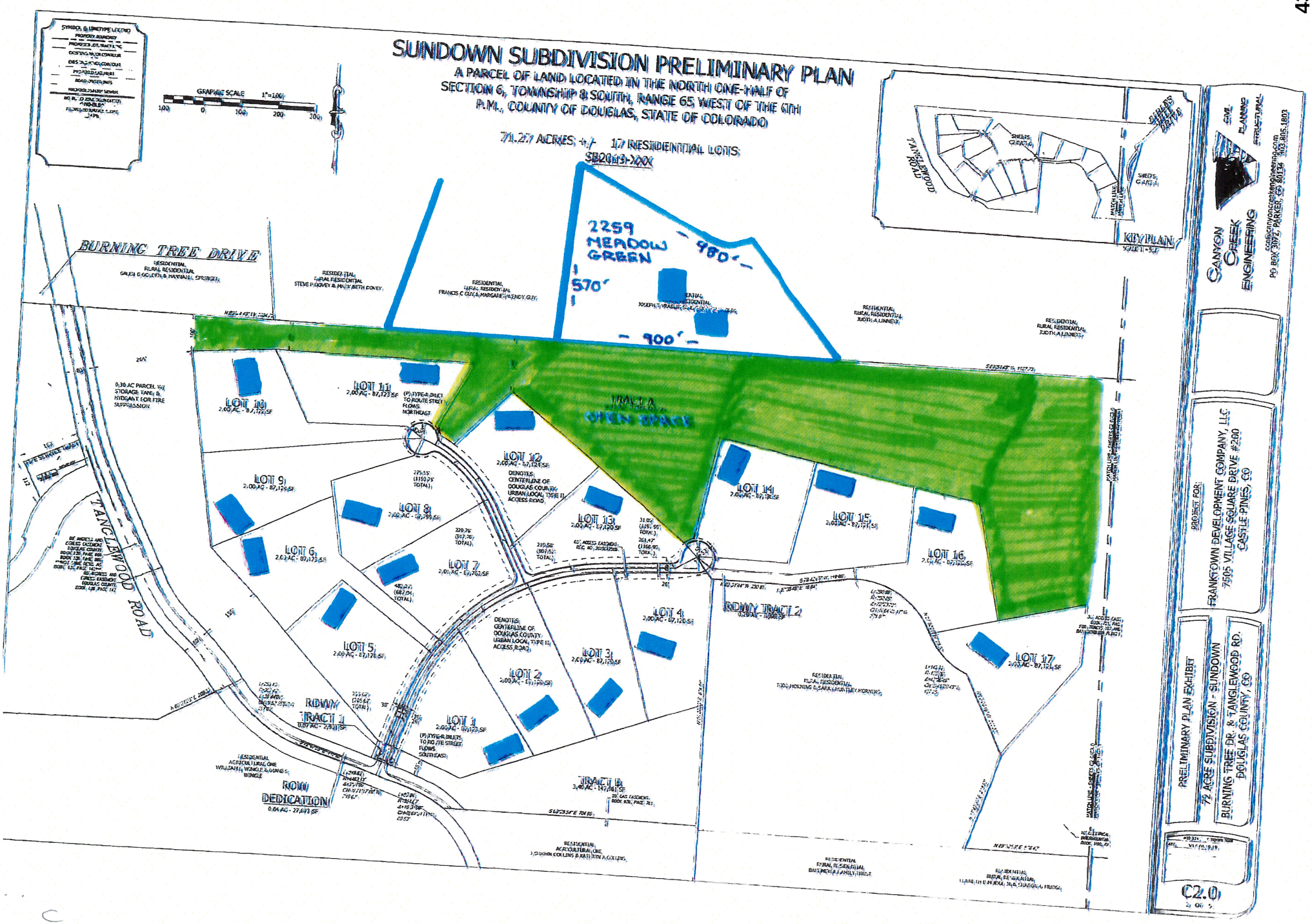
PROJECT FOR:
FRANKTOWN DEVELOPMENT COMPANY, LLC
609 W. LITTLETON BLVD., SUITE 206
LITTLETON, CO 80120

SUNDOWN SUBDIVISION
PRELIMINARY PLAN
72.43 ACRE SUBDIVISION - SUNDOWN
BURNING TREE DR. & TANGLEWOOD RD.
DOUGLAS COUNTY, CO

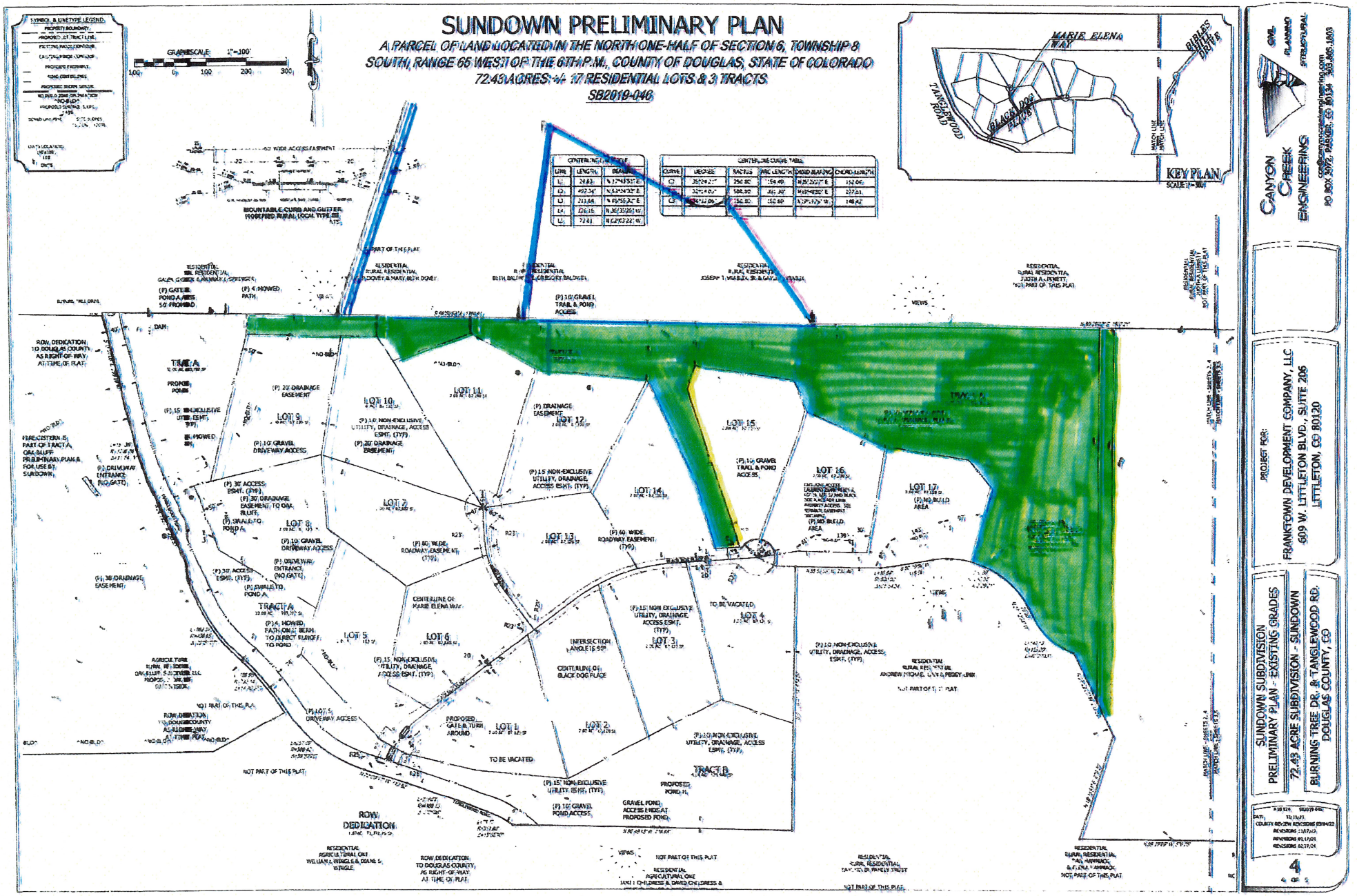
2 OF 5

BB

ATTACHMENT # 5



ATTACHMENT #6



ATTACHMENT #7

DOUGLAS COUNTY
COLORADO

www.douglas.co.us

Department of Community Development
Planning Services

September 16, 2019

COURTESY NOTIFICATION OF APPLICATION IN PROCESS

Please be informed that the request generally described below has been submitted to Douglas County for review in accordance with the Zoning and Subdivision Resolutions. This notice is being sent to abutting landowners for your information and to provide an opportunity to comment. As your comments are valuable to us, please contact us if you have any questions or concerns.

Attached is the applicant's description of the project, as well as a map depicting the location of the request. For more specific project information, please contact the staff planner noted below at Douglas County Planning Services, 100 Third Street, Castle Rock, Colorado 80104, 303.660.7460 (Monday thru Friday, 8:00 a.m. to 5:00 p.m.) or via e-mail at mjakubow@douglas.co.us. Comments provided prior to October 7, 2019, the date of the end of the referral period, will be attached to the initial Planning Services review letter.

Project Name:	Sundown Preliminary Plan
Project File #:	SB2019-046
Project Summary:	Applicant is requesting a Preliminary Plan for subdivision of 17 single-family residential lots within the Rural Residential (RR) zone district. Request includes a 3-lot density bonus (20% increase in density) for the provision of 50% open space on the property per Section 508 of the Zoning Resolution. The 71-acre site is located on the east side of Tanglewood Road, approximately at the intersection of Tanglewood Road and Burning Tree Drive. The subject proposal was submitted prior to removal of the Section 508 density bonus requirements. Thus, density bonus regulations continue to apply to this project.

Additional information and documents can be found on the www.douglas.co.us home page by clicking on the "Help Me..." tab at the top of the page, and selecting Find - Development Projects to search for the Project File Number provided above.

Sincerely,

Matthew A. Jakubowski

Matthew Jakubowski, AICP, Project Planner

Attachment: Project Narrative
Vicinity Map

A pre-submittal meeting was held at the county planning office on February 14, 2019. Most of the comments from the pre-submittal meeting are incorporated into this submittal of the preliminary plan, there are a few changes to the original plan so some of the comments no longer apply.

LOCATION AND DENSITY

Sundown is located at the southeast corner of the intersection of Burning Tree Drive and East Tanglewood Road. Highway 86 is about ¾ mile south of the site along East Tanglewood Road. The 71 acre property will be developed as it is currently zoned, Rural Residential, with a 20% density bonus for 50% open space dedicated to the home owners association. All lots will have an area of 2 acres.

SITE FEATURES

The property is roughly ¼ mile wide in the north/south dimension and about ½ mile long. The north eastern portion of the property is treed and has rugged terrain. This area will remain as open space. The north western portion is also treed and the remaining areas of the site has open grassland with oak brush. The elevation of the proposed home sites will provide long range views of the front range mountains and interior views of rolling hills, trees and meadows.

Storm water runoff has many exits from the site and flows mostly off of the north property line and a little to the south property line. Small detention basins with water quality features will be incorporated on basins which are impacted by development.

There are existing oak brush and ponderosa pine stands which will be used to screen lots adjacent to the property. The vegetation density increases on the north eastern ¼, and the north western ¼ of the site. The majority of the site consists of sandy clay soils which will be adequate for soil treatment areas for the proposed Onsite Waste Treatment System.

ADJACENT PROPERTIES

The site is directly south and west of Bannockburn Subdivision. To the south of the site are larger residential lots and Oak Bluff subdivision is proposed to the west across Tanglewood Road.

SITE DEVELOPMENT

General

The property is served by Douglas County Sheriff and Franktown Fire Department. Cash in lieu will be provided for school and park land dedications. This development complies with the Douglas County 2035 Comprehensive Master Plan. The site is located in Area B, and complies with Policy 4.1 D.1., the property will be subdivided within the existing Rural Residential Zoning. The zoning is compatible with Area B uses in the Comprehensive Master Plan, and complies with Policy 3-3E.1 and Policies 4-1D.2, D.3, D.4 by subdividing existing zoned properties for residential use.

Water and Septic

The homes will be served by private wells and individual septic systems. The soils will support individual sewage disposal systems which will be designed according to Tri-county Health Department standards. Lots have been laid out with possible areas for future soil treatment areas. There is sufficient ground water for each lot to have an individual well for home and outdoor use, 1 acre foot of water is provided per residence.

Access and Roads

The main access road for Sundown will connect to East Tanglewood Road about ¾ mile north of Highway 86, then run east to a cul-de-sac. The existing private roadway easement on the property will be incorporated into the road and driveway access to the lots. The road section will be a Urban Local Type II with attached sidewalks. The private road for this project will be gated and decorative fencing along the frontage will be installed. The private road easement is 60' wide for the Urban Local Type II road section and utilities. Roads have been laid out to minimize cut and fill areas. All of the lots will directly access the interior private roadway which will be maintained by the Sundown Home Owners Association. Gates will have Knox boxes installed for emergency services. Drainage ways are located so driveways will not have to cross any roadside ditches and runoff is safely routed through the property.

Landscaping

Landscaping will be provided at the entry gates. Native trees, shrubs, and grasses will be preferred so supplemental water will not be required or such water use will be minimized after the plants are established. Any disturbed areas will be seeded with dryland grasses and mulched.

Fire suppression water tank

A tract of land is dedicated to the proposed Oak Bluff Homeowners Association for use by Franktown Fire District. The developer will provide a 30,000gallon water storage tank with piping to feed a fire hydrant at a pull off along East Tanglewood Road. The storage tank will be used for providing fire suppression water on local fires and will be a resource for Franktown Fire Department. Design of the tank, piping, and hydrant will be approved by Franktown Fire Department. Sundown Subdivision will have access to the tank through Franktown Fire Department. The tracts, roads, and other improvements will be dedicated to the Sundown Home Owners Association. All ground water will be appropriated to the lot owners except the HOA shall retain water in the Laramie Fox Hills aquifer for future augmentation for use of the Upper Dawson aquifer.

DESIGN ELEMENTS DCZR Article 4-Preliminary Plan

404.01 The lots are a minimum of 2.0 acres with appropriate setbacks and sufficient off street parking for the existing Rural Residential Zone.

404.02 Geologic hazards such as steep slopes have been mitigated by keeping the eastern portion of the site as open space. Defensible space for wildfires will be addressed in the protective covenants for Sundown and a wildfire mitigation meeting will be conducted on site to address concerns about roadway construction and clearing of brush and low branches.

404.03 Surrounding land uses are similar density and use, except half of the property will not be developed other than trails and other amenities allowed by the home owners association. Extensive areas of existing vegetation and steep slopes are preserved.

404.04 The streets and stormwater facilities are designed to meet Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria Manual, and other applicable County regulations. (See additional reports provided with this submittal).

404.05 The site's existing drainage ways will be preserved with open drainage easements where appropriate. Runoff will be controlled to pre-development levels along with clean water quality features.

404.06 There are no known architectural or historical resources on this property. (See the Cultural Resources Survey provided with this submittal).

404.07 Access for the site will be from East Tanglewood Road.

404.08 There are no major concerns from the soils test, and individual septic systems will perform satisfactorily in the site soils. Reserved locations for soil treatment areas are delineated on the preliminary plan.

<u>DESIGN ELEMENTS DCZR Section 5- Rural Residential District</u>

508.01 Open Space

Open space tracts will be owned by the Home Owners Association. No accessory structures will be permitted in open space areas.

508.02, .03, .04 Wildlife Corridors, Floodplains and Wetlands, and Building Envelopes

Open space buffers protect wildlife corridors and habitat and to allow for safe passage of storm water through the site.

508.05 Road Design

Roads were laid out to minimize disturbance.

508.06 Building Design and Height

The architectural design requirements for the buildings, including architectural style, building massing, height, foundation design, materials, retaining walls, and colors, etc. shall be specified in the Covenants for the subdivision. Such requirements will be developed in accordance with the design guidelines of the County Master Plan.

508.07 Fencing

Fencing standards that meet this criteria will be developed as part of the Covenants. Fencing shall be open design and natural color.

508.08 Landscaping

Landscaping for the common areas in the development will incorporate native plants to minimize watering. Future residents will also be encouraged through the Covenants to use low water demand plants in their landscaping.

Density Bonus Standards

509.01 The HOA will own open space tracts.

509.02 Home sites have been clustered on the property to minimize roadway and disturbance to the site.

509.03 Sundown development has integrated drainage ways, wildlife corridors, and open meadows into the open space tracts. The drainage ways will have water quality detention ponds in developed basins, the eastern portion of the property will be left in a native condition. The site provided no cultural features as per the cultural study. Roads and building sites were laid out to keep disturbance of vegetation to a minimum. Visual separation between buildings is provided by existing stands of oak brush, ponderosa pines, and topography. Where natural vegetation does not exist, lots will provide adequate separation between buildings.

509.04 The dwellings will not dominate the landscape. Existing vegetation and new landscaping installed at time of home building will help the development maintain its natural character.

509.05 The preliminary plan is consistent with the goals and policies of the Comprehensive Master Plan.

CONCLUSION

Sundown subdivision will provide secluded home sites with quick access to the county road network. Homeowners will enjoy vistas of the Front Range as well as local stands of ponderosa and oak brush. A nearby fire water storage tank will be provided for the Franktown Fire Department by the developer. The Sundown Home Owners Association will be responsible for maintaining the roadway, open space, trails, and drainage facilities within the development.

MEETING DATE: September 9, 2025

STAFF PERSON RESPONSIBLE: Brad Jackson, PE Public Works Engineering

DESCRIPTION: Acceptance of 3 ROW and 3 Slope & Drainage Easements for Hammerhead Turnarounds Associated with the Twin Mesa Metro District Road Vacation Request. Douglas County Project Number DV2025-300

SUMMARY: The easements to be accepted by the Douglas County Board of County Commissioners (BOCC) are for ROW and Slope and Drainage areas on private property associated with the Twin Mesa Metro District (TMMD) road vacation project. The purpose of the easement dedications is to support the construction of hammerhead turnarounds on either side of proposed gates on Twin Oaks Drive and Clarkes Circle. Concurrent with the easement dedication are 2 roadway vacation requests in the locations of the future proposed gates. Since the roads to be gated are public and will remain public the turnarounds are required to facilitate DC Public Works Operations staff and equipment (i.e. road graders and snowplows) as well as providing adequate turnaround areas for the traveling public that are not able to utilize the gates and must turnaround.

RECOMMENDED ACTION: Staff recommends acceptance of these Easements

REVIEW:

Kristina Mann	Approve	8/29/2025
Jeff Garcia	Approve	9/4/2025
Andrew Copland	Escalated	9/4/2025
Christie Guthrie	Approve	9/4/2025
Christie Guthrie	Approve	9/4/2025
Doug DeBord	Approve	9/4/2025

ATTACHMENTS:

DOC090525-09052025164322
Conley - ROW - Signed
Conley - Slope & Drainage - Signed
Crowell-Lamm - ROW - Signed
Crowell-Lamm - Slope & Drainage - signed
Wirth - ROW - signed
Wirth - Slope Drainage - signed

DOUGLAS COUNTY
COLORADO

ROW Slope & Drainage Easement Acceptance

Date:	September 5, 2025
To:	Douglas County Board of County Commissioners
Through:	Douglas J. DeBord, County Manager
From:	Janet Herman, P.E., Director of Public Works Engineering
CC:	Brad Jackson, Development Review Supervisor
Subject:	Continuance of Slope & Drainage Easement Acceptance
Project File:	DV2025-300

Board of County Commissioners Hearing: **September 9, 2025 @ 2:30pm**

Douglas County Public Works Engineering is requesting a continuance of the Board of County Commissioners' Hearing to September 23, 2025 at 2:30pm so that this item may be heard concurrently with the road vacation under project file SB2025-026. The Metro District is requesting the continuance of the Road Vacation due to scheduling conflicts.

PERMANENT ROADWAY RIGHT-OF-WAY EASEMENT
FROM LOT 57, TWIN OAKS
FOR CLARKE CIRCLE

This **Grant of Permanent Roadway Right-of-Way Easement** ("the Easement") is made this 5th day of August 2025, between **NATHAN TYLER CONLEY AND BRANDYE LEIGH CONLEY**, whose address is 1537 Clarke Circle, Castle Rock, CO 80109 (hereinafter "**Grantor**") and the **BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO** a political subdivision of the State of Colorado, whose address is 100 Third Street, Castle Rock, Colorado 80104 (herein "**Grantee**"). The Grantor and Grantee, and their respective successors and assigns, may be referred to collectedly herein as the "Parties" and singularly as a "Party".

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of TEN DOLLARS AND NO CENTS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and by these presents does hereby grant and convey to Grantee, its successors and assigns, an exclusive easement in, on, over, under, through and across Grantor's real property, more particularly described in **Exhibit "A" and Exhibit "B"**, attached hereto and incorporated herein (the "Easement Area"), for the purpose of providing, operating and maintaining a public right-of-way, including, but not limited to, public access and related uses. Grantee shall operate, manage and maintain the Easement Area as a roadway available to the public consistent with the provisions of Article 2, Title 43 of the Colorado Revised Statues, and subject to the following terms and conditions:

1. Use by Grantee. Grantee shall have the full right and authority to construct, own, reconstruct, install, operate, maintain, repair, remove and replace public roadway improvements including, but not limited to, road base, a paved or gravel roadway surface section, curb and gutter, road shoulders, sidewalk improvements, traffic control devices, public signage, roadway striping and markings, above ground and underground utilities, cut and fill slopes and drainage structures such as roadside ditches, culverts, channels, storm sewer inlets and pipes, rip rap, detention basins, water quality ponds and any appurtenant items (collectively the "Public Improvements"). Grantee shall maintain and repair any constructed Public Improvements within the Easement Area at Grantee's sole cost.

2. Use by Traveling Public. The traveling public shall have the right to pass over the paved or gravel roadway surface section, road shoulders and sidewalk improvements constructed within the Easement Area.

3. Use by Grantor and Restrictions. Grantor retains the right to use and enjoy the Easement Area, insofar as such use and occupancy is consistent with and does not impair any grant herein contained. Grantor shall be prohibited from constructing or placing any structure, building, street light, power pole, yard light, mail box or sign, or other improvements whether temporary or permanent, or plant any Vegetation (as defined below) within the Easement Area that would unreasonably interfere with the Public Improvements or the public's use thereof as identified in

Section 2, unless specific written permission is obtained from the Grantee. Grantor shall be prohibited from working on, digging up or altering, in any manner, the Public Improvements within the Easement Area, unless specific written permission is obtained from Grantee. Grantor shall take no action which would impair the roadway surfaces, earth cover over, or the lateral or subjacent support for any Public Improvements or related structures within the Easement Area, unless specific written permission is obtained from the Grantee.

4. No Additional Uses. Grantee's, its employees', authorized agents' and contractors' use of the Easement Area shall be for the sole and exclusive purpose of performing construction, maintenance, repair and use and operation of the Public Improvements, and providing for the public's use thereof as identified in Section 2. This grant of easement shall not be construed as a fee dedication of the Easement Area or a grant of uses beyond those contemplated herein, and the Parties shall take whatever steps may be necessary to avoid any such additional uses.

5. Removal of Vegetation. Grantee, its authorized agents or contractors, shall have the right to remove shrubs, woody plants and nursery stock (singularly and collectively, the "Vegetation") from within the Easement Area that may interfere with the Public Improvements; provided however, Grantee shall use reasonable efforts to protect Vegetation identified by Grantor as to be protected if possible (and inform Grantor if not possible).

6. Repair and Restoration. Grantee's authorized agents or contractors may use heavy truck equipment during its work, which is normal and customary. The surface of Grantor's property, including without limitation the surface along the easement, shall be restored substantially to its original condition, except as necessarily modified to accommodate the Public Improvements, which shall include contouring and stabilizing the surface of the ground, and repairing any depressions, wheel tracks, ruts or other marks left in the ground surface by truck or track-mounted equipment. With the exception of the Public Improvements, Grantee shall promptly revegetate any disturbed areas with the seed mixture currently approved by the Douglas County Department of Public Works (the "Approved Seed Mix") and shall diligently pursue revegetation until such vegetation is successfully re-established, including applying and re-applying the Approved Seed Mix over multiple growing seasons.

7. Removal of Equipment. Upon completion of any work authorized by this Easement, Grantee shall promptly remove all materials, debris and equipment utilized to perform the work from the Easement Area, including any construction equipment and materials staged and/or stored within the Easement Area, if any.

8. Inspection. Grantee shall have the right to enter upon the Easement Area to survey and inspect the Public Improvements, and to remove objects interfering the safe and continuous use by the general public as identified in Section 2.

9. Compliance with Laws. Grantee shall cause all activities and work on the Easement Area to be performed in compliance with all applicable laws, rules, regulations, orders and other governmental requirements, including all stormwater management laws and regulations. Grantee acknowledges and agrees that it shall be responsible for obtaining and maintaining all necessary

federal, state and local permits relating to water quality, erosion, drainage, sediment control, grading and stormwater discharge for the performance of maintenance and/or repair work.

10. Release. Grantee, for itself and those claiming through Grantee, hereby releases Grantor, and its beneficiaries, officers, directors, partners, employees, agents, mortgagees, licensees, contractors, guests, and invitees from any and all liability, loss, claims, demands, damages, penalties, fines, interest, costs, and expenses for damage that may arise from operations on, or use of, the Easement Area by Grantee and its agents or contractors, except for damages that may arise from Grantor's negligence.

11. Environmental. Grantee shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the Easement Area by Grantee, its agents, employees or contractors with regard to its construction or maintenance activities, except those customarily used in typical amounts with regard to the equipment required to construct, maintain and repair the Public Improvements. Without limiting the foregoing, if the presence of any Hazardous Material on the Easement Area caused or permitted by Grantee results in any contamination of the Easement Area, Grantee shall promptly take all actions, at no expense to Grantor, as are necessary to return the Easement Area to the condition existing prior to the introduction of any such Hazardous Material to the Easement Area, provided that Grantor's approval of such actions shall first be obtained, which approval shall not be unreasonably withheld so long as such actions would not potentially have any material adverse effect on the Easement Area. It is understood by the Parties that Hazardous Material may be transported through or deposited within the Easement Area by the traveling public, and such instances shall be addressed pursuant to customary practices with regard to the presence or introduction of Hazardous Materials within public right-of-way by the traveling public. As used in this Easement, the term "Hazardous Material" means any hazardous or toxic substance, material or waste that is or becomes regulated by any local governmental authority, the State of Colorado or the United States.

12. Warranties and Disclaimers. Grantor warrants that it is the fee simple owner of the Easement Area and has good right and lawful authority to grant and convey the Easement. Grantor makes no further warranties or representations with respect to the Easement Area, including, without limitation, the condition and state of repair of the Easement Area, the suitability of the Easement Area for Grantee's intended use, or with respect to any rights which other parties may have, or claim to have, to enter upon the Easement Area by reason of access easements granted by Grantor or otherwise. Nothing in this Grant of Easement shall restrict Grantor's right to transfer title to the Easement Area, subject to the terms of this Easement.

13. Mechanic's and Materialmen's Liens. Grantee covenants and agrees not to suffer or permit any lien of mechanics or materialmen or others to be placed against the Easement Area or on Grantor's property with respect to work or services claimed to have been performed for, or materials claimed to have been furnished to, Grantee or its agents pursuant to this Easement.

14. Utilities. It is expressly acknowledged and agreed that Grantee shall have the right and authority to assign to any appropriate local governmental entity or to any public utility provider all rights to use this Easement, and all obligations associated with this Easement. In addition,

Grantee shall have the right and authority to issue and grant right-of-way use permits to any appropriate applicant with regard to access to the public roadway and purposes authorized herein with respect to the Improvements. Grantee shall ensure that any work performed by any third party complies with the terms of this Easement Deed.

15. General Provision.

a. Controlling Law. The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado.

b. Severability. In the event any of the provisions of this Easement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity of the remaining provisions shall not be affected. Should either Party fail to enforce a specific term of this Easement, it shall not be a waiver of a subsequent right of enforcement, nor shall it be deemed a modification or alteration of the terms and conditions contained herein.

c. Entire Agreement. This Easement sets forth the entire agreement of the Parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Easement, all of which are merged herein.

d. No Third Party Beneficiaries. This Easement is entered into by and between Grantor and Grantee, is solely for the benefit of Grantor and Grantee and their respective successors and assigns for the purposes set forth herein, and does not create rights or responsibilities in any third parties beyond Grantor and Grantee.

e. Amendment. Any amendment shall be in writing and signed by both Parties.

f. No Waiver of Governmental Immunity. Grantee, its commissioners, officials, officers, directors, agents and employees, are relying on, and do not waiver or intend to waive by any provision of this Easement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, §§ 24-10-101 to 120, C.R.S., as amended.

g. Appropriations. Any financial obligations of Grantee shall extend only to monies duly and lawfully appropriated and budgeted by Grantee and encumbered for the purpose of this Easement, pursuant to § 29-1-110, C.R.S., as amended.

h. Venue. Venue for any action hereunder shall be in the district court of the County of Douglas, State of Colorado.

i. Recitals. All recitals are hereby incorporated into the Easement.

j. Counterparts. This Easement may be executed in two (2) or more counterparts, each of which shall be deemed an original, all of which together shall constitute one and the same instrument.

k. Successors and Assigns. This Easement shall extend to and be binding upon the heirs, successors and assigns of the Parties hereto and shall run with the land.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Parties have executed this Easement on the date set forth above.

GRANTOR:

By: _____
Nathan Tyler Conley

By: Brandye Conley
Brandye Leigh Conley

STATE OF COLORADO)
El Paso) ss.
COUNTY OF ~~DOUGLAS~~)

The foregoing instrument was acknowledged before me this 5th day of August, 2025, by Nathan Tyler Conley and Brandye Leigh Conley.

Witness my hand and official seal.

SEAL

JUNE A RISNER
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20154033972
MY COMMISSION EXPIRES AUG 27, 2027

June A. Risner
Notary Public

My commission expires: August 27, 2027

GRANTEE:

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO

By:_____
Abe Laydon, Chair

Attest:

By: _____
Haley Hall,
Deputy Clerk to the Board

S E A L

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____ _____, 2025 by Abe Laydon, as Chair of the Board of County Commissioners of the County of Douglas, State of Colorado and Hayley Hall, as Deputy Clerk to the Board.

Witness my hand and official seal.

S E A L

_____
Notary Public

My commission expires: _____

EXHIBIT A1

LOT 57, TWIN OAKS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PART OF LOT 57, TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 57, TWIN OAKS AND CONSIDERING THE SOUTH LINE OF SAID LOT 57 TO BEAR S 69° 10' 13" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** N 36° 08' 47" W , 32.39 FEET TO THE ***POINT OF BEGINNING***;

THENCE N 12° 46' 58" W , 25.00 FEET;

THENCE N 77° 13' 02" E , 9.43 FEET TO A POINT ON A CURVE ON THE EAST LINE OF SAID LOT 57, SAID CURVE IS CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 351.16 FEET, TO WHICH THE RADIUS OF SAID CURVE BEARS N 78° 07' 37" E;

THENCE SOUTHEASTERLY ALONG SAID EAST LINE OF SAID LOT 57 AND SAID CURVE THROUGH A CENTRAL ANGLE OF 04° 04' 50" , AN ARC LENGTH OF 25.01 FEET;

THENCE DEPARTING SAID EAST LINE OF SAID LOT 57, S 77° 13' 02" W , 9.92 FEET TO THE ***POINT OF BEGINNING.***

THE DESCRIBED PARCEL CONTAINS 239.580 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

Arrow Point Surveying, Ltd.
6300 East Hampden Avenue
Unit C #358
Denver, CO 80222
720.384.5330
arrowpointsurveying@gmail.com

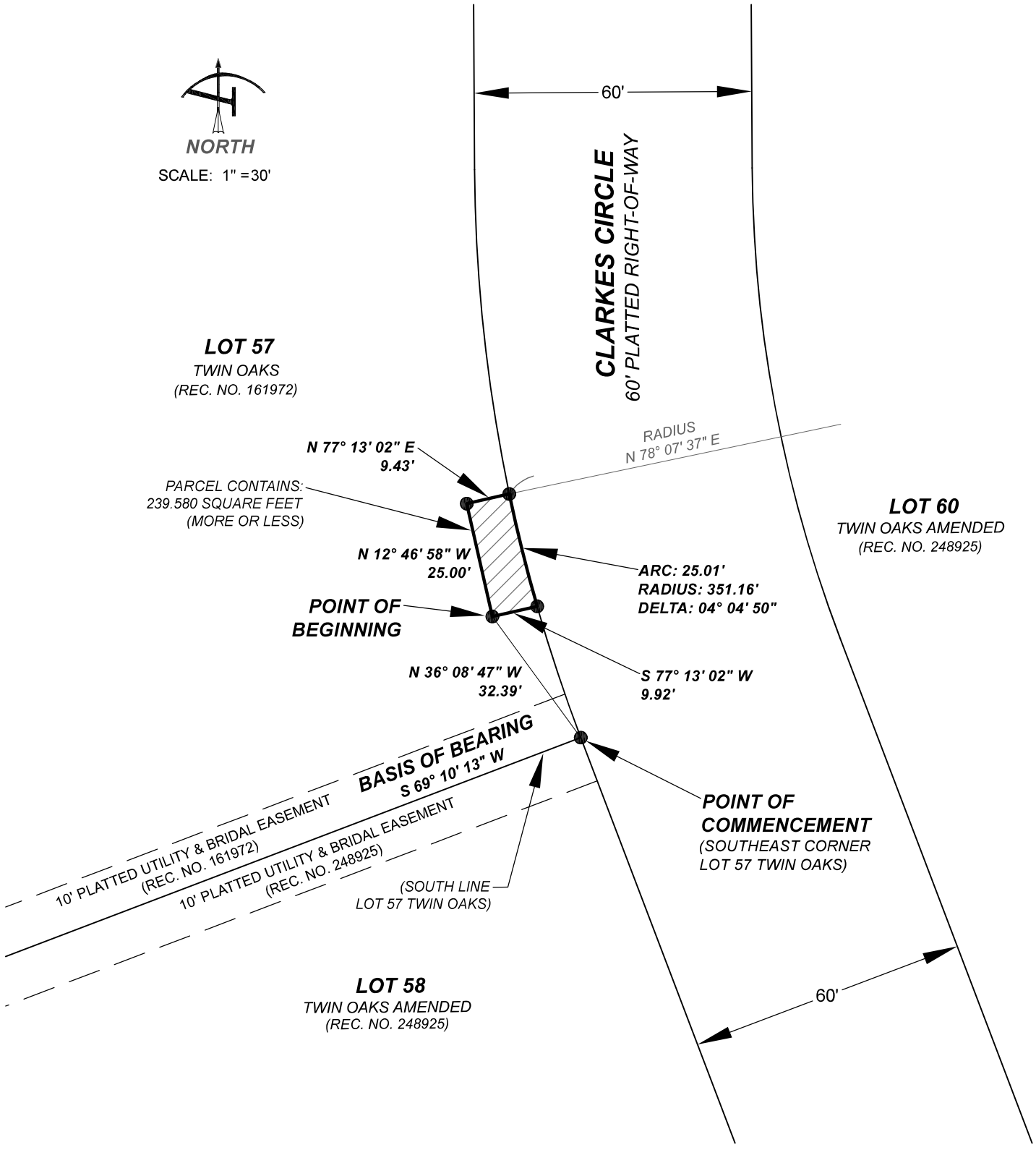
PROJECT: 20161000114

DATE: JULY 2025

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON PER STATE STATUTE 13-80-105(3)(a) C.R.S. THIS DOCUMENT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

EXHIBIT B1

LOT 57, TWIN OAKS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



REPRESENTS CHANGE IN COURSE AND/OR DISTANCE

Arrow Point Surveying, Ltd.
6300 East Hampden Avenue
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PAGE 2 OF 2

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EXHIBIT A2

LOT 57, TWIN OAKS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PART OF LOT 57, TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 57, TWIN OAKS AND CONSIDERING THE SOUTH LINE OF SAID LOT 57 TO BEAR S 69° 10' 13" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** N 12° 43' 58" W , 180.77 FEET TO THE ***POINT OF BEGINNING***;

THENCE N 01° 00' 10" W , 25.00 FEET;

THENCE N 88° 59' 50" E , 16.85 FEET TO THE EAST LINE OF SAID LOT 57;

THENCE ALONG SAID EAST LINE OF SAID LOT 57, S 00° 21' 20" E , 25.00 FEET;

THENCE DEPARTING SAID EAST LINE OF SAID LOT 57, S 88° 59' 50" W , 16.56 FEET TO THE ***POINT OF BEGINNING***.

THE DESCRIBED PARCEL CONTAINS 418.176 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

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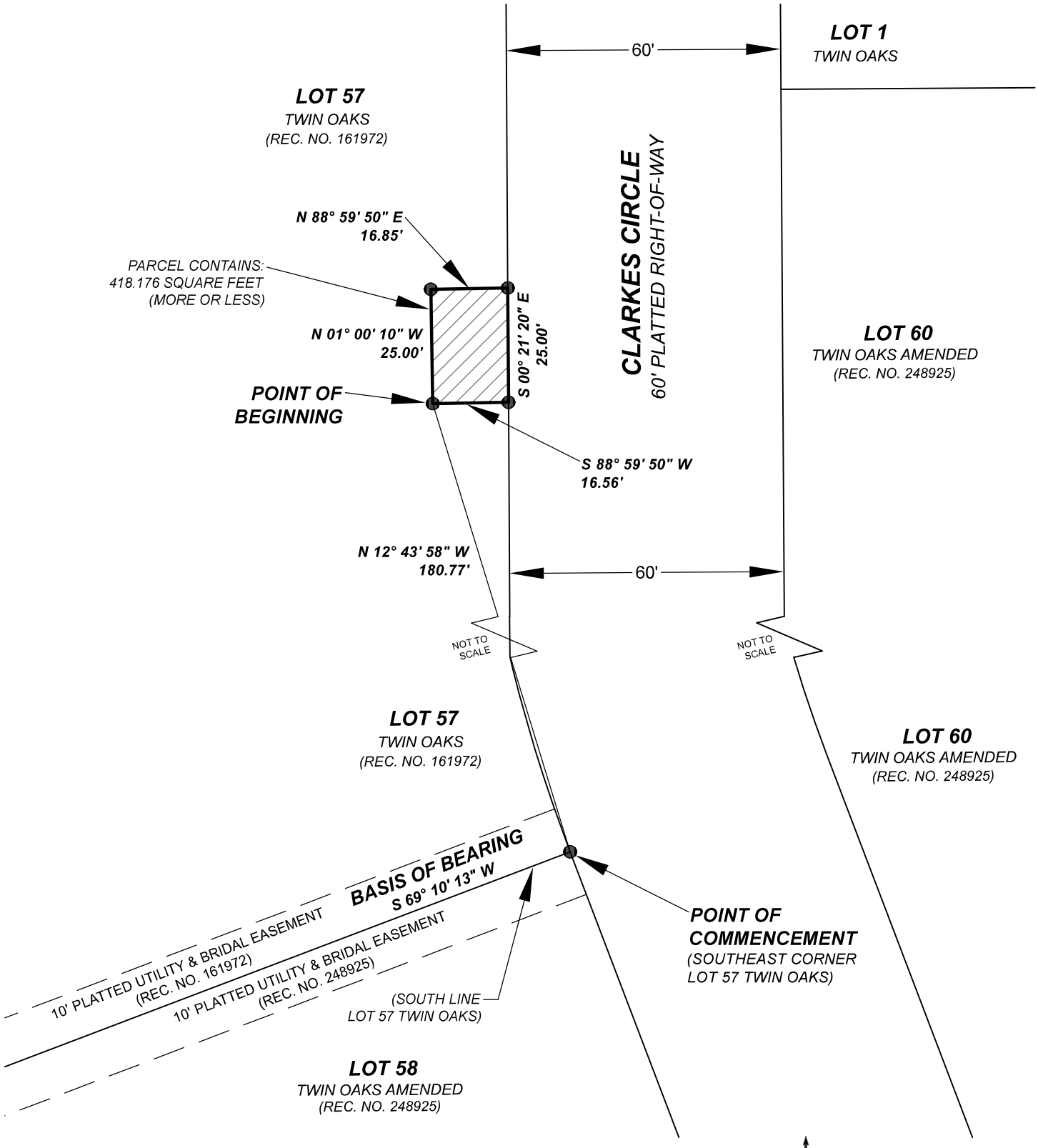
EXHIBIT B2

LOT 57, TWIN OAKS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



● REPRESENTS CHANGE IN COURSE AND/OR DISTANCE

NORTH

SCALE: 1" =30'

PAGE 2 OF 2

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PERMANENT SLOPE AND DRAINAGE EASEMENT DEED

THIS GRANT OF EASEMENT (the "Easement") is made this 4th day of August, 2025, between **NATHAN TYLER CONLEY and BRANDYE LEIGH CONLEY**, whose address is 4439 Fell Mist Way, Castle Rock, Colorado 80109 (hereinafter **"Grantor"**), and the **BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO**, a political subdivision of the State of Colorado, whose address is 100 Third Street, Castle Rock, Colorado 80104 (hereinafter **"Grantee"**). Grantor and Grantee, and their respective successors and assigns, may be referred to collectively herein as the "Parties" and singularly as a "Party."

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of TEN DOLLARS AND NO CENTS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and by these presents does hereby grant and convey to Grantee, its successors and assigns, a perpetual nonexclusive easement in, on, over, under, through and across Grantor's real property, more particularly described in **Exhibits "A" & "B"**, attached hereto and incorporated herein (the "Easement Area"), for the use and purpose of constructing, maintaining and repairing drainage structures, roadway slopes and public utility facilities, which shall include, but is not limited to, culverts, channels, ditch sections, storm sewer inlets and pipes, rip rap, detention basins, swales, forebays, water quality ponds, utility facilities and cut and fill slopes (collectively the "Public Improvements"). This Easement shall be subject to the following terms and conditions:

1. Use by Grantee. Grantee shall have the full right and authority to modify slope grades within the Easement Area and install the Public Improvements above and below the ground surface within the Easement Area, as may be necessary to accommodate, use, operate, maintain and repair the Public Improvements, at Grantee's sole discretion.

2. Use by Grantor and Restrictions. Grantor retains the right to use and enjoy the Easement Area, insofar as such use and occupancy is consistent with and does not impair any grant herein contained. Grantor shall be prohibited from constructing any structures or improvements within the Easement Area that would unreasonably interfere with the Public Improvements, unless specific written permission is obtained from the Grantee. Grantor shall be prohibited from working on, digging up or altering, in any manner, the Public Improvements within the Easement Area, unless specific written permission is obtained from Grantee. Grantor shall take no action which would impair the earth cover over, or the lateral or subjacent support for any Public Improvements or related structures within the Easement Area, unless specific written permission is obtained from the Grantee.

3. No Additional Uses. Grantee, its employees, authorized agents and contractors use of the Easement Area shall be for the sole and exclusive purpose of performing construction, maintenance and/or repair work on the Public Improvements, and this grant of easement shall not be

construed as a fee dedication of the Easement Area or a grant of uses beyond those contemplated herein, and the Parties shall take whatever steps may be necessary to avoid any such additional uses.

4. Notice. Grantee shall notify Grantor orally or in writing a minimum of twenty four (24) hours prior to entering the Easement Area to perform any construction, maintenance and/or repair activities.

5. Removal of Vegetation. Grantee, its authorized agents or contractors, shall have the right to remove shrubs, woody plants and nursery stock (singularly and collectively, the "Vegetation") from within the Easement Area that may interfere with the Public Improvements; provided however, Grantee shall use reasonable efforts to protect Vegetation identified by Grantor as to be protected if possible (and inform Grantor if not possible).

6. Repair and Restoration. Upon the completion of any work authorized by this Easement, Grantee shall restore the surface of the Easement Area, and any areas disturbed by Grantee, as nearly as reasonably possible to its original grade and condition, except as necessarily modified to accommodate the Public Improvements, which shall include contouring and stabilizing the surface of the ground, and repairing any depressions, wheel tracks, ruts or other marks left in the ground surface by truck or track-mounted equipment. Grantee shall revegetate any disturbed areas with the seed mixture currently approved by the Douglas County Department of Public Works Engineering.

7. Removal of Equipment. Upon completion of any work authorized by this Easement, Grantee shall promptly remove all materials, debris and equipment utilized to perform the work from the Easement Area, including any construction equipment and materials staged and/or stored within the Easement Area, if any.

8. Fencing. If any permanent fencing located within and/or adjacent to the Easement Area is impacted by Grantee's activities, Grantee shall reset or replace the disturbed permanent fencing with like kind materials at its original location once construction activities are completed, or at a location to be mutually determined between the Parties if it's not possible to reset or replace the disturbed fencing at its original location.

9. Driveways. Any driveways, street entrances and curb cuts located within the Easement Area, which are disturbed by Grantee's construction, maintenance and/or repair activities, shall be replaced with like kind materials by Grantee and may be reconfigured to tie into the Public Improvements constructed by Grantee.

10. Mechanic's and Materialmen's Liens. Grantee covenants and agrees not to suffer or permit any lien of mechanics or materialmen or others to be placed against the Easement Area or on Grantor's property with respect to work or services claimed to have been performed for, or materials claimed to have been furnished to, Grantee or its agents pursuant to this Easement.

11. Compliance with Laws. Grantee shall cause all activities and work on the Easement Area to be performed in compliance with all applicable laws, rules, regulations, orders and other governmental requirements, including all stormwater management laws and regulations. Grantee

acknowledges and agrees that it shall be responsible for obtaining and maintaining all necessary federal, state and local permits relating to water quality, erosion, drainage, sediment control, grading and stormwater discharge for the performance of maintenance and/or repair work.

12. Release. Grantee, for itself and those claiming through Grantee, hereby releases Grantor, its beneficiaries, and its respective officers, directors, partners, employees, agents, mortgagees, licensees, contractors, guests, and invitees from any and all liability, loss, claims, demands, damages, penalties, fines, interest, costs, and expenses for damage that may arise from the Use of the Easement Area by Grantee and its agents.

13. Endangered Species Act. The Easement Area may contain habitat for listed "threatened" or "endangered" species under the Endangered Species Act (ESA). Grantee shall be responsible for determining the presence of such habitat and taking measures to comply with the ESA and all other applicable federal laws.

14. Environmental. Grantee shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the Easement Area by Grantee, its agents, employees or contractors, except those customarily used in typical amounts with regard to the equipment required to construct, maintain and repair the Public Improvements. Without limiting the foregoing, if the presence of any Hazardous Material on the Easement Area caused or permitted by Licensee results in any contamination of the Easement Area, Grantee shall promptly take all actions, at no expense to Grantor, as are necessary to return the Easement Area to the condition existing prior to the introduction of any such Hazardous Material to the Easement Area, provided that Grantor's approval of such actions shall first be obtained, which approval shall not be unreasonably withheld so long as such actions would not potentially have any material adverse effect on the Easement Area. As used in this Easement, the term "Hazardous Material" means any hazardous or toxic substance, material or waste that is or becomes regulated by any local governmental authority, the State of Colorado or the United States.

15. Warranties and Disclaimers. Grantor makes no warranties or representations with respect to the Easement Area, including, without limitation, the condition and state of repair of the Easement Area, the suitability of the Easement Area for Grantee's intended use, or with respect to any rights which other parties may have, or claim to have, to enter upon the Easement Area by reason of access easements granted by Grantor or otherwise.

16. General Provision.

a. Controlling Law. The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado.

b. Severability. In the event any of the provisions of this Easement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity of the remaining provisions shall not be affected. Should either Party fail to enforce a specific term of this Easement, it shall not be a waiver of a subsequent right of enforcement, nor shall it be deemed a modification or alteration of the terms and conditions contained herein.

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k. Successors and Assigns. This Easement shall extend to and be binding upon the heirs, successors and assigns of the Parties hereto and shall run with the land.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the Parties have executed this Easement on the date set forth above.

GRANTOR:

By: _____
Nathan Tyler Conley

By: Brandye Conley
Brandye Leigh Conley

STATE OF COLORADO)
)ss.
COUNTY OF ~~DOUGLAS~~ El Paso)

The foregoing instrument was acknowledged before me this 4th day of August, 2025, by Nathan Tyler Conley and Brandye Leigh Conley.

Witness my hand and official seal

SEAL

JUNE A RISNER
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20154033972
MY COMMISSION EXPIRES AUG 27, 2027

June A. Risner
Notary Public

My commission expires: Aug. 27 2027

GRANTEE:

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO

By:_____
ABE LAYDON, Chair

Attest:

By:_____
Hayley Hall,
Deputy Clerk to the Board

S E A L

STATE OF COLORADO)
)ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by Abe Laydon as Chair of the Board of County Commissioners of the County of Douglas, State of Colorado and Hayley Hall as Deputy Clerk to the Board.

Witness my hand and official seal

S E A L

_____
Notary Public

My commission expires:_____

EXHIBIT A1

LOT 57, TWIN OAKS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PART OF LOT 57, TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 57, TWIN OAKS AND CONSIDERING THE SOUTH LINE OF SAID LOT 57 TO BEAR S 69° 10' 13" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** N 16° 18' 43" W , 177.47 FEET TO THE ***POINT OF BEGINNING***;

THENCE N 01° 00' 10" W , 41.15 FEET;

THENCE N 89° 38' 40" E , 27.07 FEET TO THE EAST LINE OF SAID LOT 57;

THENCE ALONG SAID EAST LINE OF SAID LOT 57, S 00° 21' 20" E , 41.15 FEET;

THENCE DEPARTING SAID EAST LINE OF SAID LOT 57, S 89° 38' 40" W , 26.61 FEET TO THE ***POINT OF BEGINNING***.

THE DESCRIBED PARCEL CONTAINS 1,106.424 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

Arrow Point Surveying, Ltd.
6300 East Hampden Avenue
Unit C #358
Denver, CO 80222
720.384.5330
arrowpointsurveying@gmail.com

PROJECT: 20161000114

DATE: JULY 2025

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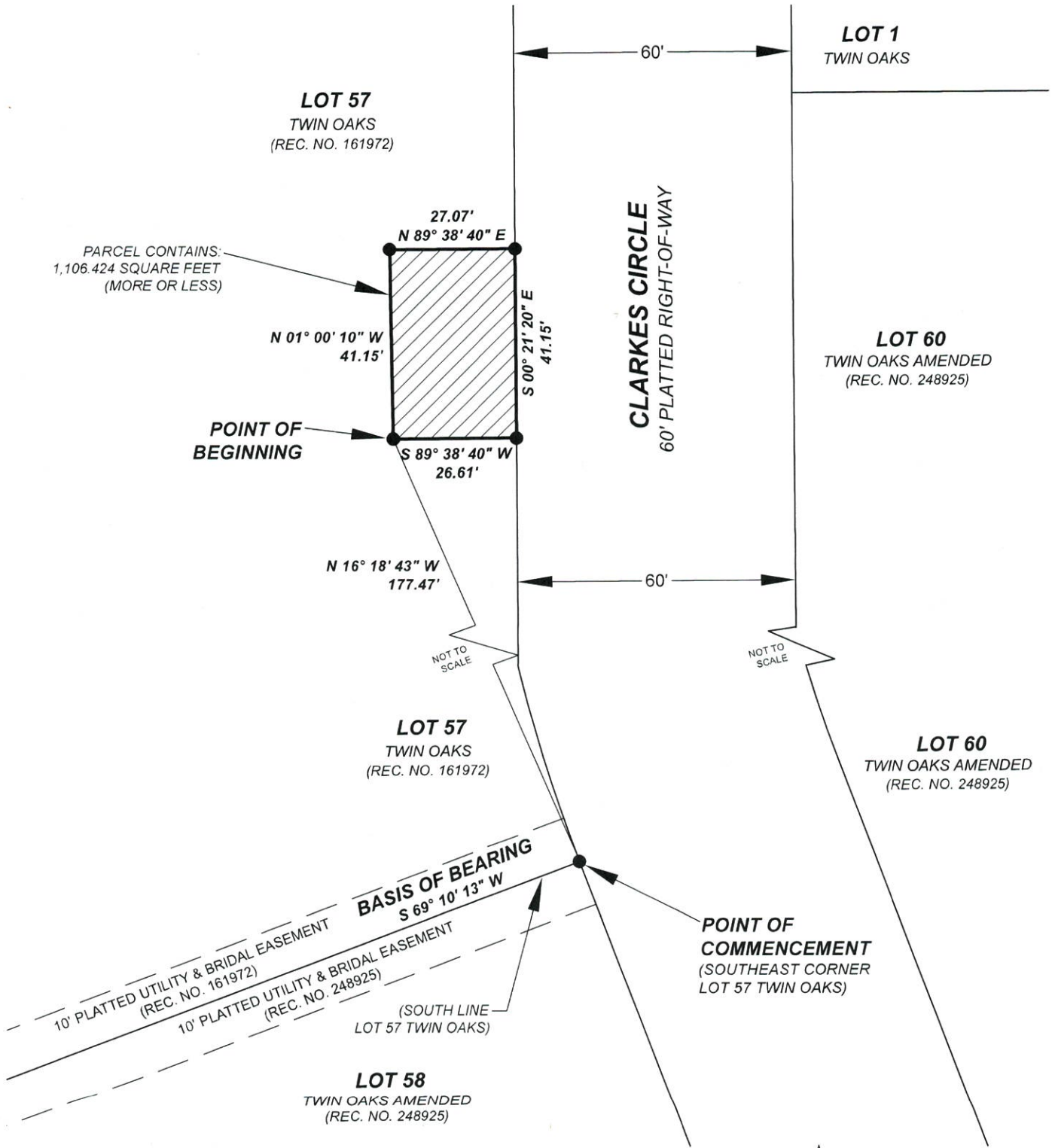
EXHIBIT B1

LOT 57, TWIN OAKS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



● REPRESENTS CHANGE IN COURSE AND/OR DISTANCE

NORTH

SCALE: 1" = 30'

PAGE 2 OF 2

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EXHIBIT A2

LOT 57, TWIN OAKS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PART OF LOT 57, TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 57, TWIN OAKS AND CONSIDERING THE SOUTH LINE OF SAID LOT 57 TO BEAR S 69° 10' 13" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** N 59° 12' 03" W , 34.24 FEET TO THE ***POINT OF BEGINNING***;

THENCE N 12° 46' 58" W , 41.46 FEET;

THENCE N 79° 39' 50" E , 21.68 FEET TO A POINT ON A CURVE ON THE EAST LINE OF SAID LOT 57, SAID CURVE IS CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 351.16 FEET, TO WHICH THE RADIUS OF SAID CURVE BEARS N 79° 39' 44" E;

THENCE SOUTHEASTERLY ALONG SAID EAST LINE OF SAID LOT 57 AND SAID CURVE THROUGH A CENTRAL ANGLE OF 06° 22' 11" , AN ARC LENGTH OF 39.04 FEET;

THENCE DEPARTING SAID EAST LINE OF SAID LOT 57, S 73° 17' 39" W , 22.22 FEET TO THE ***POINT OF BEGINNING***.

THE DESCRIBED PARCEL CONTAINS 866.844 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

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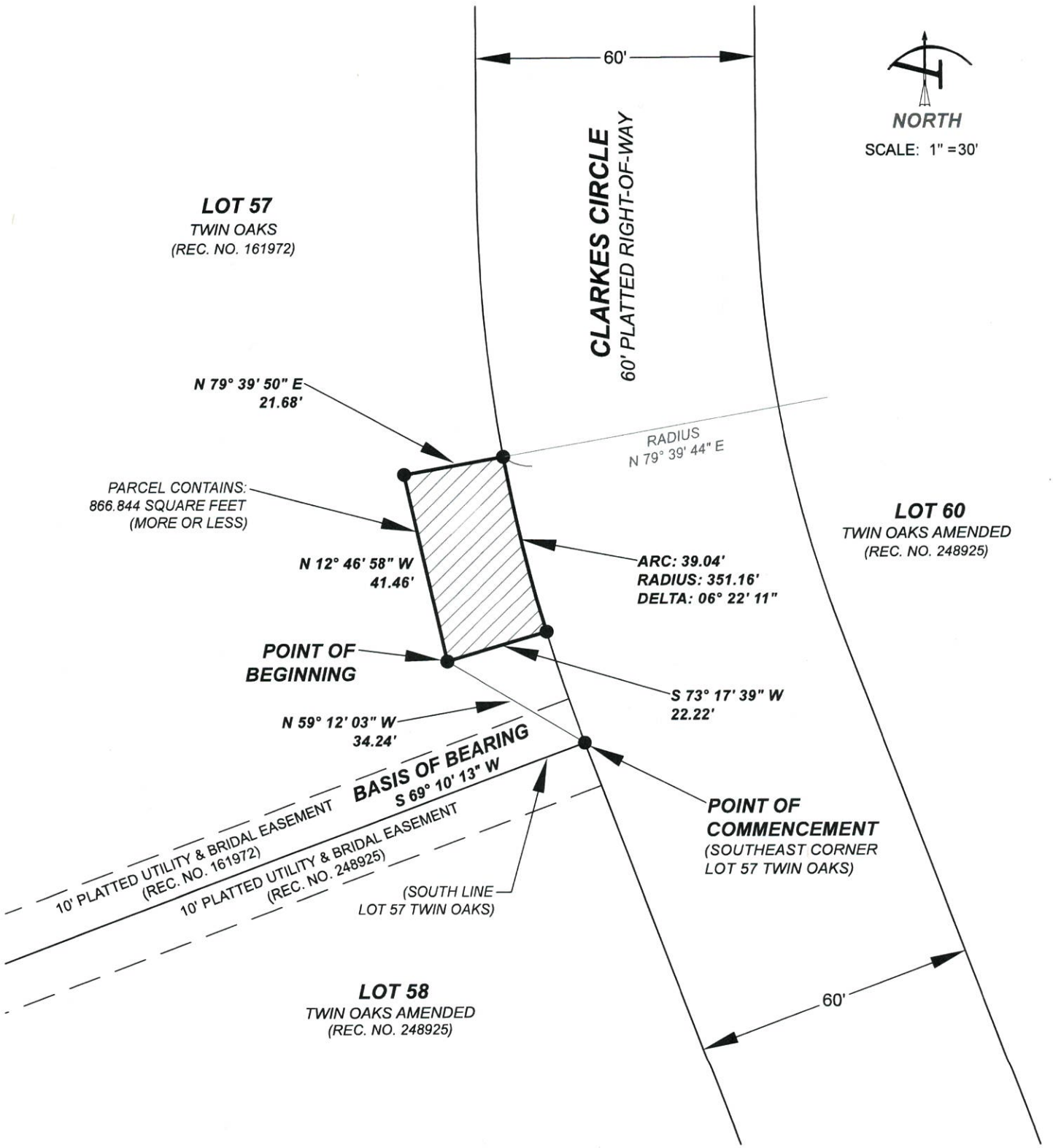
EXHIBIT B2

LOT 57, TWIN OAKS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



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PERMANENT ROADWAY RIGHT-OF-WAY EASEMENT FROM LOT 49, TWIN OAKS FOR TWIN OAKS ROAD

This **Grant of Permanent Roadway Right-of-Way Easement** (the "**Easement**") is made this 16th day of August 2025, between **JASON CROWELL AND JAYME LAMM**, whose address is 142 Twin Oaks Road, Castle Rock, Colorado 80109 (hereinafter "**Grantor**"), and the **BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO**, a political subdivision of the State of Colorado, whose address is 100 Third Street, Castle Rock, Colorado 80104 (hereinafter "**Grantee**"). The Grantor and Grantee, and their respective successors and assigns, may be referred to collectedly herein as the "Parties" and singularly as a "Party."

Witnesseth:

THAT GRANTOR, for and in consideration of the sum of TEN DOLLARS AND NO CENTS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and by these presents does hereby grant and convey to Grantee, its successors and assigns, an exclusive easement in, on, over, under, through and across Grantor's real property, more particularly described in **Exhibit "A"**, attached hereto and incorporated herein (the "**Easement Area**"), for the purpose of providing, operating and maintaining a public right-of-way, including, but not limited to, public access. Grantee shall operate, manage and maintain the Easement Area as a roadway available to the public consistent with the provisions of Article 2, Title 43 of the Colorado Revised Statues, and subject to the following terms and conditions:

1. Use by Grantee. Grantee shall have the full right and authority to construct, own, reconstruct, install, operate, maintain, repair, remove and replace public roadway improvements including, but not limited to, road base, a paved or gravel roadway surface section, curb and gutter, road shoulders, sidewalk improvements, traffic control devices, public signage, roadway striping and markings, above ground and underground utilities, cut and fill slopes and drainage structures such as roadside ditches, culverts, channels, storm sewer inlets and pipes, rip rap, detention basins, water quality

ponds and any appurtenant items (collectively the "**Public Improvements**"). Grantee shall maintain and repair any constructed Public Improvements within the Easement Area at Grantee's sole cost.

2. Use by Traveling Public. The traveling public shall have the right to pass over the paved or gravel roadway surface section, road shoulders and sidewalk improvements constructed within the Easement Area.

3. Use by Grantor and Restrictions. Grantor retains the right to use and enjoy the Easement Area, insofar as such use and occupancy is consistent with and does not impair any grant herein contained. Grantor shall be prohibited from constructing or placing any structure, building, street light, power pole, yard light, mail box or sign, or other improvements whether temporary or permanent, or plant any Vegetation (as defined below) within the Easement Area that would unreasonably interfere with the Public Improvements or the public's use thereof as identified in Section 2, unless specific written permission is obtained from Grantee. Grantor shall be prohibited from working on, digging up or altering, in any manner, the Public Improvements within the Easement Area, unless specific written permission is obtained from Grantee. Grantor shall take no action which would impair the roadway surfaces, earth cover over, or the lateral or subjacent support for any Public Improvements or related structures within the Easement Area, unless specific written permission is obtained from Grantee.

4. No Additional Uses. Grantee's, its employees', authorized agents' and contractors' use of the Easement Area shall be for the sole and exclusive purpose of performing construction, maintenance, repair and use and operation of the Public Improvements, and providing for the public's use thereof as identified in Section 2. This grant of Easement shall not be construed as a fee dedication of the Easement Area or a grant of uses beyond those contemplated herein, and the Parties shall take whatever steps may be necessary to avoid any such additional uses.

