

## Special District - Service Plan Staff Report

**DATE:** APRIL 4, 2024  
**TO:** DOUGLAS COUNTY PLANNING COMMISSION  
**FROM:** LAUREN PULVER, PLANNING SUPERVISOR *LP*  
KATI CARTER, AICP, ASSISTANT DIRECTOR OF PLANNING RESOURCES *KAC*  
**SUBJECT:** TWIN MESA METROPOLITAN DISTRICT SERVICE PLAN  
**PROJECT FILE:** SV2023-003

**OWNER:**  
DAMIAN COX  
1288 SOUTH PEAK VIEW DRIVE  
CASTLE ROCK, CO 80109

**REPRESENTATIVE:**  
MICHAEL DAVIS  
1161 EAGLE DRIVE, SUITE 366  
LOVELAND, CO 80537

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**PLANNING COMMISSION MEETING:**

**APRIL 15, 2024 @ 6:00 PM**

**BOARD OF COUNTY COMMISSIONERS HEARING:**

**MAY 28, 2024 @ 2:30 PM**

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### I. EXECUTIVE SUMMARY

This request is for approval of a service plan for Twin Mesa Metropolitan District (District). The purpose of the District is to install a traffic control gate on Twin Oaks Road and maintain an emergency access gate on Clarke's Circle. The proposed District includes Castle Mesa and Twin Oaks Subdivisions.

The Project consists of approximately 1,632 acres of land that is zoned Agricultural One (A-1), Rural Residential (RR), Estate Residential (ER), and Large Rural Residential (LRR). The property is located in the West Plum Creek Subarea of the Nonurban Area of the 2040 Comprehensive Master Plan (CMP).

The proposed District is atypical as compared to existing districts in the County to finance and construct the necessary public infrastructure in the absence of existing services in the area.

In staff's assessment, the proposed District complies with the approval criteria found in the Colorado Revised Statutes (C.R.S.).

## II. REQUEST

### A. Request

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

- Street Improvements
- Traffic Safety Protection

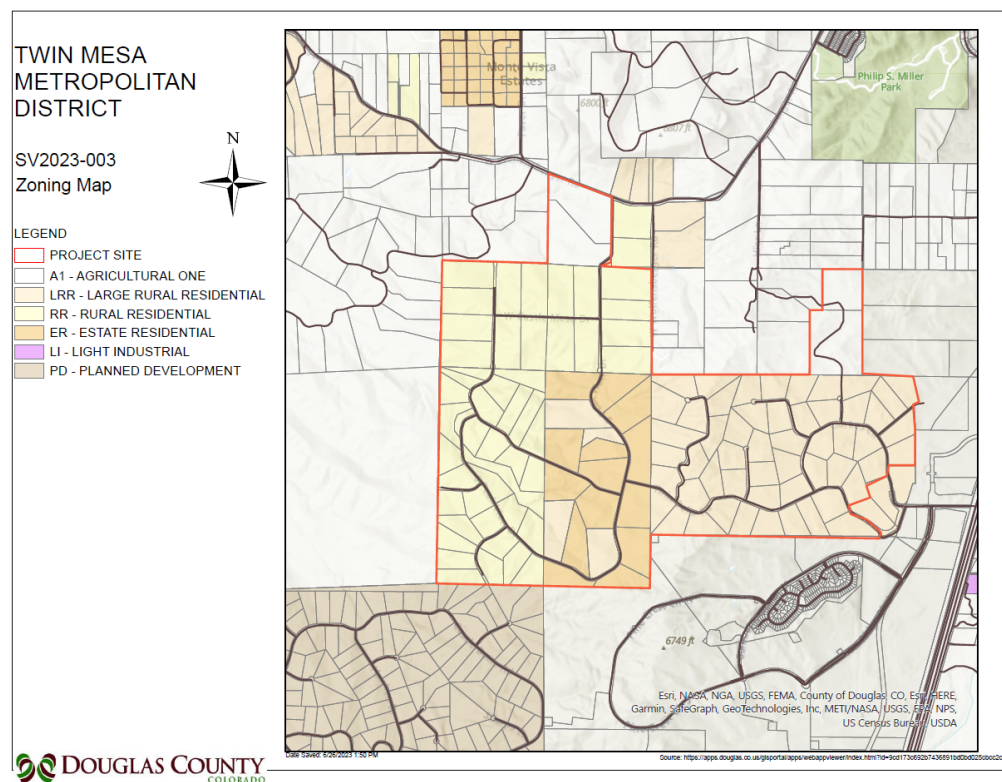
### B. Process

Service plans and service plan amendments are processed in compliance with 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 Planning Commission (PC) review the service plan to determine its compliance with specific criteria set forth in the Control Act; see the discussion in Section VI – Staff Analysis.

### C. Location

The District is generally located in Section 21 and 22, Township 8 South, Range 67 West of the 6<sup>th</sup> P.M. of the County of Douglas, Colorado. The District is located west of Interstate 25 and south of West Wolfensberger Rd. The District is located in the West Plum Creek Subarea of the Nonurban Area of the 2040 Comprehensive Master Plan. The District is outlined in red below.



### III. CONTEXT

#### A. **Background**

The property within the District is zoned A-1, RR, ER, LRR and currently includes 120 privately owned residential units and zero square feet of commercial space. The population of the District is estimated to be 480 residents.

Based upon the information provided by the applicant, the current assessed value of property within the boundaries of the District is \$9,984,170.

#### 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 in the Town of Castle Rock. West of the District is privately owned property zoned A-1.

### IV. SERVICES

#### A. **Water and Sanitary Sewer**

This District does not require water service from any water provider, nor is any water supply plan required for the District due to use of residential wells and septic systems.

#### B. **Services to be Provided by Other Governmental Entities**

Jackson 105 Fire District and Castle Rock Fire District will continue to provide fire protection services to the District.

### V. 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
- Black Hills Energy
- Castle Rock Downtown Development Authority
- Castle Rock Fire and Rescue Department
- Castleview Metropolitan District No. 1
- Cedar Hill Cemetery Association
- CenturyLink
- Citadel Station – Castle Meadows URP
- Colorado Department of Transportation CDOT-Region # 1
- Colorado Division of Water Resources
- Colorado Geological Survey
- Comcast

- Consolidated Bell Mountain Ranch Metropolitan District
- CORE Electric Cooperative
- Crystal Crossing Metropolitan District
- Crystal Valley Metropolitan District No. 2
- Dawson Trails Metropolitan District Nos. 1-7
- 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
- E-470 Public Highway Authority
- Hillside at Castle Rock Metropolitan District
- Jackson 105 Fire District
- Lanterns Metropolitan District Nos. 1-5
- Larkspur Fire District
- Meadows Metropolitan District Nos. 1-7
- Millers Landing Business Improvement District
- RTD - Planning & Development Dept
- Rural Water Authority of Douglas County
- Town of Castle Rock
- Town of Castle Rock Festival Park Commons GID
- Twin Oaks HOA
- Villages at Castle Rock Metropolitan District
- West Douglas County Fire District
- Xcel Energy-Right of Way & Permits

Douglas County Planning staff requested technical revisions to the service plan. These revisions include formatting and language changes that were addressed by the applicant. Planning staff also requested that the applicant provide an explanation for how the tolling of the road is proposed to be managed, including projected revenue from toll collection and how the toll will be set and collected. The service plan contemplates that an annual fee may be imposed on non-authorized users, but additional details on toll collection or price were not provided.

Douglas County Engineering and Public Works Department (Engineering) provided comments on the proposed service plan. These comments relate to the ownership and



maintenance of the proposed emergency gate on Clarke's Circle. Engineering also provided a recommendation that the appropriate Fire Districts, School District, and Sheriff's Office be contacted about the proposal to allow the County to understand how these services may or may not be impacted. The applicant added additional language to the service plan outlining that the District's board of directors will ensure that all authorized users will have 24/7 access to the traffic control gate. The service plan defines authorized users as residents of the District, utility providers, school districts, emergency service providers, law enforcement, all County services and County service providers, and other service providers such as trash collection and deliveries. Authorized users will not be charged a toll.

Additionally, Engineering requested that language regarding the need for traffic and safety controls on the local roadways within the District be revised to reflect that potential future need from a District point of view. The County has not determined that there is an existing need to erect traffic and safety controls. Engineering also provided comments related to the proposed ability of the District to impose a toll on the section of vacated road. Engineering does not support the ability of the District to toll any users of the proposed gate, given that the small portion of private road has public roads leading to it on both sides.

The service plan application was also sent to the following County consultants for review:

- Hilltop Securities (financial plan review)

Hilltop Securities (Hilltop) reviewed the service plan financial plan to determine if the anticipated revenues support the proposed indebtedness. Hilltop concluded that it is reasonable that the proposed District will be able to repay the estimated Advance of \$100,000, subject to annual appropriation, in accordance with the Service Plan.

Castle Rock Fire provided a comment specifying that the Traffic Control Gates will need to be Opticom controlled with a Knox key backup. The applicant added these specifications to the Service Plan.

Public comment was submitted by residents of the proposed District. Staff received 12 letters of support for the District and 7 letters in opposition. These letters are included in the attachments.

## **VI. 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 applicant is anticipating increased traffic due to nearby infrastructure changes and increased development. Thus, there may be a projected need for the District. The proposed Service Plan includes language that would require the District to dissolve if the construction of the bridge for the Crystal Valley Interchange has not commenced or the emergency gate on Clarke's Circle has not been approved to be installed by the County as of December 31, 2030.*

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

*Staff Comment: Existing service on the roadway will not reroute future traffic as desired by the applicant.*

- 3. 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: The County is not able to provide a gate structure and maintenance as desired within a reasonable time or on a comparable basis.*

- 4. 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 32-1-204(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.*

- 5. 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 Nonurban Area of the CMP. The CMP outlines goals for these areas that protect natural and rural character and utilize existing services, where possible. The proposed District and its purpose do not conflict with these concepts.*

6. **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 upon information provided by the applicant, long-range water quality management is not applicable.*

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

*Staff Comment: The County currently provides street improvements and traffic safety protection to the subdivisions in the proposed District. The applicant states that the service plan is needed to allow for future new traffic to be rerouted in order to maintain the existing rural character of the community.*

**VII. STAFF ASSESSMENT**

Based upon adequate resolution of the proposed conditions below, in staff’s assessment, the application complies with the criteria found at C.R.S. 32-1-203(2)(a) and (b) & (2.5).

1. Prior to the Board of County Commissioners’ hearing, the applicant shall address Engineering’s referral comment related to tolling the roads – explaining the process for setting fees for access, addressing potential limits to generating revenue from this activity, and explaining in as much detail as possible how the fees will be managed.
2. Prior to the Board of County Commissioners’ hearing, the applicant shall request consent from the appropriate fire districts, school district, and sheriff’s office to inform them of this proposal and ensure that all of their needs can be met under this plan.

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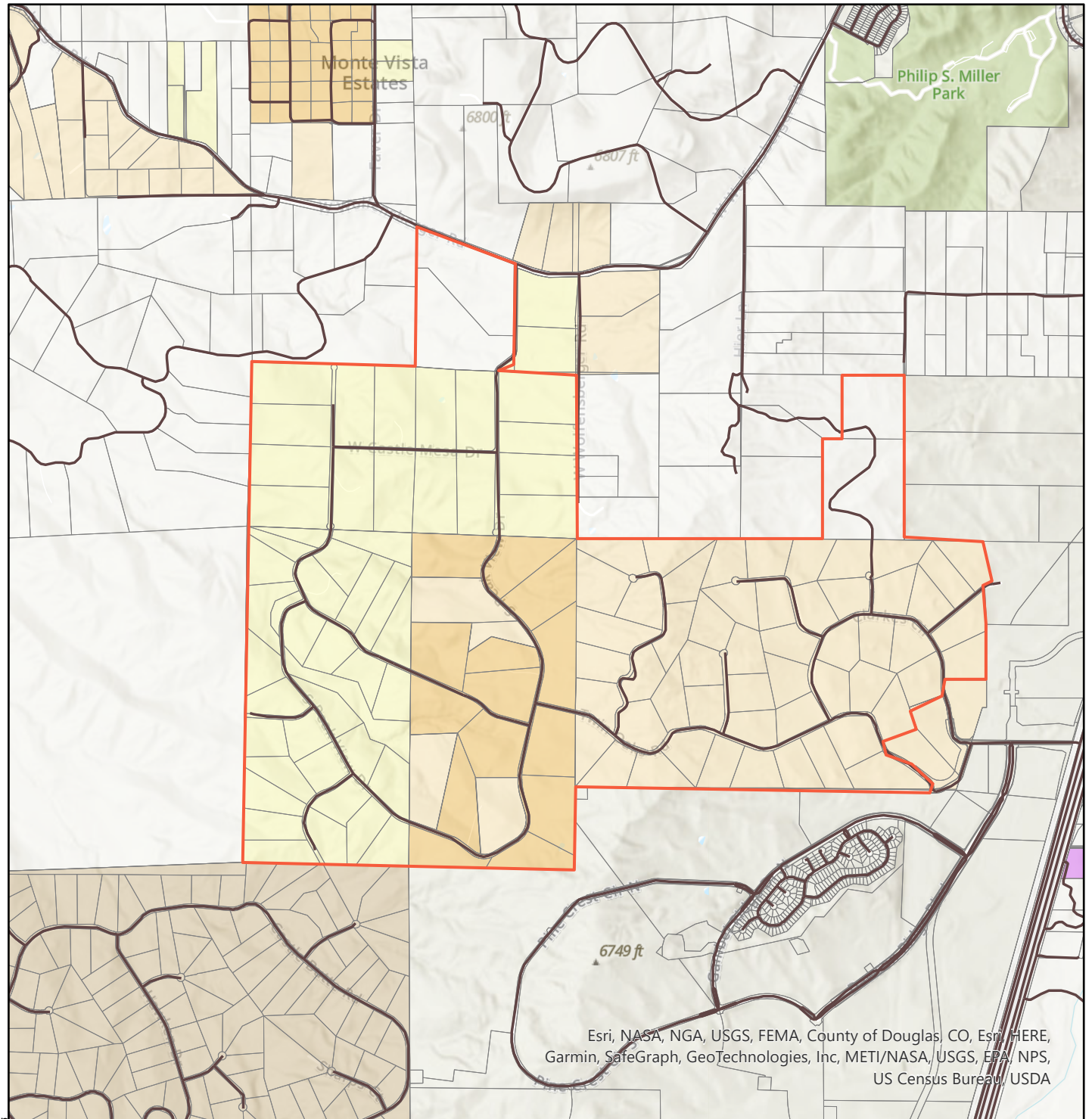
# TWIN MESA METROPOLITAN DISTRICT

SV2023-003  
Zoning Map



## LEGEND

- PROJECT SITE
- A1 - AGRICULTURAL ONE
- LRR - LARGE RURAL RESIDENTIAL
- RR - RURAL RESIDENTIAL
- ER - ESTATE RESIDENTIAL
- LI - LIGHT INDUSTRIAL
- PD - PLANNED DEVELOPMENT



Esri, NASA, NGA, USGS, FEMA, County of Douglas, CO, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA





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: TWIN MESA METROPOLITAN DISTRICT  
 LOCATION: SEE ATTACHED VICINITY MAP  
 LEGAL DESCRIPTION: (attach)  
 PLANNED DEVELOPMENT SUBDIVISION NAME(S): TWIN OAKS AND CASTLE MESA  
 FILING#: \_\_\_\_\_  
 SECTION#: PORTIONS OF §§ 16, 17, 20, 21, 22  
 TOWNSHIP: T8S  
 RANGE: 67W  
 PROPERTY TAX PARCEL #(s): \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_  
MULTIPLE GROSS ACREAGE: 1632

\*\*\*PLANNING OFFICE USE ONLY\*\*\*

NEW DISTRICT/PRESUBMITTAL     MAJOR MODIFICATION  
 NEW DISTRICT     CONSOLIDATION

DATE COMPLETE APPLICATION SUBMITTED \_\_\_\_\_

PLANNER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
 FEE (if required) \_\_\_\_\_ PROJECT NO. \_\_\_\_\_

APPLICANT (Petitioner not Consultant)  
 NAME: DAMIAN COX  
 ADDRESS: 1288 S. PEAKVIEW DRIVE  
CASTLE ROCK, CO 80109  
 PHONE: 303-688-1386 FAX: \_\_\_\_\_

FINANCIAL CONSULTANT  
 NAME: N/A  
 ADDRESS: \_\_\_\_\_  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

AUTHORIZED REPRESENTATIVE  
 NAME: MICHAEL DAVIS  
 ADDRESS: 1151 EAGLE DRIVE, STE 366  
LOVELAND, CO 80537  
 PHONE: 720-324-3130 FAX: \_\_\_\_\_  
(ALSO, SEE ATTACHED)

ENGINEERING CONSULTANT  
 NAME: N/A  
 ADDRESS: \_\_\_\_\_  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

LEGAL CONSULTANT  
 NAME: MICHAEL DAVIS  
 ADDRESS: 1151 EAGLE DRIVE, #366  
LOVELAND, CO 80537  
 PHONE: 720-324-3130 FAX: N/A

PROPERTY OWNER (Provide separate list if more than one owner)  
 NAME: SEE ATTACHED  
 ADDRESS: \_\_\_\_\_  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

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

[Signature] 4/3/23  
 APPLICANT SIGNATURE DATE

SERVICE PLAN

FOR

TWIN MESA METROPOLITAN DISTRICT

DOUGLAS COUNTY, COLORADO

Prepared

By

Law Office of Michael E. Davis, LLC  
1151 Eagle Drive, Suite 366  
Loveland, Colorado 80537

Submission Date: April 1, 2024

APPROVAL DATE: \_\_\_\_\_

Twin Mesa Metropolitan District



## APPROVAL SUMMARY

This Service Plan for Twin Mesa Metropolitan District (the “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. \_\_\_\_\_.

Twin Mesa Metropolitan District

PETITIONERS AND CONSULTANTS

This Service Plan has been prepared by the representatives of the Petitioners and the following participating consultants:

<p>Petitioners Representative</p> <p>Name: Damian Cox          Address: 1288 S. Peak View Drive          City, State Zip: Castle Rock, CO 80109          Phone: (720) 933-3648          Fax: (303) 688-1386          Email: damian@coxrelaw.com</p>	<p>District Counsel</p> <p>Company: Law Office of Michael E. Davis, LLC          Attn: Michael Davis          Address: 1151 Eagle Drive, Ste. 366          Loveland, CO 80537          Phone: (720) 324-3130          Email: michael@mdavislawoffice.com</p>
<p>Petitioners Representative</p> <p>Name: Dan Clemens          Address: 1066 Clarke Ct.          City, State Zip: Castle Rock, CO 80109          Phone: (303) 378-0642          Email: dan@quietpath.com</p>	<p>Petitioners Representative</p> <p>Name: Denny Ingram          Address: 1268 Clarkes Circle          City, State Zip: Castle Rock, CO 80109          Phone: (303) 570-7061          Email: dennying58@gmail.com</p>
<p>Petitioners Representative</p> <p>Name: Rick Stucy          Address: 1426 Castle Mesa Drive          City, State Zip: Castle Rock, CO 80109          Phone: (303) 378-1592          Email: rick@trailstardev.com</p>	<p>Petitioners Representative</p> <p>Name: Matt Thomson          Address: 1446 O'Brien Way          City, State Zip: Castle Rock, CO 80109          Phone: (303) 578-6260          Email: thomsonhomes@gmail.com</p>

[ADDITIONAL CONSULTANTS MAY BE ADDED AT THE DISCRETION OF THE PETITIONERS.]

Twin Mesa Metropolitan District

## EXECUTIVE SUMMARY

This service plan is for Twin Mesa Metropolitan District (the “District”), which will serve certain public roadway improvement and traffic safety needs for most of the Twin Oaks subdivision, the Castle Mesa South, Castle Mesa West subdivisions, most of the Castle Mesa subdivision along with four other properties. This District is generally located at Wolfensberger Rd. and S. Peak View Drive to Twin Oaks Rd and Territorial Rd and contains approximately 1,632.26 acres. The District is anticipated to include 120 residential units and no commercial space.

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

The District shall be authorized to provide the following services pursuant to C.R.S. § 32-1-103(10): street improvements and traffic safety protection and other services as described in C.R.S. §§ 32-1-1001 and 1004, as amended, as more fully described in Section IX below. The District shall not have the authority to issue general obligation debt.

The primary purpose of the District is to provide safety protection services by erecting, operating and maintaining traffic and safety controls and devices on roadways within the District pursuant to C.R.S. § 32-1-1004(1)(b). The District does not intend to finance the construction of the public improvements. The total authorized debt limit for the District shall be Zero Dollars (\$0.00), and the Maximum Debt Service Mill Levy shall be zero (0.000) mills. The Maximum Operations and Maintenance Mill Levy shall be ten (10.000) mills, subject to adjustment to account for legislative or constitutional changes as described herein.

The Petitioners will submit an application and request that the County vacate approximately 600 feet of Twin Oaks Road and appurtenant rights of way to and for the benefit of the District for the purpose of locating the Traffic Control Gate, along with a portion of Clarke’s Circle for the purpose of maintaining an emergency access gate. It is anticipated that the County will consider that application and request in accordance with the County’s standard procedures for vacating property. The District will then fund the design and construction of the Traffic Control Gate, and the operation and maintenance of both the Traffic Control Gate and the emergency gate. Notwithstanding the foregoing, if construction of the bridge for the Crystal Valley Interchange has not commenced or the emergency gate on Clarke’s Circle has not been approved to be installed by the County as of December 31, 2030, the District will be dissolved in accordance with Section XVI of this Service Plan (in which case the District will dismantle the Traffic Control Gate and convey roadway property then owned by the District to the County prior to the District’s dissolution).

In the absence of Intergovernmental Agreements to the contrary, neither the County nor the Town of Castle Rock will have any maintenance responsibilities related to the Traffic Control Gate or the vacated portion of the County roads.

Twin Mesa Metropolitan District

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Twin Mesa Metropolitan District

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Twin Mesa Metropolitan District

## I. EXHIBITS

**Exhibits A through L**, attached hereto are incorporated into this Service Plan

Exhibit A	Vicinity Map
Exhibit B	Legal Description
Exhibit C	District Boundary Map
Exhibit D	Cost of Improvements
Exhibit E	Map of Improvements
Exhibit F	Example Operating Budget
Exhibit G	Resolution of Approval
Exhibit H	Compliance with Section 18A, Water Supply
Exhibit I	Compliance with Colorado Department of Public Health and Environment Requirements
Exhibit J	Advance and Reimbursement Agreement
Exhibit K	District Court Decree



## II. INTRODUCTION

This service plan (the “Service Plan”) for the Twin Mesa Metropolitan District (the “District”) is for a special district organized under Title 32 of the Colorado Revised Statutes to serve certain public improvement needs, as described herein, of most of the Twin Oaks subdivision, the Castle Mesa South and Castle Mesa West subdivisions, most of the Castle Mesa subdivision along with four other properties. This District is generally located at Wolfensberger Rd. and S. Peak View Drive to Twin Oaks Rd and Territorial Rd (see **Exhibit A**, Vicinity Map) and contains approximately 1,632.26 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. An Example Operating Budget showing how District improvements and services are to be financed, including the operating revenue for the first three budget years 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 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.

### **III. PURPOSE OF THE DISTRICT**

The purpose of the District is to operate and maintain certain public roadway and traffic safety improvements and services for the benefit of all current and anticipated inhabitants and taxpayers of the District. The District will also oversee and pay for, but not finance, the installation of certain traffic safety controls and devices from time to time, and provide for ongoing operations and maintenance services for such public improvements.

