

RESOLUTION

A RESOLUTION APPROVING THE SERVICE PLAN FOR THE CREEKSIDE VILLAGE METROPOLITAN DISTRICT AND THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF THORNTON AND CREEKSIDE VILLAGE METROPOLITAN DISTRICT REGARDING THE SERVICE PLAN FOR THE DISTRICT.

WHEREAS, pursuant to the provisions of Chapter 66 of the Thornton City Code and the Special District Act, Part 2 of Article 1, Title 32, C.R.S., a Service Plan and an Intergovernmental Agreement have been submitted to the City of Thornton ("City") for the creation of the Creekside Village Metropolitan District (the "District") whose District boundaries are wholly within the corporate limits of the City; and

WHEREAS, the Service Plan submitted to the City outlines the terms and conditions under which the District will be authorized to exist; and

WHEREAS, the Service Plan provides that the District will construct infrastructure improvements which are in the best interest of the health, safety and welfare of the City; and

WHEREAS, the City Council of the City of Thornton ("City Council") has conducted a public hearing on August 28, 2007 regarding the Service Plan; and

WHEREAS, the Special District Act requires that any Service Plan submitted to the District Court for the creation of a special district must first be approved by resolution of the governing body of the municipality within which the District lies; and

WHEREAS, the Intergovernmental Agreement between the City and the District has been prepared in accordance with the terms, provisions, and limitations contained in the Service Plan and identifies the powers granted to the District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

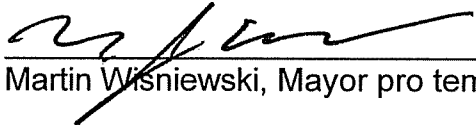
1. The City Council determines that the requirements of Chapter 66 and the requirements of Sections 32-1-202(2) and 32-1-204.5, C.R.S. have been satisfied by the Service Plan and Intergovernmental Agreement for the Creekside Village Metropolitan District.
2. The City Council determines that the City's notification requirements have been complied with regarding the public hearing on the Service Plan.
3. The City Council hereby finds that:
 - a. There is sufficient existing and projected need for organized service in the area to be served by the proposed District.

- b. The existing service in the area to be serviced by the proposed District is inadequate for present and projected needs.
 - c. The proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries.
 - d. The area included within the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.
4. The City Council also finds that:
- a. The service standards of the proposed District are compatible with the service standards of the City.
 - b. The Service Plan is in substantial compliance with the City's Comprehensive Plan.
 - c. The Service Plan is in compliance with the City's Capital Improvements Plan, Thoroughfare Master Plan, Drainage Master Plan, and Utilities Master Plan.
 - d. The creation of the proposed District will be in the best interests of the area proposed to be served.
 - e. The proposed District will result in the guaranteed construction or funding of public improvements intended to serve community or regional needs required by the Conceptual Site Plan and Development Permits for the Creekside Village project currently known as Highlands Subdivision.
5. The City Council's findings are based solely upon the evidence in the Service Plan as presented at the public hearing and the City has not conducted any independent investigation of the evidence. The City makes no guarantee as to the financial viability of the District or the achievability of the results.
6. The proposed Creekside Village Metropolitan District Service Plan is hereby approved. The terms, provisions, and limitations of the Service Plan have been incorporated in the Intergovernmental Agreement.
7. The City Council's approval of the Service Plan and Intergovernmental Agreement is not a waiver or a limitation upon any power, which the City Council is legally permitted to exercise with respect to the property subject to the District.
8. The Intergovernmental Agreement attached hereto and incorporated herein by this reference is hereby approved, but shall not be effective until executed by the City and the District. The District is not authorized to issue any debt until the time that the Intergovernmental Agreement is executed.

9. The City Manager is authorized to sign, and the City Clerk to attest the Intergovernmental Agreement.

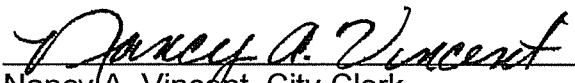
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on August 28, 2007.

CITY OF THORNTON, COLORADO



Martin Wisniewski, Mayor pro tem

ATTEST:



Nancy A. Vincent, City Clerk