5. Removal of Vegetation. Grantee, its authorized agents or contractors, shall have the right to remove shrubs, woody plants and nursery stock (singularly and collectively, the "**Vegetation**") from within the Easement Area that may interfere with the Public Improvements; provided however, Grantee shall use reasonable efforts to protect Vegetation identified by Grantor as

to be protected if possible (and inform Grantor if not possible).

6. Repair and Restoration. Grantee's authorized agents or contractors may use heavy truck equipment during its work, which is normal and customary. The surface of Grantor's property, including without limitation the surface within and along the Easement Area, shall be restored substantially to its original condition, except as necessarily modified to accommodate the Public Improvements, which shall include contouring and stabilizing the surface of the ground, and repairing any depressions, wheel tracks, ruts or other marks left in the ground surface by truck or track-mounted equipment. With the exception of the Public Improvements, Grantee shall promptly revegetate any disturbed areas with the seed mixture currently approved by the Douglas County Department of Public Works (the "**Approved Seed Mix**") and shall diligently pursue revegetation until such vegetation is successfully re-established, including applying and re-applying the Approved Seed Mix over multiple growing seasons.

7. Removal of Equipment. Upon completion of any work authorized by this Easement, Grantee shall promptly remove all materials, debris and equipment utilized to perform the work from the Easement Area, including any construction equipment and materials staged and/or stored within the Easement Area, if any.

8. Inspection. Grantee shall have the right to enter upon the Easement Area to survey and inspect the Public Improvements, and to remove objects interfering with the safe and continuous use by the general public as identified in Section 2.

9. Compliance with Laws. Grantee shall cause all activities and work on the Easement Area to be performed in compliance with all applicable laws, rules, regulations, orders and other governmental requirements, including all stormwater management laws and regulations. Grantee acknowledges and agrees that it shall be responsible for obtaining and maintaining all necessary federal, state and local permits relating to water quality, erosion, drainage, sediment control, grading and stormwater discharge for the performance of maintenance and/or repair work.

10. Release. Grantee, for itself and those claiming through Grantee, hereby releases Grantor, and its beneficiaries, officers, directors, partners, employees, agents, mortgagees, licensees, contractors, guests, and invitees from any and all liability, loss, claims, demands, damages, penalties, fines, interest, costs, and

expenses for damage that may arise from operations on, or use of, the Easement Area by Grantee and its agents or contractors, except for damages that may arise from Grantor's sole negligence. Grantor assumes no liability for any claims or damages that may arise from this Easement.

11. Environmental. Grantee shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the Easement Area by Grantee, its agents, employees or contractors with regard to its construction or maintenance activities, except those customarily used in typical amounts with regard to the equipment required to construct, maintain and repair the Public Improvements. Without limiting the foregoing, if the presence of any Hazardous Material on the Easement Area caused or permitted by Grantee results in any contamination of the Easement Area, Grantee shall promptly take all actions, at no expense to Grantor, as are necessary to return the Easement Area to the condition existing prior to the introduction of any such Hazardous Material to the Easement Area, provided that Grantor's approval of such actions shall first be obtained, which approval shall not be unreasonably withheld so long as such actions would not potentially have any material adverse effect on the Easement Area. It is understood by the Parties that Hazardous Material may be transported through or deposited within the Easement Area by the traveling public, and such instances shall be addressed pursuant to customary practices with regard to the presence or introduction of Hazardous Materials within public right-of-way by the traveling public. As used in this Easement, the term "**Hazardous Material**" means any hazardous or toxic substance, material or waste that is or becomes regulated by any local governmental authority, the State of Colorado or the United States.

12. Warranties and Disclaimers. Grantor warrants that it is the fee simple owner of the Easement Area and has good right and lawful authority to grant and convey the Easement. Grantor makes no further warranties or representations with respect to the Easement Area, including, without limitation, the condition and state of repair of the Easement Area, the suitability of the Easement Area for Grantee's intended use, or with respect to any rights which other parties may have, or claim to have, to enter upon the Easement Area by reason of access easements granted by Grantor or otherwise. Nothing in this Grant of Easement shall restrict Grantor's right to transfer title to the Easement Area, subject to the terms of this Easement.

13. Mechanic's and Materialmen's Liens. Grantee covenants

and agrees not to suffer or permit any lien of mechanics or materialmen or others to be placed against the Easement Area or on Grantor's property with respect to work or services claimed to have been performed for, or materials claimed to have been furnished to, Grantee or its agents pursuant to this Easement.

14. Utilities. It is expressly acknowledged and agreed that Grantee shall have the right and authority to assign to any appropriate local governmental entity or to any public utility provider all rights to use this Easement, and all obligations associated with this Easement. In addition, after written notification to Grantor, Grantee shall have the right and authority to issue and grant right-of-way use permits to any appropriate applicant with regard to access to the public roadway and purposes authorized herein with respect to the Public Improvements. Grantee shall ensure that any work performed by any third party complies with the terms of this Easement.

15. General Provision.

a. Controlling Law. The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado.

b. Severability. In the event any of the provisions of this Easement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity of the remaining provisions shall not be affected. Should either Party fail to enforce a specific term of this Easement, it shall not be a waiver of a subsequent right of enforcement, nor shall it be deemed a modification or alteration of the terms and conditions contained herein.

c. Entire Agreement. This Easement sets forth the entire agreement of the Parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Easement, all of which are merged herein.

d. No Third Party Beneficiaries. This Easement is entered into by and between Grantor and Grantee, is solely for the benefit of Grantor and Grantee and their respective successors and assigns for the purposes set forth herein, and does not create rights or responsibilities in any third parties beyond Grantor and Grantee.

e. Amendment. Any amendment shall be in writing and signed by both Parties.

f. No Waiver of Governmental Immunity. Grantee, its commissioners, officials, officers, directors, agents and employees, are relying on, and do not waiver or intend to waive by any provision of this Easement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, §§ 24-10-101 to 120, C.R.S., as amended.

g. Appropriations. Any financial obligations of Grantee shall extend only to monies duly and lawfully appropriated and budgeted by Grantee and encumbered for the purpose of this Easement, pursuant to § 29-1-110, C.R.S., as amended.

h. Venue. Venue for any action hereunder shall be in the district court of the County of Douglas, State of Colorado.

i. Recitals. All recitals are hereby incorporated into the Easement.

j. Counterparts. This Easement may be executed in two (2) or more counterparts, each of which shall be deemed an original, all of which together shall constitute one and the same instrument.

k. Successors and Assigns. This Easement shall extend to and be binding upon the heirs, successors and assigns of the Parties hereto and shall run with the land.

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□
5981418.2

IN WITNESS WHEREOF, the Parties have executed this Easement on the date set forth above.

GRANTOR:

By: _____ By: _____
Jason Crowell Jayme Lamm

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 16 day of August, 2025, by Jason Crowell and Jayme Lamm.

Witness my hand and official seal.

S E A L

STEVEN TENZEK
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20254010822
MY COMMISSION EXPIRES MAR 21, 2029

Notary Public

MY COMMISSION EXPIRES: 03/21/2029

5981418.2

GRANTEE:

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO

By: **Attest:**
Abe Laydon, Chair

By:
Haley Hall,
Deputy Clerk to the Board

S E A L

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Abe Laydon, as Chair of the Board of County Commissioners of the County of Douglas, State of Colorado and Hayley Hall, as Deputy Clerk to the Board.

Witness my hand and official seal.

S E A L

Notary Public

My commission expires:

EXHIBIT A

LOT 49, TWIN OAKS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PART OF LOT 49, TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST CORNER OF SAID LOT 49, SAID TWIN OAKS AND CONSIDERING THE SOUTHEAST LINE OF SAID LOT 49 TO BEAR S 63° 11' 15" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** ALONG THE WESTERLY RIGHT-OF-WAY (60 FEET WIDE PLATTED PER SAID RECEPTION NUMBER: 161972) TWIN OAKS ROAD N 21° 33' 11" W , 125.19 FEET TO THE ***POINT OF BEGINNING;***

THENCE DEPARTING SAID RIGHT-OF-WAY, S 68° 26' 49" W , 17.49 FEET;

THENCE N 21° 33' 11" W , 25.00 FEET;

THENCE TO THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY, N 68° 26' 49" E , 17.49 FEET;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, S 21° 33' 11" E , 25.00 FEET TO THE ***POINT OF BEGINNING.***

THE DESCRIBED PARCEL CONTAINS 435.600 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

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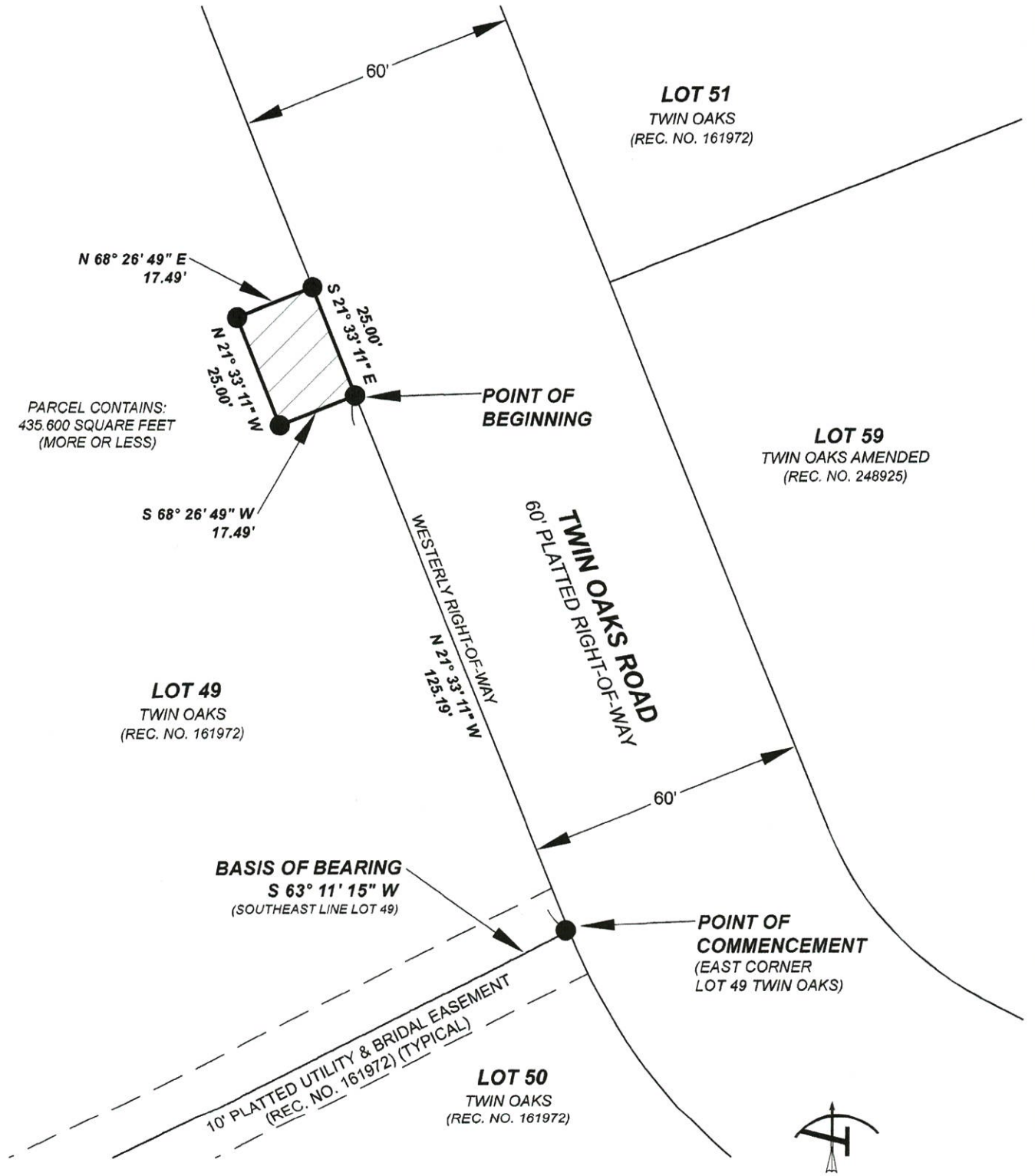
EXHIBIT B

LOT 49, TWIN OAKS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



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PERMANENT SLOPE AND DRAINAGE EASEMENT DEED

THIS GRANT OF EASEMENT (the "**Easement**") is made this 16th day of August, 2025, between **JASON CROWELL and JAYME LAMM**, whose address is 142 Twin Oaks Road, Castle Rock, Colorado 80109 (hereinafter "**Grantor**"), and the **BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO**, a political subdivision of the State of Colorado, whose address is 100 Third Street, Castle Rock, Colorado 80104 (hereinafter "**Grantee**"). Grantor and Grantee, and their respective successors and assigns, may be referred to collectively herein as the "Parties" and singularly as a "Party."

Witnesseth:

THAT GRANTOR, for and in consideration of the sum of TEN DOLLARS AND NO CENTS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and by these presents does hereby grant and convey to Grantee, its successors and assigns, a perpetual nonexclusive easement in, on, over, under, through and across Grantor's real property, more particularly described in **Exhibit "A"**, attached hereto and incorporated herein (the "**Easement Area**"), for the use and purpose of constructing, maintaining and repairing drainage structures, roadway slopes and public utility facilities, which shall include, but is not limited to, culverts, channels, ditch sections, storm sewer inlets and pipes, rip rap, detention basins, swales, forebays, water quality ponds, utility facilities and cut and fill slopes (collectively the "**Public Improvements**"). This Easement shall be subject to the following terms and conditions:

1. Use by Grantee. Grantee shall have the full right and authority to modify slope grades within the Easement Area and install the Public Improvements above and below the ground surface within the Easement Area, as may be necessary to accommodate, use, operate, maintain and repair the Public Improvements, at Grantee's sole discretion.

2. Use by Grantor and Restrictions. Grantor retains the right to use and enjoy the Easement Area, insofar as such use and occupancy is consistent with and does not impair any grant herein contained. Grantor shall be prohibited from constructing

any structures or improvements within the Easement Area that would unreasonably interfere with the Public Improvements, unless specific written permission is obtained from Grantee. Grantor shall be prohibited from working on, digging up or altering, in any manner, the Public Improvements within the Easement Area, unless specific written permission is obtained from Grantee. Grantor shall take no action which would impair the earth cover over, or the lateral or subjacent support for any Public Improvements or related structures within the Easement Area, unless specific written permission is obtained from Grantee.

3. No Additional Uses. Grantee, its employees, authorized agents and contractors use of the Easement Area shall be for the sole and exclusive purpose of performing construction, maintenance and/or repair work on the Public Improvements. This Grant of Easement shall not be construed as a fee dedication of the Easement Area or a grant of uses beyond those contemplated herein, and the Parties shall take whatever steps may be necessary to avoid any such additional uses.

4. Notice. Grantee shall notify Grantor orally or in writing a minimum of twenty four (24) hours prior to entering the Easement Area to perform any construction, maintenance and/or repair activities.

5. Removal of Vegetation. Grantee, its authorized agents or contractors, shall have the right to remove shrubs, woody plants and nursery stock (singularly and collectively, the "**Vegetation**") from within the Easement Area that may interfere with the Public Improvements; provided however, Grantee shall use reasonable efforts to protect Vegetation identified by Grantor as to be protected if possible (and inform Grantor if not possible).

6. Repair and Restoration. Upon the completion of any work authorized by this Easement, Grantee shall restore the surface of the Easement Area, and any areas disturbed by Grantee, as nearly as reasonably possible to its original grade and condition, except as necessarily modified to accommodate the Public Improvements, which shall include contouring and stabilizing the surface of the ground, and repairing any depressions, wheel tracks, ruts or other marks left in the ground surface by truck or track-mounted equipment. Grantee shall revegetate any disturbed areas with the seed mixture currently approved by the Douglas County Department of Public Works Engineering.

7. Removal of Equipment. Upon completion of any work

authorized by this Easement, Grantee shall promptly remove all materials, debris and equipment utilized to perform the work from the Easement Area, including any construction equipment and materials staged and/or stored within the Easement Area, if any.

8. Fencing. If any permanent fencing located within and/or adjacent to the Easement Area is impacted by Grantee's activities, Grantee shall reset or replace the disturbed permanent fencing with like kind materials approved by Grantor at its original location once construction activities are completed, or at a location to be mutually determined between the Parties if it's not possible to reset or replace the disturbed fencing at its original location.

9. Driveways. Any driveways, street entrances and curb cuts located within the Easement Area, which are disturbed by Grantee's construction, maintenance and/or repair activities, shall be replaced with like kind materials by Grantee and may be reconfigured to tie into the Public Improvements constructed by Grantee.

10. Mechanic's and Materialmen's Liens. Grantee covenants and agrees not to suffer or permit any lien of mechanics or materialmen or others to be placed against the Easement Area or on Grantor's property with respect to work or services claimed to have been performed for, or materials claimed to have been furnished to, Grantee or its agents pursuant to this Easement.

11. Compliance with Laws. Grantee shall cause all activities and work on the Easement Area to be performed in compliance with all applicable laws, rules, regulations, orders and other governmental requirements, including all stormwater management laws and regulations. Grantee acknowledges and agrees that it shall be responsible for obtaining and maintaining all necessary federal, state and local permits relating to water quality, erosion, drainage, sediment control, grading and stormwater discharge for the performance of maintenance and/or repair work.

12. Release. Grantee, for itself and those claiming through Grantee, hereby releases Grantor, its beneficiaries, and its respective officers, directors, partners, employees, agents, mortgagees, licensees, contractors, guests, and invitees from any and all liability, loss, claims, demands, damages, penalties, fines, interest, costs, and expenses for damage that may arise from the use of the Easement Area by Grantee and its agents. Grantor

assumes no liability for any claims or damages that may arise from this Easement.

13. Endangered Species Act. The Easement Area may contain habitat for listed "threatened" or "endangered" species under the Endangered Species Act (ESA). Grantee shall be responsible for determining the presence of such habitat and taking measures to comply with the ESA and all other applicable federal laws.

14. Environmental. Grantee shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the Easement Area by Grantee, its agents, employees or contractors, except those customarily used in typical amounts with regard to the equipment required to construct, maintain and repair the Public Improvements. Without limiting the foregoing, if the presence of any Hazardous Material on the Easement Area caused or permitted by Licensee results in any contamination of the Easement Area, Grantee shall promptly take all actions, at no expense to Grantor, as are necessary to return the Easement Area to the condition existing prior to the introduction of any such Hazardous Material to the Easement Area, provided that Grantor's approval of such actions shall first be obtained, which approval shall not be unreasonably withheld so long as such actions would not potentially have any material adverse effect on the Easement Area. As used in this Easement, the term "**Hazardous Material**" means any hazardous or toxic substance, material or waste that is or becomes regulated by any local governmental authority, the State of Colorado or the United States.

15. Warranties and Disclaimers. Grantor makes no warranties or representations with respect to the Easement Area, including, without limitation, the condition and state of repair of the Easement Area, the suitability of the Easement Area for Grantee's intended use, or with respect to any rights which other parties may have, or claim to have, to enter upon the Easement Area by reason of access easements granted by Grantor or otherwise.

16. General Provision.

a. Controlling Law. The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado.

b. Severability. In the event any of the provisions of this Easement are held to be unenforceable or invalid by any court of

competent jurisdiction, the validity of the remaining provisions shall not be affected. Should either Party fail to enforce a specific term of this Easement, it shall not be a waiver of a subsequent right of enforcement, nor shall it be deemed a modification or alteration of the terms and conditions contained herein.

c. Entire Agreement. This Easement sets forth the entire agreement of the Parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Easement, all of which are merged herein.

d. No Third Party Beneficiaries. This Easement is entered into by and between Grantor and Grantee, is solely for the benefit of Grantor and Grantee and their respective successors and assigns for the purposes set forth herein, and does not create rights or responsibilities in any third parties beyond Grantor and Grantee.

e. Amendment. Any amendment shall be in writing and signed by both Parties.

f. No Waiver of Governmental Immunity. Grantee, its commissioners, officials, officers, directors, agents and employees, are relying on, and do not waiver or intend to waive by any provision of this Easement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, §§ 24-10-101 to 120, C.R.S., as amended.

g. Appropriations. Any financial obligations of Grantee shall extend only to monies duly and lawfully appropriated and budgeted by Grantee and encumbered for the purpose of this Easement, pursuant to § 29-1-110, C.R.S., as amended.

h. Venue. Venue for any action hereunder shall be in the district court of the County of Douglas, State of Colorado.

i. Recitals. All recitals are hereby incorporated into the Easement.

j. Counterparts. This Easement may be executed in two (2) or more counterparts, each of which shall be deemed an original, all of which together shall constitute one and the same instrument.

k. Successors and Assigns. This Easement shall extend to and be binding upon the heirs, successors and assigns of the Parties hereto and shall run with the land.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURES TO FOLLOW]

□
1
5981475.2

IN WITNESS WHEREOF, the Parties have executed this Easement on the date set forth above.

GRANTOR:

By: _____ By: _____
Jason Crowell Jayme Lamm

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 16 day of August, 2025, by Jason Crowell and Jayme Lamm.

Witness my hand and official seal.

S E A L

STEVEN TENZEK
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20254010822
MY COMMISSION EXPIRES MAR 21, 2029

Notary Public _____

MY COMMISSION EXPIRES: 03/21/2029

□
1
5981475.2

GRANTEE:

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO

By: **Attest:**
Abe Laydon, Chair

By:
Haley Hall,
Deputy Clerk to the

Board

S E A L

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Abe Laydon, as Chair of the Board of County Commissioners of the County of Douglas, State of Colorado and Hayley Hall, as Deputy Clerk to the Board.

Witness my hand and official seal.

S E A L

Notary Public

My commission expires:

EXHIBIT A

LOT 49, TWIN OAKS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PART OF LOT 49, TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST CORNER OF SAID LOT 49, SAID TWIN OAKS AND CONSIDERING THE SOUTHEAST LINE OF SAID LOT 49 TO BEAR S 63° 11' 15" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** ALONG THE WESTERLY RIGHT-OF-WAY (60 FEET WIDE PLATTED PER SAID RECEPTION NUMBER: 161972) TWIN OAKS ROAD N 21° 33' 11" W , 115.92 FEET TO THE ***POINT OF BEGINNING;***

THENCE DEPARTING SAID RIGHT-OF-WAY, S 68° 26' 49" W , 37.99 FEET;

THENCE N 21° 33' 11" W , 52.46 FEET;

THENCE TO THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY, N 68° 26' 49" E , 37.99 FEET;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, S 21° 33' 11" E , 52.46 FEET TO THE ***POINT OF BEGINNING.***

THE DESCRIBED PARCEL CONTAINS 1,990.692 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

Arrow Point Surveying, Ltd.
6300 East Hampden Avenue
Unit C #358
Denver, CO 80222
720.384.5330
arrowpointsurveying@gmail.com

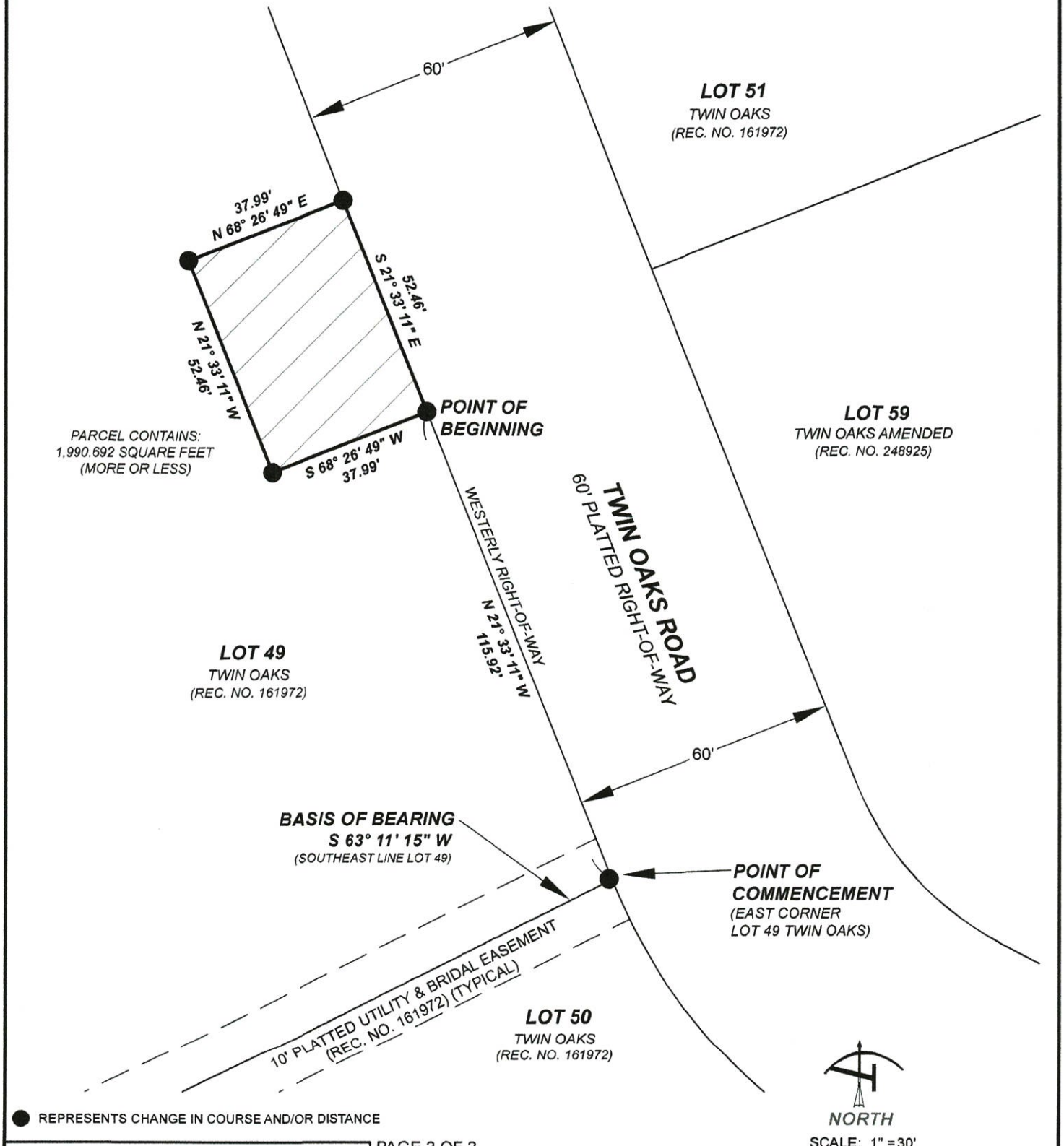
PROJECT: 20161000114

DATE: JULY 2025

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON PER STATE STATUTE 13-80-105(3)(a) C.R.S. THIS DOCUMENT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

EXHIBIT B

LOT 49, TWIN OAKS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



● REPRESENTS CHANGE IN COURSE AND/OR DISTANCE

Arrow Point Surveying, Ltd.
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PAGE 2 OF 2

PROJECT: 20161000114

DATE: JULY 2025

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON PER STATE STATUTE 13-80-105(3)(a) C.R.S. THIS DOCUMENT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PERMANENT ROADWAY RIGHT-OF-WAY EASEMENT
FROM LOT 50, TWIN OAKS
FOR TWIN OAKS ROAD

This **Grant of Permanent Roadway Right-of-Way Easement** ("the Easement") is made this 28th day of August 2025, between **HAZEL ELAINA WIRTH AND DANNY LEE WIRTH,** whose address is 46 Twin Oaks Road, Castle Rock, CO 80109 (hereinafter "**Grantor**"), and the **BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO**, a political subdivision of the State of Colorado, whose address is 100 Third Street, Castle Rock, Colorado 80104 (herein "**Grantee**"). The Grantor and Grantee, and their respective successors and assigns, may be referred to collectedly herein as the "Parties" and singularly as a "Party".

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of TEN DOLLARS AND NO CENTS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and by these presents does hereby grant and convey to Grantee, its successors and assigns, an exclusive easement in, on, over, under, through and across Grantor's real property, more particularly described in **Exhibit "A"**, attached hereto and incorporated herein (the "Easement Area"), for the purpose of providing, operating and maintaining a public right-of-way, including, but not limited to, public access and related uses. Grantee shall operate, manage and maintain the Easement Area as a roadway available to the public consistent with the provisions of Article 2, Title 43 of the Colorado Revised Statues, and subject to the following terms and conditions:

1. Use by Grantee. Grantee shall have the full right and authority to construct, own, reconstruct, install, operate, maintain, repair, remove and replace public roadway improvements including, but not limited to, road base, a paved or gravel roadway surface section, curb and gutter, road shoulders, sidewalk improvements, traffic control devices, public signage, roadway striping and markings, above ground and underground utilities, cut and fill slopes and drainage structures such as roadside ditches, culverts, channels, storm sewer inlets and pipes, rip rap, detention basins, water quality ponds and any appurtenant items (collectively the "Public Improvements"). Grantee shall maintain and repair any constructed Public Improvements within the Easement Area at Grantee's sole cost.

2. Use by Traveling Public. The traveling public shall have the right to pass over the paved or gravel roadway surface section, road shoulders and sidewalk improvements constructed within the Easement Area.

3. Use by Grantor and Restrictions. Grantor retains the right to use and enjoy the Easement Area, insofar as such use and occupancy is consistent with and does not impair any grant herein contained. Grantor shall be prohibited from constructing or placing any structure, building, street light, power pole, yard light, mail box or sign, or other improvements whether temporary or permanent, or plant any Vegetation (as defined below) within the Easement Area that would unreasonably interfere with the Public Improvements or the public's use thereof as identified in

Section 2, unless specific written permission is obtained from the Grantee. Grantor shall be prohibited from working on, digging up or altering, in any manner, the Public Improvements within the Easement Area, unless specific written permission is obtained from Grantee. Grantor shall take no action which would impair the roadway surfaces, earth cover over, or the lateral or subjacent support for any Public Improvements or related structures within the Easement Area, unless specific written permission is obtained from the Grantee.

4. No Additional Uses. Grantee's, its employees', authorized agents' and contractors' use of the Easement Area shall be for the sole and exclusive purpose of performing construction, maintenance, repair and use and operation of the Public Improvements, and providing for the public's use thereof as identified in Section 2. This grant of easement shall not be construed as a fee dedication of the Easement Area or a grant of uses beyond those contemplated herein, and the Parties shall take whatever steps may be necessary to avoid any such additional uses.

5. Removal of Vegetation. Grantee, its authorized agents or contractors, shall have the right to remove shrubs, woody plants and nursery stock (singularly and collectively, the "Vegetation") from within the Easement Area that may interfere with the Public Improvements; provided however, Grantee shall use reasonable efforts to protect Vegetation identified by Grantor as to be protected if possible (and inform Grantor if not possible).

6. Repair and Restoration. Grantee's authorized agents or contractors may use heavy truck equipment during its work, which is normal and customary. The surface of Grantor's property, including without limitation the surface along the easement, shall be restored substantially to its original condition, except as necessarily modified to accommodate the Public Improvements, which shall include contouring and stabilizing the surface of the ground, and repairing any depressions, wheel tracks, ruts or other marks left in the ground surface by truck or track-mounted equipment. With the exception of the Public Improvements, Grantee shall promptly revegetate any disturbed areas with the seed mixture currently approved by the Douglas County Department of Public Works (the "Approved Seed Mix") and shall diligently pursue revegetation until such vegetation is successfully re-established, including applying and re-applying the Approved Seed Mix over multiple growing seasons.

7. Removal of Equipment. Upon completion of any work authorized by this Easement, Grantee shall promptly remove all materials, debris and equipment utilized to perform the work from the Easement Area, including any construction equipment and materials staged and/or stored within the Easement Area, if any.

8. Inspection. Grantee shall have the right to enter upon the Easement Area to survey and inspect the Public Improvements, and to remove objects interfering the safe and continuous use by the general public as identified in Section 2.

9. Compliance with Laws. Grantee shall cause all activities and work on the Easement Area to be performed in compliance with all applicable laws, rules, regulations, orders and other governmental requirements, including all stormwater management laws and regulations. Grantee acknowledges and agrees that it shall be responsible for obtaining and maintaining all necessary

federal, state and local permits relating to water quality, erosion, drainage, sediment control, grading and stormwater discharge for the performance of maintenance and/or repair work.

10. Release. Grantee, for itself and those claiming through Grantee, hereby releases Grantor, and its beneficiaries, officers, directors, partners, employees, agents, mortgagees, licensees, contractors, guests, and invitees from any and all liability, loss, claims, demands, damages, penalties, fines, interest, costs, and expenses for damage that may arise from operations on, or use of, the Easement Area by Grantee and its agents or contractors, except for damages that may arise from Grantor's negligence.

11. Environmental. Grantee shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the Easement Area by Grantee, its agents, employees or contractors with regard to its construction or maintenance activities, except those customarily used in typical amounts with regard to the equipment required to construct, maintain and repair the Public Improvements. Without limiting the foregoing, if the presence of any Hazardous Material on the Easement Area caused or permitted by Grantee results in any contamination of the Easement Area, Grantee shall promptly take all actions, at no expense to Grantor, as are necessary to return the Easement Area to the condition existing prior to the introduction of any such Hazardous Material to the Easement Area, provided that Grantor's approval of such actions shall first be obtained, which approval shall not be unreasonably withheld so long as such actions would not potentially have any material adverse effect on the Easement Area. It is understood by the Parties that Hazardous Material may be transported through or deposited within the Easement Area by the traveling public, and such instances shall be addressed pursuant to customary practices with regard to the presence or introduction of Hazardous Materials within public right-of-way by the traveling public. As used in this Easement, the term "Hazardous Material" means any hazardous or toxic substance, material or waste that is or becomes regulated by any local governmental authority, the State of Colorado or the United States.

12. Warranties and Disclaimers. Grantor warrants that it is the fee simple owner of the Easement Area and has good right and lawful authority to grant and convey the Easement. Grantor makes no further warranties or representations with respect to the Easement Area, including, without limitation, the condition and state of repair of the Easement Area, the suitability of the Easement Area for Grantee's intended use, or with respect to any rights which other parties may have, or claim to have, to enter upon the Easement Area by reason of access easements granted by Grantor or otherwise. Nothing in this Grant of Easement shall restrict Grantor's right to transfer title to the Easement Area, subject to the terms of this Easement.

13. Mechanic's and Materialmen's Liens. Grantee covenants and agrees not to suffer or permit any lien of mechanics or materialmen or others to be placed against the Easement Area or on Grantor's property with respect to work or services claimed to have been performed for, or materials claimed to have been furnished to, Grantee or its agents pursuant to this Easement.

14. Utilities. It is expressly acknowledged and agreed that Grantee shall have the right and authority to assign to any appropriate local governmental entity or to any public utility provider all rights to use this Easement, and all obligations associated with this Easement. In addition,

Grantee shall have the right and authority to issue and grant right-of-way use permits to any appropriate applicant with regard to access to the public roadway and purposes authorized herein with respect to the Improvements. Grantee shall ensure that any work performed by any third party complies with the terms of this Easement Deed.

15. General Provision.

a. Controlling Law. The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado.

b. Severability. In the event any of the provisions of this Easement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity of the remaining provisions shall not be affected. Should either Party fail to enforce a specific term of this Easement, it shall not be a waiver of a subsequent right of enforcement, nor shall it be deemed a modification or alteration of the terms and conditions contained herein.

c. Entire Agreement. This Easement sets forth the entire agreement of the Parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Easement, all of which are merged herein.

d. No Third Party Beneficiaries. This Easement is entered into by and between Grantor and Grantee, is solely for the benefit of Grantor and Grantee and their respective successors and assigns for the purposes set forth herein, and does not create rights or responsibilities in any third parties beyond Grantor and Grantee.

e. Amendment. Any amendment shall be in writing and signed by both Parties.

f. No Waiver of Governmental Immunity. Grantee, its commissioners, officials, officers, directors, agents and employees, are relying on, and do not waiver or intend to waive by any provision of this Easement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, §§ 24-10-101 to 120, C.R.S., as amended.

g. Appropriations. Any financial obligations of Grantee shall extend only to monies duly and lawfully appropriated and budgeted by Grantee and encumbered for the purpose of this Easement, pursuant to § 29-1-110, C.R.S., as amended.

h. Venue. Venue for any action hereunder shall be in the district court of the County of Douglas, State of Colorado.

i. Recitals. All recitals are hereby incorporated into the Easement.

j. Counterparts. This Easement may be executed in two (2) or more counterparts, each of which shall be deemed an original, all of which together shall constitute one and the same instrument.

k. Successors and Assigns. This Easement shall extend to and be binding upon the heirs, successors and assigns of the Parties hereto and shall run with the land.

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IN WITNESS WHEREOF, this Grant is made by Grantor and accepted by Grantee as of the day and year first above written.

GRANTOR:

By: _____
Hazel Elaina Wirth

By: _____
Danny Lee Wirth

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 28 day of August, 2025, by Hazel Elaina Wirth and Danny Lee Wirth.

Witness my hand and official seal.

S E A L

GREGORY TRUONG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20254028654
MY COMMISSION EXPIRES 07/28/2029

_____
Notary Public

My commission expires: 7/28/29

GRANTEE:

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO

By:_____
Abe Laydon, Chair

Attest:

By: _____
Haley Hall,
Deputy Clerk to the Board

S E A L

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____ _____, 2025 by Abe Laydon, as Chair of the Board of County Commissioners of the County of Douglas, State of Colorado and Hayley Hall, as Deputy Clerk to the Board.

Witness my hand and official seal.

S E A L

_____
Notary Public

My commission expires: _____

EXHIBIT A

LOT 50, TWIN OAKS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PART OF LOT 50, TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH CORNER OF SAID LOT 50, SAID TWIN OAKS AND CONSIDERING THE NORTHWEST LINE OF SAID LOT 50 TO BEAR S 63° 11' 15" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** S 19° 27' 32" E , 24.17 FEET TO THE ***POINT OF BEGINNING;***

THENCE TO THE SOUTHERLY RIGHT-OF-WAY (60 FEET WIDE PLATTED PER SAID RECEPTION NUMBER: 161972) TWIN OAKS ROAD TO A POINT ON A CURVE (SAID CURVE IS CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 130.49 FEET, TO WHICH THE RADIUS OF SAID CURVE BEARS N 58° 09' 07" E) N 52° 39' 28" E , 3.10 FEET;

THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 10° 59' 38" , AN ARC LENGTH OF 25.04 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, S 52° 39' 28" W , 3.10 FEET;

THENCE N 37° 20' 32" W , 25.00 FEET TO THE ***POINT OF BEGINNING***.

THE DESCRIBED PARCEL CONTAINS 69.696 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

Arrow Point Surveying, Ltd.
6300 East Hampden Avenue
Unit C #358
Denver, CO 80222
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arrowpointsurveying@gmail.com

PROJECT: 20161000114

DATE: JULY 2025

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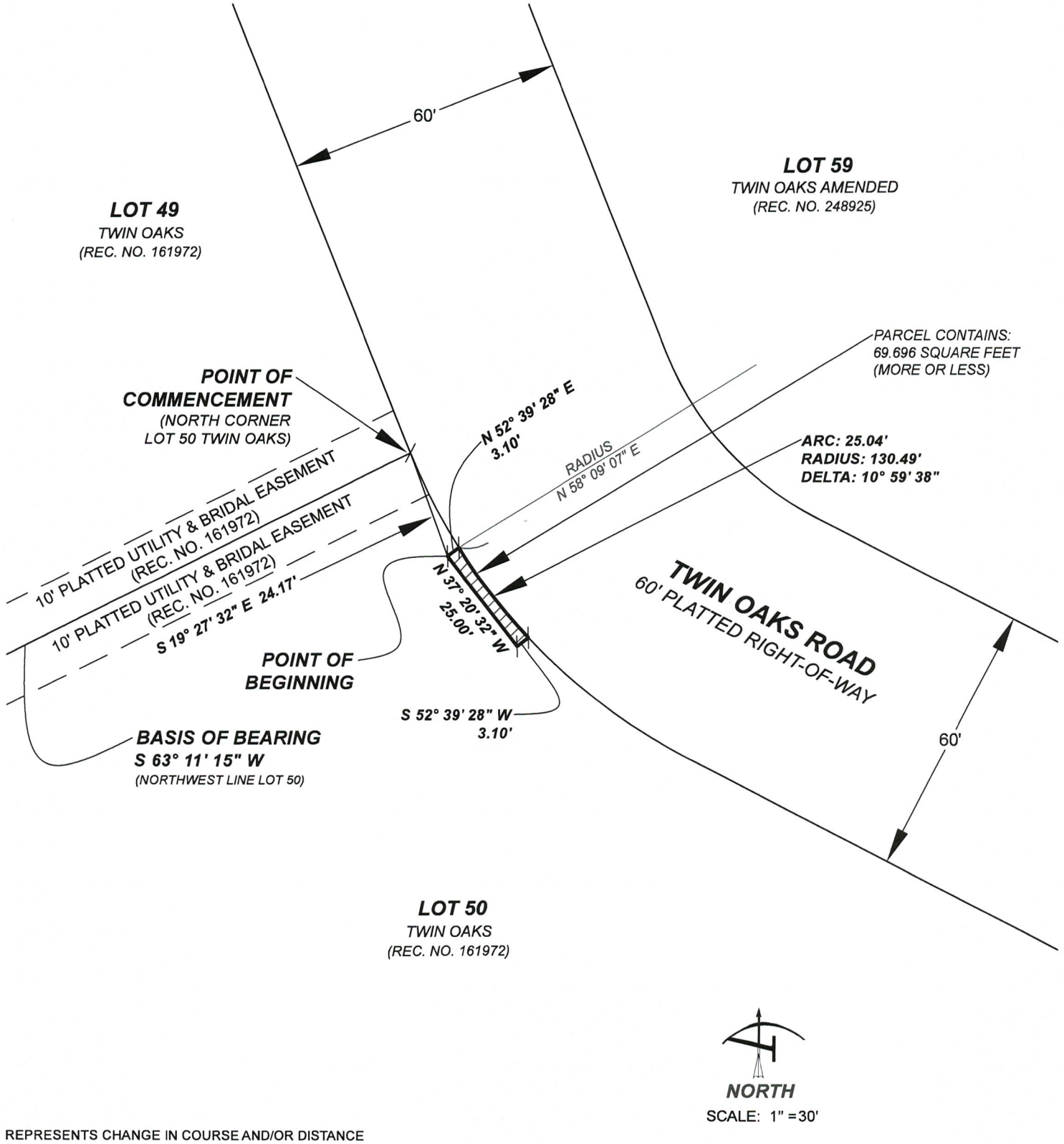
EXHIBIT B

LOT 50, TWIN OAKS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



/ REPRESENTS CHANGE IN COURSE AND/OR DISTANCE

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PAGE 2 OF 2

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PERMANENT SLOPE AND DRAINAGE EASEMENT DEED

THIS GRANT OF EASEMENT (the "Easement") is made this 28th day of August, 2025, between **HAZEL ELAINA WIRTH and DANNY LEE WIRTH**, whose address is 46 Twin Oaks Road, Castle Rock, Colorado 80109 (hereinafter **"Grantor"**), and the **BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO**, a political subdivision of the State of Colorado, whose address is 100 Third Street, Castle Rock, Colorado 80104 (hereinafter **"Grantee"**). Grantor and Grantee, and their respective successors and assigns, may be referred to collectively herein as the "Parties" and singularly as a "Party."

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of TEN DOLLARS AND NO CENTS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and by these presents does hereby grant and convey to Grantee, its successors and assigns, a perpetual nonexclusive easement in, on, over, under, through and across Grantor's real property, more particularly described in **Exhibit "A"**, attached hereto and incorporated herein (the "Easement Area"), for the use and purpose of constructing, maintaining and repairing drainage structures, roadway slopes and public utility facilities, which shall include, but is not limited to, culverts, channels, ditch sections, storm sewer inlets and pipes, rip rap, detention basins, swales, forebays, water quality ponds, utility facilities and cut and fill slopes (collectively the "Public Improvements"). This Easement shall be subject to the following terms and conditions:

1. Use by Grantee. Grantee shall have the full right and authority to modify slope grades within the Easement Area and install the Public Improvements above and below the ground surface within the Easement Area, as may be necessary to accommodate, use, operate, maintain and repair the Public Improvements, at Grantee's sole discretion.

2. Use by Grantor and Restrictions. Grantor retains the right to use and enjoy the Easement Area, insofar as such use and occupancy is consistent with and does not impair any grant herein contained. Grantor shall be prohibited from constructing any structures or improvements within the Easement Area that would unreasonably interfere with the Public Improvements, unless specific written permission is obtained from the Grantee. Grantor shall be prohibited from working on, digging up or altering, in any manner, the Public Improvements within the Easement Area, unless specific written permission is obtained from Grantee. Grantor shall take no action which would impair the earth cover over, or the lateral or subjacent support for any Public Improvements or related structures within the Easement Area, unless specific written permission is obtained from the Grantee.

3. No Additional Uses. Grantee, its employees, authorized agents and contractors use of the Easement Area shall be for the sole and exclusive purpose of performing construction, maintenance and/or repair work on the Public Improvements, and this grant of easement shall not be construed as a fee dedication of the Easement Area or a grant of uses beyond those contemplated herein, and the Parties shall take whatever steps may be necessary to avoid any such additional uses.

4. Notice. Grantee shall notify Grantor orally or in writing a minimum of twenty four (24) hours prior to entering the Easement Area to perform any construction, maintenance and/or repair activities.

5. Removal of Vegetation. Grantee, its authorized agents or contractors, shall have the right to remove shrubs, woody plants and nursery stock (singularly and collectively, the "Vegetation") from within the Easement Area that may interfere with the Public Improvements; provided however, Grantee shall use reasonable efforts to protect Vegetation identified by Grantor as to be protected if possible (and inform Grantor if not possible).

6. Repair and Restoration. Upon the completion of any work authorized by this Easement, Grantee shall restore the surface of the Easement Area, and any areas disturbed by Grantee, as nearly as reasonably possible to its original grade and condition, except as necessarily modified to accommodate the Public Improvements, which shall include contouring and stabilizing the surface of the ground, and repairing any depressions, wheel tracks, ruts or other marks left in the ground surface by truck or track-mounted equipment. Grantee shall revegetate any disturbed areas with the seed mixture currently approved by the Douglas County Department of Public Works Engineering.

7. Removal of Equipment. Upon completion of any work authorized by this Easement, Grantee shall promptly remove all materials, debris and equipment utilized to perform the work from the Easement Area, including any construction equipment and materials staged and/or stored within the Easement Area, if any.

8. Fencing. If any permanent fencing located within and/or adjacent to the Easement Area is impacted by Grantee's activities, Grantee shall reset or replace the disturbed permanent fencing with like kind materials at its original location once construction activities are completed, or at a location to be mutually determined between the Parties if it's not possible to reset or replace the disturbed fencing at its original location.

9. Driveways. Any driveways, street entrances and curb cuts located within the Easement Area, which are disturbed by Grantee's construction, maintenance and/or repair activities, shall be replaced with like kind materials by Grantee and may be reconfigured to tie into the Public Improvements constructed by Grantee.

10. Mechanic's and Materialmen's Liens. Grantee covenants and agrees not to suffer or permit any lien of mechanics or materialmen or others to be placed against the Easement Area or on Grantor's property with respect to work or services claimed to have been performed for, or materials claimed to have been furnished to, Grantee or its agents pursuant to this Easement.

11. Compliance with Laws. Grantee shall cause all activities and work on the Easement Area to be performed in compliance with all applicable laws, rules, regulations, orders and other governmental requirements, including all stormwater management laws and regulations. Grantee acknowledges and agrees that it shall be responsible for obtaining and maintaining all necessary federal, state and local permits relating to water quality, erosion, drainage, sediment control, grading and stormwater discharge for the performance of maintenance and/or repair work.

12. Release. Grantee, for itself and those claiming through Grantee, hereby releases Grantor, its beneficiaries, and its respective officers, directors, partners, employees, agents, mortgagees, licensees, contractors, guests, and invitees from any and all liability, loss, claims, demands, damages, penalties, fines, interest, costs, and expenses for damage that may arise from the Use of the Easement Area by Grantee and its agents.

13. Endangered Species Act. The Easement Area may contain habitat for listed "threatened" or "endangered" species under the Endangered Species Act (ESA). Grantee shall be responsible for determining the presence of such habitat and taking measures to comply with the ESA and all other applicable federal laws.

14. Environmental. Grantee shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the Easement Area by Grantee, its agents, employees or contractors, except those customarily used in typical amounts with regard to the equipment required to construct, maintain and repair the Public Improvements. Without limiting the foregoing, if the presence of any Hazardous Material on the Easement Area caused or permitted by Licensee results in any contamination of the Easement Area, Grantee shall promptly take all actions, at no expense to Grantor, as are necessary to return the Easement Area to the condition existing prior to the introduction of any such Hazardous Material to the Easement Area, provided that Grantor's approval of such actions shall first be obtained, which approval shall not be unreasonably withheld so long as such actions would not potentially have any material adverse effect on the Easement Area. As used in this Easement, the term "Hazardous Material" means any hazardous or toxic substance, material or waste that is or becomes regulated by any local governmental authority, the State of Colorado or the United States.

15. Warranties and Disclaimers. Grantor makes no warranties or representations with respect to the Easement Area, including, without limitation, the condition and state of repair of the Easement Area, the suitability of the Easement Area for Grantee's intended use, or with respect to any rights which other parties may have, or claim to have, to enter upon the Easement Area by reason of access easements granted by Grantor or otherwise.

16. General Provision.

a. Controlling Law. The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado.

b. Severability. In the event any of the provisions of this Easement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity of the remaining provisions shall not be affected. Should either Party fail to enforce a specific term of this Easement, it shall not be a waiver of a subsequent right of enforcement, nor shall it be deemed a modification or alteration of the terms and conditions contained herein.

c. Entire Agreement. This Easement sets forth the entire agreement of the Parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings or agreements relating to the Easement, all of which are merged herein.

d. No Third Party Beneficiaries. This Easement is entered into by and between Grantor and Grantee, is solely for the benefit of Grantor and Grantee and their respective successors and assigns for the purposes set forth herein, and does not create rights or responsibilities in any third parties beyond Grantor and Grantee.

e. Amendment. Any amendment shall be in writing and signed by both Parties.

f. No Waiver of Governmental Immunity. Grantee, its commissioners, officials, officers, directors, agents and employees, are relying on, and do not waiver or intend to waive by any provision of this Easement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, §§ 24-10-101 to 120, C.R.S., as amended.

g. Appropriations. Any financial obligations of Grantee shall extend only to monies duly and lawfully appropriated and budgeted by Grantee and encumbered for the purpose of this Easement, pursuant to § 29-1-110, C.R.S., as amended.

h. Venue. Venue for any action hereunder shall be in the district court of the County of Douglas, State of Colorado.

i. Recitals. All recitals are hereby incorporated into the Easement.

j. Counterparts. This Easement may be executed in two (2) or more counterparts, each of which shall be deemed an original, all of which together shall constitute one and the same instrument.

k. Successors and Assigns. This Easement shall extend to and be binding upon the heirs, successors and assigns of the Parties hereto and shall run with the land.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the Parties have executed this Easement on the date set forth above.

GRANTOR:

By: _____
Hazel Elaina Wirth

By: _____
Danny Lee Wirth

STATE OF COLORADO)
)ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 28 day of August, 2025, by Hazel Elaina Wirth and Danny Lee Wirth.

Witness my hand and official seal

S E A L

GREGORY TRUONG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20254028654
MY COMMISSION EXPIRES 07/28/2029

_____
Notary Public

My commission expires: 7/28/29

GRANTEE:

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO

By:_____
ABE LAYDON, Chair

Attest:

By:_____
Hayley Hall,
Deputy Clerk to the Board

S E A L

STATE OF COLORADO)
)ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by Abe Laydon as Chair of the Board of County Commissioners of the County of Douglas, State of Colorado and Hayley Hall as Deputy Clerk to the Board.

Witness my hand and official seal

S E A L

_____
Notary Public

My commission expires:_____

EXHIBIT A

LOT 50, TWIN OAKS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PART OF LOT 50, TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH CORNER OF SAID LOT 50, SAID TWIN OAKS AND CONSIDERING THE NORTHWEST LINE OF SAID LOT 50 TO BEAR S 63° 11' 15" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** S 40° 00' 11" W , 32.69 FEET TO THE ***POINT OF BEGINNING;***

THENCE TO THE SOUTHERLY RIGHT-OF-WAY (60 FEET WIDE PLATTED PER SAID RECEPTION NUMBER: 161972) TWIN OAKS ROAD TO A POINT ON A CURVE (SAID CURVE IS CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 130.49 FEET, TO WHICH THE RADIUS OF SAID CURVE BEARS N 65° 11' 58" E) N 52° 39' 28" E , 30.09 FEET;

THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 22° 38' 11" , AN ARC LENGTH OF 51.55 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, S 52° 39' 28" W , 29.00 FEET;

THENCE N 37° 20' 32" W , 51.21 FEET TO THE ***POINT OF BEGINNING***.

THE DESCRIBED PARCEL CONTAINS 1,424.412 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

Arrow Point Surveying, Ltd.
6300 East Hampden Avenue
Unit C #358
Denver, CO 80222
720.384.5330
arrowpointsurveying@gmail.com

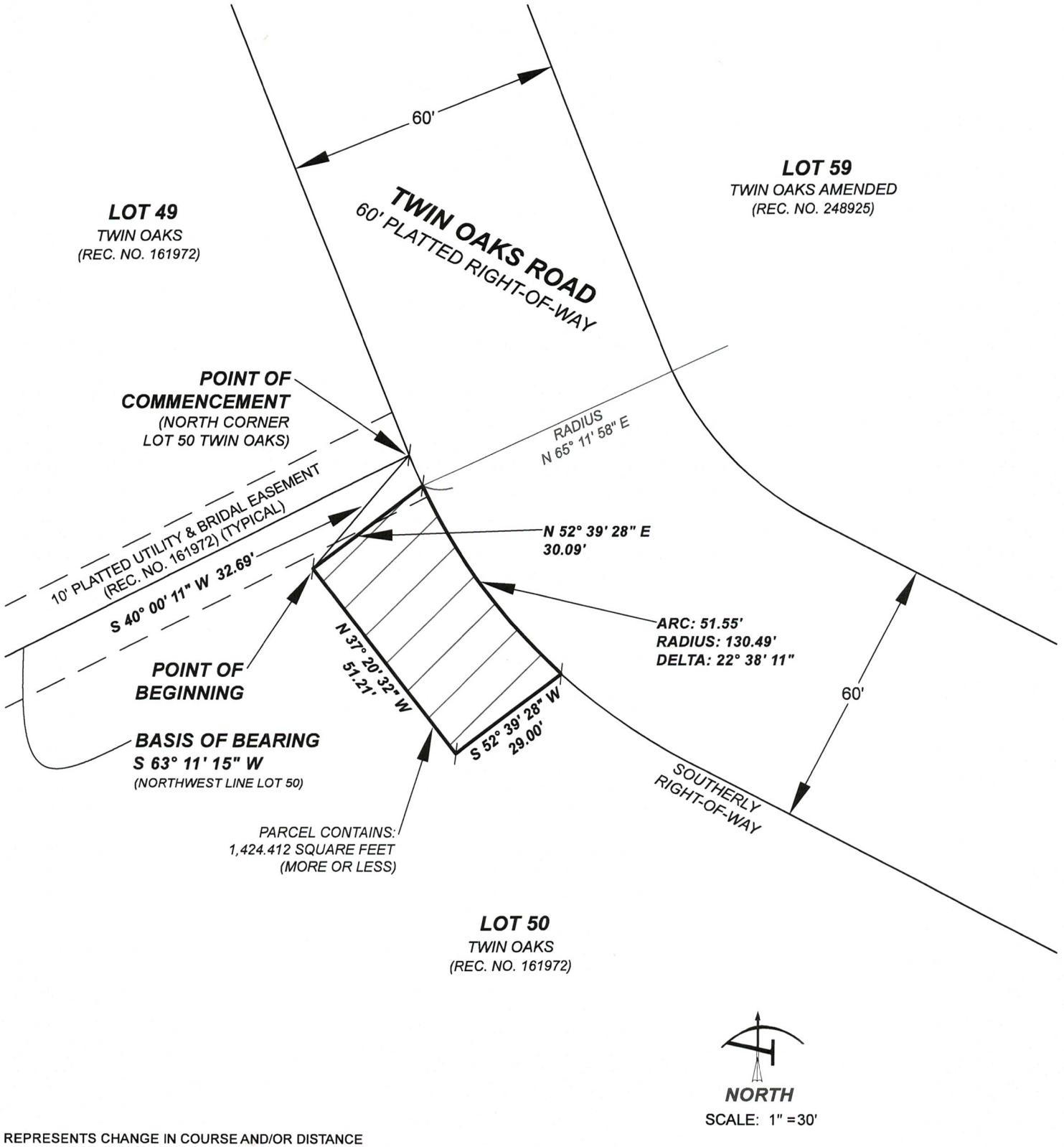
PROJECT: 20161000114

DATE: JULY 2025

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON PER STATE STATUTE 13-80-105(3)(a) C.R.S. THIS DOCUME NOT REPRESENT A MONUMENTED LAND SURVEY.

EXHIBIT B

LOT 50, TWIN OAKS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



/ REPRESENTS CHANGE IN COURSE AND/OR DISTANCE

Arrow Point Surveying, Ltd.
6300 East Hampden Avenue
Unit C #358
Denver, CO 80222
720.384.5330
arrowpointsurveying@gmail.com

PAGE 2 OF 2

PROJECT: 20161000114

DATE: JULY 2025

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON PER STATE STATUTE 13-80-105(3)(a) C.R.S. THIS DOCUMENT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

MEETING DATE: September 9, 2025

STAFF PERSON RESPONSIBLE: Eric Pavlinek, Principal Planner

DESCRIPTION: Twin Oaks Road and Clarkes Circle Road Vacations - Project File: SB2025-026.

SUMMARY: The request is for approval of a road vacation request for portions of Twin Oaks Road and Clarkes Circle for the installation and maintenance of access gates intended to limit traffic on these rural roadways.

STAFF ASSESSMENT: Staff has evaluated the road vacation request in accordance with Article 7B of the Subdivision Resolution. Should the Board find that the approval standards for the road vacation request are met, the following proposed conditions should be considered for inclusion in the motion. As noted in proposed condition #1, the Board must first take action on the right-of-way, slope and drainage easements for the four turnarounds, prior to its motion on the road vacation request:

1. Prior to Board's action on the Road Vacation Resolution, required easements for the turnarounds shall also be accepted by the Board.
2. Prior to recordation of the Road Vacation Resolution, all minor technical corrections shall be made to the satisfaction of Douglas County.
3. Concurrent with recordation of the Road Vacation Resolution, the four turnaround easements shall be recorded.
4. Prior to installation of the access control gates, the Castle Rock and Jackson 105 Fire Districts shall approve the gate designs.
5. Prior to installation of the access control gates, the turnarounds shall be constructed to County Standards and accepted by Public Works Engineering.
6. All commitments and promises made by the applicant or the applicant's representative during the public hearing and/or agreed to in writing and included in the public record have been relied upon the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such

commitments and promises.

REVIEW:

Terence T Quinn - FYI	Notified - FYI	8/28/2025
Steven E Koster	Approve	8/28/2025
Jeff Garcia	Approve	9/3/2025
Andrew Copland	Escalated	9/3/2025
Christie Guthrie	Approve	9/3/2025
Christie Guthrie	Approve	9/3/2025
Doug DeBord	Approve	9/4/2025
Samantha Hutchison - FYI	Notified - FYI	9/4/2025

ATTACHMENTS:

SB2025-026 - Twin Oaks Road and Clarkes Circle Road Vacations - BCC Staff Report
Staff Report - SB2025-026

DOUGLAS COUNTY
COLORADO

Road Vacation Staff Report

Date:	September 4, 2025
To:	Douglas County Board of County Commissioners
Through:	Douglas J. DeBord, County Manager
From:	Terence T. Quinn, AICP, Director of Community Development TQ
CC:	Eric Pavlinek, Principal Planner Jeanette Bare, AICP, Planning Manager Steven E. Koster, AICP, Assistant Director of Planning Services
Subject:	**Twin Oaks Road and Clarkes Circle Road Vacations**
Project File:	**SB2025-026**

Planning Commission Hearing:	**August 18, 2025 @ 6:00 p.m.**
Board of County Commissioners Hearing:	**September 9, 2025 @ 2:30 p.m.**

The District requests a continuance of the Board of County Commissioners' hearing to September 23, 2025 at 2:30 p.m. due to scheduling conflicts. The District's request letter is attached.

Twin Mesa Metropolitan District

Mr. Eric Pavlinek
Principal Planner
Douglas County Department of Community Development
Planning Services Division
100 Third Street
Castle Rock, CO, 80104

September 4, 2025

RE: REQUEST FOR CONTINUANCE
Twin Oaks Road and Clarke's Circle Road Vacation - Application SB2025-026

Dear Mr. Pavlinek:

This letter is to request a continuance for the Twin Mesa Metropolitan District's (the "District's ") currently scheduled Board of County Commissioner's hearing on September 9, 2025 for the above referenced matter. The District requests that the hearing be postponed until 2:30 pm on September 23, 2025. This request is being made due to unforeseen scheduling conflicts.

Thank you,

Damian Cox, Twin Mesa board member

DOUGLAS COUNTY
COLORADO

Road Vacation Staff Report

Date:	August 28, 2025
To:	Douglas County Board of County Commissioners
Through:	Douglas J. DeBord, County Manager
From:	Terence T. Quinn, AICP, Director of Community Development
CC:	Eric Pavlinek, Principal Planner Jeanette Bare, AICP, Planning Manager Steven E. Koster, AICP, Assistant Director of Planning Services
Subject:	**Twin Oaks Road and Clarkes Circle Road Vacations**
Project File:	**SB2025-026**

Planning Commission Hearing:	**August 18, 2025 @ 6:00 p.m.**
Board of County Commissioners Hearing:	**September 9, 2025 @ 2:30 p.m.**

I. EXECUTIVE SUMMARY

The request is a vacation of limited portions of Twin Oaks Road and Clarkes Circle rights-of-way (ROW) in Twin Oaks subdivision. The vacated ROW will be owned and maintained by the Twin Mesa Metropolitan District (District). The purpose of the request is to allow the District to install a traffic control gate on Twin Oaks Road and an emergency access gate on Clarkes Circle to limit through-traffic which could be generated from the new Crystal Valley interchange and development in Dawson Trails Planned Development within the Town of Castle Rock (Town). An easement for the continued use of existing utilities is reserved over the portions of ROW to be vacated. An additional easement for ingress and egress is also reserved across the portions of ROW to be vacated for the continued use by emergency service providers and public sector employees related with the continued inspection and maintenance of the non-vacated portions of roadways on these roadways. Easements will be provided to the County for turnarounds to be constructed on either side of the vacated right-of-way.