### **IV. DISTRICT FRAMEWORK**

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

### **V. NEED FOR DISTRICT**

The District is a rural neighborhood consisting of approximately four subdivisions and four other properties of acreage/agricultural properties that were approved in the late 1960s to early 1970s. The four subdivisions are currently serviced by dedicated County roads. The Town of Castle Rock, the Colorado Department of Transportation and the County have approved an interchange at I-25 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. The Crystal Valley Interchange and Dawson Trails will create a substantial amount of traffic and population growth directly adjacent to the District Boundaries. This increased volume of traffic has a high probability of materially changing the current rural residential local roads within the District Boundaries into heavily travelled urban collector roads used to feed traffic to and from the Dawson Trails development and the arterial roads adjacent to I-25.

It is generally believed by the Dawson Trails developer, the Town of Castle Rock and the County, that Clarke’s Circle will need to be blocked with an emergency gate in order to prevent direct local road access so close to the proposed Crystal Valley Interchange. Upon vacation of the portion of Clarke’s Circle with the emergency access only gate by the Board of County Commissioners to the District, the District will maintain the emergency access gate and that portion of Clarke’s Circle.

It is also generally believed that the Dawson Trails development and Crystal Valley Interchange will cause additional cut-through traffic on the roads in Twin Oaks and Castle Mesa. Therefore, there is an existing need for the District to erect traffic and safety controls on the local roadways within the District to create traffic patterns that can be sustained by the County as the population and vehicular traffic in the vicinity increase as projected. The traffic and safety controls will be comprised primarily of a motorized gate to limit non-resident traffic beyond a designated location, an emergency gate installed by the County on Clarke’s Circle, and signage to direct non-residents to designated collector and arterial roads. The District is being created to construct and maintain the safety controls and devices that will assist the County in limiting traffic flow to sustainable levels

according to County standards, while also preserving the existing rural character for the local residents residing within the District Boundaries.

## **VI. LOCATION AND BOUNDARIES**

This District is generally located at Wolfensberger Rd. and S. Peak View Drive to Twin Oaks Rd and Territorial Rd. A vicinity map is attached hereto as **Exhibit A**. The area of the initial District's boundary encompasses approximately 1,632.26 acres. A legal description of the District's boundaries is attached hereto as **Exhibit B**. A map of the District's boundaries is attached hereto as **Exhibit C**.

It is anticipated that the District will include 100% of the property described in **Exhibit B** and **Exhibit C** within its' boundaries at the time of its formation. Prior to any inclusion or exclusion of any property pursuant to C.R.S. §§ 32-1-401, et seq., and C.R.S. §§ 32-1-501, et seq., as amended that is not identified in **Exhibits B** and **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 XIV of the Service Plan and C.R.S. § 32-1-207(2).

## **VII. ASSESSED VALUATION/PROJECTIONS/LAND USE/POPULATION**

As of January 4, 2024, the property within the District is zoned Agricultural One, Rural Residential, Estate Residential and Large Rural Residential. The current assessed value of property within the boundaries of the District as of January 4, 2024 is nine million nine hundred eighty-four thousand one hundred seventy dollars (\$9,984,170.00). The property within the District Boundaries is approximately 92.5% built-out so the assessed valuation is not expected to change materially except as a result of normal market conditions. The assessed valuation is expected to be sufficient for the District to operate and maintain the planned traffic controls and appurtenant property and improvements, and pay for necessary capital improvements without the need to issue Debt. The District currently includes one hundred twenty (120) residential lots and Zero square feet of commercial space. Based upon an estimated four (4.00) persons per residence, the maximum population of the District is estimated to be four hundred eighty (480) 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.

## VIII. POWERS AND RESPONSIBILITIES

The District has the power and authority to provide the public improvements and related operation and maintenance services within 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 IX.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 XIV, Modification of Service Plan;
2. 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.

Without limiting the foregoing, the District shall not have the authority to exercise the power of eminent domain.

## IX. 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. Street Improvements

The District has the power and authority to maintain certain streets and roadway improvements and right of ways within the District which have been vacated by the County, including, but not limited to, culverts and drainage facilities, retaining walls and appurtenances, lighting, grading, landscaping, streetscaping, placement of underground utilities, snow removal, 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.

#### 2. Traffic Safety Protection

The District has the power and authority to fund, 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, a motorized gate to be erected across a portion of roadway vacated by the County (the "Traffic Control Gate"), an emergency vehicle gate planned for installation by the County on Clarke's Circle, traffic signs, area identification signs, directional assistance and driver information signs, and turnarounds, 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 and any other appropriate local jurisdiction regarding public right of ways.

The procedures and methods for operating and maintaining the Traffic Control Gate and the emergency vehicle gate will be determined by the District's board of directors after formation of the District. Pursuant to this Service Plan, however, the District's board of directors will ensure that the Traffic Control Gate is Opticom controlled with Knox key backup, and that passcodes, QR codes, RFI readers or other access credentials provide 24/7 access through the Traffic Control Gate for all authorized users, including without limitation the residents of the District, utility providers (including without limitation CORE Electric Cooperative and Public Service Company of Colorado), school districts, emergency service providers (including without limitation Castle Rock Fire & Rescue), law enforcement (including without limitation the County Sheriff's Office), all County services and County service providers, and other service providers such as trash collection and deliveries (collectively, "Authorized Users"). It is anticipated that the District's board of directors may impose an annual toll fee on persons who are not Authorized Users but choose to pass through the Traffic Control Gate on a regular basis (e.g., commuters who are not residents of the District). The District shall not charge any tolls to any Authorized User.

#### **B. Estimated Costs and Phasing of Improvements**

An estimate of the costs of Traffic Control Gate , which may be planned for, designed, acquired, constructed, installed and maintained by the District was prepared based upon a preliminary proposal by Rocky Mountain Access Controls, Inc. and is approximately \$42,394 as shown in **Exhibit D** (proposal for the installation of the Traffic Control Gate with two motorized swing gate operators). All descriptions of the Traffic Control Gate to be constructed, and its 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. The District will not issue debt to finance the construction and installation of the Traffic Control Gate. All construction cost estimates assume construction to applicable local, State, or Federal requirements.

The specific location of the Traffic Control Gate is contingent upon the County's approval of the District's road vacation application. **Exhibit E** shows the proposed Traffic Control Gate. 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. Without limiting the foregoing, the District will operate and maintain the Traffic Control Gate, and such operations and maintenance will include but not be limited to roadway, curb, gutter, signage, monumentation and other appurtenances that have been conveyed to the District, as necessary, based on the final design and construction of such improvements. Neither the County nor the Town of Castle Rock shall be responsible for any construction, operation or maintenance costs of the Traffic Control Gate or any improvements appurtenant to the Traffic Control Gate that have been conveyed to the District.

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 will obtain all necessary permits and approvals for the installation of the Traffic Control Gate, including without limitation any permits required by Douglas County’s Building Division.

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

The District does not require water service from any water provider nor is any water supply plan required for the District, pursuant to Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended. (Refer to Exhibit H.) The District will not provide any water services and neither owns nor controls any water rights. The existence, operation and maintenance of the District will have no demand for water, and the District does not require any commitment from any person to provide water.

**D. Compliance with DRCOG Clean Water Plan**

The Regional Clean Water Plan is not applicable to Twin Mesa Metropolitan District and therefore neither DRCOG nor any other wastewater treatment provider is required to issue a compliance letter in connection therewith. (Refer to Exhibit I.)

**X. EXISTING AND PROPOSED AGREEMENTS**

After approval of this Service Plan by the County, the applicants will move forward with their application requesting the County to vacate portions of the County road(s) within the District to and for the benefit of the District for the purpose of locating the Traffic Control Gate and an emergency vehicle gate to be constructed by the County on Clarke’s Circle. It is anticipated that the County will consider such application(s) and request in accordance with the County’s standard procedures for vacating property. Notwithstanding the foregoing, if construction of the bridge for the Crystal Valley Interchange has not commenced or the emergency gate on Clarke’s Circle has not been approved to be installed by the County as of December 31, 2030, the District will be dissolved in accordance with Section XVI of this Service Plan (in which case the District will dismantle the Traffic Control Gate and convey roadway property then owned by the District to the County prior to the District’s dissolution).

Neither the County nor the Town of Castle Rock will have any maintenance responsibilities related to the Traffic Control Gate or the vacated portion of the County roads unless either enters into an Intergovernmental Agreement with the District.

**XI. FINANCIAL INFORMATION**

**A. General**

This section describes the nature, basis, and method of funding and mill levy limitations associated with the District’s public improvements. An example operating budget (the “Operating Budget”) and statement of assumptions is contained in **Exhibit F**.



## **B. Assumptions**

The revenue estimate contained herein is based on the assumption that each of the 120 residential properties in the District has an average assessed valuation of approximately eighty three thousand dollars (\$83,000.00). The Operating Budget demonstrates that the District has the ability to pay for the operations and maintenance of the public improvements identified herein 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 developer advances and operations and maintenance. The District may also rely upon various other revenue sources authorized by law. At the District's discretion, additional revenue sources may include fees, rates, tolls, penalties, or charges in accordance with C.R.S. § 32-1-1001(1), as amended. The District anticipates that it may impose a toll for non-District resident use of the roads and Traffic Control Gate within the District for the purpose of partially covering the cost of erecting, operating and maintaining the District road, Traffic Control Gate and other safety controls and devices.

A Maximum Total Mill Levy of 10.00 mills is authorized to support operations and maintenance of the District. The District estimates that during the first five years of operation a total combined mill levy of approximately 7.500 mills will produce revenue sufficient to support the operations and maintenance needs of the District as well as the District's repayment of developer advances (see **Exhibit F**, Operating Budget). After the fifth year, it is anticipated that the mill levy will be reduced to 4.750 mills.

If there are changes in the method of calculating assessed valuation or any legislative or constitutionally mandated tax credit, cut, or abatement, the Maximum Total Mill Levy 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 such mill levy are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation to assessed valuation shall be deemed to be a change in the method of calculating assessed valuation.

## **D. Debt Service Mill Levy**

The District shall not impose a mill levy for the purpose of servicing Debt.

## **E. Operations and Maintenance Mill Levy**

A maximum mill levy of 10.000 mills is authorized to support the operations and maintenance of District services and public improvements. It is anticipated that an initial operations and maintenance mill levy of 7.500 mills will produce revenue sufficient to support the operations and maintenance of District service and public improvements (see **Exhibit F**, Operating Budget).

## **F. District Expenditures**

The estimated cost of public improvements for the District is \$80,000.00. **Exhibit D** includes, in current dollars, the estimate cost to install the Traffic Control Gate.

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, 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 forty thousand dollars (\$40,000.00). The first year's operating budget is estimated to be approximately one hundred seventy-seven thousand dollars (\$177,000.00). However, the following fiscal year is estimated to be approximately seventy-eight thousand dollars (\$78,000.00). See **Exhibit F**.

**G. Debt**

The District is not authorized to issue Debt.

**XII. ADVANCES AND REIMBURSEMENTS**

The District anticipates receiving initial funding for both capital and ongoing administrative requirements from advances. Such advances may be made to the District subject to the District's obligation to reimburse the same, with or without interest, as may be evidenced by short-term reimbursement agreements or other acceptable agreements or resolutions. The interest rate, if any, on reimbursements shall not exceed the current Bond Buyer 20-Bond GO Index plus four percent (4%) and interest shall not compound. The repayment of any such advances shall be subject to annual appropriation by the Board and may be repaid by the District only from legally available sources of revenue. Any amount of outstanding principal and accrued interest on such advances that remains unpaid after five years of such advance shall be deemed to be forever discharged and satisfied in full. The total advances are anticipated to be one hundred thousand dollars (\$100,000.00).

**XIII. ANNUAL REPORT**

The District shall be responsible for submitting an annual report to the County in accordance with the procedures set forth in C.R.S. § 32-1-207(3)(c)(I), as amended. The annual report must conform to the format and include the content set forth in C.R.S. § 32-1-207(3)(c)(II).

**XIV. 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 C.R.S. § 32-1-207(2).

Any material modification of this Service Plan approved by the County is not effective until it is ratified by a vote of the registered electors of the District by way of a special election. If such modification is not so approved, then the modification is void.

## **XV. DISCLOSURE STATEMENT**

The District will 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 must also provide information concerning the structure of the Board and summarize how purchasers may participate in the affairs of the Board. The disclosure statement must be recorded within thirty (30) days following the recordation of the court decree organizing the District and such recording shall be deemed adequate notice to purchasers of property as described herein.

## **XVI. DISSOLUTION**

It is mandatory for the District to initiate dissolution proceedings when the District has neither any financial obligations nor operations and maintenance obligations, or if the District is required to remove the Traffic Control Gate. In such case, the District may file a petition in the district court for dissolution when there are no financial obligations, or any such financial obligations 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 is 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. Upon dissolution, all District roads and/or emergency access gate will be vacated to the County.

## **XVII. 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.

District: the Twin Mesa 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.

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

Petitioners: the group of property owners within the boundaries of the District who have signed the petition to create the District.

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

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 XI.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 XI.D. and operating and maintenance expenses as set forth in Section XI.E.

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.

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.

Traffic Control Gate: the motorized gate to be erected across the portion of Twin Oaks Road vacated by the County.

## **XVIII. 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**.

## **XIX. 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;

There is an existing, present need to erect safety controls on the local roadways within the District to create traffic patterns that can be sustained by the County as the population and vehicular traffic in the vicinity increase as projected. The safety controls will be comprised primarily of a motorized gate to limit non-District resident traffic beyond a County-designated location, and signage to direct non-District residents to designated collector and arterial roads. The District is being created to construct and maintain the safety controls and devices that will assist the County in limiting traffic flow to sustainable levels, while also preserving the existing rural character for the local residents residing within the District Boundaries.

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

The existing unpaved roads within the District Boundaries were designed and are maintained as residential gravel roads, not collector streets suitable for the high density residential and commercial property currently being developed adjacent to the District Boundaries. The traffic safety controls proposed by the District will reduce traffic congestion and safety concerns by diverting traffic flows to County and Town of Castle Rock collector and arterial roads that are designed and maintained to safely carry higher volumes of traffic.

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

The Example Operating Budget in the Service Plan demonstrates that the District is capable of economically and sufficiently providing the proposed services.

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 District will not issue Debt to pay for any of the public improvements.

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 County does not anticipate being able to provide any additional traffic safety and controls within the boundaries of the District, and existing controls are not adequate in light of current development in the vicinity and the anticipated increase in traffic.

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;

The traffic safety controls will be maintained by the District to County standards.

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;

Because the property within the District is essentially fully built-out, the proposed District has no impact on the Douglas County Comprehensive Master Plan.

8. The proposal is in compliance with the regional Clean Water Plan, as amended; and

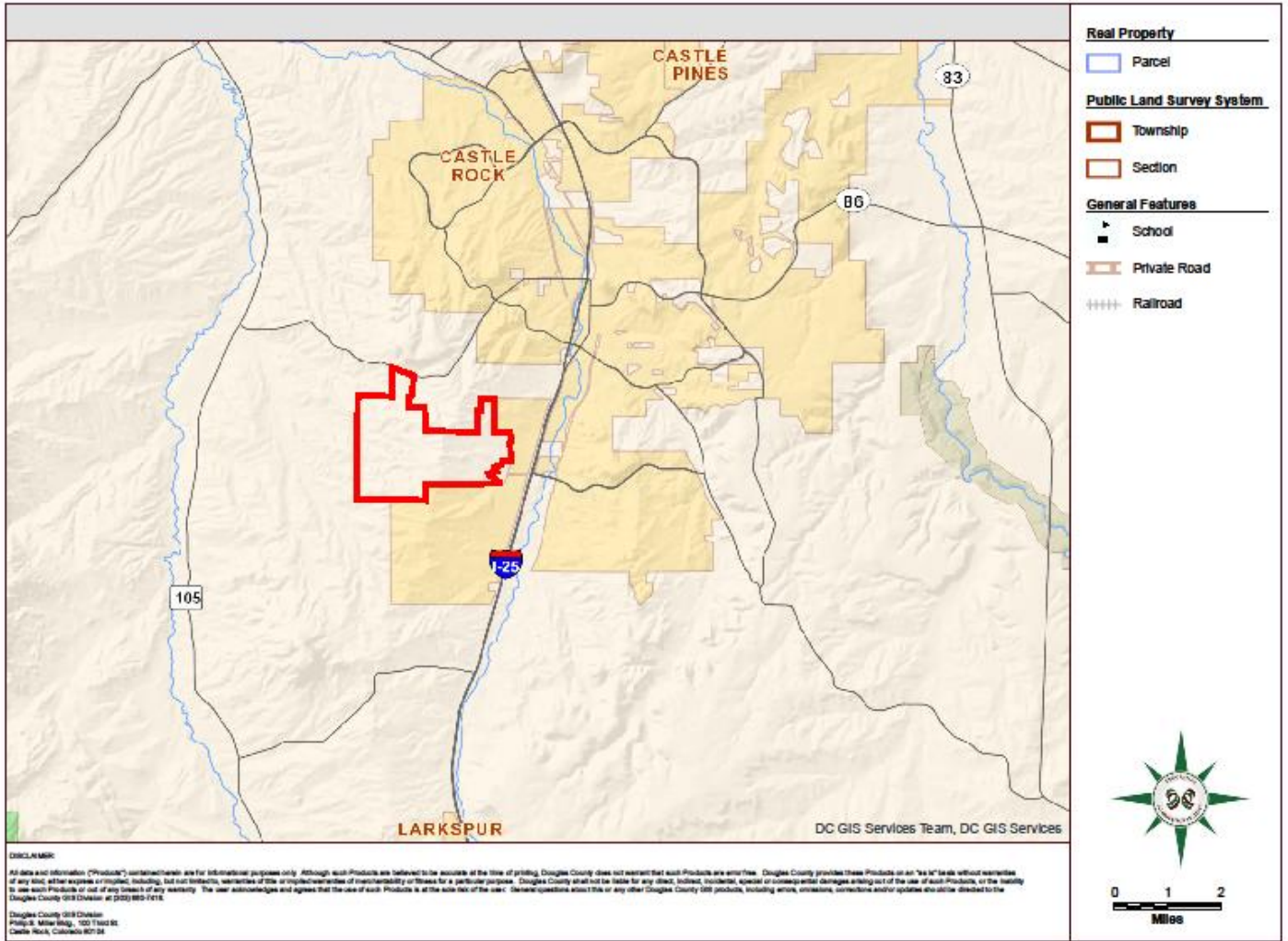
The District has no impact on the Clean Water Plan.

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

The creation of the District is in the best interests of the property owners and tax payers within the District Boundaries and will result in improved traffic and safety controls not otherwise provided by the County .



# Exhibit A Vicinity Map



**DISCLAIMER**

All data and information ("Products") contained herein are for informational purposes only. Although such Products are believed to be accurate at the time of printing, Douglas County does not warrant that such Products are error-free. Douglas County provides these Products on an "as is" basis without warranties of any kind, either express or implied, including, but not limited to, warranties of title or non-infringement of third-party rights for a particular purpose. Douglas County shall not be liable for any direct, indirect, incidental, special or consequential damages arising out of the use of such Products, or the inability to use such Products of out of any cause of any nature. The user acknowledges and agrees that the use of such Products is at the user's sole risk. General questions about this or any other Douglas County GIS products, including errors, corrections, corrective action updates and other feedback to the Douglas County GIS Division at (303) 890-6716.

Douglas County GIS Division  
 1000 S. Main Hwy., 1001 Third St.  
 Castle Rock, Colorado 80108

## Exhibit B

### Legal Description

The District consists of the following legally described parcels:

1. TWIN OAKS SUBDIVISION – As shown on the Castle Mesa South Subdivision Plat recorded June 21, 1973 at reception #161972:

Part of sections 21 and 22, township 8 south, range 67 west of the sixth principal meridian, county of Douglas, state of Colorado being more particularly described as follows:

commencing at the northwest corner of said section 21 being the true point of beginning; thence north  $89^{\circ}54'23''$  east along the north line of the northwest one-quarter of said section 21 a distance of 2628.85 feet to the north one-quarter corner of said section 21; thence south  $89^{\circ}27'04''$  east along the north line of the northeast one-quarter of said section 21 a distance of 2628.34 feet to the northeast corner of said section 21; thence south  $89^{\circ}09'11''$  east along the north line of the northwest one-quarter of said section 22 a distance of 2635.82 feet to the north one-quarter corner of said section 22; thence south  $00^{\circ}03'00''$  west along the north – south centerline of said section 22 a distance of 1330.11 feet to the southeast corner of the north one-half of the northwest one-quarter of said section 22; thence north  $89^{\circ}07'05''$  west along the south line of the north one-half of the northwest one-quarter a distance of 1316.36 feet to the northeast corner of the southwest one-quarter of the northwest one-quarter of said section 22; thence south  $00^{\circ}01'04''$  east along the east line of the southwest one-quarter of the northwest one-quarter a distance of 1329.32 feet to the southeast corner of the southwest one-quarter of the northwest one-quarter of said section 22; thence north  $89^{\circ}04'58''$  west along the south line of the southwest one-quarter of said section 22 a distance 65.07 feet to a point on the centerline of territorial road which is recorded in Book 1 at page 5 of the Douglas County records; thence south  $17^{\circ}39'12''$  west along the centerline of said road a distance of 1390.06 feet to a point on the south line of the northwest one-quarter of the southwest one-quarter of said section 22; thence north  $89^{\circ}05'55''$  west along said south line a distance of 826.17 feet to the southwest corner of the northwest one-quarter of the southwest one-quarter of section 22; thence north  $89^{\circ}33'14''$  west along the south line of the north one-half of the southeast one-quarter a distance of 2643.14 feet to a point on the north-south centerline of said section 21; thence continuing north  $89^{\circ}33'14''$  west along the south line of the north one-half of the southwest one-quarter of said section 21 a distance of 2643.27 feet to the southwest corner of the north one-half of the southwest one-quarter of said section 21; thence north  $00^{\circ}20'09''$  east along the west line of the southwest one-quarter of said section 21 a distance of 1322.83 feet to the west of one-quarter corner of said section 21; thence north  $00^{\circ}20'09''$  east along the west line of the northwest one-quarter of said section 21 a distance of 2645.65 feet to the true point of beginning.

Excluding:

- a) Lot 3, Twin Oaks Plat recorded June 21, 1973 at reception #161972, County of Douglas, State of Colorado
- b) Lot 4, Twin Oaks Plat recorded June 21, 1973 at reception #161972, County of Douglas, State of Colorado

Twin Mesa Metropolitan District  
Exhibit B

- c) Lot 59, Twin Oaks Amended Replat recorded January 28<sup>th</sup>, 1980 at reception #2489215, County of Douglas, State of Colorado
  - d) Lot 58, Twin Oaks Amended Replat recorded January 28<sup>th</sup>, 1980 at reception #2489215, County of Douglas, State of Colorado
  - e) Lot 60, Twin Oaks Amended Replat recorded January 28<sup>th</sup>, 1980 at reception #2489215, County of Douglas, State of Colorado
  - f) Tract C, Twin Oaks Plat recorded June 21, 1973 at reception #161972, County of Douglas, State of Colorado
  - g) That portion of Briscoe Lane vacated under Ordinance 86-24 at book 680, page 920 at reception #198625694
  - h) All of Clarkes Circle adjacent to the east side of Lot 58
  - i) All of Territorial Road
2. (SCHULL PARCELS) East ½ of the Southeast ¼ of Section 16, Township 8 South, Range 67 West of the 6<sup>th</sup> P.M., County of Douglas, State of Colorado.  
Including:
- a) Parcel 3, Quiet Oaks Rural Site Plan recorded November 18, 1998 at reception #9892467, County of Douglas, State of Colorado.
- Excluding:
- a) Parcel 1, Quiet Oaks Rural Site Plan recorded November 18, 1998 at reception #9892467, County of Douglas, State of Colorado.
3. CASTLE MESA SOUTH SUBDIVISION – As shown on the Castle Mesa South Subdivision Plat recorded September 24, 1997 at reception #145078:
- Being the East one half of Section 20, Township 8 South, Range 67 West of the 6<sup>th</sup> Principal Meridian, including:
- a) All of the Laton Exemption recorded at reception #2014076603
  - b) All of the Castle Mesa South 1<sup>st</sup> Amendment recorded at reception #9516208
4. CASTLE MESA WEST SUBDIVISION – As shown on the Castle Mesa West Subdivision Plat recorded November 15, 1972 at reception #155776:
- Being the west one half of section 20, township 8 south, range 67 west of the 6<sup>th</sup> principal meridian, including: Castle Mesa West Replat of Lot 16 recorded at reception #1980250347
5. CASTLE MESA SUBDIVISION – As shown on the Castle Mesa Subdivision Plat recorded February 19, 1969 at reception #132468:

Twin Mesa Metropolitan District  
Exhibit B

Part of Section 17, Township 8S, Range 67W of the 6<sup>th</sup> P.M., Douglas County, State of Colorado, more particularly described as follows:

Beginning at the SE corner of said Sec. 17, thence S88°07'E along the south boundary of said Sec. 17, 5392.32 ft to the S W corner of said Sec. 17, thence N 01°31'E along the west boundary of said Sec. 17, 2636.08 ft to the west ¼ corner of said Sec. 17, thence S 88 21 30 E along the east west centerline of said Sec 17, 4232.38 ft to a point, thence N 00°34'45"W- 1682.00 to a point on the southerly R.O.W. of County Road No. 214, Thence southeasterly along the southerly R.O.W. of County Road No. 214, 324.46 ft to a point on the east boundary of said Sec. 17, thence S 01°49'E along the East Boundary of said Sec. 17, 4202.78 ft, more or less to the point of beginning.

