

**RESOLUTION 2020-15**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
CHEROKEE METROPOLITAN DISTRICT  
EL PASO COUNTY, COLORADO**

A RESOLUTION CONSENTING TO THE ADOPTION OF A SERVICE PLAN FOR REAGAN RANCH METROPOLITAN DISTRICT NOS. 1-3, WHOSE BOUNDARIES AND SERVICES WILL OVERLAP WITH THE BOUNDARIES AND SERVICES OF CHEROKEE METROPOLITAN DISTRICT

WHEREAS, the Cherokee Metropolitan District (“Cherokee”) is a quasi-municipal corporation and political subdivision of the State of Colorado operating under Article 1 of Title 32, C.R.S.; and

WHEREAS, the boundaries of Cherokee overlap the boundaries of the (Proposed) Reagan Ranch Metropolitan District Nos. 1-3 (collectively, “Reagan Ranch”); the boundaries of Reagan Ranch are legally described and depicted in Exhibit A, attached hereto; and

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

WHEREAS, 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 existing special district consents to the overlapping special district providing the same service; and

WHEREAS, Cherokee has received a request from the Petitioner of Reagan Ranch to permit the overlap of Reagan Ranch over certain property located within the boundaries of Cherokee pursuant to Section 32-1-107(3)(b)(IV), C.R.S.; and

WHEREAS, it is anticipated that upon formation, Reagan Ranch will be authorized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, as amended, and the District’s Service Plan to provide various public improvements and services, including but not limited to water, storm sewer, sanitation and wastewater treatment, street, transportation, traffic safety protection, television relay and translation, mosquito control, covenant enforcement, security, park and recreation, and fire protection improvements and services (collectively, the “Reagan Ranch Improvements and Services”) to support the development within Reagan Ranch’s proposed boundaries (the “Project”); and

WHEREAS, Cherokee provides certain water, sanitation, street lighting, park and recreation improvements and services, as authorized by the Special District Act, C.R.S. § 32-1-101, *et seq.*, and its Service Plan, however, Cherokee is not currently providing, nor does it intend to provide, public improvements or services that will duplicate or interfere with Reagan Ranch Improvements and Services to support the Project; and

WHEREAS, Reagan Ranch’s provision of improvements and services as provided in the Special District Act and the proposed Service Plan will not duplicate or interfere with any

improvements, facilities, or services Cherokee currently provides or that Cherokee may provide in the future; and

WHEREAS, Cherokee consents to the overlap of Reagan Ranch upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cherokee Metropolitan District, County of El Paso, State of Colorado, that:

1. Pursuant to Section 32-1-107(3)(b)(IV), C.R.S., Cherokee hereby consents to the organization and overlapping of Reagan Ranch and to Reagan Ranch possessing the authority to provide the Reagan Ranch Improvements and Services provided that the Reagan Ranch Improvements and Services may not duplicate or interfere with any other improvements, facilities, or services existing or planned to be provided by Cherokee without the written consent of Cherokee.

2. Cherokee's consent is expressly conditioned on Reagan Ranch's compliance with the conditions stated herein. Failure by Reagan Ranch to comply with the express conditions stated herein shall nullify the consent of Cherokee to the formation and overlap of Reagan Ranch pursuant to Section 32-1-107, C.R.S.

3. Neither Cherokee nor Reagan Ranch shall be deemed a partner, joint venture, or agent of the other.

Dated this 18<sup>th</sup> day of August, 2020.