The property is located in the West Plum Creek Subarea of the Nonurban Area of the 2040 Comprehensive Master Plan (CMP). The CMP outlines goals for these areas that protect natural and rural character and utilize existing services, where possible. No change to existing services is expected with the installation of access control gates.

At the August 18, 2025, public hearing, the Planning Commission recommended approval of the road vacation request by a vote of 5 to 0, with the five conditions proposed by staff.

II. APPLICATION INFORMATION

A. Applicant

Twin Mesa Metropolitan District
1151 Eagle Drive, Suite 366
Loveland, CO 80537

B. Applicant's Representative

Damian Cox
718 Wilcox Street
Castle Rock, CO 80104

C. Request

The request is for approval of a road vacation request for portions of Twin Oaks Road and Clarkes Circle for the installation and maintenance of access gates intended to limit traffic on these rural roadways. Easements for existing utilities and access for emergency service providers and public sector staff for inspections and maintenance of the roadways are reserved.

Right-of-way easements for the four required hammerhead turnarounds, including separate slope and drainage easements, will also be considered by the Board of County Commissioners on the same hearing as the road vacation request.

D. Process

A road vacation application is processed pursuant to Article 7B of the Douglas County Subdivision Resolution (DCSR). Article 7B states that the intent of the process is "to provide a review process for a road vacation either when no replatting or realignment is proposed, or when a replat or realignment is proposed.

Per Section 708B.04 of the DCSR, "The Board shall evaluate the request, staff report, referral agency comments, and public testimony, and shall approve, conditionally approve, table for further study, or deny the request. The Board's action shall be based on the evidence presented and compliance with the adopted standards, regulations, policies and other guidelines."

E. Location

The segments of roads to be vacated are within the Twin Oaks subdivision, west of Interstate 25 and south of Wolfensberger Road. Vicinity, zoning, and aerial maps are included as an attachment to the staff report to highlight site location and existing conditions.

F. Project Description

The proposal includes vacating a limited segment of Twin Oaks Road and Clarkes Circle ROW within the Twin Oaks subdivision for installation of gates. The gates will be owned and maintained by the District. The vacation resolution reserves an easement

for the continued use of existing utilities. Access for fire and other emergency service providers and for Douglas County Public Works is also reserved.

The ROW to be vacated on Twin Oaks Road is approximately 2,400 square feet. The ROW to be vacated on Clarkes Circle is approximately 1,200 square feet. It is anticipated that the residents within the District and other authorized users such as utility providers, school districts, and emergency service providers will have 24/7 access through the Twin Oaks Road traffic control gate. According to the approved District Service Plan, The District will set-up the procedures and methods for operating and maintaining the two gates.

Permanent roadway right-of-way easements will be granted by the property owners located adjacent to the areas to be vacated and accepted by the County for the construction and maintenance of hammerhead turnarounds. The hammerheads provide an opportunity for vehicles to turn around when they encounter the gates. Slope and drainage easements will also be granted by the property owners and accepted by the Board for roadway and drainage improvements associated with construction of the hammerheads.

III. CONTEXT

A. Background

The Board approved the service plan for the Twin Mesa Metropolitan District in May of 2024. The District was formed for the purpose of taking ownership of those portions of roads to be vacated and gated. Twin Oaks and Castle Mesa were originally developed as rural subdivisions with gravel roads and bridle paths. The existing roads were not intended for urban type traffic. Based on the future traffic projections due to the Dawson Trails development, the existing roads would not be adequate to handle the increased volumes. Public Works Engineering worked with the District to determine the location for the road vacations for the purpose of establishing two gates on the eastern edge of the District boundary, closest to the Town.

The ROW proposed to be vacated was established with the original plat for Twin Oaks in 1973. The property within the District is zoned A-1, RR,ER, and LRR, and currently includes 120 privately owned residential units and no commercial space. The population of the District is estimated to be 480 residents.

B. Adjacent Land Uses and Zoning

North of the District is privately owned property zoned A-1. East and south of the District is privately owned property incorporated within the Town known as Dawson Ridge. West of the District is privately owned property zoned A-1.

Zoning and Land Use

Direction	Zoning	Land Use
North	A-1	Large Lot Residential Agricultural
South	Town	Residential Commercial
East	Town	Residential Commercial
West	A-1	Large Lot Residential Agricultural

IV. PHYSICAL SITE CHARACTERISTICS

A. Site Characteristics and Constraints

These two segments of ROW are located within the Twin Oaks subdivision which is on the eastern edge of the District boundary. The properties that surround the project areas are zoned LRR.

B. Access

All properties within and surrounding the District will still be accessible. Property owners within the District have 24/7 access to the traffic control gate on Twin Oaks Road.

C. Soils and Geology

No known environmental hazards are located within the portions of ROW to be vacated.

D. Drainage and Erosion

Slope and drainage easements will be granted by the property owners and accepted by the Board for roadway and drainage improvements for the turnarounds at each end of the roadway segments to be vacated.

E. Floodplain

There is no FEMA-mapped 100-year floodplain identified within the rights-of-way.

V. PROVISION OF SERVICES

A. Schools

The Douglas County School District (DCSD) provides transportation services to properties within the District. The DCSD noted that the bus stop locations for this route are currently being planned and located and, as a policy, the School District does not transport on private property or in gated communities. DCSD requests that bus stop operations and logistics be considered in the gate location and design process.

B. Fire Protection

Castle Rock Fire and Rescue Department (CRFD) and Jackson 105 Fire Protection District (Jackson 105) provide fire protection within the area. CRFD noted no objection to the road vacation request. Jackson 105 did not comment on the road vacation request.

C. Sheriff Services

The Douglas County Sheriff's Office (DCSO) provides police protection to the site. DCSO had no objection to the road vacation request but noted that the gate code will need to be provided to the DCSO after installation of the traffic control gates.

D. Utilities

The vacation resolution reserves a utility easement for the continued use of existing sewer, gas, water, or similar lines and appurtenances as of the date of vacation.

E. Dedications

The ROW segments of Twin Oaks Road and Clarkes Circle were dedicated to the Board at the time of subdivision; therefore, if approved, they will be formally vacated through a resolution per Article 709B of the DCSR. Ownership of the vacated segments of ROW will be assigned to the District via the ROW vacation resolution.

Engineering requested that right-of-way easements for the hammerhead turn-arounds be provided at both ends of each vacated roadway segment to allow vehicles a sufficient area to turn around when encountering the gates. These easements, including separate slope and drainage easements, are scheduled on the same hearing agenda as the road vacation request and must be accepted prior to final action on the road vacation. An intergovernmental agreement between the County and District has also been prepared to further address construction and ongoing maintenance responsibilities for the turn-arounds, vacated right-of-way, and gates. This will be considered by the Board at an upcoming meeting.

VI. PUBLIC NOTICE AND INPUT

Referral agency responses collected during the referral period of July 11, 2025 through August 1, 2025, are included as an attachment to this staff report. All referral agency comments are outlined in the Referral Agency Response Report. Courtesy notices of an application in process were sent to abutting property owners and property owners within the District. Public comment was received from the owner of an adjacent property prior to the Planning Commission Hearing. The comments focused on unresolved easements and turnaround impacts, school district concerns and lack of completed studies. All the public comment received at the writing of the staff report is included as an attachment. The applicant also received a copy of the correspondence.

In Accordance with Article 710B of the DCSR, notice of the hearing must be sent by first-class mail to each abutting landowner, published in the Douglas County News-Press, and posted on the road under consideration at least 14 days prior to the public hearing.

VII. PLANNING COMMISSION

The Planning Commission heard the road vacation request at a public hearing held on August 18, 2025, and unanimously recommended approval by a vote of 5 to 0, with five conditions.

Eleven members of the public spoke in response to the application. Eight spoke in support of the request, noting that the District was formed for the purpose of installing gates to restrict urban-level traffic from utilizing their rural roads to access development planned in and around the new Crystal Valley and I-25 interchange. The owner and the lessee of three adjacent lots expressed concerns that, because of the location of the gates relative to their property, traffic could attempt to drive around the gates and trespass on their property. The two speakers asked that the gates be relocated to have less impact on their current road frontage. One speaker asked a question regarding Clarkes Circle access. The applicant responded to all comments and questions, noting that the gate locations were selected with the input of County Engineering staff. Fencing, gating, and other natural barriers should eliminate trespass onto private property.

The Commissioners asked clarifying questions to the District and staff regarding the project. Engineering staff stated that they did support the gate locations. The Commissioners commended the District on their work to build consensus with their community and bring forward an acceptable proposal.

VIII. STAFF ANALYSIS

Pursuant to Article 704 of the DCSR, a road vacation may be approved upon the finding by the Board of County Commissioners that the following standards have been met:

705B.01: A platted or deeded road or portion thereof, or unplatted or undefined roads which have arisen by public usage, shall not be vacated so as to leave any adjoining said road without an established public road or private access easement connecting said land with another established road.
Staff Comment: All properties which rely on Twin Oaks Road and Clarkes Circle for access will continue to gain access from the County-owned portions of these roads. Properties may continue to be accessed from Wolfensberger Road connecting to Peak View Drive. Residents within the District will also be able to utilize the gate installed on Twin Oaks Road to access development in the Town and the new I-25 interchange. The ROW vacation simply allows for a barrier to be placed on one end of these roads to restrict potential cut-through traffic to be generated by new commercial development in the Town.

A public access easement will also be reserved to allow emergency and other public service providers to continue to use the roads as permitted pursuant to §43-2-302(1)(f), C.R.S. The County will continue to plow and accomplish other road maintenance activities on the vacated road segments.

705B.02: A vacation of a state highway must be approved by the Transportation Commission.
Staff Comment: The ROW is not a state highway. Therefore, this request does not require approval of the Transportation Commission.

705B.03: The road vacation, or vacation and replat, is keeping with the spirit and intent of the Douglas County Subdivision Resolution, and the Douglas County Comprehensive Master Plan and Transportation Plan.
Staff Comment: The District falls within the Nonurban Area of the CMP. The CMP outlines goals for these areas that protect natural and rural character and utilizing existing services, where possible. The District and its purpose to install traffic control gates do not conflict with these concepts. The road network serving these neighborhoods are still County owned and maintained.

705B.04: The road vacation will not diminish the ability to provide adequate emergency services and will not increase the cost of services.
Staff Comment: All necessary emergency services are in place to continue to serve the parcels within the District. CRFD had no objection to the request. Jackson 105 did not provide any referral comments. Both Fire Districts will continue to provide fire protection services to the District. The DCSO had no concern with the request and noted that the District will need to contact the Sheriff's Office with the gate code following installation of the gates to allow DCSO access.

705B.05: The approval will not adversely affect the public health, safety and welfare.
Staff Comment: The vacation resolution will reserve a public access easement that allows emergency services and other public service providers to continue to use the road as necessary.

IX. STAFF ASSESSMENT

Staff has evaluated the road vacation request in accordance with Article 7B of the Subdivision Resolution. Should the Board find that the approval standards for the road vacation request are met, the following proposed conditions should be considered for inclusion in the motion. As noted in proposed condition #1, the Board must first take action on the right-of-way, slope and drainage easements for the four turnarounds, prior to its motion on the road vacation request:

1. Prior to Board's action on the Road Vacation Resolution, required easements for the turnarounds shall also be accepted by the Board.

2. Prior to recordation of the Road Vacation Resolution, all minor technical corrections shall be made to the satisfaction of Douglas County.

3. Concurrent with recordation of the Road Vacation Resolution, the four turnaround easements shall be recorded.

4. Prior to installation of the access control gates, the Castle Rock and Jackson 105 Fire Districts shall approve the gate designs.

5. Prior to installation of the access control gates, the turnarounds shall be constructed to County Standards and accepted by Public Works Engineering.

6. All commitments and promises made by the applicant or the applicant's representative during the public hearing and/or agreed to in writing and included in the public record have been relied upon the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

ATTACHMENTS **PAGE**

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DOUGLAS COUNTY
COLORADO

Department of Community Development

www.douglas.co.us

Planning Services

LAND USE APPLICATION

Please fill in this application form completely. An incomplete application will not be processed.

Note: Neither the Planning Commission nor the Board of County Commissioners should be contacted regarding an open application.

OFFICE USE ONLY

PROJECT NAME: Twin Oaks Road and Clarkes Circle Road Vacations

PROJECT FILE #: SB2025-026

PROJECT TYPE: Road Vacation

MARKETING NAME: Twin Mesa Metropolitan District

SITE ADDRESS: Public roads within Twin Mesa Metropolitan District

OWNER(S):

Name(s): Twin Mesa Metropolitan District

Address: 1151 Eaghe Drive, Suite 366, Loveland, CO 80537

Phone:

Email: damian@coxrelaw.com

AUTHORIZED REPRESENTATIVE *(requires notarized letter of authorization if other than owner)*

Name: Damian Cox, board member

Address: 718 Wilcox Street, Castle Rock, CO 80104

Phone:

Email:

PLANNING FEES:

ENGINEERING FEES:

TOTAL FEES:

RELATED PROJECTS:

LEGAL DESCRIPTION:

Subdivision Name: Castle Mesa, Castle Mesa South, Castle Mesa West and Twin Oaks

Filing #: _____ Lot #: _____ Block #: _____ Section #: _____ Township: _____ Range: _____

STATE PARCEL NUMBER(S): 2505-204-99-002, 2505-211-99-001, 2505-204-99-001, 2505-202-99-001, 2505-174-99-001

ZONING:

Present Zoning: _____ Proposed Zoning: _____ Gross Acreage: _____

Gross Site Density (DU per AC): _____ # of Lots or Units Proposed: _____

SERVICE PROVIDERS:

Fire District: Jackson 105 & Castle Rock Metro District: Twin Mesa Gas: Black Hills/propane

Water: Well Sewer: Septic Electric: CORE

Roads: ☐ Public ☐ Private (please explain): _____

To the best of my knowledge, the information contained on this application is true and correct. ***I have received the County's information sheet regarding the Preble's Meadow Jumping Mouse.***

_____, Board Member 7/7/25

Applicant Signature *Date*

100 Third Street, Castle Rock, Colorado 80104 • 303.660.7460

Revised 07.30.2018

Detailed Narrative

Pursuant to its Service Plan that was approved by the Board of County Commissioners on May 21, 2024 and by the Douglas County District Court on November 6, 2024, this request by the Twin Mesa Metropolitan District ("Twin Mesa") is to vacate a portion of the public roads that will benefit residents of Twin Mesa which includes homes within the Twin Oaks subdivision, the Castle Mesa South, Castle Mesa West subdivisions, most of the Castle Mesa subdivision along with four other properties that are all residential acreage/agricultural properties approved in the late 1960s to early 1970s. A vicinity map is attached as **Exhibit A**. A boundary map of Twin Mesa is attached as **Exhibit B**.

As previously explained in the approved Twin Mesa Service Plan, the Town of Castle Rock, the Colorado Department of Transportation and the County have approved an interchange at I-25, Territorial Road and Crystal Valley Parkway which includes construction of a bridge over I-25, north and southbound on- and off-ramps, a bridge over the BNSF railroad tracks, and connection to the east I-25 frontage road and the relocated west I-25 frontage road ("Crystal Valley Interchange"). Additionally, the Town of Castle Rock has approved the Dawson Trails project; approximately 2,064 acres of high-density, mixed-use development located near the Crystal Valley Interchange consisting of approximately 5,850 dwellings and 3.2 million square feet of commercial space including COSTCO. At the Twin Mesa Service Plan approval on May 21, 2024, the County Commissioners concluded that the Crystal Valley Interchange and Dawson Trails will create a substantial amount of traffic and population growth directly adjacent and connected to these properties which will materially change the rural character of the neighborhoods and the current rural residential traffic patterns into urban commercial traffic patterns.

In support of this conclusion, Douglas County commissioned Jacobs to conduct the Twin Oaks Traffic Report that is dated 8/10/2022 ("Jacobs Traffic Study") (**Exhibit C**). According to the Jacobs Traffic Study, the field traffic counts for Twin Oaks Road in June 2021 was 157 trips per day. This volume of traffic allows residents to safely and comfortably enjoy their rural lifestyle by riding horses, jogging, walking their dogs, etc. along the county roads. It also allows wildlife (which is increasing with the decrease in wildlife habitat due to the Crystal Valley Interchange and Dawson Trails subdivision) and domestic animals (cows, sheep, llamas, horses, etc.) the ability to roam or escape fencing without a high risk of being struck by a vehicle. The Crystal Valley Interchange and the Dawson Trails development will significantly increase traffic as people that have no other business in the area will use these county roads as a thoroughfare and/or create additional "curiosity" traffic destroying the flavor of the community, limiting safe activities, creating more accidents with wildlife or domestic animals and increasing the likelihood of crime. According to the Jacobs Traffic Study, increases in traffic on Twin Oaks Road is expected to increase to as much as 1910 trips a day due to these projects; a traffic increase of more than **TEN** times the current traffic volume. At the Twin Mesa Service Plan

approval hearing Douglas County staff testified that the county roads through Twin Mesa were built for rural traffic patterns and are not suitable for high, urban traffic volumes.

The Twin Mesa Service Plan was approved for the purpose of owning and maintaining small portions of the road in order to erect a gate for Traffic Control through Twin Mesa. This proposal is for the following road vacations:

1. Vacate a portion of Twin Oaks Road near the entrance to the Twin Oaks Subdivision for purposes of erecting the Traffic Control Gate as further defined in the Twin Mesa Service Plan (general location for the gate is shown on **Exhibit D**). The portion of road to be vacated would be approximately 40 feet on both sides of the gate (80 feet total). The legal description for the road to be vacated will be provided prior to the Planning Commission Hearing. **Exhibit D** also depicts hammerhead turnarounds to allow unauthorized vehicles the ability to turn around. Per Doulgas County staff, these hammerhead turnarounds will be constructed by Douglas County. Twin Mesa has discussed easements with the affected owners who have agreed to grant said easements and will aid Douglas County in getting those easement agreements executed.

2. Additionally, Douglas County will be installing an Emergency Vehicles Access ("EVA") gate for emergency vehicles only on Clarke Circle (general location of the EVA gate is shown on **Exhibit E**). This proposal is to also vacate that portion of Clarkes Circle actually containing the EVA gate for purposes of Twin Mesa maintaining the EVA gate. The portion of road to be vacated would be approximately 10 feet on both sides of the gate (20 feet total). The legal description for the road to be vacated will be provided prior to the Planning Commission Hearing. **Exhibit E** also depicts hammerhead turnarounds to allow unauthorized vehicles the ability to turn around. Per Doulgas County staff, these hammerhead turnarounds will be constructed by Douglas County. Twin Mesa has discussed easements with the affected owner who has agreed to grant said easement and will aid Douglas County in getting that agreement executed.

This request is for the Douglas County Board of Commissioners to expressly vacate those portions of the county roads as specified on **Exhibit D** and **Exhibit E** (as legally described in an exhibit to be provided prior to the Planning Commission Hearing) to Twin Mesa under C.R.S. §43-2-302(1)(f) for the use and benefit of the Twin Mesa owners and residents, to keep the current rural residential traffic patterns intact and to meet the purpose for which the Twin Mesa Service Plan was approved.

This request is for the vacation of a portion of the county roads only and should include a reservation for all utility easements currently located within the vacated county roads.

JACOBS®

Subject	**Twin Oaks Traffic Report**
Project Name	I-25 Crystal Valley Interchange Access Request
Attention	Art Griffith, Douglas County
From	Neha Rathi, Jacobs Nicholas Young, Jacobs Michelle Pinkerton, Jacobs
Date	08/10/2022
Copies to	File

The purpose of this memorandum is to summarize the travel demand modeling and traffic forecasts for Twin Oaks Road. The document summarizes planning level findings for the sensitivity analysis performed to determine the traffic volume on Twin Oaks Road due to the future I-25 interchange at Crystal Valley Parkway that is currently in the design phase of the project.

Traffic growth and forecasts were reviewed for the base 2020 year and future 2050 year supported by the travel demand forecasts from the Denver Regional Council of Governments (DRCOG) Model version FOCUS 2.3 adopted in Spring of 2021. Regional travel demand models are widely accepted planning tools to produce system-level traffic forecasts useful for identifying transportation needs and future travel conditions. The traffic forecast development process followed the guidelines as described in the Colorado Department of Transportation - Traffic Analysis and Forecasting Guidelines (July 2018).

1. Study Location

The study area is located in Douglas County, south of the Town of Castle Rock. The proposed Crystal Valley Interchange with I-25, which is currently under design with the Town of Castle Rock, is in the vicinity of study loaction. A Crystal Valley Interchange Traffic Analysis Report was prepared; however, the report does not include an analysis or data for Twin Oaks Road. As previous described, this report is based on the DRCOG Model. Figure 1-1 provides an overal project location. Figure 1-2 shows the future Crystal Valley Interchange project design. Finally, Figure 1-3 shows the conceptual Twin Oaks Road realignment.

Figure 1-1. Study Location

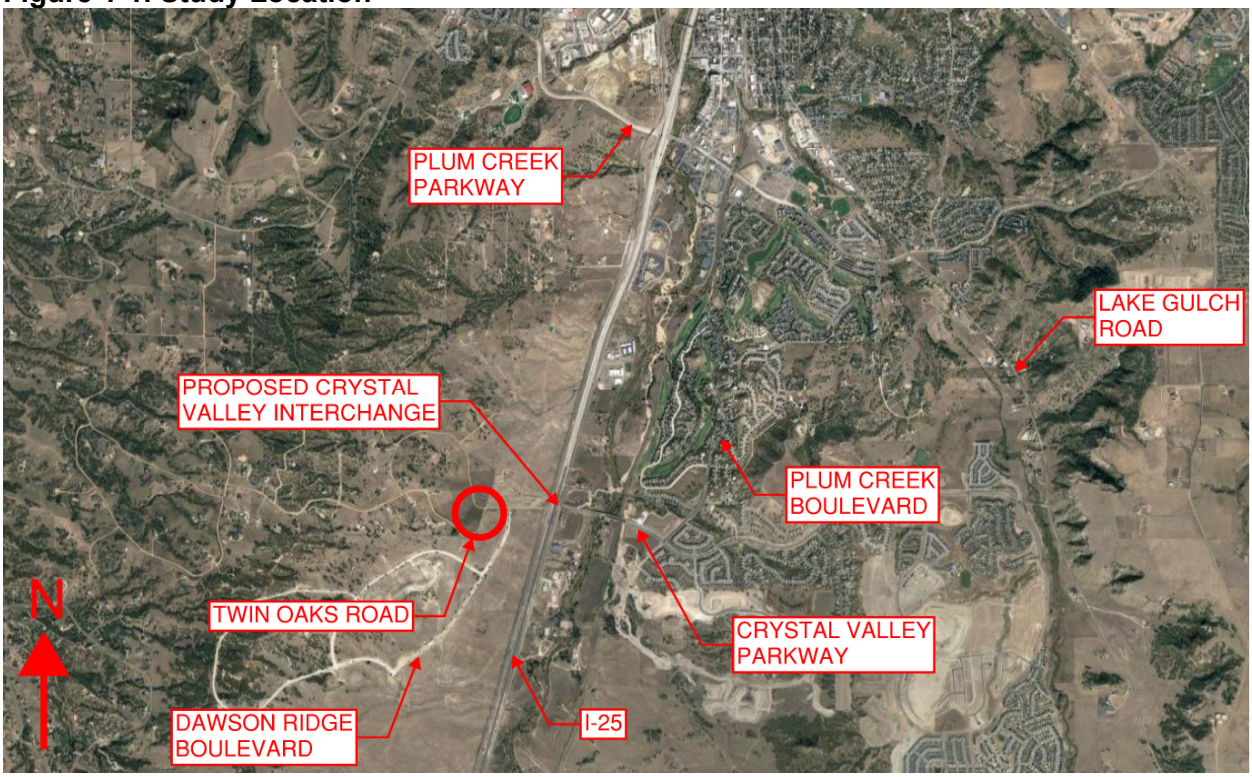


Figure 1-2. Crystal Valley Interchange Project

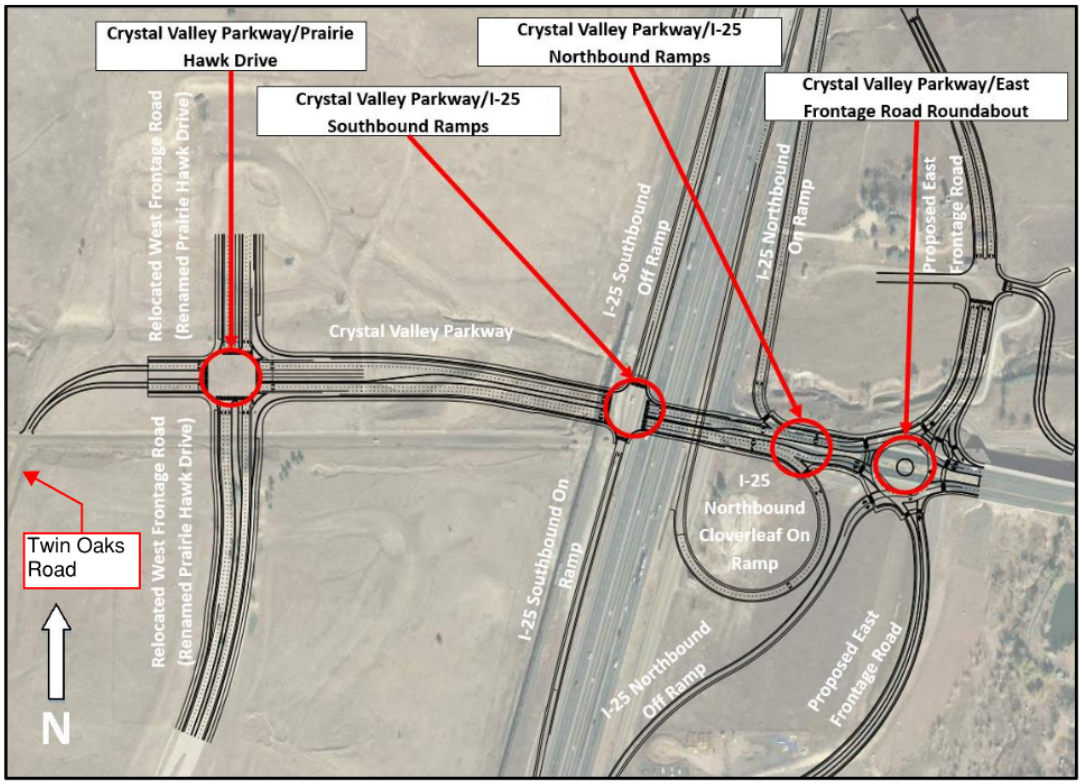


Figure 1-3. Twin Oaks Modification Option

2. Socio-economic Data

To understand the land use in the Twin Oaks area and the expected growth from year 2020 to year 2050, the socio-economic data used as input to the travel demand models were reviewed and compared. The type of land use and proposed developments help determine the trips being generated in the area. Comparing the socio-economic data for different years reflects on how the traffic would change with change in land use.

Figures 2-1 and 2-2 shows the population and employment assumptions in the DRCOG model for year 2020 and 2050. The Twin Oaks area is covered within traffic analysis zones (TAZ) 2559 and 2563. Both TAZs 2559 and 2563 shows increase in employment from 2020 to 2050 that would result in increase in traffic in the area in year 2050.

Figure 2-1. Socio-economic Data (2020) – Population and Employment

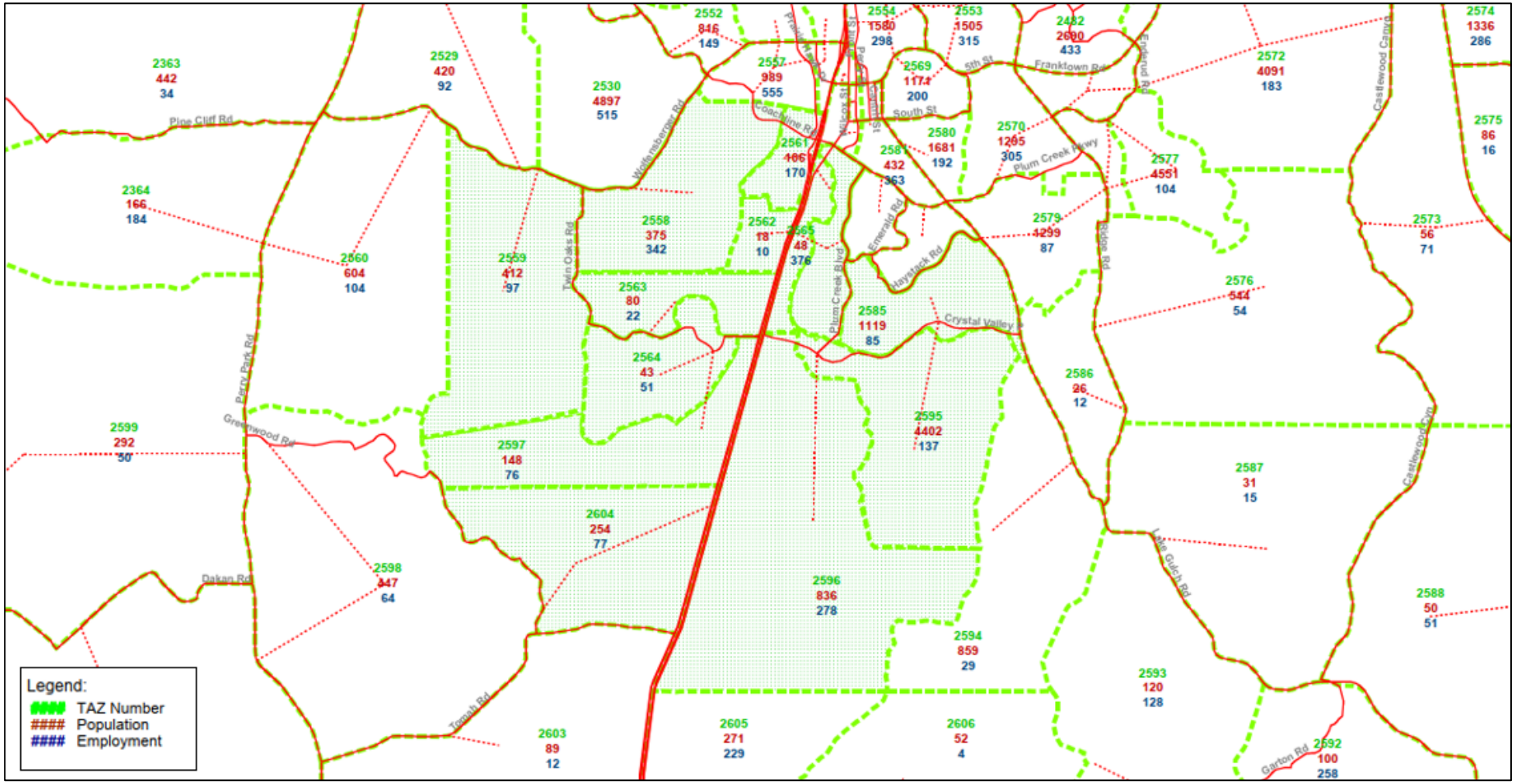
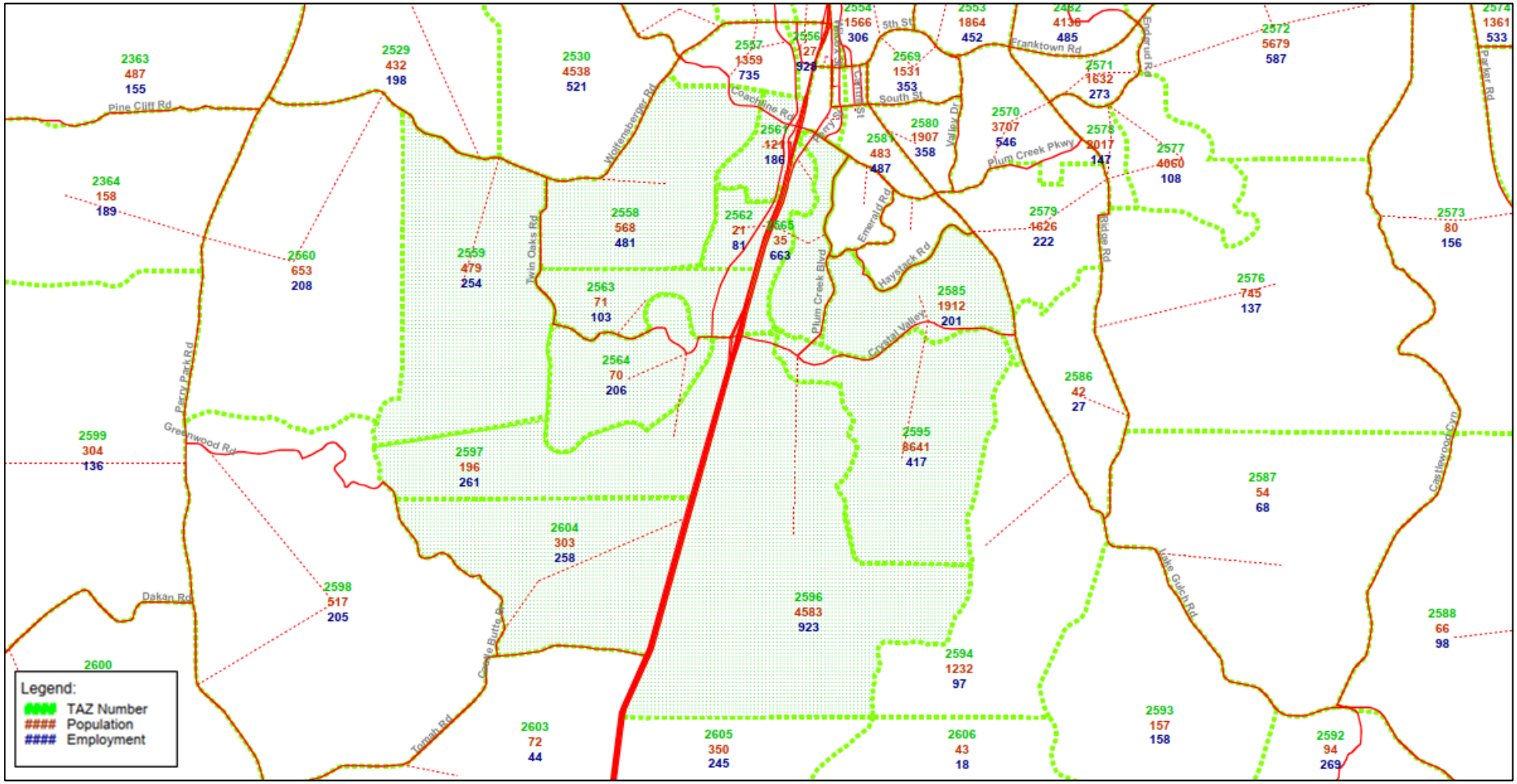


Figure 2-2. Socio-economic Data (2050) – Population and Employment



3. Roadway Network

The roadway characteristics assumed in DRCOG model network were reviewed and updated to reflect the field characteristics. In the DRCOG model, the lane capacity for the Twin Oaks Road and Peak View Drive were assumed to be 850 vehicles in each direction and a posted speed of 50 MPH on the facility. Model roadway network was updated for Twin Oaks as part of model calibration and validation against the field traffic counts. Based on field survey, these two are gravel rural roads, so the assumed per lane capacity was changed to 350 vehicles per lane and model speed to 20 MPH.

4. Model Traffic Assignment

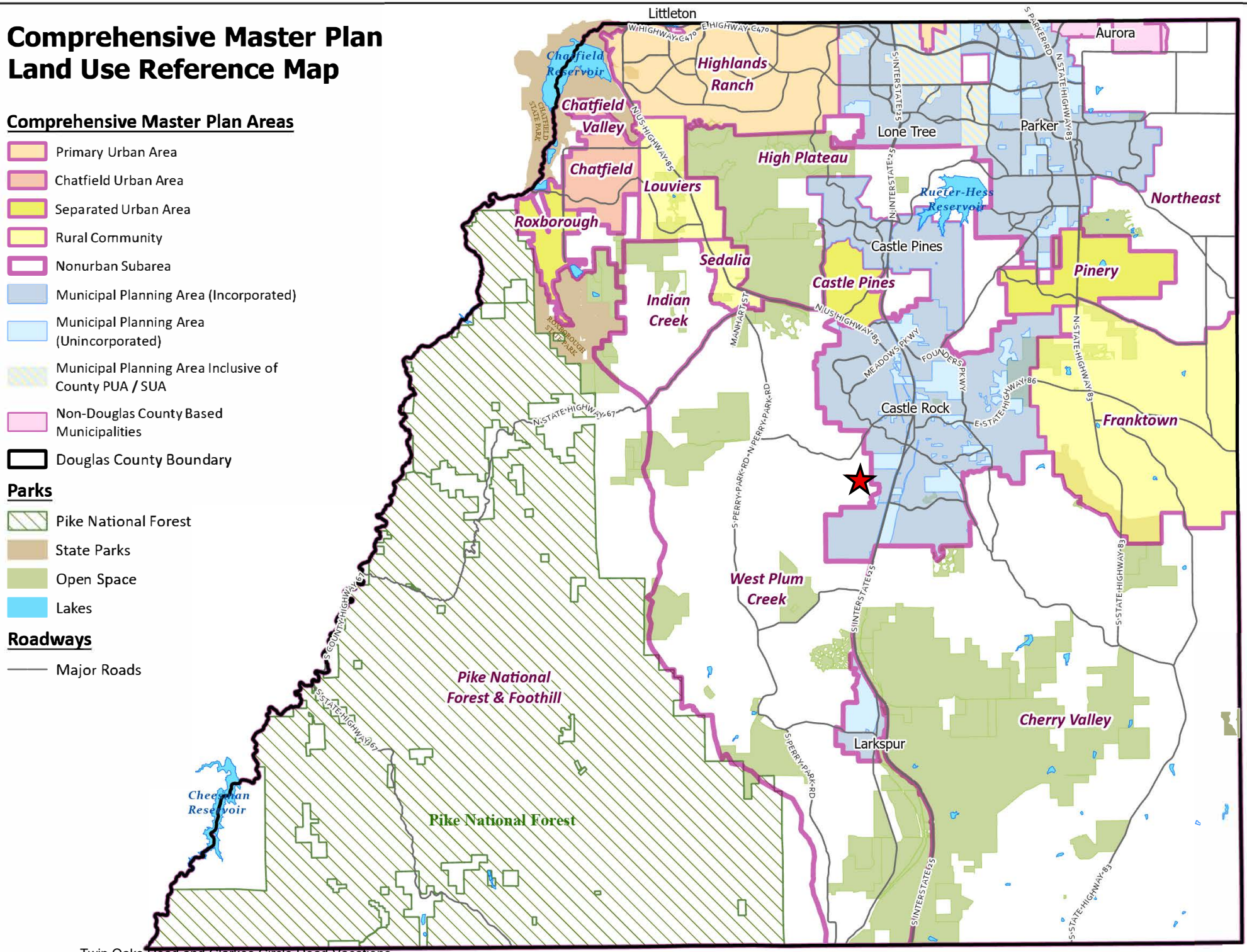
The traffic assignments within the travel demand model with land use and roadway network updates for the Crystal Valley Interchange project were reviewed and compared to the field traffic counts on Twin Oaks Road. Table 4-1 shows the daily traffic volumes in the field and as assigned within the travel demand model.

Table 4-1. Daily (24-hours) Traffic Volumes on Twin Oaks Road

Network	Eastbound	Westbound	Total
Field Traffic Counts (June 2021)	74	83	157
DRCOG 2023 (with network adjustments and project updates, including west frontage road)	83	86	169
DRCOG 2050 (with network adjustments and project updates, including west frontage road)	**924**	**986**	**1,910**
DRCOG 2050 (with network adjustments and project updates, not including west frontage road)	1,036	1,169	2,205

The traffic volumes in the table above reflects the growth in traffic that is representative of the planned new development in the Twin Oaks area. Based on the forecasted daily volumes, Twin Oaks Road is expected to carry about 100 vehicles in each direction during the peak hour.

Comprehensive Master Plan Land Use Reference Map



Comprehensive Master Plan Areas

- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads

TWIN MESA METROPOLITAN DISTRICT

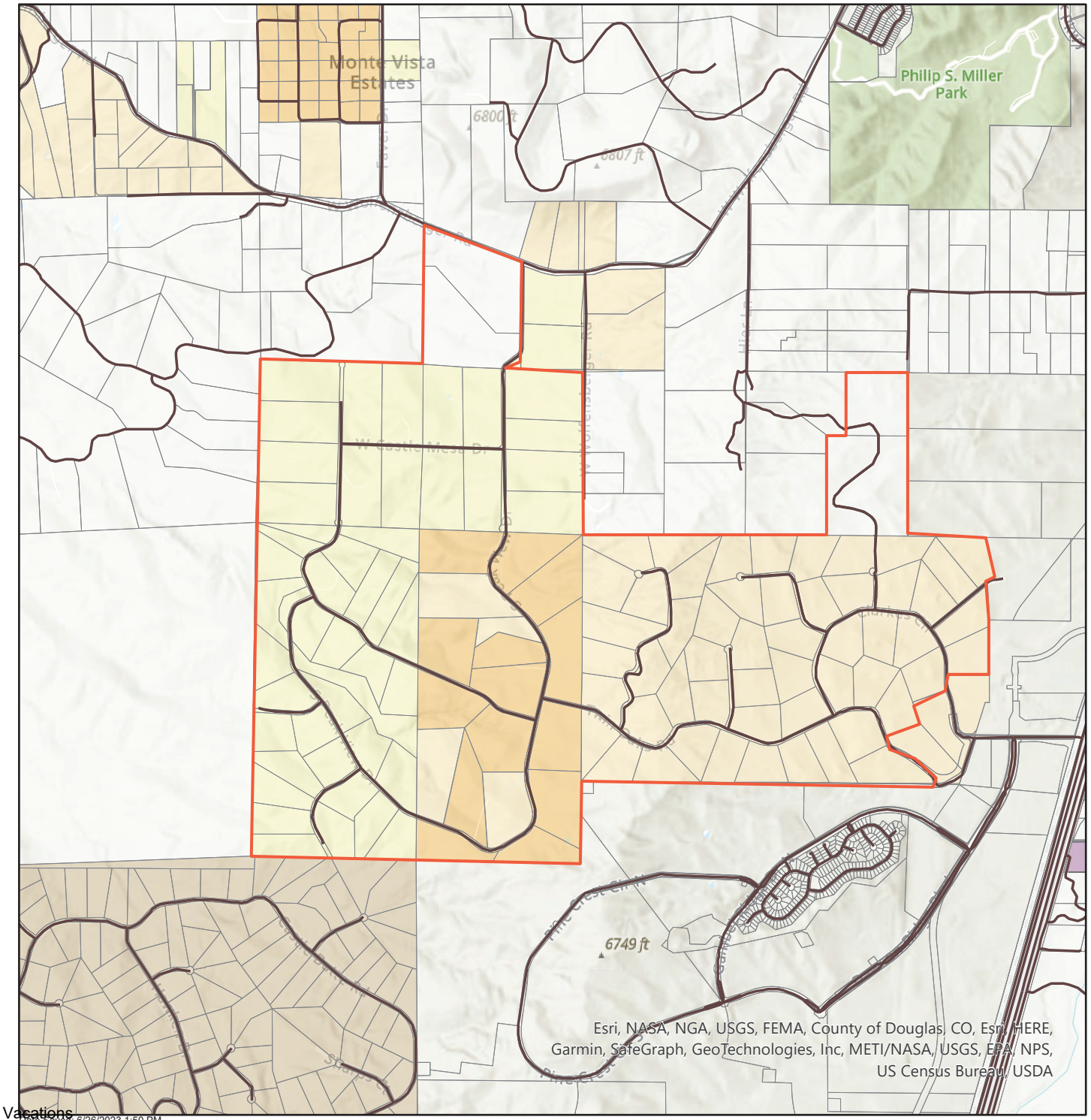
SB2025-026

Zoning Map

N

LEGEND

- PROJECT SITE
- A1 - AGRICULTURAL ONE
- LRR - LARGE RURAL RESIDENTIAL
- RR - RURAL RESIDENTIAL
- ER - ESTATE RESIDENTIAL
- LI - LIGHT INDUSTRIAL
- PD - PLANNED DEVELOPMENT



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Twin Oaks Road and Clarkes Circle Road Vacations

SB2025-026

Aerial Map

N

LEGEND

- Roads
- Major Roads
- Parcels - PARCELS

Date Saved: 8/6/2025 9:52 AM

Source: https://apps.douglas.co.us/gisportal/apps/webappviewer/index.html?id=9cd173c692b7436891bd0

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Twin Oaks Road and Clarkes Circle Road Vacations

SB2025-026

Aerial Map

N

LEGEND

- Roads
- Major Roads
- Parcels - PARCELS

Date Saved: 8/6/2025 10:53 AM

Source: https://apps.douglas.co.us/gisportal/apps/webappviewer/index.html?id=9cd173c692b7436891bd0

Twin Oaks Road and Clarkes Circle Road Vacations

SB2025-026

Aerial Map

N

LEGEND

- Roads
- Major Roads
- Parcels - PARCELS

Date Saved: 8/6/2025 10:56 AM

Source: https://apps.douglas.co.us/gisportal/apps/webappviewer/index.html?id=9cd173c692b7436891bd0

Project Name: Twin Oaks Road and Clarkes Circle Road Vacations
Project File #: SB2025-026
Date Sent: 07/11/2025 **Date Due:** 08/01/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	07/23/2025	**Verbatim Response**: Proposed addresses for the gates are: 1545 CLARKES CIRCE and 104 TWIN OAKS ROAD.	No action required.
Assessor	07/29/2025	**Verbatim Response**: please be aware of the following comments: None	No action required.
AT&T Long Distance - ROW	07/17/2025	**Summary of Response**: There should be no conflicts with AT&T Long Lines, as we do not have facilities in that area.	No action required.
Bear Canyon Ranch HOA		No Response Received.	
Bell Mountain Ranch HOA		No Response Received.	
Black Hills Energy		No Response Received.	
Building Services	07/15/2025	**Verbatim Response**: No Comment.	No action required.
Castle Rock Fire and Rescue Department	07/17/2025	**Verbatim Response**: CRFD has no comments or objections to the proposed project.	No action required.
CenturyLink	07/14/2025	**Summary of Response**: CenturyLink noted its receipt of the request and that it will endeavor to respond within 30 days.	Comments were provided to the applicant.
Christy Ridge HOA		No Response Received.	
Comcast		No Response Received.	
CORE Electric Cooperative	07/30/2025	**Verbatim Response**: CORE Electric Cooperative approved the roadway vacation.	No action required.
Douglas County School District RE 1	08/01/2025	**Summary of Response**: The DCSD noted that the bus stop locations for this route are currently being planned and located and as a policy, the School District does not transport on private property or in gated communities. DCSD requests that bus stop operations and logistics be considered in the gate location and design process.	Comments were provided to the applicant.

Project Name: Twin Oaks Road and Clarkes Circle Road Vacations
Project File #: SB2025-026
Date Sent: 07/11/2025 **Date Due:** 08/01/2025

Agency	Date Received	Agency Response	Response Resolution
Engineering Services	07/29/2025	**Summary of Response**: Engineering provided comments related to the width of the Twin Oaks Road vacation and to finalize all slope and ROW easements as well as the maintenance IGA with Engineering.	Applicant has been working with Engineering with the location of the gates on the eastern edge of the District boundary. The applicant is also finalizing the easements and maintenance IGA required for the turnarounds.
Jackson 105 FD		No Response Received.	
Keene Ranch HOA		No Response Received.	
Office of Emergency Management	07/11/2025	**Verbatim Response**: No Comment.	No action required.
Sheriff's Office	07/22/2025	**Verbatim Response**: Deputy Jeff Pelle reviewed this request regarding security, keeping Crime Prevention Through Environmental Design (CEPTD) concepts in mind; no comments or concerns were noted at this time. Once gates are in place, contact the Douglas County Sheriff's Office with gate code information to allow DCSO access.	Applicant will coordinate with the DCSO after installation of gates for gate access.
Sheriff's Office E911		No Response Received.	
Town of Castle Rock	07/31/2025	See letter attached for detail.	Comments were provided to the applicant.
Twin Oaks HOA		No Response Received.	
Xcel Energy-Right of Way & Permits	07/29/2025	**Summary of Response**: Xcel Energy has no apparent conflict with the request.	No action required.

Eric Pavlinek

From: annb cwc64.com <annb@cwc64.com>
Sent: Thursday, July 17, 2025 4:47 PM
To: Eric Pavlinek
Cc: CHOY, PAM; duanew cwc64.com; jt cwc64.com
Subject: Twin Oaks & Clarkes Circle Rd Castle Rock, Colorado Douglas County eReferral #SB2025-026
Attachments: Twin Oaks & Clarkes Circle Rd Castle Rock, Colorado.jpg

Hi Eric,

This is in response to your eReferral with a utility map showing any buried AT&T Long Line Fiber Optics near Twin Oaks & Clarkes Circle Rd Castle Rock, Colorado. The Earth map shows the project area in red. Based on the address and/or map you provided, there should be NO conflicts with the AT&T Long Lines, as we do not have facilities in that area.

Please feel free to contact us with any questions or concerns.

Ann Barnowski
Clearwater Consulting Group Inc
120 9th Avenue South
Suite 140
Nampa, ID 83651
Annb@cwc64.com

The attached google earth maps are intended to show approximate locations of the buried AT&T long line fiber optic cable. The maps are provided for informational purposes only. In no way should the maps be used for anything other than general guidelines as to where the fiber is or is not and any other use of these maps is strictly prohibited.

-----Original Message-----
From: epavlinek@douglas.co.us <epavlinek@douglas.co.us>
Sent: Friday, July 11, 2025 12:12 PM
To: annb cwc64.com <annb@cwc64.com>
Subject: Douglas County eReferral (SB2025-026) Is Ready For Review

There is an eReferral for your review. Please use the following link to log on to your account:
https://apps.douglas.co.us/planning/projects/Login.aspx

Project Number: SB2025-026

Project Title: Twin Oaks Road and Clarkes Circle Road Vacations

Project Summary: Request to vacate small portions of Twin Oaks Road and Clarkes Circle to allow for Metro District gate installation.

This referral will close on Friday, August 1, 2025.

If you have any questions, please contact me.

Sincerely,

PROJECT AREA

TWIN OAKS

Castle Butte Dr

Castle Butte Dr

Castle Butte Dr

Google Earth

Image Landsat / Copernicus

N

531

Eric Pavlinek

Subject: RE: Douglas County eReferral (SB2025-026) Is Ready For Review

From: FDPLANS <FDPLANS@crgov.com>
Sent: Thursday, July 17, 2025 11:24 AM
To: Eric Pavlinek <epavlinek@douglas.co.us>
Subject: RE: Douglas County eReferral (SB2025-026) Is Ready For Review

CRFD has no comments or objections to the proposed project.

Respectfully,

Alayna Moore, CFM, FA
Fire Plans Examiner

Form Center • Request a Construction Inspection or Reinspect (crgov.com)

Life Safety Division
Castle Rock Fire and Rescue Department
300 Perry Street
Castle Rock, CO 80104
303.663.3120 Office
e-mail FPO@crgov.com

An internationally accredited Fire/Rescue agency since 2012

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From: Easement, Nre
To: Eric Pavlinek
Cc: Canary, Stephanie
Subject: RE: P866849/ ***Douglas County eReferral (SB2025-026) Is Ready For Review
Date: Monday, July 14, 2025 3:19:43 PM
Attachments: image001.png

Good afternoon,
We have received your request for an encroachment and have set up a Lumen project accordingly. Your project number is P866849, and it should be referenced in all emails sent in for review.
Please do not reply to this email. Your project owner is Stephanie Canary, and they can be reached by email at Stephanie.Canary@lumen.com with any questions that you may have regarding this project.
Requests are addressed in the order received; Lumen will endeavor to respond within 30 days.
Have a great day!

Best Regards,

Ashley Viola
Project Coordinator
Faulk & Foster
214 Expo Circle, Suite 7
West Monroe, LA 71291
Ashley.Viola@lumen.com

Our fee policy applies to Lumen dedicated easements only.

If your request involves public ROW or a Public Utility easement, the fee does not apply. If this is the case, please reply all to advise.

From: epavlinek@douglas.co.us <epavlinek@douglas.co.us>
Sent: Friday, July 11, 2025 1:12 PM
To: Easement, Nre <Nre.Easement@lumen.com>

Subject: P866849/ ***Douglas County eReferral (SB2025-026) Is Ready For Review

There is an eReferral for your review. Please use the following link to log on to your account:
https://urldefense.com/v3/__https://apps.douglas.co.us/planning/projects/Login.aspx__;!!CdLFVIQ!W3n5PacUPRUduM62Wy9zcFl2j4DapwvHNMgqKulX-jSNT1Dsj1TDxpQgwtf9PkHtBqF8sKj2zEDCvRtxX2MTyQ$

Project Number: SB2025-026

Project Title: Twin Oaks Road and Clarkes Circle Road Vacations

Project Summary: Request to vacate small portions of Twin Oaks Road and Clarkes Circle to allow for Metro District gate installation.

This referral will close on Friday, August 1, 2025.

If you have any questions, please contact me.

Sincerely,

Eric Pavlinek

Planning Services
100 Third Street
Castle Rock, CO 80104
303-660-7460 (main)

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Douglas County School District
Learn Today, Lead Tomorrow
620 Wilcox Street
Castle Rock, Colorado 80104

August 1st, 2025

Eric Pavlinek
Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104
epavlinek@douglas.co.us

RE: Twin Oaks Road and Clarkes Circle Road Vacations (SB2025-026)

Dear Mr. Pavlinek,

It is our understanding that the applicant is requesting to vacate small portions of Twin Oaks Road and Clarkes Circle to allow for a Metro District gate installation. It is our understanding that the applicant is proposing construction of gates as shown in the attached exhibits, on Twin Oaks Road and Clarkes Circle west of Territorial Road.

On behalf of Douglas County School District, we have listed the below considerations concerning the vacation and installation of gates.

1. DCSD provides transportation service to households/properties located in the Twin Oaks and Castle Mesa neighborhoods. 2025-26 school year bus stop locations for this route are currently being planned and located.
2. As a policy, DCSD does not transport on private property and/or in any gated communities. The installation of access prohibiting gates as proposed may prohibit the households located within the resulting gated community from receiving district transportation services within the gated community.
3. Students who are eligible for DCSD transportation services as required by law receive transportation services at their address. Please consider district Transportation access and logistics when considering design and approval of access prohibited gates.
4. DCSD requests that bus stop operations and logistics be considered in the gate location and design approval process. DCSD prioritizes pedestrian and driver safety first and foremost when creating bus stop locations. Stop locations must also be easily accessible for bus drivers and passengers and should provide ample room for safe and efficient loading and unloading.

Thank you for the opportunity to respond to the above referenced application. Please reach out with any further needed input or clarification.

Shavon Caldwell, Planning Manager
DCSD Planning & Construction
scaldwell2@dcsdk12.org
desk: 303.387.0417

REFERRAL RESPONSE REQUEST

Date sent: July 11, 2025 Comments due by: **August 1, 2025**

Project Name:	Twin Oaks Road and Clarkes Circle Road Vacations
Project File #:	SB2025-026
Project Summary:	The applicant, Twin Mesa Metropolitan District, requests approval of a road vacation to vacate portions of Twin Oaks Road and Clarkes Circle. The property to be vacated will be owned and maintained by the District for installation of gates. A traffic control gate will be installed on Twin Oaks Road and an emergency access gate will be installed on Clarkes Circle

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐ No Comment

☑

1.) Please continue to work with Public Works Engineering in finalizing all slope and ROW Easements as well as the Maintenance IGA.
2.) The width of the Twin Oaks Road Vacation should be limited to 40' longitudinally along the roadway.
3.) The Engineering review fee of $2,400 is still outstanding.

☐

Agency: DC Public Works ENG.	**Phone #:** 303.660.7490 Ext. 3305
Your Name: Bradley Jackson	**Your Signature:** Bradley A. Jackson
(please print)	**Date:** July 29, 2025

Additional information and documents can be found at www.douglas.co.us/pro and performing a Project Search for the Project Number provided above. You can then view the documents and details within the project file. Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,

Eric Pavlinek

Eric Pavlinek, Project Planner

Enclosure

Project Written Comments
Town of Castle Rock

Project Number: COU25-0016

Description: **Twin Oaks Rd and Clarkes Cir Road Vacations**

Applied: **7/14/2025**

Approved:

Site Address:

Closed:

Expired:

City, State Zip Code: **,**

Status: **UNDER REVIEW**

Applicant: **<NONE>**

Parent Project:

Owner: **<NONE>**

Contractor: **<NONE>**

Details:

Request to vacate small portions of Twin Oaks Road and Clarkes Circle to allow for Metro District gate installation.

LIST OF REVIEWS			
TYPE	**CONTACT**	**STATUS**	**REMARKS**
Review Group: 1ST REVIEW 18 DAY			
DS PLAN CHECK TJ	TJ KUCEWESKY	PPA-COMPLETE	See notes
Notes: DS1. Please contact TJ Kucewesky with questions, TKucewesky@crgov.com or 720-733-3593 DS2. Please coordinate construction plans with Town and Dawson Trails for entry street to Twin Oaks. DS3. If any easements are required for town owned property an exhibit will need to be submitted to DevReview@crgov.com for review.			
PL - SANDY	SANDY VOSSLER	NO COMMENT	Rev'd 7-25, forgot to close
Notes: PL1. Please contact Planning, Sandy Vossler with questions, 720-733-3556, svossler@crgov.com.			
PW - JAY	JAY JENSMA	APPROVED	See notes
Notes: PW1. Please contact Jay Jensma with questions, JJensma@crgov.com or 720-733-2264 PW2. Castle Rock Public Works is requesting that maintenance responsibilities, i.e. snow removal, be identified in the sections between the proposed gates and Town ROW.			

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

July 29, 2025

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104

Attn: Eric Pavlinek

Re: Twin Oaks Road and Clarkes Circle Road Vacations, Case # SB2025-026

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the **request to vacate small portions of Twin Oaks Road and Clarkes Circle to allow for Metro District gate installation** and currently has **no apparent conflict**.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com

Twin Mesa Metropolitan District

Mr. Eric Pavlinek
Principal Planner
Douglas County Department of Community Development
Planning Services Division
100 Third Street
Castle Rock, CO, 80104

August 6, 2025

RE: Twin Oaks Road and Clarke's Circle Road Vacation - Application SB2025-026

Dear Mr. Pavlinek:

This letter is the Twin Mesa Metropolitan District's (Twin Mesa's") response to the comments received in the Referral Agency Response Report:

1. **Douglas County School District.** Currently, there are no bus stop locations or bus routes affected by the current proposal. However, Twin Mesa will work with the Douglas County School District regarding any future bus stop or bus routes to include granting access through the gate if requested.

2. **Engineering.** Twin Mesa and Engineering have agreed to a plan that includes the location and construction of four hammerhead turnarounds and the vacation of 40 feet on Twin Oaks Road and 20 feet on Clarke's Circle. Twin Mesa has completed the surveying and legal descriptions for the portions of Twin Oaks Road and Clarke's Circle to be vacated (previously provided) as well as the legal descriptions for the ROW easements for the four hammerheads as well as the legal descriptions for four slope and drainage easements. Twin Mesa is in the process of getting those eight easements executed by the owners. Twin Mesa will continue to work with Engineering on the preparation of the construction plans for the hammerhead turnarounds. Construction will be completed prior to gate installation. Engineering has proposed an IGA that has been reviewed and expected to be finalized soon.

3. **Sherif's Office.** Twin Mesa will provide code and access information once gate is complete.

4. **Town of Castle Rock.** Twin Mesa will be entering into an IGA with the County which will provide consistent maintenance up to the Town ROW. Twin Mesa is not involved with the construction plans for the entry street to Twin Oaks.

Please advise if any further information or explanation is needed.

Thank you,

Damian Cox, Twin Mesa board member

From:	Glen Tuscan Triple Protection Autocare
To:	Eric Pavlinek
Cc:	Miro Kovacevic; Brendan Fitch; Ryan Ellis; Art Griffith; Janet Herman
Subject:	Requested Denial Of Twin Oaks Road and Clarkes Circle Road Vacations (SB2025026)
Date:	Monday, August 18, 2025 3:14:03 PM
Attachments:	image001.png

Dear Commissioners,

I respectfully submit this letter to formally request that the Planning Commission recommend denial of the Twin Oaks and Clarkes Circle Road Vacations (SB2025-026), scheduled for consideration at the August 18th Planning Commission hearing.

The County Staff Report makes clear that this application is being advanced prematurely. The potential impacts of these proposed road vacations have not been fully qualified, quantified, or mitigated.

Unresolved Easements and Turnaround Impacts

The Applicant acknowledges it is still in the process of negotiating eight separate easements with adjacent property owners. None of these agreements have been finalized. Furthermore, the proposed "hammerhead" turnarounds that would be located on these easements have not been evaluated. These features will alter drainage patterns, creating potential grading, erosion, and runoff impacts not only on the properties where they are located but also on neighboring parcels across the vacated rights-of-way. To date, no grading, erosion control, or drainage studies have been provided to assess or address these impacts.

School District Concerns

The Staff Report (page 30) highlights comments from the Douglas County School District, which currently provides transportation services to households within the Twin Oaks and Castle Mesa neighborhoods. The District notes that state law requires it to provide transportation service to those households and expresses concern that the installation of access-prohibiting gates could prevent it from fulfilling this obligation.

The Applicant dismisses this concern, stating only that "there are not bus stop locations or bus routes affected by the current proposal." This directly contradicts the School District's own position and fails to address the practical issue of whether the District could continue to serve affected households. This unresolved conflict demonstrates that the approval standards for a road vacation are not met—specifically, Article 705B.05, which requires that "the approval will not adversely affect the public health, safety, and welfare."