Excluding:

- a) Lot 18, Castle Mesa Subdivision,  
County of Douglas, State of Colorado
- b) Lot 1, Castle Mesa Subdivision,  
County of Douglas, State of Colorado
- c) Lot 2, Castle Mesa Subdivision  
County of Douglas, State of Colorado

6. (OSBORNE PARCEL) A tract of land located in the Northeast ¼ of Section 17, Township 8 South, Range 67 West of the 6<sup>th</sup> Principal Meridian, more particularly described as follows:

Beginning at a point on the West line of the Northeast ¼ and 1001.8 feet South of the North ¼ corner of Section 17;

Thence South along the West line of the Northeast ¼ 1585.7 feet to the Southwest corner of the Northeast 1/4 of Section 17;

Thence East along the South line of the Northeast 1/4 1605.86 feet to a point;

Thence North 552.9 feet to a point in the center line of South Peakview Drive;

Thence North 89°12' West 421.3 feet to a point;

Thence North 42°37'13" West 1456.16 feet to a point;

Thence North 89°45'30" West 193.4 feet more or less to the True Point of Beginning.

Except that part that lies within South Peakview Drive, and except that part described in the instrument recorded May 18, 1976 in Book 289 at Page 876, and except that part described in the instrument recorded February 2, 1998, in Book 1507 at Page 1188, County of Douglas, State of Colorado.

7. (POMARICO PARCEL) A tract of land located in the Northeast ¼ of Section 17, Township 8 South, Range 67 West of the 6<sup>th</sup> Principal Meridian, County of Douglas, State of Colorado, more particularly described as follows:

Beginning at a point on the South boundary of Wolfensberger Road, 340.6 feet South of the North ¼ corner of Section 8;

Thence South 69°16' East along Wolfensberger Road 1686.9 feet to a point on the West boundary of South Peakview Drive;

Twin Mesa Metropolitan District  
Exhibit B

Thence South 0°21' West along the West boundary of South Peakview Drive, 1140.2 feet to a point;

Thence North 89°12' West 391.3 feet to a point;

Thence North 42°37'13" West 1456.16 feet to a point;

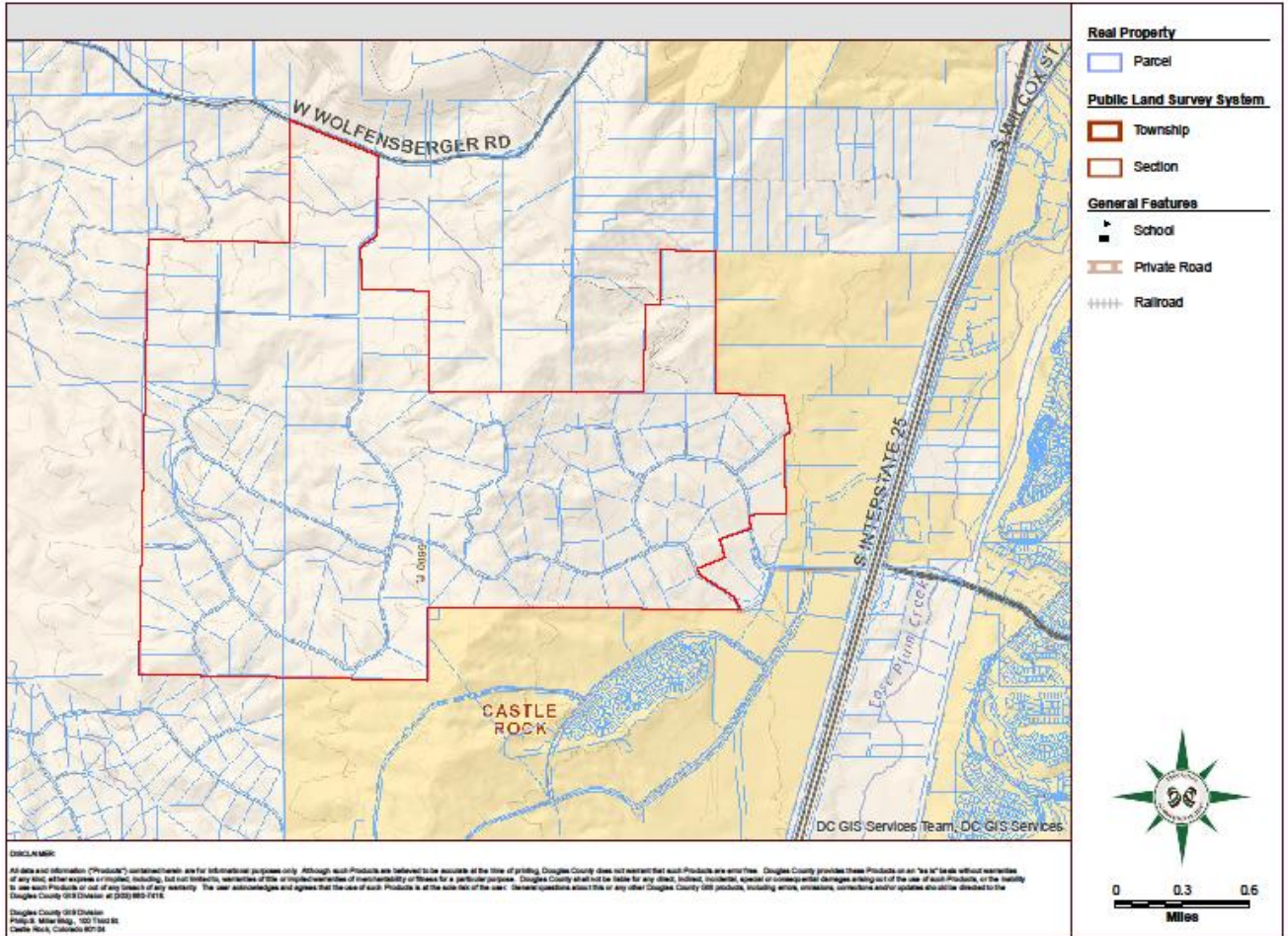
Thence South 89°45'30" West 193.4 feet to a point on the West line of the Northwest ¼ of Section 8;

Thence North along the West line of the Northwest ¼ of Section 8 661.2 feet more or less to the point of beginning.

8) All of Peak View Drive lying within section 17, township 8 south, range 67 west of the 6<sup>th</sup> principal meridian.

Twin Mesa Metropolitan District  
Exhibit B

# Exhibit C District Boundary Map



## Twin Mesa Metropolitan District Exhibit C



# Exhibit D

## Cost of Improvements



303-339-6746  
FAX: 303-339-6996

March 29, 2024

**PROPOSAL**  
Estimate No: 14650

Ref: Twin Mesa Metro Dist.

We propose to supply and install two (2) *swing gate operators* on new swing gate leafs set up as entry/exit as follows:

- Qty 2 Furnish and install two (2) 5' tall ornamental iron swing gates powder coated black hung on 6" steel posts that are set in concrete footers hung on heavy duty barrel hinges to fit a 24' opening (2-12'x5' tall leafs)
- Qty 2 Furnish and install two (2) LiftMaster HDSW24UL heavy duty swing gate operators this includes a saw cut across the driveway for primary secondary operation
- Qty 2 LiftMaster reinforced arm kits
- Qty 2 Steel pedestals set in concrete to fit the footprint of the new operators
- Qty 1 Photo cell mounted across the opening
- Qty 2 Infinity RFID SC-1000W uhf readers to include mounting posts and brackets
- Qty 200 Infinity RFID SS-UMT-002 windshield/headlight tags
- Qty 1 CellGate Watchman WXL multi-tenant mounted on a gooseneck post that is powder coated black and set in concrete
- Qty 3 Preformed trenched safety loops (1 inside safety, 1 outside safety and 1 shadow)
- Qty 2 Loop detectors with adjustable sensitivity
- Qty 2 Knox key switch
- Qty 1 Labor to install the above listed system and end user training

**Total Price (supply and install): \$42,394.00 total**

**Description:** Entry open activation is by CellGate Watchman and RFID reader. Exit open activation is by RFID reader. Entrapment protection is by photo cell mounted across the opening. Secondary entrapment protection is by safety loops. Emergency open activation is by Knox key switches.

**Notes and Exclusions:** Permits and performance bonds are excluded. All private locates are excluded. Proposal for installation is good for 30 days. Supply and install of all conduits and cabling between supply, gates and controls for electrical power and communication is excluded. Supply and install of all requisite earth ground components and surge suppression is excluded. Customer must supply power and conduit to the new operators. We are not responsible for anything under the ground when we are digging.

**Warranty:** Rocky Mountain Access Controls, Inc., and its sub-contractors warranties that the workmanship, techniques, and procedures used in its installations shall be of professional quality, in accordance with factory recommendations, and shall be free from defect for a period of one (1) year from date of substantial completion. This warranty to cover anchors, fasteners and other incidental supplies used to install product. Rocky Mountain Access Controls, Inc. shall administer manufacturer's warranties on products, equipment and associated controls sold by Rocky Mountain Access Controls, Inc. according to respective factory terms and conditions. Warranty excludes service, repair, or replacement of equipment, which is damaged, or operating improperly due to severe weather, other acts of nature, vandalism, abuse, or misuse.

**Upon entering into an agreement, either a purchase order must be issued by the Customer, or a contract supplied by Rocky Mountain Access Controls, Inc. is signed and returned authorizing us to proceed with any work.**  
**Rocky Mountain Access Controls, Inc.**

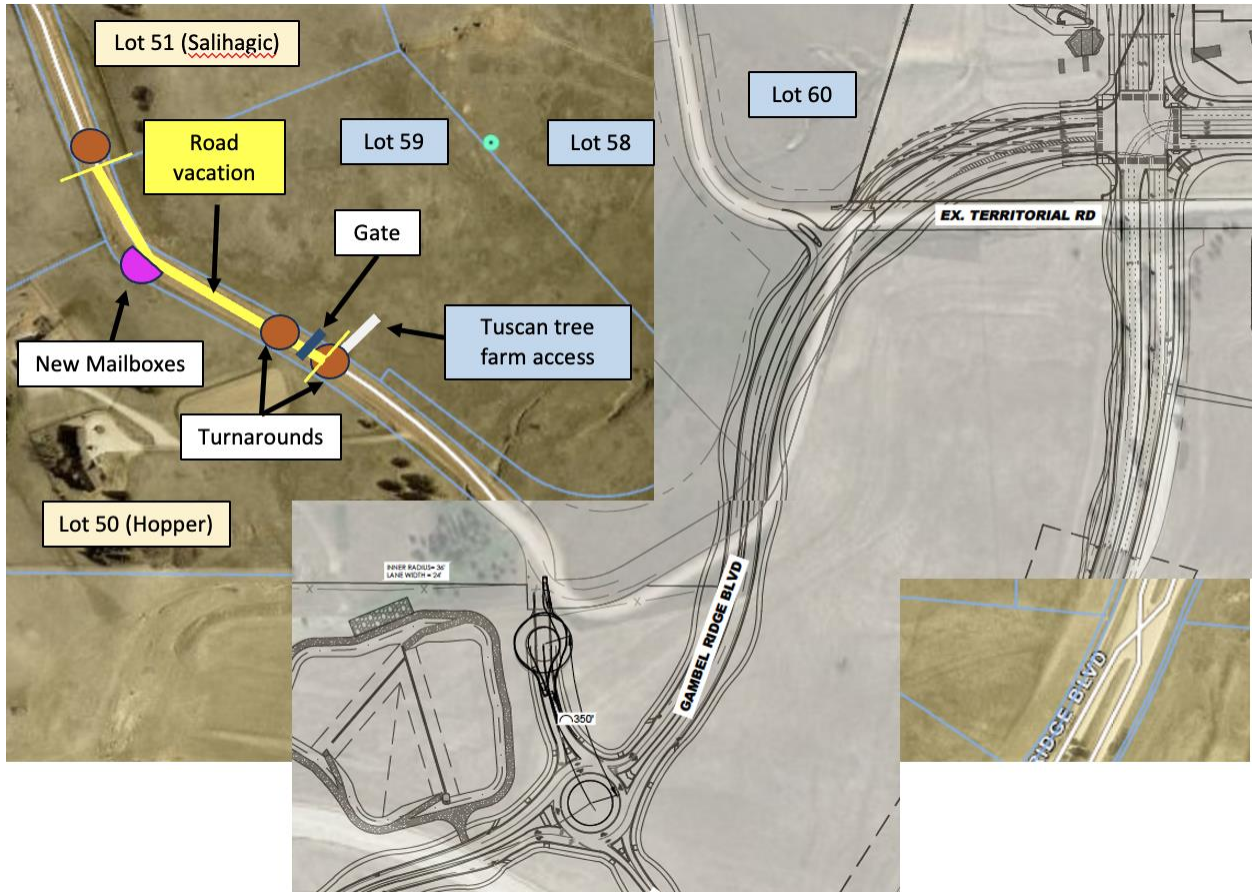
Jamie Langerman  
www.rmacontrols.com  
[jlangerman@rmacontrols.com](mailto:jlangerman@rmacontrols.com)  
Cell 720-355-6071

Twin Mesa Metropolitan District  
Exhibit E

# Exhibit E

## Map of Improvements

The location of the Traffic Control Gate on Twin Oaks Road will be determined in accordance with the County's road vacation process (refer to Section X).



### Twin Mesa Metropolitan District

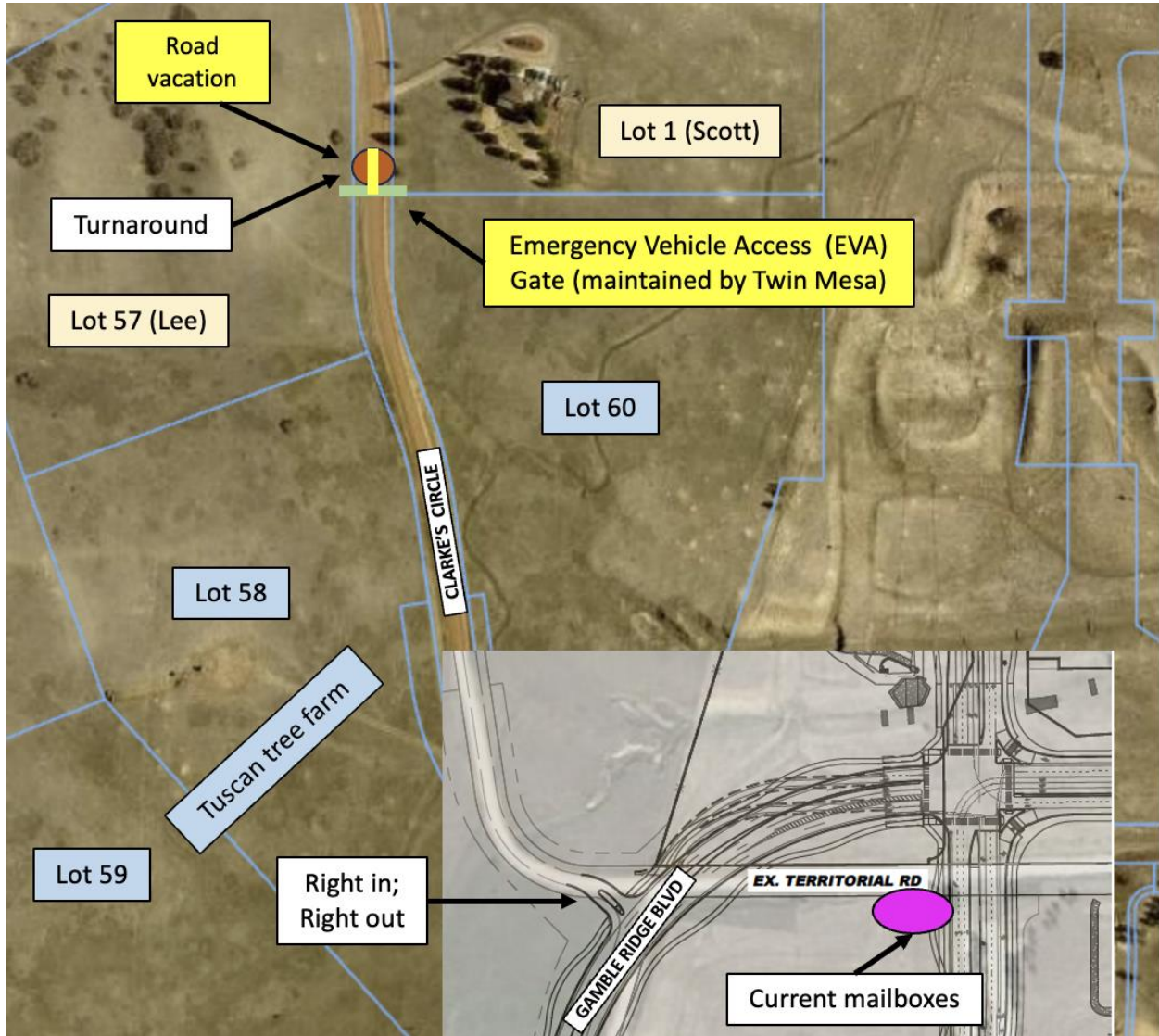
#### Exhibit E



# Exhibit E (cont)

## Map of Improvements

The emergency vehicle gate will be located somewhere on Clarke's Circle.



### Twin Mesa Metropolitan District Exhibit E



**WATCHMAN**<sup>®</sup>  
Your Virtual Security Guard

**WXL** model  
Can integrate with  
CellGate external cameras

Advanced Telephone Entry  
with Live Streaming Video

by **cellgate**

For Multi-Tenant applications, supports up to 3,000 directory listings.



WXL  
Surface  
Mount



WXL  
Pedestal  
Mount

### Key Features

- Streaming cellular or internet video telephone entry
- Brilliant 11" color touchscreen
- Verizon or AT&T LTE service, ships with both SIM cards  
*No VoIP fees required*
- Integrates with up to 3 external cameras
- Calls up to 6 app video contacts and 3 voice-only numbers per directory listing
- Voice Mail Intelligence - VMI  
*System ignores voice mail and continues call group*
- Built-in HID card reader
- Built-in postal lock
- 30,000 local codes and 64,000 non-local codes
- Prop open notification  
*if gate is left open more than 3 minutes*
- Integrates with any Cellgate product through TrueCloud™



### Part Numbers

#### WXL Surface Mount

AAIXLSM ATT Provides One Wiegand Input  
AAIXLSM VZN  
AAIXLSM INT

AAIXLSM-1X ATT Provides Two Wiegand Inputs  
AAIXLSM-1X VZN  
AAIXLSM-1X INT

AAIXLSM-2X ATT Provides Three Wiegand Inputs  
AAIXLSM-2X VZN  
AAIXLSM-2X INT

Flush Mount Kit part #s in Specifications section.

#### WXL Pedestal Mount

AAIXLPE ATT Provides One Wiegand Input  
AAIXLPE VZN  
AAIXLPE-1X INT

AAIXLPE-1X ATT Provides Two Wiegand Inputs  
AAIXLPE-1X VZN  
AAIXLPE-1X INT

AAIXLPE-2X ATT Provides Three Wiegand Inputs  
AAIXLPE-2X VZN  
AAIXLPE-2X INT

## WXL Feature Spotlight



QR CODE  
VISITOR  
MANAGEMENT



SMART SCREEN  
CALL MANAGEMENT

Now Available with up to 3 Wiegand ports ✓

QR Code Visitor Management ✓  
Visitors can receive QR code invites with restricted date/ time access on their smart phones.

Smart Screen Call Management ✓  
Customizable touch screen call options, for improved visitor management.

### External Camera Options

Up to  
3 external  
cameras

#### Photos

- Taken on entry transactions and on demand
- Cloud-stored still photos

#### Recorded Video

- Pixel activated video stored on SD card or accessible via CellGate technical support
- Recording w/6-second pre-record



\*See external camera sheet for more details

1.855.694.2837

**cellgate**

cell-gate.com

## Twin Mesa Metropolitan District Exhibit E

# HDSW24UL HEAVY-DUTY VARIABLE SPEED SWING GATE OPERATOR

## SECTION 32 31 00



### KEY FEATURES

<b>BATTERY BACKUP</b>	Yes
<b>REMOTE CONTROL ACCESS</b>	Security+ 2.0® 3-channel receiver will handle up to 50 remote controls (unlimited remotes with 811LMX/813LMX)
<b>INTERNET CONNECTIVITY</b>	myQ® connection and myQ capability for secure monitoring and control of gate operator from anywhere*
<b>MONITORED SAFETY INPUTS</b>	6 inputs (main and expansion board)
<b>SOLAR-POWER CAPABILITIES</b>	Yes
<b>DIAGNOSTIC DISPLAY</b>	LED diagnostic display
<b>WIRELESS DUAL-GATE COMMUNICATION</b>	Eliminates expensive conduit costs and unsightly driveway scars
<b>DUAL-GATE CONTROL</b>	Bi-part delay or synchronized close
<b>FIRE DEPARTMENT COMPLIANT</b>	Allows gate to auto open upon loss of AC power or battery depletion; includes manual release
<b>LIMIT SETTING</b>	Electronic
<b>PROGRAMMABLE AUXILIARY RELAYS</b>	4 programmable auxiliary relays accommodate more accessories such as warning lights/alarms
<b>UNAUTHORIZED ACCESS PREVENTION</b>	Can be programmed with anti-tailgate or quick close capabilities
<b>HOMELINK® COMPATIBLE</b>	Version 4 or higher

### SPECIFICATIONS

<b>OPERATOR SPEED</b>	90-degree opening in 13-36 seconds
<b>POWER</b>	120/240VAC single phase
<b>ACCESSORY POWER</b>	24VDC 1 A max. output; switched and unswitched power
<b>OPERATOR WEIGHT</b>	249 lbs.
<b>WARRANTY</b>	5 years commercial, 7 years residential
<b>TEMPERATURE SPECIFICATIONS</b>	Without heater: -4°F (-20°C) to 140°F (60°C); with optional heater: -40°F (-40°C) to 140°F (60°C)
<b>UL USAGE CLASSIFICATION</b>	Class I, II, III and IV

### CONSTRUCTION

<b>MOTOR</b>	24VDC brushless motor with soft start/stop
<b>OPERATOR DUTY RATING</b>	Continuous-duty
<b>CHASSIS/FRAME</b>	Constructed with 1/4 in. black powder coated steel for rust prevention
<b>GEAR REDUCTION</b>	Direct drive 1,600:1 gear ratio
<b>COVER</b>	High-density, UV-resistant polyethylene 2-piece cover for excellent heat and corrosion resistance
<b>RECOMMENDED CAPACITIES</b>	Rated for gates up to 22 ft. in length or weighing up to 2,800 lbs. Up to 4,500 lbs. with optional long arm at 14 ft. gate length

\*When linked with myQ. Cellular data or Wi-Fi® connection required.

