

STATE OF COLORADO)
) ss.
COUNTY OF ARAPAHOE)

At a regular meeting of the Board of County Commissioners for Arapahoe County, Colorado held at the Administration Building, Littleton, Colorado on Tuesday, the 22nd day of September, 1992 there were present:

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| Thomas R. Eggert, Chairman | Present |
| Jeannie Jolly, Commissioner | Present |
| John Nicholl, Commissioner | Present |
| John E. Bush, Assistant County Attorney | Present |
| Judith K. Loose, Deputy Clerk | Present |

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

RESOLUTION NO. 1196-92 It was moved by Commissioner Nicholl and duly seconded by Commissioner Jolly to adopt the following Resolution:

WHEREAS, on August 14, 1992, the Board of County Commissioners of the County of Arapahoe, State of Colorado, did receive petitions for the formation of the Walnut Hills General Improvement District pursuant to Part 5 of Article 20 of Title 30, C.R.S.; and

WHEREAS, these petitions contained the information required by §30-20-505, C.R.S. and it appeared that these petitions were signed by a majority of the electors who own property in the proposed district; and

WHEREAS, on August 17, 1992, the Board of County Commissioners did adopt Resolution No. 1036-92 which Resolution established the hearing date of September 22, 1992 at 6:30 p.m., authorized the publication of a Notice of Public Hearing concerning the formation of the proposed district and authorized notices of the hearing to be mailed to the electors within the proposed district; and

WHEREAS, pursuant to the provisions of Part 5 of Article 20 of Title 30, C.R.S., the Board of County Commissioners of Arapahoe County, State of Colorado, held a public hearing on the formation of the proposed District on the 22nd day of September, 1992; and

WHEREAS, at said hearing the Board of County Commissioners received evidence and testimony for consideration as required by law; and

WHEREAS, by adoption of Resolution No. 1195-92 on September 22, 1992 the public hearing was closed and the matter taken under advisement and the decision was deferred until this same date.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Arapahoe as follows:

FINDINGS OF FACT

- 1) The Board of County Commissioners of the County of Arapahoe, State of Colorado, has jurisdiction over the subject matter of this proposed General Improvement District pursuant to Part 5 of Article 20 of Title 30 C.R.S.
- 2) At the September 22, 1992 public hearing held on the formation of a General Improvement District as set forth in the petitions, all of the Statutory requisites and requirements of Part 5 of Article 20 of Title 30, C.R.S. regarding notice, due process and procedure were met or were not objected to by any person. These matters include:
 - a) The filing of petitions signed by a majority of electors of the proposed district which petitions contain (1) a general description of the improvements to be constructed, installed or otherwise acquired within this General Improvement District, (2) the estimated costs of the proposed improvements, (3) a general description of the boundaries of these district, (4) the names of three electors who represent the petitioners, (5) a prayer for the organization of the district and (6) the name of the proposed district - Walnut Hills General Improvement District.
 - b) The hearing was held within the time period from 20 to 40 days after the filing of the petitions as required by §30-20-507 C.R.S.
 - c) Notice of the hearing was published in The Villager on August 27, September 3, and September 10, 1992 and a notice was mailed to the electors within the proposed district as required by §30-20-507 C.R.S.
 - d) A check in the amount of \$500.00 was deposited with Arapahoe County as required by §30-20-506 C.R.S., as amended.
- 3) A general description of the improvements which the District will be authorized to construct, install, acquire, repair, replace and maintain in connection with its purposes includes fencing, sprinkler systems, trees, shrubs, grass, decorative stones, entrance markers and lighting, sidewalks, retaining walls, trails, benches, and general landscaping items to be placed along the common border and internal areas of the District and such recreational facilities as may be constructed within the greenbelt or greenbelt park areas as may be established at some future date. The primary purposes of the District are to provide for perimeter fencing improvements and repairs and maintenance thereof, together with landscaping, general beautification and maintenance of the common border and internal areas of the district, as well as to establish and maintain landscaped open greenbelt areas or

greenbelt/open space areas within the District or land to be incorporated into the District. The District shall also be authorized to acquire real property or interests in real property, as may be necessary to the provision of authorized improvements and maintenance thereof.