Conclusion

Given the lack of completed studies, unresolved easement negotiations, and the serious concerns raised by referral agencies, this proposal is not ready for approval. I respectfully urge the Planning Commission to vote to recommend denial of SB2025-026.

Thank you for your consideration.

Respectfully,

Glen Tuscan
Tuscan Farm LLC
Lots #58,59,60
(303) 435-1838
gat@tripac.net

Tuscan Farm LLC
7200 South Alton Way
Suite C-200
Centennial, CO 80112
303.435.1838 Cell
303.798.4499 Office
303-798-2480 Fax

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Eric Pavlinek

From: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Sent: Monday, August 18, 2025 12:57 PM
To: Planning
Subject: Include in packet Douglas County Planning
Attachments: Scanned from Tripac.pdf

Please include these emails attached in Douglas County planning commission packet.

Sincerely,

Glen Tuscan
Founder, CEO
(303) 435-1838
gat@tripac.net

7200 South Alton Way
Suite C-200
Centennial, CO 80112
303.435.1838 Cell
303.798.4499 Office
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-----Original Message-----
From: scanner@tripac.net <scanner@tripac.net>
Sent: Monday, August 18, 2025 12:49 PM
To: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Subject: Scanned from Tripac

Attachment File Type: pdf, Multi-Page

Glen Tuscan Triple Protection Autocare

From: Glen Tuscan Triple Protection Autocare
Sent: Monday, August 18, 2025 12:06 PM
To: Janet Herman
Cc: Art Griffith; Bradley Jackson; Miro Kovacevic; brendan@tortle.com; Ryan Hough
Subject: RE: Update From 4/28/2025

Hi Janet,

I'm writing to express my concerns about the incomplete proposed gate design submitted for today's hearing with the Douglas County Planning Commission.

Given the lack of complete information—particularly regarding how my land will be affected by the Town of Castle Rock, Douglas County, and the Metro District—my team is requesting a 90-day postponement before any decisions are made that could impact my property.

Tuscan Farms is significantly affected, as my land borders approximately 75% of both Twin Oaks Road and Clarkes Circle.

Additionally, as of today, August 18, 2025, I have not received the drainage study. Once that is provided, I would also like to revisit the proposed vacation of Clarkes Circle to Tuscan Farms.

Thank you for your attention to these concerns.

Respectfully,

Glen Tuscan
Tuscan Farm LLC
(303) 435-1838
gat@tripac.net

7200 South Alton Way
Suite C-200
Centennial, CO 80112
303.435.1838 Cell
303.798.4499 Office
303-798-2480 Fax

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From: Glen Tuscan Triple Protection Autocare
Sent: Monday, July 14, 2025 12:09 PM
To: Janet Herman <JHerman@douglas.co.us>
Cc: Art Griffith <AGriffit@douglas.co.us>; Bradley Jackson <bjackson@douglas.co.us>
Subject: RE: Update From 4/28/2025

Hi Janet,

I was following up from our last in-person meeting of June 12th. You mentioned that "TJ" would be sending us the drainage study. Please let me know when the study will be forthcoming. I have hired a hydrologist to help me understand its content.

Thankfully,

Glen Tuscan
Tuscan Farm LLC
(303) 435-1838
gat@tripac.net

7200 South Alton Way
Suite C-200
Centennial, CO 80112
303.435.1838 Cell
303.798.4499 Office
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From: Janet Herman <JHerman@douglas.co.us>
Sent: Tuesday, June 10, 2025 8:22 AM
To: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Cc: Art Griffith <AGriffit@douglas.co.us>; Bradley Jackson <bjackson@douglas.co.us>
Subject: RE: Update From 4/28/2025

Hi Glen,

Looks like we can make that work. I just sent a revised meeting invite.

Thanks
Janet

From: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Sent: Tuesday, June 10, 2025 5:38 AM
To: Janet Herman <JHerman@douglas.co.us>
Cc: Art Griffith <AGriffit@douglas.co.us>; Bradley Jackson <bjackson@douglas.co.us>
Subject: Re: Update From 4/28/2025

Good Morning Janet,

Would it be possible to adjust our meeting time to 1 pm on Thursday?

I have an overlap of meetings at the time i originally committed to.

Thank you in advance for your consideration.

Glen Tuscan

Get Outlook for iOS

From: Janet Herman <JHerman@douglas.co.us>
Sent: Monday, June 9, 2025 4:07:58 PM
To: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Cc: Art Griffith <AGriffit@douglas.co.us>; Bradley Jackson <bjackson@douglas.co.us>
Subject: RE: Update From 4/28/2025

Sounds good and I will send invite.
Janet

From: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Sent: Monday, June 9, 2025 4:07 PM
To: Janet Herman <JHerman@douglas.co.us>
Cc: Art Griffith <AGriffit@douglas.co.us>; Bradley Jackson <bjackson@douglas.co.us>
Subject: RE: Update From 4/28/2025

Janet

I will be there at 11:30. Can you send me a meeting invite that I can put in my calendar?
Thankfully,

Glen Tuscan
Tuscan Farm LLC
Lots 58 59 60
(303) 435-1838
gat@tripac.net

Tuscan Farms LLC
7200 South Alton Way
Suite C-200
Centennial, CO 80112
303.435.1838 Cell
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303-798-2480 Fax

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From: Janet Herman <JHerman@douglas.co.us>
Sent: Monday, June 9, 2025 3:59 PM
To: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Cc: Art Griffith <AGriffit@douglas.co.us>; Bradley Jackson <bjackson@douglas.co.us>
Subject: RE: Update From 4/28/2025

Hi Glen,

Art and I could meet with you at our office this Thursday, June 12 anytime between 11:30 and 2:30. Let me know if that day would work for you and what time is best. If that doesn't work, we can look at sometimes next week (Monday-Wednesday).

Thanks
Janet

From: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Sent: Friday, June 6, 2025 11:06 AM
To: Janet Herman <JHerman@douglas.co.us>
Cc: Art Griffith <AGriffit@douglas.co.us>; Bradley Jackson <bjackson@douglas.co.us>
Subject: RE: Update From 4/28/2025

Janet,

Hope this message finds you well. I wanted to see if you and Art Griffith would be available for an in-person meeting to discuss the status of drainage and gate placements. Please let me know a good time that would work for both of you.

Sincerely,

Glen Tuscan
Founder, CEO
(303) 435-1838
gat@tripac.net

Celebrating 31 Years

DEALER COMMITMENT SERVICES

DCS | TRI-PAC | ONUST
7200 South Alton Way
Suite C-200
Centennial, CO 80112
303.435.1838 Cell
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303-798-2480 Fax

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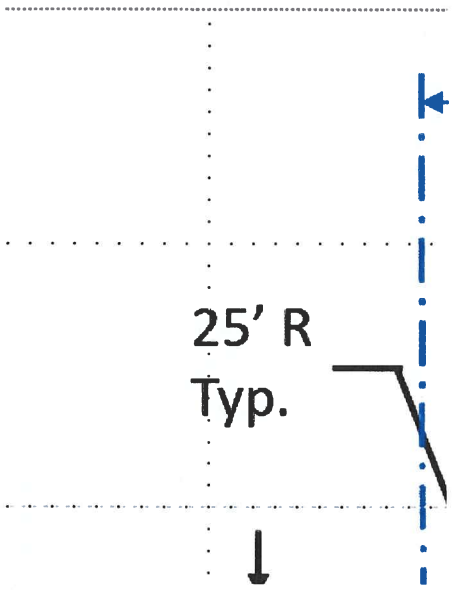
From: Janet Herman <JHerman@douglas.co.us>
Sent: Wednesday, May 21, 2025 2:38 PM
To: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Cc: Art Griffith <AGriffit@douglas.co.us>; Bradley Jackson <bjackson@douglas.co.us>
Subject: RE: Update From 4/28/2025

HI Glen,

Sorry for the lack of response from the County. We have been trying to get information from the Town regarding the approved Drainage Report and construction plans so we can see what the Developer is providing for detention/channel improvements in order to answer some of your questions. During the referral process, the County did request that the Town have the Developer analyze the downstream channel (starting from their detention pond outlet) and provide improvements if needed. However, we were never informed as to what may have been designed. The County will continue to maintain the culverts under Twin Oaks and Clarke Circle within our ROW.

I know the Twin Mesa District is looking at some other alternate locations for the gate/turnarounds. I believe they are meeting sometime this week to discuss it among themselves, so we are waiting to see what alternatives they come up with.

Also, the County is willing to allow a hammerhead **or** a cul-de-sac as the two options for a turnaround. In either case, we still would need a turnaround on both sides of the proposed gates on Twin Oaks and Clarke Circle.



I'm hoping to hear from the District soon, and I'm assuming they may be reaching out to you as well. Also, I will check with staff to see what we have been able to get from the Town/Developer.

Thanks
Janet

From: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Sent: Wednesday, May 21, 2025 12:14 PM
To: Janet Herman <JHerman@douglas.co.us>
Cc: Art Griffith <AGriffit@douglas.co.us>
Subject: Update From 4/28/2025

Hi Janet,

I have not received any response from Douglas County regarding my email sent on 4/28/2025. Can you provide me with a status update.

Thankfully,

Glen Tuscan
Tuscan Farm LLC
(303) 435-1838
gat@tripac.net

Tuscan Farm LLC
7200 South Alton Way
Suite C-200
Centennial, CO 80112
303.435.1838 Cell

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Glen Tuscan Triple Protection Autocare

From: Glen Tuscan Triple Protection Autocare
Sent: Monday, April 28, 2025 2:40 PM
To: Janet Herman; Art Griffith
Cc: Dan Clemens; rick@thestucycompany.com; debbiereevestuscan@gmail.com; Chris Foust; Britt Tuscan
Subject: Drainage and Infrastructure Concerns

Dear Douglas County Representatives and Twin Mesa Metro District Board Members,

Tuscan Farm, LLC acknowledges receipt of the Twin Mesa Metro District's request for an easement or conveyance of land to facilitate the gating and privatization of Twin Oaks Road and Clarkes Circle. While we are committed to working cooperatively with neighboring communities and public entities, we must respectfully express substantial concerns regarding drainage, infrastructure, and maintenance impacts — concerns that must be addressed prior to any further consideration of the district's request.

Existing Drainage and Infrastructure Issues: Tuscan Farm is currently experiencing significant drainage challenges, including:

- Formation of a major scour pool on the south side of Twin Oaks Road before the culvert crossing onto Lot 59.
- Persistent sheet flows across Lots 58 and 59, causing saturated soils and repeated erosion and incision along both Twin Oaks Road and Territorial Road.
- Scour pool development at the Clarkes Circle culvert crossing on Lot 58.
- Active head cutting in the drainageway on Lot 60 as flows move east toward the Costco development area.
- Increased strain on infrastructure tied to over-capacity drainageways and unmanaged upstream runoff.
-

These issues have been documented over the last several years and were specifically discussed with Douglas County personnel, including Mr. Steve Dalke, Operations District Supervisor, who suggested the need for a more defined drainageway through Tuscan Farms' Lots 58 and 59 to protect Twin Oaks and Territorial Roads from continuing erosion and maintenance failures.

Exacerbating Factors: Dawson Trails Development: We do not know the area of the watershed that drains under Twin Oaks Rd. and across our property. The Dawson Trails subdivision under development to the west has the potential to introduce substantial new impervious surface area, potentially substantially increasing the total stormwater runoff entering Tuscan Farms' property. Even if peak flows are nominally detained, the overall frequency and volume of flow could rise considerably, further destabilizing the existing drainageways and culvert crossings.
Accordingly, Tuscan Farms requests clarification and assurances on the following:

1. Will the Dawson Trails drainage plan detain and control stormwater so that neither peak flow rates nor cumulative runoff volumes onto Tuscan Farms properties exceed historical levels?
2. What protections are in place to prevent accelerated erosion, expanded scour pools, worsened sheet flows, existing culvert crossing erosion or failure, and head cutting through Tuscan Farms' agricultural land?

3. Will any portion of Dawson Trails' runoff be routed into the drainage systems crossing Tuscan Farms without substantial infrastructure improvements?
4. How do Douglas County and the Twin Mesa Metro District intend to address known deficiencies in current drainage infrastructure before introducing additional upstream burdens?

Concerns Regarding Transfer of Maintenance Obligations: The Twin Mesa Metro District's proposal to privatize Clarkes Circle and transfer roadway maintenance obligations to Tuscan Farms, LLC presents significant concerns. Specifically:

- Current drainage conditions already contribute to roadbed instability and increased maintenance demands.
- The anticipated increases in runoff from Dawson Trails will exacerbate these problems unless appropriate mitigation steps are taken.
- Tuscan Farms must fully understand the projected maintenance obligations and potential costs under both current and post-Dawson Trails conditions.

Conclusion: Given the existing, documented drainage failures — and the likelihood of worsening conditions from the Dawson Trails development — Tuscan Farms cannot responsibly consider granting an easement, conveying land, or accepting new maintenance responsibilities for Clarkes Circle without first addressing these critical drainage and infrastructure issues.

We respectfully request a coordinated response from both the Twin Mesa Metro District and Douglas County addressing the current infrastructure conditions, the Dawson Trails drainage impacts, and the mitigation measures proposed to protect Tuscan Farms' properties.
We remain willing to engage in discussions to reach a mutually acceptable resolution that preserves the viability of Tuscan Farms' operations and ensures fair and equitable management of infrastructure burdens.

Sincerely,

Glen Tuscan
Tuscan Farm LLC
Lot #58 59 60
(303) 435-1838
gat@tripac.net

Tuscan Farm LLC
7200 South Alton Way
Suite C-200
Centennial, CO 80112
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Eric Pavlinek

From: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Sent: Monday, August 18, 2025 1:48 PM
To: Planning
Subject: Include In Planning Commission Packet
Attachments: Scanned from Tripac.pdf

Please include the attached document in the Douglas County Planning Commission Packet for meeting 08/18/2025.

Sincerely,

Glen Tuscan
Tuscan Farm LLC
(303) 435-1838
gat@tripac.net

7200 South Alton Way
Suite C-200
Centennial, CO 80112
303.435.1838 Cell
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-----Original Message-----
From: scanner@tripac.net <scanner@tripac.net>
Sent: Monday, August 18, 2025 1:40 PM
To: Glen Tuscan Triple Protection Autocare <gat@tripac.net>
Subject: Scanned from Tripac

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location: machine location not set

ANALYSIS OF PROPOSED EASEMENTS AND LAND RELINQUISHMENT

For Tuscan Farms LLC

DRAFT

Prepared by Anduril Insights
April 2025

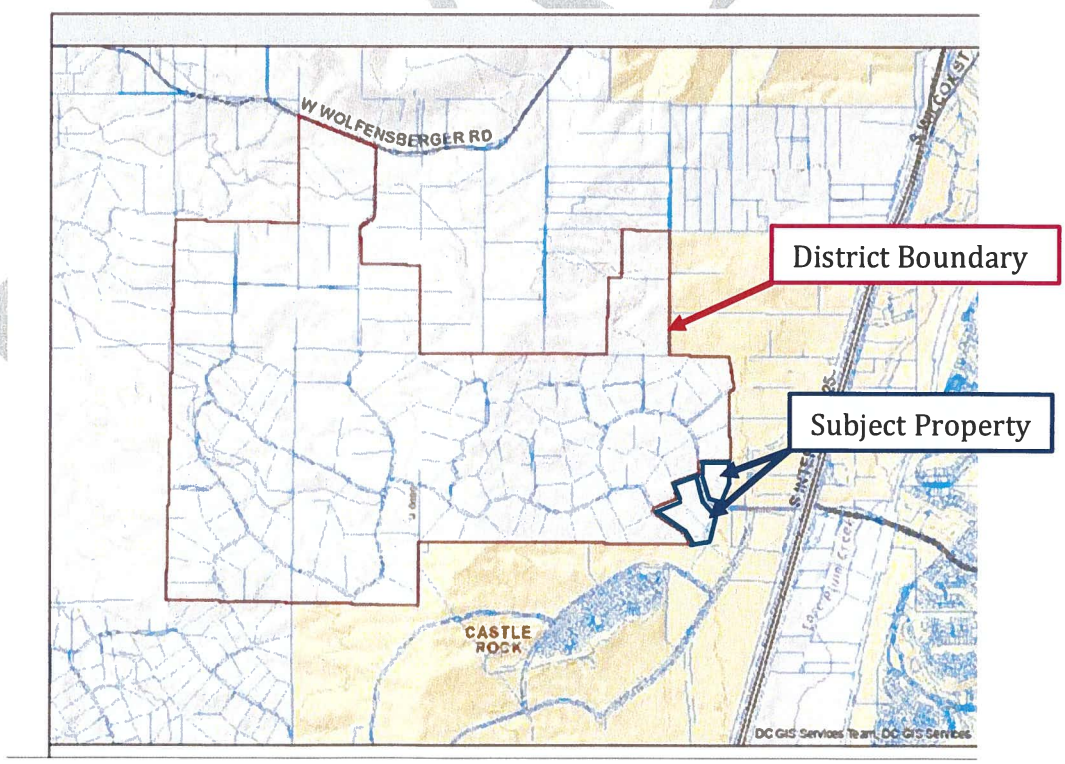
ANALYSIS OF PROPOSED EASEMENTS AND LAND RELINQUISHMENT

TASK AND SCOPE

In April 2025, Tuscan Farms LLC commissioned an analysis of proposed easements up and alongside property owned by Tuscan Farms LLC. The following analysis accounts for the history of the subject property and its surroundings, the proposed plans for multiple easements on and along the subject property, and the future impacts of said easements.

BACKGROUND

The subject property is bordered by a number of homesites on to its West and Northwest. The homeowners of these properties formed a Title 32 Metropolitan District in Douglas County in 2024. This District was approved by the Board of County Commissioners on May 21, 2024, via Resolution R-024-068 (**Attachment A)**. Twin Mesa Metro District does ***not*** include the subject property in its Service Plan or its Boundary Map, as seen in Figure 1:



The purpose of the Twin Mesa Metro District is to create a set of gates to limit public access to the neighborhood of homesites within the District. One gate would be installed on Twin Oaks Drive, and the other on Clarkes Circle. These two gates would theoretically ensure that the neighborhood is not treated as a throughway between Highway 105 and the currently-under-construction Crystal Valley interchange with Interstate 25.

As the District analyzed the engineering required for these two gates, it came to two conclusions:

1. The locations of these gates would need to be on the roadways adjacent to the subject property and easements on the subject property would be required for proper construction, grading, sloping, and drainage.
2. Clarkes Circle would need to be vacated from a public road to a private road.

Once these conclusions were reached, the District approached Tuscan Farms LLC representatives with proposals.

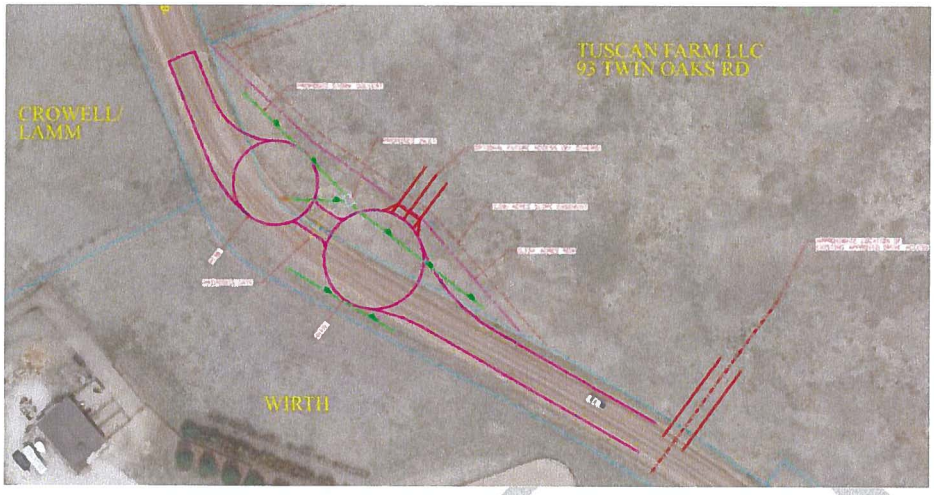
GATE LOCATIONS AND EASEMENTS

As the District contemplated where to place its gates and corresponding turnarounds, it determined that these locations needed to be upon the subject property – one on Clarks Circle, and one of Twin Oaks Drive. The District worked with Douglas County's engineering team to mock-up these proposed locations and presented the following exhibits to Tuscan Farms LLC:

Clarkes Circle Proposed Locations

The Clarke's Circle location is being contemplated with either one or two turnarounds. If only one roundabout is needed (Figure 3, above), then the District will require a .233 acres in easement (.159 acres right-of-way and .074 acres in slope easement) on the Subject Property; whereas if two roundabouts are required (Figure 4, above), the District will need .401 acres (.306 acres R.O.W. and .095 acres for slope) at this location.

Twin Oaks Drive Proposed Location



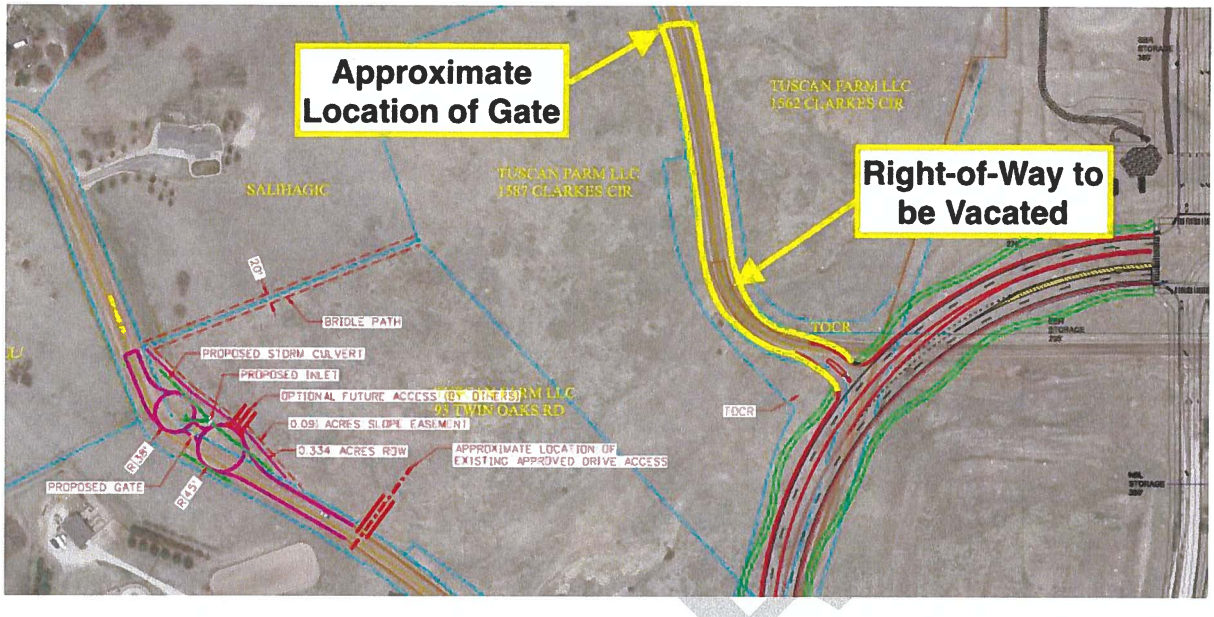
The Twin Oaks Drive location is more solidified in its proposal. The District is only proposing a two-turnaround option (Figure 5, above), which will require .425 acres (.334 acres in right-of-way, and .091 acres in slope easement).

The totals of the District's proposed land takings are shown in Table 1

	Clarkes Circle		Twin Oaks Drive
Turnarounds Required	One Turnaround	Two Turnarounds	Two Turnarounds
Right-of-Way Acres	.159	.306	.334
Slope Acres	.074	.095	.091
Total Acreage/Location	.233	.401	.425
Total Acreage Combined	.658	.826	--

CLARKES CIRCLE ROAD VACATATION

In addition to the actual land the District deemed necessary from the subject property, the District also concluded that it would require a stretch of Clarkes Circle – which is currently a public road owned by Douglas County – to be vacated, privatized, and deeded to Tuscan Farms LLC. This scenario would require Tuscan Farms LLC to maintain the private road for emergency access. Figure 6 shows the stretch of road to be vacated:



Under this scenario, the County would deed the currently owned right-of-way to Tuscan Farms LLC, and Tuscan Farms LLC would grant an "emergency access" easement back to the County to ensure that all emergency vehicles could use the road if necessary. This easement is a boilerplate document that the County uses in situations such as this, and it requires the private right-of-way to be maintained at County standards to ensure the safe passage of the emergency vehicles.

ANALYSIS

After these scenarios were proposed, Tuscan Farms LLC requested an analysis of the proposals. This analysis gave rise to multiple conclusions and outstanding questions.

CONCLUSIONS

First, the District is of a unique nature. Douglas County has no other Title 32 Metro Districts that operate with a similar scope (the District's Service Plan defines its own purpose as partially to "oversee and pay for, but not finance, the installation of certain traffic safety controls and devices from time to time"[1]), or funding mechanism (a mix of a sizable "developer advance", a mill levy, and an unclear possible toll on a broad an ill-defined constituency[2]). The District was approved by Douglas County without condemnation

[1] Twin Mesa Metro District Service Plan, Article III, page 3.
[2] Ibid, page 6.

powers ("the District shall not have the authority to exercise the power of eminent domain"[3]).

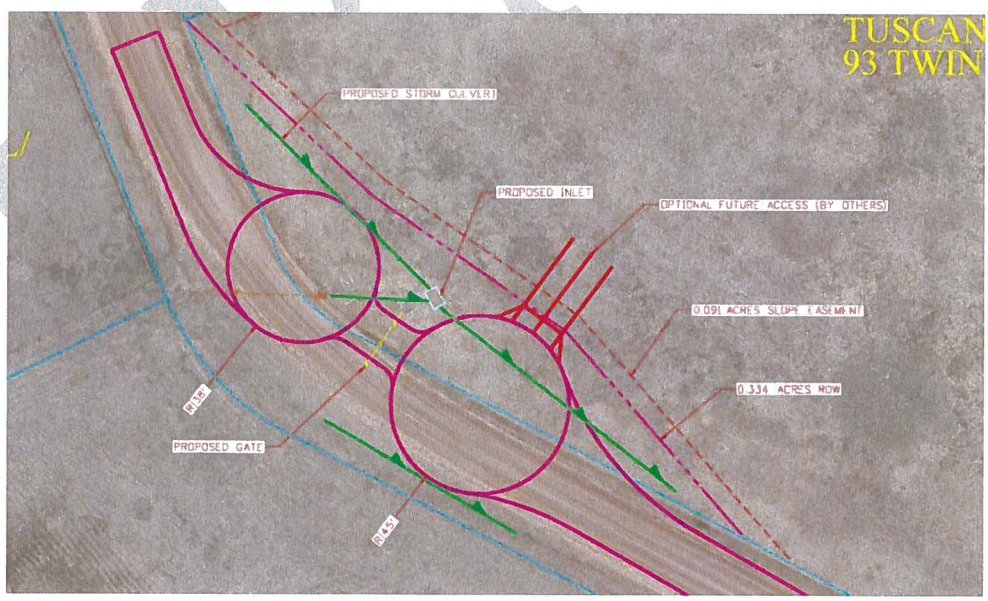
Secondly, the District is asking Tuscan Farms LLC for a sizable request. As shown in Table 1, Tuscan Farms LLC is being asked to relinquish property, relinquish use of property via an easement, and is being asked to take over the ongoing maintenance of a roadway. All these requests are burden Tuscan Farms LLC and benefit the District. As of the drafting of this analysis, no compensation has been offered to Tuscan Farms LLC in exchange for these requests.

OUTSTANDING QUESTIONS

The proposed scenarios leave Tuscan Farms LLC with many outstanding questions. In order to properly evaluate the extent of its ability to participate in the District's requests, Tuscan Farms LLC needs these questions answered.

1. *What exactly is the District asking of Tuscan Farms LLC in terms of property?*

In the verbal conversations regarding the proposals, the District has indicated that it is asking for easements on the subject property from Tuscan Farms LLC. However, the visualizations of the proposed gate locations seem to indicate that the District is asking for a mix of deeded land and easement. As an example, Figure 7 shows an enhanced section of the proposed Twin Oaks location:



[3] Ibid, page 5.

In this visual, the area being requested by the District is labeled as ".334 ACRES ROW" and as ".091 ACRES SLOPE EASEMENT". This distinction, where the right-of-way is explicitly **not** labeled as an easement, indicates that the District is requesting that the right-of-way acreage be deeded to the District in fee simple. This distinction is consistent on all of the proposed visualizations from the District in both proposed locations.

The District needs to state clearly if it is asking for deeded acreage from Tuscan Farms LLC or if it is asking for only easements.

2. *What compensation is being proposed to Tuscan Farms LLC?*

The District is asking for Tuscan Farms LLC to relinquish either ownership or use, or both, of its owned property. Accordingly, the District should be compensating Tuscan Farms LLC for these relinquishments. Consultation with local experts in land valuation and easements suggests that the following assumed assessed value is reasonable for the area:

$1.15/square foot	$50,000/acre	$500,000/10-acre lot

Easements are generally valued at 50% of the assessed value of the subject property. Table 2 shows what these assessed values would determine is reasonable value for Tuscan Farms LLC to expect for its relinquished property:

	Easements Only			Right-of-Way Deed + Easement		
Roadway	Twin Oaks Dr.	Clarkes Circle		Twin Oaks Dr.	Clarkes Circle	
Turnarounds Required	2	1	2	2	1	2
ROW Value	$8,350	$3,975	$7,650	$16,700	$7,950	$15,300
ROW Total (Both Roads)	--	$12,325	$16,000	--	$24,650	$32,000
Slope Easement Total	$2,275	$1,850	$2,375	$2,275	$1,850	$2,375
Total (ROW + Slope)	--	**$16,450**	**$20,650**	--	**$28,875**	**$36,650**

These compensation questions are paramount, as they are often subject to scrutiny. This is especially true of this situation because the value of the land exceeds the threshold where an appraisal could be requested by the parties, the District is proposing these land relinquishments outside of its boundaries, and the District has no condemnation powers.

3. *Are there any proposed temporary construction easements?*

Generally, when improvement is set to occur within a granted easement, there is a complementary temporary easement which covers the construction of said improvements. This temporary easement covers the impact upon the subject property and sets the terms for how the temporary impacts are set to be mitigated. These easements are separate and apart from the terms and compensation of a permanent easement or deeded acreage.

4. *What about drainage?*

The visualization of the proposed Twin Oaks Drive location shows substantial drainage improvements being added on the subject property. If this property is set to be deeded to the District, how will drainage be monitored and these improvements maintained? If this is set to only be an easement, who will construct the drainage improvements? What are the terms of a drainage easement? Will the District be responsible for monitoring for MS4 violations, or will this be expected of Tuscan Farms LLC whose property the drainage will flow into?

5. *What should Tuscan Farms LLC receive in return for its continual maintenance of Clarkes Circle, should the road be vacated?*

The District's second conclusion, that Clarkes Circle should be vacated to Tuscan Farms LLC and privatized does give Tuscan Farms LLC a benefit – namely its own private roadway. However, the required continual maintenance of the roadway is also a significant burden. Would the District be willing to receive a maintenance easement from Tuscan Farms LLC for this roadway? The District is authorized for continual roadway maintenance in its Service Plan (Section IX.A.1), and it will have ongoing funding for this maintenance.

CONCLUSION

The District's requests of Tuscan Farms LLC are of a unique and burdensome nature. They will require substantial coordination between the two parties in the short-term as the conditions, terms, and scope of the requests are fully determined, and in the long-term, as the subject property is improved and maintained. The complex nature of these requests has created a considerable number of outstanding questions that should be answered before the agreements overseeing these requests are finalized.

DRAFT

ATTACHMENT A

TWIN MESA METRO DISTRICT SERVICE PLAN

DRAFT

Meeting Minutes

Date: March 12, 2025

Where: Douglas County Engineering

Prepared by: Janet Herman, Director of Public Works

Attending: Janet Herman, Art Griffith, and Brad Jackson - DC Engineering
Eric Pavlinek - DC Planning
Aaron Monks, John LaSala, and TJ Kucewesky – Town of Castle Rock
Glen and Debbie Tuscan – Property Owners
Rick Stucy and Dan Clemens - Twin Mesa Metro District

Subject: Twin Oaks and Clarke Circle Turnarounds

Clarke Circle - Discussed location of the emergency gate and where a turnaround could be located. (Note: this was not specifically mentioned in the meeting, but it is understood that the emergency gate would be closed with a lock on it).

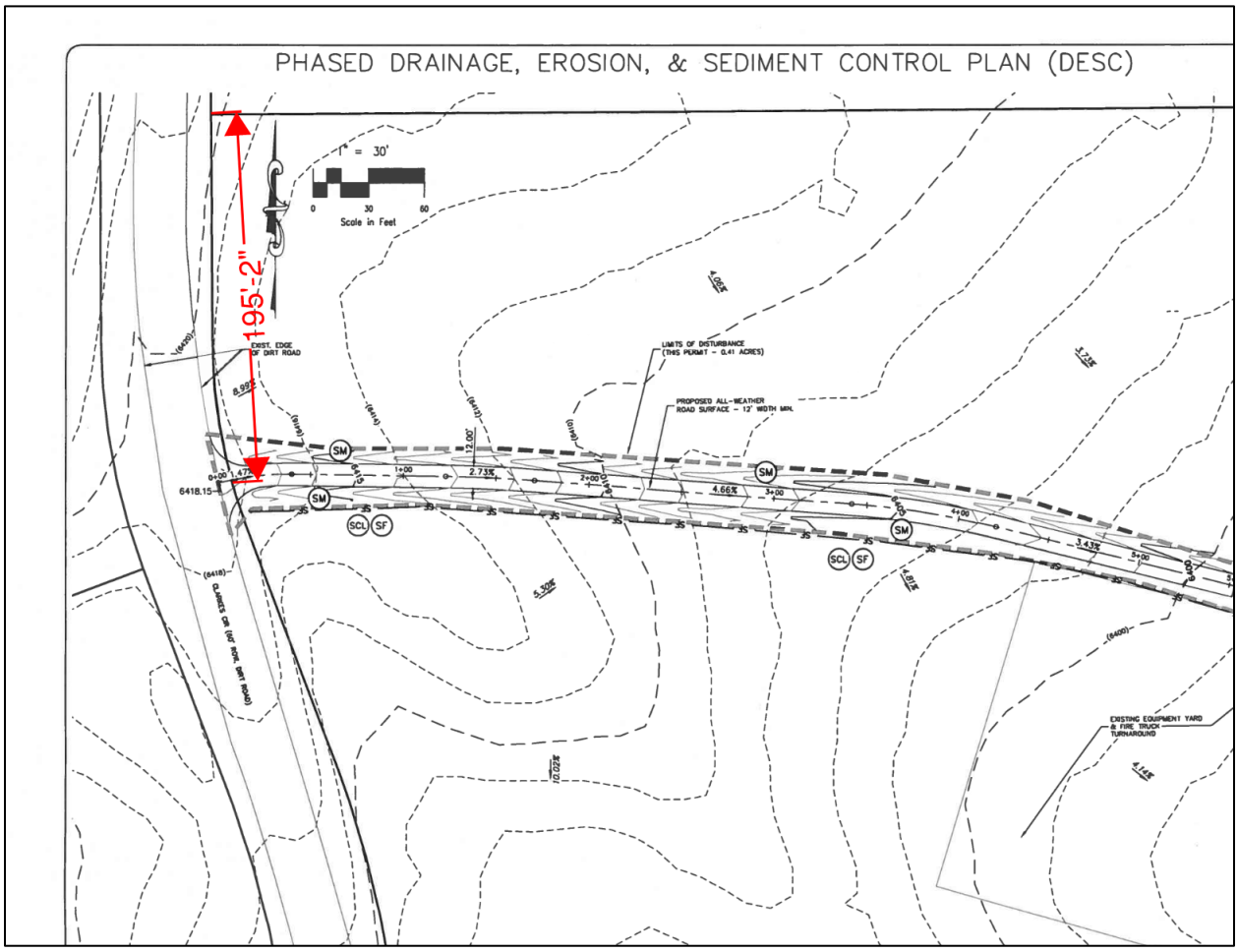
- The gate location will need to be north of the Tuscan's existing permitted driveway to his Lot 60.
    - *See Attached Exhibit with approved driveway for lot 60 (1562 Clarkes Circle).
- A turnaround with a 38' radius (which is a variance to the County standards) with additional ditches as necessary would be located on the north side of the gate. Tuscan prefers the area for the turnaround be shared with Conley (Lot 57) if possible. However, due to topography, the turnaround may need to be entirely offset onto his Lot 60.
- A turnaround would be required on both sides of the gate if Clarke Circle is not vacated since Clarke Circle would still be open to public access. The turnaround would also be needed for County maintenance vehicles if the road isn't vacated.
- It is understood that Clarke Circle (no matter if it's a public road or private access) will become a right in/right out (RI/RO) at Gamble Ridge Blvd once the Dawson Trails Developer builds Gamble Ridge Blvd. It is assumed that the Developer will be required to construct the re-alignment of the Clarke Circle/Gamble Ridge Blvd. intersection and the County/Tuscan want to make sure large tractor trailers (and fire trucks) will be accommodated. Art Griffith has prepared exhibits showing how WB50 and WB67's can make the RI/RO work.

- Discussed the idea of the Town vacating the “fingers” of ROW they own on either side of Clarke Circle back to Tuscan (adjacent to Lots 58 and 60).
- The County would entertain a vacation of Clarke Circle as long as Tuscan agrees to provide an easement for an emergency access that would server Twin Oaks and agrees to maintain the driveway. The details would be ironed out during the vacation process, which would need to be ultimately approved by the Commissioners. Note: a portion of the vacation could be directed to Tuscan and a portion to the Twin Mesa Metro District.
- As a side note, the County mentioned they sent a referral comment to the Town asking that the developer be required to provide drainage improvements (possible cut-off walls and erosion protection) on either side of Twin Oaks Drive and Clarke Circle where the existing drainage crosses under these two roads due to the developed flows coming from the Dawson Ridge development.
- The existing Equestrian Easement in Twin Oaks will need to be a consideration during the vacation process.
- The County agreed to provide a conceptual layout of the turnaround(s) for further discussion with Tuscan, Conley, and the Metro District.

Twin Oaks Drive - Discussed location of the gate and location of the two turnarounds.

- There will be a turnaround on either side of the gate. The north turnaround will have a 38’ radius and the south turnaround will have a 45’ radius. Ditches will also be needed to manage drainage.
- The Metro District asked if both turnarounds could go on Tuscan’s property since they are having difficulties getting their lot owners to allow the north turnaround to be located on their property and the existing ROW is not wide enough to accommodate either turnaround. Tuscan is willing to consider the request (“not saying no”) but would need to see an exhibit and understand what it would look like for his property.
- Tuscan mentioned that he would be asking for the Town to vacate the property between Territorial Road and his Lots 59 and 60. The Town did remind us that they paid for this property as well as the “fingers” along Clarke Circle.
- The County agreed to provide two exhibits for the turnaround layouts.
  Exhibit 1: Show both turnarounds on Tuscan’s property
  Exhibit 2: Show the north turnaround on Lot 49 (Crowell / Lamm Property) and the south turnaround on Tuscan’s property

  Note: Tuscan reminded the County to avoid the power box east of Twin Oaks Drive for both layouts. He prefers the road surface of the turnaround(s) be located in ROW and the ditches/drainage be in an easement. The County will also show what it would look like if the road surface and ditches were entirely in ROW for Tuscan’s review.


PHASED DRAINAGE, EROSION, & SEDIMENT CONTROL PLAN (DESC)
1" = 30'
0 30 60
Scale in Feet
195'-2"
EXIST. EDGE OF DIRT ROAD
LIMITS OF DISTURBANCE (THIS PERMIT - 0.41 ACRES)
PROPOSED ALL-WEATHER ROAD SURFACE - 12' WIDTH MIN.
6418.15
SM
SCL
SF
EXISTING EQUIPMENT YARD & FIRE TRUCK TURNAROUND

CONCEPT JULY 2025

TWIN OAKS RD.

EXISTING FENCE

R 25'

37.99'

PROPOSED ROW

17.49'

20'

25'

52.46'

17.49'

37.99'

TIE IN LOCATION
OF 4:1 SLOPE

SLOPE AND DRAINAGE EASEMENT

LOT 49
CROWELL/
LAMM

20'

BRIDLE PATH

PROPOSED GATE

40'

UNK

UNK

R 25'

30.09'

3.1'

20'

7.5'

3.1'

51.21'

28.99'

R 25'

PROPOSED ROW

SLOPE AND DRAINAGE EASEMENT

LOT 50
WIRTH

TUSCAN FARM LLC
93 TWIN OAKS RD

N

0' 20' 40'

CONCEPT JULY 2025

SCOTT

CONLEY
1537 CLARKES CIR

TUSCAN FARM LLC
1562 CLARKES CIR

20.07'

BRIDLE PATH

N

0' 15' 30'

R 25'

27.08'

16.85'

41.15'

25'

20'

16.57'

26.61'

R 25'

60'

PROPOSED GATE

20'

20'

60'

R 25'

PROPOSED ROW

21.69'

9.44'

41.46'

25'

20'

9.93'

22.22'

SLOPE AND DRAINAGE EASEMENT

R 25'

APPROXIMATE LOCATION OF APPROVED ACCESS

RESOLUTION NO. R-025-____

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

A RESOLUTION VACATING A PORTION OF TWIN OAKS ROAD AND CLARKES CIRCLE, LOCATED IN SECTIONS 21 AND 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH P.M. DOUGLAS COUNTY, COLORADO

WHEREAS, the Board of County Commissioners desires to vacate a portion of Twin Oaks Road and Clarkes Circle rights-of-way, located in Sections 21 and 22, Township 8 South, Range 67 West of the 6th P.M., Douglas County, Colorado, and more specifically described on Exhibit A, attached hereto and incorporated herein; and

WHEREAS, Section 43-2-303, C.R.S., authorizes the Board of County Commissioners to vacate roadways, easements, rights-of-way, and other public ways located within the unincorporated area of the County; and

WHEREAS, the portion of Twin Oaks Road and Clarkes Circle to be vacated is platted rights-of-way; and

WHEREAS, the Board of County Commissioners held a public hearing concerning the road vacations on September 9, 2025; and

WHEREAS, written notice of said hearing was mailed by first-class mail to each abutting landowner on July 25, 2025; and

WHEREAS, notice of said public hearing was published in the Douglas County News-Press on July 31, 2025; and

WHEREAS, notice of said public hearing was posted on August 2, 2025; and

WHEREAS, all required notice of said hearing were given as required by Section 710B of the Douglas County Subdivision Resolution; and

WHEREAS, the portion of Twin Oaks Road and Clarkes Circle is located entirely within the unincorporated area of Douglas County; and

WHEREAS, the portion of Twin Oaks Road and Clarkes Circle does not constitute the boundary line between two counties; and

WHEREAS, the portion of Twin Oaks Road and Clarkes Circle does not constitute the boundary of a city or town; and

WHEREAS, the vacation of a portion of Twin Oaks Road and Clarkes Circle will not leave any land adjoining said right-of-way without an established public road or private access easement connecting said land with another established public road; and

WHEREAS, the vacation of the portion of Twin Oaks Road and Clarkes Circle is in keeping with the spirit and intent of the Douglas County Subdivision Resolution and the Douglas County Comprehensive Master Plan and Transportation Plan; and

WHEREAS, the vacation of the portion of Twin Oaks Road and Clarkes Circle will not diminish the ability to provide adequate emergency services and will not increase the cost of services; and

WHEREAS, the vacation of the portion Twin Oaks Road and Clarkes Circle, with a public access easement that allows emergency services and other public service providers to continue to use the road as permitted pursuant to §43-2-302(1)(f), C.R.S., will not adversely affect the public health, safety, and welfare, and

WHEREAS, the Twin Mesa Metropolitan District will own and maintain the portion of Twin Oaks Road and Clarkes Circle to be vacated for the installation and maintenance of private access gates, and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Douglas, Colorado, that:

The portion of Twin Oaks Road and Clarkes Circle, located in Sections 21 and 22, Township 8 South, Range 67 West of the 6th P.M., Douglas County, Colorado, more particularly described on Exhibit A, attached hereto and incorporated herein, is hereby vacated; and

An access easement for ingress and egress is hereby reserved by the Board of County Commissioners in, on, over, through and across the portion of Twin Oaks Road and Clarkes Circle to be vacated for the continued use by emergency services providers as necessary and use by public sector employees associated with the continued inspection and maintenance of the non-vacated portion of Twin Oaks Road and Clarkes Circle and other duties as performed in their official capacity.

A utility easement(s) is hereby reserved thereon for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, and for electric, telephone, and similar lines and appurtenances, existing as of date of vacation.

PASSED AND ADOPTED this _____ day of _____, 2025, in Castle Rock, Douglas County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

By: _____
Abe Laydon, Chair

ATTEST:

By: _____
Hayley Hall, Clerk to the Board

EXHIBIT A

TWIN OAKS ROAD RIGHT-OF-WAY, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PORTION OF TWIN OAKS ROAD (60' PLATTED RIGHT-OF-WAY) TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST CORNER OF LOT 49, SAID TWIN OAKS AND CONSIDERING THE SOUTHEAST LINE OF SAID LOT 49 TO BEAR S 63° 11' 15" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** ALONG THE WESTERLY RIGHT-OF-WAY (SAID 60 FEET WIDE PLATTED PER SAID RECEPTION NUMBER: 161972) SAID TWIN OAKS ROAD N 21° 33' 11" W , 37.69 FEET TO THE ***POINT OF BEGINNING;***

THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY N 21° 33' 11" W , 40.00 FEET;

THENCE TO THE EASTERLY RIGHT-OF-WAY OF SAID TWIN OAKS ROAD N 68° 26' 49" E , 60.00 FEET;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY S 21° 33' 11" E , 40.00 FEET;

THENCE TO THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY S 68° 26' 49" W , 60.00 FEET TO THE ***POINT OF BEGINNING.***

THE DESCRIBED PARCEL CONTAINS 2,400.156 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

Arrow Point Surveying, Ltd.
6300 East Hampden Avenue
Unit C #358
Denver, CO 80222
720.384.5330
arrowpointsurveying@gmail.com

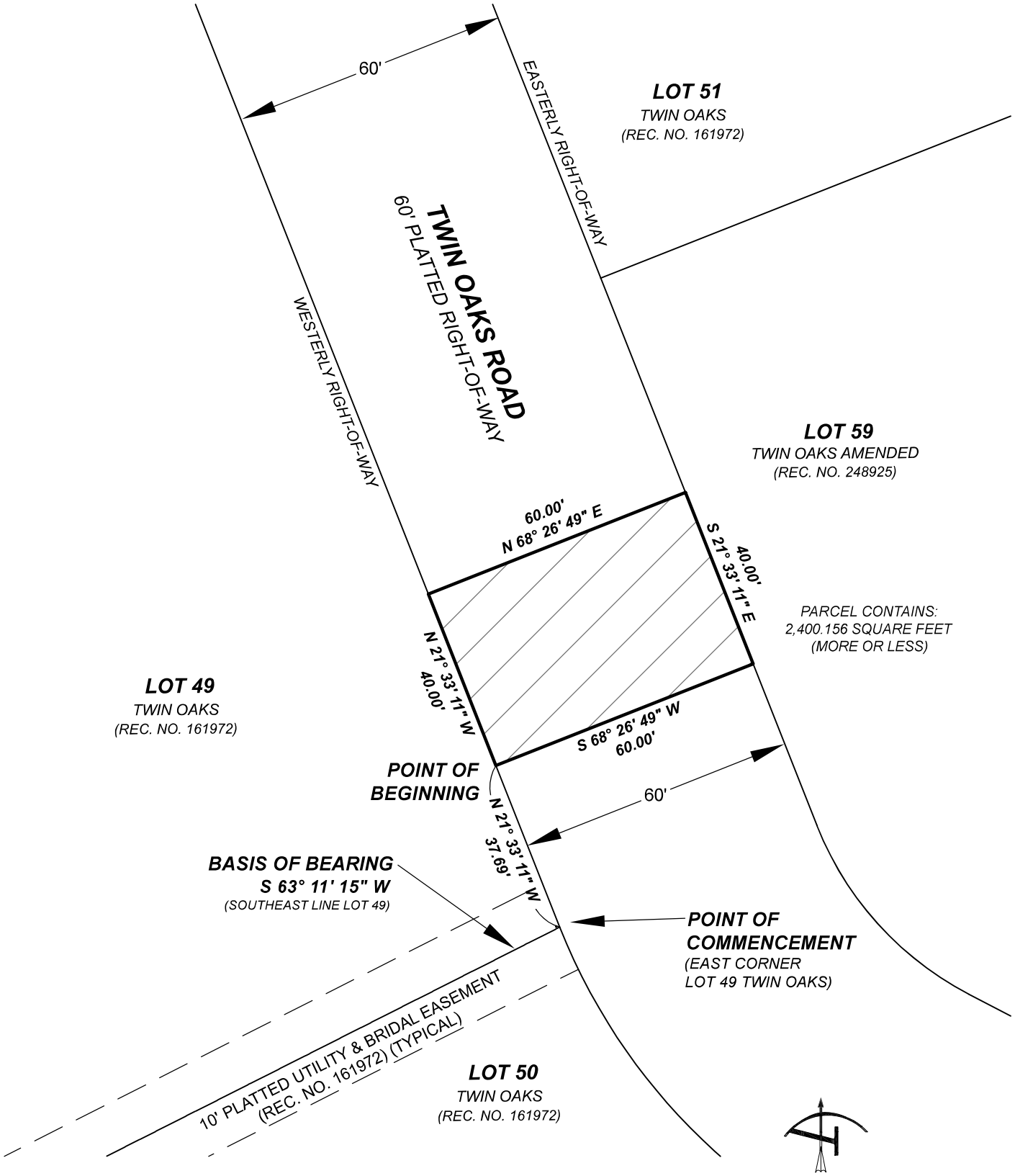
PROJECT: 20161000114

DATE: JULY 2025

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS DOCUMENT BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON PER STATE STATUTE 13-80-105(3)(a) C.R.S. THIS DOCUMENT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

EXHIBIT A

TWIN OAKS ROAD RIGHT-OF-WAY, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO



· REPRESENTS CHANGE IN COURSE AND/OR DISTANCE

SCALE: 1" = 30'

PAGE 2 OF 2

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EXHIBIT A

LOT 57, TWIN OAKS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

THAT PORTION OF CLARKES CIRCLE (60' PLATTED RIGHT-OF-WAY) TWIN OAKS (RECEPTION NUMBER: 161972) LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 57 OF SAID TWIN OAKS AND CONSIDERING THE SOUTH LINE OF SAID LOT 57 TO BEAR S 69° 10' 13" W, FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION WITH ALL BEARINGS NOTED HEREIN BEING RELATIVE THERETO: ***THENCE*** TO THE WEST RIGHT-OF-WAY OF SAID CLARKES CIRCLE ON A CHORD BEARING OF N 12° 13' 52" W , 105.00 FEET TO A POINT ON A CURVE, SAID POINT ON CURVE BEING THE ***POINT OF BEGINNING*** (SAID CURVE IS CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 351.16 FEET, TO WHICH THE RADIUS OF SAID CURVE BEARS N 86° 22' 03" E);

THENCE NORTHWESTERLY ALONG SAID WEST RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 03° 16' 35" , AN ARC LENGTH OF 20.08 FEET TO A POINT OF TANGENCY;

THENCE TO THE EAST RIGHT-OF-WAY OF SAID CLARKES CIRCLE, N 82° 58' 00" E , 60.41 FEET;

THENCE ALONG THE SAID EAST RIGHT-OF-WAY THE FOLLOWING TWO COURSES;

1) S 00° 21' 20" E , 7.02 FEET TO A POINT OF CURVATURE, SAID CURVE IS CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 291.16 FEET;

2) ***THENCE*** SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02° 34' 28" , AN ARC LENGTH OF 13.08 FEET;

THENCE DEPARTING SAID EAST RIGHT-OF-WAY, S 82° 58' 00" W , 60.13 FEET TO THE ***POINT OF BEGINNING.***

THE DESCRIBED PARCEL CONTAINS 1,206.612 SQUARE FEET, MORE OR LESS.

PREPARED BY: JOHN W. DOTY,
COLORADO PROFESSIONAL LAND SURVEYOR 37993
(FOR AND ON BEHALF OF ARROW POINT SURVEYING, LTD.)

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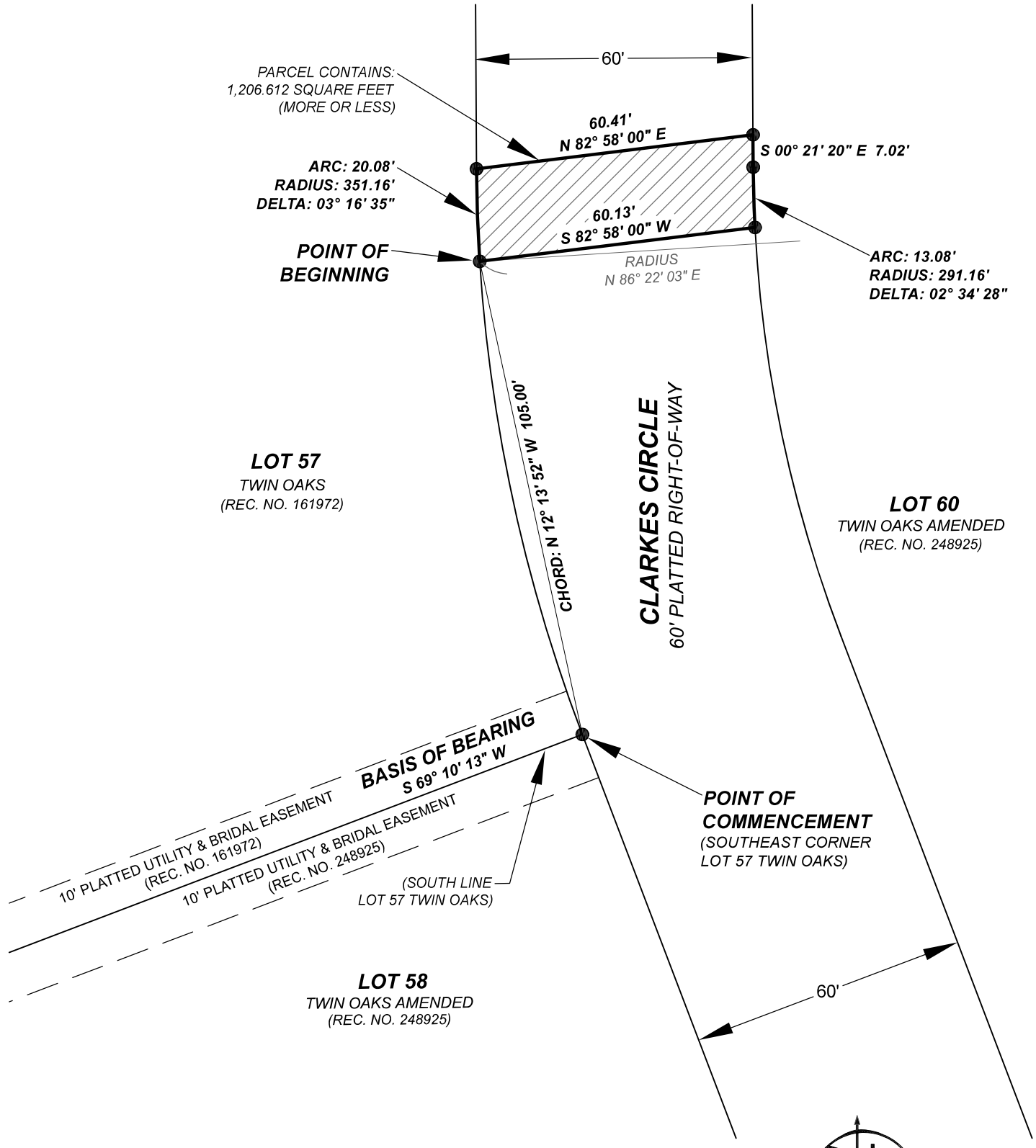

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MEETING DATE: September 9, 2025

STAFF PERSON RESPONSIBLE: Matt Jakubowski, AICP, Chief Planner

DESCRIPTION: 3879 N. State Highway 83 - Amended 5-Year Lone Creek Farms Fall Festival - Major Entertainment Event - Project File: EE2025-009.

SUMMARY: The request is for an amendment to a 5-Year Major Entertainment Event to add Wednesday and Thursday to the operating schedule in 2025, 2026, and 2027.

STAFF ASSESSMENT: Staff has evaluated the application in accordance with Section 22B of the Douglas County Zoning Resolution. Should the Board find that the approval standards for the Major Entertainment Event are met; the following proposed conditions should be considered for inclusion in the motion:

1. A major entertainment event permit is approved Wednesday, Thursday, Friday, Saturday, and Sunday from September 19, 2025, through November 2, 2025, and in successive years in late September to late October or early November, 2026 and 2027 as described in the staff report and attached narrative. Proof of inspections, permits, approvals, and agreements from all applicable agencies and County Departments shall be submitted prior to the start of the event in 2025, and prior to the event in successive years through 2027.
2. If the applicant proposes significant changes to the duration of the event, event structures, event activities, number of participants, or other aspects of the event proposal, a new entertainment event permit approval may be required at the discretion of Douglas County.
3. Prior to final event permit issuance, the applicant shall provide evidence of an approved contract for services from CSP for traffic control.
4. Prior to final event permit issuance, the applicant shall obtain a floodplain development permit from Douglas County Public Works Engineering.
5. Prior to final event permit issuance, the applicant shall obtain any required permits and complete an event inspection with the Franktown Fire Protection District.

6. Prior to final event permit issuance, the applicant shall obtain any required building and electrical permits and complete an inspection with the Douglas County Building Division.
7. Prior to final event permit issuance, copies of valid retail food establishment licenses for all food vendors serving the event shall be provided to the Douglas County Health Department.
8. All temporary structures located in the floodplain shall be removed after conclusion of the event as stipulated in the floodplain development permit.
9. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

REVIEW:

Terence T Quinn - FYI	Notified - FYI	8/28/2025
Steven E Koster	Approve	8/28/2025
Jeff Garcia	Approve	9/3/2025
Andrew Copland	Escalated	9/3/2025
Christie Guthrie	Approve	9/3/2025
Christie Guthrie	Approve	9/3/2025
Doug DeBord	Approve	9/4/2025
Samantha Hutchison - FYI	Notified - FYI	9/4/2025

ATTACHMENTS:

Staff Report - EE2025-009
Supplemental Info - EE2025-009

DOUGLAS COUNTY
COLORADO

Major Entertainment Event Staff Report

Date:	August 27, 2025
To:	Douglas County Board of County Commissioners
Through:	Douglas J. DeBord, County Manager
From:	Terence T. Quinn, AICP, Director of Community Development TQ
CC:	Matt Jakubowski, AICP, Chief Planner Jeanette Bare, AICP, Planning Manager Steven E. Koster, AICP, Assistant Director of Planning Services
Subject:	**3879 N. State Highway 83 – Amended 5-Year Lone Creek Farms Fall Festival Entertainment Event Permit**
Project File:	**EE2025-009**

Board of County Commissioners Hearing: **September 9, 2025 @ 2:30 p.m.**

I. EXECUTIVE SUMMARY

The applicant requests an amendment to an approved multi-year Major Entertainment Event at 3879 N. State Highway 83. The Lone Creek Farms Fall Festival was approved by the Board of County Commissioners (Board) for 5 years in 2023. The proposed amendment adds Wednesday and Thursday to the event schedule in 2025, 2026, and 2027, primarily to accommodate school groups. Operating hours are proposed to remain from 10:00 a.m. to 8:00 p.m. on all event days. No additional changes to event activities, access, or parking are proposed.

Per Douglas County Zoning Resolution (DCZR) Section 2203B.03, the Board may approve a multi-year entertainment event limited to a maximum of 5 years if no significant changes to the scope and duration of the events are planned to occur over that period. As the applicant is proposing a significant revision to the days of operation for the event, Board approval is required.

II. APPLICATION INFORMATION

A. Owner and Applicant

Brad Witherell
Creek Farms, LLC
7361 Fox Creek Trail
Franktown, Colorado 80116

B. Request

Amendment to a 5-year Major Entertainment Event to add Wednesday and Thursday to the operating schedule in 2025, 2026, and 2027.

C. Process

A Major Entertainment Event is processed pursuant to Section 22B, Entertainment Events of the DCZR. Section 2201B states the intent of the process is "to provide for the orderly control of Entertainment Events." Entertainment events are permitted as accessory uses on conforming parcels in the Agricultural One (A-1) and Large Rural Residential (LRR) Zone Districts. The site is a conforming A-1 parcel, and the event falls into the Major Entertainment Event category since it is scheduled for a duration of greater than 7 days and is anticipated to exceed 300 attendees on a daily basis.

Per Section 2205B.05 of the DCZR, "Major Entertainment Event Permits shall be approved, approved with conditions, continued, tabled for further study, or denied by the Board of County Commissioners at a public meeting. The Board shall evaluate the Entertainment Event request, staff report, applicant responses, and public comment and testimony. The Board's action shall be based on the evidence presented, compliance with adopted County standards, regulations and policies; and other guidelines."

D. Location

The site is located approximately 450 feet north of the intersection of Castle Oaks Drive and State Highway 83. The Vicinity, Zoning, and Aerial maps on the following pages highlight site location and existing conditions.

E. Project Description

The applicant requests an amendment to an existing approved multi-year Major Entertainment Event on a 35-acre A-1 property at 3879 N. State Highway 83. The event, known as the Lone Creek Farms Fall Festival, was approved by the Board for 5 years in 2023 for operation on Fridays, Saturdays, and Sundays. In 2023 and 2024, the event operated under this 2023 approval. The proposed amendment revises approved days of operation to include Wednesday and Thursday primarily to accommodate attendance of the festival and activities by school groups. As part of the amendment request, the applicant has estimated 80 attendees (30 vehicles) on Wednesdays and 90 attendees (35 vehicles) on Thursdays, except for the first and last Thursday of the festival, at which 80 attendees (30 vehicles) are anticipated. This is significantly less than the number of attendees anticipated on weekends, which, per the applicant's estimates under the existing approval, range from as many as 1,000 to 1,550 attendees (300 to 500 vehicles) at its peak.