DATA SHEET  
SWING GATE OPERATOR

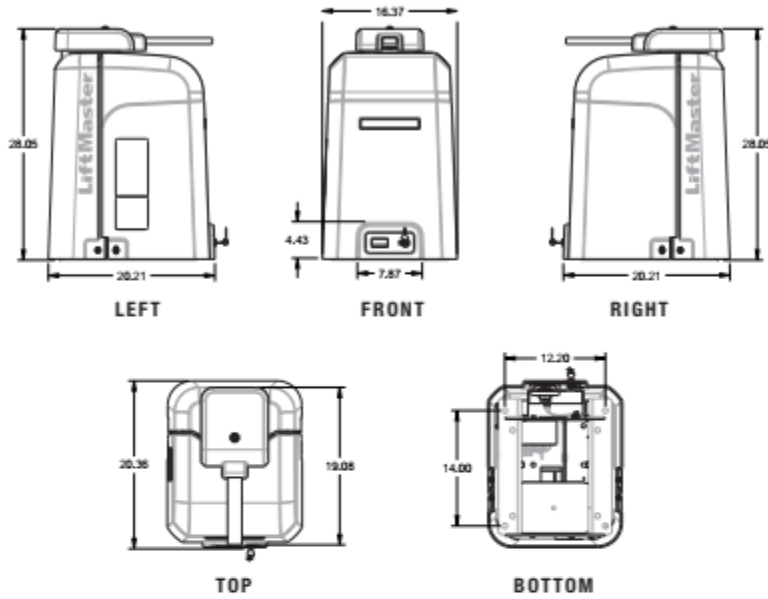
**LiftMaster**

Twin Mesa Metropolitan District  
Exhibit E

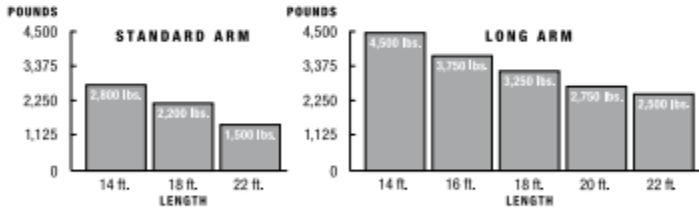
# HDSW24UL HEAVY-DUTY VARIABLE SPEED SWING GATE OPERATOR

SECTION 32 31 00

## DIMENSIONS



## CAPACITY



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 LiftMaster.com  
 LMPNENSHDSWMC21 12/21

**LiftMaster**

Twin Mesa Metropolitan District  
 Exhibit E

# Exhibit F Example Operating Budget

Estimated General Fund Budget										
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Beginning Funds Available	\$ -	\$ 982	\$ 1,944	\$ 838	\$ 4,273	\$ 5,257	\$ 10,297	\$ 6,531	\$ 6,786	\$ 4,068
<u>Revenue</u>										
Property Taxes	\$ 74,881	\$ 75,630	\$ 76,386	\$ 77,150	\$ 77,922	\$ 78,701	\$ 50,342	\$ 50,846	\$ 51,354	\$ 51,868
Specific Ownership Taxes	\$ 3,744	\$ 3,782	\$ 3,819	\$ 3,858	\$ 3,896	\$ 3,935	\$ 2,517	\$ 2,542	\$ 2,568	\$ 2,593
Developer Advances	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Tolls for Non-Resident Use	\$ -	\$ 250	\$ 500	\$ 750	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Other Income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Revenue	\$ 178,625	\$ 79,662	\$ 80,706	\$ 81,758	\$ 82,818	\$ 83,636	\$ 53,860	\$ 54,388	\$ 54,922	\$ 55,461
Total Funds Available	\$ 178,625	\$ 80,644	\$ 82,649	\$ 82,596	\$ 87,091	\$ 88,893	\$ 64,156	\$ 60,919	\$ 61,708	\$ 59,529
<u>Expenditures</u>										
P&L Insurance	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
Dues (Special District Assoc)	\$ 650	\$ 650	\$ 650	\$ 650	\$ 650	\$ 650	\$ 650	\$ 650	\$ 650	\$ 650
Accounting Fees	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000
Audit/Audit Exemption	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Legal Fees	\$ 20,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
District Organizing Fees (legal, surveys, etc)	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Elections	\$ 3,500	\$ -	\$ 3,500	\$ -	\$ 3,500	\$ -	\$ 3,500	\$ -	\$ 3,500	\$ -
Road Maintenance & Snow Removal	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
Supplies	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Cellgate	\$ 3,120	\$ 3,120	\$ 3,120	\$ 3,120	\$ 3,120	\$ 3,120	\$ 3,120	\$ 3,120	\$ 3,120	\$ 3,120
Gate Maintenance & Deductible	\$ -	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Gate Insurance	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
Traffic Signs	\$ -	\$ 500	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
Repayment of Developer Advance (5 years)	\$ -	\$ 24,046	\$ 24,046	\$ 24,046	\$ 24,046	\$ 24,046				
County Treasurer's Fees	\$ 1,123	\$ 1,134	\$ 1,146	\$ 1,157	\$ 1,169	\$ 1,181	\$ 755	\$ 763	\$ 770	\$ 778
Transfer to Capital Reserve Fund	\$ 89,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500
Total Expenditures	\$ 177,643	\$ 78,700	\$ 81,811	\$ 78,323	\$ 81,834	\$ 78,596	\$ 57,625	\$ 54,133	\$ 57,640	\$ 54,148
Ending Fund Balance	\$ 982	\$ 1,944	\$ 838	\$ 4,273	\$ 5,257	\$ 10,297	\$ 6,531	\$ 6,786	\$ 4,068	\$ 5,381
Net Change in Fund Balance	\$ 982	\$ 962	\$ (1,106)	\$ 3,435	\$ 983	\$ 5,040	\$ (3,766)	\$ 255	\$ (2,718)	\$ 1,313
Emergency Reserve	\$ 5,329	\$ 2,361	\$ 2,454	\$ 2,350	\$ 2,455	\$ 2,358	\$ 1,729	\$ 1,624	\$ 1,729	\$ 1,624
Ending Available Funds	\$ 982	\$ 1,944	\$ 838	\$ 4,273	\$ 5,257	\$ 10,297	\$ 6,531	\$ 6,786	\$ 4,068	\$ 5,381
Assessed Valuation	\$ 9,984,170	\$ 10,084,012	\$ 10,184,852	\$ 10,286,700	\$ 10,389,567	\$ 10,493,463	\$ 10,598,398	\$ 10,704,382	\$ 10,811,425	\$ 10,919,540
Mill Levy-General O&M	7.500	7.500	7.500	7.500	7.500	7.500	4.750	4.750	4.750	4.750
<b>Capital Reserve Fund</b>										
Beginning Fund Balance	\$ 0	\$ 9,500	\$ 19,000	\$ 28,500	\$ 38,000	\$ 47,500	\$ 57,000	\$ 66,500	\$ 76,000	\$ 85,500
Transfers from Operating Fund	\$ 89,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500	\$ 9,500
Capital Improvements (Gate)	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Road Improvements (turn arounds)	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Ending Fund Balance	\$ 9,500	\$ 19,000	\$ 28,500	\$ 38,000	\$ 47,500	\$ 57,000	\$ 66,500	\$ 76,000	\$ 85,500	\$ 95,000

## Twin Mesa Metropolitan District Exhibit F

# Exhibit G

## Resolution of Approval

RESOLUTION NO. R-013- \_\_\_\_\_

THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF DOUGLAS, COLORADO

A RESOLUTION APPROVING THE SERVICE PLAN OF

TWIN MESA METROPOLITAN DISTRICT

WHEREAS, on **[INSERT DATE]**, a service plan for the proposed **TWIN MESA 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 **[INSERT NAME OF DISTRICT]** (“District”) and, on **[INSERT DATE]**, to the petitioners and to the property owners, pursuant to the provisions of § 32-1-204(1.5), 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:

Twin Mesa Metropolitan District  
Exhibit G

- (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 \_\_\_\_\_, 202\_\_, in Castle Rock,

Douglas County, Colorado.

Twin Mesa Metropolitan District  
Exhibit G

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

BY: \_\_\_\_\_

, Chair

ATTEST:

\_\_\_\_\_  
Deputy Clerk

Twin Mesa Metropolitan District  
Exhibit G



EXHIBIT A TO RESOLUTION NO. R-013- \_\_\_\_\_

(Legal Description)

Twin Mesa Metropolitan District  
Exhibit H

**Exhibit H**  
**Compliance with Section 18A, Water Supply**

The District does not require water service from any water provider nor is any water supply plan required for the District, pursuant to Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended. The District will not provide any water services and neither owns nor controls any water rights. The existence, operation and maintenance of the District will have no demand for water, and the District does not require any commitment from any person to provide water.

- (1) No Will-Serve letter is required.
- (2) No Water Supply Plan is required.

**Exhibit I**  
**Compliance with Colorado Department of Public Health and Environment Requirements**

NOT APPLICABLE

The Regional Clean Water Plan is not applicable to Twin Mesa Metropolitan District and therefore neither Colorado Department of Public Health and Environment requirements nor any other wastewater treatment provider is required to issue a compliance letter in connection therewith.

Twin Mesa Metropolitan District  
Exhibit I

# Exhibit J

## Advance and Reimbursement Agreement

The form of proposed reimbursement agreement between the District and the Petitioners and/or others who will provide funding for capital expenditures, operational expenses, and organizational costs in lieu of the District issuing debt or receiving sufficient ad valorem property taxes for operations and maintenance is included below.

**ADVANCE AND REIMBURSEMENT AGREEMENT  
BY AND BETWEEN  
TWIN MESA METROPOLITAN DISTRICT  
AND**

---

This **ADVANCE AND REIMBURSEMENT AGREEMENT** (the “Agreement”) is entered into as of \_\_\_\_\_, 20\_\_ (the “Effective Date”) by and between Twin Mesa Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado (the “District”) and \_\_\_\_\_, (the “Lender”), individually referred to herein as the “Party” and collectively referred to herein as the “Parties”.

### *RECITALS*

WHEREAS, the District was organized pursuant to the Special District Act, § 32-1-101, *et seq.*, C.R.S., as amended, for the purpose of providing certain public improvements, facilities and services to and for the use and benefit of the District, its residents, users, property owners and the public; and

WHEREAS, pursuant to § 32-1-1001(1)(d)(I), C.R.S., as amended, the Board of Directors of the District (the “Board”) is empowered to enter into contracts and agreements affecting the affairs of the District; and

WHEREAS, the District and Lender agree that the advance of funds to the District, or on behalf of the District, for operation and maintenance costs of the District, including, but not limited to, legal, accounting, design, engineering and management costs, and for capital costs associated with certain public improvements, facilities and equipment (the “Advance(s)”) is consistent with the public objects and purpose of the District; and

WHEREAS, the Board has determined that the best interests of the District, its residents, users, property owners and the public will be served by the District’s receipt of and benefit from the Advances; and

Twin Mesa Metropolitan District  
Exhibit J

WHEREAS, the Board has determined that the best interests of the District, its residents, users, property owners and the public will be served by the District's acknowledgement of the Advances; and

WHEREAS, the District and Lender desire to enter into this Agreement setting forth their understanding with respect to the Advances and the reimbursement therefor.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

### TERMS AND CONDITIONS

1. PURPOSE. The purpose of this Agreement is to establish the terms and conditions pursuant to which Lender makes the Advances to the District and the District makes reimbursement to Lender for the Advances.

2. ADVANCES. Upon application therefor by the Board, Lender may provide Advances to the District, on terms as may be mutually agreed upon by the Parties, for use by the District for operations and maintenance purposes and for capital projects for public improvements. Upon the request of Lender, the District shall provide substantiation of the need for such Advances. Upon the request of the District, Lender shall provide documentation to the District evidencing the total amount of any Advances claimed owed to Lender, which may include, without limitation, invoices, check registries, cancelled checks, and bank statements.

3. REIMBURSEMENT. The District shall reimburse Lender for the Advances, together with non-compounding per annum interest on such sums advanced at an interest rate not exceed the Bond Buyer 20-Bond GO Index plus four percent (4%). Interest shall accrue as of the date each Advance is made to the District; provided, however, that no interest shall begin to accrue on any Advance made to the District prior to the date on which the District was officially formed. The District shall make payment for the Advances, subject to annual appropriation and budget approval, from funds available within any fiscal year and not otherwise required for operations, and capital improvements. Lender understands and acknowledges that the District's obligation to reimburse Lender under this Agreement is not a multiple fiscal year obligation. Payments by the District shall be applied first to interest on, then to principal of the Advances in chronological order to their effective date. Notwithstanding the foregoing, Lender acknowledges and agrees that any Advance amount, together with interest thereon, not reimbursed within five (5) years following the date on which Lender made such Advance shall be deemed to be paid in full and forever discharged on the fifth anniversary of such Advance, notwithstanding any unpaid amounts remaining on any subsequent Advances made by Lender.

Twin Mesa Metropolitan District  
Exhibit J

4. ACCOUNTING OF FUNDING. Whenever Lender makes an Advance to the District, the Parties shall record the same on the Outstanding Advance & Reimbursement Payment Obligations agreement (the “Outstanding Obligations Agreement”), a form of which is attached hereto as **Exhibit A** and incorporated herein by this reference. The Parties will make reasonable efforts to execute the Outstanding Obligations Agreement between January 1<sup>st</sup> and January 31<sup>st</sup> of each year throughout the term of this Agreement; notwithstanding the foregoing, the failure of the Parties to mutually execute the Outstanding Obligations Agreement in any year or years shall not nullify or waive any accrued Advances. Further, the District shall direct its accountant to account for any Advances in such fashion that the amounts thereof shall be readily ascertainable as to principal of and total amounts outstanding, and Lender may request an inspection of the accounting of such funds.

5. TERM OF AGREEMENT. This Agreement shall commence on the date of the first Advance made from Lender to the District, and shall terminate five (5) years after the last Advance made by Lender hereunder.

6. NOTICES. Any notices, demands or other communications required or permitted to be given, shall be given in writing, delivered personally or sent by U.S. Mail, addressed to the Parties at the addresses set forth below or at such other address as either Party may hereafter or from time to time designate by written notice to the other Party given in accordance herewith.

To the District:

Twin Mesa Metropolitan District  
c/o Law Office of Michael E. Davis, LLC  
1151 Eagle Drive, Suite 366  
Loveland, Colorado 80537  
Attn: Michael E. Davis

With a copy to:

Law Office of Michael E. Davis, LLC  
c/o Law Office of Michael E. Davis, LLC  
1151 Eagle Drive, Suite 366  
Loveland, Colorado 80537

To Lender:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Twin Mesa Metropolitan District  
Exhibit J

7. ASSIGNMENT AND DELEGATION. The rights, or any parts thereof, granted to the Parties herein may be assigned only with the prior written consent of the non-assigning Party, which consent shall not be unreasonably withheld. The obligations, or any parts thereof, of the Parties may not be delegated to any third party without the prior written consent of the non-delegating Party, which consent shall not be unreasonably withheld.

8. NO THIRD-PARTY BENEFICIARIES. It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Parties and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the Parties that any person other than Parties receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

9. AMENDMENT AND MODIFICATION. This Agreement may be amended or modified only in writing signed by both Parties.

10. BINDING EFFECT. This Agreement shall inure to and be binding on the heirs, executors, administrators, successors and assigns of the Parties hereto.

11. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the Parties relating to the Advances and reimbursement therefor and sets forth the rights, duties and obligations of each Party to the other as of this date. Any prior agreements, promises, negotiations or representations not expressly set forth in this Agreement are of no force and effect. This Agreement may not be modified except by a writing executed by the Parties.

12. SEVERABILITY. If any provision of this Agreement is determined to be unenforceable or invalid, the unenforceable or invalid part shall be deemed severed from this Agreement, and the remaining portions of this Agreement shall be carried out with the same force as if the severed portions had not been part of this Agreement, provided that the Parties both agree that the severed provision does not alter the intent and/or purpose of the Agreement.

13. CONTROLLING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado and exclusive jurisdiction and venue shall lie in the District Court within which the boundaries of the District are located.

14. NO WAIVER. No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other provisions of this Agreement, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.

15. GOVERNMENTAL IMMUNITY. Nothing herein shall be construed as a waiver of the rights and privileges of the District pursuant to the Colorado Governmental Immunity Act, §§ 24-10-101, *et seq.*, C.R.S., as amended from time to time.

Twin Mesa Metropolitan District  
Exhibit J

16. CONDITION SUBSEQUENT. It shall be a condition subsequent to this Agreement that, to the extent necessary, it be submitted to the Securities Commissioners pursuant to the requirements of the Colorado Municipal Bond Supervision Act, §11-59-101, C.R.S., as amended, (the “Act”), and that it receive an exemption or other clearance from the registration requirements of the Act pursuant to §11-59-110, C.R.S., as amended.

17. COUNTERPART EXECUTION. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

*[Remainder of page intentionally left blank]*

Twin Mesa Metropolitan District  
Exhibit J



**IN WITNESS WHEREOF**, the Parties have caused this Agreement to be duly executed and delivered by their respective officers thereunto duly authorized as of the date first above written.

TWIN MESA METROPOLITAN DISTRICT

\_\_\_\_\_  
\_\_\_\_\_, President

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, Secretary/Treasurer

LENDER

\_\_\_\_\_

Printed Name: \_\_\_\_\_

Twin Mesa Metropolitan District  
Exhibit J

**EXHIBIT A**  
**Outstanding Advance & Reimbursement Obligation Form**

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**OUTSTANDING ADVANCE & REIMBURSABLE PAYMENT OBLIGATIONS**

In accordance with Paragraph 4 of the *Advance and Reimbursement Agreement*, dated \_\_\_\_\_, 20\_\_, the Parties agree that the information set forth below represents the outstanding Advance obligations between the Parties as of the date indicated.

DATE: \_\_\_\_\_, 20\_\_

**ADVANCE:**

Advance made by Lender as of the above date:      \$ \_\_\_\_\_

Bond Buyer 20-Bond GO Index, Plus 4.0%  
at time of the Advance:                                      \_\_\_\_\_ + 4.0% = \_\_\_\_\_ %

Total current outstanding Advance balance:      \$ \_\_\_\_\_

TWIN MESA METROPOLITAN DISTRICT

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: President

ATTEST:

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: Secretary/Treasurer

LENDER

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

Twin Mesa Metropolitan District  
Exhibit J

# Exhibit K

## District Court Decree

**DIRECTIONS:**

This exhibit shall include a copy of the recorded district court decree certifying the election and organizing the District.

SERVICE PLAN

FOR

TWIN MESA METROPOLITAN DISTRICT

DOUGLAS COUNTY, COLORADO

Prepared

by

☐  
☐  
☐  
☐  
☐

---

Service Plan for \_\_\_\_\_ Metropolitan District

By

Law Office of Michael E. Davis, LLC  
1151 Eagle Drive, Suite 366  
Loveland, Colorado 80537

Submission Date: April 1, 2024

APPROVAL DATE: \_\_\_\_\_

TEMPLATE

Service Plan for \_\_\_\_\_ Metropolitan District

*Service Plan Guide*

APPROVAL SUMMARY

This Service Plan for Twin Mesa Metropolitan District (the “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. :-\_\_\_\_\_.

Service Plan for \_\_\_\_\_ Metropolitan District

Service Plan Guide

ORGANIZERS  
PETITIONERS AND CONSULTANTS

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

<p>Petitioners Representative</p> <p>Name: Damian Cox Address: 1288 S. Peak View Drive City, State Zip: Castle Rock, CO 80109 Phone: (720) 933-3648 Fax: (303) 688-1386 Email: damian@coxrelaw.com</p>	<p>District Counsel</p> <p>Company: Law Office of Michael E. Davis, LLC Attn: Michael Davis Address: 1151 Eagle Drive, Ste. 366 Loveland, CO 80537 Phone: (720) 324-3130 Email: michael@mdavislawoffice.com</p>
<p>Petitioners Representative</p> <p>Name: Dan Clemens Address: 1066 Clarke Ct. City, State Zip: Castle Rock, CO 80109 Phone: (303) 378-0642 Email: dan@quietpath.com</p>	<p>Petitioners Representative</p> <p>Name: Denny Ingram Address: 1268 Clarkes Circle City, State Zip: Castle Rock, CO 80109 Phone: (303) 570-7061 Email: dennying58@gmail.com</p>
<p>Petitioners Representative</p> <p>Name: Rick Stucy Address: 1426 Castle Mesa Drive City, State Zip: Castle Rock, CO 80109 Phone: (303) 378-1592 Email: rick@trailstardev.com</p>	<p>Petitioners Representative</p> <p>Name: Matt Thomson Address: 1446 O'Brien Way City, State Zip: Castle Rock, CO 80109 Phone: (303) 578-6260 Email: thomsonhomes@gmail.com</p>

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

Service Plan for \_\_\_\_\_ Metropolitan District

EXECUTIVE SUMMARY

This service plan is for ~~the~~ Twin Mesa Metropolitan District (the “District”), which will serve ~~the~~ certain public roadway improvement and traffic safety needs of. ~~The District is for most of the Twin Oaks subdivision, the Castle Mesa South, Castle Mesa West subdivisions, most of the Castle Mesa subdivision along with four other properties. This District is generally located at Wolfensberger Rd. and S. Peak View Drive to Twin Oaks Rd and Territorial Rd and contains approximately 1,632.26 acres. The District willis anticipated to include 120 residential units and -square feet of no~~ 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: ~~pursuant to C.R.S. § 32-1-103(10): street improvements and traffic safety protection and other services as described in C.R.S. §§ 32-1-1001 and 1004, as amended, as more fully described in Section IX below. The District shall not have the authority to issue general obligation debt.~~

The ~~primary purpose of the District is to provide safety protection services by erecting, operating and maintaining traffic and safety controls and devices on roadways within the District pursuant to C.R.S. § 32-1-1004(1)(b). The District does not intend to finance the construction of the public improvements. The total authorized debt limit for the District shall be -(\$). The District anticipates the issuance of an initial series of bonds in the amount of -(\$) on . The initial debt service mill levy will be -mills, with a Zero Dollars (\$0.00), and the Maximum Debt Service Mill Levy of \_\_\_\_\_ shall be zero (0.000) mills. The initial operations and maintenance mill levy will be \_\_\_\_\_ mills, with a Maximum Operations and Maintenance Mill Levy of \_\_\_\_\_ mills. The combined initial mill levy shall be ten (10.000) mills, subject to adjustment to account for legislative or constitutional changes as described herein.~~

~~The Petitioners will submit an application and request that the County vacate approximately 600 feet of Twin Oaks Road and appurtenant rights of way to and for the benefit of the District for the purpose of locating the Traffic Control Gate, along with a portion of Clarke’s Circle for the purpose of maintaining an emergency access gate. It is anticipated that the County will consider that application and request in accordance with the County’s standard procedures for vacating property. The District will then fund the design and construction of the Traffic Control Gate, and the operation and maintenance of both the Traffic Control Gate and the emergency gate. Notwithstanding the foregoing, if construction of the bridge for the Crystal Valley Interchange has not commenced or the emergency gate on Clarke’s Circle has not been approved to be installed by the County as of December 31, 2030, the District will be -mills, with a maximum combined mill levy of \_\_\_\_\_ mills.~~

Service Plan for \_\_\_\_\_ Metropolitan District



Service Plan Guide

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~~Exhibit B — Legal Description~~

~~Exhibit C — District Boundary Map~~

~~Exhibit D — Cost of Improvements~~

~~Exhibit E — Map of Improvements~~

~~Exhibit F — Financial Plan~~

~~Exhibit G — Resolution of Approval~~

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

~~Exhibit I — Compliance with DRCOG Clean Water Plan~~

~~Exhibit J — Advance and Reimbursement Agreement~~

~~Exhibit K — Intergovernmental Agreements~~

~~Exhibit L — Annual Report Requirements~~

~~Exhibit M — District Court Decree~~

Service Plan for \_\_\_\_\_ Metropolitan District

I.——dissolved in accordance with Section XVI of this Service Plan (in which case the District will dismantle the Traffic Control Gate and convey roadway property then owned by the District to the County prior to the District’s dissolution).

