STATE OF COLORADO }

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COUNTY OF ELBERT }

At a meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Courthouse in Kiowa on Thursday, the 7th day of September, 2017, there were present:

Danny Willcox	Chair
Christopher Richardson	Vice Chair
Grant Thayer	Commissioner
Dianna Hiatt	Deputy Clerk to the Board

When the following proceedings, among others were had and done, to wit:

APPROVE
RESOLUTION NO. 32

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO APPROVING THE ORGANIZATION OF INDEPENDENCE METROPOLITAN DISTRICT NO. 2

WHEREAS, § 32-1-203, C.R.S. provides that no special district shall be organized except upon adoption of a resolution by the board of county commissioners approving the Service Plan of the proposed special district; and

WHEREAS, pursuant to §§ 32-1-201, *et seq.*, C.R.S., a Service Plan has been submitted to the Elbert County Board of County Commissioners (the "Commissioners") for the proposed Independence Metropolitan District No. 2 (the "District"); and

WHEREAS, the territory of the proposed District is located wholly within the boundaries of Elbert County, Colorado (the "County"); and

WHEREAS, the boundaries of the District overlay with the boundaries of the existing Elizabeth Park and Recreation District (the "Park District"); and

WHEREAS, pursuant to C.R.S. § 32-1-107(3)(b)(IV), the Park District has consented to the formation of the District and the provision of the same services and facilities in any overlapping area; and

WHEREAS, pursuant to C.R.S. § 32-1-107(3)(b)(I), it is necessary for the County to adopt a resolution approving the inclusion of such overlapping services and facilities as part of the Service Plan for the proposed District; and

WHEREAS, the Commissioners have conducted a public hearing on the Service Plan for the proposed District on September 5, 2017 through September 7, 2017 (the "Hearing").

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO:

Section 1.   That notice of the Hearing was properly given pursuant to § 32-1-204, C.R.S., and in conformance with the County's adopted service plan regulations (the "Regulations"), and the Commissioners have jurisdiction to hear this matter.

Section 2.   The Commissioners make the following findings pursuant to C.R.S. §§ 32-1-201, *et seq.*, as amended:

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

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

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

d.   The area to be included in the proposed special district has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

e.   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.

f.   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 § 32-1-204(1), C.R.S.

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

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

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

Section 3.   The Commissioners make the following findings pursuant to the County's Regulations:

a.   Pre-application meetings for the Service Plan were held in accordance with the Regulations on September 20, 2016 and May 3, 2017, respectively.

b.   The Service Plan was formally submitted to the County on or about May 4, 2017, and the submission was deemed complete on and after May 11, 2017 in accordance with the Regulations.

c.   The Commissioners hereby deem the submission and review of the Service Plan to be in substantial compliance with the Regulations, and hereby expressly waive any deviations therefrom.

Section 4.   Pursuant to C.R.S. § 32-1-107(3)(b)(II), the Board hereby approves the inclusion of overlapping services and facilities between the District and the Park District as part of the Service Plan for the District.

Section 5.   Upon approval, this Resolution shall be attached to and incorporated within the Service Plan for the District as **Exhibit G**.   The   Service   Plan   for   the Independence Metropolitan District No. 2 is hereby approved with the following conditions:

1.   The District shall submit an annual report to the Elbert County Board of County Commissioners.

2.   Infrastructure and facilities developed by the Independence Districts shall conform to the Elbert County Construction Standards & Specifications.

3.   The District shall not export water outside of Elbert County, with the exception for provisions of any emergency services.
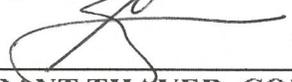
This Special District was reviewed and approved by the Elbert County Board of County Commissioners on the 5th, 6th and 7th days of September, year 2017, A.D.

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:

_____ Aye
DANNY WILLCOX, CHAIR

_____ Aye
CHRISTOPHER RICHARDSON, VICE CHAIR

_____ Aye
GRANT THAYER, COMMISSIONER

ATTEST: DIANNA HIATT
           DEPUTY COUNTY CLERK

BY: _____
Deputy Clerk to the Board