The request would allow operation of the festival from Wednesday through Sunday for the remainder of the 5-year term in 2025, 2026, and 2027. In 2025, the event is proposed from September 19 to November 2. Subsequent festival dates will occur from late September to late October or early November. Operating hours are

proposed to remain the same from 10:00 a.m. to 8:00 p.m. No additional changes to event activities, access, or parking are proposed. Event activities are described in the narrative documents and shown on the exhibit attached to the staff report. The applicant's attendance estimates for Wednesday and Thursday event days represent approximately 5% to 10% of peak attendance on weekends. The applicant will be required to obtain all required permits, approvals, and inspections prior to the first day of the festival in 2025 and remaining years 2026 and 2027.

III. CONTEXT

A. Background

The site is zoned A-1, which permits the established agricultural use as a principal use, and entertainment events as an accessory use subject to DCZR Section 22B. The event is considered a Major Entertainment Event since its duration exceeds 7 days with greater than 300 attendees per day.

In addition to the 5-year event approval in 2023, a 5-year event approval was previously granted by the Board in 2018. Per Section 2203B.03 of the DCZR, the Board may approve a multi-year entertainment event limited to a maximum of 5 years if no significant changes to the scope and duration of the events are planned to occur over that period. As the applicant proposes a significant change to the event operation days, Board approval is required.

B. Adjacent Land Uses and Zoning

The site is generally surrounded by agricultural and undeveloped land. Single-family residences within the Cobblestone community in the Town of Castle Rock are approximately 2,000 feet to the west of the nearest onsite activities and are buffered by undeveloped tracts.

Zoning and Land Use

Direction	Zoning	Land Use
North	Agricultural-One (A-1)	Undeveloped land
South	Town of Castle Rock; Agricultural-One (A-1)	Undeveloped tracts in Cobblestone community; and a large-lot single-family residence and agricultural use
East	Agricultural-One (A-1)	Agricultural uses
West	Town of Castle Rock	Undeveloped tracts and single-family residences in Cobblestone community

IV. PHYSICAL SITE CHARACTERISTICS

A. Site Characteristics and Constraints

Mapped FEMA 100-year floodplain covers more than half of the site. The applicant has proposed temporary structures within the floodplain, and County Engineering will

require a floodplain development permit for those structures. No other site conditions constrain event activities.

B. Access

Access to the event parking area is proposed from the existing driveway at State Highway 83. The applicant is coordinating with Colorado State Patrol (CSP) to obtain a Special Event Permit for the event for uniformed traffic control.

C. Traffic

Traffic impacts will be mitigated by CSP uniformed traffic control and onsite parking management by festival staff. Considering that event traffic on Wednesday and Thursday is anticipated from school groups, the applicant has also anticipated less traffic impact than on weekends. CSP will determine if traffic control will be necessary on Wednesday and Thursday.

D. Drainage and Erosion

No Grading Erosion and Sediment Control (GESC) plan and report or drainage plan is required for the proposal.

V. PROVISION OF SERVICES

A. Fire Protection

Franktown Fire provides fire and emergency services to the site. Franktown Fire provided a no comment response on the proposal. However, the applicant will complete any inspections and permits required by Franktown Fire prior to the first day of the event.

B. Sheriff Services

The Douglas County Sheriff's Office (DCSO) will provide police protection to the site. DCSO has no objection to the proposal provided CSP traffic control is provided during the event. As discussed, the applicant is coordinating traffic control with CSP.

C. Water and Sanitation

No water or sanitation service demands are generated by the proposed project. Portable toilets are provided for attendees, and bottled water will be available from vendors.

D. Utilities

The proposal does not impact existing utilities.

E. Other Required Processes and Permits

In conjunction with approval for a Major Entertainment Event, the following processes or permits are required of the applicant.

- Douglas County Building Permits for electrical and other structures

- Proof of active State retail food vendor license required for onsite concessions
- Franktown Fire inspection of event tents and structures
- Douglas County Public Works Engineering floodplain development permit
- Douglas County Liquor license required for any alcohol sales
- Uniformed traffic control to be provided by CSP

VI. PUBLIC NOTICE AND INPUT

Courtesy notices of an application in process were sent to adjacent property owners during the referral period of August 11, 2025, through August 18, 2025. Referral response requests were sent to nearby homeowners associations, including the Burning Tree Ranch HOA, Franktown Citizens Coalition, High Prairie Farms HOA, Kelty Farms HOA, Legacy Pines HOA, Pradera HOA, The Pinery HOA, Pinery 8B HOA, Timbers HOA, Timbers at the Pinery 23A HOA, Timbers at the Pinery 23B HOA, and Whispering Pines HOA. In addition, pursuant to DCZR Section 2205B.04, the applicant provided mailed written notice of the public meeting to abutting property owners on August 20, 2025. At the preparation of the staff report, no adjacent property owners or other members of the public commented on the proposal. The Burning Tree Ranch HOA expressed concerns regarding driver behavior and the event's traffic impacts on State Highway 83 regardless of traffic control. The HOA objects to the addition of event days.

All referral agency comments are outlined in the Referral Agency Response Report attached to the staff report.

VII. STAFF ANALYSIS

Per Section 2202B of the DCZR, a Major Entertainment Event may be approved upon the finding by the Board of County Commissioners that the following standards have been met:

2202B.01: The proposed use is compatible with the intent of the zone district in which the event is proposed.
Staff Comment: The site is located within the A-1 Zone District, which permits Major Entertainment Events as an accessory use subject to Section 22B. The character of the proposed amendment remains consistent with the intent of an entertainment event on conforming A-1 property.

2202B.02: The proposed use will not have a substantial adverse affect on adjacent uses, buildings, structures, or the natural environment.
Staff Comment: The addition of event days Wednesday and Thursday does not change any aspects of the location of event structures or event activities. As currently approved, temporary structures within the western portion of the property are located 2,000 feet or greater from the nearest residences in Cobblestone and approximately 2,000 feet from the nearest residence to the south. Existing vegetation along Cherry Creek also provides natural screening to properties from the west. The remaining event activities within the

eastern half of the property are located approximately 3,500 feet from residences in Cobblestone, and approximately 1,300 feet from the nearest residence to the south. Undeveloped or agricultural properties are located to the north and east. Currently undeveloped tracts that are a part of Cobblestone abut the site at the southern property line. Courtesy notices were mailed to abutting landowners at the beginning of the referral period and mailed notice was provided prior to the Board meeting. No comments had been received from abutting property owners at the writing of the staff report.

Proposed event parking is to occur within a grass area along the southern property line. No grading, erosion, sediment control permit or drainage report are required.

2202B.03: The proposed use will not have a substantial adverse effect on public services or facilities.
Staff Comment: The proposal does not impact water and sewer service or the provision of other services to the site. Portable toilets will be provided for public use, and food and drink will be provided by vendors. The applicant will utilize CSP for traffic control. Franktown Fire and County Building will inspect structures prior to the event.

2202B.04: The nature of the proposed use will not be detrimental to the health, safety, or welfare of the community.
Staff Comment: A referral response request detailing the amendment was provided to the Douglas County Sheriff's Office, the County Health Department, Franktown Fire, CSP, Douglas County Building, and Douglas County Public Works Engineering to ensure that the applicant has addressed potential health and safety issues associated with the event. The applicant will obtain any necessary permits through County Building. Franktown Fire will inspect event structures and tents prior to opening. The applicant is coordinating with CSP and will be required to obtain a Special Event Permit prior to the event for uniformed traffic control.

2202B.05: The proposed use complies with the general requirements listed in Section 2203B, herein.
Staff Comment: The proposal complies with the general requirements for an entertainment event. The applicant has planned for site access, parking, and traffic control, including use of CSP uniformed officers as necessary. Trash receptacles, portable toilets, and hand-washing stations are available throughout the site. Permits from County Building or Franktown Fire will be obtained prior to the opening of the event. The amendment remains consistent with the intent and requirements of an entertainment event on a conforming A-1 property.

2202B.06: The site is suitable for the proposed use, considering flood hazard, drainage, and topography.
Staff Comment: The proposal has been reviewed by Public Works Engineering. The applicant must obtain a floodplain development permit for the temporary structures prior to the opening of the event. Temporary structures must be removed following completion of the event. No GESC or drainage reports are required.

VIII. STAFF ASSESSMENT

Staff has evaluated the application in accordance with Section 22B of the DCZR. The addition of event days to the proposal does not change the nature or intent of the event activities. Various permits and inspections will be required prior to the operation of the event, including CSP uniformed traffic control.

Should the Board find that the approval standards for the Major Entertainment Event are met; the following proposed conditions should be considered for inclusion in the motion:

1. A major entertainment event permit is approved Wednesday, Thursday, Friday, Saturday, and Sunday from September 19, 2025, through November 2, 2025, and in successive years in late September to late October or early November, 2026 and 2027 as described in the staff report and attached narrative. Proof of inspections, permits, approvals, and agreements from all applicable agencies and County Departments shall be submitted prior to the start of the event in 2025, and prior to the event in successive years through 2027.

2. If the applicant proposes significant changes to the duration of the event, event structures, event activities, number of participants, or other aspects of the event proposal, a new entertainment event permit approval may be required at the discretion of Douglas County.

3. Prior to final event permit issuance, the applicant shall provide evidence of an approved contract for services from CSP for traffic control.

4. Prior to final event permit issuance, the applicant shall obtain a floodplain development permit from Douglas County Public Works Engineering.

5. Prior to final event permit issuance, the applicant shall obtain any required permits and complete an event inspection with the Franktown Fire Protection District.

6. Prior to final event permit issuance, the applicant shall obtain any required building and electrical permits and complete an inspection with the Douglas County Building Division.

7. Prior to final event permit issuance, copies of valid retail food establishment licenses for all food vendors serving the event shall be provided to the Douglas County Health Department.

8. All temporary structures located in the floodplain shall be removed after conclusion of the event as stipulated in the floodplain development permit.

9. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in

approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

ATTACHMENTS **PAGE**

Douglas County Land Use Application 9
Applicant's Narrative 10
Vicinity Map 15
Zoning Map 16
Aerial Map 17
Referral Agency Response Report 18
Referral Response Letters 22
Entertainment Event Exhibit 29

LAND USE APPLICATION

Please complete, sign, and date this application. Return it with the required items listed on the Submittal Checklist to planningsubmittals@douglas.co.us. Submittals may also be mailed or submitted in person to Planning Services. *NOTE: The Planning Commission or the Board of County Commissioners should not be contacted regarding an open application*.

OFFICE USE ONLY
PROJECT TITLE:
PROJECT NUMBER:

PROJECT TYPE: FALL FESTIVAL / MAJOR ENTERTAINMENT EVENT

MARKETING NAME: Lone Creek Farms

PRESUBMITTAL REVIEW PROJECT NUMBER: _____

PROJECT SITE:

Address: 3879 N Highway 83 Franktown, CO 80116

State Parcel Number(s): R0397472 / SPN: 2349-270-00-030

Subdivision/Block#/Lot# *(if platted)*: TR IN NL /2N1/2 27-7-66 LYING EAST OF DOUG CO TRAIL 32.170 AM/L RITD 0390125

PROPERTY OWNER(S):

Name(s): Creek Farms, LLC / Brad Witherell

Address: 7361 Fox Creek Trail Franktown, CO 80116

Phone: 303-522-5532

Email: daveyjonesfireworks@hotmail.com

AUTHORIZED REPRESENTATIVE: *(Notarized Letter of Authorization is required from the property owner, unless the owner is acting as the representative)*

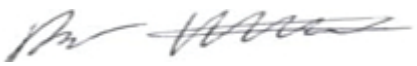
Name: _____

Address: _____

Phone: _____

Email: _____

To the best of my knowledge, the information contained on this application is true and correct. I have received the County's information sheet regarding the *Preble's Meadow Jumping Mouse*.



Applicant Signature

8/8/2025

Date

Lone Creek Farms

7361 Fox Creek Trail Franktown CO 80116 phone: 303.522.5532

Proposed Land Use Narrative 5 Year Major Event Permit

RE: 3879 N Highway 83 Franktown, CO

While the proposed property is zoned A1 agricultural and the primary use is farming. I am proposing a seasonal Fall Festival or Pumpkin Patch. The activities are fairly standard for a Pumpkin Patch / Corn Maze. The proposed use would be a 5-year event through November.2027.

These activities would be a perfect fit with the current farming use. This type of use is a common practice in the farming community and is known as Agritainment or Agritourism. This will be a great way for families to see a working farm and farm animals in the beautiful historic Franktown area. This is not just entertainment but an educational, historical opportunity for Douglas County.

There will be many activities for the entire family as listed below:

- Working Farm
- Corn Maze
- Pumpkin Patch
- Hay Wagon Rides
- Food and Drink
- Tractor Peddle Karts
- Zip Lines
- Jump Pads
- Corn Sling Shot / Corn or Apple Cannon
- Pig Races
- Farm Animals
- Play Areas with Swings, Corn Sand Box, Slides, and Misc. Play Ground items.
- Inflatable Slides
- Mine Cart Rides
- Duck Races
- Jump Pads and Trampoline Bungee Jumps
- Rock Wall Climbing
- Haunted Light Trail / Zombie Hayride around the farm
- Maze Hay, Wood or Wire
- Haunted Houses
- Rat Rollers
- Cow Barrel Train. Train drives around the farm.
- Fire Truck
- Escape Room Trailer

Dates and Hours of operation
2025 Season, hours will be from 10a to 8p, Wednesday through Sunday beginning September 19, 2025, to November 2, 2025. These same days and times would continue for the remainder of the Board approval to 2027.

Employees
There will be approximately 40 employees for the event.

Parking
Parking will be on the mowed grass areas within the farm as per plot plan. We will work with the State Patrol to devise a parking and traffic plan along with a State Patrol Special Event permit for the event. There will be employees and State Patrol officers dedicated to the parking and traffic control as needed. Employees will park in the general parking area.

Food and Drink
Water, drinks and food will be available onsite for purchase from licensed concession food trailers. The trailer will have propane tanks for cooking.

Electric Power
There will be no generators as we will have power on site.

Restrooms
Port-o-lets and or portable bathrooms and hand washing stations will be onsite as per the site drawing. The recommended numbers of portable restrooms per the restroom provider is 10. We will have 12 restrooms and 5 washing stations in two locations. The site plan denotes trash and portable restrooms.

Signage
Temporary signage will be approved with the Building Department and permitted if required.

Fencing
- There will be fencing or crowd control barricades around to outer areas to keep people from entering without paying the entry fee.
- All animals will be fenced in corrals or chicken coops.

Lighting
- Lighting will be provided with low wattage (2w) bistro string lights. Ten strands at 48’ each.
- Lights will simply plug into existing outlets onsite.

Structures
Below is a list of the structures and sizes:
- Barn
- Wind Mill 10’ x 10’
- Water Tower 12’ x 12’
- Entry Gate 2’ x 26’
- Round Corn Crib 20’ diameter

- Pig Shelter 8’ x 16’
- Goat Shelter 10’ x 20’
- Chicken Coop 12’ x 12’
- Ticket Booths 8’ x 16’
- Sheds 8’ x 16’
- Misc. Sheds 12’ x 16’

Douglas County Building Department
All required permits will be obtained from Douglas County Building Department.

Douglas County Health
All required permits will be obtained from Douglas County Health.

Colorado Department of Transportation
All required permits will be obtained from CDOT as well as the State Patrol.

Franktown Fire Department
All required permits will be obtained from Franktown Fire Department. This includes tent permits.

Adverse Impact
There will be no adverse impact on the surrounding properties with this seasonal use.

State of Colorado
Four hand washing / sanitizing stations on site.

Lone Creek Farms

7361 Fox Creek Trail Franktown CO 80116 phone: 303.522.5532

Traffic Control

RE: 3879 Highway 83 Franktown, CO

I am proposing a Pumpkin Patch, Corn Maze, Haunted Trail and Fall Festival. These activities are standard for a Corn Maze and Pumpkin Patch. This is a renewal from a seasonal multiyear event the started in 2018

Hours will be from 10a to 8p Wednesday through Sunday beginning September 19, 2025, to November 2, 2025, for a total of seven weekends. These same days and times would continue for the remainder of the Board approval to 2027.

We are estimating the following attendance and vehicle numbers per day as follows based on the 2023 attendees

2025 Season

Week 1
Friday 40 vehicles 100 attendees
Saturday 160 vehicles 375 attendees
Sunday 150 vehicles 350 attendees

Week 2
Wednesday 30 vehicles 80 attendees
Thursday 30 vehicles 80 attendees
Friday 100 vehicles 320 attendees
Saturday 400 vehicles 1,100 attendees
Sunday 300 vehicles 1,000 attendees

Week 3
Wednesday 30 vehicles 80 attendees
Thursday 35 vehicles 90 attendees
Friday 150 vehicles 475 attendees
Saturday 500 vehicles 1,400 attendees
Sunday 400 vehicles 1,300 attendees

Week 4
Wednesday 30 vehicles 80 attendees
Thursday 35 vehicles 90 attendees
Friday 150 vehicles 375 attendees
Saturday 500 vehicles 1,550 attendees
Sunday 400 vehicles 1,375 attendees

Week 5
Wednesday 30 vehicles 80 attendees
Thursday 35 vehicles 90 attendees
Friday 75 vehicles 200 attendees
Saturday 250 vehicles 950 attendees
Sunday 175 vehicles 675 attendees

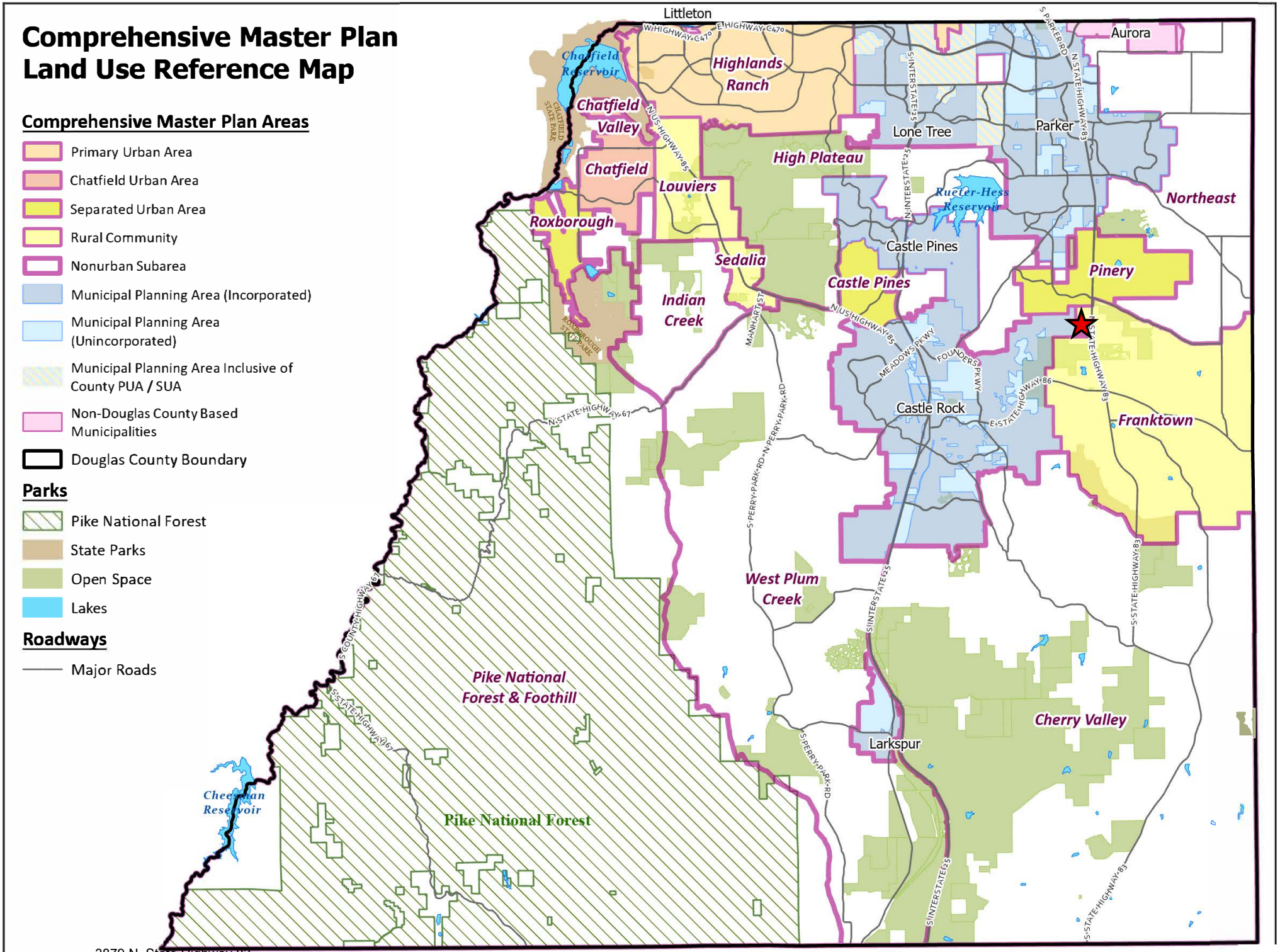
Week 6
Wednesday 30 vehicles 80 attendees
Thursday 35 vehicles 90 attendees
Friday 75 vehicles 200 attendees
Saturday 250 vehicles 950 attendees
Sunday 175 vehicles 675 attendees

Week 7
Wednesday 30 vehicles 80 attendees
Thursday 30 vehicles 80 attendees
Friday 100 vehicles 320 attendees
Saturday 400 vehicles 1,100 attendees
Sunday 300 vehicles 1,000 attendees

We will obtain a Special Event Permit from the Colorado State Patrol to control the traffic. Parking will be on mowed grass areas within the farm as per plot plan. We will work with the State Patrol to develop and implement the most efficient way to control the flow of traffic. There will be employees dedicated to parking and traffic control as needed in addition to uniform State Patrol officers.

The entrance will be wide enough to accommodate 2 vehicles. Right turn in and right turn out only. A stop sign and right turn only sign will be posted at the entrance as well.

Comprehensive Master Plan Land Use Reference Map



Comprehensive Master Plan Areas

- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads

3879 N. State Hwy. 83 Major Entertainment Event Amendment

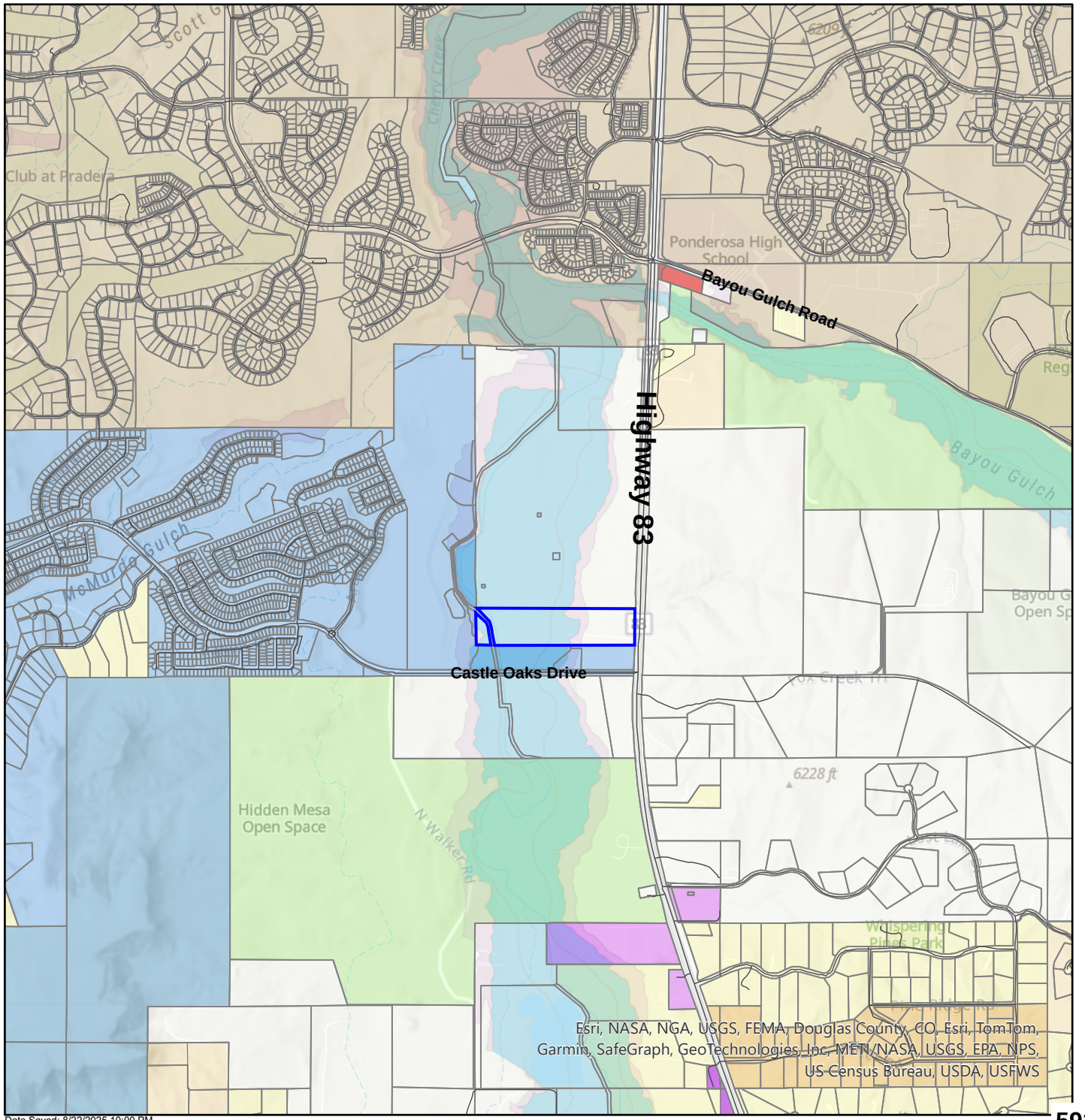
EE2025-009

Zoning Map

N

LEGEND

- Major Roads
- 1% annual chance of flood (100 year flood).
- 0.2% annual chance of flood (500 year flood).
- Parcels - PARCELS
- A1 - AGRICULTURAL ONE
- LRR - LARGE RURAL RESIDENTIAL
- RR - RURAL RESIDENTIAL
- ER - ESTATE RESIDENTIAL
- C - COMMERCIAL
- CTY
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- PD - PLANNED DEVELOPMENT
- OS - OPEN SPACE CONSERVATION
- EVENT SITE



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3879 N. State Hwy. 83 Major Entertainment Event Amendment

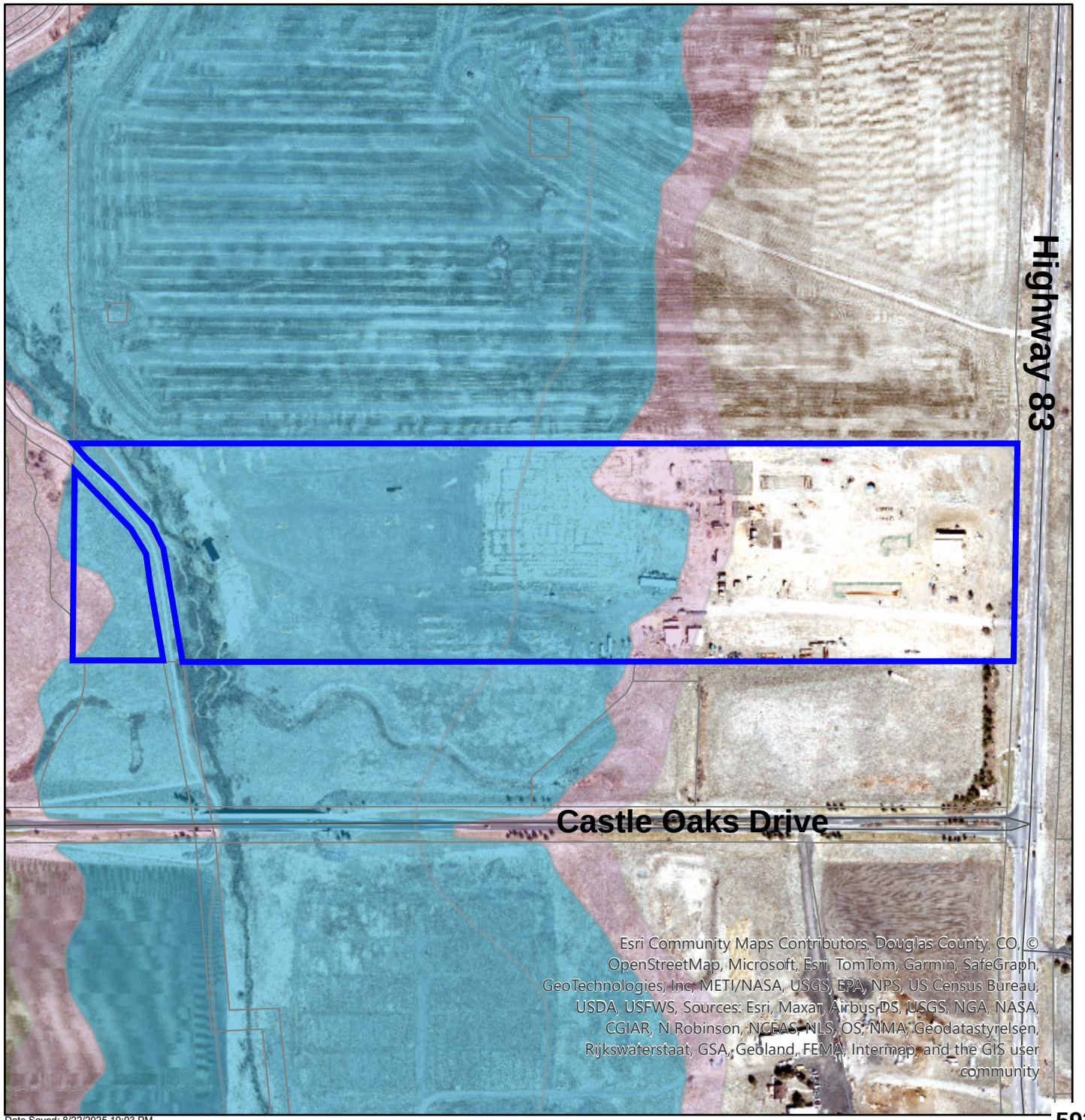
EE2025-009

Aerial Map

N

LEGEND

- Major Roads
- 1% annual chance of flood (100 year flood).
- 0.2% annual chance of flood (500 year flood).
- Parcels - PARCELS
- EVENT SITE



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Project Name: 3879 N State Highway 83
Project File #: EE2025-009
Date Sent: 08/11/2025 **Date Due:** 08/18/2025

Agency	Date Received	Agency Response	Response Resolution
Building Services	08/12/2025	Received (verbatim response): Electrical permit is required.	Applicant will obtain electrical permit prior to 1st day of event.
Burning Tree Ranch HOA	08/18/2025	Received (verbatim response): Burning Tree Ranch HOA was not opposed to the Lone Creek Farms setting up a Seasonal Fall Festival event in Franktown a couple of years ago. The event set-up, activities and even the traffic plan appeared, at least on paper, to be well planned and thought out. Traffic in and out onto Highway 83 was questionable particularly on Friday afternoons during rush hour on Southbound Hwy 83, and it would remain to be seen if the traffic plan would work and not create any noticeable increased congestion on the already heavily traveled highway 83. IT HAS FAILED MISERABLY!! The Traffic plan was not followed: • Due to no right turn lanes into the event or left lane turn lanes from the South – traffic had to slow down or suddenly stop to allow entry into Lone Creek Farms from Hwy 83. During rush hour this just added to the massive congestion and long lines from traffic heading into Franktown or from the South heading North. • Right turn in and right turn out is a nice idea but it doesn't work (unless you have a median to prevent left turns). • Anyone not wanting to go South will turn onto Castle Oaks and do a U-turn and turn left at the light at Hwy 83 and Castle Oaks. • There are no sufficient side shoulders to go around cars trying to turn left into Lone Creek Farms from Hwy 83. • Traffic "control" was not following the plan as traffic was stopped to allow left turns on to Northbound Hwy 83. Officers were also observed in their vehicles with lights on but not controlling traffic. This has already created a bad taste in everyone's mouth with neighboring communities with the traffic issues for this event. There had to be a safer solution to handle the traffic for this event than HWY 83. It cannot handle the traffic it gets now let alone the traffic from this event. It was suggested that a better and more viable solution would be to create an entrance off of Castle Oaks Drive. (Entrance to Cobblestone Development off Hwy 83) Pros	Applicant is proposing a plan for uniformed traffic control with Colorado State Patrol as consistent with previous years. Applicant will also obtain a Special Event Permit from State Patrol. Applicant has not proposed new activities, only the addition of Wednesday and Thursday to the event schedule. As compared to weekends, event traffic is anticipated to be less on Wednesday and Thursday since attendee traffic will be primarily from school groups. Permanent improvements were not required by County Engineering, CDOT, or State Patrol.

Project Name: 3879 N State Highway 83
Project File #: EE2025-009
Date Sent: 08/11/2025 **Date Due:** 08/18/2025

Agency	Date Received	Agency Response	Response Resolution
		• Better access off of Hwy 83 – both left and right turns onto Castle Oaks then to Lone Creek Farm. • A lot less traffic to deal with trying to enter the facilities and easier for traffic control to manage entry and departures amongst other traffic on Castle Oaks. • If this is looking to be a long-term event, other accesses need to be made other than HWY 83, unless the County plans on making modifications such as a traffic light, right turn lane/left turn lane, etc. in the immediate future to Hwy 83 to accommodate Lone Creek Farms. Someone is going to be seriously injured or killed trying to attend or leave this event or other traffic having to dodge these vehicles. Adding extra days during the week will only add more frustration and backlog to rush hour traffic, that drivers are already experiencing on a daily basis. Burning Tree Ranch is NOT in support of adding any new attractions or extra days to this event – which will add to the traffic issue, or the Renewal of the lease – UNTIL this traffic situation has been resolved!	
Colorado Department of Transportation CDOT-Region # 1	08/11/2025	Received (verbatim response): We have reviewed the referral for the Lone Creek Farms Fall Festival at 3879 N. State Highway 83 and have the following comments: • It is understood that this event will take place under a Colorado State Patrol special event permit. • It is also understood that the access will be limited to Right-in, Right-out movements only. • Any traffic control or placement of signage on State Highways that is not covered under a CSP permit will need to be permitted through our office. Application is made online at the following link: https://socgov.my.site.com/portal/s/login/?ec=302&startURL=%2Fportal%2Fs%2F • All signing for this event must comply with the appropriate permits and comply with Colorado State rules regarding outdoor advertising 2CCR601-3. Thank you for the opportunity to review this referral.	Applicant is proposing a plan for uniformed traffic control with Colorado State Patrol as consistent with previous years. Applicant will also obtain a Special Event Permit from State Patrol. Permanent improvements were not required by County Engineering, CDOT, or State Patrol. Applicant is not proposing signage within CDOT right-of-way.

Project Name: 3879 N State Highway 83
Project File #: EE2025-009
Date Sent: 08/11/2025 **Date Due:** 08/18/2025

Agency	Date Received	Agency Response	Response Resolution
Colorado State Patrol	08/21/2025	Received (verbatim response): That is correct. Sgt. Rob Case from my unit is working with Brad on this event and will be issuing a special event permit in the near future. We are attempting to staff his event with Troopers for UTC.	Applicant in process of obtaining a Special Event Permit for uniformed traffic control from CSP.
Douglas County Health Department	08/19/2025	Received: Following is an excerpt of comments received from the Douglas County Health Department. See full letter for detail. We are working with him on the Retail Food side of this with him and are waiting to receive our Special Event Packet back from him. Once we get that we will review and do an onsite inspection. Once approved we will let you know.	Applicant will submit proper licenses for food and beverage services and obtain special event approval from Douglas County Health in time for the event.
Engineering Services	08/14/2025	No comment.	No action necessary.
Franktown Citizens Coalition II Inc	08/11/2025	Received (verbatim response): No problem with this.	No action necessary.
Franktown FD	08/18/2025	No comment.	No action necessary.
High Prairie Farms HOA		No Response Received.	No action necessary.
Kelty Farms HOA		No Response Received.	No action necessary.
Legacy Pines HOA		No Response Received.	No action necessary.
Pinery 8B HOA		No Response Received.	No action necessary.
Pradera Homeowners' Association		No Response Received.	No action necessary.
Sheriff's Office	08/11/25	Received (verbatim response): No issues from the traffic unit provided the contract with CSP for traffic control occurs.	Applicant is proposing a plan for uniformed traffic control with Colorado State Patrol as consistent with previous years.
The Pinery HOA		No Response Received.	No action necessary.

Project Name: 3879 N State Highway 83
Project File #: EE2025-009
Date Sent: 08/11/2025 **Date Due:** 08/18/2025

Agency	Date Received	Agency Response	Response Resolution
Timbers At The Pinery Filing 23A HOA		No Response Received.	No action necessary.
Timbers At The Pinery Filing 23B HOA		No Response Received.	No action necessary.
Timbers HOA		No Response Received.	No action necessary.
Whispering Pines HOA		No Response Received.	No action necessary.

Burning Tree Ranch Homeowners Association
P.O. Box 312
Franktown, CO 80116
btrboard@gmail.com

8/16/2025

Matt Jakubowski – Chief Planner
Douglas County Department of Community Development
100 Third St.
Castle Rock, CO 80104

RE: Lone Creek Farms Fall Festival – Project File # EE2025-009

Burning Tree Ranch HOA was not opposed to the Lone Creek Farms setting up a Seasonal Fall Festival event in Franktown a couple of years ago. The event set-up, activities and even the traffic plan appeared, at least on paper, to be well planned and thought out. Traffic in and out onto Highway 83 was questionable particularly on Friday afternoons during rush hour on Southbound Hwy 83, and it would remain to be seen if the traffic plan would work and not create any noticeable increased congestion on the already heavily traveled highway 83.

IT HAS FAILED MISERABLY!!

The Traffic plan was not followed:

- Due to no right turn lanes into the event or left lane turn lanes from the South – traffic had to slow down or suddenly stop to allow entry into Lone Creek Farms from Hwy 83. During rush hour this just added to the massive congestion and long lines from traffic heading into Franktown or from the South heading North.
- Right turn in and right turn out is a nice idea but it doesn't work (unless you have a median to prevent left turns).
- Anyone not wanting to go South will turn onto Castle Oaks and do a U-turn and turn left at the light at Hwy 83 and Castle Oaks.
- There are no sufficient side shoulders to go around cars trying to turn left into Lone Creek Farms from Hwy 83.
- Traffic "control" was not following the plan as traffic was stopped to allow left turns on to Northbound Hwy 83. Officers were also observed in their vehicles with lights on but not controlling traffic.

This has already created a bad taste in everyone's mouth with neighboring communities with the traffic issues for this event.

There had to be a safer solution to handle the traffic for this event than HWY 83. It cannot handle the traffic it gets now let alone the traffic from this event.

It was suggested that a better and more viable solution would be to create an entrance off of **Castle Oaks Drive**. (Entrance to Cobblestone Development off Hwy 83)

<u>Pros</u>

- Better access off of Hwy 83 – both left and right turns onto Castle Oaks then to Lone Creek Farm.
- A lot less traffic to deal with trying to enter the facilities and easier for traffic control to manage entry and departures amongst other traffic on Castle Oaks.
- If this is looking to be a long-term event, other accesses need to be made other than HWY 83, unless the County plans on making modifications such as a traffic light, right turn lane/left turn lane, etc. in the immediate future to Hwy 83 to accommodate Lone Creek Farms.

Someone is going to be seriously injured or killed trying to attend or leave this event or other traffic having to dodge these vehicles. **Adding extra days during the week will only add more frustration and backlog to rush hour traffic, that drivers are already experiencing on a daily basis.**

Burning Tree Ranch is <u>NOT</u> in support of adding any new attractions or <u>extra days</u> to this event – which will add to the traffic issue, or the Renewal of the lease – UNTIL this traffic situation has been resolved!

Sincerely,

Burning Tree Ranch HOA

From: Loeffler - CDOT, Steven
Sent: Monday, August 11, 2025 2:45 PM
To: Matt Jakubowski
CC: Jessica Varner - CDOT; Joseph Tripple - CDOT; Aaron Eyl
Subject: Re: Douglas County eReferral (EE2025-009) Is Ready For Review

Matt,

We have reviewed the referral for the Lone Creek Farms Fall Festival at 3879 N. State Highway 83 and have the following comments:

- It is understood that this event will take place under a Colorado State Patrol special event permit.
- It is also understood that the access will be limited to Right-in, Right-out movements only.
- Any traffic control or placement of signage on State Highways that is not covered under a CSP permit will need to be permitted through our office. Application is made online at the following link: https://socgov.my.site.com/portal/s/login/?ec=302&startURL=%2Fportal%2Fs%2F
- All signing for this event must comply with the appropriate permits and comply with Colorado State rules regarding outdoor advertising 2CCR601-3.

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit- Region 1

COLORADO
Department of Transportation

P 303.757.9891 | F 303.757.9053
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

On Mon, Aug 11, 2025 at 12:34 PM <mjakubow@douglas.co.us> wrote:

> There is an eReferral for your review. Please use the following link to log on to your account: https://urldefense.com/v3/__https://apps.douglas.co.us/planning/projects/Login.aspx__;!!PUG2raq7KiCZwBk!ZkOrsE7s_Kuz1C_I77pcmnOTlhmiDM8MrbbtFLDP3VVtZEDh2qR3VzxFeqt2r7sA5C5eCpQ9x6_ObPCauMuoEflzF0PF$
>
> Project Name: 3879 N. State Highway 83 (Lone Creek Farms Fall Festival)
> Project File #: EE2025-009
> Project Summary: Proposed amendment to an approved 5-year Major Entertainment Event at Lone Creek Farms. Amendment revises approved days of operation to include Wednesday and Thursday to accommodate school groups. The proposal would be in effect for the remainder of the original approval in 2025, 2026, and

2027. In 2025, the event is proposed Wednesday through Sunday between September 19, 2025 and November 2, 2025. Dates for subsequent festivals will occur on similar dates in late September to late October/Early November. Operating hours are proposed from 10:00 a.m. to 8:00 p.m. The festival includes a pumpkin patch, food, drink, and kid and family activities. The property is located on N. State Highway 83 approximately 450 feet north of the intersection of Castle Oaks Drive and N. State Highway 83. A Board of County Commissioners hearing is required to approve such amendment. The Board hearing is anticipated September 9, 2025 at 2:30 p.m. in the Commissioners Hearing Room, 100 Third Street, Castle Rock.

This referral will close on Monday, August 18, 2025.

If you have any questions, please contact me.

Sincerely,

Matt Jakubowski, AICP | Chief Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-660-7460
Email | mjakubow@douglas.co.us

From: EH
Sent: Tuesday, August 19, 2025 6:34 PM
To: Matt Jakubowski
CC: Andrea Farrow
Subject: RE: Referral 3879 N. State Hwy. 83 (Creek Farms Fall Festival)

Hi Matt,

Thank you for the update. This doesn't change anything with us and is great information!

We are working with him on the Retail Food side of this with him and are waiting to receive our Special Event Packet back from him.

Once we get that we will review and do an onsite inspection. Once approved we will let you know.

Let me know if you need anything else.

Andrea Farrow | Environmental Health Supervisor
Douglas County Health Department
Address | 11045 E. Lansing Circle, Suite 300, Englewood, CO 80112
Office | 720-907-4910
Email | eh@douglas.co.us

DOUGLAS COUNTY HEALTH DEPARTMENT COLORADO

Vision: Douglas County residents have access to opportunities for achieving their healthiest possible lives.
Mission: We provide education and evidence-based services to improve health in Douglas County.

Important News! In early July, all Douglas County Health Department offices will be relocating to 11045 E. Lansing Circle, Suite 300, Englewood, CO 80112. Visit www.douglas.co.us/health-department to learn about the transition timeline.

From: Matt Jakubowski <mjakubow@douglas.co.us>
Sent: Monday, August 18, 2025 4:37 PM
To: EH <EH@douglas.co.us>
Subject: Referral 3879 N. State Hwy. 83 (Creek Farms Fall Festival)

Good Afternoon,

Brad Witherell at Lone Creek Farms (3879 N. State Highway 83) has revised his fall festival to include additional days (Wednesdays and Thursdays) mainly to allow for school groups. See attached packet. Since this is a change to his previous approval with the Board of County Commissioners, he has to go back for a Board hearing to make this request.

I'm thinking Mr. Witherell may have already reached out to DCHD regarding retail food service licenses and that the addition of a couple additional days during the week does not materially impact his proposal in the eyes of DCHD.

However, since this is going back before the Board, I want to make sure to collect any comments DCHD may have on the proposal so I can include it in our staff report. I didn't see comments in the file and wanted to double-check.

Thanks for all of your help on all of our projects,

Matt

Matt Jakubowski, AICP | Chief Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-660-7460
Email | mjakubow@douglas.co.us

DV 25-347

DOUGLAS COUNTY
COLORADO

www.douglas.co.us

Department of Community Development
Planning Services

REFERRAL RESPONSE REQUEST–5-YR.MAJOR ENTERTAINMENT EVENT

Date sent: August 11, 2025

Comments due by: **August 18, 2025**
Fax: 303.660.9550

Project Name:	3879 N. State Highway 83 (Lone Creek Farms Fall Festival)
Project File #:	EE2025-009
Project Summary:	Proposed amendment to an approved 5-year Major Entertainment Event at Lone Creek Farms. Amendment revises approved days of operation to include Wednesday and Thursday to accommodate school groups. The proposal would be in effect for the remainder of the original approval in 2025, 2026, and 2027. In 2025, the event is proposed Wednesday through Sunday between September 19, 2025 and November 2, 2025. Dates for subsequent festivals will occur on similar dates in late September to late October/Early November. Operating hours are proposed from 10:00 a.m. to 8:00 p.m. The festival includes a pumpkin patch, food, drink, and kid and family activities. The property is located on N. State Highway 83 approximately 450 feet north of the intersection of Castle Oaks Drive and N. State Highway 83. A Board of County Commissioners hearing is required to approve such amendment. The Board hearing is anticipated September 9, 2025 at 2:30 p.m. in the Commissioners Hearing Room, 100 Third Street, Castle Rock.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☒	No Comment	
☐	Please be advised of the following concerns:	
☐	See letter attached for detail.	
Agency: ENGINEERING		**Phone #:** 4318
Your Name: AL PETERSON		**Your Signature:** Al Peterson
(please print)		**Date:** 8/14/2025

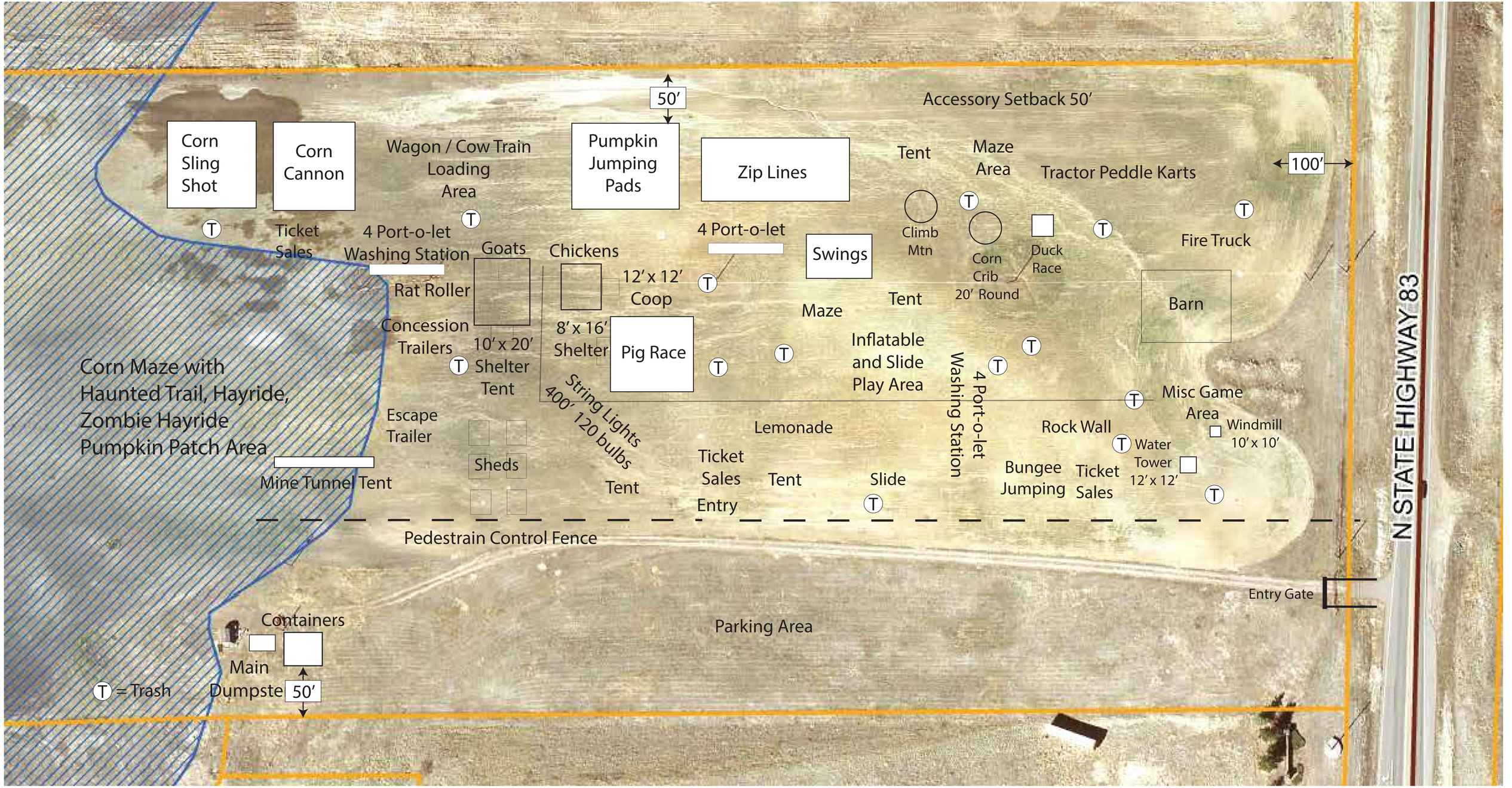
Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,

Matt Jakubowski

Matt Jakubowski, Chief Planner

Haunted Trail Sheds
Temporary under 200 s/f
Corn Maze with
Haunted Trail, Hayride,
Zombie Hayride Area


Corn Sling Shot
Corn Cannon
Wagon / Cow Train Loading Area
50'
Pumpkin Jumping Pads
Zip Lines
Accessory Setback 50'
Tent
Maze Area
Tractor Peddle Karts
100'
Ticket Sales
4 Port-o-let Washing Station
Goats
Chickens
4 Port-o-let
Climb Mtn
Corn Crib 20' Round
Duck Race
Fire Truck
Rat Roller
12' x 12' Coop
Swings
Maze
Tent
Barn
Concession Trailers
10' x 20' Shelter Tent
8' x 16' Shelter
Pig Race
Inflatable and Slide Play Area
4 Port-o-let Washing Station
Misc Game Area
Corn Maze with Haunted Trail, Hayride, Zombie Hayride Pumpkin Patch Area
Escape Trailer
String Lights 400' 120 bulbs
Lemonade
Rock Wall
Windmill 10' x 10'
Water Tower 12' x 12'
Sheds
Ticket Sales
Entry
Tent
Slide
Bungee Jumping
Ticket Sales
Mine Tunnel Tent
Tent
Pedestrain Control Fence
N STATE HIGHWAY 83
Entry Gate
Containers
Parking Area
Main Dumpste
50'
T = Trash

DOUGLAS COUNTY
COLORADO

Agenda Item

Date:	September 4, 2025
To:	Douglas County Board of County Commissioners
Through:	Douglas J. DeBord, County Manager
From:	Terence T. Quinn, AICP, Director of Community Development
CC:	Matt Jakubowski, AICP, Chief Planner Jeanette Bare, AICP, Current Planning Manager Steven E. Koster, AICP, Assistant Director of Planning Services
Subject:	**3879 N. State Highway 83 – Amended 5-Year Lone Creek Farms Fall Festival Entertainment Event Permit** **Additional Documents for EE2025-009**

SUMMARY

Attached is the applicant's response to referral agency comments received during the referral period for the above application. The applicant submitted this document after the August 27, 2025 staff report.

Lone Creek Farms

7361 Fox Creek Trail Franktown CO 80116 phone: 303.522.5532

September 3, 2025

Matt Jakubowski
Douglas County Planning Division
100 Third Street
Castle Rock, Colorado 80104

Re: EE2025-009 Response to Referral Comments 3879 N State Highway 83

Dear Mr. Jakubowski,

I have reproduced the comments below with responses added in red.

Building Services:
Electrical permit is required.

We will have an inspection done by the building and electrical departments within the next few days. If it is determined that a building or electrical permit is required, we will obtain the permit and any subsequent inspections before we open.

Douglas County: Engineering Services
No Comment

Douglas County: Sheriff's Office
No issues from the traffic unit provided the contract with CSP for traffic control occurs

Burning Tree Ranch HOA
Burning Tree Ranch HOA was not opposed to the Lone Creek Farms setting up a Seasonal Fall Festival event in Franktown a couple of years ago. The event set-up, activities and even the traffic plan appeared, at least on paper, to be well planned and thought out. Traffic in and out onto Highway 83 was questionable particularly on Friday afternoons during rush hour on Southbound

Hwy 83, and it would remain to be seen if the traffic plan would work and not create any noticeable increased congestion on the already heavily traveled highway 83.
IT HAS FAILED MISERABLY!!
The Traffic plan was not followed:
• Due to no right turn lanes into the event or left lane turn lanes from the South – traffic had to slow down or suddenly stop to allow entry into Lone Creek Farms from Hwy 83. During rush hour this just added to the massive congestion and long lines from traffic heading into Franktown or from the South heading North.
• Right turn in and right turn out is a nice idea but it doesn't work (unless you have a median to prevent left turns).
• Anyone not wanting to go South will turn onto Castle Oaks and do a U-turn and turn left at the light at Hwy 83 and Castle Oaks.
• There are no sufficient side shoulders to go around cars trying to turn left into Lone Creek Farms from Hwy 83.
• Traffic "control" was not following the plan as traffic was stopped to allow left turns on to Northbound Hwy 83. Officers were also observed in their vehicles with lights on but not controlling traffic.
This has already created a bad taste in everyone's mouth with neighboring communities with the traffic issues for this event.
There had to be a safer solution to handle the traffic for this event than HWY 83. It cannot handle the traffic it gets now let alone the traffic from this event.
It was suggested that a better and more viable solution would be to create an entrance off of Castle Oaks Drive. (Entrance to Cobblestone Development off Hwy 83)
Pros
• Better access off of Hwy 83 – both left and right turns onto Castle Oaks then to Lone Creek Farm.
• A lot less traffic to deal with trying to enter the facilities and easier for traffic control to manage entry and departures amongst other traffic on Castle Oaks.
• If this is looking to be a long-term event, other accesses need to be made other than HWY 83, unless the County plans on making modifications such as a traffic light, right turn lane/left turn lane, etc. in the immediate future to Hwy 83 to accommodate Lone Creek Farms.
Burning Tree Ranch Homeowners Association
P.O. Box 312
Franktown, CO 80116
btrboard@gmail.com
Someone is going to be seriously injured or killed trying to attend or leave this event or other traffic having to dodge these vehicles. Adding extra days during the week will only add more frustration and backlog to rush hour traffic, that drivers are already experiencing on a daily basis.
Burning Tree Ranch is NOT in support of adding any new attractions or extra days to this event – which will add to the traffic issue, or the Renewal of the lease – UNTIL this traffic situation has been resolved!.

We live across the street from the farm location. The weekday rush hour traffic is always very busy. I am surprised they feel we contribute to the problem as our weekdays are not very busy for us. At most we have only a hand full of cars coming in at the same time which would not affect the traffic flow. We will have uniform police directing traffic and will address these concerns with the trooper staff. I am under the understanding that there is a plan to widen Parker Road as we have been contacted by CDOT.

Homeowners' Association: Franktown Citizens Coalition II Inc
No problem with this.

Colorado Department of Transportation CDOT-Region # 1:
It is understood that this event will take place under a Colorado State Patrol special event permit.
• It is also understood that the access will be limited to Right-in, Right-out movements only.
• Any traffic control or placement of signage on State Highways that is not covered under a CSP permit
will need to be permitted through our office. Application is made online at the following link:
https://socgov.my.site.com/portal/s/login/?ec=302&startURL=%2Fportal%2Fs%2F
• All signing for this event must comply with the appropriate permits and comply with Colorado State rules regarding outdoor advertising 2CCR601-3.

No signage proposed in Hwy. 83 shoulder, so no CDOT permit is required. Uniform police will direct traffic.

Thank you for your comments. Please let us know if you have additional requirements and we will provide prompt resolution.

Sincerely,

Brad Witherell
Lone Creek Farms

MEETING DATE: September 9, 2025

STAFF PERSON RESPONSIBLE: Trevor Bedford, AICP, Senior Planner

DESCRIPTION: 1433 Lake Gulch Rd - Gilly's Pumpkin Patch - Major Entertainment Event - Project File: EE2025-008.

SUMMARY: The request is for approval of a Major Entertainment Event Permit for a pumpkin parch over a total of 9 days throughout September and October 2025 with a maximum attendance of 500 guests per day.

STAFF ASSESSMENT: Staff has evaluated the application in accordance with Section 22B of the Douglas County Zoning Resolution. No residents have expressed concern over the events. Should the Board find that the approval standards for the Major Entertainment Event are met; the following proposed conditions should be considered for inclusion in the motion:

1. The major entertainment event permit is approved for events from September 25 through 27, October 2 through 4, and October 9 through 11. Each day is approved to operate between 10:00 A.M. and Sunset with a maximum attendance of 500 guests per day.
2. Prior to final event permit issuance, the applicant shall provide evidence that all Castle Rock Fire and Rescue Department permits and inspections have been completed.
3. Prior to final event permit issuance, copies of valid retail food establishment licenses for all vendors shall be provided to the Douglas County Health Department.
4. The event shall not commence until the final event permit has been issued. Planning Services shall issue the final event permit when the applicant has demonstrated that all other conditions of approval have been met.
5. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such

commitments and promises.

REVIEW:

Terence T Quinn - FYI	Notified - FYI	8/28/2025
Steven E Koster	Approve	8/28/2025
Jeff Garcia	Approve	9/3/2025
Andrew Copland	Escalated	9/3/2025
Christie Guthrie	Approve	9/3/2025
Christie Guthrie	Approve	9/3/2025
Doug DeBord	Approve	9/4/2025
Samantha Hutchison - FYI	Notified - FYI	9/4/2025

ATTACHMENTS:

Staff Report - EE2025-008

DOUGLAS COUNTY
COLORADO

Entertainment Event Permit Staff Report

Date:	August 27, 2025
To:	Douglas County Board of County Commissioners
Through:	Douglas J. DeBord, County Manager
From:	Terence T. Quinn, AICP, Director of Community Development TQ
CC:	Trevor Bedford, AICP, Senior Planner Jeanette Bare, AICP, Planning Manager Steven E. Koster, AICP, Assistant Director of Planning Services
Subject:	**1433 Lake Gulch Rd – Gilly's Pumpkin Patch – Major Entertainment Event**
Project File:	**EE2025-008**

Board of County Commissioners Hearing: **September 9, 2025 @ 2:30 p.m.**

I. EXECUTIVE SUMMARY

The applicants are requesting approval of a Major Entertainment Event Permit for the Gilly's Pumpkin Patch event that will operate on Thursday through Saturday for three weekends in September and October of 2025. Gilly's Pumpkin Patch is located on the west side of Lake Gulch Road, approximately 500 feet north of its intersection with Crystal Valley Parkway.

The event consists of a pumpkin patch with pumpkins for sale, food and non-alcoholic beverage sales, and children's activities. The event will operate from 10:00 A.M. until sunset, approximately 7:00 P.M. The event is expected to attract up to 500 guests per day with parking provided on-site.

II. APPLICATION INFORMATION

A. Applicant

Christa and Brent Sheffield
1433 Lake Gulch Road
Castle Rock, CO 80104

B. Request

The applicant is requesting a Major Entertainment Event Permit for a pumpkin patch over a total of 9 days throughout September and October 2025 with a maximum attendance of 500 guests per day.

C. Process

A Major Entertainment Event is processed pursuant to Section 22B, Entertainment Events, of the Douglas County Zoning Resolution (DCZR). Section 2201B states that the intent of the process is "to provide for the orderly control of Entertainment Events."

Entertainment Events are defined in Section 36 of the DCZR as "a public presentation for which admission is made available to the general public, held on a one time or occasional basis that provides amusement for, or holds the attention of, those in attendance." Entertainment events are permitted as accessory uses in the A-1 and LRR Zone Districts. The regulations establish two categories of entertainment event permits, major and minor, depending on the frequency and size of event proposed.

A major entertainment event is defined as either: 1) a one-day event, such as a concert, with a maximum daily attendance of more than 500 persons, or 2) a multi-day event, such as a festival, carnival, or revival, with a maximum daily attendance of more than 300 persons or a duration of more than seven (7) days. Major entertainment events are subject to review and approval by the Board following a public meeting on the request. Courtesy notices are mailed to abutting property owners to inform them of the proposed event. Mailed notices are required to be sent to abutting property owners prior to the Board meeting date.

Per Section 2205B.05 of the DCZR, "Major Entertainment Event Permits shall be approved, approved with conditions, continued, tabled for further study, or denied by the Board of County Commissioners at a public meeting. The Board shall evaluate the Entertainment Event request, staff report, applicant responses, and public comment and testimony. The Board's action shall be based on the evidence presented, compliance with adopted County standards, regulations and policies; and other guidelines."

D. Location

The proposed event is located on the west side of Lake Gulch Road, approximately 500 feet north of its intersection with Crystal Valley Parkway.

