

RESOLUTION NO. 2022-08-01

**RESOLUTION OF THE BOARD OF DIRECTORS OF
RRC METROPOLITAN DISTRICT NO. 2**

RESOLUTION FOR EXCLUSION OF REAL PROPERTY

A. Lennar Colorado, LLC, a Colorado limited liability company, the 100% fee owner of the Property (defined herein) has petitioned the RRC Metropolitan District No. 2 (the “**District**”) for the exclusion from the boundaries of said District of the real property hereinafter described on **Exhibit A** attached hereto and incorporated herein (the “**Property**”).

B. Public Notice has been published in accordance with Section 32-1-501(2), C.R.S., calling for a public hearing on the request for approval of said Petition.

C. No written objection was filed by any person in the District to the Petition.

D. The Board of Directors has taken into consideration all of the factors set forth in Section 32-1-501(3), C.R.S.

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

1. The Board of Directors finds that:

(a) exclusion of the Property is in the best interests of the Property to be excluded;

(b) exclusion of the Property is in the best interests of the District;

(c) exclusion of the Property is in the best interests of the county or counties in which the District is located;

(d) the relative costs to the Property to be excluded from the provision of the District’s services exceed the benefits of the Property remaining within the District’s boundaries;

(e) under its current service plan the District does not have the ability to provide economical and sufficient service to both the Property seeking exclusion and all of the properties located within the District boundaries;

(f) the District does not have the ability to provide services to the Property to be excluded at a reasonable cost compared with the cost which would be imposed by other entities in the surrounding area providing similar services;

(g) denying the petition may have a negative impact on employment and other economic conditions in the District and surrounding areas;

(h) denying the petition may have a negative economic impact on the region and on the District, surrounding area and State as a whole;

(i) an economically feasible alternative service may be available; and

(j) it should not be necessary for the District to levy any additional costs on other property within the District if the Petition for Exclusion is granted.

2. The Board of Directors of the District shall and hereby does, order that the Petition for Exclusion be granted, and the Property be excluded from the boundaries of the District subject to Petitioner paying the costs associated with processing the petition and requesting the court enter the Order for Exclusion, and recording thereof.

3. The Board of Directors of the District shall and hereby does further acknowledge and resolve that in accordance with Section 32-1-503, C.R.S., the Property described herein shall be obligated to the same extent as all other property within the District with respect to and shall be subject to the levy of taxes for the payment of that proportion of the outstanding indebtedness of the District and interest thereon existing immediately prior to the effective date of the Order for Exclusion ("**Outstanding Indebtedness**").

4. The Board of Directors of the District shall and hereby does further order that, in accordance with Section 32-1-503(1), C.R.S., upon the effective date of the Order excluding the Property, the Property shall not be subject to any property tax levied by the Board of Directors of the District for the operating costs of the District.

5. The Board of Directors of the District shall and hereby does further resolve that in its discretion it may establish, maintain, enforce and, from time to time, modify service charges, tap fees, and other rates, fees, tolls and charges, upon residents or users in the area of the District as it existed prior to the exclusion, including the Property, to supplement the proceeds of tax levies in the payment of the Outstanding Indebtedness and the interest thereon.

The name and address of the Petitioner and the legal description of said Property are as follows:

Petitioner:	Lennar Colorado, LLC, a Colorado limited liability company
Address of Petitioner:	9193 S. Jamaica St., 4 th Floor Englewood, CO 80112
Legal Description of the Property:	Approximately 3.682 acres of land legally described on <u>Exhibit A</u> attached hereto and incorporated herein by this reference.

RESOLUTION APPROVED AND ADOPTED on August 9, 2022.

RRC METROPOLITAN DISTRICT NO. 2

By: Kent Pedman
President

Attest:

Debra Hessler
Secretary

EXHIBIT A

Legal Description

Tract L,
Red Rocks Ranch Subdivision Filing No. 2,
According to the plat recorded on February 5, 2020 at Reception No. 2020014754,
County of Jefferson, State of Colorado.

CERTIFICATION

The undersigned hereby certifies that the foregoing is a true and correct copy of Resolution No. 2022-08-01, Resolution of the Board of Directors of RRC Metropolitan District No. 2, Resolution for Exclusion of Real Property.

RRC METROPOLITAN DISTRICT NO. 2

Date: August 9, 2022

By: Debra Hessler
Secretary