In the absence of Intergovernmental Agreements to the contrary, neither the County nor the Town of Castle Rock will have any maintenance responsibilities related to the Traffic Control Gate or the vacated portion of the County roads.

TEMPLATE

Twin Mesa Metropolitan District

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Twin Mesa Metropolitan District

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TEMPLATE

Twin Mesa Metropolitan District

**I. EXHIBITS**

**Exhibits A through L, attached hereto are incorporated into this Service Plan**

Exhibit A	Vicinity Map
Exhibit B	Legal Description
Exhibit C	District Boundary Map
Exhibit D	Cost of Improvements
Exhibit E	Map of Improvements
Exhibit F	Example Operating Budget
Exhibit G	Resolution of Approval
Exhibit H	Compliance with Section 18A, Water Supply
Exhibit I	Compliance with Colorado Department of Public Health and Environment Requirements
Exhibit J	Advance and Reimbursement Agreement
Exhibit K	District Court Decree

## I.II. INTRODUCTION

This service plan (the “Service Plan”) for ~~the~~ the Twin Mesa Metropolitan District (the “District”) is for a special district organized under Title 32 of the Colorado Revised Statutes to serve ~~the~~ certain public improvement needs, as described herein, of ~~most of the Twin Oaks subdivision, the “Project”~~. The Castle Mesa South and Castle Mesa West subdivisions, most of the Castle Mesa subdivision along with four other properties. This District is generally located at Wolfensberger Rd. and S. Peak View Drive to Twin Oaks Rd and Territorial Rd (see **Exhibit A**, Vicinity Map) and contains approximately 1,632.26 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~~ An Example Operating Budget showing how District improvements and services are to be financed, including the operating revenue for the first three budget years 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 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.III.H.~~ **PURPOSE OF THE DISTRICT**

The purpose of the District is to ~~provide~~operate and maintain certain public roadway and traffic safety improvements and services for the benefit of all current and anticipated inhabitants and taxpayers of the District, ~~either within or without its boundaries.~~ The District will also ~~serve~~ to finance and oversee the construction and pay for, but not finance, the installation of ~~these public improvements and to~~certain traffic safety controls and devices from time to time, and provide for ongoing operations and maintenance services. for such public improvements.

### ~~III.IV.~~ ~~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.V.~~ ~~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.~~ The District is a rural neighborhood consisting of approximately four subdivisions and four other properties of acreage/agricultural properties that were approved in the late 1960s to early 1970s. The four subdivisions are currently serviced by dedicated County roads. The Town of Castle Rock, the Colorado Department of Transportation and the County have approved an interchange at I-25 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. The Crystal Valley Interchange and Dawson Trails will create a substantial amount of traffic and population growth directly adjacent to the District Boundaries. This increased volume of traffic has a high probability of materially changing the current rural residential local roads within the District Boundaries into heavily travelled urban collector roads

used to feed traffic to and from the Dawson Trails development and the arterial roads adjacent to I-25.

It is generally believed by the Dawson Trails developer, the Town of Castle Rock and the County, that Clarke's Circle will need to be blocked with an emergency gate in order to prevent direct local road access so close to the proposed Crystal Valley Interchange. Upon vacation of the portion of Clarke's Circle with the emergency access only gate by the Board of County Commissioners to the District, the District will maintain the emergency access gate and that portion of Clarke's Circle.

It is also generally believed that the Dawson Trails development and Crystal Valley Interchange will cause additional cut-through traffic on the roads in Twin Oaks and Castle Mesa. Therefore, there is an existing need for the District to erect traffic and safety controls on the local roadways within the District to create traffic patterns that can be sustained by the County as the population and vehicular traffic in the vicinity increase as projected. The traffic and safety controls will be comprised primarily of a motorized gate to limit non-resident traffic beyond a designated location, an emergency gate installed by the County on Clarke's Circle, and signage to direct non-residents to designated collector and arterial roads. The District is being created to construct and maintain the safety controls and devices that will assist the County in limiting traffic flow to sustainable levels according to County standards, while also preserving the existing rural character for the local residents residing within the District Boundaries.

## **V.VI. LOCATION AND BOUNDARIES**

~~The~~ This District is generally located at Wolfensberger Rd. and S. Peak View Drive to Twin Oaks Rd and Territorial Rd. A vicinity map is attached hereto as **Exhibit A**. The area of the initial District's boundary encompasses approximately 1,632.26 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~~ District will include 100% of the property described in **Exhibit B** and **Exhibit C** within its' boundaries ~~may change from~~ at the time to time as it undergoes inclusions and exclusions of its formation. Prior to any inclusion or exclusion of any property 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 that is~~ not identified in ~~Exhibit~~ **Exhibits B and 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~~ **XIV** of the Service Plan and C.R.S. § 32-1-207(2).

## **VI.VII. VI. ASSESSED VALUATION/PROJECTIONS/LAND USE/POPULATION**



~~\_\_\_\_\_The~~ As of January 4, 2024, the property within the District is zoned ~~as of~~ Agricultural One, Rural Residential, Estate Residential and Large Rural Residential. The current assessed value of property within the ~~initial~~ boundaries of the District as of January 4, 2024 is ~~(\$)~~ nine million nine hundred eighty-four thousand one hundred seventy dollars (\$9,984,170.00). The property within the District Boundaries is approximately 92.5% built-out so the assessed valuation is not expected to change materially except as ~~of~~ a result of normal market conditions. The ~~estimated~~ assessed value at full build-out is ~~(\$)~~ and valuation is expected to be sufficient ~~to reasonably discharge the debt under the Financial Plan~~. ~~Initially, the District will include for the District to operate and maintain the planned traffic controls and appurtenant property and improvements, and pay for necessary capital improvements without the need to issue Debt. The District currently includes one hundred twenty (120) residential units/slots and Zero square feet of commercial space. Based upon an estimated (four (4.00) persons per residence, the maximum population of the District at build-out will be estimated to be (four hundred eighty (480) 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.VIII.~~ VII. **POWERS AND RESPONSIBILITIES**

The District ~~shall have~~ has 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~~ XIX.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 ~~XXIV~~ XIV, 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. \_\_\_\_\_~~

2. 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.~~ Without limiting the foregoing, the District shall not have the authority to exercise the power of eminent domain.

## **VIII.IX. 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~~

##### 1. Street Improvements

The District ~~shall have~~has the power and authority to ~~finance, design, construct, acquire, install, maintain, certain streets and roadway improvements 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, right of ways within the District 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.~~

~~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 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 to transport wastewater to an appropriate wastewater treatment facility, with all necessary and incidental and appurtenant facilities, land and easements, together with extensions and improvements thereto.~~

### ~~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.~~

#### 4.2. Traffic Safety Protection

The District ~~shall have~~has the power and authority to ~~finance~~fund, 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~~a motorized gate to be erected across a portion of roadway vacated by the County (the "Traffic Control Gate"), an emergency vehicle gate planned for installation by the County on Clarke's Circle, traffic signs, area identification signs, directional assistance and driver information signs, and turnarounds, 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 and any other appropriate local jurisdiction regarding public right of ways.

~~5. 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.~~

~~6. 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.~~

~~7. 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 provide fire protection, ambulance, and emergency medical and rescue services, including necessary equipment, personnel, and facilities.~~

~~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. \_\_\_\_\_ The procedures and methods for operating and maintaining the Traffic Control Gate and the emergency vehicle gate will be determined by the District’s board of directors after formation of the District. Pursuant to this Service Plan, however, the District’s board of directors will ensure that the Traffic Control Gate is Opticom controlled with Knox key backup, and that passcodes, QR codes, RFI readers or other access credentials provide 24/7 access through the Traffic Control Gate for all authorized users, including without limitation the residents of the District, utility providers (including without limitation CORE Electric Cooperative and Public Service Company of Colorado), school districts, emergency service providers (including without limitation Castle Rock Fire & Rescue), law enforcement (including without limitation the County Sheriff’s Office), all County services and County service providers, and other service providers such as trash collection and deliveries (collectively, “Authorized Users”). It is anticipated that the District’s board of directors may impose an annual toll fee on persons who are not Authorized Users but choose to pass through the Traffic Control Gate on a regular basis (e.g., commuters who are not residents of the District). The District shall not charge any tolls to any Authorized User.~~

### **B. Estimated Costs and Phasing of Improvements**

An estimate of the costs of ~~the public improvements~~Traffic Control Gate, which may be planned for, designed, acquired, constructed, installed, ~~relocated, redeveloped, and~~ maintained, ~~or financed by the District~~ was prepared based upon a preliminary ~~engineering survey on the property proposal by Rocky Mountain Access Controls, Inc.~~ and is approximately ~~-( $\$$ )\$42,394~~ 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. (proposal for the installation of the Traffic Control Gate with two motorized swing gate operators).~~ All descriptions of the ~~public improvements~~Traffic Control Gate 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.~~The District will continue to develop and refine cost estimates contained herein. The District will not issue debt to finance the construction and installation of the Traffic Control Gate. All construction cost estimates assume construction to applicable local, State, or Federal requirements.

~~Maps showing the preliminary \_\_\_\_\_ The specific location of the public improvements that~~Traffic Control Gate is contingent upon the County’s approval of the District is authorized to acquire or construct are attached hereto asDistrict’s road vacation application. Exhibit E shows the proposed Traffic Control Gate. 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. Without limiting the foregoing, the District will operate and maintain the Traffic Control Gate, and such operations and maintenance will include but not be limited to roadway, curb, gutter, signage, monumentation and other appurtenances that have been conveyed to the District, as necessary, based on the final design and construction of such improvements. Neither the County nor the Town of Castle Rock shall be responsible for any construction, operation or maintenance costs of the Traffic Control Gate or any improvements appurtenant to the Traffic Control Gate that have been conveyed to the District.~~

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~~will obtain ~~approval of civil engineering and other plans and any applicable~~all necessary permits ~~and approvals~~ for the ~~construction and installation of public improvements from the County and/or other appropriate regulatory agencies~~Traffic Control Gate, including without limitation any permits required by Douglas County's Building Division.

~~C. Services to be Provided by Other Governmental Entities~~

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

The ~~shall provide~~District does not require water service from any water provider nor is any water supply services to plan required for the Project. [PICK ONE OF THE FOLLOWING SENTENCES, AS APPROPRIATE] (1) has met the requirements ofDistrict, pursuant to Section 18A, Water Supply – Overlay District, of the Douglas County Zoning Resolution, as amended,as described in its letter in . (Refer to 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.) The District will not provide any water services and neither owns nor controls any water rights. The existence, operation and maintenance of the District will have no demand for water, and the District does not require any commitment from any person to provide water.

**D. ~~E.~~ Compliance with DRCOG Clean Water Plan**

~~has asserted its compliance with the DRCOG Clean Water Plan as demonstrated in Exhibit I.~~

~~IX. The Regional Clean Water Plan is not applicable to Twin Mesa Metropolitan District and therefore neither DRCOG nor any other wastewater treatment provider is required to issue a compliance letter in connection therewith. (Refer to Exhibit I.)~~

## **IX.X. EXISTING AND PROPOSED AGREEMENTS**

~~X.~~ After approval of this Service Plan by the County, the applicants will move forward with their application requesting the County to vacate portions of the County road(s) within the District to and for the benefit of the District for the purpose of locating the Traffic Control Gate and an emergency vehicle gate to be constructed by the County on Clarke’s Circle. It is anticipated that the County will consider such application(s) and request in accordance with the County’s standard procedures for vacating property. Notwithstanding the foregoing, if construction of the bridge for the Crystal Valley Interchange has not commenced or the emergency gate on Clarke’s Circle has not been approved to be installed by the County as of December 31, 2030, the District will be dissolved in accordance with Section XVI of this Service Plan (in which case the District will dismantle the Traffic Control Gate and convey roadway property then owned by the District to the County prior to the District’s dissolution).

Neither the County nor the Town of Castle Rock will have any maintenance responsibilities related to the Traffic Control Gate or the vacated portion of the County roads unless either enters into an Intergovernmental Agreement with the District.

## **X.XI. 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~~ An example operating budget (the “Operating Budget”) and statement of assumptions is contained in **Exhibit F**.

### **B. Assumptions**

The ~~maximum debt limitation~~ revenue estimate contained herein is based on the assumption that each of the 120 residential properties in the District ~~will have~~ has an average ~~value~~ assessed valuation of approximately ~~(\$), and commercial space will have an average value of (\$)~~ per square foot. The Financial Plan eighty three thousand dollars (\$83,000.00). The Operating Budget demonstrates that the District has the ability to ~~finance~~ pay for the operations and maintenance of 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~~ developer advances and ~~for~~ operations and maintenance. The District may also rely upon various other revenue sources authorized by law. At the District’s discretion, ~~these~~ additional revenue sources may include ~~the power to assess~~ fees, rates, tolls, penalties, or charges ~~as provided for in accordance with~~ C.R.S. § 32-1-1001(1), as amended. The District anticipates that it may impose a toll for non-District resident use of the roads and Traffic Control Gate within the District for the purpose of partially covering the cost of erecting, operating and maintaining the District road, Traffic Control Gate and other safety controls and devices.

A Maximum Total Mill Levy of ~~\_\_\_\_\_10.00~~ mills is authorized to support ~~debt service and~~ operations and maintenance of the District. The District ~~may request an amendment to~~ estimates ~~that during~~ the ~~Service Plan, in accordance with Section XIII, to eliminate~~ first five years of ~~operation~~ a total combined mill levy ~~caps when~~ of approximately 7.500 mills will produce revenue sufficient to support 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) operations and maintenance needs of the Colorado Constitution, District as well as the District's repayment of developer advances (see Exhibit F, Operating Budget). After the fifth year, it is anticipated that 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"). will be reduced to 4.750 mills.~~

~~\_\_\_\_\_~~ If there are changes in the method of calculating assessed valuation or any legislative or constitutionally mandated tax credit, cut, or abatement, the ~~mill levy limitation applicable to such operating and maintenance expenses~~ Maximum Total Mill Levy 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~~such mill levy are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation to assessed valuation shall be deemed to be a change in the method of calculating assessed valuation.

#### **D. Debt Service Mill Levy**

~~A maximum mill levy of \_\_\_\_\_ 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 \_\_\_\_\_ mills will produce revenue sufficient to support debt service costs through the bond repayment period (see Exhibit F, Financial Plan).~~

~~The District shall not impose a mill levy for the purpose of servicing Debt.~~

#### **E. Operations and Maintenance Mill Levy**

A maximum mill levy of ~~\_\_\_\_\_10.000~~ 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.~~ It is anticipated that an initial operations and maintenance mill levy of 7.500 mills will produce revenue sufficient to support the operations and maintenance of District ~~services~~service and public improvements (see **Exhibit F, Financial Plan**~~Operating Budget~~).

#### **F. District Expenditures**

The estimated cost of public improvements for the District is ~~-\$)~~\$80,000.00. **Exhibit D** includes, in current dollars, the ~~estimated estimate~~ cost ~~of each public improvement, together with an explanation of to install~~ the ~~methods, basis, and/or assumptions used to establish such costs.~~Traffic Control Gate.



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 ~~-\$~~ forty thousand dollars (\$40,000.00). The first year's operating budget is estimated to be ~~-\$~~ approximately one hundred seventy-seven thousand dollars (\$177,000.00). However, the following fiscal year is estimated to be approximately seventy-eight thousand dollars (\$78,000.00). See **Exhibit F**.

## G. Debt

### ~~1. Debt Limitation~~

~~The total debt limit for the District is \$, 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.~~

~~DEVELOPER~~ The District is not authorized to issue Debt.

## ~~XI~~XII. 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, with or without interest, as may be evidenced by short-term reimbursement agreements or other acceptable agreements or resolutions. The interest rate, if any, on ~~developer~~ reimbursements shall not exceed the current Bond Buyer 20-Bond GO Index plus four percent (4%). and interest shall not compound. The repayment of any such advances shall be subject to annual appropriation by the Board and may be repaid by the District only from legally available sources of revenue. Any amount of outstanding principal and accrued interest on such advances that remains unpaid after five years of such advance shall

be deemed to be forever discharged and satisfied in full. The total advances are anticipated to be one hundred thousand dollars (\$100,000.00).

~~*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 shall be deemed to be forever discharged and satisfied in full. The total developer advances are anticipated to be ~~(\$).~~ Developer contributions, which will not be repaid by the District, are anticipated to be ~~(\$).~~

## ~~XII.XIII.~~ XII. ANNUAL REPORT

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

## ~~XIII.XIV.~~ 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.—Any material modification of this Service Plan approved by the County is not effective until it is ratified by a vote of the registered electors of the District by way of a special election. If such modification is not so approved, then the modification is void.

#### XIV.XV. **DISCLOSURE STATEMENT**

The District ~~shall~~will 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~~must 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~~must be recorded within thirty (30) days following the recordation of the court decree organizing the District and such recording shall be deemed adequate notice to purchasers of property as described herein.

#### XV.XVI. ~~XV.~~ **DISSOLUTION**

It ~~shall be~~is mandatory for the District to initiate dissolution proceedings when the District has neither any financial obligations nor operations and maintenance obligations. ~~The, or if the District is required to remove the Traffic Control Gate. In such case, 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~~is 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. Upon dissolution, all District roads and/or emergency access gate will be vacated to the County.

#### XVI.XVII. ~~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 Twin Mesa 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~~Operating Budget: the ~~Financial Plan~~estimated operating budget described in Section ~~XXI~~ and attached as **Exhibit F**, which describes: (a) how the public improvements are to be ~~financed~~funded; (b) ~~how is~~ the ~~debt is~~operating expenses 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~~Petitioners: the ~~payment~~group of ~~which property owners within the boundaries of the District has promised~~who have signed the petition to ~~impose an ad valorem property tax mill levy~~create the District.

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

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 ~~XXI~~.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 ~~XXI~~.D. and operating and maintenance expenses as set forth in Section ~~XXI~~.E.

~~Project: the development of property commonly referred to as~~

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.—Traffic Control Gate: the motorized gate to be erected across the portion of Twin Oaks Road vacated by the County.

### XVII.XVIII. 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.XIX. 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;

There is an existing, present need to erect safety controls on the local roadways within the District to create traffic patterns that can be sustained by the County as the population and vehicular traffic in the vicinity increase as projected. The safety controls will be comprised primarily of a motorized gate to limit non-District resident traffic beyond a County-designated location, and signage to direct non-District residents to designated collector and arterial roads. The District is being created to construct and maintain the safety controls and devices that will assist the County in limiting traffic flow to sustainable levels, while also preserving the existing rural character for the local residents residing within the District Boundaries.

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

The existing unpaved roads within the District Boundaries were designed and are maintained as residential gravel roads, not collector streets suitable for the high density residential and commercial property currently being developed adjacent to the District Boundaries. The traffic safety controls proposed by the District will reduce traffic congestion and safety concerns by diverting traffic flows to County and Town of Castle Rock collector and arterial roads that are designed and maintained to safely carry higher volumes of traffic.

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

The Example Operating Budget in the Service Plan demonstrates that the District is capable of economically and sufficiently providing the proposed services.

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 District will not issue Debt to pay for any of the public improvements.

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 County does not anticipate being able to provide any additional traffic safety and controls within the boundaries of the District, and existing controls are not adequate in light of current development in the vicinity and the anticipated increase in traffic.

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;

The traffic safety controls will be maintained by the District to County standards.

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;

Because the property within the District is essentially fully built-out, the proposed District has no impact on the Douglas County Comprehensive Master Plan.

8. The proposal is in compliance with the regional Clean Water Plan, as amended; and

The District has no impact on the Clean Water Plan.

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

The creation of the District is in the best interests of the property owners and tax payers within the District Boundaries and will result in improved traffic and safety controls not otherwise provided by the County.

**Referral Agency Response Report**

**Project Name:** Twin Mesa Metropolitan District

**Project File #:** SV2023-003

**Date Sent:** 03/06/2024

**Date Due:** 03/20/2024

Agency	Date Received	Agency Response	Response Resolution
AT&T Long Distance - ROW		No Comment Received.	No Response Required.
Black Hills Energy		No Comment Received.	No Response Required.
Castle Rock Downtown Development Authority		No Comment Received.	No Response Required.
Castle Rock Fire and Rescue Department		See letter from Town of Castle Rock.	The applicant has addressed this comment.
Castleview Metro District No. 1		No Comment Received.	No Response Required.
Cedar Hill Cemetery Association		No Comment Received.	No Response Required.
CenturyLink		No Comment Received.	No Response Required.
Citadel Station - Castle Meadows URP		No Comment Received.	No Response Required.
Colorado Department of Transportation CDOT-Region # 1	03/06/2024	See letter: No Comment.	No Response Required.
Colorado Division of Water Resources	03/06/2024	See letter: No information in service plan pertaining to water demands or water supplies.	No Response Required.
Colorado Geological Survey	03/11/2024	Receive: No Comment. (verbatim)	No Response Required.
Comcast		No Comment Received.	No Response Required.
Consolidated Bell Mountain Ranch Metro District		No Comment Received.	No Response Required.
CORE Electric Cooperative	03/20/2024	Received: CORE Electric Cooperative approves the New Service Plan. CORE will require 24/7 access through the Traffic Control Gate, the applicant will be required to contact CORE by providing an access code prior to final construction. The Gate may not be constructed within existing utility easements.	The applicant has addressed this comment.
Crystal Crossing Metro District		No Comment Received.	No Response Required.

**Referral Agency Response Report**

**Project Name:** Twin Mesa Metropolitan District

**Project File #:** SV2023-003

**Date Sent:** 03/06/2024

**Date Due:** 03/20/2024

<b>Agency</b>	<b>Date Received</b>	<b>Agency Response</b>	<b>Response Resolution</b>
Crystal Valley Metro District No 2		No Comment Received.	No Response Required.
Dawson Trail Metro District Nos. 1-7		No Comment Received.	No Response Required.
Douglas County Addressing Analyst	03/07/2024	Received: No Comment. (verbatim)	No Response Required.
Douglas County Assessor	03/13/2024	Received: No Comment. (verbatim)	No Response Required.
Douglas County Building Services	03/13/2024	Received: Permit is required for structure(s), permits may be required for some of the items listed. Electrical permit is required for electrical works. Please contact Douglas County's Building Division at 303-660-7497 for more information and if you have any questions.	The applicant has acknowledged this comment.
Douglas County Conservation District		No Comment Received.	No Response Required.
Douglas County Engineering Services	03/20/2024	See Letter: Comments related to the emergency gate, emergency services access, existing need for District, and tolling.	Several of the comments were addressed by the applicant in revisions to the service plan.
Douglas County Health Department	03/12/2024	Received: No Comment. (verbatim)	No Response Required.
Douglas County Libraries		No Comment Received.	No Response Required.
Douglas County Office of Emergency Management	03/06/2024	Received: OEM has no concerns with this request. (verbatim)	No Response Required.
Douglas County School District RE 1		No Comment Received.	No Response Required.
Douglas County Sheriff's Office		No Comment Received.	No Response Required.
Douglas County Wildfire Mitigation		No Comment Received.	No Response Required.
E-470 Public Highway Authority		No Comment Received.	No Response Required.
Hillside at Castle Rock Metro District	03/07/2024	See Letter: No Comments.	No Response Required.