E. Project Description

The applicant is requesting approval of a Major Entertainment Event for a pumpkin patch that will take place Thursday through Saturday over three weekends in September and October 2025. The event will take place from 10:00 A.M. until sunset, approximately 7:00 P.M., with a maximum attendance of 500 guests per day on the following dates:

- September 25, 26, and 27
- October 2, 3, and 4
- October 9, 10, and 11

The event includes children's activities such as face painting and pumpkin painting as well as a corn pit, a pumpkin toss, a maze, cornhole, a playground, and pedal carts. Food and non-alcoholic beverage sales will be available. Food including freeze-dried candy, cotton candy, jam, caramel apples, cookies, popcorn, and similar concessions will be sold by the property owners. The property owners will be required to provide evidence of the appropriate licensing from the Douglas County Health Department prior to operating. The event may also have other food vendors on site and will be required to provide proof of appropriate licensing prior to operating.

The pumpkin patch will be primarily operated by members of the household. The applicant has indicated that, if necessary, up to three part time employees may work on site.

No construction or grading activities are proposed. The event will not use any outdoor lighting or amplified sound. Right-turn only signage will be placed at the end of the driveway for traffic exiting onto Lake Gulch Road. All parking will be accommodated on site.

III. CONTEXT

A. Background

The applicant has been approved to operate Gilly's Pumpkin Patch at this location in 2023 and 2024 as a minor entertainment event permit with a maximum of 300 guests per day for six days. Due to the previous events' success, the applicant wishes to expand to a maximum of 500 guests per day over 9 days.

B. Adjacent Land Uses and Zoning

Abutting properties are primarily agricultural and large lot residential properties and an open space tract to the west.

Zoning and Land Use

Direction	Zoning	Land Use
North	Large Rural Residential	Single Family Residential
South	Agricultural One	Vacant Agricultural
East	Agricultural One	Vacant Agricultural
West	Town of Castle Rock – Crystal Valley Planned Development	Open Space Tract

IV. PHYSICAL SITE CHARACTERISTICS

A. Site Characteristics and Constraints

The property is approximately 16.1 acres with Sellers Gulch running through the property. The event will take place on the east side of Sellers Gulch.

B. Access

Access to the on-site parking area is proposed at the existing residential driveway off of Lake Gulch Road. The applicant will provide "right turn only" signage at the end of the driveway for traffic exiting the site as requested by the Douglas County Sheriff's Office.

C. Traffic

Public Works Engineering has reviewed the narrative submitted with the application and did not have any concerns for a single-year event. Public Works Engineering noted additional information would be required to support a multi-year event approval. The applicant has clarified in the narrative that approval for only a single year is being requested at this time.

The Douglas County Sheriff's Office and the Town of Castle Rock noted concerns regarding the site access and proximity to the intersection of Lake Gulch Road and Crystal Valley Parkway. The Sheriff's Office also noted concerns about sufficient parking on site. The applicant worked with the Sheriff's Office to address these concerns. The applicant will provide right turn only signage for traffic exiting the site. The applicant has also provided additional information to show sufficient parking is on site.

D. Drainage and Erosion

The event does not require any grading activities.

V. PROVISION OF SERVICES

A. Fire Protection

Castle Rock Fire and Rescue Department (CRFD) provides fire and emergency services to the site. CRFD reviewed the request and will require a special event permit prior to the opening of the event to the public. The applicant has applied for the permit. All conditions of that permit must be met including site operations and inspections.

C. Sheriff Services

The Douglas County Sheriff's Office noted concerns related to traffic and sufficient on site parking areas. The applicant worked with the Sheriff's Office to address these concerns. The applicant will provide right turn only signage for traffic exiting the site and provided additional information to show sufficient areas for parking are available on site. With this additional information, the Sheriff's Office has confirmed their concerns have been addressed.

D. Water and Sanitation

The applicant proposes two portable toilets, hand sanitizer stations, and a hand washing station. Trash will be managed and properly disposed of. Food and beverages will be available for purchase.

E. Utilities

The proposal does not impact existing utilities.

F. Other Required Processes and Permits

In conjunction with the Board's approval for a Major Entertainment Event, additional approvals and permits must be obtained by the applicant prior to Planning Service's issuance of the final Entertainment Event Permit necessary for the commencement of the event.

Prior to the issuance of the final Entertainment Event Permit, the applicant will need to provide approvals from Castle Rock Fire and Rescue Department (CRFD) and the Douglas County Health Department (DCHD). The applicant has submitted the special event permit application to CRFD and is awaiting permit issuance and inspections. The applicant will be required to obtain and provide licensing for all food vendors on site to DCHD.

VI. PUBLIC NOTICE AND INPUT

Courtesy notices of an application in process were sent to adjacent property owners during the referral period on July 29, 2025. In addition, pursuant to the DCZR Section 2205B.04, the applicant is required to provide mailed written notice of the Board of County Commissioners public meeting to abutting property owners. A copy of the certification will be provided prior to the Board's public hearing on September 9.

As of the writing of this report, staff has not received any comments from the public regarding this event application.

All referral agency comments are outlined in the Referral Agency Response Report attached to the staff report.

VII. STAFF ANALYSIS

Per Section 2202B of the DCZR, a Major Entertainment Event Permit may be approved upon the finding by the Board of County Commissioners that the following standards have been met:

2202B.01 The proposed use is compatible with the intent of the zone district in which the event is proposed.

Staff Comment: The site is located within the LRR zoning district, which allows entertainment events as an accessory use subject to Section 22B. The site currently has a single-family residence. Abutting properties are large rural properties and an open space tract to the west.

2202B.02 The proposed use will not have a substantial adverse effect on adjacent uses, building, structures, or the natural environment.

Staff Comment: The event is proposed to be located on a site with an existing residence. The applicants anticipate a maximum of 500 guests per day during the daytime. No physical changes to the site are required. Public Works Engineering reviewed the event and had no concerns regarding a single-year approval.

Courtesy notices were mailed to abutting landowners. Staff received no comments regarding the events. The applicant will adhere to all applicable codes and requirements.

2202B.03 The proposed use will not have a substantial adverse effect public services or facilities.
Staff Comment: The applicant worked with the Sheriff's Office to address concerns related to traffic and parking. The applicant will provide portable toilets and provide food and drinks on site.

2202B.04: The nature of the proposed use will not be detrimental to the health, safety, or welfare of the community.
Staff Comment: The application was sent to referral agencies including the Sheriff's Office, Douglas County Health Department, Castle Rock Fire and Rescue, Douglas County Building Services, and Public Works Engineering to ensure that the applicant has addressed potential health and safety issues associated with the event. Castle Rock Fire and Rescue will require a special event permit. All permits and inspections required by Castle Rock Fire and Rescue will be required prior to the event. Building services reviewed the project and all concerns have been addressed. Douglas County Health Department has reviewed the application and initially requested additional portable restrooms. The applicant has added one additional portable restroom. All food vendors are required to provide Douglas County Health Department with proof of licenses.

2202B.05 The proposed use complies with the general requirements listed in Section 2203B herein.
Staff Comment: The event is proposed within the LRR zoning district that allows entertainment events as an accessory use by right subject to Section 22B. Access is proposed via an existing driveway on Lake Gulch Road. No off-site traffic control is expected to be necessary. The applicant will provide on-site parking and right turn only signage for traffic leaving the property. The applicant will provide portable toilets and trash disposal at the event.

2202B.06 The site is suitable for the proposed use, considering flood hazard, drainage, and topography.
Staff Comment: The application has been reviewed by Public Works Engineering. No grading or drainage improvements are necessary.

VIII. STAFF ASSESSMENT

Staff has evaluated the application in accordance with Section 22B of the DCZR. No residents have expressed concern over the events. Event activities are proposed to be

managed on site with signage to minimize traffic impacts to the roadway. Additional permits, approvals, and inspections are required prior to final event permit issuance.

Should the Board find that the approval standards for the Major Entertainment Event are met; the following proposed conditions should be considered for inclusion in the motion:

1. The major entertainment event permit is approved for events from September 25 through 27, October 2 through 4, and October 9 through 11. Each day is approved to operate between 10:00 A.M. and Sunset with a maximum attendance of 500 guests per day.

2. Prior to final event permit issuance, the applicant shall provide evidence that all Castle Rock Fire and Rescue Department permits and inspections have been completed.

3. Prior to final event permit issuance, copies of valid retail food establishment licenses for all vendors shall be provided to the Douglas County Health Department.

4. The event shall not commence until the final event permit has been issued. Planning Services shall issue the final event permit when the applicant has demonstrated that all other conditions of approval have been met.

5. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

ATTACHMENTS **PAGE**

Douglas County Land Use Application 8
Applicants' Narrative 9
Vicinity Map 14
Zoning Map 15
Aerial Map 16
Referral Agency Response Report 17
Referral Response Letters 19
Event Exhibit 25

DOUGLAS COUNTY
COLORADO

Department of Community Development

www.douglas.co.us

LAND USE APPLICATION

Please complete, sign, and date this application. Return it with the required items listed on the Submittal Checklist to planningsubmittals@douglas.co.us. Submittals may also be mailed or submitted in person to Planning Services. *NOTE: The Planning Commission or the Board of County Commissioners should not be contacted regarding an open application.*

OFFICE USE ONLY

PROJECT TITLE:

PROJECT NUMBER:

PROJECT TYPE: PUMPKIN PATCH

MARKETING NAME: GILLY'S PUMPKIN PATCH

PRESUBMITTAL REVIEW PROJECT NUMBER: PS2025-136

PROJECT SITE:

Address: 1433 LAKE GULCH RD CASTLE ROCK, CO 80104

State Parcel Number(s): 2505-241-10-002

Subdivision/Block#/Lot# *(if platted)*:

PROPERTY OWNER(S):

Name(s): CHRISTA SHEFFIELD

Address: 1433 LAKE GULCH RD CASTLE ROCK, CO 80104

Phone: 801-643-9588

Email: CHRISTASHEFFIELD@GMAIL.COM

AUTHORIZED REPRESENTATIVE: *(Notarized Letter of Authorization is required from the property owner, unless the owner is acting as the representative)*

Name:

Address:

Phone:

Email:

To the best of my knowledge, the information contained on this application is true and correct. I have received the County's information sheet regarding the *Preble's Meadow Jumping Mouse*.

Christa Sheffield
Applicant Signature

1-10-25
Date

Gilly's Pumpkin Patch

Gilly's pumpkin patch is proposed to be an event where people can come to pick out their pumpkins and enjoy a more rural outdoor experience during the fall season. Being a Large Rural Residential property, our goal is to provide a service to the public of Douglas County in the form of an entertainment event, while also maintaining the integrity of the rural character of the property being used. This will be a small-scale family run operation. We are asking for a 1 year approval based on our numbers for engineering and traffic.

Events Proposed Activities:

- Selling of Pumpkins. Most pumpkins are not grown on location but rather will be trucked in from Dionisio farms and/or Hirakata farms in Pueblo, CO. A small entrance fee will be required.
- Concessions
- Childrens activities including face painting, pumpkin painting, corn pit, pumpkin toss, maze, cornhole, playground, and pedal carts.

Attendance:

- The attendance is estimated to be around 500 people per day
- The total attendance over 9 days of operation is thus estimated to be 4500 people
- Vehicle traffic is estimated to be up to 50 vehicles/hr

Event Schedule

- Hours of operation will be from 10 a.m. until dark (6:30-7)
- Set up will begin the week prior to opening day
- 2025 dates would be September 25-27, October 2-4, and October 9-11

Employees

- The pumpkin patch will be managed by members of the property household
- Additional part time employees for operation may be employed, up to 3 part time employees.

Sanitation and water

- Bottled water for drinking will be available for purchase
- Two portable toilets with hand sanitizer will be available
- A handwashing station with a free-flow spout, catch bucket, soap, and paper towels shall be provided at concessions.

Site plan:

- No construction of new buildings will occur. The current carport will be used for entrance, exit, checkout, and food sales
- Driveway is 22' wide at the entrance
- No left hand turn will be allowed at the exit to the drive way
- 80 parking spaces will be available

- See attached aerial view for details of location of parking and activities
- Signage
    - One freestanding sign will be posted on the southbound side of Lake Gulch Rd at the entrance of the driveway alerting drivers of the “Gilly’s Pumpkin patch, turn here” and with hours of operation
    - One flag banner will mark the entrance to the event driveway
    - “Closed” sign at top of driveway on days we are not in operation
    - A sign will be posted at the exit to the driveway stating “right turn only”

Other Plans and information:

- We will be selling concessions such as freeze dried candy, cotton candy, jam, caramel apples, cookies, popcorn etc. The vendor is solely the property owners who will secure a permit for a retail food establishment from the Douglas County Health Department
- Other food trucks or independently licensed food vendors may be on site during public hours
- No speakers will be used
- Outdoor lighting specific for the pumpkin patch will not be used as we will only be open during daylight hours
- NO alcohol will be served
- Trash will be removed by the company Waste Management through a weekly pickup of garbage bins. Smaller bins will be located around the activity site and carport for attendees trash disposal

Traffic Feedback consisted of 2 primary concerns. See below for the resolution discussed with the Sheriff's office. It should be clear that any concern

1. **Ingress/Egress to the property.** It was agreed that a sign be placed at the top of the driveway stating "Right turn only please" for the cars that are exiting the property.
2. **Sufficient parking for vehicles.** Parking stalls usually measure about 9'x18'. The sheriff's office asked that we have at least 80 parking spaces on the property. In order to fit 80 parking spaces we would need 720 linear feet of parking. The way we have our parking area set up we have roughly 1700 linear feet of parking or enough for 188 parking stalls.

Trevor Bedford

From: Christa Sheffield <christasheffield@gmail.com>
Sent: Monday, August 18, 2025 3:05 PM
To: Trevor Bedford
Subject: Fwd: Online Form Submittal: Permit Application for Special Event

Just sending a copy of my application for a permit through castle rock fire.

Christa Sheffield
Gilly's Pumpkin Patch
gillyspumpkinpatch.com

---------- Forwarded message ---------
From: <noreply@civicplus.com>
Date: Wed, Jul 23, 2025 at 1:58 PM
Subject: Online Form Submittal: Permit Application for Special Event
To: <christasheffield@gmail.com>

Permit Application for Special Event

Permit Application for Special Event

CRFD recommends not using a mobile device to fill out this form.

The review process will take ten to 15 days to review from the date the application is submitted for review. The application must be submitted at least 30 days prior to event to be approved.

All applicable fields must be completed prior to the fire inspection.

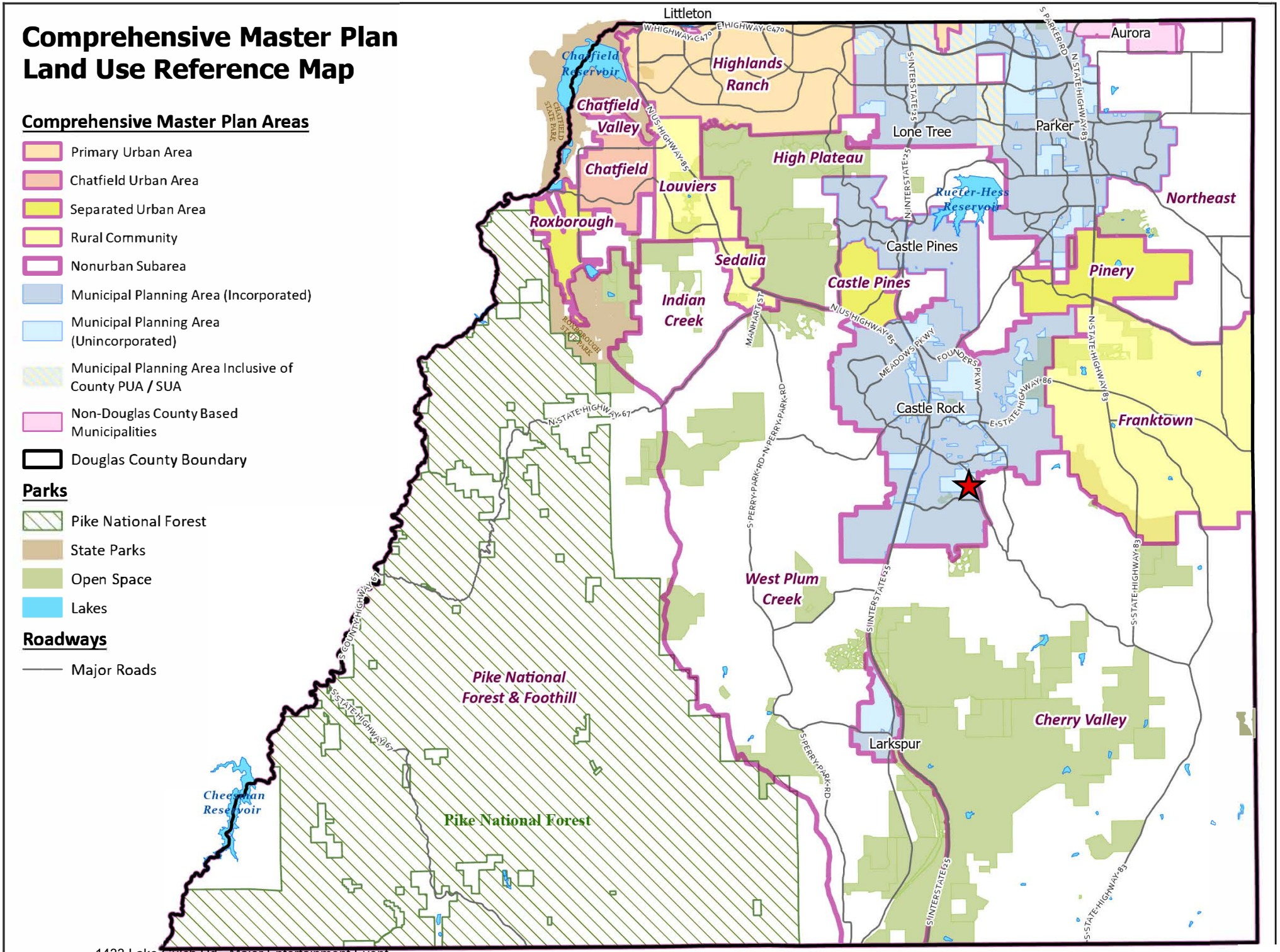
A detailed site and floor plan shall be provided with each application for approval. The site and floor plan shall indicate details of the means of egress from the facilities, and seating arrangement and location.

The Fire Department must conduct a fire and life safety inspection, of the venue, once set up has been completed.

Contact Name	Christa Sheffield

Contact Phone Number	8016439588
Email Address	christasheffield@gmail.com
Contact Address	1433 Lake Gulch Rd
Name of Event	Gilly's pumpkin patch
Will your event have mobile food trucks?	Yes
Date and Time the set up will be complete and ready for inspection.	9/25/2025 7:00 PM
Date and Start Time and End Time of Event	9/26/2025 10:00 AM - 10/11/2025 7:00 PM
Location of Event	1433 Lake Gulch Rd Castle Rock, CO 80104
Number of Persons on Site at Event	> 150 but < 500="" persons="" on="" site="" at="" one="">
Describe Event	Fall festival pumpkin patch. People come to pick out their pumpkins, play, and take photos.
Will your event have a fireworks display?	No
Check all that apply:	Mobile food truck/trailer/cooking, Sales of merchandise
Documents (i.e. site plans, maps, public safety plan)	Gillys Pumpkin Patch submittal 2025.pdf
Additional documents (i.e. site plans, maps, public safety plan)	Gillys site plan 2025.pdf
Acknowledgement	I have read and understand all of the requirements set forth by the Castle Rock Fire and Life Safety Division. I understand that if the requirements are not adhered to, my event is subject to cancellation and no fees paid shall be refunded.

Comprehensive Master Plan Land Use Reference Map



Comprehensive Master Plan Areas

- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

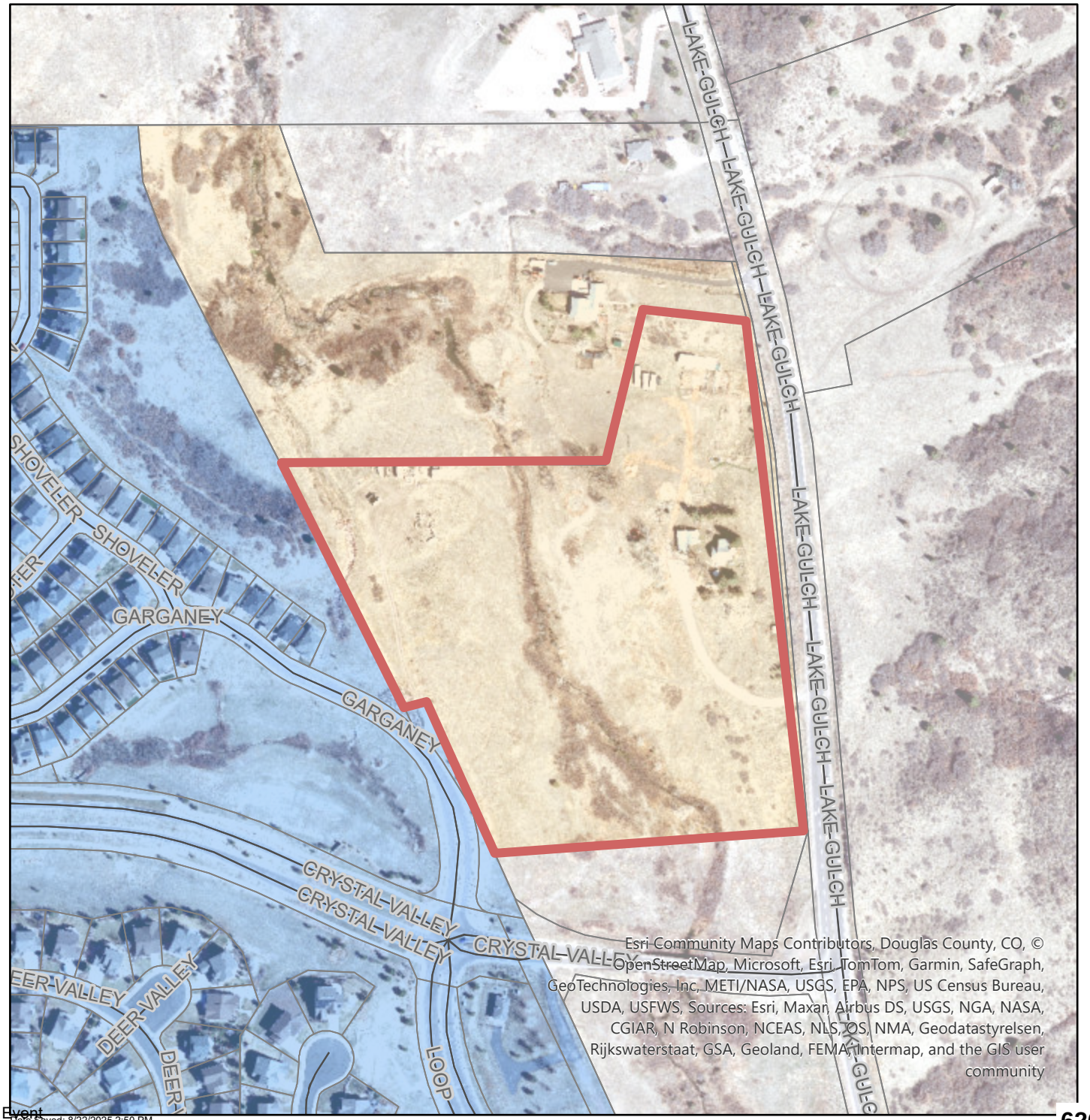
- Major Roads

1433 Lake Gulch Road

EE2025-008
Zoning Map

N

LEGEND
- Major Roads
- Parcels - PARCELS
- A1 - AGRICULTURAL ONE
- LRR - LARGE RURAL RESIDENTIAL
- CTY



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Source: https://apps.douglas.co.us/gisportal/apps/webappviewer/index.html?id=9cd173c692b7436891bd0

1433 Lake Gulch Road

EE2025-008
Aerial Map

N

LEGEND
- Major Roads
- Parcels - PARCELS

Date Saved: 8/22/2025 2:55 PM

Source: https://apps.douglas.co.us/gisportal/apps/webappviewer/index.html?id=9cd173c692b7436891bd0

Project Name: 1433 Lake Gulch Road
Project File #: EE2025-008
Date Sent: 07/29/2025 **Date Due:** 08/12/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	07/29/2025	No comment	No response necessary
Building Services	07/30/2025	Building division records do not show a permit for the carport. Permit is required. Please visit Douglas County's web site for requirements and contact 303-660-7497 if you have any questions. Update 8/21/25: All Concerns have been addressed	The applicant worked with Building Services to address all concerns.
Douglas County Health Department	08/11/2025	See attached letter. Summary: Requested food vendor information and recommend additional portable restrooms	Applicant provided an additional portable restroom and will provide all food vendor license information prior to operating.
Engineering Services	08/08/2025	See attached letter. Summary: Requested removal of any references to a multi-year event in the narrative OR a traffic impact analysis for a multi-year event.	Applicant revised narrative to clarify they are seeking approval for one year.

Project Name: 1433 Lake Gulch Road
Project File #: EE2025-008
Date Sent: 07/29/2025 **Date Due:** 08/12/2025

Sheriff's Office	07/30/2025	There are a couple of concerns from the traffic unit. First would be ingress/egress to the property. This area of Lake Gulch has been some pretty significant crashes at the intersection of Crystal Valley, and I have concerns about how much traffic may back up with people waiting to turn left from northbound Lake Gulch. Additionally, I have some concerns with people trying to turn left out of the driveway onto Lake Gulch as well. Second, I have some concerns about the available parking. There is no space along the shoulders to park vehicles on Lake Gulch, and all vehicles would have to be able to fit on the property. With 500 attendees expected daily, I don't see where there is adequate parking to accommodate a high volume of traffic attending. Update 8/20/2025: All concerns are addressed	Applicant worked with Sheriff's Office to address concerns. Right turn only signage will be placed for exiting traffic. Applicant provided information to Sheriff's Office to show sufficient parking on site.
Castle Rock Fire and Rescue Department	08/07/2025	Fire will require a special events permit to be applied for. Permits can be attained using this link. Form Center • Permit Application for Special Event	Applicant has applied for the required permit. Proof of permit and any necessary inspections will be required prior to operating.
Town of Castle Rock	07/30/2025	Castle Rock Police Department's only comment is: PD's only concern is the traffic entering and exiting onto Lake Gulch as there is no traffic control device at that location. The property and the road belong to County, but would hate to see a crash as the result of this.	As the roadway is a County road, the applicant worked with the Sheriff's Office to satisfy traffic concerns. A right turn only sign will be placed at the end of the driveway for exiting traffic.

DOUGLAS COUNTY
HEALTH DEPARTMENT COLORADO

August 11, 2025

Trevor Bedford
100 Third St.
Castle Rock, CO 80104

RE: EE2025-008

Dear Mr. Bedford,

Thank you for the opportunity to review and comment on the application for the Entertainment Event at Gilly's Pumkin Patch. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has the following comments.

Food Service
Illness-causing organisms are spread easily to the public through food and beverages. The applicant indicates the possibility of allowing food vendors onto the site to provide food to the attendees. Food vendors must have a valid retail food establishment license from the Colorado Department of Public Health and Environment (CDPHE) in order to sell food in Douglas County. *The applicant should provide a list of licensed vendors to DCHD (EH@douglas.co.us) at least 2 weeks prior to the event.*

Portable Toilets
Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. The proposed number of portable toilets should be adequate to serve the anticipated number of attendees. Portable toilets should be placed so that they are accessible to attendees, but away from the food vendor area. Arrangements shall be made for the contractor to empty/replace these during the event.
As noted in the project narrative, a hand washing unit & sanitizer will be provided. Generally, one (1) portable toilet is sufficient for 50 people during a 4-hour event. Consider increasing the number of portable toilets & hand washing units if attendance exceeds this ratio.

Please feel free to contact me at 720-907-4888 or bfreyer@douglas.co.us if you have any questions about our comments.

Sincerely,

Brent Freyer
Environmental Health Specialist II
Douglas County Health Department

REFERRAL RESPONSE REQUEST

Date sent: July 29 ,2025

Comments due by: **August 12, 2025**

Project Name:	1433 Lake Gulch Rd
Project File #:	EE2025-008
Project Summary:	The applicant is requesting a major entertainment event permit to host a pumpkin patch event on Thursdays, Fridays and Saturdays from September 26 until October 11. The maximum attendance will be 500 people per day. Please refer to the attached narrative for more details about the event.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐	No Comment		
☐	Please be advised of the following concerns:		
☒	See letter attached for detail.		
Agency:	Douglas County Public Works	**Phone #:**	303-660-7490
Your Name:	Ken Murphy, P.E.	**Your Signature:**	Ken Murphy
(please print)		**Date:**	12 AUG 2025

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, may result in written comments being accepted for informational purposes only.

Sincerely,

Trevor Bedford, AICP, Senior Planner
tbedford@douglas.co.us

August 11, 2025 DV2025-333

Christa Sheffield
1433 Lake Gulch Road
Castle Rock, CO 80104pany

RE: Gilly's Pumpkin Patch – Event Permit EE2025-008
rev1 PWE Comments

Ms. Sheffield,

Douglas County Public Works Engineering has reviewed your submittal. Our comments are below.

TECHNICAL DOCUMENTATION

Project Narrative and Planning Exhibit

- Note that the peak trip rate described in the narrative warrants a traffic impact analysis. As discussed in the pre-submittal meeting, Public Works may waive this requirement for a single-year permit.
- Regarding the permit term, the narrative is ambiguous in that it reads: *"We are looking for a 1 year approval based on our numbers for engineering and traffic, but would like to do a 5 year approval in the future."*
- For clarity, please remove any references for a multi-year permit.
- For a multi-year permit, please contact Public Works to discuss scoping and methodology for a traffic impact analysis to be prepared per criteria described in the Douglas County Roadway Manual.

Traffic Impact Analysis

- As discussed above, the requirement for a TIA may be waived for a single-year permit.

DOUGLAS COUNTY PUBLIC WORKS DEVELOPMENT RESOURCES

Many resources including criteria manuals, agreement forms, warranty and maintenance applications, templates for O & M manuals and other items are available at the web page below:

- https://www.douglas.co.us/public-works/development-review/

Please let me know if you have any questions regarding the items above.

Respectfully,

Kenneth M Murphy, P.E.
Senior Development Review Engineer
kmurphy@douglas.co.us

cc: DV File

Trevor Bedford

From: Trace Warrick
Sent: Wednesday, August 20, 2025 3:31 PM
To: Trevor Bedford; Brent Sheffield; Christa Sheffield
Subject: Re: Feedback about Gillys Pumpkin Patch

Trevor, yes this addresses my concerns.

Thanks,

Sgt. T. Warrick

Get Outlook for iOS

From: Trevor Bedford <tbedford@douglas.co.us>
Sent: Wednesday, August 20, 2025 2:53:12 PM
To: Brent Sheffield <brentsheffield@gmail.com>; Christa Sheffield <christasheffield@gmail.com>; Trace Warrick <twarrick@dcsheriff.net>
Subject: RE: Feedback about Gillys Pumpkin Patch

Brent – Thank you for the update, that is great.

Sergeant Warrick – can you confirm this addresses your traffic concerns?

Thank you,

Trevor Bedford, AICP | Senior Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303.814.4372 **Main** | 303.660.7460
Email tbedford@douglas.co.us

From: Brent Sheffield <brentsheffield@gmail.com>
Sent: Wednesday, August 20, 2025 10:07 AM
To: Trevor Bedford <tbedford@douglas.co.us>; Christa Sheffield <christasheffield@gmail.com>; Trace Warrick <twarrick@dcsheriff.net>
Subject: Re: Feedback about Gillys Pumpkin Patch

Sergeant Warrick ended up getting back to me yesterday and we agreed to a resolution to his feedback. That resolution is attached to this email.

Brent

On Mon, Aug 18, 2025 at 11:41 AM Trevor Bedford <tbedford@douglas.co.us> wrote:

Trevor Bedford

From: Rana Rasteh
Sent: Thursday, August 21, 2025 3:43 PM
To: Trevor Bedford; Brent Sheffield; Christa Sheffield
Subject: RE: Feedback Resolution from Building Dept.

Yes Trevor.

Sincerely,
Rana Rasteh
Plans Examiner Supervisor
Douglas County Building Division
100 Third Street
Castle Rock, CO 80104
303-663-6168

From: Trevor Bedford <tbedford@douglas.co.us>
Sent: Thursday, August 21, 2025 3:42 PM
To: Brent Sheffield <brentsheffield@gmail.com>; Rana Rasteh <rrasteh@douglas.co.us>; Christa Sheffield <christasheffield@gmail.com>
Subject: RE: Feedback Resolution from Building Dept.

Thank you Brent.

Rana – Can you confirm your concerns have been resolved?

Thank you,

Trevor Bedford, AICP | Senior Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303.814.4372 **Main** | 303.660.7460
Email tbedford@douglas.co.us

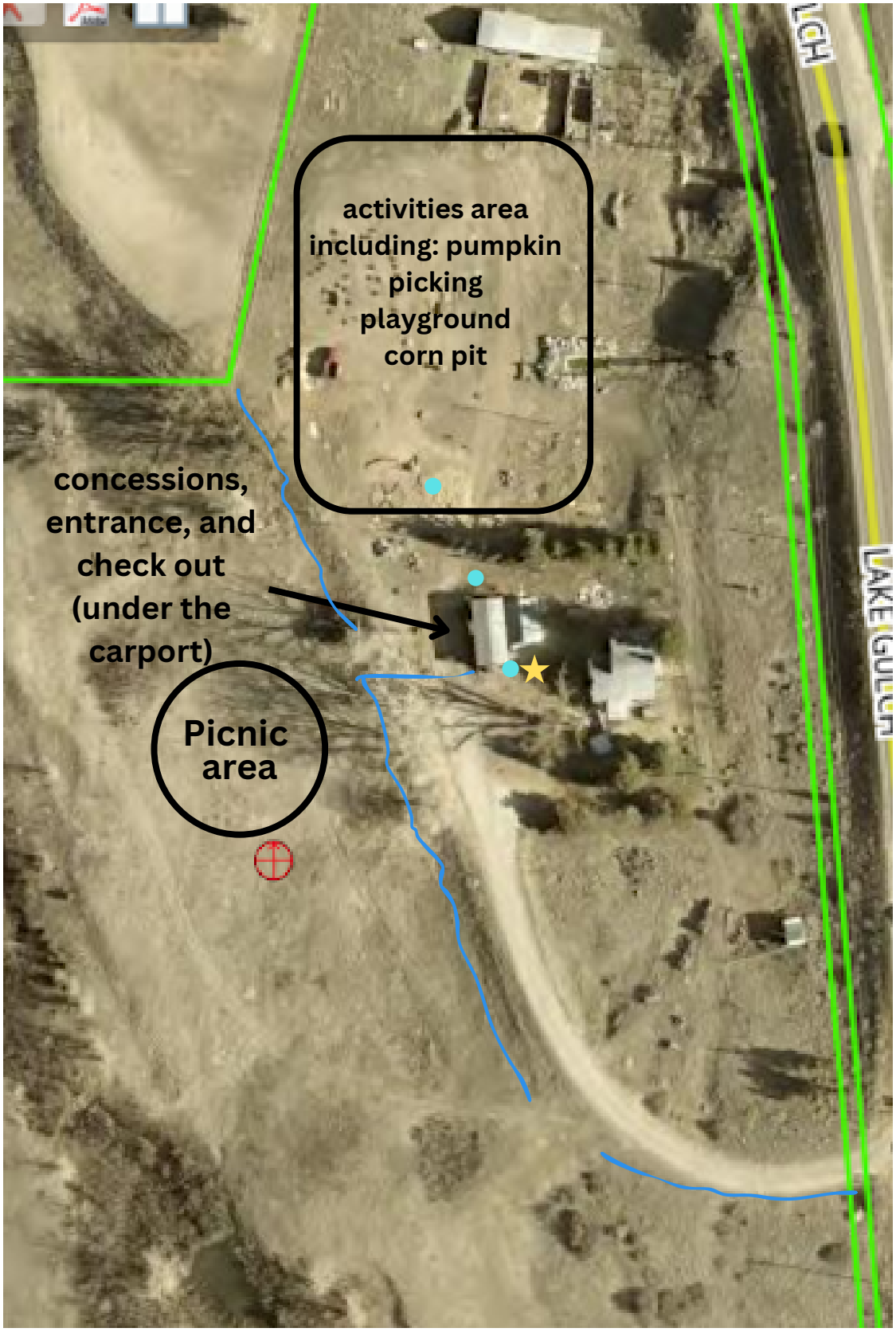
From: Brent Sheffield <brentsheffield@gmail.com>
Sent: Thursday, August 21, 2025 3:38 PM
To: Trevor Bedford <tbedford@douglas.co.us>; Rana Rasteh <rrasteh@douglas.co.us>; Christa Sheffield <christasheffield@gmail.com>
Subject: Feedback Resolution from Building Dept.

Trevor,

Rana and I have spoken and discussed the feedback from the building department. Rana shared that we are good to go without further need of resolution for the issue with the carport. Rana is happy to confirm this if needed.

Thank you both,

Brent
720-739-0087

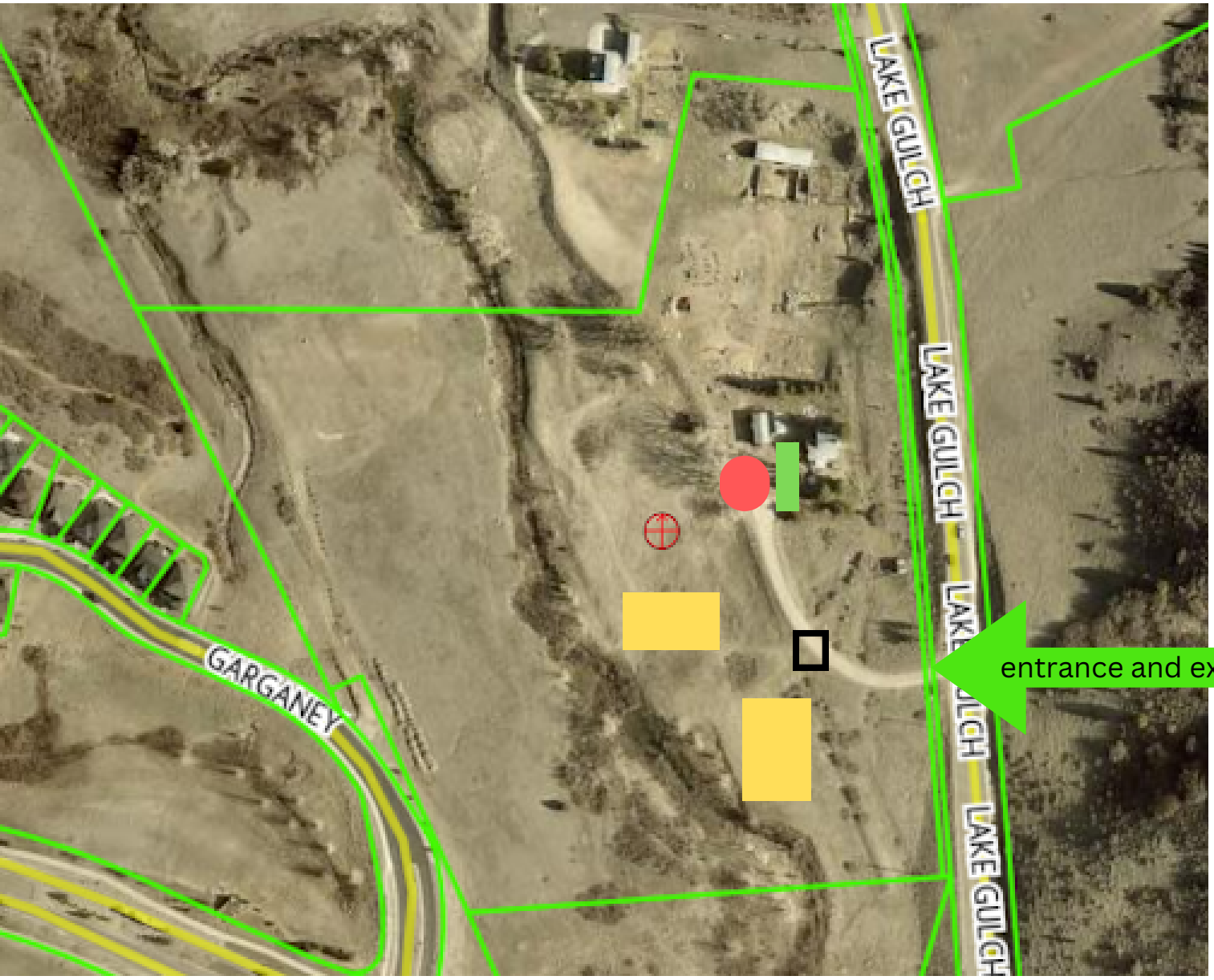


★ Portable toilets

• trash cans

Blue lines denote fencing or otherwise roped off areas

Entrance will be through the carport to the area behind it labeled activities area. This is where our pumpkins and activities will be located. Other areas will be roped off.



Parking areas - mowed field

Parking access

Handicap parking

Loading/unloading

Vehicles will enter the event via lake gulch road. They will then proceed through the parking access opening to the parking areas. Handicap vehicles and those needing to load or unload will be able to proceed to the area closest to the entrance of the pumpkin patch. Driveway is to be widened to allow traffic both entering and exiting at the same time.

MEETING DATE: September 9, 2025

STAFF PERSON RESPONSIBLE: Matt Jakubowski, AICP, Chief Planner

DESCRIPTION: 6359 Airport Road - 5-Year Colorado Scottish Festival - Major Entertainment Event - Project File: EE2025-007.

SUMMARY: The request is for approval of a 5-year Major Entertainment Event to hold the Colorado Scottish Festival at 6359 Airport Road for a weekend in late September 2025 through 2029.

STAFF ASSESSMENT: Staff has evaluated the application in accordance with Section 22B of the Douglas County Zoning Resolution. Should the Board find that the approval standards for a 5-year Major Entertainment Event are met, the following proposed conditions should be considered for inclusion in the motion:

1. A major entertainment event permit is approved for September 20 and 21, 2025 and in successive years on a Saturday and Sunday in late September 2026, 2027, 2028, and 2029, as described in the staff report and attached narrative. Proof of inspections, permits, approvals, and agreements from all applicable agencies and County Departments shall be submitted prior to the start of the event in 2025, and prior to the event in successive years through 2029.
2. If the applicant proposes significant changes to the duration or size of the event, event structures, event activities, or other aspects of the event proposal, a new entertainment event permit approval may be required at the discretion of Douglas County.
3. If the applicant proposes a substantial increase in the number of attendees beyond 2,500 persons per day for events within the five-year approval period, an updated traffic impact analysis and/or additional traffic control measures may be required prior to final event permit issuance.
4. Prior to final event permit issuance, the applicant shall provide evidence of a contract for services from the Douglas County Sheriff's Office for traffic control.
5. Prior to final event permit issuance each year, the applicant shall meet

all South Metro Fire permit requirements and shall pass all onsite inspections prior to commencement of the entertainment event.

6. Prior to final event permit issuance each year, all building and electrical permits shall be obtained by the applicant and the applicant shall pass all onsite inspections required by the Douglas County Building Division.
7. Prior to final event permit issuance each year, copies of valid retail food establishment licenses for all vendors shall be provided to the Douglas County Health Department.
8. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

REVIEW:

Terence T Quinn - FYI	Notified - FYI	8/28/2025
Steven E Koster	Approve	8/28/2025
Jeff Garcia	Approve	9/3/2025
Andrew Copland	Escalated	9/3/2025
Christie Guthrie	Approve	9/3/2025
Christie Guthrie	Approve	9/3/2025
Doug DeBord	Approve	9/4/2025
Samantha Hutchison - FYI	Notified - FYI	9/4/2025

ATTACHMENTS:

Staff Report - EE2025-007
Supplemental Info - EE2025-007

DOUGLAS COUNTY
COLORADO

Major Entertainment Event Staff Report

Date:	August 27, 2025
To:	Douglas County Board of County Commissioners
Through:	Douglas J. DeBord, County Manager
From:	Terence T. Quinn, AICP, Director of Community Development
CC:	Matt Jakubowski, AICP, Chief Planner Jeanette Bare, AICP, Planning Manager Steven E. Koster, AICP, Assistant Director of Planning Services
Subject:	**6359 Airport Road – 5-Year Colorado Scottish Festival Entertainment Event**
Project File:	**EE2025-007**

Board of County Commissioners Hearing: **September 9, 2025 @ 2:30 p.m.**

I. EXECUTIVE SUMMARY

The applicant requests approval of a multi-year Major Entertainment Event for the Colorado Scottish Festival at 6359 Airport Road for 5 years from 2025 through 2029. In 2025, the festival is proposed for September 20 and 21, with dates for successive years in late September. The event features music, cultural activities, athletic events, and food and retail vendors from 9:00 a.m. to 9:00 p.m. Saturday, and 9:00 a.m. to 5:00 p.m. Sunday. In 2023 and 2024, the applicant obtained approval for single-year events on the same property from the Board of County Commissioners. Attendance the past two years has been approximately 1,500 persons per day. The applicant anticipates similar attendance with a potential for growth to a maximum 2,500 attendees by year 5.

The approximately 170-acre site is zoned Agricultural One (A-1) with access from Airport Road. A Major Entertainment Event permit is required pursuant to Douglas County Zoning Resolution (DCZR) Section 22B for any multi-year event or any multi-day event anticipated to exceed 300 people per day. Per Section 2203B.03 of the DCZR, the Board may approve a multi-year entertainment event limited to a maximum of 5 years if no significant changes to the scope and duration of the events are planned to occur over that period, subject to periodic inspection.

II. APPLICATION INFORMATION

A. Owner

J&C Properties, LLC
John Gandomcar and Erica Gandomcar-Sachs
10415 N. Roxborough Park Road
Littleton, Colorado 80125

B. Applicant

Heather Miller
Colorado Scottish Festival
1725 Hoyt Street
Lakewood, Colorado 80215

C. Request

Approval of a 5-year Major Entertainment Event to hold the Colorado Scottish Festival at 6359 Airport Road for a weekend in late September 2025 through 2029.

D. Process

A Major Entertainment Event is processed pursuant to Section 22B, Entertainment Events, of the DCZR. Section 2201B states the intent of the process is "to provide for the orderly control of Entertainment Events."

Entertainment Events are defined in Section 36 of the DCZR as "a public presentation for which admission is made available to the general public, held on a one time or occasional basis that provides amusement for, or holds the attention of, those in attendance." Entertainment events are permitted as accessory uses in the A-1 and LRR Zone Districts; and as principally permitted uses in the Sedalia Community, Sedalia Downtown, and Sedalia Mixed Industrial Zone Districts. The regulations establish two categories of entertainment event permits, major and minor, depending on the frequency and size of the event proposed.

A major entertainment event is defined as either: 1) a one-day event, such as a concert, with a maximum daily attendance of more than 500 persons, or 2) a multi-day event, such as a festival, carnival, or revival, with a maximum daily attendance of more than 300 persons or a duration of seven (7) days or less. An annual calendar of events or recurring, multi-year events may also be considered through the major entertainment event process. Major entertainment events are subject to review and approval by the Board at a public meeting. Courtesy notices are mailed to abutting property owners to inform them of an application in process.

Per Section 2205B.05 of the DCZR, "Major Entertainment Event Permits shall be approved, approved with conditions, continued, tabled for further study, or denied by the Board of County Commissioners at a public meeting. The Board shall evaluate the Entertainment Event request, staff report, applicant responses, and public comment and testimony. The Board's action shall be based on the evidence presented, compliance with adopted County standards, regulations and policies; and other guidelines."

E. Location

The site is located approximately ½ mile south of the intersection of Louviers Boulevard and Airport Road. Vicinity, zoning, and aerial maps are attached to the staff report.

F. Project Description

The applicant is requesting a multi-year Major Entertainment Event to hold the Colorado Scottish Festival at 6359 Airport Road for 5 years beginning September 20 and 21, 2025 with successive years 2026, 2027, 2028, and 2029. The applicant anticipates approximately 1,500 attendees per day, as consistent with the 2023 and 2024 events, with a maximum of 2,500 patrons per day by year 5. If a multi-year event is approved, the applicant must still obtain all necessary permits, complete all required inspections, and provide any other applicable documents prior to issuance of an annual permit.

The property is approximately 170 acres and is accessible via a paved private road within a shared access easement connecting to Airport Road. The applicant proposes to conduct event set-up and any required inspections on Thursday and Friday prior to the event. The event is scheduled to be open to the public from 9:00 a.m. to 9:00 p.m. on Saturday and from 9:00 a.m. to 5:00 p.m. on Sunday. The event includes a main stage to be used both days for music performances, dancers, and piping and drumming competitions. The main music act is proposed on the main stage from 6:00 p.m. to 8:00 p.m. on Saturday evening. Accessory facilities include an entry gate; power generators; volunteer, VIP, and first-aid tents; goods vendors; food, beverage, and alcohol vendors; various shade tents; children's activities tent; clan tents; portable toilets; and hand washing stations. An open area to the south is proposed for general piping competitions and Scottish athletic events. Final festival breakdown is proposed on Sunday afternoon and evening as well as the Monday following the event from 8:00 a.m. to 4:00 p.m.

A 1,600-space parking area is proposed within the western portion of the property. The applicant is proposing to control event traffic into the parking area with onsite staff to direct vehicles. A separate rideshare pickup and waiting area is designated to prevent these users waiting along Airport Road. This is adjacent to the small accessible and VIP parking area.

The applicant is coordinating with the Douglas County Sheriff's Office (DCSO) regarding a plan for offsite traffic control for uniformed officers at the intersection of Airport Road and Louviers Boulevard. The extent of traffic control will be determined each year.

The applicant anticipates minimal offsite impacts due to the location of activities within the middle of the site and the fact that the proposed stage is oriented away from neighboring properties to reduce offsite noise. The main stage is 0.3 miles from the southern property line and is separated anywhere from 0.3 and 0.49 miles from residential dwellings west, south, and east of the site. The applicant anticipates noise levels at the property boundaries will be in conformance with the Douglas County Noise Overlay District.

The applicant proposes two pedestrian-scale light towers for overnight security along the footpath between the parking area and festival entrance. Additionally, the applicant has proposed LED rope lights along the footpath for pedestrian safety. Three pedestrian-scale light towers are proposed within the festival grounds.

III. CONTEXT

A. Background

The site is zoned A-1, which permits agricultural recreational activities (such as polo) as a principal use, and entertainment events as an accessory use subject to the permit process in DCZR Section 22B. Since the applicant is proposing a multi-year event and an event of greater than 300 daily attendees over two days, approval of a Major Entertainment Event per DCZR Section 2205B is required.

Entertainment events of other types have been previously approved and hosted at this site in 2017, 2018, 2019, and 2022. The Board approved single-year permits for the Colorado Scottish Festival on the property in 2023 and 2024. The same event activities and hours of operation approved in 2023 and 2024 are proposed as part of the 5-year event request. The applicant assumes there could be some growth in attendance in the next 5 years, and is anticipating up to 2,500 patrons per day by the fifth year.

Per Section 2203B.03 of the DCZR, the Board may approve a multi-year entertainment event limited to a maximum of 5 years if no significant changes to the scope and duration of the events are planned to occur over that period, subject to periodic inspection.

B. Adjacent Land Uses and Zoning

The site is generally surrounded on all sides by large lot single-family residences and agricultural and ranching functions.

Zoning and Land Use

Direction	Zoning	Land Use
North	Agricultural-One (A-1); Rural Residential (RR)	Large-lot single-family residences; Agricultural uses
South	Agricultural-One (A-1)	Large-lot single-family residences; Agricultural uses
East	Agricultural-One (A-1)	Large-lot single-family residences; Agricultural uses
West	Agricultural-One (A-1)	Large-lot single-family residences; Agricultural uses

IV. PHYSICAL SITE CHARACTERISTICS

A. Site Characteristics and Constraints

No physical conditions exist on the property to constrain its use for the proposed multi-year entertainment event.

B. Access

Access to the onsite parking area is proposed from a paved private road over a shared access easement that begins at Airport Road. Various access easements are in place for the properties sharing this private road. An access easement was provided to the property's owner (J&C Properties, LLC) from the property owner to the north (Merrell) in 2016 which allows the private road to be used by the general public to access the J & C property for various purposes, including events.

C. Traffic

Public Works Engineering reviewed the entertainment event proposal. Engineering does not require a new traffic study for the proposal since traffic studies submitted for previous larger events on the property are adequate for an analysis of traffic.

The applicant is developing a plan with DCSO for uniformed traffic control at Airport Road and Louviers Boulevard during peak hours of the festival to reduce community impacts. The extent of traffic control provided will be determined each year based on analysis of the previous year.

Although many attendees are anticipated to access the site from Highway 85, the Colorado State Patrol does not require a special event permit for the festival and will defer to DCSO for traffic control.

D. Drainage and Erosion

No Grading Erosion and Sediment Control (GESC) plan and report or drainage plan is required for the proposal.

V. PROVISION OF SERVICES

A. Fire Protection

South Metro Fire and Rescue (South Metro) provides fire and emergency services to the site. South Metro has reviewed the proposal. The applicant is coordinating with South Metro to assure the requirements for approval of a special event permit are met. The applicant will be required to comply with all South Metro requirements at inspection prior to issuance of the final event permit each year by Douglas County staff.

B. Sheriff Services

DCSO will provide police protection to the site. However, the applicant will provide private security within the festival. As mentioned, the applicant is coordinating with DCSO regarding traffic control at Airport and Louviers Boulevard.

C. Water and Sanitation

The applicant proposes to provide portable toilets for and water stations for attendees.

D. Utilities

The proposal does not impact existing utilities.

E. Other Required Processes and Permits

In conjunction with approval of the Major Entertainment Event permit, the applicant will be required to show proof that the following approvals are obtained prior to issuance of a final Douglas County Entertainment Event Permit. These permits are required prior to each year of the festival.

- Douglas County Building electrical permits
- Proof of active State retail food vendor license required for onsite concessions
- South Metro Fire inspection of event tents and structures
- Douglas County Liquor License
- Uniformed traffic control to be provided by DCSO

VI. PUBLIC NOTICE AND INPUT

Courtesy notices of an application in process were sent to adjacent property owners during the referral period of July 31, 2025, through August 14, 2025. Referral response requests were sent to nearby homeowners associations (HOA), including the Chatfield Community Association, Cherokee Ridge Estates HOA, the Louviers Conservation Partnership (LCP), the Plum Valley Heights HOA, and the Ranch at Coyote Ridge HOA. LCP expressed concerns regarding traffic impacts experienced in the Louviers community. This occurs primarily at Highway 85 and Airport Road and at the intersection of Airport Road and Louviers Boulevard. LCP also indicated that some drivers will cut through Louviers from the north to avoid backups on Highway 85 and Airport Road causing safety concerns. Due to anticipated future development coming to the area with unknown impacts to traffic, LCP requests that the event be approved for one year rather than five years.

In addition, pursuant to DCZR Section 2205B.04, the applicant provided mailed written notice of the Board of County Commissioners public meeting to abutting property owners on August 22, 2025. No public comments were received at the preparation of the staff report. Any additional public comments received will be provided prior to the hearing.

All referral agency comments are outlined in the Referral Agency Response Report attached to the staff report. The applicant has provided responses to referral comments within a letter included in the staff report appendix.

VII. STAFF ANALYSIS

Per Section 2202B of the DCZR, a Major Entertainment Event may be approved upon the finding by the Board of County Commissioners that the following standards have been met:

2202B.01: The proposed use is compatible with the intent of the zone district in which the event is proposed.
Staff Comment: The site is located within the Agricultural-One (A-1) Zone District, which permits Major Entertainment Events as an accessory use subject to Section 22B. The event proposes to utilize existing open areas for stage areas, food and drink areas, and other festival activities. A parking area has been designated on the property directly accessible from a legal easement.

2202B.02: The proposed use will not have a substantial adverse affect on adjacent uses, buildings, structures, or the natural environment.
Staff Comment: The event is proposed within existing polo fields on the property, which are currently watered, mowed, and maintained. With the exception of the parking area, event activities are located within the middle of the site approximately 1,000 feet east of the shared easement, and approximately 800 feet west of the eastern property line. The subject property is also surrounded by similar large lot A-1 properties which creates further separation between neighboring properties. Courtesy notice correspondence was mailed to all abutting landowners, as well as those who use the easement for access. At the writing of the report, no written comments were received from abutting property owners.

Proposed event parking is to occur within a grass field west of the polo fields. No GESC permit or drainage report will be required. The parking lot will be managed by onsite staff. Offsite traffic will be managed by DCSO as may be required.

2202B.03: The proposed use will not have a substantial adverse effect on public services or facilities.
Staff Comment: The applicant is coordinating with DCSO regarding traffic control. The applicant will have private security throughout the festival area, including along the perimeter, throughout the parking area, and at entrances and exits. Portable toilets are proposed, and food and drink will be provided by onsite vendors.

2202B.04: The nature of the proposed use will not be detrimental to the health, safety, or welfare of the community.
Staff Comment: The application was sent to referral agencies including the DCSO, Douglas County Health Department, South Metro Fire, the Colorado State Patrol, Douglas County

Building, and Douglas County Engineering to ensure that the applicant has addressed potential health and safety issues associated with the event. The applicant is coordinating a plan with DCSO for traffic control to reduce community impacts. Necessary permits, approvals, and inspections will be obtained prior to event commencement.

2202B.05: The proposed use complies with the general requirements listed in Section 2203B, herein.
Staff Comment: The event is proposed on a conforming A-1 property. Access is proposed via a shared private road. The applicant will staff the parking lot to monitor vehicle parking for the event. The applicant will provide portable toilets and trash containers at the event.

2202B.06: The site is suitable for the proposed use, considering flood hazard, drainage, and topography.
Staff Comment: Public Works Engineering has reviewed the proposal. The proposed event area is not within a 100-year floodplain. No GESC or drainage reports are anticipated to be required.

VIII. STAFF ASSESSMENT

Staff has evaluated the application in accordance with Section 22B of the DCZR. Event activities are configured on the site to minimize impacts on neighboring properties. The applicant is coordinating a plan for uniformed traffic control with DCSO to mitigate traffic impacts. Approvals from other agencies will be forthcoming in the final days prior to the event along with final inspections and walk-throughs.

Should the Board find that the approval standards for a 5-year Major Entertainment Event are met, the following proposed conditions should be considered for inclusion in the motion:

1. A major entertainment event permit is approved for September 20 and 21, 2025 and in successive years on a Saturday and Sunday in late September 2026, 2027, 2028, and 2029, as described in the staff report and attached narrative. Proof of inspections, permits, approvals, and agreements from all applicable agencies and County Departments shall be submitted prior to the start the event in 2025, and prior to the event in successive years through 2029.

2. If the applicant proposes significant changes to the duration or size of the event, event structures, event activities, or other aspects of the event proposal, a new entertainment event permit approval may be required at the discretion of Douglas County.

3. If the applicant proposes a substantial increase in the number of attendees beyond 2,500 persons per day for events within the five-year approval period, an updated

traffic impact analysis and/or additional traffic control measures may be required prior to final event permit issuance.

4. Prior to final event permit issuance, the applicant shall provide evidence of a contract for services from the DCSO for traffic control.

5. Prior to final event permit issuance each year, the applicant shall meet all South Metro Fire permit requirements and shall pass all onsite inspections prior to commencement of the entertainment event.

6. Prior to final event permit issuance each year, all building and electrical permits shall be obtained by the applicant and the applicant shall pass all onsite inspections required by the Douglas County Building Division.

7. Prior to final event permit issuance each year, copies of valid retail food establishment licenses for all vendors shall be provided to the Douglas County Health Department.

8. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

ATTACHMENTS **PAGE**

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DOUGLAS COUNTY
COLORADO

Department of Community Development

www.douglas.co.us

LAND USE APPLICATION

Please complete, sign, and date this application. Return it with the required items listed on the Submittal Checklist to planningsubmittals@douglas.co.us. Submittals may also be mailed or submitted in person to Planning Services. NOTE: The Planning Commission or the Board of County Commissioners should not be contacted regarding an open application.

OFFICE USE ONLY
PROJECT TITLE:
PROJECT NUMBER:

PROJECT TYPE: Major Entertainment Event

MARKETING NAME: Colorado Highland Games

PRESUBMITTAL REVIEW PROJECT NUMBER: PS2025-074

PROJECT SITE:

Address: 6359 Airport Rd, Sedalia, CO 80135

State Parcel Number(s): 2353-102-00-002

Subdivision/Block#/Lot# *(if platted)*: Metes and Bounds Filing #0000051

PROPERTY OWNER(S):

Name(s): John Gandomcar and Erica Gandomcar-Sachs

Address: 10415 Roxborough Park Rd, Littleton, CO 80125

Phone: 303-791-7656

Email: erica@denverpoloclub.com

AUTHORIZED REPRESENTATIVE: *(Notarized Letter of Authorization is required from the property owner, unless the owner is acting as the representative)*

Name(s): Heather Miller

Address: 1725 Hoyt St, Lakewood, CO 80215-2969

Phone: 303-941-5081

Email: heather.miller@coloradoscots.com

To the best of my knowledge, the information contained on this application is true and correct. I have received the County's information sheet regarding the Preble's Meadow Jumping Mouse.

H Miller — 07/11/2025

Applicant Signature — Date

Supplemental Executive Summary Requesting 5-Year Land Use Approval

Colorado Highland Games

Produced By: St. Andrew Society of Colorado (SASC)
Event Location: Denver Polo Club, 6359 Airport Rd, Sedalia, CO 80135

The St. Andrew Society of Colorado respectfully requests Land Use approval for a multi-year Entertainment Event Permit for the Colorado Highland Games, to be held annually for a period of five (5) years, beginning in 2025 and continuing through 2029. We anticipate hosting the event on the weekend two weeks after the Estes Park Longs Peak Scottish/Irish Festival, which typically places our event on the 4th weekend in September, with the exception of 2025.

Planned dates for each year are:

- 2025: September 20–21 (3rd weekend)
- 2026: September 26–27 (4th weekend)
- 2027: September 25–26 (4th weekend)
- 2028: September 23–24 (4th weekend)
- 2029: September 22–23 (4th weekend) — may shift to September 29–30 (5th weekend), depending on coordination needs

We ask that this multi-year approval be based on the detailed Operations Plan already submitted, which outlines our schedule, public safety measures, traffic and parking plans, sanitation, communications, and event footprint. The event will remain a two-day cultural festival with setup and teardown on adjacent days.