**CHEROKEE METROPOLITAN DISTRICT**

By:   
President

*Steven J. Hasbrouck*

ATTEST:

  
Secretary

EXHIBIT A

District No. 1 Legal Description

**EXHIBIT A**  
Legal Description

May 20, 2020

A portion of that parcel described in Reception No. 218032766, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

**COMMENCING** at the northwest corner of that parcel described in Book 5562, Page 362, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence along said Airport overlay zoning line, S01°00'21"E, a distance of 1307.18 feet to a point on the south right-of-way line of Space Village Avenue, also being the **POINT OF BEGINNING**; thence along said south right-of-way line the following three (3) courses:

1. along the arc of a non-tangent curve to the left whose center bears N11°13'11"E, having a radius of 2915.00 feet, a central angle of 07°12'28", a distance of 366.70 feet;
2. S85°28'55"E, a distance of 287.92 feet;
3. along the arc of a non-tangent curve to the left whose center bears N04°03'46"E, having a radius of 1960.35 feet, a central angle of 04°24'43", a distance of 151.52 feet, to the northeast corner of the subject parcel;

thence leaving said south right-of-way line, S00°29'25"E, along the east line of said parcel, a distance of 805.78 feet, to the southeast corner of said parcel; thence S89°28'57"W, along the south line of said parcel, a distance of 793.21 feet, to a point on said Airport overlay zoning line; thence leaving said south line, N01°00'21"W, along said Airport overlay zoning line, a distance of 886.60 feet, to the **POINT OF BEGINNING**.

Containing 665,922 Sq. Ft. or 15.287 acres, more or less.



Stewart L. Mapes, Jr.  
Colorado Professional Land Surveyor No. 38245  
For and on behalf of Clark Land Surveying, Inc.

# EXHIBIT A

## DEPICTION OF LEGAL DESCRIPTION

(BASIS OF BEARINGS)  
 $S82^{\circ}07'39''E$  689.83' (M)  
 FOUND 3 1/4" ALUMINUM CAP  
 HIGHWAY/R.O.W.  
 STAMPED, "PLS 9014"  
 FLUSH WITH GRADE

POC  
 FOUND 3 1/4" ALUMINUM CAP  
 HIGHWAY/R.O.W.  
 STAMPED, "PLS 9014"  
 0.5' BELOW GRADE

$S01^{\circ}00'21''E$   
 1307.18'  
 (TIE)

POB

$N11^{\circ}13'11''E$   
 (RADIAL)

$L=366.70'$   
 $R=2915.00'$   
 $\Delta=7^{\circ}12'28''$

**SPACE VILLAGE AVENUE**  
 (FORMERLY STATE HIGHWAY NO. 94)  
 (100' PUBLIC R.O.W.)  
 (BOOK 840, PAGE 408)

$S85^{\circ}59'55''E$  287.92'  
 $L=151.52'$   
 $R=1960.35'$   
 $\Delta=4^{\circ}25'43''$

$N04^{\circ}03'46''E$   
 (RADIAL)

REC. NO. 218032766

REC. NO. 218032766

EXISTING ZONING: PIP2  
 PROPOSED ZONING: R-5  
 665,922 S.F.  
 (15.287 ACRES)

AIRPORT OVERLAY ZONING LINE

S00°29'25"E 805.78'

$S89^{\circ}28'57''W$  793.21'



**NOTE:**  
 This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.



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Project No:	Drawn: DWC	Date: 5/20/2020
190980	Check: SLM	Sheet 2 of 2

**EXHIBIT A**  
Legal Description

May 20, 2020

A portion of that parcel described in Book 5562, Page 362, recorded October 5, 1988, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

**COMMENCING** at the northwest corner of said parcel, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line, and the **POINT OF BEGINNING**; thence continuing along said south right-of-way line the following nine (9) courses:

1. S82°07'39"E, a distance of 160.14 feet;
2. S25°57'26"E, a distance of 70.45 feet;
3. S69°31'45"E, a distance of 853.71 feet;
4. S75°00'32"E, a distance of 100.07 feet;
5. S83°32'50"E, a distance of 101.04 feet;
6. S89°01'45"E, a distance of 515.57 feet;
7. S67°14'51"E, a distance of 343.97 feet;
8. S15°23'33"W, a distance of 59.13 feet;
9. S75°19'43"E, a distance of 101.94 feet, to a point on the north right-of-way line of Space Village Avenue;

thence along said north right-of-way line the following eight (8) courses:

1. S11°45'54"W, a distance of 135.13 feet;
2. S49°02'42"W, a distance of 142.67 feet;
3. S14°51'08"W, a distance of 19.96 feet;
4. N74°00'26"W, a distance of 64.31 feet;
5. S67°57'22"W, a distance of 1079.89 feet;
6. along the arc of a non-tangent curve to the right, whose center bears N02°41'04"W, having a radius of 1860.00 feet, a central angle of 06°43'20", a distance of 218.22 feet;
7. N86°01'20"W, a distance of 288.27 feet;
8. along the arc of a curve to the right, having a radius of 2815.00 feet, a central angle of 07°38'54", a distance of 375.77 feet, to a point on said Airport overlay zoning line;

thence leaving said north right-of-way line, N01°00'21"W, along said airport overlay zoning line, a distance of 1204.63 feet, to the **POINT OF BEGINNING**.

Containing 1,658,139 Sq. Ft. or 38.066 acres, more or less.

Stewart L. Mapes, Jr.  
Colorado Professional Land Surveyor No. 38245  
For and on behalf of Clark Land Surveying, Inc.



# EXHIBIT A

## DEPICTION OF LEGAL DESCRIPTION



**POB**  
 FOUND 3 1/4" ALUMINUM CAP  
 HIGHWAY/R.O.W.  
 STAMPED, "PLS 9014"  
 0.5" BELOW GRADE.

**HIGHWAY 94**  
 (PUBLIC R.O.W. VARIES)  
 (BOOK 6620, PAGE 203)

FOUND  
 3 1/4" ALUMINUM CAP  
 HIGHWAY/R.O.W.  
 STAMPED, "PLS 9014"  
 FLUSH WITH GRADE

(BASIS OF BEARINGS)  
 S82°07'39"E 529.69'  
 689.83' (M)

S25°57'26"E 70.45'

**POB**

AIRPORT OVERLAY  
 ZONING LINE

BOOK 5562 PAGE 362

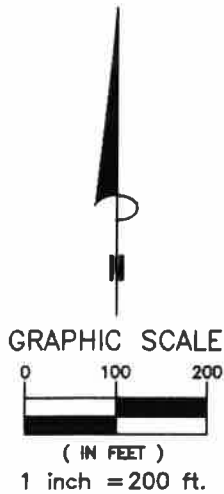
BOOK 5562 PAGE 362

EXISTING ZONING: PIP2  
 PROPOSED ZONING: R-5  
 1,658,139 S.F.  
 (38.066 ACRES)

N01°00'21"W 1204.63'

MATCH LINE

N02°41'04"W  
 (RADIAL)



**SPACE VILLAGE AVENUE**  
 (FORMERLY STATE HIGHWAY NO. 94)  
 (100' PUBLIC R.O.W.)  
 BOOK 840, PAGE 408

Δ=7°38'54"  
 R=2815.00'  
 L=375.77'

N86°01'20"W  
 288.27'

Δ=6°43'20"  
 R=1860.00'  
 L=218.22'

**NOTE:**  
 This EXHIBIT does not  
 represent a monumented  
 land survey, and is only  
 intended to depict the  
 attached LEGAL DESCRIPTION.