**Referral Agency Response Report****Project Name:** Twin Mesa Metropolitan District**Project File #:** SV2023-003**Date Sent:** 03/06/2024**Date Due:** 03/20/2024

<b>Agency</b>	<b>Date Received</b>	<b>Agency Response</b>	<b>Response Resolution</b>
Jackson 105 Fire Department		No Comment Received.	No Response Required.
Lanterns Metro District Nos. 1-5		No Comment received.	No Response Required.
Larkspur Fire Department		No Comment Received.	No Response Required.
Meadows Metropolitan District Nos. 1-7		No Comment Received.	No Response Required.
Millers Landing Business Improvement District		No Comment Received.	No Response Required.
RTD - Planning & Development Dept		No Comment Received.	No Response Required.
Rural Water Authority of Douglas County		No Comment Received.	No Response Required.
Town of Castle Rock	03/18/2024	See letter: Comments provided from Castle Rock Fire relate to access to the traffic control gates.	The applicant has addressed this comment.
Town of Castle Rock Festival Park Commons GID		No Comment Received.	No Response Required.
Twin Oaks HOA		No Comment Received.	No Response Required.
Villages at Castle Rock Metro Districts		No Comment Received.	No Response Required.
West Douglas County FD	03/06/2024	Received: Does not impact WDCFPD. We have no concerns.	No Response Required.
Xcel Energy-Right of Way & Permits	03/06/2024	See letter: No apparent conflict.	No Response Required.

March 6, 2024

<b>REFERRAL RESPONSE REQUEST</b>
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**Comments Due By:** March 20, 2024

**Fax:** 303-379-4198

**File # / Name:** SV2023-003 / Twin Mesa Metropolitan District

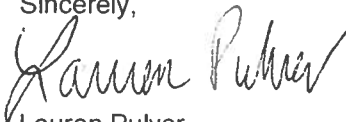
**Request:** New Service Plan

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

<input checked="" type="checkbox"/> No Comment	
<input type="checkbox"/> Please be advised of the following concerns:  _____	
<input type="checkbox"/> See letter attached for detail.	
<b>Agency:</b> CDOT	<b>Phone #:</b> 303-757-9891
<b>Your Name:</b> Steve Loeffler <i>(please print)</i>	<b>Your Signature:</b> 
	<b>Date:</b>

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,



Lauren Pulver  
Planning Supervisor

Enclosure

**From:** Dickinson - DWR, Wenli  
**To:** Lauren Pulver  
**CC:** Comanche - DWR, Joana  
**Subject:** Re: Douglas County eReferral (SV2023-003) Is Ready For Review  
**Date:** Wednesday, March 6, 2024 5:40:35 PM  
**Attachments:** 2023-04-26 Email to County about TMMD.pdf

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Hi Lauren,

It doesn't look like any information regarding the water supply, water demands, or water rights held by the district was provided in this re-referral for SV2023-003. Therefore, our comments provided April 26, 2023 (attached), still apply.

Please let me know if you have any questions.

Regards,

Wenli Dickinson, P.E.  
Water Resource Engineer



P 303.866.3581 x8206  
1313 Sherman St, Suite 821, Denver, CO 80203  
[wenli.dickinson@state.co.us](mailto:wenli.dickinson@state.co.us) | [dwr.colorado.gov](http://dwr.colorado.gov)  
[DWR Customer Satisfaction Survey](#)

----- Forwarded message -----

**From:** <[lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)>  
**Date:** Wed, Mar 6, 2024 at 10:27 AM  
**Subject:** Douglas County eReferral (SV2023-003) Is Ready For Review  
**To:** <[joanna.williams@state.co.us](mailto:joanna.williams@state.co.us)>

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?!!PUG2mq7KtCZvBk:td30ZAgRvjD1V87LjOWTjhZcAZ1m88t07LNnGKzCRECpNKqjZXwanZ2H4pa3\\_zqsDhK8licqwaX4Q08HORdg2l28MS](https://urldefense.com/v3/https://apps.douglas.co.us/planning/projects/Login.aspx?!!PUG2mq7KtCZvBk:td30ZAgRvjD1V87LjOWTjhZcAZ1m88t07LNnGKzCRECpNKqjZXwanZ2H4pa3_zqsDhK8licqwaX4Q08HORdg2l28MS)

SV2023-003, Twin Mesa Metropolitan District, proposed metropolitan district to serve certain public roadway improvement and traffic safety needs.

This referral will close on Wednesday, March 20, 2024.

If you have any questions, please contact me.

Sincerely,

Planning Services  
100 Third Street  
Castle Rock, CO 80104  
303-660-7460 (main)

**From:** Dickinson - DNR, Wenli  
**To:** Lauren Pulver  
**Cc:** Comaniciu - DNR, Ioana  
**Subject:** Re: Douglas County eReferral (SV2023-003) Is Ready For Review  
**Date:** Wednesday, April 26, 2023 10:07:34 AM

---

Hi Lauren,

DWR has reviewed the referral file no. SV2023-003 for the Twin Mesa Metro District's Service Plan. Upon review, it appears that this referral contained no information on water demands or proposed water supplies. If there is a water supply related issue the county wants our office to provide comments on, please provide further explanation and sufficient information for our review of the water supply issues.

The county and the Twin Mesa Metro District should be aware that in the future, if the water supply for a subdivision is to come from the district, the State Engineer must have detailed information about the district in order to do a comprehensive review of the water supply plan and to provide a meaningful opinion to county planners. Section 30-28-136(1)(h)(II), C.R.S. states that "...a municipality or quasi-municipality, upon receiving the preliminary plan designating said municipality or quasi-municipality as the source of water for a proposed subdivision, shall file, with the board of County Commissioners and the State Engineer, a statement documenting the amount of water which can be supplied by said municipality or quasi-municipality to the proposed subdivision without causing injury to existing water rights."

Our office requests that upon formation of the district, the district provide a detailed report including the following:

1.  
A summary of water rights owned or controlled by the district, including all applicable well permit numbers and water court decree numbers.
2.  
The yield of those rights, both in an average year and a dry year.
3.  
The present demand on the system and the anticipated demand due to commitments for service entered into by the district.
4.  
The amount of uncommitted firm supply the district has available for future development.
5.  
A map and GIS shapefiles of the district's service area.

*Note that Items 3 and 4 can also be satisfied by showing that the district currently has adequate water to supply all of its water commitments at full build-out.*

Please let me know if you have any questions.

Regards,

Wenli Dickinson, P.E.  
Water Resource Engineer



P 303.866.3581 x8206  
1313 Sherman St, Suite 821, Denver, CO 80203  
[wenli.dickinson@state.co.us](mailto:wenli.dickinson@state.co.us) | [dwr.colorado.gov](http://dwr.colorado.gov)

----- Forwarded message -----

**From:** <[lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)>  
**Date:** Thu, Apr 20, 2023 at 10:44 AM  
**Subject:** Douglas County eReferral (SV2023-003) Is Ready For Review  
**To:** <[joanna.williams@state.co.us](mailto:joanna.williams@state.co.us)>

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\\_!!PUG2raq7KiCZwBk1YN4pNLyeFgqVOA2cnS4UF-dQ8Mu7AsmchEzTxP\\_70eBHJHFZlZ4jw2kNR2yB5csR1S9YgBkSLFsrONysq1rSATlZr7A5](https://urldefense.com/v3/https://apps.douglas.co.us/planning/projects/Login.aspx_!!PUG2raq7KiCZwBk1YN4pNLyeFgqVOA2cnS4UF-dQ8Mu7AsmchEzTxP_70eBHJHFZlZ4jw2kNR2yB5csR1S9YgBkSLFsrONysq1rSATlZr7A5)

SV2023-003, Twin Mesa Metropolitan District New Service Plan, this is a service plan to create a new special district for the Twin Oaks and Castle Mesa subdivisions.

This referral will close on Friday, May 5, 2023.

If you have any questions, please contact me.

Sincerely,

Lauren Pulver  
100 Third Street  
Castle Rock, CO 80104  
303-660-7460 (main)

March 20, 2024  
Lauren Pulver  
Planning Supervisor  
Department of Community Development  
[lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)

DV2023-197

RE: **Twin Mesa Metro District Service Plan**

Dear Lauren,

Douglas County Public Works - Engineering has reviewed the referral for the above-referenced project and has the following comments:

**General Comments:**

1. It has generally been agreed to, between the Dawson Trails developer, the Town of Castle Rock and Douglas County, that Clarke Circle should be vacated in order to prevent direct local road access to the arterial in the Dawson Trails development in close proximity to the proposed interchange. The vacation of Clarke Circle will require approval by the Board of County Commissioners which is not guaranteed at this point. It is also not clear who will own/maintain the vacated portion of Clarke Circle, or any potential gate on Clarke Circle if the roadway is vacated by the BCC.
2. The appropriate Fire District, School District and the Sheriff's office should be contacted about this proposal. It is important for the County to understand how this proposal may or may not impact the services provided by these entities.
3. Section V: Public Works – Engineering agrees that there is potential for additional cut-through traffic on the roads in Twin Oaks and Castle Mesa due to the interchange and development, however, the County has not determined that there is an “existing need to erect traffic and safety controls on the local roadways within the District to create traffic patterns that can be sustained by the County...”. It is recommended the language in this section of the service plan be revised to reflect the need from a District standpoint, not a County standpoint.
4. Section IX: This section should be expanded to include maintenance of an emergency vehicle access road and additional gate. Considering we do not know what entity will maintain Clarke Circle once/if it is vacated, the powers for the District to maintain Clarke Circle should be included in this service plan.
5. Section XI – C: Tolling such a small portion of a private road, which has public roads leading to it, would be akin to tolling the public road. Public Works – Engineering does not support the ability of the District to toll any users of the proposed gate.

Feel free to contact me should you have any questions.

Respectfully,



Matt Williams, P.E., CFM  
Asst. Director Public Works – Engineering  
[mwillial@douglas.co.us](mailto:mwillial@douglas.co.us)

**From:** [Dianne Miller](#)  
**To:** [Lauren Pulver](#)  
**Subject:** RE: Referral Response Request: SV2023-003 Twin Mesa Metropolitan District  
**Date:** Thursday, March 7, 2024 11:54:39 AM

---

Hi, Lauren: Hillside at Castle Rock has no comments to the packet.

Dianne D. Miller  
Miller Law pllc  
1555 California Street No 505  
Denver CO 80202

[dmiller@ddmalaw.com](mailto:dmiller@ddmalaw.com)

main: 303 285 5320  
fax: 303 285 5330  
cell: 303 564 4330

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**From:** Lauren Pulver <[lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)>  
**Sent:** Wednesday, March 6, 2024 11:01 AM  
**To:** Dianne Miller <[dmiller@ddmalaw.com](mailto:dmiller@ddmalaw.com)>  
**Subject:** Referral Response Request: SV2023-003 Twin Mesa Metropolitan District

Hi Dianne,

**Request for Review:**

Please review the proposed new special district service plan for Twin Mesa Metropolitan District and forward any comments on behalf of Hillside at Castle Rock Metro District to me by **March 20, 2024**. I've attached the Referral Packet to this email that contains the service plan and application.

Please let me know if you have any questions.

Thank you,

**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](mailto:lpulver@douglas.co.us)



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**External Referral Comments**

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**TO:** Michael Davis, Douglas County Planning

**FROM:** Darcie Hartman, Development Services Technician, Development Services Department

**DATE:** March 18, 2024

**SUBJECT:** COU24-0006, Project No. SV23-003

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Thank you for the opportunity to review and respond to the New Service Plan for Twin Mesa Metro District. The application was reviewed by various Town Departments with the following comments (see below) from Town reviewers. Please keep us informed of any changes to the proposal. Thank you.

**FIRE** **BART CHAMBERS**

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- F1. Please contact Bart Chambers with questions at [FPO@crgov.com](mailto:FPO@crgov.com) or 303-660-1066.
- F2. We will need to have traffic control gates and that they will be Opticom controlled with a Knox key backup. When development on access begins the requirements that are in place at the time will be followed.



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.285.6612**  
[Violeta.Ciocanu@xcelenergy.com](mailto:Violeta.Ciocanu@xcelenergy.com)

March 6, 2024

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104

Attn: Lauren Pulver

**Re: Twin Mesa Metropolitan District New Service Plan – 2<sup>nd</sup> Submittal  
Case # SV2023-003**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plan for **Twin Mesa Metropolitan District** and has **no apparent conflict**.

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](mailto:violeta.ciocanu@xcelenergy.com)





## Memorandum

8055 E. Tufts Avenue, Suite 350  
Denver, CO 80237  
(303) 771-0217 Direct

**Jason Simmons**  
Senior Managing Director  
Jason.Simmons@hilltopsecurities.com

**Date:** March 18, 2024

**To:** Douglas County, Colorado

**Subject:** Review of Proposed Service Plan for Twin Mesa Metropolitan District

Hilltop Securities Inc. (“Hilltop”) has been engaged by Douglas County, Colorado (the “County”) to review the proposed Service Plan for the Twin Mesa Metropolitan District (the “District”).

Hilltop’s review is based on the assumptions provided by the Petitioner 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 will consist of 120 residential units and no commercial development within approximately 1,632.26 acres. The Service Plan estimates that the District is approximately 92.5% built out and current assessed value as of January 2024 is \$9,984,170, resulting in an average assessed value of approximately \$83,000 per residential unit.

Due to development in the surrounding area, the District is planning to construct a motorized gate to limit non-resident traffic within the District. The Service Plan estimates the cost of the gate installation to be \$37,865, although the Service Plan notes a total estimated cost of public improvements of \$80,000 which includes the estimated costs of turnaround as is noted in the Capital Reserve Fund budget noted in Exhibit F.

The Service Plan does not authorize the District to issue debt but does authorize the District to levy a maximum of 10 mills for operations and maintenance. The Service Plan also provides that the District may levy a toll for non-District resident use of the roads and traffic control gate within the District.

### **Proposed Financial Plan**

As noted above, the Service Plan does not authorize the District to issue debt for the identified capital improvements. As a result, the District anticipates funding the identified costs with a Developer or Lender Advance (the “Advance”) which is currently estimated to be \$100,000. The Service Plan and Financial Plan do not articulate the estimated \$20,000 difference in amounts between the noted Advance and the estimated cost of public improvements although it is briefly mentioned that the Advance may also be used to pay ongoing administrative requirements or organizational costs of the District. Repayment of the Advance would be subject to annual appropriation and payable from all available District revenues, including revenues generated from the operations and maintenance mill levy authorized in the Service Plan. The Service Plan limits the interest rate on the Advance to the current Bond Buyer 20-Bond GO Index plus 4.00% and specifies that any principal and accrued interest outstanding after five years will be discharged.

The District’s estimated operating budget is included as Exhibit F to the Service Plan and reflects the Advance in 2025 with repayment in 2026 through 2030. Specifics on the repayment are not provided within the Service Plan or Financial Plan as it is not considered a debt obligation of the District; however, based on the annual payments shown in Exhibit F it is estimated that the assumed interest rate used for repayment is within the maximum parameter established in the Service Plan for advances based on the Bond Buyer 20-Bond GO Index as of the date of this memorandum. Additionally, the form of Advance and Reimbursement Agreement as provided in Exhibit J to the Service Plan is consistent with the requirements

of the Service Plan. The Service Plan states that any accrued interest or principal that is outstanding after 5-years will be forever discharged and satisfied in full.

While the Advance is outstanding, the District anticipates a total levy of 7.500 mills for operations, which is estimated to decline to 4.750 mills after the Advance is repaid. Based on the operating budget provided in Exhibit F, the continued levy of an operation and maintenance mill after the Advance is repaid is to support ongoing operations of the District and future maintenance or replacement of the gate. The operating budget assumes approximately 1.00% growth in assessed value biannually in conjunction with reassessment cycles which we consider relatively conservative.

The amount of the Advance and repayment schedule will be dependent upon the agreement established between the District and the developer or lender at the time of execution. The annual payments on the Advance, which are subject to appropriation, may be higher or lower than what is currently shown in Exhibit F which could impact the actual number of mills levied by the District for operations and maintenance as long as it is within the maximum 10 mills established in the Service Plan.

### **Conclusion**

Given the assumptions detailed in the Service Plan and Financial Plan, it is reasonable that the District will be able to repay the estimated Advance of \$100,000, subject to annual appropriation, within the parameters established in the Service Plan. The actual number of mills levied for operations and maintenance within the 10 mill maximum established in the Service Plan will depend upon the actual amount of the Advance, interest rate agreed upon between the District and the developer or lender, and future changes in assessed value. Hilltop did not note any suggested edits to the Petitioner or the County in our review of the proposed Service Plan for the District.

March 25, 2024

Michael Davis  
1151 Eagle Drive, Suite 366  
Loveland, CO 80537

**Re: Twin Mesa Metropolitan District  
Project File No. SV2023-003**

Dear Mr. Davis:

Thank you for the submittal of the Twin Mesa Metropolitan District. 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. On the cover, please remove the list of submission dates and include only the recent submission.
2. In the first paragraph of the Executive Summary, please remove “potentially” from the last sentence. A minimum number of units is needed to evaluate financial viability.
3. In the fifth paragraph of the Executive Summary, please address the following:
  1. Please specify the name of the County road to be vacated in the first sentence.
  2. Please either remove the capitalization of “Traffic Control Gate” or define the term in the Definitions Section.
4. In the first sentence of Section II. Introduction, please revise the sentence to state, “...to serve certain public improvement needs,”.
5. In the third paragraph of Section IX. District Services, Facilities, and Improvements, please revise the last sentence to state, “All traffic and safety control devices will be consistent with and in compliance with County rules and regulations and any other appropriate local jurisdiction regarding public right of ways.”
6. In the first sentence of Section X. Existing and Proposed Agreement, please revise to state, “After formation of the District, the District will submit an application and request the County...”.

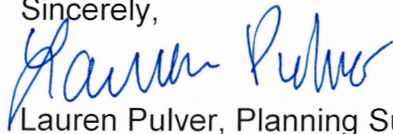
7. Please provide an explanation for how access for emergency services, trash collection, the Douglas County School District, and other service providers will be addressed with implementation of the proposed gate.
8. Please provide an explanation for how tolling of the road will be managed, including projected revenue from toll collection and how the toll will be set and collected.

**Referral Agency and County Consultant Comments:**

1. Please address the comments provided by Douglas County Engineering Services.
2. Please address the comments provided by the Town of Castle Rock.
3. Please address the comment provided by CORE Electric Cooperative.

If you have any questions on the above requirements, please call the undersigned at (303)-660-7460.

Sincerely,



Lauren Pulver, Planning Supervisor

cc: Kati Carter, AICP, Assistant Director of Planning Resources  
Chris Pratt, Managing County Attorney

**From:** [Lauren Pulver](#)  
**To:** [Michael Davis](#)  
**Cc:** [Kati Carter](#); [Christopher Pratt](#); [Damian Cox](#); [Marisa Davis](#)  
**Subject:** RE: Twin Mesa Comment Letter and Referral Comments  
**Date:** Tuesday, April 2, 2024 9:44:00 AM

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Thank you Michael. We will work on getting this processed and on the calendar for the 4/15 hearing agenda. Please note that I will need a hard copy of the revised service plan, application, and check for \$500 in order to file the service plan with the Clerk and Recorder, prior to the PC hearing.

If possible, please provide any materials to me prior to the hearing so that they can be provided to the Planning Commission in advance.

Additionally, with a tentative BCC hearing date of 5/28, notice will need to be published in the Douglas County Newspress by May 2<sup>nd</sup>. Therefore, notice must be sent to the Newspress for publishing by April 24. Please send this to me in advance for review and I will provide more detailed instructions on who to contact at the paper.

---

**From:** Michael Davis <michael@mdavislawoffice.com>  
**Sent:** Monday, April 1, 2024 5:31 PM  
**To:** Lauren Pulver <lpulver@douglas.co.us>  
**Cc:** Kati Carter <Kcarter@douglas.co.us>; Christopher Pratt <cpratt@douglas.co.us>; Damian Cox <damian@coxrelaw.com>; Marisa Davis <marisa@mdavislawoffice.com>; Michael Davis <michael@mdavislawoffice.com>  
**Subject:** RE: Twin Mesa Comment Letter and Referral Comments

Hi Lauren,

Thank you for sending the referral comments on the Twin Mesa service plan last week. Attached is a revised service plan that addresses all of the comments. You will see that clean versions of the new submission are provided in both Word and PDF formats, and that redlines to the prior submission and the County's model are provided in PDF format. Also attached is a letter that summarizes the changes in this latest revision.

The petitioners are eager to move forward with the Planning Commission hearing, so if you can confirm that we can be added to the 4/15 agenda that would be much appreciated. Separately, Damian will be providing you with some additional supporting documents ahead of the Planning Commission meeting.

Please let me know if you have any questions or need anything else from me at this time.

Thank you for your continuing help with this project.

Kind regards,



LAW OFFICE OF MICHAEL E. DAVIS, LLC  
[michael@mdavislawoffice.com](mailto:michael@mdavislawoffice.com)  
(720) 324-3130

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**From:** Lauren Pulver <[lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)>  
**Sent:** Monday, March 25, 2024 10:36 AM  
**To:** Michael Davis <[michael@mdavislawoffice.com](mailto:michael@mdavislawoffice.com)>; Marisa Davis <[marisa@mdavislawoffice.com](mailto:marisa@mdavislawoffice.com)>;  
Damian Cox <[damian@coxrelaw.com](mailto:damian@coxrelaw.com)>  
**Cc:** Kati Carter <[KCarter@douglas.co.us](mailto:KCarter@douglas.co.us)>; Christopher Pratt <[cpratt@douglas.co.us](mailto:cpratt@douglas.co.us)>  
**Subject:** Twin Mesa Comment Letter and Referral Comments

Hi Michael,

I have attached the County's comments on the proposed Twin Mesa service plan along with all of the referral comments received. Please let me know if you have any questions about the comments.

Once you are prepared to submit formal application we will look at dates for scheduling public hearings.

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](mailto:lpulver@douglas.co.us)



**From:** [Damian Cox](#)  
**To:** [Jeanette Bare](#); [Eric Pavlinek](#)  
**Cc:** [Rick Stucy \(rick@thestucycompany.com\)](#); [dan@quietpath.com](#); [Lauren Pulver](#); [Chuck Smith](#); [Matt Williams](#)  
**Subject:** RE: Application  
**Date:** Friday, March 29, 2024 10:43:38 AM

---

Hi Jannette.

The expected scope is detailed in the Service Plan. Essentially we are looking at vacating approximately 600 feet of road on Twin Oaks Road to construct the traffic control gate and a portion of Clarkes Circle to maintain the emergency vehicles only gate that the County plans on installing with the completion of the Crystal Valley Interchange.

Hopefully that is sufficient as updating our application seems unnecessary right now. The County has already told us that we cannot vacate the roads without a Metro District so there really is no point in us incurring additional cost until we have some assurances that the BOCC is going to approve it. Please remember that we are homeowners; not developers.

Damian Cox, Esq.  
Cox Law Firm, LLC  
718 Wilcox Street  
Castle Rock, CO 80104  
[damian@coxrelaw.com](mailto:damian@coxrelaw.com)  
w) (303) 688-1550

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**From:** Jeanette Bare <[JBare@douglas.co.us](mailto:JBare@douglas.co.us)>  
**Sent:** Friday, March 29, 2024 10:20 AM  
**To:** Damian Cox <[damian@coxrelaw.com](mailto:damian@coxrelaw.com)>; Eric Pavlinek <[epavlinek@douglas.co.us](mailto:epavlinek@douglas.co.us)>  
**Cc:** Rick Stucy (rick@thestucycompany.com) <[rick@thestucycompany.com](mailto:rick@thestucycompany.com)>; dan@quietpath.com; Lauren Pulver <[lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)>; Chuck Smith <[CSmith@douglas.co.us](mailto:CSmith@douglas.co.us)>; Matt Williams <[MWillia1@douglas.co.us](mailto:MWillia1@douglas.co.us)>  
**Subject:** RE: Application

We'd like to understand the scope of the vacation as now proposed.

