

RESOLUTION NO. 2021-04-02

**RRC METROPOLITAN DISTRICT NO. 2
RESOLUTION REGARDING PARK AND RECREATION POWERS**

A. RRC Metropolitan District No. 2 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in Jefferson County, Colorado.

B. The District’s service area consists of the Red Rocks Ranch development as more particularly described in the District’s Service Plan and includes the proposed Filings 3A and 3B of Red Rocks Ranch (the “**Property**”).

C. The District, under its Service Plan, is authorized to provide for the design, acquisition, construction, installation and financing of park and recreation improvements and services (the “**Park and Recreation Powers**”).

D. The District has determined it is in the best interests of its inhabitants and taxpayers to provide the Park and Recreation Powers.

E. Section 32-1-107(2), C.R.S., provides that no special district may be organized wholly or partly within an existing special district providing the same service.

F. Section 32-1-107(3)(b)(IV), C.R.S., provides that an overlapping special district may be authorized to provide the same service as the existing special district if, among other requirements, the board of directors for the special district consents to the overlapping special district providing the same service.

G. The Property is NOT currently within the boundaries of the Foothills Park and Recreation District (“**Foothills**”).

H. Foothills has indicated that it would like the Property included within its boundaries.

I. The District has determined that it can provide the Park and Recreation Powers on an economic basis and in a manner that is in the best interests of its residents and taxpayers, allowing such residents and taxpayers a greater opportunity with respect to the programming of the Park and Recreation Powers.

J. As such, the Board finds that any requested inclusion by Foothills would be limited by Section 32-1-107(2) which prohibits property from being located within the boundaries of two (2) special districts providing the same service.

K. This District has determined to adopt this Resolution to indicate its desire and intent to perform the Park and Recreation Powers within its boundaries and its service area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RRC METROPOLITAN DISTRICT NO. 2, JEFFERSON COUNTY, COLORADO, AS FOLLOWS:

1. The Board of Directors hereby finds, determines and declares that it is in the best interests of the District, its inhabitants and taxpayers to exercise its Park and Recreation Powers and that inclusion of the Property within the boundaries of Foothills would result in duplicative services.

2. To the extent requested by Foothills to consent to overlap as provided by Section 32-1-107(2), the Board of Directors does not consent to any such overlap.

3. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, sentence, clause, phrase or word herein, or the application thereof in any given circumstances shall not affect the validity of the remainder of this Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.

4. Any inquiries pertaining to this Resolution may be directed to the District's General Counsel at: McGeady Becher P.C., 450 E. 17th Ave., Suite 400, Denver, Colorado, 80203, phone number 303-592-4380.

5. This Resolution may be recorded in the official records of Jefferson County, Colorado to put future residents and taxpayers on notice that the Property will not receive services from Foothills and that the District will provide for the Park and Recreation Powers.

6. This Resolution shall take effect immediately upon its adoption and approval.

APPROVED AND ADOPTED THIS 1st day of April, 2021.

RRC METROPOLITAN DISTRICT NO. 2,
a quasi-municipal corporation and political
subdivision of the State of Colorado

By: John Cheney
President

Attest:

Jennifer Thornbloom
Secretary