Public Safety, Security, and Traffic Control

- Security provided by National Security for both daytime and overnight coverage.
- Longmont Emergency Unit will supply two EMTs on site throughout the event.
- Trained Crowd Managers (1 per 250 attendees) will assist with safety and emergency evacuation.
- We have coordinated traffic control with the Douglas County Sheriff's Office in 2023 and 2024 and will continue this partnership, including a posted officer at Airport Rd during peak hours.
- We are willing to work with County Engineering to provide attendance-based traffic estimates in lieu of a formal traffic study.

Estimated Attendance & Parking

We anticipate modest year-over-year growth in attendance:

- 2025: 2,000–3,000 total attendees
- 2029: up to 5,000 total attendees over the weekend

On-site parking is ample and well-marked with efficient routing by trained volunteers. Overflow procedures are in place to ensure access for area residents and polo participants.

Lighting, Sound, and Event Layout

- Lighting setup remains consistent with past years (tower lights, parking lights, and LED rope lighting).
- Main stage is a 16'x24'x3' platform with modest PA system and enhanced sound/lighting for Saturday evening's concert.
- We anticipate continuing to host a Saturday evening concert as part of the cultural programming. While current closing time is 8:00pm, we may request to extend the event to 9:00pm in future years based on community response and logistical feasibility, always staying within Douglas County's noise ordinance limits.
- Event footprint, vendor areas, and activity locations are detailed in submitted maps and are not anticipated to change materially.

Flexibility and Minor Program Changes

We anticipate making minor program changes year to year while keeping within the approved footprint and hours. These may include rotating attractions like dog agility, rugby, or a kilted race beginning in 2026. Saturday evening hours may extend by 1 hour to 9:00pm which would remain in the time frame of noise ordinances.

We acknowledge that any substantial change (e.g., expanding to multiple weekends, extending hours significantly, or major increases in attendance beyond expectations) would require County review and possibly Board reconsideration.

Authorization & Supporting Documents

A revised Letter of Authorization from the Denver Polo Club acknowledging this 5-year request is being secured. This executive summary supplements the submitted 2025 Operations Plan, which forms the basis for planning each year of the proposed multi-year approval.

We appreciate your continued partnership and consideration.

Submitted by:
Heather Miller, Games Marshal
St. Andrew Society of Colorado
info@scottishgames.org | www.scottishgames.org

2025 Colorado Highland Games

By the St. Andrew Society of Colorado

September 20th & 21st 2025
Denver Polo Club
6359 Airport Rd, Sedalia, CO 80135

Heather Miller – Games Marshal
Catherine Crisler – Logistics Manager
Kim McDonald – Security Manager
Garion Evans – Games Treasurer
Jonathan Wilson – President of SASC
Gillian Faith – Vice President of SASC

Event Schedule

- Setup – Thursday September 18th (10:00am to 5:00pm)
    - Golf carts delivered (6)
    - 5-7 people marking the field
    - Mapping out placement of each tent to ensure safe distances between tent rows and an organized event
- Load In – Friday September 19th (8:00am to 6:00pm)
    - Arrival of rented tents, port-o-lets, trash roll-off, vendors, participants, and competitors
- Festival Hours
    - Saturday September 20th (7:00am to 9:00pm)
        - 7:00am, Gates open to competitors and participants
        - 9:00am, Gates open to the public
        - 9:00pm, Gates close to the public
    - Sunday September 21st (7:00am to 5:00pm)
        - 7:00am, Gates open to competitors and participants
        - 9:00am, Gates open to the public
        - 5:00pm, Gates close to the public
- Clean Up / Load Out
    - Sunday September 21st (4:30pm to 7:30pm)
        - 4:30pm, Participants begin clean-up and load-out
        - 7:30pm, Participants pack up and are off the field
    - Monday September 22nd (8am to 4pm)
        - All tents, port-o-potties, lights, golf carts, trash roll away and beer truck are picked up.

Emergency Medical Services

The Colorado Highland Games is anticipating a contract with **Longmont Emergency Unit** (link to contract) to have 2 EMT's onsite for the duration of the event.

- If transportation to the hospital or emergency room is required, 911 will be called.
- EMT team will be issued a Festival radio to help us stay in contact in case of an issue.

Onsite Security

We are anticipating a contract with **National Security** (Link to Security file with contract and outline of request) both day and overnight security (2 officers during open hours, 1 officer overnight).

- Security officers will have access to a golf cart for ease in getting around the field and a Festival-issued radio for communication with our staff. **National Security will be bringing their own ATV.**

Public Safety Plan

We will have a minimum of **6 trained Crowd Managers** (ratio of 1 crowd manager for every 250 patrons) to assist patrons, vehicles and emergency personnel into and out of the event.

- Each Crowd Manager will have a radio, a high visibility vest and an Air Horn to use in case of an emergency situation.
    - Crowd Managers will also be in contact with the Games Marshal and Security Manager for updates on weather and any other situations where their action is needed.
    - In the event of an emergency evacuation situation, the Crowd Managers will report to their pre-assigned zone (sections of the field to ensure we have proper coverage and communication) to assist in the quick, orderly evacuation of the field.
    - The EMS and onsite security teams will also be aware of the emergency plan and be required to assist so long as they are not otherwise dealing with a situation that requires their expertise.
- **Exit/Entrance signs:** posted to help direct auto and foot traffic
    - A minimum of 3 six foot wide exit points are marked on the map. One will be the main gate and others will be closed and only opened by staff for emergency (Note: the barriers for the Games are flag rope and all can be dropped quickly if needed allowing for even more mobility.
- **Weather:** The Games Marshal and Security Manager will pay close attention to the weather with the assistance of the Crowd Managers.
    - In the event of dangerous weather conditions such as lightning or severe thunderstorm warning, guests and participants will be directed back to their vehicles to wait out the storm. If conditions warrant, the festival will be canceled and guests sent home.
- **Public Announcements:** Announcements about emergency situations and/or a weather evacuation will be made across the festival's walkie-talkie system and stage/competition PA systems and posts to our social media accounts.

- All music, competition and other activities will stop while the weather advisory is active.

Sanitation & Water

We have a contract with **United Site Services** for

- 16 Deluxe restrooms with hand sanitizer,
- 7 ADA restrooms with hand sanitizer and
- 10 foot-pump, double sinks. Link to contract
  - Units are divided into 3 locations across the field and 1 restroom by the parking as marked on the included map at the end of this document.
  - All units will be refreshed Sunday morning.
  - Multiple trash receptacles around the festival field will be monitored and emptied throughout the day and contents taken to our onsite 20yd dumpster.
  - The Denver Polo Club does not allow access to the non-potable water source.
  - Potable water is not available onsite. Vendors will be selling water and guests are allowed to bring their own unopened water bottles.

Communication

We use walkie-talkies for all the committee and key volunteers, security and EMT.

- The main stage has a PA system that can be used to announce across much of the field.
- The Pipe Band and Athletic Field areas also have small PA systems and festival radios.

Stage, Rented Tents, Sound & Lights

We are contracting through **FLEXX Productions** for the large tents marked in orange on the map.

- A total of 10 tents:
  - 1- 15x30 with partial sides (Main Gate),
  - 1- 10x20 with sides (Haggis),
  - 2- 20x20 with open sides (SASC & Children's area),
  - 3- 20x40 with partial sides (Small Music/Shade, Whisky, VIP),
  - 1- 40X30 ClearSpan tent with raised stage (Main Stage),
  - 1- 40X60 ClearSpan tent with raised stage (Highland Dance competition)
    - Walls on just the back side to give a backdrop.
- Main Stage is 16x24x3, with 3 steps. Stage is built with 4x4’ sections.
  - Sound on the main stage for most of the event is 2 speakers and a modest PA system that will run the microphone and music for the dance competition.
  - For the Saturday evening concert event (pipeband, Highland dancers, concert performers): larger sound system with larger speakers and stage lights.
  - The stage and speakers are on the west side of the polo field and will be facing to the east.
- There will be 2 tower lights on the field and one in the parking area for security.
- The path from the field to the parking lot will be lit with LED rope lights.
- The Saturday event ends by 8:00pm, sunset is just after 8pm.

- The field closes at 9:00pm.
- Typically, anyone left on the field after 8:30 is Games staff and event participants packing up their equipment.

Vendors

We currently have 4 food vendors and 17 goods/activity vendors. Registrations are still incoming so we expect this to increase somewhat. The food vendors are licensed with Douglas County Health. Vendor registration closes on August 22 , 2025. We will have submitted our final permit information to Douglas County Health immediately after the cutoff.

Special Attractions

We have a couple new additions to this year's event that don't fall under "Vendor or Competition" .

- **Highland Coos** - 2-3 Highland cows on display from A&J Ranch in Parker CO
- **Cooking Demonstrations** - Chef Eric McBride, the Celtic Caterer will be joining us to do demonstrations Saturday and Sunday. His set up includes 2-18x20 tents (one for the demonstrations, the other for merchandise) , a stainless steel kitchen table as the demonstration surface, a 3-bin washing station with a gravity-fed hand washer and an electric urn that is used to heat the water to 110 degrees. The cooking source is a butane portable stove with an automatic shut off.
- **Rugby** - We may have a rugby exhibition on one day of the festival. The exact date and details are still to be determined.

Access & Attendance

Expected daily attendance is 1,000-1,500. We're hoping total guest attendance over the weekend is to be between 2,000 to 3,000 people.

- Our 5-year attendance estimate at 10% growth per year is 3,000 to 5,000 people.
- Staff, participants, and volunteers will be about 300.
- This is a ticketed event.
- Off limits areas will be marked with barriers and "do not cross" signs.
- Wrist bands are issued to all guests.
- Dogs: Only pre-registered dogs that classify as a **Dogs of the British Isles** breed are allowed.

Parking/Traffic

There is ample parking for our event. Cars will be led roughly 850' into the property before the first attendant will direct them to where they can park or drop off guests. (Map included at the end of this document). The event opens at 7:00am to participants and 9:00am to the public. Events happen throughout the day. The map includes the entrance, traffic route and projected parking space.

Rideshare service drop off and pick-up area is included and is close to the Festival Main Gate. It will be marked with signs and parking attendants will be able to direct efficient movement.

We are required by Douglas County to post a DoCo officer at the corner of Airport Road during peak hours to ensure traffic flow is not disrupted.

Traffic plan for area residents and polo participants.

To ensure that local residents don't have to wait in line to get past the DPC entrance if traffic overflows onto Airport Rd, one traffic control personnel will be placed at the beginning of the backup with a radio. They will radio up to another traffic control personnel at the entrance to stop any northbound traffic and allow the resident or polo participant to bypass the backup.

Field Guide

We print a field guide with emergency numbers, emergency procedures, warning signs for dehydration, maps, schedule, etc. that is handed out to all volunteers. (I've included a preliminary draft of our Field Guide as an example). We update the guide every year in order to have the most current information. The 2025 guide can be provided when it's completed.

Alcohol Security Plan

- Separate, dedicated focused volunteers for checking ID's
- 21 and over will receive a non-transferable wristband placed by a trained volunteer
- Rope barrier marking the perimeter of the Festival grounds
- No outside alcohol allowed into the Festival
- Signs "No Alcohol Beyond this Point" posted at the exit
- Gate volunteers to watch the exit
- Beer tent workers are experienced and trained

Public Notice

Liquor License Public Notification

- We completed the 10-day posting of the public notification and have received our Liquor License. The license will be posted at headquarters and each event tent serving beer or spirits.

Social Media:

- Colorado Highland Games Website – www.scottishgames.org
- Facebook - https://www.facebook.com/scottishgames
- Instagram - https://www.instagram.com/coloradohighlandgames/
- Threads - https://www.threads.com/@coloradohighlandgames
- Youtube - https://www.youtube.com/@ColoradoScots

Local Print & Online Marketing: A copy of our press release is included as an attachment. Link to press releases

Our advertising reach includes, but is not limited to:

- Colorado Community Media:
- Denver Metro Newsroom *(Washington Park Profile/Life on Capitol Hill)*
- South Metro Newsroom *(Centennial Citizen, Elbert County News, Englewood Herald, Highlands Ranch Herald, Littleton Independent, Lone Tree Voice, Parker Chronicle, Douglas County News-Press)*

- Arts and Entertainment - Historic Douglas County - Larkspur News - Larkspur Sentinel - Council of Scottish Clans & Associations - Celtic Connection: Pat McCullough - Celtic Connection: Rodger Hara - Ren Scots (x3) - Cheryl Ward: promoter of Celtic events - Uncover Colorado* - Sedalia Democrat - Castle Rock CO (Sedalia News) - The Sentinel - The Gazette (x2, events & features) - Glendale Cherry Creek Chronicle - Colorado Vacation Directory - BandWagon Magazine (publisher)	- BandWagon Magazine (editorial) - Visit Denver - Urban Life Wash Park - Reader Writer Services - Denver Post Entertainment - Denver Post Features - Denver Post World Music Writer - Denver Post Entertainment Calendar - Denver Post Newsroom - Denver Gazette Events - Denver Gazette News Desk - Denver Gazette Arts and Entertainment - Westword Culture - Westword Music - Listen Here Denver - Denver Thread

Digital Marketing

- Meta advertising campaign
- Spotify Advertising campaign

Event Activity Schedule

Saturday, September 20, 2025

7:00am	Gates open to competitors and participants
8:00am	Highland Dance Registration
9:00am	Games Open to Public Amateur Scottish Heavy Athletics, Bairns' (Children's) Activities (until 4:00) Renaissance Scots, Living History Clans, Vendors, Tartan Information Highland Coo Exhibit Celtic Caterer Demonstrations
9:00am	Celtic Musical Entertainment and Dancers
9:00am	Thistle Club Open (Ticket holders only)
9:00am	Highland Dance Competition
10:00am	Solo Piping and Drumming Competitions
10:00am	Parade of British Dogs
12:00pm	Midday Ceremonies, Parade of Clans, Massed Bands
1:00pm	Highland Dance Competition
1:00pm	Whisky Tasting Seminar (ticket required)
1:00pm	Thistle Club Special Event (Thistle Club ticket holders only)
2:00pm	Bonnie Knees Contest (Real Men have Bonnie Knees)
2:00pm	Pipe Band Competition
2:30pm	Whisky Tasting Seminar (ticket required)
4:00pm	Whisky Tasting Seminar (ticket required)
5:00pm	Main Stage: Rocky Mountain Highland Dancers, Queen City Pipe Band
6:00pm	Celtic Rock Concert: Wicked Tinkers and Swagger
7:30pm	Last Call for Beer and Food
8:00pm	Close Festival for the Evening

Sunday, September 21, 2025

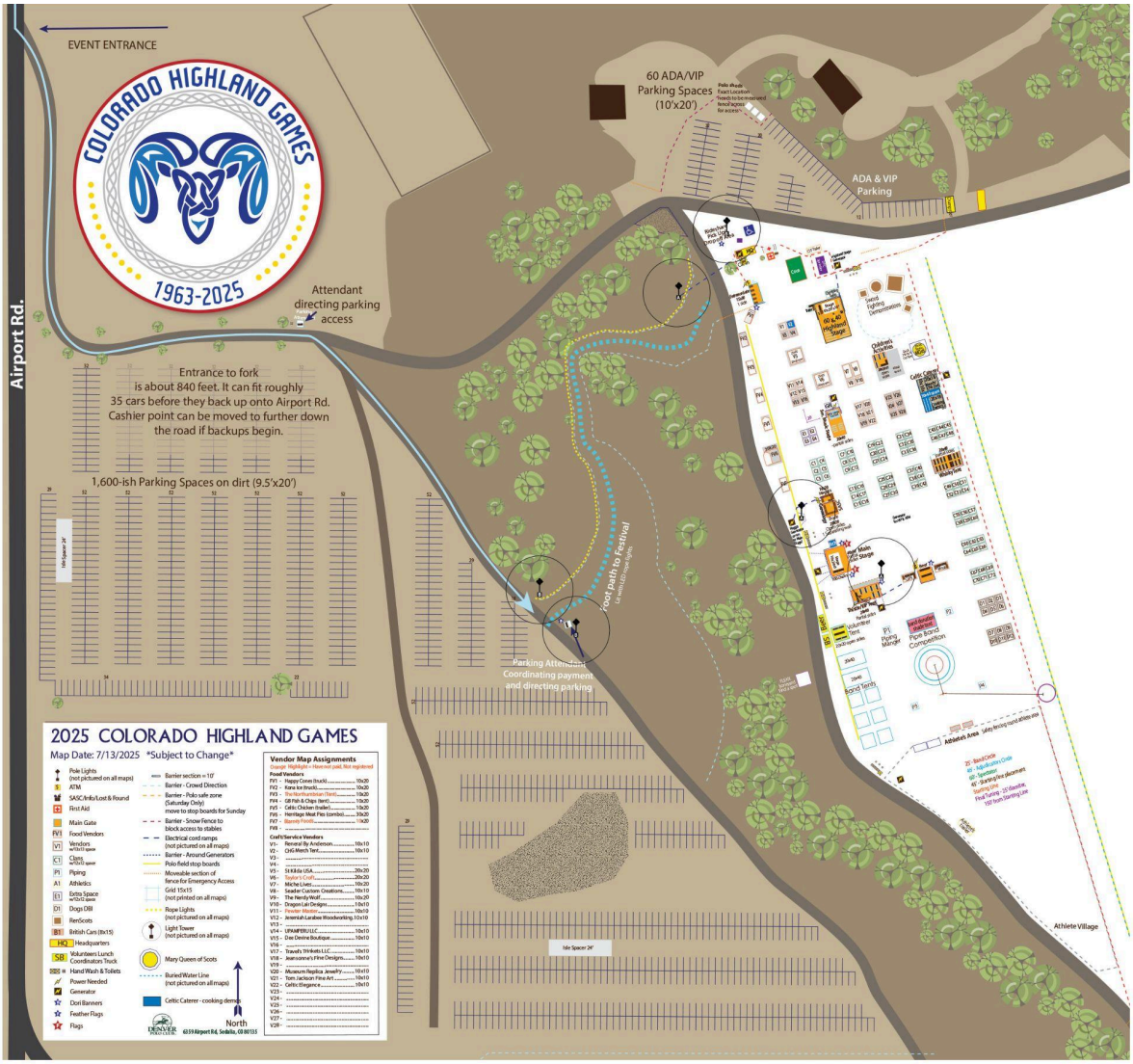
7:00am	Gates open to competitors and participants
8:00am	British Cars Begin Parking (East side of Festival Field)
9:00am	Games Open to Public Amateur Scottish Heavy Athletics, Bairns' (Children's) Activities (until 4:00) Renaissance Scots, Living History Clans, Vendors, Tartan Information Highland Coo Exhibit Celtic Caterer Demonstrations
9:00am	Celtic Musical Entertainment and Dancers
9:00am	Thistle Club Open (Ticket holders only)
9:00am	British Car Show
9:30am	Kirkin' o' the Tartan
8:00am	Solo Piping and Drumming Competitions
10:00am	Parade of British Dogs (including Blessing of the Animals)
10:15am	British Cars: Chieftain's Choice Awards
12:00pm	Midday Ceremonies, Parade of Clans, Massed Bands
1:00pm	Whisky Tasting Seminar (ticket required)
2:00pm	Pipe Band Competition
2:30pm	Whisky Tasting Seminar (ticket required)
	Main Stage Events/Performances
4:00pm	Closing Ceremonies and Awards Admission Tickets and Food Sales End Last Call for Beer and Food Last Post
5:00pm	Games End for 2025

5-Year Planning

For our 5-year planning, we expect events and schedules to be similar to this with all activities to be held on the DPC grounds. For instance, we are in discussions about holding a kilted running race starting in 2026. Other years, we have had dog agility, sheep-herding, and rugby matches, so it's possible that, in coming years, we will endeavor to hold these types of events again.

Map of the event location and adjacent parcels

Full Map of the festival including structures, parking, traffic path, ride share, on site emergency road access.



Detail of the Festival Grounds

Including structures, port-o-potty placement, field lights, boundaries and more.

Map Legend Detail

2025 COLORADO HIGHLAND GAMES

Map Date: 7/13/2025 *Subject to Change*

- Pole Lights (not pictured on all maps)
- $ ATM
- SASC/Info/Lost & Found
- First Aid
- Main Gate
- FV1 Food Vendors
- V1 Vendors w/13x13 space
- C1 Clans w/12x12 space
- P1 Piping
- A1 Athletics
- E1 Extra Space w/12x12 space
- D1 Dogs DBI
- RenScots
- B1 British Cars (8x15)
- HQ Headquarters
- SB Volunteers Lunch Coordinators Truck
- Hand Wash & Toilets
- Power Needed
- Generator
- Dori Banners
- Feather Flags
- Flags

- Barrier section = 10'
- Barrier - Crowd Direction
- Barrier - Polo safe zone (Saturday Only) move to stop boards for Sunday
- Barrier - Snow Fence to block access to stables
- Electrical cord ramps (not pictured on all maps)
- Barrier - Around Generators
- Polo field stop boards
- Moveable section of fence for Emergency Access
- Grid 15x15 (not printed on all maps)
- Rope Lights (not pictured on all maps)
- Light Tower (not pictured on all maps)
- Mary Queen of Scots
- Buried Water Line (not pictured on all maps)
- Celtic Caterer - cooking demos

DENVER POLO CLUB 6359 Airport Rd, Sedalia, CO 80135

Vendor Map Assignments

Orange Highlight = Have not paid, Not registered

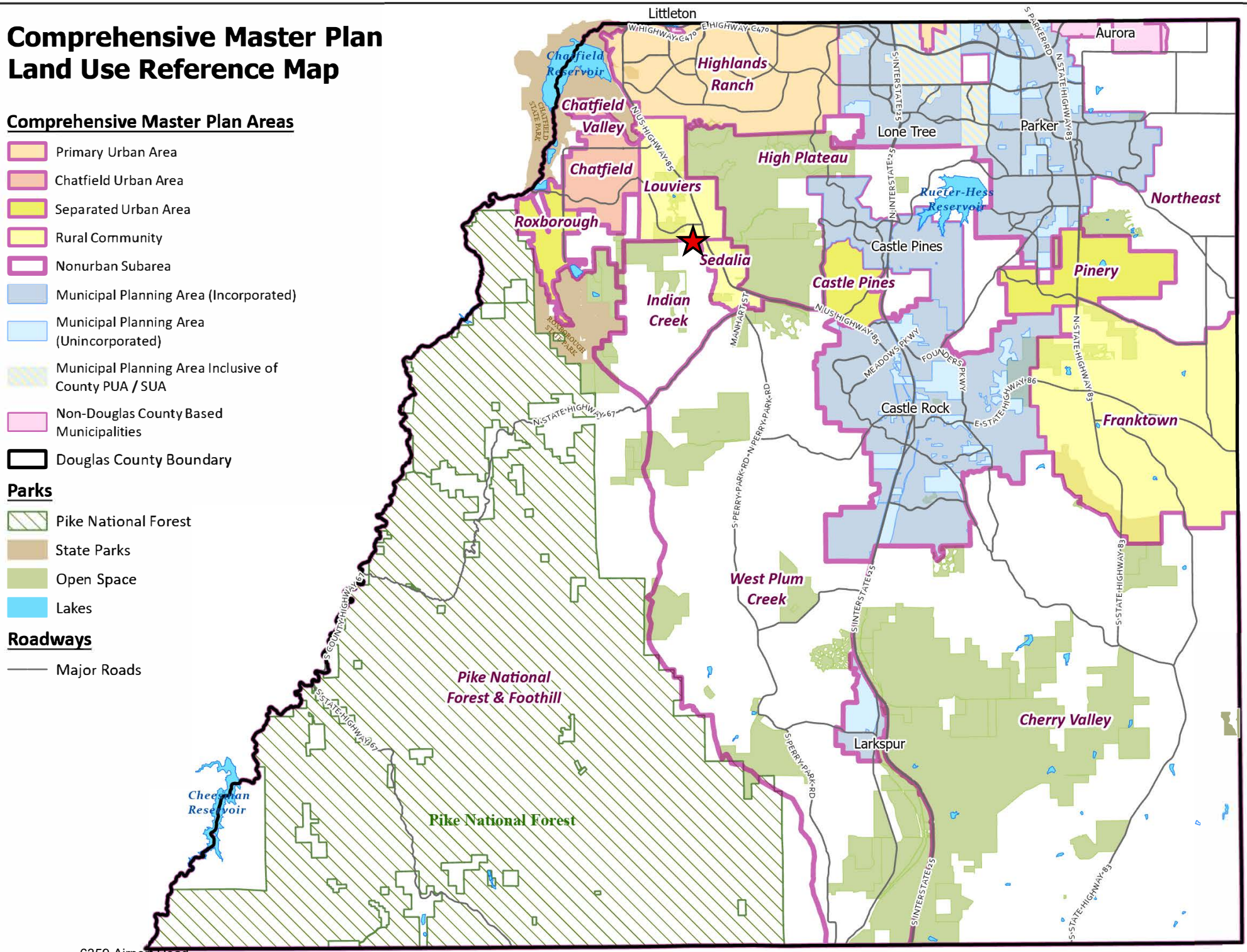
Food Vendors

FV1 -	Happy Cones (truck)	10x20
FV2 -	Kona Ice (truck)	10x20
FV3 -	The Northumbrian (Tent)	10x20
FV4 -	GB Fish & Chips (tent)	10x20
FV5 -	Celtic Chicken (trailer)	10x20
FV6 -	Herritage Meat Pies (combo)	30x20
FV7 -	Blarney Foods	10x20
FV8 -		

Craft/Service Vendors

V1-	Reneral By Anderson	10x10
V2 -	CHG Merch Tent	10x10
V3 -		
V4 -		
V5 -	St Kilda USA	20x20
V6 -	Taylor's Croft	20x20
V7 -	Miche Lives	10x20
V8 -	Seader Custom Creations	10x10
V9 -	The Nerdy Wolf	10x20
V10 -	Dragon Lair Designs	10x10
V11 -	Pewter Master	10x10
V12 -	Jeremiah Larabee Woodworking.	10x10
V13 -		
V14 -	UPAMPERU LLC	10x10
V15 -	Dee Devine Boutique	10x10
V16 -		
V17 -	Travel's Trinkets LLC	10x10
V18 -	Jeansonne's Fine Designs	10x10
V19 -		
V20 -	Museum Replica Jewelry	10x10
V21 -	Tom Jackson Fine Art	10x10
V22 -	Celtic Elegance	10x10
V23 -		
V24 -		
V25 -		
V26 -		
V27 -		
V28 -		

Comprehensive Master Plan Land Use Reference Map



Comprehensive Master Plan Areas

- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads

6359 Airport Rd.
5-yr. Major Entertainment Event

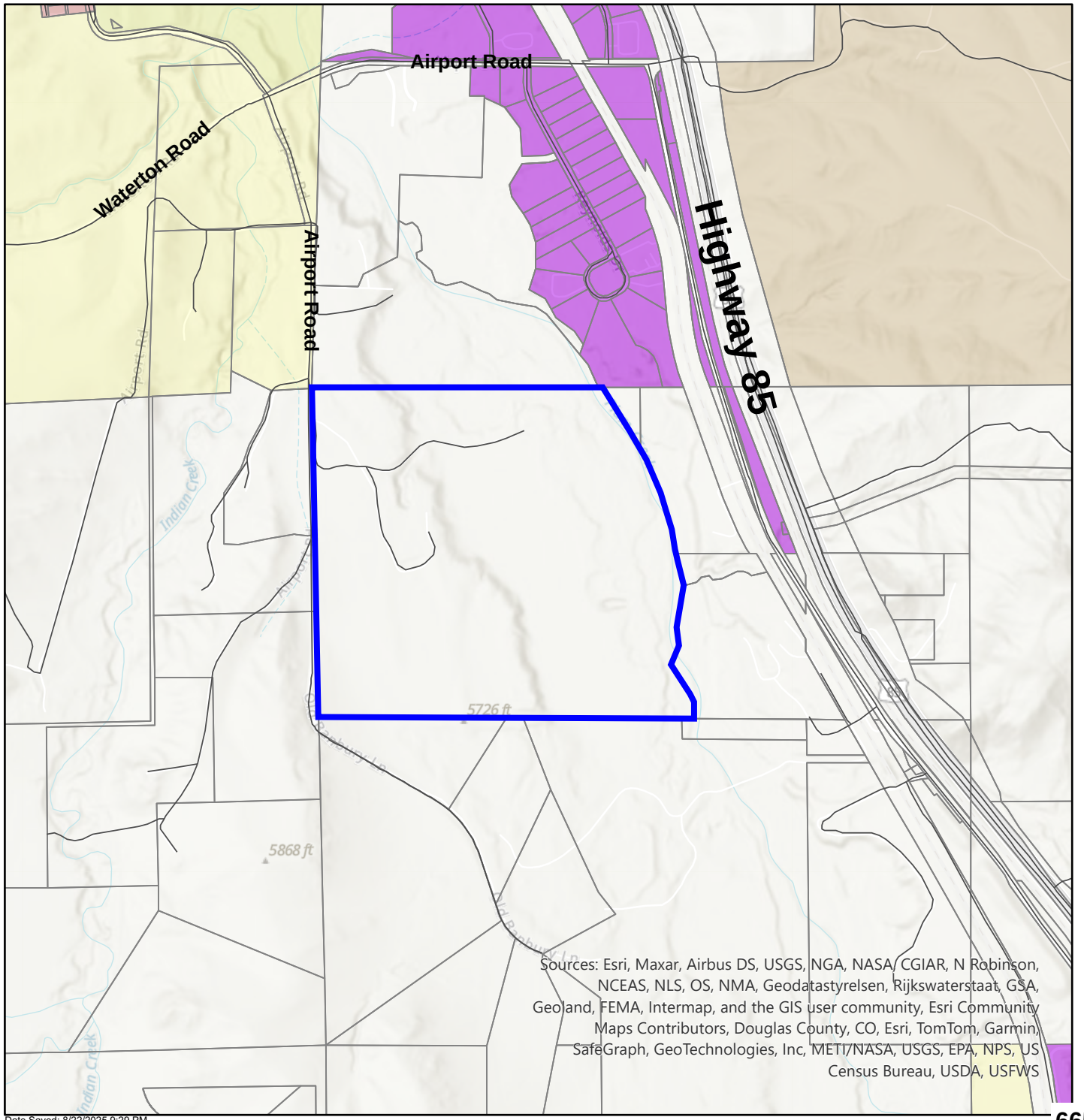
EE2025-007

Zoning Map

N

LEGEND

- Major Roads
- Parcels - PARCELS
- A1 - AGRICULTURAL ONE
- RR - RURAL RESIDENTIAL
- SR - SUBURBAN RESIDENTIAL
- GI - GENERAL INDUSTRIAL
- PD - PLANNED DEVELOPMENT
- EVENT SITE



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6359 Airport Rd.
5-yr. Major Entertainment Event

EE2025-007

Aerial Map

N

LEGEND

- Major Roads
- Parcels - PARCELS
- EVENT SITE

Date Saved: 8/22/2025 9:41 PM

Source: https://apps.douglas.co.us/gisportal/apps/webappviewer/index.html?id=9cd173c692b7436891bd0

Project Name: 6359 Airport Rd
Project File #: EE2025-007
Date Sent: 07/31/2025 **Date Due:** 08/14/2025

Agency	Date Received	Agency Response	Response Resolution
Building Services	08/13/2025	Received (verbatim response): Electrical permit is required.	Applicant has communicated with Building, and is in the process of obtaining an electrical permit pending final inspections prior to the event.
Chatfield Community Association		No Response Received.	No action necessary.
Cherokee Ridge Estates HOA		No Response Received.	No action necessary.
Colorado Department of Transportation CDOT-Region #1	08/04/2025	Received (verbatim response): I have reviewed the referral for the Colorado Scottish Festival and have the following comments: - If traffic control is planned or needed at US 85 and Airport Road then a Colorado State Patrol special event permit will be needed. - Any traffic control or placement of signage on State Highways that is not covered under a CSP permit will need to be permitted through our office. Application is made online at the following link: https://socgov.my.site.com/portal/s/login/ • All signing for this event on CDOT roadways must comply with any appropriate permits and comply with Colorado State rules regarding outdoor advertising 2CCR601-3.	Colorado State Patrol has indicated no special event permit is required. The applicant is coordinating with the County Sheriff regarding a plan for traffic control at Airport Road and Louviers Boulevard. Traffic control at Highway 85 is not anticipated. Applicant does not propose any signs within the Highway 85 right-of-way at Airport Road. Applicant understands that no signage can be erected in the Highway 85 right-of-way without issuance of a permit.
Colorado State Patrol	08/15/2025	Received (verbatim response): Our response will be the same as previous years, no permit or UTC required and we will defer to DCSO for any UTC that becomes apparently necessary due to the extremely limited impact to the State Highway. Please let me know if you need anything further from us on this matter.	No action necessary.

Project Name: 6359 Airport Rd
Project File #: EE2025-007
Date Sent: 07/31/2025 **Date Due:** 08/14/2025

Douglas County Health Department	08/15/2025	Received: Following is a summary of the referral response from Douglas County Health Department (DCHD). <u>Food Vendors - Temporary Food Event</u> Contact Zane Wilson at DCHD at 720-643-2479 (or zwilson1@douglas.co.us) to discuss the event. All food vendors must provide a Colorado Retail Food Establishment license as well as a Colorado Sales Tax License. <u>Wastewater - Portable Toilets for Onsite Personnel</u> DCHD has no objection to use of portable toilets, provided they are properly cleaned and maintained. Hand-washing stations should be provided near toilets. Applicant should develop a plan for dust mitigation, and should implement on dirt roads or parking areas.	Applicant is in contact with DCHD regarding food vendors. Applicant has currently confirmed 8 food vendors are approved by DCHD. Applicant will comply with DCHD recommendations on portable toilets and hand-washing stations for the estimated attendance.
Engineering Services	08/08/2025	Received (verbatim response): Engineering will not require a separate traffic study for this 5-yr. event permit application. Previous events have submitted traffic studies for events with more attendees and Engineering has not received complaints on any previous event.	Applicant is coordinating with the Douglas County Sheriff regarding a plan for uniformed traffic control, and will do so prior to the event in each subsequent year.

Project Name: 6359 Airport Rd
Project File #: EE2025-007
Date Sent: 07/31/2025 **Date Due:** 08/14/2025

Louviers Conservation Partnership	08/13/2025	Received (verbatim response): Below is regeneration of my comments I submitted on 8 13 2025 around 830a. I had typed the comments directly on the system in the comment block. Louviers Conservation Partnership (LCP) has reviewed the Major Entertainment Event Permit for the 2-day Colorado Highland Games Festival in September and has the following comments: The documents state expected attendance of 1000-1500/day (2000-3000/Weekend) in 2025 up to 3000-5000/Weekend in 5 years. Also 300 staff, participants, and volunteers, and 200 client guests. During previous events traffic gets backed up along East/West Airport Road from Santa Fe/Hwy 85 all the way up the hill on south Airport to the facility. Cars in the past have then come through Louviers many over the speed limit to bypass the backup. The documents mention a DoCo officer will be at Airport Road. Is this at the Airport Road/Louviers Blvd/Waterton Road intersection? Will the officer direct cars to not drive through Louviers? This will prevent cars from leaving the event driving through Louviers and Kellytown but will not prevent cars from driving through Kellytown and south through Louviers going to the event. With the continued growth in the surrounding area and the increasing traffic on Airport Road the yearly approval should be kept as there will be significant changes during the next 5 years that should be reviewed yearly including the following: Sterling Ranch traffic along Airport Road is increasing with the growth of Sterling Ranch. Zebulon Mega Sports Complex was just approved and it was stated in meetings will include weekend activities/traffic.	Engineering has determined that no additional traffic study is required at this time, and Colorado State Patrol has indicated no special event permit is required. Applicant understands the concerns of the community and is coordinating with the Douglas County Sheriff regarding a plan for uniformed traffic control to minimize impacts. This is anticipated at the intersection of Louviers Boulevard and Airport Road. Applicant is also communicating with the Sheriff regarding ways to discourage traffic from cutting through Louviers. Traffic control at Highway 85 is not anticipated. The applicant anticipates noise levels at the property boundaries will be in conformance with the Douglas County Noise Overlay District due to the location of the activities within the middle of the property and the orientation of the stage.

		Brannan Asphalt Plant was approved and is being built and looks to be almost complete in addition to the existing Cement Plant including the approval of 1008 truck trips/day from 6a-6p M-Sa so they may be operating on Saturday. From the Press Release: "Just 30 minutes from downtown Denver, the location feels like a destination getaway. As soon as you turn off the main highway, you immediately realize you escaped the urban bustle and congestion. Then the quaint atmosphere begins to make a pleasant impression as you drive over the railroad tracks and wind your way through the gently rolling hills of the countryside on your way to the club's beautiful grounds, where ample parking awaits." The noise and traffic from these events are very noticeable in Louviers.	
Plum Valley Heights HOA		No Response Received.	No action necessary.
Ranch at Coyote Ridge HOA		No Response Received.	No action necessary.
Sheriff's Office	08/03/2025	Received (verbatim response): No concerns from the traffic unit.	Applicant is coordinating with the Douglas County Sheriff regarding a uniformed traffic control plan at Airport Road and Louviers Boulevard.
South Metro Fire Rescue	08/14/2025	Received (verbatim response): Review in progress. Waiting on additional information from sponsor.	Applicant is coordinating with South Metro Fire regarding a Special Event Permit for the festival. Applicant will be required to comply with permit conditions of approval and complete any necessary inspections prior to the event.

REFERRAL RESPONSE REQUEST–5-YR.MAJOR ENTERTAINMENT EVENT

Date sent: July 31, 2025

Comments due by: **August 14, 2025**
Fax: 303.660.9550

Project Name:	6359 Airport Road
Project File #:	EE2025-007
Project Summary:	5-year Major Entertainment Event request for the "Colorado Scottish Festival" beginning September 20 & 21, 2025 with successive years 2026, 2027, 2028 & 2029 to include music, food/drink, vendors, as well as cultural events/dancing. A 1,600-space parking lot is proposed to accommodate 1,500 visitors per day (not exceeding 2,500 per day by year 5). Event hours are 9 am to 9 pm Saturday and 9 am to 5 pm Sunday. The property is located on Airport Road approximately ½ mile south of the intersection of Airport Road and Louviers Boulevard.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

☐ No Comment

☑ Please be advised of the following concerns:

Engineering will not require a separate traffic study for this 5-yr event permit application. Previous events have submitted traffic studies for events with more attendees and Engineering has not received complaints on any previous event.

☐ See letter attached for detail.

Agency: DC Public Works Eng.	**Phone #:** 303.660.7490 Ext. 3305
Your Name: Brad Jackson, PE	**Your Signature:** Bradley A. Jackson
(please print)	**Date:** August 8, 2025

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,

Matt Jakubowski, Chief Planner
Enclosure

From: Loeffler - CDOT, Steven
Sent: Monday, August 4, 2025 12:46 PM
To: Matt Jakubowski
CC: Jessica Varner - CDOT; Joseph Tripple - CDOT
Subject: Re: Douglas County eReferral (EE2025-007) Is Ready For Review

Matt,

I have reviewed the referral for the Colorado Scottish Festival and have the following comments:

- If traffic control is planned or needed at US 85 and Airport Road then a Colorado State Patrol special event permit will be needed.

- Any traffic control or placement of signage on State Highways that is not covered under a CSP permit will need to be permitted through our office. Application is made online at the following link: https://socgov.my.site.com/portal/s/login/

- All signing for this event on CDOT roadways must comply with any appropriate permits and comply with Colorado State rules regarding outdoor advertising 2CCR601-3.

Thank you,

Steve Loeffler
Permits Unit- Region 1

COLORADO
Department of Transportation

P 303.757.9891 | F 303.757.9053
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

On Thu, Jul 31, 2025 at 1:30 PM <mjakubow@douglas.co.us> wrote:

> There is an eReferral for your review. Please use the following link to log on to your account:
> https://urldefense.com/v3/__https://apps.douglas.co.us/planning/projects/Login.aspx__;!!PUG2raq7KiCZwBk!bcRpX6yk5Z7WKzgRe_Ra-Riuh26zvUSYDfjey3VizdkM_TDJXCiyz-cNdfmyL_QZWK1BGqR2ljVzOaDa2zUh1kjAnp5u$

Project Name: 6359 Airport Road
Project File #: EE2025-007
Project Summary: 5-year Major Entertainment Event request for the "Colorado Scottish Festival" beginning September 20 & 21, 2025 with successive years 2026, 2027, 2028 & 2029 to include music, food/drink, vendors, as well as cultural events/dancing. A 1,600-space parking lot is proposed to accommodate 1,500 visitors per day (not exceeding 2,500 per day by year 5). Event hours are 9 am to 9 pm Saturday and 9 am to 5 pm Sunday. The property is located on Airport Road approximately ½ mile south of the intersection of Airport Road and Louviers Boulevard.

This referral will close on Thursday, August 14, 2025.

If you have any questions, please contact me.

Sincerely,

Matt Jakubowski, AICP | Chief Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-660-7460
Email | mjakubow@douglas.co.us

From: Bowman - CDPS, Matthew
Sent: Friday, August 15, 2025 11:16 AM
To: Matt Jakubowski
CC: Robert Case - CDPS; Lawrence Oletski - CDPS
Subject: Re: Douglas County Referral - CO Scottish Festival - CSP Comments?

Good morning,

Our response will be the same as previous years, no permit or UTC required and we will defer to DCSO for any UTC that becomes apparently necessary due to the extremely limited impact to the State Highway. Please let me know if you need anything further from us on this matter.

Sergeant Matt Bowman #0990
Colorado State Patrol | Special Operations Section

15240 S. Golden Road Building #69
Golden, CO 80401
(720) 765-9930 (cell)

This email and any attachments from the Colorado Department of Public Safety - Colorado State Patrol are confidential and intended only for the use of the individual or entity to which it is addressed. The information contained herein may include protected or otherwise privileged information. Unauthorized review, forwarding, printing, copying, distributing, or using such information is strictly prohibited and may be unlawful. If you have received this message in error, please notify the sender by sending a reply to this message and delete the e-mail without further disclosure. Under Colorado's Open Records Act (CORA), all e-mails sent by or to me on this state-owned e-mail account may be subject to public disclosure.

On Fri, Aug 15, 2025 at 8:52 AM Matt Jakubowski <mjakubow@douglas.co.us> wrote:

> Good Morning Sergeant Bowman,
>
> Douglas County is processing an Event Permit application for the Colorado Scottish Festival at 6359 Airport Road. The description is attached. The majority of visitors will likely access the event from State Highway 85, turning onto Airport Road. I have attached correspondence from Sergeant Pinner last year in which no CSP Special Event permit or traffic control was required. As background, the past 2 years, State Patrol has not required a Special Event Permit and deferred any uniform traffic control to the Douglas County Sheriff. As I understand, some limited traffic control has occurred during peak hours at the Louviers Blvd. and Airport Rd. intersection in these years.
>
> The application is effectively the same as last year. However, the applicant will be requesting our Board of County Commissioners for a 5-year approval. The operator estimates that toward end of the 5-year period, event attendance could increase, reaching 2,500 per day for a 2-day weekend festival. If the operator is approved by our Board, they will still need to check-in with the County and all other agencies through their approval window.

I am writing to confirm whether State Patrol has any comments for this years proposal, or if the comments would be the same from the previous year?

Thank you very much for your time, as we want to make sure we have heard from all agencies that might have a comment.

Regards,

Matt Jakubowski

Matt Jakubowski, AICP | Chief Planner

Douglas County Department of Community Development

Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-660-7460

Email | mjakubow@douglas.co.us

DOUGLAS COUNTY
HEALTH DEPARTMENT COLORADO

August 15, 2025

Matt Jakubowski
100 Third St.
Castle Rock, CO 80104

RE: EE2025-007

Dear Matt,

Thank you for the opportunity to review and comment on the referenced Entertainment Event-Minor application. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has the following comment.

Food Vendors - Temporary Food Event
Illness-causing organisms are spread easily to the public through food and beverages. The event coordinator shall contact the Consumer Protection Team as soon as possible to discuss the event. Zane Wilson can be reached at 720-643-2479 or zwilson1@douglas.co.us. The applicant shall provide information on all food vendors that plan to attend the event. This includes mobile units, temporary event vendors, and caterers. The review process for food vendors will depend on the type of food vendor and the level of licensure of the proposed food vendors. All vendors planning to attend the event must provide their Colorado Retail Food Establishment license as well as a Colorado Sales Tax License. More information is available here https://www.douglas.co.us/health-department/environmental-health/.

Wastewater – Portable Toilets for Onsite Personnel
Sewage has the potential to carry illness-causing organisms and must be handled properly to avoid spreading disease. DCHD has no objection to the use of portable toilets, provided the units are properly cleaned and maintained. DCHD recommends that the applicant provide a portable hand sink near the restrooms. More information is available here https://www.douglas.co.us/health-department/environmental-health/.

Please feel free to contact me at 720-907-4910 or afarrow@douglas.co.us if you have any questions about our comments.

Sincerely,

Andrea Farrow Environmental Health Supervisor
Douglas County Health Department
Address | 11045 E. Lansing Circle, Suite 300, Englewood, CO 80112

From: Randy Johnson
Sent: Friday, August 15, 2025 2:21 PM
To: Matt Jakubowski
Subject: Re: Douglas County eReferral (EE2025-007) Is Ready For Review

Matt,

Below is regeneration of my comments I submitted on 8 13 2025 around 830a. I had typed the comments directly on the system in the comment block.

Louviers Conservation Partnership (LCP) has reviewed the Major Entertainment Event Permit for the 2-day Colorado Highland Games Festival in September and has the following comments:

The documents state expected attendance of 1000-1500/day (2000-3000/Weekend) in 2025 up to 3000-5000/Weekend in 5 years. Also 300 staff, participants, and volunteers, and 200 client guests.

During previous events traffic gets backed up along East/West Airport Road from Santa Fe/Hwy 85 all the way up the hill on south Airport to the facility. Cars in the past have then come through Louviers many over the speed limit to bypass the backup.

The documents mention a DoCo officer will be at Airport Road. Is this at the Airport Road/Louviers Blvd/Waterton Road intersection? Will the officer direct cars to not drive through Louviers? This will prevent cars from leaving the event driving through Louviers and Kellytown but will not prevent cars from driving through Kellytown and south through Louviers going to the event.

With the continued growth in the surrounding area and the increasing traffic on Airport Road the yearly approval should be kept as there will be significant changes during the next 5 years that should be reviewed yearly including the following:

Sterling Ranch traffic along Airport Road is increasing with the growth of Sterling Ranch.
Zebulon Mega Sports Complex was just approved and it was stated in meetings will include weekend activities/traffic.
Brannan Asphalt Plant was approved and is being built and looks to be almost complete in addition to the existing Cement Plant including the approval of 1008 truck trips/day from 6a-6p M-Sa so they may be operating on Saturday.

From the Press Release: "Just 30 minutes from downtown Denver, the location feels like a destination getaway. As soon as you turn off the main highway, you immediately realize you escaped the urban bustle and congestion. Then the quaint atmosphere begins to make a pleasant impression as you drive over the railroad tracks and wind your way through the gently rolling hills of the countryside on your way to the club's beautiful grounds, where ample parking awaits."

The noise and traffic from these events are very noticeable in Louviers.

Randy Johnson
Director
Louviers Conservation Partnership

From: mjakubow@douglas.co.us <mjakubow@douglas.co.us>
Sent: Thursday, July 31, 2025 1:29 PM
To: rj2376@outlook.com <rj2376@outlook.com>
Subject: Douglas County eReferral (EE2025-007) Is Ready For Review

There is an eReferral for your review. Please use the following link to log on to your account:
https://apps.douglas.co.us/planning/projects/Login.aspx

Project Name: 6359 Airport Road
Project File #: EE2025-007
Project Summary: 5-year Major Entertainment Event request for the "Colorado Scottish Festival" beginning September 20 & 21, 2025 with successive years 2026, 2027, 2028 & 2029 to include music, food/drink, vendors, as well as cultural events/dancing. A 1,600-space parking lot is proposed to accommodate 1,500 visitors per day (not exceeding 2,500 per day by year 5). Event hours are 9 am to 9 pm Saturday and 9 am to 5 pm Sunday. The property is located on Airport Road approximately ½ mile south of the intersection of Airport Road and Louviers Boulevard.

This referral will close on Thursday, August 14, 2025.

If you have any questions, please contact me.

Sincerely,

Matt Jakubowski, AICP | Chief Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-660-7460
Email | mjakubow@douglas.co.us

2025 61st Colorado Highland Games
Games Marshal
Heather Miller
County Commissioners Major Special Event Hearing
Tuesday, September 9th, 2025, 2:30pm

RESPONSE TO REFERRAL COMMENTS

Below are our comments and responses to the outstanding questions posed by the various Douglas County departments. All statements are made to the best of my knowledge.

ELECTRICAL & BUILDING SERVICES

- We have been in contact with Greg Lillmars about electrical permit. Mouse is in contact with Greg and is submitting the permit application this evening. Inspection will likely be set for Friday September 19th. Specs for generators and lights will be submitted to Greg.
- The big stages are permitted by FLEXX Productions, our tent vendor.

COLORADO DEPARTMENT OF TRANSPORTATION CDOT-REGION #1

- We will not have any signage at the intersection of Hwy 85 & Airport Rd this year.

DOUGLAS COUNTY HEALTH DEPARTMENT

- We will have 16 standard portable toilets, 7 ADA portable toilets and 10 dual hand washing stands to meet the requirements regarding the amount of estimated attendance (Sat: 1,500 / Sun: 1,000).
- We've been in close contact with Zane Wilson. The final list of vendors will be submitted after our vendor sign-up closes on August 22, 2025. Subsequently, we expect completion of the approval process at which our permit will be invoiced, paid, and in place. We currently have 8 total confirmed food vendors.
- Fugitive Dust will be managed by posting Speed Limit 10mph signs along dirt roads and in dirt parking areas.

ENGINEERING SERVICES & SHERIFF'S OFFICE

- TRAFFIC CONTROL: We are in communication with Commander Ron Hanavan of the Sheriff's Office Traffic Division to contract for an assigned deputy to monitor and direct traffic.
    - A final document of our traffic plan and signage placement will be provided.

TRAFFIC CONTROL: AIRPORT RD & LOUVIERS BLVD

- We appreciate the comments from the Louviers Conservation Partnership and recognize their concerns regarding traffic flow and community impacts. During past events, we understand that traffic congestion on Airport Road has occasionally led some drivers to divert through Louviers and Kellytown, and that this has caused frustration for local residents.

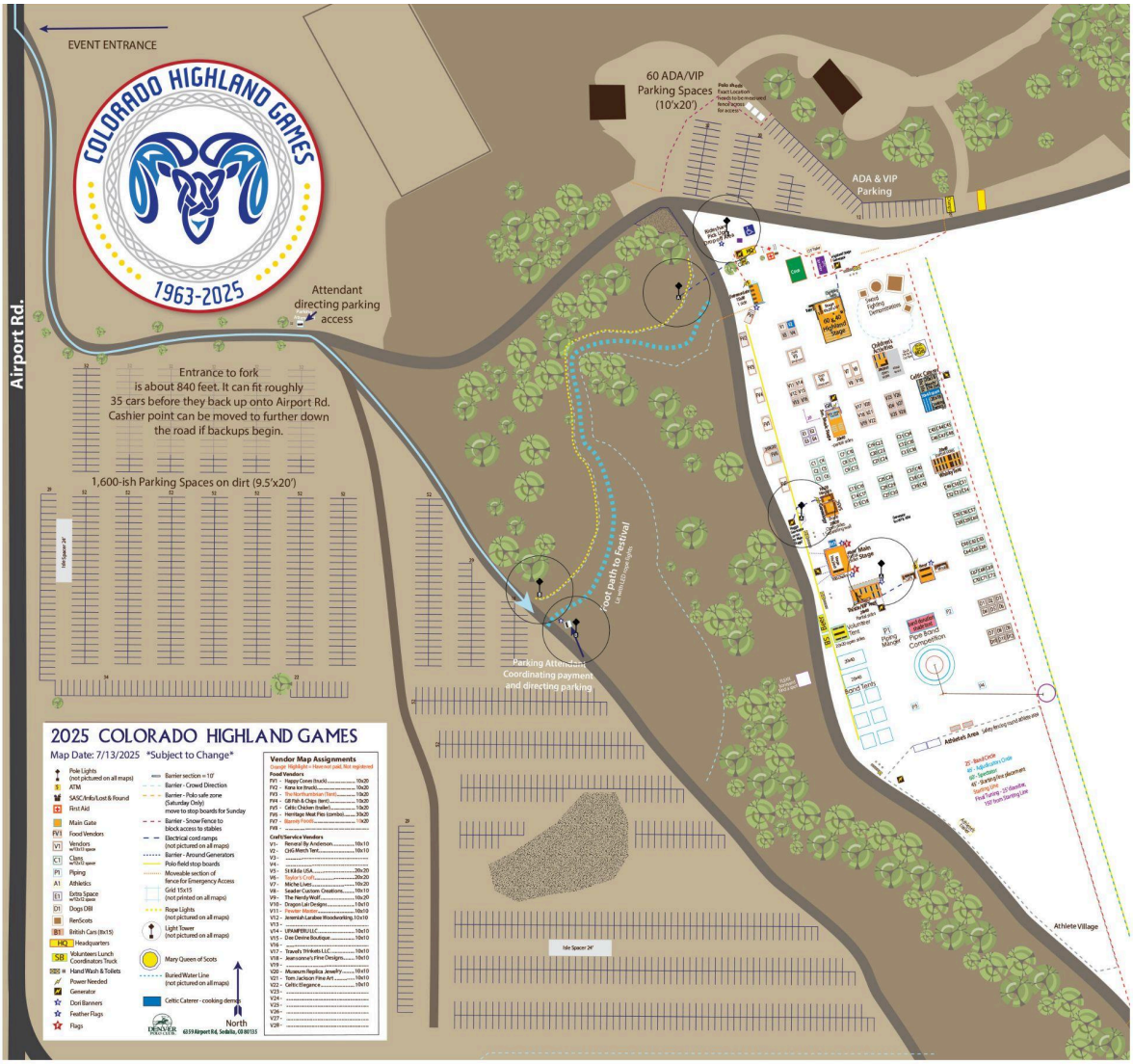
- To address this, we are working directly with the Douglas County Sheriff's Office (DCSO) Traffic Division to implement an updated traffic control plan for 2025. As in previous years, this plan will include:
    - **On-site Traffic Control Officer(s)** stationed at the intersection of Airport Road and Louviers Boulevard during peak hours, to monitor and direct event-related traffic.
    - **Coordination with DCSO** to evaluate options for discouraging inbound traffic from bypassing Airport Road by cutting through Louviers. We will seek their recommendation on signage, monitoring, or other measures to mitigate this for our event traffic.
    - **Overflow Management** at the Polo Club entrance to expedite inbound and outbound traffic, using radio communication to allow residents and polo participants to bypass backups safely.
- In past years, the Sheriff's Office has staffed two shifts per day during the Games, and no significant incidents or complaints were reported. Nevertheless, we have proactively raised the Louviers community's concerns with DCSO this year to ensure their recommendations are incorporated into our final traffic plan.
- We also acknowledge the broader context of growth in the area, including Sterling Ranch, the Zebulon Sports Complex, and industrial facilities along Airport Road. While these impacts extend beyond our event, we remain committed to cooperating fully with Douglas County and law enforcement to adjust our traffic management plan as conditions evolve.
- With respect to noise, the Games adhere to our permitted hours (9:00 a.m. to 9:00 p.m. on Saturday and 9:00 a.m. to 5:00 p.m. on Sunday), and we are mindful of stage placement and sound management so that noise impacts to surrounding communities are minimized.
- We trust that our continued coordination with DCSO and the County will provide the necessary oversight to ensure traffic and community impacts are responsibly managed, both this year and in the years ahead.

SOUTH METRO FIRE DISTRICT

- We have submitted our permit application and are in communication with Adam Graves. We have resolved questions regarding crowd management and stage specifications as included in our submitted Operations Plan. There is currently one question left to resolve. It is my understanding that SMFD is pleased with our responses and will be approving without issue.

Map of the event location and adjacent parcels

Full Map of the festival including structures, parking, traffic path, ride share, on site emergency road access.



Detail of the Festival Grounds

Including structures, port-o-potty placement, field lights, boundaries and more.

Map Legend Detail

2025 COLORADO HIGHLAND GAMES

Map Date: 7/13/2025 *Subject to Change*

- Pole Lights (not pictured on all maps)
- $ ATM
- SASC/Info/Lost & Found
- First Aid
- Main Gate
- FV1 Food Vendors
- V1 Vendors w/13x13 space
- C1 Clans w/12x12 space
- P1 Piping
- A1 Athletics
- E1 Extra Space w/12x12 space
- D1 Dogs DBI
- RenScots
- B1 British Cars (8x15)
- HQ Headquarters
- SB Volunteers Lunch Coordinators Truck
- Hand Wash & Toilets
- Power Needed
- Generator
- Dori Banners
- Feather Flags
- Flags

- Barrier section = 10'
- Barrier - Crowd Direction
- Barrier - Polo safe zone (Saturday Only) move to stop boards for Sunday
- Barrier - Snow Fence to block access to stables
- Electrical cord ramps (not pictured on all maps)
- Barrier - Around Generators
- Polo field stop boards
- Moveable section of fence for Emergency Access
- Grid 15x15 (not printed on all maps)
- Rope Lights (not pictured on all maps)
- Light Tower (not pictured on all maps)
- Mary Queen of Scots
- Buried Water Line (not pictured on all maps)
- Celtic Caterer - cooking demos

DENVER POLO CLUB 6359 Airport Rd, Sedalia, CO 80135

Vendor Map Assignments

Orange Highlight = Have not paid, Not registered

Food Vendors

FV1 -	Happy Cones (truck)	10x20
FV2 -	Kona Ice (truck)	10x20
FV3 -	The Northumbrian (Tent)	10x20
FV4 -	GB Fish & Chips (tent)	10x20
FV5 -	Celtic Chicken (trailer)	10x20
FV6 -	Herritage Meat Pies (combo)	30x20
FV7 -	Blarney Foods	10x20
FV8 -		

Craft/Service Vendors

V1-	Reneral By Anderson	10x10
V2 -	CHG Merch Tent	10x10
V3 -		
V4 -		
V5 -	St Kilda USA	20x20
V6 -	Taylor's Croft	20x20
V7 -	Miche Lives	10x20
V8 -	Seader Custom Creations	10x10
V9 -	The Nerdy Wolf	10x20
V10 -	Dragon Lair Designs	10x10
V11 -	Pewter Master	10x10
V12 -	Jeremiah Larabee Woodworking.	10x10
V13 -		
V14 -	UPAMPERU LLC	10x10
V15 -	Dee Devine Boutique	10x10
V16 -		
V17 -	Travel's Trinkets LLC	10x10
V18 -	Jeansonne's Fine Designs	10x10
V19 -		
V20 -	Museum Replica Jewelry	10x10
V21 -	Tom Jackson Fine Art	10x10
V22 -	Celtic Elegance	10x10
V23 -		
V24 -		
V25 -		
V26 -		
V27 -		
V28 -		

60th Colorado Scottish Festival

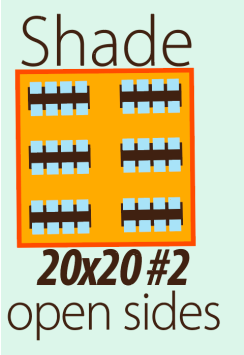
Dates:
August 3 & 4.
Setup is Friday the 2nd and pick up is Monday the 5th by 3:00pm.