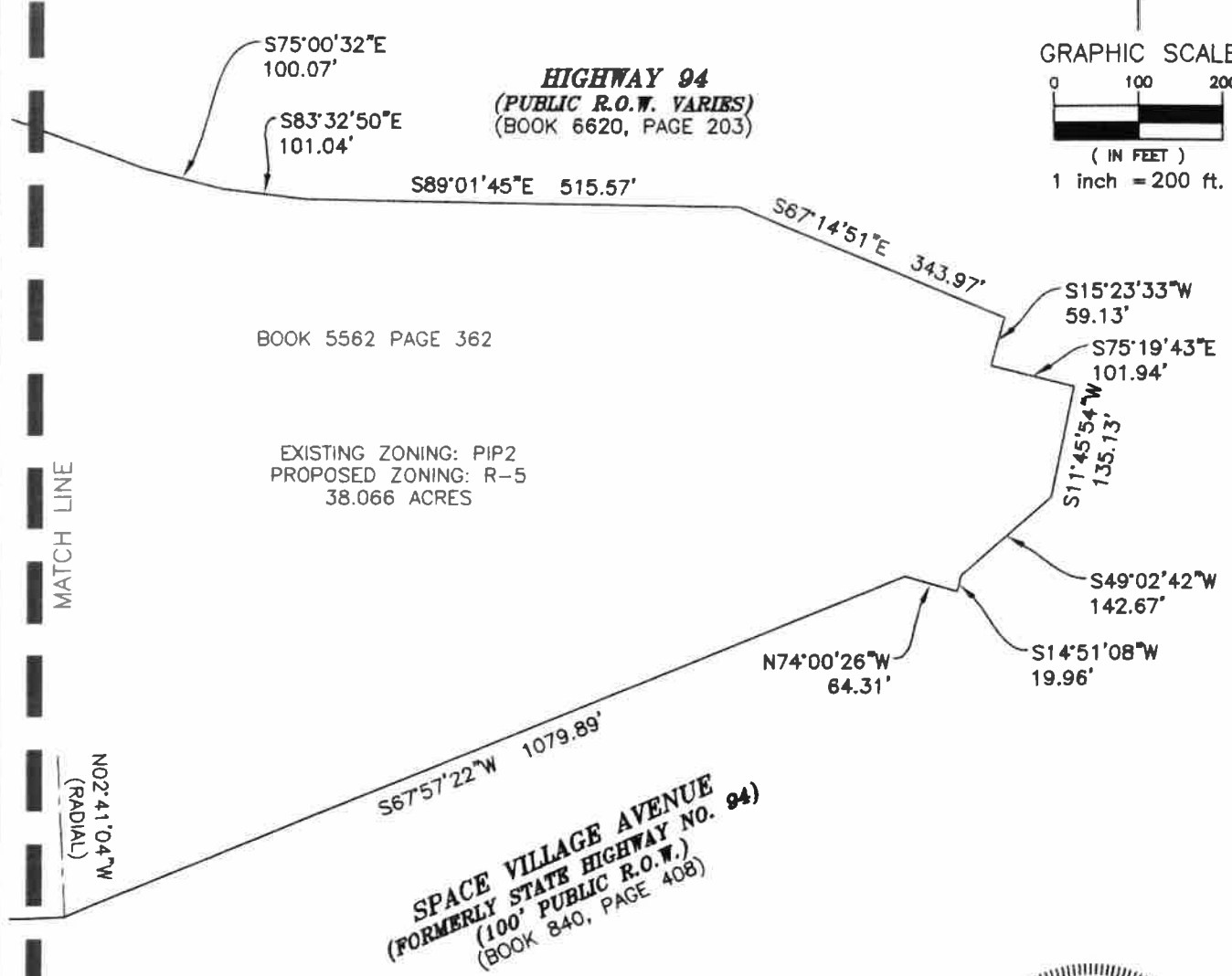
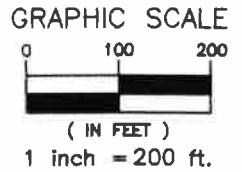
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Project No: 190980	Drawn: DWC Check: SLM	Date: 5/20/2020 Sheet 2 of 3
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# EXHIBIT A

## DEPICTION OF LEGAL DESCRIPTION



**NOTE:**  
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**Clark**

Land Surveyors, Inc.