---

**From:** Damian Cox <[damian@coxrelaw.com](mailto:damian@coxrelaw.com)>  
**Sent:** Friday, March 29, 2024 9:28 AM  
**To:** Eric Pavlinek <[epavlinek@douglas.co.us](mailto:epavlinek@douglas.co.us)>

**Cc:** Rick Stucy ([rick@thestucycompany.com](mailto:rick@thestucycompany.com)) <[rick@thestucycompany.com](mailto:rick@thestucycompany.com)>; [dan@quietpath.com](mailto:dan@quietpath.com);  
Lauren Pulver <[lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)>; Jeanette Bare <[JBare@douglas.co.us](mailto:JBare@douglas.co.us)>; Chuck Smith  
<[CSmith@douglas.co.us](mailto:CSmith@douglas.co.us)>; Matt Williams <[MWillia1@douglas.co.us](mailto:MWillia1@douglas.co.us)>  
**Subject:** RE: Application

Hi Erik.

My understanding is that the road vacation cannot occur unless we get the Service Plan approved and have a district to vacate the roads too. As such, we are planning to wait until we have BOCC approval. Otherwise, we will be spending more money on the road vacation that will never happen if the BOCC doesn't approve our Service Plan.

Damian Cox, Esq.  
Cox Law Firm, LLC  
718 Wilcox Street  
Castle Rock, CO 80104  
[damian@coxrelaw.com](mailto:damian@coxrelaw.com)  
w) (303) 688-1550

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---

**From:** Eric Pavlinek <[epavlinek@douglas.co.us](mailto:epavlinek@douglas.co.us)>  
**Sent:** Friday, March 29, 2024 8:30 AM  
**To:** Damian Cox <[damian@coxrelaw.com](mailto:damian@coxrelaw.com)>  
**Cc:** Rick Stucy ([rick@thestucycompany.com](mailto:rick@thestucycompany.com)) <[rick@thestucycompany.com](mailto:rick@thestucycompany.com)>; [dan@quietpath.com](mailto:dan@quietpath.com);  
Lauren Pulver <[lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)>; Jeanette Bare <[JBare@douglas.co.us](mailto:JBare@douglas.co.us)>; Chuck Smith  
<[CSmith@douglas.co.us](mailto:CSmith@douglas.co.us)>; Matt Williams <[MWillia1@douglas.co.us](mailto:MWillia1@douglas.co.us)>  
**Subject:** RE: Application

Damian,

The amended service plan was submitted on March 4, 2024. Please provide an update on when we can expect a resubmittal of the road vacation request. Given the revisions to the service plan, we recommend providing an updated submittal that aligns with the amended service plan.

Thanks,  
**Eric Pavlinek** | Principal Planner  
**Douglas County Department of Community Development**  
**Planning Services Division**  
**Address** | 100 Third St., Castle Rock, CO 80104  
**Direct** | 303.814.4377 **Main** | 303.660.7460



# LAW OFFICE OF MICHAEL E. DAVIS, LLC

---

April 1, 2024

DELIVERED VIA EMAIL

Douglas County Department of Community Development  
Planning Resources  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor  
Email: [lpulver@douglas.co.us](mailto:lpulver@douglas.co.us)

Re: Twin Mesa Metropolitan District Service Plan

Dear Lauren:

We have received and reviewed your comments dated March 25, 2024 in connection with the Twin Mesa Metropolitan District service plan (Project File No. SV2023-003). For convenience, each comment is reproduced below (as underlined text) with a response following (in italicized text). Each response is addressed in both the Service Plan (as revised) and in this letter.

In addition to the changes requested by the County and referral agencies, the petitioners also incorporated the following updates:

- Revised the cost estimate for the Traffic Control Gate in Section IX.B and Exhibit D. (Note that budget estimates did not require modifications.)
- Added detail about the Gate controls in Exhibit E.
- Various typographical and cross-reference changes as marked in the redline.

Please do not hesitate to contact us if you have any questions.

Kind regards,



---

Michael E. Davis, *Esq.*

cc: Kati Carter, AICP, Assistant Director of Planning Resources;  
< [kcarter@douglas.co.us](mailto:kcarter@douglas.co.us) >  
Chris Pratt, Managing County Attorney; < [cpratt@douglas.co.us](mailto:cpratt@douglas.co.us) >  
Damian Cox, Petitioner; < [damian@coxrelaw.com](mailto:damian@coxrelaw.com) >

1151 Eagle Drive, Suite 366, Loveland, Colorado 80537

## TWIN MESA ADDITIONAL COMMENTS

### General Formatting Comments:

1. On the cover, please remove the list of submission dates and include only the recent submission. *Revision made as requested.*
2. In the first paragraph of the Executive Summary, please remove “potentially” from the last sentence. A minimum number of units is needed to evaluate financial viability. *Revised to: “The District is anticipated to include 120 residential units and no commercial space.”*
3. In the fifth paragraph of the Executive Summary, please address the following:
  1. Please specify the name of the County road to be vacated in the first sentence. *Added “Twin Oaks Road” as the name of the County road.*
  2. Please either remove the capitalization of “Traffic Control Gate” or define the term in the Definitions Section. *Added to the Definitions Section.*
4. In the first sentence of Section II. Introduction, please revise the sentence to state, “...to serve certain public improvement needs,”. *Revision made as requested.*
5. In the third paragraph of Section IX. District Services, Facilities, and Improvements, please revise the last sentence to state, “All traffic and safety control devices will be consistent with and in compliance with County rules and regulations and any other appropriate local jurisdiction regarding public right of ways.” *Revision made as requested.*
6. In the first sentence of Section X. Existing and Proposed Agreement, please revise to state, “After formation of the District, the District will submit an application and request the County...”. *Revised to, “After approval of this Service Plan by the County, the applicants will move forward with the application requesting the County to vacate portions of the County road(s)...”*

*Please note that pursuant to the County’s comments and direction from an earlier version of the service plan, the second sentence of this paragraph provides that any consider by the County on such application will be “in accordance with the County’s standard procedures for vacating property”. Without presuming to interfere with the County’s standard procedures for property vacations, the applicants anticipate that the County may wish to proceed with the necessary determinations regarding the portions of roads to be vacated and the location of the emergency access gate prior to the District’s formation, reserving the right to make any such vacations contingent on the District’s formation. That is, for efficiency, the vacation process may continue in parallel with the District’s formation, but the vacations would not be effectuated until after a*

*successful District organizational election in November of 2024.*

7. Please provide an explanation for how access for emergency services, trash collection, the Douglas County School District, and other service providers will be addressed with implementation of the proposed gate. *Refer to additional paragraph appended to the end of Section IX.A(2).*
8. Please provide an explanation for how tolling of the road will be managed, including projected revenue from toll collection and how the toll will be set and collected. *Refer to additional paragraph appended to the end of Section IX.A(2).*

**Referral Agency and County Consultant Comments:**

1. Please address the comments provided by Douglas County Engineering Services. *Refer to revisions in Section 5 regarding need for the District, and Section IX.A(2) regarding operation and maintenance of the emergency access gate on Clarke's Circle and the imposition of tolls for out-of-district users.*
2. Please address the comments provided by the Town of Castle Rock. *Refer to additional paragraph appended to the end of Section IX.A(2) regarding access for emergency services.*
3. Please address the comment provided by CORE Electric Cooperative. *Refer to additional paragraph appended to the end of Section IX.A(2) regarding access for utilities.*
4. *Douglas County Building Services. Refer to third paragraph of Section IX.B regarding permits.*
5. *Douglas County Water Resources. Refer to revisions in Section IX.C and Exhibit H regarding the District having no needs or demand for water.*

Name: Courtney Parks

Date: March 6, 2024

Address & Lot Number: 1295 O'Brien Way CR. Co. 80109 Lot 26

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor

Dear Ms. Pulver,

I am a resident and/or owner of a property that would be included within the proposed Twin Mesa Metropolitan District ("District"). I have been provided a copy of the proposed Service Plan and I am strongly in favor of the formation of the District for the following reasons:

- The gravel roads in the neighborhood were designed for and have historically been used by local residents. I am concerned that the Dawson Trails development and the commercial development near Crystal Valley Parkway along with the Crystal Valley/I-25 Interchange will inevitably divert non-resident traffic onto our neighborhood roads. This over-use of the roads will create traffic safety problems, will cause excessive dust throughout the neighborhood, will increase crime and will result in the rapid degradation of the road surface.
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Without the District I see no other way to ensure that we won't have traffic problems on our roads as the surrounding developments advance. I believe the District is the most equitable way for my neighbors and me to share the cost of traffic control on the gravel roads that we all use.

I understand that the eligible voters in the District (i.e., my neighbors and me) will ultimately decide in an organizational election whether the District should be formed, but the first step in that process is the County's approval of the Service Plan. I respectfully urge both the Planning Commission and the Board of County Commissioners to approve the service plan based on the need for traffic safety controls. Without the County's approval, my neighbors and I will be denied the opportunity to vote on the formation of the District for our community.

Please share this letter with the County Planning Commission and the Board of County Commissioners and count me as being strongly in favor of the County approving the District's Service Plan.

Sincerely,

  
\_\_\_\_\_  
Twin Mesa Metropolitan District Service Plan

Project File: SV2023-003

Planning Commission Staff Report Page 104 of 135

Name: Morgan Parks

Date: March 6 2024

Address & Lot Number: 1295 O'Brien Way CR. Co 80109 Lot 26

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor

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Please share this letter with the County Planning Commission and the Board of County Commissioners and count me as being strongly in favor of the County approving the District's Service Plan.

Sincerely,



Name: Ashley Parks

Date: March 6, 2024

Address & Lot Number: 1295 O'Brien Way Castle Rock Co. 80109 lot 26

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor

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Sincerely,



Name: Jue Parks

Date: March 6 2024

Address & Lot Number: 1295 Obrien Way CR. Co. 80109 Lot 26

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor

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Sincerely,

  
\_\_\_\_\_  
Twin Mesa Metropolitan District Service Plan  
Project File: SV2023-003  
Planning Commission Staff Report Page 107 of 135

Name: Randy Parks

Date: March 6, 2024

Address & Lot Number: 1295 Obrien Way Castle Rock 80109 Lot 26

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor

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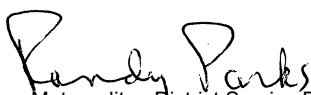
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Sincerely,



Twin Mesa Metropolitan District Service Plan

Project File: SV2023-003

Planning Commission Staff Report Page 108 of 135



Name: Marali Schneider

Date: 3-7-24

Address & Lot Number: 1391 Clarkes Cir lot 55

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor

Dear Ms. Pulver,

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Please share this letter with the County Planning Commission and the Board of County Commissioners and count me as being strongly in favor of the County approving the District's Service Plan.

Sincerely,

Marali Schneider

Name: Vivien Van Buren

Date: 3/8/2024

Address & Lot Number: 345 Dillon Drive, Lot # 15, Castle Rock, CO 80109

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor



Dear Ms. Pulver,

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Please share this letter with the County Planning Commission and the Board of County Commissioners and count me as being strongly in favor of the County approving the District's Service Plan.

Sincerely,

Handwritten signature of Vivien Van Buren in black ink.



Name: RICHARD VAN BURN

Date: 3/8/2024

Address & Lot Number: 345 DILLON DR LOT 15 CASTLE ROCK CO 80109

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor



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Sincerely,

**From:** [Lucy Block](#)  
**To:** [Lauren Pulver](#)  
**Cc:** [Eric Pavlinek, Project Planner](#)  
**Subject:** SV2023-003  
**Date:** Friday, March 15, 2024 6:51:46 PM

---

Lauren Pulver and Eric Pavlinek  
Planning Supervisor and Project Planner  
Douglas County  
100 Third Street  
Castle Rock, Colorado 80109

March 11, 2024

Re: Project name; Service Plan/Metro District  
Project File: SB 2023-003

Dear Lauren and Eric,

I am writing opting my property out of the road vacations, 2023-003, (2024) and to be excluded from the establishment of the “Twin Mesa Metro District.” Both of these are very bad ideas for our communities. We are not a new housing development requiring funds for parks, roads, underground utilities etc., our roads are well maintained by the county, our community is well established and doesn’t have a need that a metro district is required to fill.

The request to privatize and vacate any part of the county road maintenance system, goes against the best interest for our community, it was brought about by individuals that are fabricating a need, which does not exist. They are not looking out for the best interest of the community, many of our neighbors are on a fixed income, we would not escape the financial burden a metro district will place on each household in our community.

The petitioners are using the “Dawson Trails Development,” as a tool to create fear that does not exist, using fear tactics to promote insecurities and scare the residents into believing our community isn’t safe, and pushing the belief that the new development will open the flood gates to an increase in crime, as well as unwanted traffic making our roads unsafe to walk on or ride horses, alluding to having criminals on our doorsteps, these are only perceived threats.

The petitioners neglected to provide a factual study for the cost to maintain a gate and the section of Twin Oaks Road they claim to be vacating (600 ft.) however that 600 ft. section has not been applied for to the county for approval.

Everything the petitioners have stated is strictly speculation, leaving out the strong possibility that worse things will come, the costs to each household has a 10 mill cap, possibly facing tolls to go through the gate, If the road is privatized and a Metro District is forced on our community.

They neglected to mention that the Metro District is given a "Debt Authorization, (POA)" similar to a long term credit card with a very high limit, I am not willing to hand over any type of “Power of Attorney” to an unknown board.

I am providing a case study completed in 2018, by the “Independence Institute” showing 1,633 Metro Districts in Colorado, with a combined debt of \$19 Billion, roughly \$3,500 for every man, woman and child in the state, the debt per taxpayer is closer to \$10,200. In contrast to the \$19 Billion debt accrued by the Metro Districts in 2018, while the Colorado state government’s general fund revenue was expected to be \$12,2 Billion in the fiscal year of 2018. Granted these were figures from 2018 and we can only guess that those numbers would be greater today.

Case in point: Sand Hill Metro District, northeast Colorado is the “Poster Child” for the high

dangers of a metro district. At that time, it had \$319 Million in long term debt and went into the bankruptcy court....it's board members were less than the required 5, unfortunately it can take as little as 1 or 2 board members to plunge a community into debt. In this case all the members were from the same development company, they were all embroiled in a corruption law suit regarding their investments in metro districts. This is only scratching the surface of how disastrous it could be for my community, many are seniors living on a fixed income such as myself.

I am happy with the status quo, our county does a wonderful job maintaining our roads, I see "No reason" to privatize any part of our roads. In a meeting with George Teal in August 2022, there was an offer to have the county install a gate on Twin Oaks Road, it was to be used for road and emergency services only, why aren't we able to follow such a plan. It would limit unwanted traffic on our roads, the counties maintenance services would continue to maintaining our roads, and our taxes would continue to go to the county, leaving our community out of dealing with a metro district, and the burden of unnecessary added expense.

Having any sort of gate in our community will change our way of life in a negative way, making it difficult for neighbors friends and family to enter or exit Twin Oaks, it will disrupt mail delivery, delivery services, propane delivery etc. from accessing Twin Oaks Road, placing a hardship on those that live in Twin Oaks.

I am opting out of this distasteful and disastrous plan for our community, and vacation of any part of the county road is not in the best interest of Castle Mesa and Twin Oaks in any form, I want to exclude my property, why try to fix something that isn't broken.

Respectfully,

Lucy Block  
Castle Mesa



Name: Eric Thollaug

Date: 3-18-24

Address & Lot Number: 474 twin mesa road

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor

Dear Ms. Pulver,

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Sincerely,

Eric Thollaug

Name: Kristen Olson

Date: 3-18-24

Address & Lot Number: 474 Twin Oaks Rd. Castle Rock, CO 80109

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor



Dear Ms. Pulver,

I am a resident and/or owner of a property that would be included within the proposed Twin Mesa Metropolitan District ("District"). I have been provided a copy of the proposed Service Plan and I am strongly in favor of the formation of the District for the following reasons:

- The gravel roads in the neighborhood were designed for and have historically been used by local residents. I am concerned that the Dawson Trails development and the commercial development near Crystal Valley Parkway along with the Crystal Valley/I-25 Interchange will inevitably divert non-resident traffic onto our neighborhood roads. This over-use of the roads will create traffic safety problems, will cause excessive dust throughout the neighborhood, will increase crime and will result in the rapid degradation of the road surface.
- The traffic control gate to be constructed, operated and maintained by the District will help to dissuade non-resident use of our roads.
- The Service Plan for the District limits its authority solely to traffic control and safety, and maintenance of those traffic controls. The traffic controls are limited to a single gate and signage.
- The District will have no authority to issue debt and cannot impose a debt mill levy.
- The maximum mill levy the District can impose for operations is 10 mills, and budget estimates show that less than that should provide the needed funding. For a property within the boundaries of the District with the average actual value of \$1,231,549, 10 mills equates to about \$825.14 in annual property taxes using current State assessment ratios.

Without the District I see no other way to ensure that we won't have traffic problems on our roads as the surrounding developments advance. I believe the District is the most equitable way for my neighbors and me to share the cost of traffic control on the gravel roads that we all use.

I understand that the eligible voters in the District (i.e., my neighbors and me) will ultimately decide in an organizational election whether the District should be formed, but the first step in that process is the County's approval of the Service Plan. I respectfully urge both the Planning Commission and the Board of County Commissioners to approve the service plan based on the need for traffic safety controls. Without the County's approval, my neighbors and I will be denied the opportunity to vote on the formation of the District for our community.

Please share this letter with the County Planning Commission and the Board of County Commissioners and count me as being strongly in favor of the County approving the District's Service Plan.

Sincerely,



**From:** [Nancy Johnson](#)  
**To:** [Lauren Pulver](#); [eplavlinek@douglas.co.us](mailto:eplavlinek@douglas.co.us); [BOCC](#)  
**Subject:** Proposed Twin Mesa Metropolitan District March 5, 2024 SV2023-003  
**Date:** Wednesday, March 20, 2024 5:45:16 PM

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Via E-mail  
Douglas County Planning Commission  
Ms Lauren Pulver  
[Lpulver@douglas.co.us](mailto:Lpulver@douglas.co.us)  
Eric Pavlinek:  
[eplavlinek@douglas.co.us](mailto:eplavlinek@douglas.co.us)

Board of County Commissioners  
Abe Laydon, George Teal and Lora Thomas  
[BOCC@douglas.co.us](mailto:BOCC@douglas.co.us)

100 Third Street  
Castle Rock, CO 80204

March 19, 2024

RE: Proposed Twin Mesa Metropolitan District  
March 5, 2024 SV2023-003

Dear Commissioners:

The only reason that a group of individuals want to establish Twin Mesa Metro District is to install and maintain a road control gate.

This seems an extreme measure to a problem that does not yet exist. The need for a gate is assumed by some but not proven. A study for Dawson Trails shows that there will be little to no pass thru traffic thru the Castle Mesa/Twin Oaks sub-divisions. The existing road services of maintenance and snow removal are already in place thru Douglas County. No new service is being provided to residents.

The establishment of a Metro District only increases taxes, adds another layer of government while adding no additional services. Adding a gate on Twin Oaks Road would limit the access for residents of Castle Mesa and Twin Oaks to the new Crystal Valley Interchange and shopping in the Dawson Trails area and portions of the Town of Castle Rock.

A Metro District created only to install and maintain a gate is a costly way to control traffic. After the installation of the gate, the major portion of the cost in years to come would be administrative, along with being doubly taxed for road maintenance (for 600').

The establishment of the Twin Mesa Metro District is unnecessary and a financial hardship and burdensome to those in the area living on a fixed income.

The new Twin Mesa Master Plan states:

- 1. This Metro District has the power and authority to modify its Service plan later. (Twin Mesa Metro District Master Plan, Section VII & XIV)*

Current plans governing this Metro District can change later through changes in the operating board possibly resulting in unacceptable modifications for area residents.



*2. This Metro District can charge Non-District residences fees, rates, tolls, penalties, or charges; and use of the roads and Traffic Control Gate within the District. (Twin Mesa Metro District Master Plan, Section XI, XV)*

I will now be charged a toll for driving a portion of the road that I have been driving at no cost for over 30 years.

In a meeting held on March 3, 2024 at the Castle Rock Library —

I asked a question: If an resident opts out of the Metro District, what toll would be charged to use the private gate for access (to the interstate highway and Castle Rock).

I was told that it would be up to the board to decide the charge. It was further stated that a member of the Metro District would have to pay about \$600 a year for access of the gate. The charge for a non-member could possibly be \$1200 for access.

I don't want to be forced to join a Metro District or be charged additional funds for services and road access that I already have.

This Master Plan and establishment of a Metro District offers no benefit to the community. It results in added taxes/tolls, layers of government and no new services. No proof exists that a gate, adding maintenance/care of 600 feet of county road and a Metro District needs to be established.

Hopefully these arguments persuade you to NOT establish the Twin Mesa Metro District.

Thank you

Nancy Johnson  
Resident of Castle Mesa

**From:** [Milo Johnson](#)  
**To:** [Lauren Pulver](#); [eplavlinek@douglas.co.us](mailto:eplavlinek@douglas.co.us); [BOCC](#)  
**Subject:** Proposed Twin Mesa Metropolitan District, March 5, 2024 SV2023-003  
**Date:** Wednesday, March 20, 2024 5:40:10 PM

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Via E-mail  
Douglas County Planning Commission  
Ms Lauren Pulver  
[Lpulver@douglas.co.us](mailto:Lpulver@douglas.co.us)  
Eric Pavlinek:  
[eplavlinek@douglas.co.us](mailto:eplavlinek@douglas.co.us)

Board of County Commissioners  
Abe Laydon, George Teal and Lora Thomas  
[BOCC@douglas.co.us](mailto:BOCC@douglas.co.us)

100 Third Street  
Castle Rock, CO 80204

March 19, 2024

RE: Proposed Twin Mesa Metropolitan District  
March 5, 2024 SV2023-003

Dear Commissioners:

I would like to urge the county commissioners to reject the proposed Twin Mesa Metro District. The proposed metro district is totally unnecessary, financially oppressive to local residents and possibly in violation of State Law.

The basis for the proposed metro district rests on an unfounded fear of cut-thru traffic arising from the Dawson Trails Development project. Those wishing to travel to the area for shopping will arrive from the north and south via the convenient nearby Crystal Valley Interchange on I-25. Very sparse population density to the west would result in little to no additional traffic destined for any of the Dawson Trails area shopping opportunities. Given this obvious demographic fact, a traffic study conducted in preparation for the development projected no additional traffic coming from the west through the Twin Oaks and Castle Mesa subdivisions.

Residents of the development area would find increased travel times cutting through the Twin Oaks/Castle Mesa communities when traveling to the mountains and would certainly use I-25 north to C-470. A quick check of online mapping apps of route times confirm no advantage in cutting through Twin Oaks/Castle Mesa subdivisions.

We have used Territorial Road for 32 years to travel out of our neighborhood to Castle Rock and I-25. This proposal would require paying significant additional property taxes to be able to transit through the proposed gate along the same road we have enjoyed using so many years. In fact, if we would apply to opt out of the proposed metro district, representatives of the proposal have stated in public meetings that a significant toll would be charged to us in order to continue our convenient access to Castle Rock and I-25 through the proposed gate.

The proposed metro district provides us with no additional services to those that currently are already provided by the county. Metro districts are required by law to provide services not available to local residents. This is not the case here in this area.

Please disapprove the metro district application. We are long-time residents in our house and are retired on a fixed income. Significant additional taxes and proposed gate-access tolls present unnecessary financial expenses to us and others in the same situation.