Location:
Denver Polo Club.
6359 Airport Rd, Sedalia, CO 80135, United States

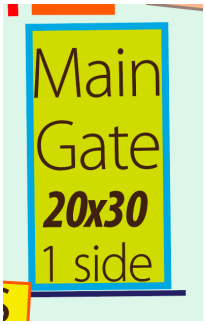
Contact:
Catherine Crisler
303-503-8568
ccrisler141@gmail.com

Tables & Chairs
- 500 - white or blue Chairs (least expensive)
- 60 - 8’ banquet tables
- 70 - 6’ banquet tables

Children’s Activities
- 20x20 tent - staked
- No walls
- Tables & chairs are part of the total count

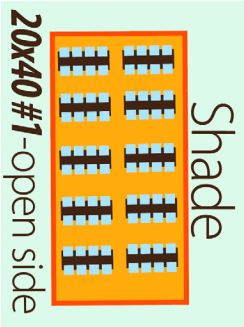


Entertainment Shade
- 20x20 tent - staked
- No walls
- Tables & chairs are part of the total count

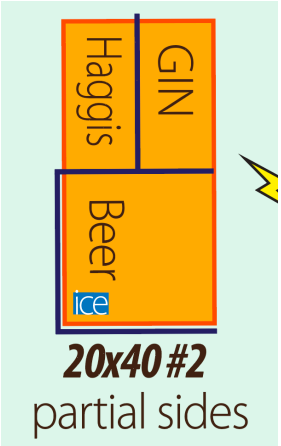


- **Main Gate**
- 20x30 tent - staked
- 1 solid wall (20) - shown in black

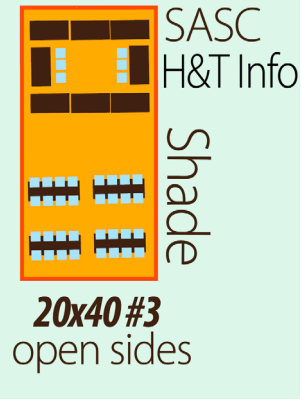
Main Stage/Concert/Dance Competition
- 40x30 tent - We’d like a taller tent with an open peak on the short side if possible.
- Stage - 20x24, 24-36” high
- Stage skirting - front and sides (56’ total)
- 1 set of steps



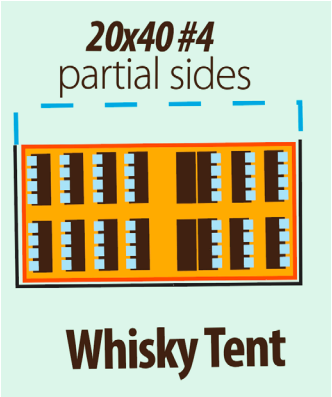
Food Shade
- 20x40 tent - staked
- Tables & chairs are part of the total count



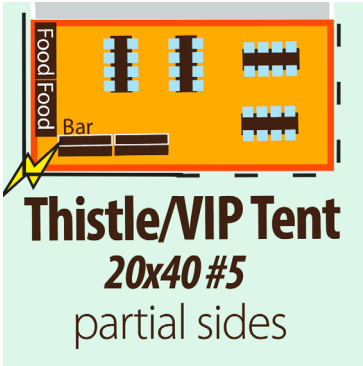
Beer/Gin/Haggis
- 20x40 tent - staked
- Solid walls - Divided as shown



- **SASC / Shade**
- 20x40 tent - staked
- No walls
- Tables & chairs are part of the total count



Whisky Tasting Seminar
- 20x40 tent - staked
- Solid side walls (80') - shown as a black line
- Tables & chairs are part of the total count



Thistle / VIP Tent
- 20x40 tent - staked
- Solid side walls (40') - shown as a black line
- Window Walls (40') shown as back dash line
- 2 Bar tops - No linens needed
- Tables & chairs are part of the total count

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2-day shipping

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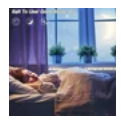
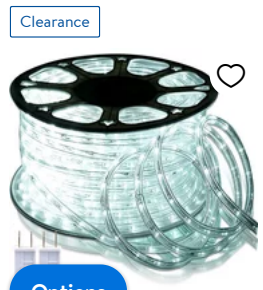


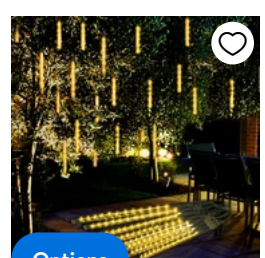
Roll over image to zoom in

Clearance

+ Add



Options



Options

OTYTY LED Work Light, Rechargeable Work Light Portable Flood Lights Magnetic LED Light for Outdoor Camping Car Repairing Job Site Lighting (2 Pack) 527 $36.99 prime Save 5% with coupon

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VIDEOS

21000 Lumen Work Lights with Stand, 3 Adjustable Head LED Work Light, with 38.2"- 75.2" Adjustable and Foldable Tripod Stand, Waterproof Lamp with Individual Switch with 6500 Kelvin Color Temperature

Brand: GUWELL

4.4 34 ratings

4 Price Changes

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Purchase options and add-ons

Payment plans

$16.32/mo (6 mo) at example APR of 30% (rates from 10-30% APR)

- 【Super Bright LED Light Source】: 21000LM super bright Tripod LED Work Light with 6500K Color Temperature. It provides bright, pure white, easily focused light on your requirements in different conditions and comfortable environment with minimal energy consumption.
- 【PERFECT DESIGN & Great Flexibility】: The telescoping tripod can be easily folded for transport or storage, and can be easily adjusted to several different heights, extending from 38.2" (minimum) to 75.2" (maximum) , to meet your need during work. The lights are detachable and can be used with the handle independently.
- 【Rotatable】: No tools required. Manual twist lock knob and twist lock ring design. The body of the led light can be rotated 360° horizontally and Vertical 270 ° one-way upward rotation, , which allows you easily lit up wherever you need to by only adjusting the lights but not moving the whole appliance. The heat emission structure on the back of the light ensures work efficiency and its service life.
- 【DURABLE STRUCTURE】: Each lamp head is equipped with 60 super-powerful LED lamp beads. RUGGED die cast aluminum housing protects against minor drops. Tempered Glass, Safety Three-hole Plug, Rust-resistant Lamp Shell, Aluminum Alloy Bracket. IP65 Waterproof Design make the light study and durable even in the poor working condition for long time.
- 【TRUSTED SERVICE】: Serve customers, to provide customers with high quality products is our pursuit. We

Recent price increase

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FREE delivery **Tomorrow 10 AM - 3 PM**. Order within 9 hrs 12 mins

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LAVEANT Rechargeable LED Work Light,10W 4400mAh,800Lumens...

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SPECSTAR 104W 10000 Lumen Dual Head LED Work Lights with Telescoping Tripod…

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Aain Work Light,1400 Lumen Underhood Work Light Bar,Professional Rechargeable LED W...

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VEVOR with S Lumen Work

$64.

Product Description

Recent price increase

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- Cost-effective Products

3 Adjustable Head LED Work Light

21000 LUMEN & Waterproof & Foldable

Our LED Work Light is designed with 21000 Lumen 3 bulbs, the high brightness can meet most work need. It is waterproof to be used outdoors in rainy days, easy to assemble, carry and can be used in your yard, home basement, garages, construction sites，and many other places.

- Super Bright & Convenient Design
- Great Flexibility: Horizontal rotation 360° & Vertical tilt 360°
- POWER:210W
- VOLTAGE:120V/60HZ
- COLOR TEMPERATURE:6500K
- No tools required

Tempered Glass

With high-quality explosion-proof glass panel, it can be well waterproof, dustproof and windproof.

Safety Three-hole Plug

Three-hole plug, in line with the US use label, equipped with a 10ft power cord, more flexible.

Rust-resistant Lamp Shell

The LDE lamp body adopts aluminum shell to ensure durability and can effectively dissipate heat.

Waterproof

The led tripod work light is IP65 class waterproofed, therefore it can be used in harsh environment like rainy days. The bulbs are sealed by two housings to keep out dust.

Recent price increase

Recent price increase

Applicable to Various Occasions

Suitable for construction sites, garages, gardens, patios, etc. Anywhere you need extra lighting.

Product information

Technical Details

Manufacturer	GUWELL
Part Number	GZD-04
Item Weight	10.96 pounds
Package Dimensions	17.63 x 13.89 x 5.51 inches
Color	Yellow-04
Material	Aluminum Alloy
Voltage	120 Volts
Wattage	210 watts
Batteries Required?	No

Additional Information

ASIN	B0C6DCVDND
Customer Reviews	4.4 34 ratings 4.4 out of 5 stars
Best Sellers Rank	#23,056 in Tools & Home Improvement (See Top 100 in Tools & Home Improvement) #44 in Job Site & Security Lighting
Date First Available	May 26, 2023

Warranty & Support

Amazon.com Return Policy: **Amazon.com Voluntary 30-Day Return Guarantee:** You can return many items you have purchased within 30 days following delivery of the item to you. Our Voluntary 30-Day Return Guarantee does not affect your legal right of withdrawal in any way. You can find out more about the exceptions and conditions here.

Product Warranty: For warranty information about this product, please click here

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FEATURES

- Folds Down into a Super-Compact Tube for Easy Portability and Storage
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- Four Fully Adjustable Light Heads Can be Configured in Dozens of Ways to Get Light Where it is Needed
- 3-Way Power- PowerSmith PVLAB121 Battery, 18V/20V Power Tool Battery, 120 AC adaptor.
- Removeable High-Capacity Rechargeable Lithium-ion Battery included- Holds its Charge up to 18 Months in Storage
- Smart-Power System Allows Light to Work While Charging
- Runs for 1.5 hours on High Brightness (8000 LM)
- 3 Brightness Settings—High, Medium and Low—for Battery Efficiency
- Optional Remote Control (Included)
- Long Lasting Bright White LEDs Never Need Replacing
- LEDs Stay Cool to the Touch and Last 50,000 Hours
- Carrying Bag and Adjustable Shoulder Strap Included for Transport
- Foot Spikes Included for Extra hold in Tough Conditions
- Weatherproof

WHERE TO BUY

REVIEWS: NO RATINGS YET

SHARE:

SPECIFICATIONS ▶ | OPERATOR'S MANUAL

WARRANTY | FAQ

SPECIFICATIONS

Output Power: 64 Watts

Brightness: 8000/4000/2000 Lumens

Run Time: 1.5 /3/ 6 hours
Color Temperature: 5000K Bright White
Battery Pack: Lithium-Ion,12V, 8.8Ah
Recharge Time: 3 Hours
Modes: High, Medium, Low and Night Light
Tripod Height: 29” – 67”
Folded Dimensions: 4-1/2" x 33"
Net Weight: 9.5 lb.

RELATED PRODUCTS

VOYAGER AC/DC ADAPTOR

POWER SMITH

WORK LIGHTS

8000 LUMEN RECHARGEABLE LED WORK LIGHT

PVLR8000A

Operator's Manual

TOLL-FREE HELP LINE: 888-552-8665

WWW.POWERSMITHTPRODUCTS.COM

WARNING: To reduce the risk of injury, user must read and understand this operator's manual before operating this product.

2 YEAR WARRANTY
GARANTIE D'ANNÉE
GARANTÍA DEL AÑO

SAVE THIS MANUAL FOR FUTURE REFERENCE

KNOWING YOUR WORK LIGHT

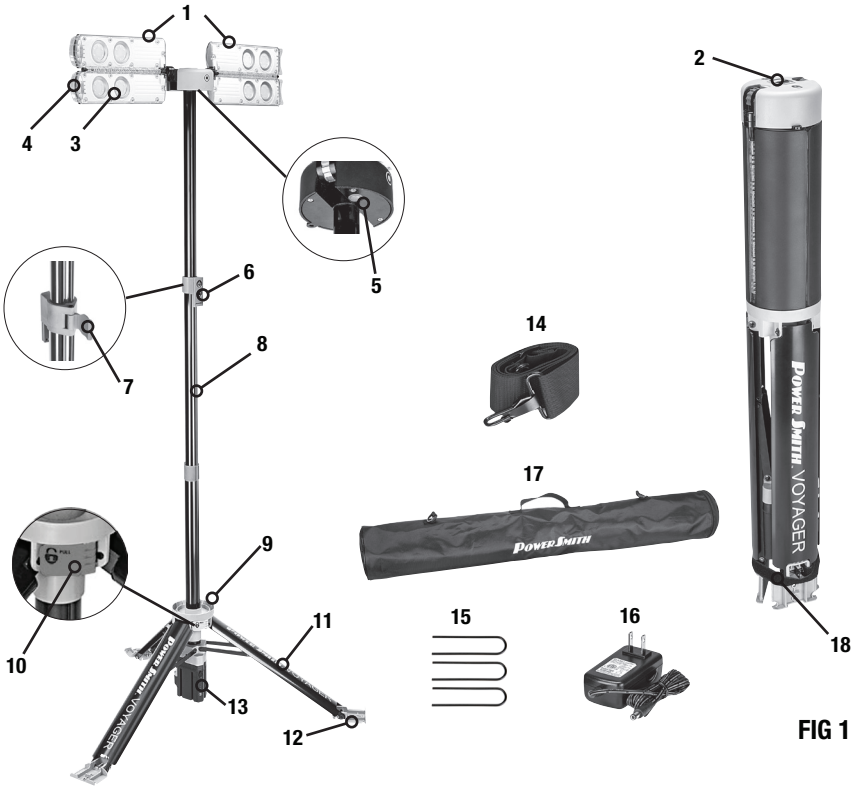


FIG 1

1. Light Heads
2. Lock Button for Light Heads
3. LEDs
4. Night Light LEDs
5. On-Board Switch
6. Remote Control
7. Tripod Locking Clips
8. Tripod
9. Leg Connector
10. Leg Locking Clip
11. Tripod Legs
12. Anti-Slip Feet
13. Battery Pack
14. Shoulder Strap
15. Foot Spikes
16. Battery Charger
17. Carrying Bag
18. Storage Strap

UNPACKING AND CONTENT

IMPORTANT! Due to modern mass production techniques, it is unlikely the product is faulty or a part is missing. If you find anything wrong, do not operate the product until the parts have been replaced or the fault has been rectified. Failure to do so could result in serious personal injury.

CONTENTS IN PACKAGE

Description	QTY	Description	QTY
Work Light	1	Battery Pack PVLAB121	1
Battery Charger	1	Foot Spikes	3
Carrying Bag	1	Shoulder Strap	1
Quick Start Guide	1	Operator's Manual	1

English

ASSEMBLY INSTRUCTION

SETTING UP AND BREAKING DOWN THE LIGHT (FIG 2)

Your work light is fully assembled and ready to use out of the box.

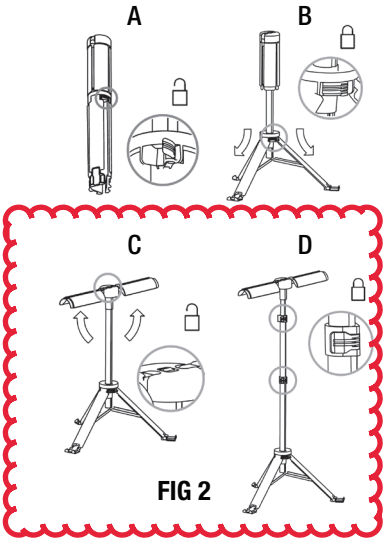


FIG 2

To Set Up the Light: From folded position A to working position D.

1. Unwrap the storage strap (18).
2. Release the leg locking clip (10). See position A.
3. Expand the tripod legs (11) and then lock the leg locking clip. See position B.
4. Place the light head locking button (2) in unlock position, then flip the light heads (1) up. See position C.
5. Release the tripod locking clips (7), raise the tripod (8) and lock the tripod locking clips. See position D.
6. Adjust the light heads (1) to a desired position.

To Break Down the Light: From postion D back to position A.

1. Release the tripod locking clips (7), lower tripod all the way down and lock the tripod locking clips.
2. Fold the light heads (1) down in a tube shape.
3. Release the leg locking clip (10).
4. Raise the leg connector (9) until the light heads nest inside.
5. Lock the leg locking clip.
6. Wrap the legs with the storage strap.

You may also refer to the "QUICK START GUIDE" sheet that is included with the product.

INSTALLING AND REMOVING THE BATTERY PACK (FIG 3)

A 12V lithium-ion battery pack (Model# PVLAB121) is pre-installed under the tripod pole.

NOTE: Remove the insulation tape on the battery terminals before using.

To Remove the Battery Pack from the Light: Slide down the battery locking pin, and then remove the battery as shown in FIG 3.

To Install the Battery Pack: Facing the side of the tripod base with the "battery symbol", slide the battery pack into the battery holder all the way until it locks in place with a click, as shown in FIG 3. Lightly pull on the battery to ensure it is locked into place and will not accidentally fall out.

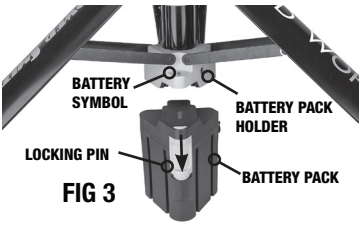


FIG 3

OPERATION

CHARGING THE BATTERY PACK (FIG 4)

1. Plug the battery charger into a power source.
2. Unplug the rubber insert to expose the charging port.
3. Connect the battery charger to the charging port.
4. The battery power indicator will light and show the charging status:
   - Red light flashing: Low power and charging.
   - Yellow light flashing: Over 50% power and charging.
   - Green light flashing: Over 80% power and charging.
   - Solid green light: Fully charged.

You may charge the battery pack either installed or removed from the light. If charging while installed, the light works with maximum brightness at 4000 lumens.

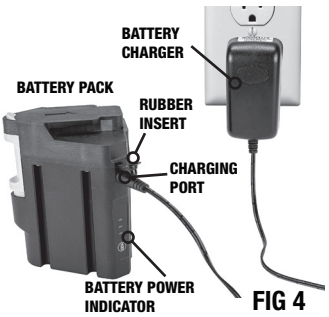


FIG 4

ON-BOARD SWITCH

Your light has a red on-board switch (5-FIG 1). See Figure 1 for its location. This switch turns the light On and Off and controls the light mode. The light mode cycles in the following sequence with each press on the switch:

High - Medium - Low - Night Light - OFF

The switch has a delayed "OFF" function. If a light mode stays on for more than 15 seconds, the next press of the switch will turn off the light.

REMOTE CONTROL (FIG 5)

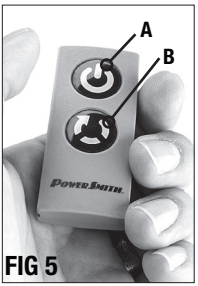


FIG 5

Your light includes a remote control PARC23 (6-FIG 1). It docks in the middle of the tripod pole.

There are two buttons on the remote. The top one (A) is to turn the light On or Off. The bottom one (B) is to select the light mode among High, Medium, Low, Night Light and Flashing Alert Light.

Slide the remote up to take it off the holder. Always keep it in the holder when not in use.

The maximum control range is approximately 60 feet from the light.

The remote is powered by a 3V Lithium-Ion button battery CR2032L. Remove the four screws on the back cover to replace the battery.

The included remote control has been paired with your LED Work Light at the factory. If you are using a replacement remote control, pairing the remote with the light is needed. Remove the battery pack from the light and reinstall it. Press and hold the On/Off button (A) on the remote for at least 7 seconds until the light turns on. This completes the pairing process and the remote is ready to use.

NOTE: Your light will turn to a sleep mode 24 hours after being turned off to save battery power. Press and hold the On/Off button (A) on the remote control for 2 seconds to awaken the light.

WARNING: This device complies with part 15 of the FCC Rules. Operation is subject to the following two conditions: (1) This device may not cause harmful interference, and (2) this device must accept any interference received, including interference that may cause undesired operation.

ADJUSTING THE LIGHT HEADS

FIG 6

Your light has four adjustable light heads. They can be configured in dozens of ways to get light where it is needed.

Flipping the Light Heads: Place the lock button (2) in Unlock position. Flip the light heads on each side up or down to the desired position. Lock the light heads by placing the lock button in Lock position. See Fig 6 & 7.

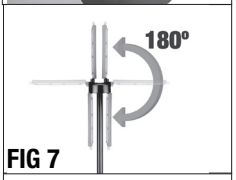


FIG 7

Rotating the Light Heads: The light heads are able to rotate 330° around their center axis. See Fig 8.

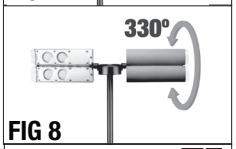


FIG 8

CAUTION: Do not force the light head. If it stops rotating in one direction, rotate in the other direction to reach the desired position.

ACCESSORIES

Foot Spikes (FIG 9)

Three foot spikes are included for extra hold in tough conditions. Hammer the foot spike into soft ground though two holes on the foot to give the light extra stability. The foot spike can be stored in the feet as shown in FIG 9.

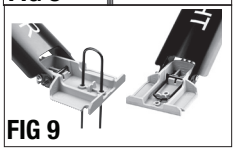


FIG 9

Shoulder Strap

An adjustable shoulder strap is Included for easy transport.

DOUGLAS COUNTY
COLORADO

Agenda Item

Date:	September 4, 2025
To:	Douglas County Board of County Commissioners
Through:	Douglas J. DeBord, County Manager
From:	Terence T. Quinn, AICP, Director of Community Development TQ
CC:	Matt Jakubowski, AICP, Chief Planner Jeanette Bare, AICP, Current Planning Manager Steven E. Koster, AICP, Assistant Director of Planning Services
Subject:	**6359 Airport Road – 5-Year Colorado Scottish Festival Entertainment Event Additional Documents for EE2025-007**

SUMMARY

Attached is the approved South Metro Fire Special Event Permit for the above application received since submission of the August 27, 2025 staff report.

SOUTH METRO FIRE RESCUE

Fire Marshal's Office
9195 E Mineral Ave, Centennial, CO 80112
www.southmetro.org 720-989-2230

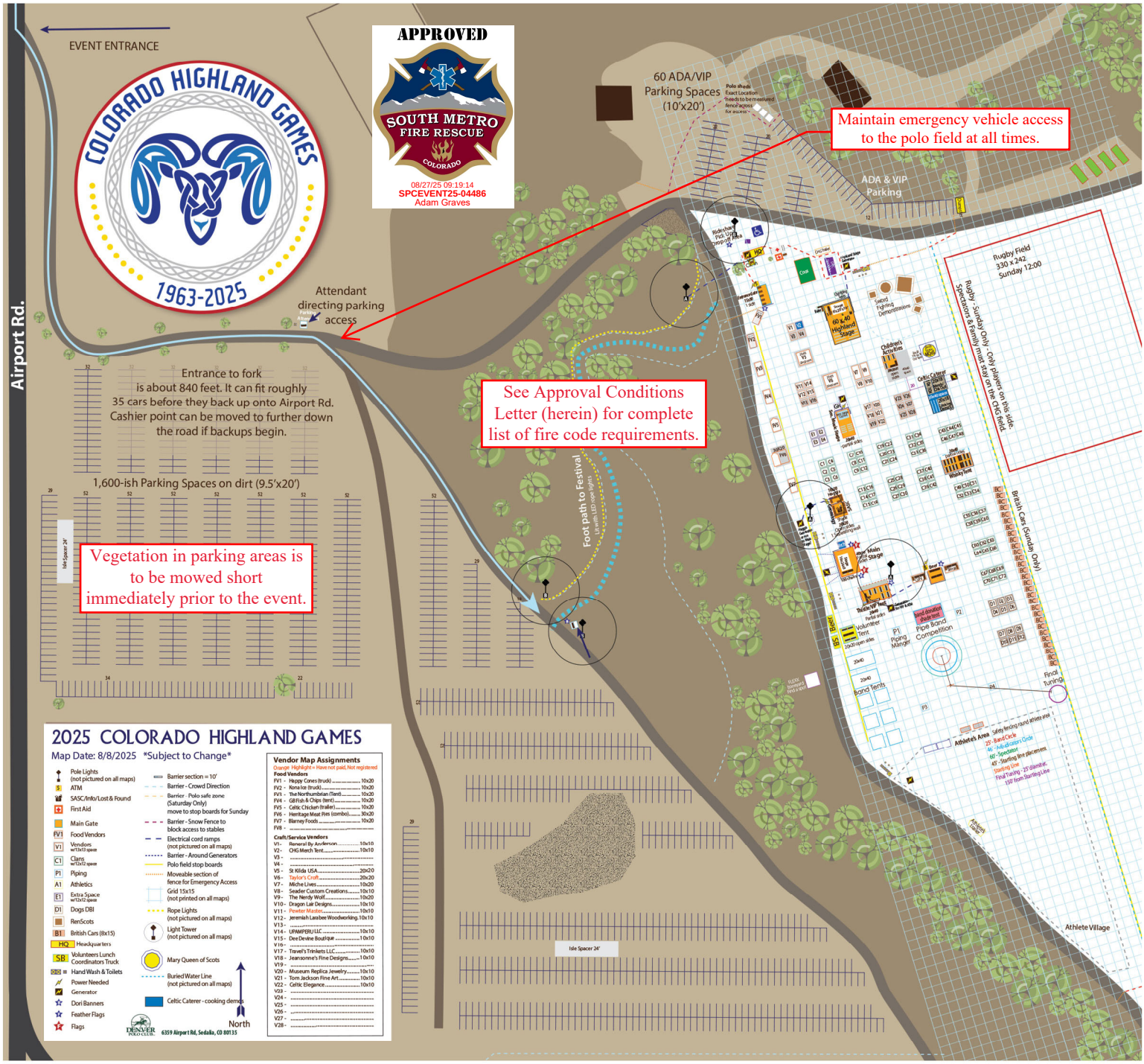
Special Event Permit

Permit Number:	SPCEVENT25-04486
Permit Type:	Special Event
Review Date:	08/27/2025
Event Name:	Colorado Highland Games
Event Date(s):	09/20/2025-09/21/2025
Event Location:	6359 Airport RD
Event Description:	Festival

Applicant Name:	Heather Miller
Applicant Phone:	303-941-5081

PLEASE KEEP ALL APPROVED PLANS ON-SITE THROUGHOUT THE DURATION OF THE EVENT.

TO AVOID DELAYS AND ADDITIONAL COSTS, IT IS THE PERMIT APPLICANT'S RESPONSIBILITY TO NOTIFY SOUTH METRO FIRE RESCUE OF ANY CHANGES TO THE APPROVED PLAN SET.


EVENT ENTRANCE
COLORADO HIGHLAND GAMES
1963-2025
APPROVED
SOUTH METRO FIRE RESCUE
COLORADO
08/27/25 09:19:14
SPCEVENT25-04486
Adam Graves
60 ADA/VIP Parking Spaces (10'x20')
Maintain emergency vehicle access to the polo field at all times.
ADA & VIP Parking
Attendant directing parking access
Airport Rd.
Entrance to fork is about 840 feet. It can fit roughly 35 cars before they back up onto Airport Rd. Cashier point can be moved to further down the road if backups begin.
See Approval Conditions Letter (herein) for complete list of fire code requirements.
1,600-ish Parking Spaces on dirt (9.5'x20')
Vegetation in parking areas is to be mowed short immediately prior to the event.
Foot path to Festival
Rugby Field 330 x 242 Sunday 12:00
Rugby - Sunday Only. Only players on this side. Spectators & family must stay on the CHG fields
British Cars (Sunday Only)
Athlete Village
Isle Spacer 24'
2025 COLORADO HIGHLAND GAMES
Map Date: 8/8/2025 *Subject to Change*
Vendor Map Assignments
Food Vendors
Craft/Service Vendors
North
6359 Airport Rd, Sedalia, CO 80135

2025 COLORADO HIGHLAND GAMES

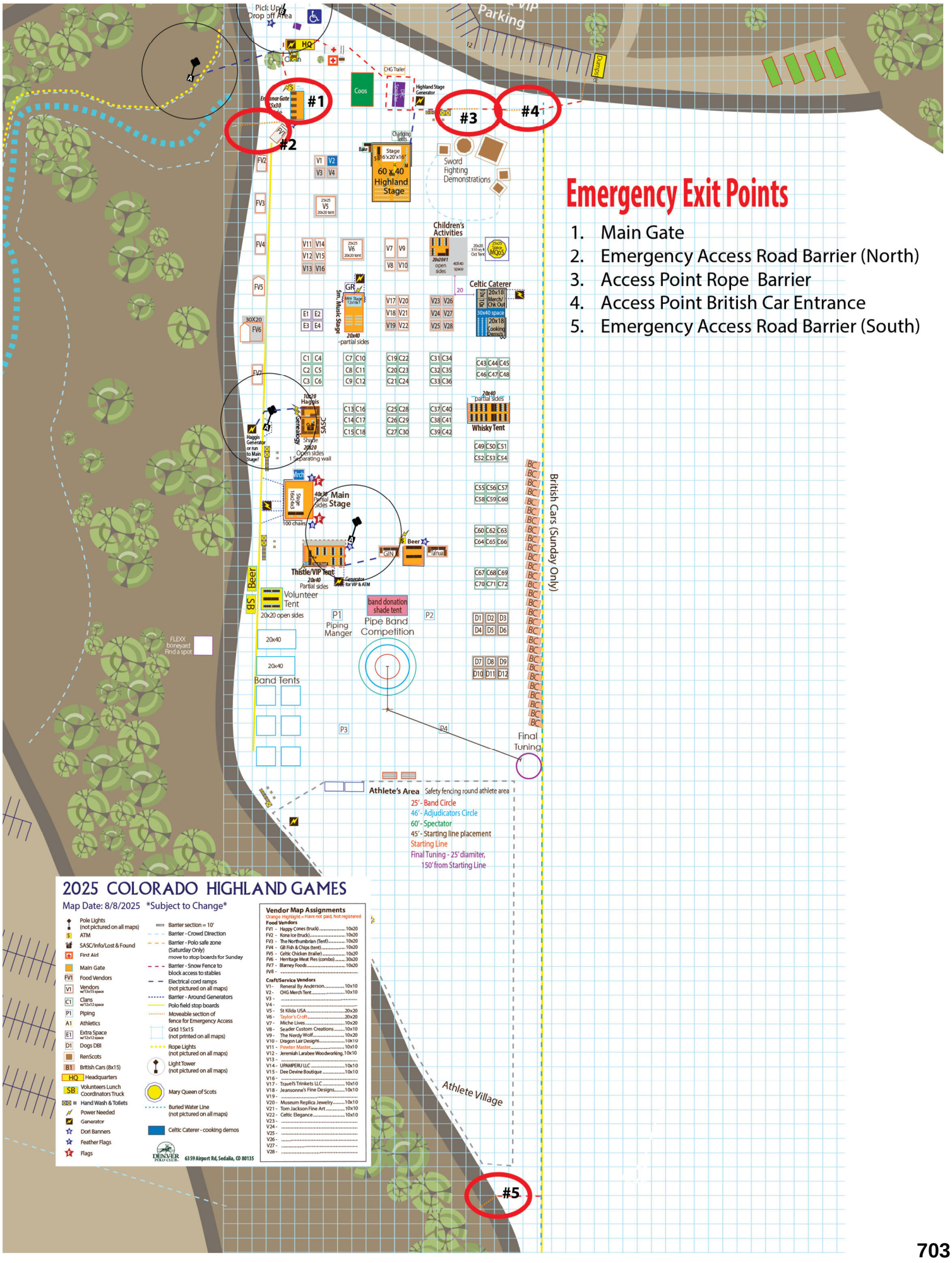
Map Date: 8/8/2025 *Subject to Change*

- Pole Lights (not pictured on all maps)
- ATM
- SASC/Info/Lost & Found
- First Aid
- Main Gate
- FV1 Food Vendors
- V1 Vendors w/13x13 space
- C1 Clans w/12x12 space
- P1 Piping
- A1 Athletics
- E1 Extra Space w/12x12 space
- D1 Dogs DBI
- RenScots
- B1 British Cars (8x15)
- HQ Headquarters
- SB Volunteers Lunch Coordinators Truck
- Hand Wash & Toilets
- Power Needed
- Generator
- Dori Banners
- Feather Flags
- Flags

- Barrier section = 10'
- Barrier - Crowd Direction
- Barrier - Polo safe zone (Saturday Only) move to stop boards for Sunday
- Barrier - Snow Fence to block access to stables
- Electrical cord ramps (not pictured on all maps)
- Barrier - Around Generators
- Polo field stop boards
- Moveable section of fence for Emergency Access
- Grid 15x15 (not printed on all maps)
- Rope Lights (not pictured on all maps)
- Light Tower (not pictured on all maps)
- Mary Queen of Scots
- Buried Water Line (not pictured on all maps)
- Celtic Caterer - cooking demos

DENVER POLO CLUB

6359 Airport Rd, Sedalia, CO 80135



Emergency Exit Points

1. Main Gate
2. Emergency Access Road Barrier (North)
3. Access Point Rope Barrier
4. Access Point British Car Entrance
5. Emergency Access Road Barrier (South)

2025 COLORADO HIGHLAND GAMES

Map Date: 8/8/2025 *Subject to Change*

Pole Lights (not pictured on all maps)
ATM
SASC/Info/Lost & Found
First Aid
Main Gate
Food Vendors
Vendors w/12x12 space
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British Cars (8x15)
Headquarters
Volunteers Lunch Coordinators Truck
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Mary Queen of Scots
Buried Water Line (not pictured on all maps)
Celtic Caterer - cooking demos

DENVER POLO CLUB 6359 Airport Rd, Sedalia, CO 80135

Vendor Map Assignments

Orange Highlight = Have not paid, Not registered

Food Vendors

FV1 - Happy Cones (truck) 10x20
FV2 - Kona Ice (truck) 10x20
FV3 - The Northumbrian (tent) 10x20
FV4 - GB Fish & Chips (tent) 10x20
FV5 - Celtic Chicken (trailer) 10x20
FV6 - Heritage Meat Pies (combo) 30x20
FV7 - Blarney Foods 10x20
FV8 - .....

Craft/Service Vendors

V1 - Reneral By Anderson 10x10
V2 - CHG Merch Tent 10x10
V3 - .....
V4 - .....
V5 - St Kilda USA 20x20
V6 - Taylor's Croft 20x20
V7 - Miche Lives 10x20
V8 - Seader Custom Creations 10x10
V9 - The Nerdy Wolf 10x20
V10 - Dragon Lair Designs 10x10
V11 - Pewter Master 10x10
V12 - Jeremiah Larabee Woodworking 10x10
V13 - .....
V14 - UPAMPERU LLC 10x10
V15 - Dee Devine Boutique 10x10
V16 - .....
V17 - Travel's Trinkets LLC 10x10
V18 - Jeansonne's Fine Designs 10x10
V19 - .....
V20 - Museum Replica Jewelry 10x10
V21 - Tom Jackson Fine Art 10x10
V22 - Celtic Elegance 10x10
V23 - .....
V24 - .....
V25 - .....
V26 - .....
V27 - .....
V28 - .....

2025 COLORADO HIGHLAND GAMES

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DENVER POLO CLUB

6359 Airport Rd, Sedalia, CO 80135

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FV2 -	Kona Ice (truck)	10x20
FV3 -	The Northumbrian (Tent)	10x20
FV4 -	GB Fish & Chips (tent)	10x20
FV5 -	Celtic Chicken (trailer)	10x20
FV6 -	Herritage Meat Pies (combo)	30x20
FV7 -	Blarney Foods	10x20
FV8 -		

Craft/Service Vendors

V1-	Reneral By Anderson	10x10
V2 -	CHG Merch Tent	10x10
V3 -		
V4 -		
V5 -	St Kilda USA	20x20
V6 -	Taylor's Croft	20x20
V7 -	Miche Lives	10x20
V8 -	Seader Custom Creations	10x10
V9 -	The Nerdy Wolf	10x20
V10 -	Dragon Lair Designs	10x10
V11 -	Pewter Master	10x10
V12 -	Jeremiah Larabee Woodworking	10x10
V13 -		
V14 -	UPAMPERU LLC	10x10
V15 -	Dee Devine Boutique	10x10
V16 -		
V17 -	Travel's Trinkets LLC	10x10
V18 -	Jeansonne's Fine Designs	10x10
V19 -		
V20 -	Museum Replica Jewelry	10x10
V21 -	Tom Jackson Fine Art	10x10
V22 -	Celtic Elegance	10x10
V23 -		
V24 -		
V25 -		
V26 -		
V27 -		
V28 -		

2025 Colorado Scottish Festival

Conditions of Approval for Special Event Permit issued by SMFR

The following requirements will apply to specific components of the Colorado Scottish Festival planned for September 20th and 21st, 2025, at 6359 Airport Rd in Sedalia:

Tents

1. Pop-up tents must be installed **and anchored** in accordance with manufacturer's specifications. Each tent should be staked into the earth or anchored using adequate weight to withstand adverse weather conditions.
2. Groupings or rows of pop-up tents may not exceed 700-sq. ft. in aggregate size without a 12-ft fire break separation from other tents/groupings.
3. Tents which are larger than 400-sq. ft. in size (700-sq. ft. if no sidewalls are attached) require a separate Temporary Structure permit issued by SMFR. **Please instruct your tent vendor(s) to apply for this permit through their usual permit process.** Since the tents are a component of a permitted event, there will not be a fee assessed for the tent permit.
4. Tents installed on a stage or elevated platform must meet the requirements listed in Item #3 under the Stages section below.
5. Cooking may not be performed beneath tents. Please ensure any cooking appliances are positioned outside of the tents. If the cooking produces grease-laden vapors, sparks, or involves an open flame, a 20-ft separation from tents is required.
6. Generators, vehicles, and other devices with an internal-combustion engine must be at least 20-ft from tents.

Generators

1. Generators must be isolated from the public and protected against tampering.
2. Generators must be a minimum of 20-ft from tents and combustible material including dead/dying vegetation.
3. All electrical appliances and cords must be rated for outdoor use.
4. Generators, cords, and other electrical components must not present a trip hazard or be positioned in a path of egress.

Stages / Bleachers

1. Stages and elevated platforms are to be installed, assembled, braced, and utilized in accordance with manufacturer's specifications, including any required guardrails.
2. Weight of equipment/personnel on the stage deck, and weight of equipment suspended from stage rigging must not exceed the total weight for which the stage is rated to withstand.
3. Tents may not be anchored to a stage without prior approval. If tents are to be attached or installed upon a stage, stamped engineering documents must be provided, which include the combined wind load, uplift calculations, required ballasting/anchoring, and effect of the weight of the tent in relation to the weight capacity of the stage. Douglas County Building Department approval will also be required.
4. In the event of wind or other adverse weather conditions, the High Wind Action Plan for the stage is to be followed to ensure the safety of performers and attendees.

5. Stage / bleachers may be subject to approval and inspection by the Douglas County Building Department.
6. **Any bleachers used shall meet ICC 300 requirements. Guardrails and footboard requirements if over 30 inches in height.**

Crowd Control Barriers

1. Crowd control barriers must allow for unobstructed egress from the enclosed area at all times.
2. Based on the total anticipated attendance of 1,500 people, **four exits are required** (as shown on Site Plan). The opening of each exit must measure no less than 6-ft in width.
3. Blow-out gates (emergency exits not intended for general use) may remain closed (not locked or latched) during the event, however they must be attended at all times by adult who can immediately open the gate if rapid egress becomes necessary.

Mobile Food Preparation Vehicles (food trucks)

1. All mobile food vendors at your event must possess a valid Food Truck Permit from South Metro Fire Rescue. As this is a new process in 2024, please advise your food vendors to call 720-989-2272 if they have questions or require any assistance in obtaining approval prior to your event.

Emergency Plan

1. Trained crowd managers are to be provided for outdoor events in which more than 1,000 people are present at a ratio of 1 Crowd Manager for every 250 attendees on-site.
2. Emergency vehicle access must be maintained to and from the event area at all times. If emergency response is needed, be prepared to provide the exact location that responders are needed and then guide emergency vehicles into the area once they arrive.
3. Weather must be constantly monitored. In the event of inclement weather, appropriate steps must be taken to ensure the safety of attendees.
4. In the event of an emergency, all music and amplified sound must be paused to ensure attendees are able to clearly hear instruction from event staff.

4' Poly Step-in Electric Fence Post White (50 Pack)

In Stock

& Ready To Ship!

User Rating Avg.

★★★★★

1 Review

Tap or pinch to expand

100 Ft. x 18" Multicolor Plastic Pennants Hanging Banner Decoration

100 ft #25/DP150

Qty: 20

$3.98

(52)

BUY AGAIN

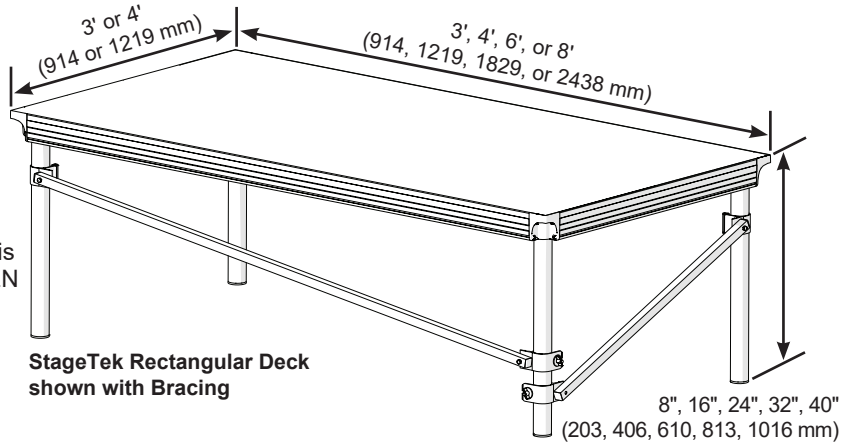
Feedback

StageTek® Staging System

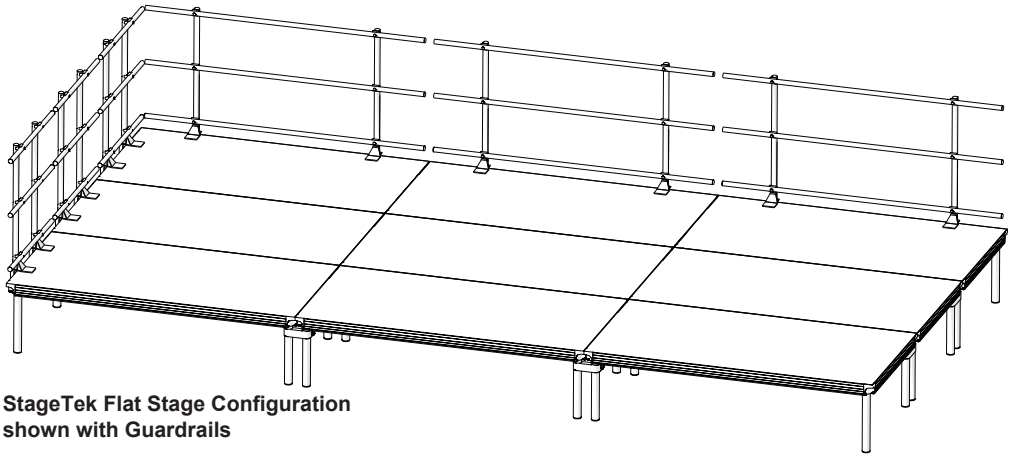
StageTek is a highly flexible design and can be used to accommodate many unique and custom applications. Please contact your Wenger Representative to discuss your needs.

System Description

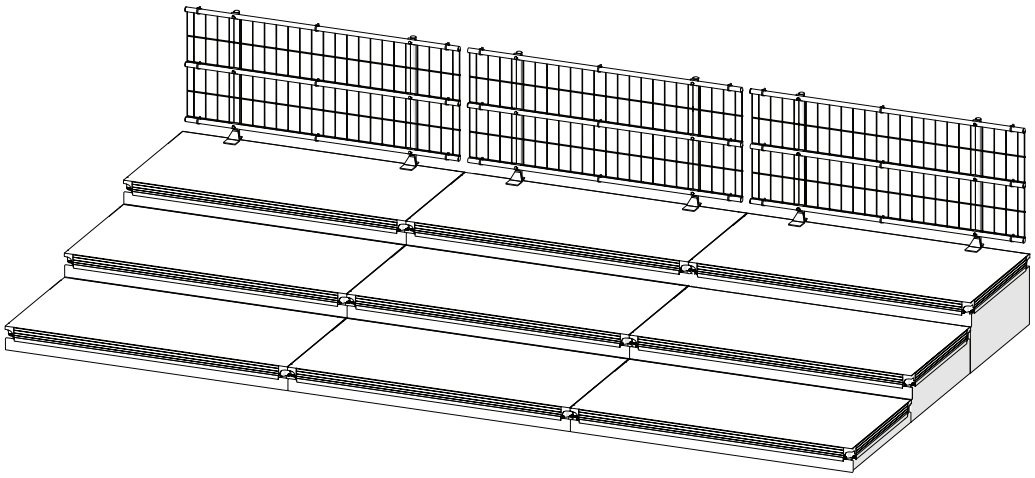
- 280A200._ Rectangular decks are available in the following sizes:
  3' x 3' (914 x 914 mm): 37 lb (17 kg)
  3' x 6' (914 x 1829 mm): 65 lb (29 kg)
  3' x 8' (914 x 2438 mm): 87 lb (39 kg)
  4' x 4' (1219 x 1219 mm): 59 lb (27 kg)
  4' x 6' (1219 x 1829 mm): 85 lb (39 kg)
  4' x 8' (1219 x 2438 mm): 107 lb (49 kg)
- Pie shaped and custom decks are available
- Five-year warranty
- Environmental attributes and LEED compliance for this product can be found at www.wengercorp.com/GREEN or by contacting your Wenger representative



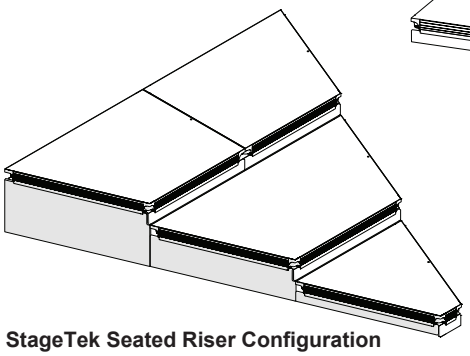
StageTek Rectangular Deck shown with Bracing



StageTek Flat Stage Configuration shown with Guardrails



StageTek Seated Riser Configuration shown with Guardrails, Infill Panels and Closure Panels

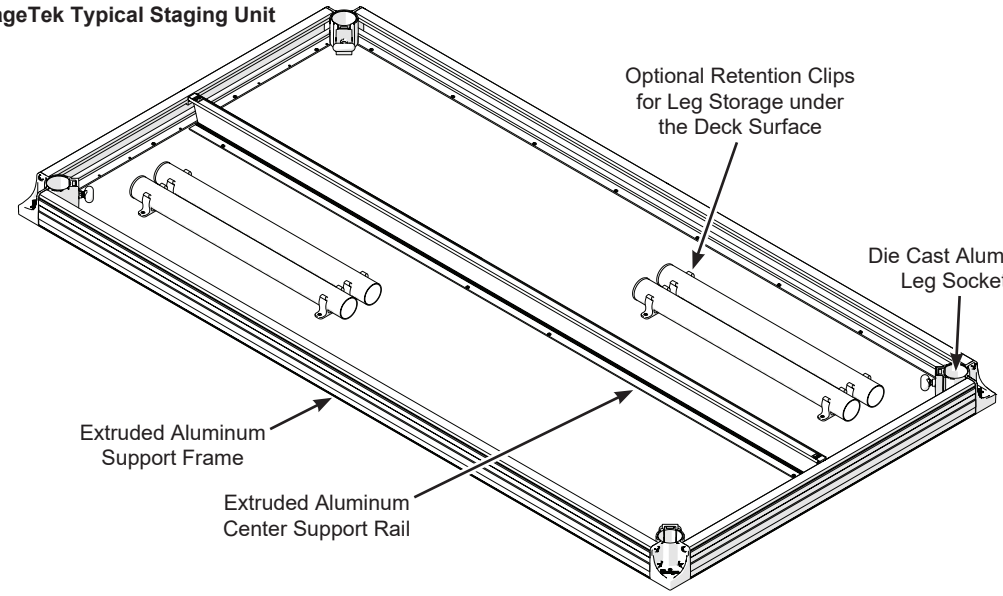


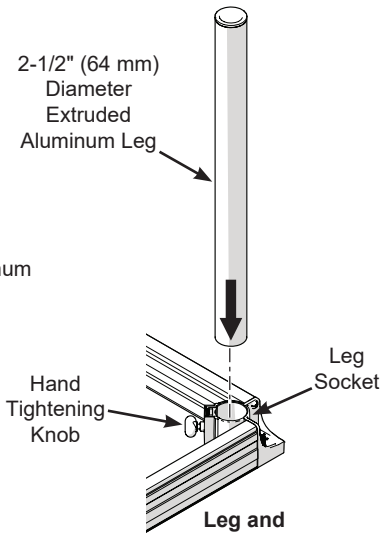
StageTek Seated Riser Configuration with Pie Shaped Decks and Closure Panels

Features

- Platform decks are 3/4" (19 mm) thick and constructed of Group I veneer plywood with a protective laminate on both sides
- Surface options:
  - Black Standard (Cracked Ice Polypropylene): A slip resistant overlay recommended for general multi-purpose
  - Black Versalite-Match (Moroccan): A slip resistant overlay that will match Wenger Versalite decks
  - Black Heavy-Duty (Quadripple): An aggressive textured overlay for applications requiring greater slip resistance
  - Natural or Painted Hardboard: A 1/2" (13 mm) plywood bonded between two faces of 1/8" (3 mm) tempered hard-ply
  - Carpeted: Manufacturer's standard grey carpet over a 5/8" (16 mm) plywood core (contact Wenger for a sample)
  - Carpet Ready: A 5/8" (16 mm) plywood core ready to receive carpet surface
  - Black powder-coat paint finish is available for the deck surface, frame and legs (not telescopic legs)
- Dynamic impact loading: 10,000 cycles of 400 lb-force (181 kg-force) at six locations per 4' x 8' (1219 x 2438 mm) rectangular deck
- StageTek Load Ratings as measured on a 4' x 8' (1219 x 2438 mm) rectangular deck:
  - Standard Uniform Live Load for decks with 4 legs: 125 lbf/sq ft (6 kN/sq m), meets L/75 deflection criteria
  - Heavy Duty Uniform Live Load for decks with 5th leg (as needed or smaller deck): 150 lbf/sq ft (7.2 kN/sq m), meets L/180 deflection criteria
  - Heavy Duty Uniform Live Load for decks with no 5th leg, added stiffener(s): 150 lbf/sq ft (7.2 kN/sq m), meets L/180 deflection criteria
  - Lateral Live Side Load: 12 lbf/sq ft (0.6 kN/sq m) based on deck top surface area, meets IBC code
  - Caster Load: 300 lb (136 kg) applied via 2" (51 mm) diameter by 2" (51 mm) wide flat rubber wheel with no appreciable surface deformation
  - Concentrated Load: 500 lb (227 mm) on a single 6" x 6" (152 x 152 mm) square area per deck
- Standard rectangular decks feature spaces under each platform unobstructed by folding frames or braces allowing for easy storage/stowage space under the system
- Frame and edging are fabricated from 4" (102 mm) tall aluminum extrusion; extrusion is designed with a slight recess for hook and loop skirting attachment and also features notches hidden on the inside of the frame to accept accessory attachments
- Decks feature fully replaceable components including corners, frame, and wood deck; replaceable in the field with common tools
- An aluminum extrusion center support rail is featured on deck sizes:
  4' x 8' (1219 x 2438 mm), 4' x 6' (1219 x 1829 mm) and 3' x 8' (914 x 2438 mm)
- The frame is designed for safer, easier handling and features rounded contours ergonomically sized for a secure power grip (closed grip)
- Standard unit-to-unit connectors are 2" (51 mm) wide, heavy-duty hook-and-loop straps with a metal d-ring; two straps are provided with each rectangular deck to connect unit legs together
- Leg braces are available to provide additional stability

StageTek Typical Staging Unit

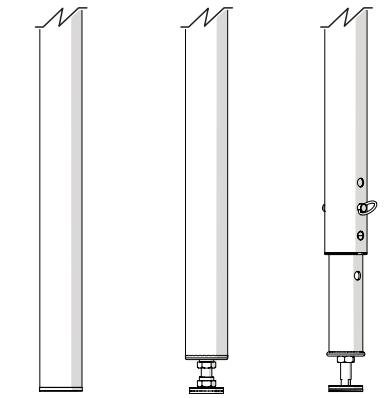




Leg and Socket Detail

Leg Options

- Available leg options include fixed height, adjustable height and telescopic
- Standard rectangular decks have four die cast aluminum leg sockets; legs are quickly secured without tools by just rotating the knob
- Standard legs are fabricated from 2-1/2" (64 mm) diameter aluminum extrusions and are finished with non-marring cap
  Available in lengths that result in the following deck heights:
  8" (203 mm), 16" (406 mm), 24" (610 mm), 32" (813 mm) and 40" (1016 mm)
- Adjustable telescopic legs feature a threaded leveling foot finished with a rubber pad and non-rattling telescopic adjustment secured with a quick-release pin and jam nut; available in lengths that result in the following deck heights:
  16"-28" (406-711 mm), 24"-40" (610-1016 mm) and 30"-54" (762-1372 mm)
- Black powder-coat paint finish is available for fixed height legs and adjustable height legs; not available for telescopic legs
- Custom leg sizes are available



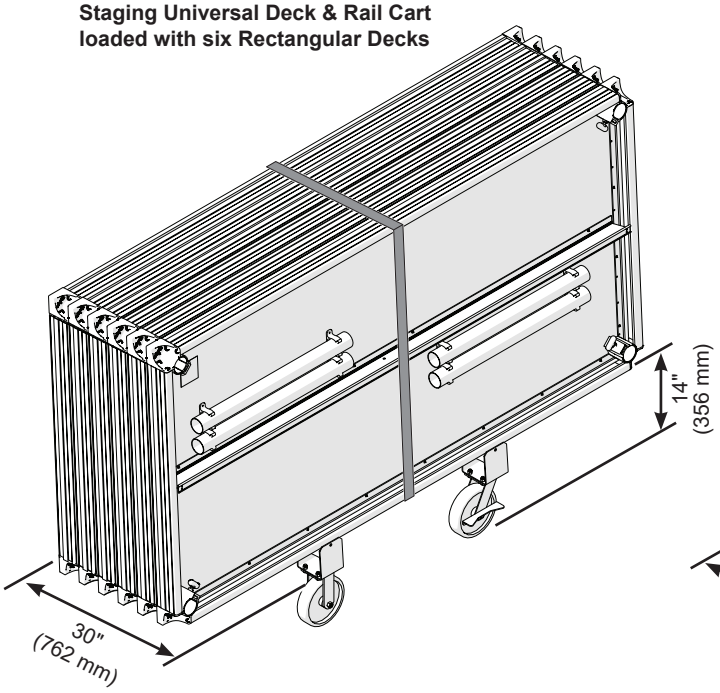
Fixed Height Leg **Adjustable Height Leg** **Telescopic Leg**

Accessories

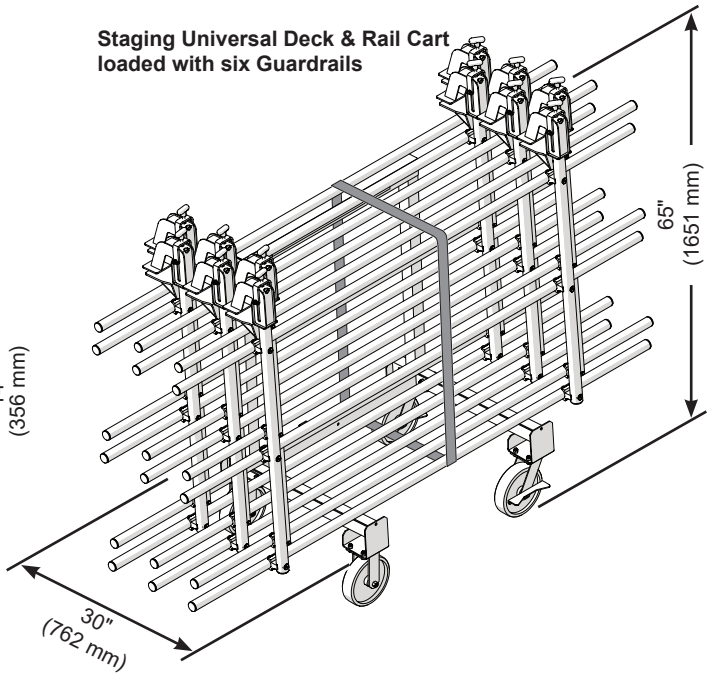
Staging Universal Deck & Rail Cart

- 113K001 85 lb (38 kg); fits through a 32" (813 mm) door
- Holds six StageTek rectangular decks (without accessories) or six StageTek guardrails
- Decks and guardrails can be mixed on the same cart
- Ideal for non-rectangular units such as pie shapes used in seated risers and oversize units
- Heavy-duty, non-marring locking casters and ratcheting nylon safety strap

Staging Universal Deck & Rail Cart loaded with six Rectangular Decks



Staging Universal Deck & Rail Cart loaded with six Guardrails

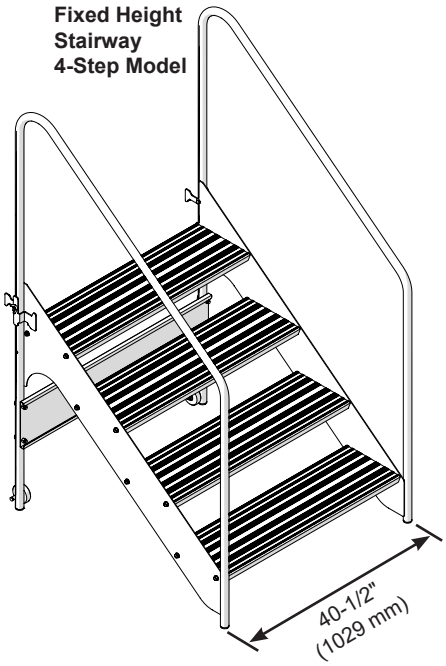


Stairways – Fixed Height and Adjustable

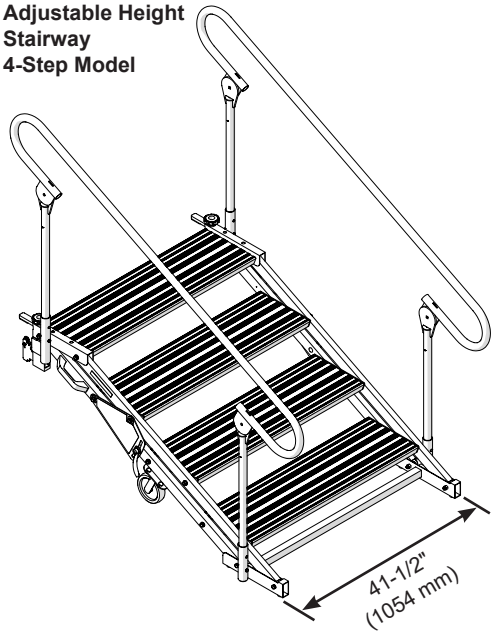
Fixed Height Stairways	Adjustable Height Stairways
2-Step: 281A100 55 lb (25 kg)	3-Step: 281A201 107 lb (49 kg)
3-Step: 281A101 76 lb (34 kg)	4-Step: 281A202 122 lb (55 kg)
4-Step: 281A102 94 lb (43 kg)	6-Step: 281A203 160 lb (73 kg)
	8-Step: 281A204 188 lb (85 kg)

- Adjustable stairways are ideal for custom-height systems and for systems that are frequently set up at different heights
- Stairways feature a hook bracket to function with StageTek decks
- Stairs feature aluminum extruded treads and include permanent handrails on both sides

Fixed Height Stairway 4-Step Model



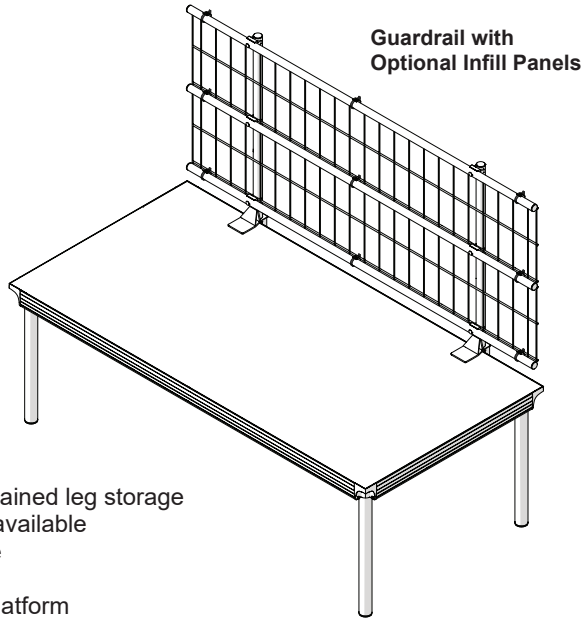
Adjustable Height Stairway 4-Step Model



Accessories (continued)

Guardrails

- Guardrails comply with IBC code requirements for loading
- Guardrails feature two uprights and three cross bars; optional infill panels can be added that comply with the IBC 4" (102 mm) sphere code
- Guardrails can function as a chair stop
- Guardrails are 42" (1067 mm) high with a black powder-coat paint finish
- Guardrails clamp to the stage deck without the need for tools



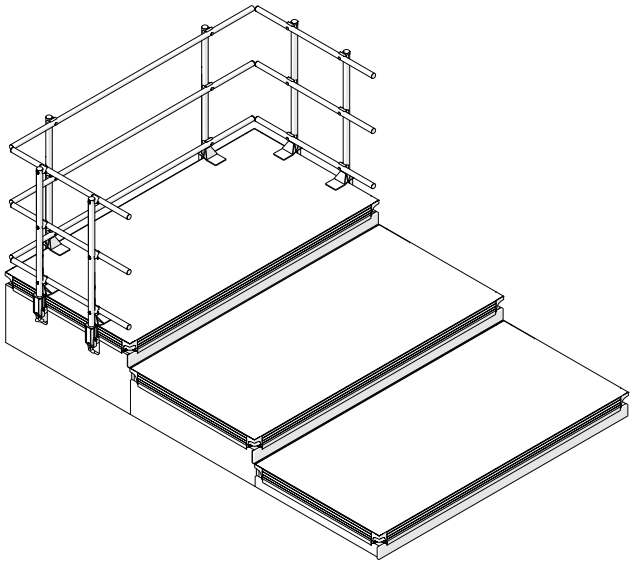
Guardrail with Optional Infill Panels

Clamps, Connectors and Braces

- Optional retention clips for leg storage mount under the deck to provide retained leg storage
- A variety of metal leg to leg, leg to deck, overlap and anchor brackets are available
- Stabilizing braces are recommended for heights 40" (1016 mm) and above
- Optional deck-to-deck cam locks are built into the deck frame; cams can be locked or opened via a small tool access hole on top of the platform

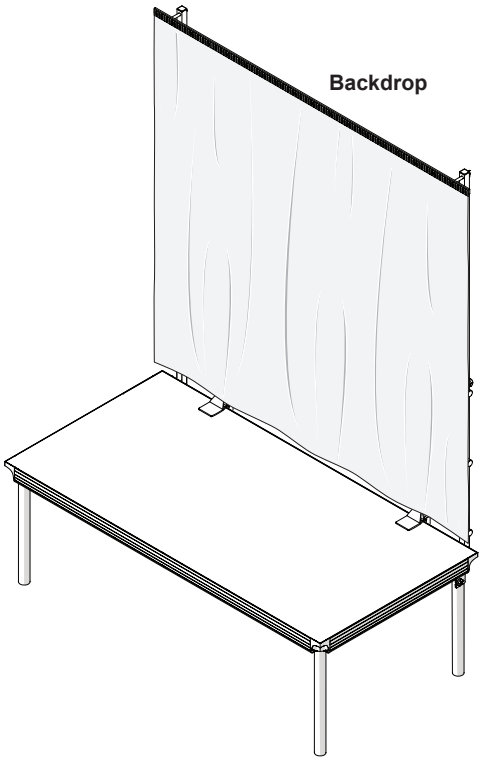
Backdrop and Closure Panels

- Drapery is available in heights to match the staging elevation and in a wide variety of colors
- 100% fire retardant woven polyester attaches with hook and loop fastening strips
- Backdrop frame attaches to guardrails and positions a drapery 8' (2438 mm) above the stage; available in 4' (1219 mm), 6' (1829 mm), and 8' (2438 mm) widths
- Solid side and front closures are ideal for seated riser systems; constructed of the same material as the deck with the same surface options; edges are finished in a thermofused black edge band; connects to the rail without tools via an extruded PVC clip running the length of the closure



StageTek Seated Riser Configuration with Guardrails and Closure Panels

A box step accessory is available for audience seating applications



Backdrop

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