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<b>Project No:</b> 190980	<b>Drawn:</b> DWC	<b>Date:</b> 5/20/2020
	<b>Check:</b> SLM	<b>Sheet</b> 3 of 3

District No. 2 Legal Description

**EXHIBIT A**  
Legal Description

May 20, 2020

A portion of that parcel described in Reception No. 218032815, recorded March 23, 2018, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

**COMMENCING** at the northwest corner of that parcel described in Book 5562, Page 362, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence along said Airport overlay zoning line, S01°00'21"E, a distance of 4,922.09 feet to a point on the north line of said parcel, being the **POINT OF BEGINNING**; thence along said north line, N89°29'49"E, a distance of 927.93 feet, to the northeast corner of said parcel; thence along the east line of said parcel the following three (3) courses;

1. S01°21'41"E, a distance of 434.43 feet;
2. N89°28'36"E, a distance of 488.94 feet;
3. S01°21'24"E, a distance of 700.04 feet, to the southeast corner of said parcel;

thence along the south line of said parcel, S89°28'38"W, a distance of 1,423.85 feet, to a point on said Airport overlay zoning line; thence along said Airport overlay zoning line, N01°00'21"W, a distance of 1,134.70 feet to the **POINT OF BEGINNING**.

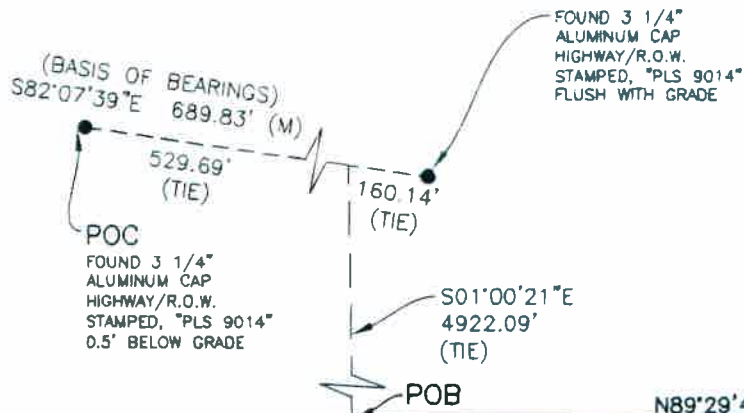
Containing 1,398,949 Sq. Ft. or 32.115 acres, more or less.



Stewart L. Mapes, Jr.  
Colorado Professional Land Surveyor No. 38245  
For and on behalf of Clark Land Surveying, Inc.

# EXHIBIT A

## DEPICTION OF LEGAL DESCRIPTION



REC. NO. 218032815

EXISTING ZONING: PIP2  
 PROPOSED ZONING: R-5  
 637,506 S.F.  
 (14.635 ACRES)

REC. NO. 218032815

EXISTING ZONING: PIP2/PBC  
 PROPOSED ZONING: R-5  
 1,398,949 S.F.  
 (32.115 ACRES)