4) No improvements will be installed on property owned by South Suburban Park and Recreation District ("South Suburban") without permission of South Suburban and no funds received as part of this General Improvement District shall be utilized to provide the same services being provided by South Suburban.

5) The District is intended to provide for the construction and/or repair of both existing and new improvements of the type authorized in paragraph 2, including the long-term maintenance and ultimate replacement at the end of the useful life of such improvements. It is anticipated that the initial focus will be to install and replace perimeter fencing, although other improvements of the type authorized in paragraph 2 may be undertaken simultaneously. It is proposed that, to allow adequate funding for present and future construction, as well as long term maintenance and replacement, that the District's annual budgeted revenue be set at a maximum of \$70,000. Once construction and/or repair of both existing and new improvements of the type authorized by paragraph 2 have been completed, the annual budgeted revenue shall be set at a level less than \$70,000.00, but otherwise as necessary to provide ongoing maintenance and repair (including a reasonable reserve for replacement).

6) The Walnut Hills General Improvement District boundaries description is as follows:

Walnut Hills Filings No. 1, No. 2, No. 3 (plats 1 and 2), No. 4, No. 5, No. 6, No. 7, No. 8, and No. 9; Hallcraft Walnut Hills Filings No. 1, No. 2 and No. 3; all located in Arapahoe County, Colorado.

7) Pursuant to the provisions of §30-20-510 C.R.S. the Board of County Commissioners of the County of Arapahoe, shall constitute the ex-officio Board of Directors of the Walnut Hills General Improvement District. The Board of County Commissioners of the County of Arapahoe may appoint an advisory committee of electors who own taxable real or personal property within the District or the Board of Directors of the Walnut Hills Civic Association to make recommendations to the Board of County Commissioners on all matters affecting the District.

8) The total number of electors of the District who own property is 1,879 and the number of persons signing petitions who are electors in the District is 1,278, which signatures on the petitions are determined to be genuine. The petitioners represent a majority of the electors of the District who own property in the District.

9) The proposed improvements noted above will confer a general benefit on all persons who reside in the District or who own property in the District and the proposed improvements will confer a general benefit on all property within the District.

10) The annual costs of the proposed improvements will be approximately \$60.00 per residential lot which amount is not excessive in comparison with the value of each lot in the District and is not excessive in comparison with the benefits to all property in the District.

DECISION

Since it appears that the petitions for the organization of a General Improvement District pursuant to Part 5 of Article 20 of Title 30 C.R.S. have been duly signed and have been presented in conformity with the Statutory requirements, since it appears that the allegations of the petition are true, since all of the requirements and conditions precedent have been established and met, and since all jurisdictional matters have been satisfied, IT IS HEREBY DECLARED by the Board of County Commissioners of the County of Arapahoe, State of Colorado, that the Walnut Hills General Improvement District shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with limited proprietary powers as set forth in said Part 5.

BE IT FURTHER RESOLVED by the Board of County Commissioners that the following are appointed as members of the Walnut Hills General Improvement District Advisory Committee:

The officers/directors of the
Walnut Hills Civic Association
P. O. Box 5211
Englewood, CO 80155

BE IT FURTHER RESOLVED by the Board of County Commissioners that the deposit of \$500.00 noted above be refunded/returned since the District was formed.

The Arapahoe County Clerk and Recorder shall be provided with a copy of this Resolution for recording and the Arapahoe County Assessor shall be provided a copy of this Resolution for appropriate action.

Upon roll call the vote was:

Commissioner Nicholl, Yes; Commissioner Jolly, Yes; Commissioner Eggert, Yes.

The Chairman declared the motion carried and so ordered.

I, Marjorie Page, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the annexed and foregoing Order is truly copied from the Records of the proceedings of the Board of County Commissioners for said Arapahoe County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Littleton, Colorado this 22nd day of September, 1992.

Marjorie Page, Clerk to the Board

by: Judith K. Loose
Judith K. Loose, Deputy Clerk