Thank you for your consideration of these concerns.

Milo J. Johnson  
Resident of Castle Mesa subdivision

**From:** [Sara Lewis](#)  
**To:** [Lauren Pulver](#)  
**Subject:** SV2023-003 4th Revision TMMD Service Plan  
**Date:** Wednesday, March 20, 2024 1:29:37 PM

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March 20, 2024

To the Board of County Commissioners of Douglas County  
Messrs. George Teal, Abe Laydon  
Mrs. Lora Thomas

Re: SV2023-003 4<sup>th</sup> Revision TMMD Service Plan

Honorable Commissioners:

I reside at 1248 Mountain View Road, Castle Mesa West, Lot 19. My family and I have lived continuously at this address for 40-years, and object to an involuntary inclusion in Metro District cited above.

Last year, July 10, 2023, the Planning Commission disapproved the above Service Plan as it did not fulfill the “need” requirements as stated CRS §32-1-203(2). This revised plan is not nearly as ambitious as the plan submitted last year, but still is describing “desire” and not need. This plan wants traffic control gates for traffic patterns that do not exist. Again, in this revision the petitioners for a Special Metro District are premature in their desire to control.

It should also be noted, the rationale to establish a Special Metro District is based on the county vacating two (2) sections of 600 feet of roads in Twin Oaks subdivision on which to place gates, and a legal entity is required to take ownership of the vacated portion of the roads. **Twin Oaks HOA could be the “entity” of ownership seconding the lack of need for a Metro District.**

Therefore, to encourage our neighborhoods to take on the expense and governance of a Metro District to solve traffic issues seems premature and unfounded, and overkill based on the facts of our current situation. Last summer the commissioners of the Planning Commission’s assessment of establishing a metro district to solve traffic issues was stated as a “nuclear solution,” and still is!

If excessive traffic from non-residents materializes, the residents of Twin Oaks have recourse at that time. Additionally, those residing in Twin Oaks will be in the best position to assess their situation and take action at that time.

Respectfully submitted,

Sara Lewis

*Sally Lewis*

*1248 S Mountain View Rd  
Castle Rock, CO 80109  
303-688-0222 H  
303-669-8485 C*

Name: Clifford Olson

Date: 3/22/24

Address & Lot Number: 474 Twin Oaks Rd Castle Rock CO 80109

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor

Dear Ms. Pulver,

I am a resident and/or owner of a property that would be included within the proposed Twin Mesa Metropolitan District ("District"). I have been provided a copy of the proposed Service Plan and I am strongly in favor of the formation of the District for the following reasons:

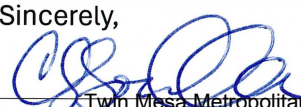
- The gravel roads in the neighborhood were designed for and have historically been used by local residents. I am concerned that the Dawson Trails development and the commercial development near Crystal Valley Parkway along with the Crystal Valley/I-25 Interchange will inevitably divert non-resident traffic onto our neighborhood roads. This over-use of the roads will create traffic safety problems, will cause excessive dust throughout the neighborhood, will increase crime and will result in the rapid degradation of the road surface.
- The traffic control gate to be constructed, operated and maintained by the District will help to dissuade non-resident use of our roads.
- The Service Plan for the District limits its authority solely to traffic control and safety, and maintenance of those traffic controls. The traffic controls are limited to a single gate and signage.
- The District will have no authority to issue debt and cannot impose a debt mill levy.
- The maximum mill levy the District can impose for operations is 10 mills, and budget estimates show that less than that should provide the needed funding. For a property within the boundaries of the District with the average actual value of \$1,231,549, 10 mills equates to about \$825.14 in annual property taxes using current State assessment ratios.

Without the District I see no other way to ensure that we won't have traffic problems on our roads as the surrounding developments advance. I believe the District is the most equitable way for my neighbors and me to share the cost of traffic control on the gravel roads that we all use.

I understand that the eligible voters in the District (i.e., my neighbors and me) will ultimately decide in an organizational election whether the District should be formed, but the first step in that process is the County's approval of the Service Plan. I respectfully urge both the Planning Commission and the Board of County Commissioners to approve the service plan based on the need for traffic safety controls. Without the County's approval, my neighbors and I will be denied the opportunity to vote on the formation of the District for our community.

Please share this letter with the County Planning Commission and the Board of County Commissioners and count me as being strongly in favor of the County approving the District's Service Plan.

Sincerely,



**From:** [Sara Lewis](#)  
**To:** [Lauren Pulver](#)  
**Subject:** TMMD 4th Revision  
**Date:** Monday, March 25, 2024 4:38:37 PM

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To the Board of County Commissioners of Douglas County  
Messrs. George Teal. Abe Laydon  
Mrs. Lora Thomas

Re: SV2023-003 4<sup>th</sup> Revision

Honorable Commissioners:

After spending time reviewing the 4<sup>th</sup> Revision TMMD Service Plan proposing creation of a Special District over my neighborhood (Castle Mesa West) in which I reside, I am unable find any evidence that the petitioners are in compliance with Colorado Statutes which apply to the creation of Special Districts, namely *Title 32 Metropolitan Districts*.

CRS §32-1-203(2) states: " The board of county commissioners **shall disapprove** the service plan **unless** evidence satisfactory to the board of each of the following is presented:

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

No where in the Service Plan have the petitioners proved an existing or projected NEED for gate and road vacation. (only desire).

- **(b) The petitioners' claims are unsubstantiated by objective data and are speculation. Additionally, the time frame is of such an uncertain nature that petitioners' have written into the service plan a clause to dissolve the Special District.**

CRS §32-1-203 (2.5) states: "The board of county commissioners **may disapprove** the service plan if evidence satisfactory to the board of any of the following, at the discretion of the board, is not presented:

- **(e) The creation of the proposed special district will be in the best interests of the area proposed to be served.**

The establishment of a special district is **not** in the best interests of the residents of Castle Mesa and Twin Oaks. In fact, it will impose an additional taxing authority that is not in existence now and will impose an economic hardship on residents who are on a fixed income and are adjusting to a significant increase in property taxes that occurred in 2023.

I urge you to deny the application of the proposed Twin Mesa Metro District 4th Revision for these reasons

- that the application does not meet standards outlined in the statutes of *Title 32 Metropolitan Districts*.
- We do not have non-residential traffic of a concerning nature
- Existing police powers can be used to control traffic if it should be come a

problem sometime in the future.

Respectfully submitted,

*Sally Lewis*

*1248 S Mountain View Rd*

*Castle Rock, CO 80109*

*303-688-0222 H*

*303-669-8485 C*



**From:** [Roger Laton](#)  
**To:** [Lauren Pulver](#); [Eric Pavlinek](#); [BOCC](#)  
**Cc:** [Roger Laton](#); [Marcel Laton](#)  
**Subject:** Proposed Metro District twin oaks/castle mesa  
**Date:** Monday, March 25, 2024 7:06:57 PM

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To Douglas County Commissioners

From: Roger L. Laton and Marcel E. Laton

Subject: Proposed Metro District

We are the current owners of 1073 and 1029 S. Peak View Dr. Douglas County, Castle Rock, CO.

Please take this letter as our total objection to the proposed Twin Oaks/Castle Mesa Metro-District. and our request that each of you vote against the forming of a Metro District. We don't need any more SAFE SPACES.

Congratulations on your pass record, especially funding the school safety and youth programs.

Thank you for being you.  
Semper-Fi , Mustang Marine

Roger L. and Marcel E. Laton

-

Project Planner Lauren Pulver and Eric Pavlinek  
BOCC Abe Laydon, Lora Thomas, and George Teal

Douglas County  
100 Third Street  
Castle Rock, Colorado 80109

March 28, 2024

Re: Project name: Service Plan/Metro District  
Project File #: SV2023-003 4th Revision

Dear Lauren, Eric, and Board of County Commissioners,

I am writing to object to the formation of a special district for the purpose of privatizing our roads to block traffic into our communities. The petitioners use the perceived threat of increased traffic and undesirables invading our community from the Dawson Trails development, as the reason to create a metro district. A study for Dawson Trails shows there will be little to no pass thru the Castle Mesa and Twin Oaks subdivisions.

The petitioners claim the only way to prevent the perceived threat is to create a metro district. They state the County staff, the Town of Castle Rock and Westside Development are supportive of their plan, however the process is still in flux, with many details that need to be addressed. I have not heard anyone from the Douglas County staff say a metro district is the only way to create a government entity. A metro district is **not** the only way of provide an entity that would be responsible for the 600 ft. road vacation, other communities have dealt with the traffic incursion in cooperation with the city and county e.g., Foxfield HOA. Twin Oaks HOA could be the "entity" of ownership without the need for a Metro District.

The residents of Castle Mesa have been highjacked without consulting our community. Alternatives to a metro district are disregarded. At the March 6th, meeting, held by the petitioners for the Twin Oaks community, an invited Castle Mesa resident was threatened, and told to "Shut Up" when he asked a valid question. An open and honest debate has been denied. Castle Mesa hasn't been given the respect of holding an open meeting for our community.

The record of failed Colorado metro districts should be perceived as a need to reject such a plan it does not, and will not benefit our community. I should have the right to be **excluded** from this flawed idea. I do not want to give up my property rights and freedom to a slate of board members that have already approved expenses they have incurred. Before the first shovel is lifted the plan will require a \$100,000.00 loan to be repaid by the residents over 5 years. This Metro District will have the power and authority to modify its service plan at a later date without hearing our voice. In the words of Yogi Berra, " If you don't know where you're going, you might end up some place else."

Many of us are retired and living on a fixed income, and are having to manage the increase of our property taxes, homeowners insurance, and the additional taxes to a metro district is something we don't want.

Respectfully,

Richard Block

Lauren Pulver and Eric Pavlinek

Planning Supervisor and Project Planner

Douglas County

100 Third Street

Castle Rock, Colorado 80109

March 31, 2024

Re: Project name; Service Plan/Metro District

Project File: SB 2023-003

Dear Lauren and Eric,

I am writing to state my objection to the establishment of the "Twin Mesa Metro District." It is still a nuclear solution, as declared in the first hearing for this Metro District.

The first issue is that the metro district fails to meet its self-stated purpose and misrepresents the author's intent for forming the metro.

The proposed "TWIN MESA METROPOLITAN DISTRICT" stated purpose is:

### **III. PURPOSE OF THE DISTRICT**

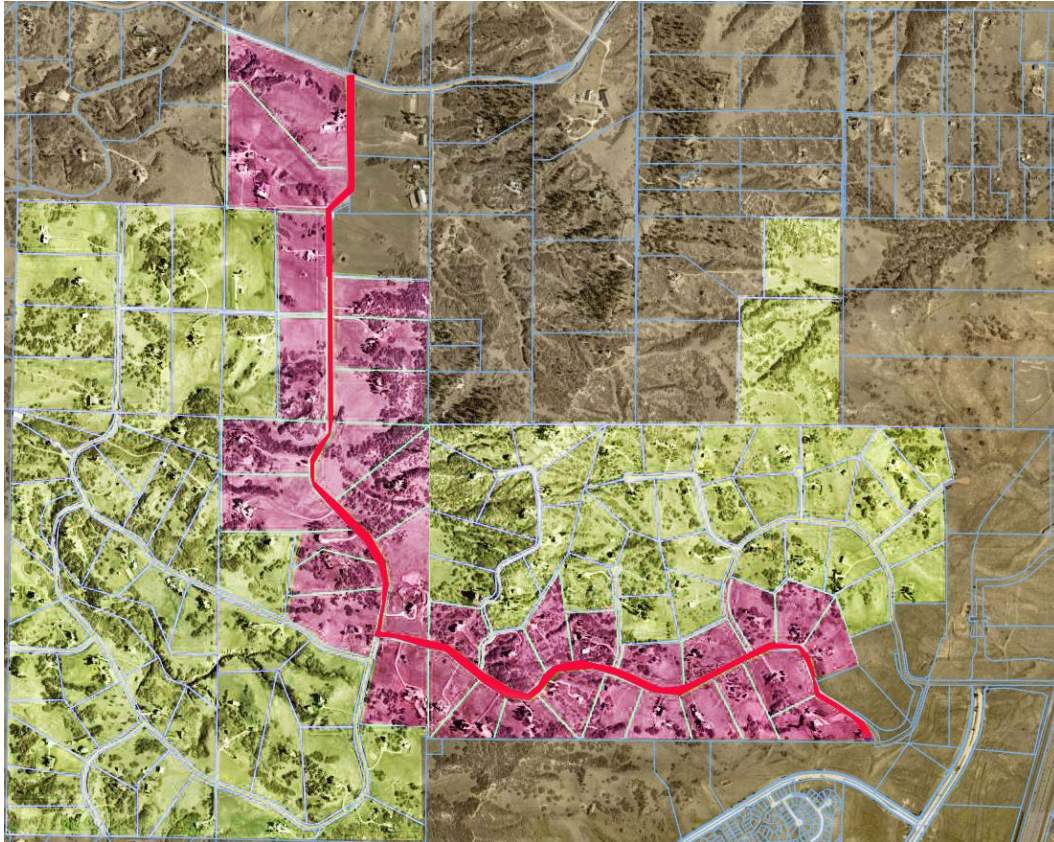
The purpose of the District is to operate and maintain certain public roadway and traffic safety improvements and services for the benefit of all current and anticipated inhabitants and taxpayers of the District. The District will also oversee and pay for, but not finance, the installation of certain traffic safety controls and devices from time to time and provide for ongoing operations and maintenance services for such public improvements.

The metro district fails to meet its self-stated purpose.

The first failure is with the statement, "...services for the benefit of **all** current and anticipated inhabitants and taxpayers of the District."

I, as well as others within the Metro District, see no benefit from the formation of the Metro District, making this statement false. The goal of the Metro District is to reduce traffic by gating the road. I will not receive any benefit from this metro district as my lot is not located on the

road which may see an increase in traffic. As shown below, less than 1/3 of the lots in the Metro District are along the roads that may see an increase in traffic. I do not consider paying a tax so that cars don't drive in front of someone else's house a benefit.



Secondly, on this point, the public roadways in the metro district are already maintained by the county, so the metro district does not provide an added service but an unjustified and unnecessary cost by listing "...maintain certain public roadway..." as one of its purposes. This is in violation of Title 32, Article 1 of the Colorado Revised Statutes, which states:

" metro districts are independent governmental entities formed to finance, design, acquire, install, construct, operate and/or maintain public improvements that are **not otherwise being provided.**"

Based on the information shared by the proponents of the metro district during the Twin Oaks HOA meeting, the intent for maintenance of the vacated road is to contract it out back to the county. This is a clear admission that the road maintenance service is already being provided by the county, invalidating the need for a metro district to provide this service. Furthermore, the taxes collected by the metro district then paid to the county for a service they already provide not only is not a new service but equates to paying for the same service twice. The intent to have the county maintain is also indicated by the Intergovernmental Agreement stated in the red-line Twin Mesa agreement for the county's website.



Third, if the metro district leads to the vacating of a portion of the roadway, it is no longer a public roadway, which contradicts the listed purpose of “The purpose of the District is to operate and maintain certain **public** roadways.”. The road would be “private”.

The fourth is similar to the last two points. There is a claim of providing a service that is already in place with the metro district purpose statement of “...provide for ongoing operations and maintenance services for such public improvements.” Again, the road would not be “public” but “private” if vacated.

Lastly, the proposed statement of the formation of the Twin Mesa district is not consistent with the material presented to Twin Oaks HOA for the formation of the Twin Mesa Special District. It is clear that a group of people in Twin Oaks and select people in Castle Mesa simply don't want an increase in traffic, which is not even referred to in the purpose statement of the metro district. Below is a slide that was presented at Twin Oaks' HAO meeting on March 6<sup>th</sup>.

## Traffic Statistics

**Current traffic volume (most recent developer study)**

- 375 cars per day on Territorial and Peak View
- Traffic studies project at least 175 new trips per day (up 50%)
- Traffic studies DO NOT include traffic from CVI (coming from I-25 and east side of Castle Rock)


**Future RESIDENTIAL traffic possible**

- 5,850 Homes
- 10,530 vehicles (1.8 vehicles per household)\*
- 46,800 trips per day (8 per house /one way = trip)\*

**Future OTHER traffic possible**

- Commercial (10,000 - 15,000 parking spaces?)
- Twin Oaks / Castle Mesa is a shortcut
- I-25 traffic congestion / Renaissance Festival
- “Lookie Loos”

**87,000 total trips PER DAY forecasted for Dawson Trails**



**Questions:**

1. Do we want **EVERYONE** to have unfettered access **TO and THROUGH** our community?
2. Do you believe this development will result in **NO** additional traffic for Twin Oaks?

\*Source: U.S. Department of Transportation

There is no indication in the whole of the presentation that clearly illustrates how the metro district addresses the safety issue claimed by the metro district service plan of increasing safety. People simply don't want other people driving on what they falsely claim as “their road”.

As stated previously, the service plan lists the items of “operate and maintain certain public roadway” that are clearly already provided by the county and are not new services. That leaves “safety improvements” as the only service in the service plan that could be argued that is not currently being provided by the county. This claim of safety is a direct result of the metro district's goal of blocking through traffic. Validating this safety claim as a legitimate and rational new service justifying a metro district sets a dangerous precedent for the county. Any community would be able to utilize the claim of “barring non-local traffic to increase safety” as a new service clause for the formation of a metro district.

During the first county review of the Twin Mesa Metro District, members of the county commission referred to this solution as “nuclear” due to the difficulty of undoing it once it is done. With the service plan being rewritten, this premise has not changed, as the end goal is still the formation of this Metro District. Once a metro district is established, they have the potential to migrate from the service plan set when established. Further, the wording in the service plan indicates that the expansion may be likely. The service plan lists material changes with the “...decrease in the level of services” as a material issue, while the expansion of the level of service is not listed as a material change in the service plan. This clearly illustrates the author's view of favoring expansion, not a contraction of the service plan:

#### ” **XIV. 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.”

The “nuclear nature” of this Metro District's formation expands into the division it has created between the two communities of Castle Mesa and Twin Oaks.

I reside in Castle Mesa and was inadvertently informed of the meeting Twin Oaks had to inform the members of the Twin Oaks HOA of the new Twin Mesa Special District on March 6<sup>th</sup> held at the Douglas County Library in Castle Rock. The opening statements included that the purpose of the meeting was not to be divisive. As a member of the Castle Mesa neighborhood, I pointed out that not including over half of the people who would be subjected and taxed by the metro district from the meeting could be viewed as divisive.

The reaction was visceral. I was shouted at and asked to leave if I was going to waste the time of the members of the Twin Oaks HOA. I refrained from talking until they discussed the cost, at which time I asked why Castle Mesa was even a part of this discussion if the cost wasn't overly burdensome in the presenter's view.

From my point of view, I was roped into the Twin Mesa Special District for the sole reason of mediating the financial burden of those who want to stop people from driving past their driveways within a metro district. Only finding out about this new push to form a metro district from an indirect communication is clearly an illustration of taxation without representation. Many in the Castle Mesa community were not even informed that the Twin Mesa special district was being pushed through once again.

In response to my legitimate question about why Castle Mesa was included in the Twin Mesa Special District when it seemed clear that Twin Oaks had a higher interest in the metro district, I was both verbally and physically assaulted and threatened with arrest. Despite the fact that this

was a metro district that would have the right to tax me, my question was shouted down as if I had no right to ask it.

In summary, the Twin Mesa Metro District is not justified:

The Twin Mesa metro District fails to meet the base legal justification needed to form a metro district by not providing services that are not already being provided.

If the county concedes that providing safety for a community by reducing road traffic to only local traffic is the legal justification for the formation of a metro district, then every community in the county has the rationale to block roads and form a metro district.

The metro district does not service all the members of the district uniformly.

The request of this metro district does not represent a unified view of those subject to the taxation metro district.



Name: Shawn & Gloria Martin

Date: 3/25/24

Address & Lot Number: 498 Dillon Drive, Castle Rock, CO 80109 Lot #18

Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104  
Attn: Ms. Lauren Pulver, Planning Supervisor

RECEIVED

APR - 2 2024

Douglas County Planning

Dear Ms. Pulver,

I am a resident and/or owner of a property that would be included within the proposed Twin Mesa Metropolitan District ("District"). I have been provided a copy of the proposed Service Plan and I am strongly in favor of the formation of the District for the following reasons:

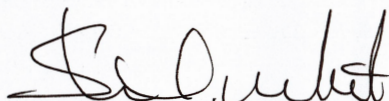
- The gravel roads in the neighborhood were designed for and have historically been used by local residents. I am concerned that the Dawson Trails development and the commercial development near Crystal Valley Parkway along with the Crystal Valley/I-25 Interchange will inevitably divert non-resident traffic onto our neighborhood roads. This over-use of the roads will create traffic safety problems, will cause excessive dust throughout the neighborhood, will increase crime and will result in the rapid degradation of the road surface.
- The traffic control gate to be constructed, operated and maintained by the District will help dissuade non-resident use of our roads.
- The Service Plan for the District limits its authority solely to traffic control and safety, and maintenance of those traffic controls. The traffic controls are limited to a single gate and signage.
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- The maximum mill levy the District can impose for operations is 10 mills, and budget estimates show that less than that should provide the needed funding. For the property within the boundaries of the District with the average actual value of \$1,231,549, 10 mills equates to about \$825.14 in annual property taxes using current State assessment ratios.

Without the District I see no other way to ensure that we won't have traffic problems on our roads as the surrounding developments advance. I believe the District is the most equitable way for my neighbors and me to share the cost of the traffic control on the gravel roads that will we all use.

I understand that the eligible voters in the District (i.e., my neighbors and me) will ultimately decide in an organizational election whether the District should be formed, but the first step in that process is the County's approval of the Service Plan. I respectfully urge both the Planning Commission and the Board of County Commissioners to approve the service plan based on the need for traffic safety controls. Without the County's approval, my neighbors and I will be denied the opportunity to vote on the formation of the District for our community.

Please share this letter with the County Planning Commission and the Board of County Commissioners and count me as being strongly in favor of the County approving the District's Service Plan.

Sincerely,



**From:** [Sara Lewis](#)  
**To:** [Lauren Pulver](#)  
**Subject:** Oppose TMMD Special District  
**Date:** Wednesday, April 3, 2024 3:51:04 PM

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To the Board of County Commissioners of Douglas County  
Messrs. George Teal, Abe Laydon  
Mrs. Lora Thomas

Re: SV2023-003 5th Revision

Honorable Commissioners:

I write to oppose and urge you to deny the application of the proposed Twin Mesa Metro District 5th Revision for the reasons that the application does not meet standards in the statutes outlined in Title 32. Outlined in **Red** are why the TMMD proposal for a special district do not comply with the statute.

excerpt from Colorado Law Title 32.

TMMD does not provide for TWO services.

## **CHAPTER 32**

### **Chapter 32-1-103. Definitions**

10) "Metropolitan district" means a special district that provides for the inhabitants thereof any two or more of the following services:

- (a) Fire protection; **NA, Jackson Creek volunteer Fire Dept, provides**
- (b) Mosquito control; **NA**
- (c) Parks and recreation; **NA, each residence within boundaries is located on 10 acres or more**
- (d) Safety protection; **NA, Our County gravel roads are as safe as in any other neighborhood in DC**
- (e) Sanitation; **NA Each individual property has stand-alone septic system**
- (f) Solid waste disposal facilities or collection and transportation

- of solid waste; NA most residence use WM
- (g) Street improvement; NA County maintains gravel roads quite adequately for last 40+ years
- (h) Television relay and translation; NA
- (i) Transportation; NA
- (j) Water. NA Each individual lot has private well

Respectfully submitted,

*Sally Lewis*

*1248 S Mountain View Rd*

*Castle Rock, CO 80109*

*303-688-0222 H*

*303-669-8485 C*