AIRPORT OVERLAY ZONING LINE

MATCH LINE

MATCH LINE

**NOTE:**  
 This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

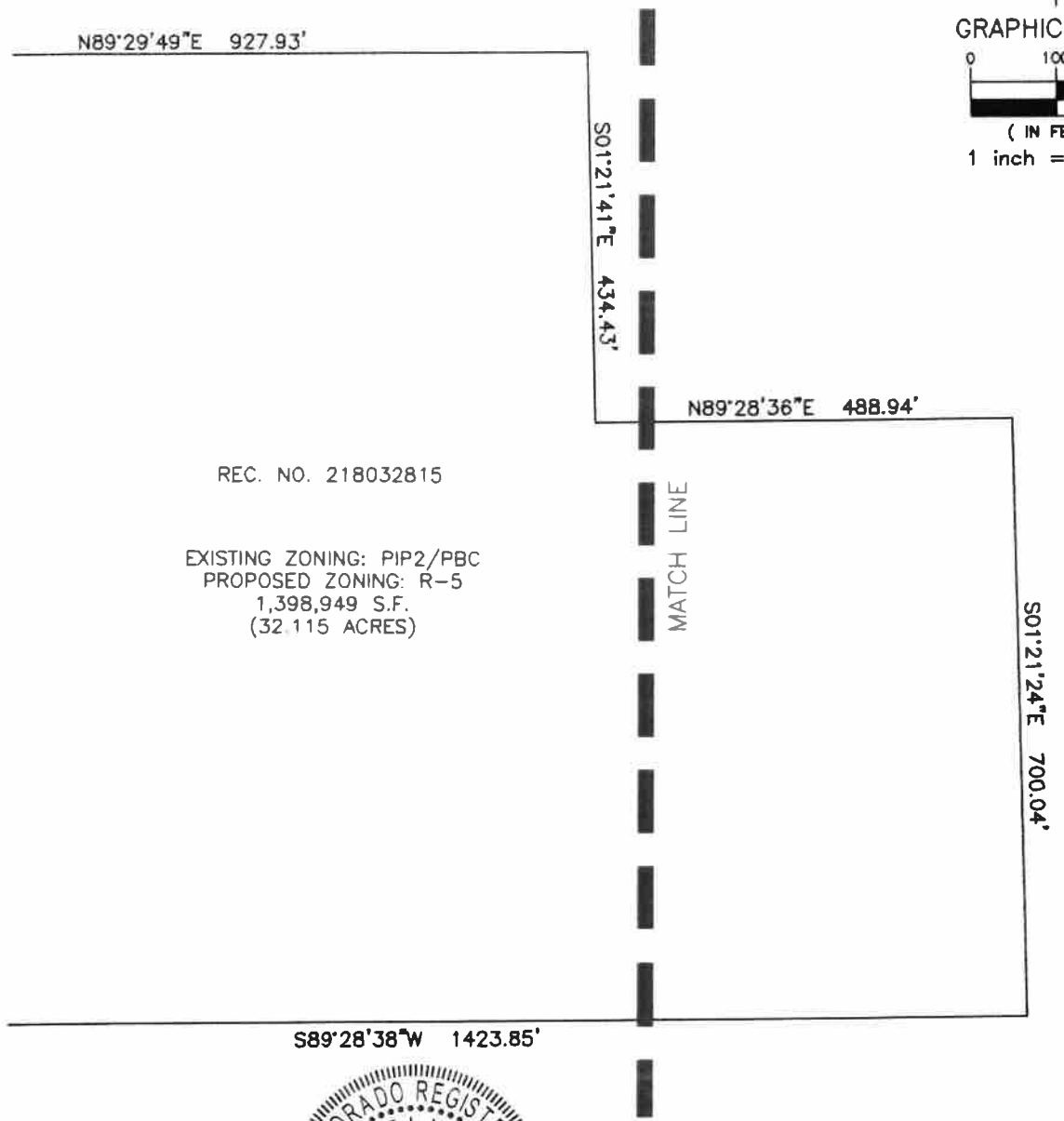
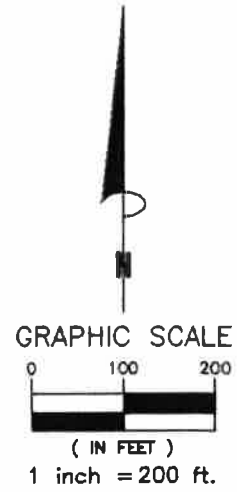
**Clark**

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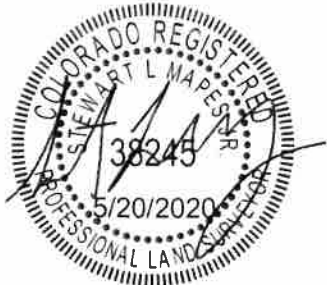
Project No: 190980	Drawn: DWC Check: SLM	Date: 5/20/2020 Sheet 2 of 3
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# EXHIBIT A

## DEPICTION OF LEGAL DESCRIPTION



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**Clark**

Land Surveying, Inc.

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Project No: 190980	Drawn: DWC Check: SLM	Date: 5/20/2020 Sheet 3 of 3
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District No. 3 Legal Description

TRACT IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 14, RANGE 65, IN THE COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS: SD T RLY SLY OF HIGHWAY 94, WLY OF MARKSHEFFEL ROAD, NLY OF SPACE VILLAGE AVENUE, AND ELY AND NLY OF ABANDONED DENVER AND NEW ORLEANS RAILROAD, IDENTIFIED AS SCHEDULE NUMBER 5408000054 WITH THE EL PASO COUNTY ASSESSOR;

**EXHIBIT A**  
Legal Description

May 20, 2020

A portion of that parcel described in Reception No. 218032766, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

**COMMENCING** at the northwest corner of that parcel described in Book 5562, Page 362, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence S01°00'21"E, along said Airport overlay zoning line, a distance of 1307.18 feet, to a point on the south right-of-way line of Space Village Avenue, being the **POINT OF BEGINNING**; thence S01°00'21"E, continuing along said Airport overlay zoning line, a distance of 886.60 feet, to a point on the south line of said parcel; thence S89°28'57"W, along said south line, a distance of 581.91 feet, to a point on said east right-of-way line of Marksheffel Road; thence along said east right-of-way line, N02°58'32"W, a distance of 60.30 feet; thence continuing along said east right-of-way line, along the arc of a curve to the right, with an arc length of 69.36 feet, a radius of 1,600.00 feet, a delta angle of 02°29'01"; thence continuing along said east right-of-way line, N00°29'30"W, a distance of 882.69 feet; thence continuing along said east right-of-way line, N44°30'30"E, a distance of 52.34 feet, to a point on said south right-of-way line; thence along said south right-of-way line, S71°11'03"E, a distance of 179.18 feet; thence continuing along said east right-of-way line, along the arc of a curve to the left having a radius of 2915.00 feet, a central angle of 07°35'34", a distance of 386.29 feet, to the **POINT OF BEGINNING**.

Containing 561,230 Sq. Ft. or 12.884 acres, more or less.



Stewart L. Mapes, Jr.  
Colorado Professional Land Surveyor No. 38245  
For and on behalf of Clark Land Surveying, Inc.

# EXHIBIT A

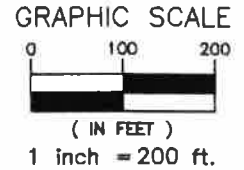
## DEPICTION OF LEGAL DESCRIPTION

**SPACE VILLAGE AVENUE**  
 (FORMERLY STATE HIGHWAY NO. 94)  
 (100' PUBLIC R.O.W.)  
 (BOOK 840, PAGE 408)

(BASIS OF BEARINGS)  
 S82°07'39"E 689.83' (M)

FOUND 3 1/4"  
 ALUMINUM CAP  
 HIGHWAY/R.O.W.  
 STAMPED, "PLS 9014"  
 FLUSH WITH GRADE

POC  
 FOUND 3 1/4"  
 ALUMINUM CAP  
 HIGHWAY/R.O.W.  
 STAMPED, "PLS 9014"  
 0.5' BELOW GRADE



N44°30'30"E  
 52.34'

179.18'  
 S71°11'03"E

L=386.29'  
 R=2915.00'  
 Δ=7°35'34"

S01°00'21"E  
 1307.18'  
 (TIE)

POB

**MARKSHEFFEL ROAD**  
 (60' PUBLIC R.O.W.)  
 (REC. NO. 216093087)

N00°29'30"W 882.69'

REC. NO. 218032766

EXISTING ZONING: PIP2  
 PROPOSED ZONING: PBC  
 561,230 S.F.  
 (12.884 ACRES)

REC. NO. 218032766

AIRPORT OVERLAY  
 ZONING LINE

L=69.36'  
 R=1600.00'  
 Δ=1°01'01"

N02°58'32"W  
 60.30'

S89°28'57"W 581.91'



**NOTE:**  
 This EXHIBIT does not  
 represent a monumented  
 land survey, and is only  
 intended to depict the  
 attached LEGAL DESCRIPTION.

**-Clark-**

Land Surveying, Inc.

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Project No: 190980	Drawn: DWC Check: SLM	Date: 5/20/2020 Sheet 2 of 2
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**EXHIBIT A**  
Legal Description

May 20, 2020

A portion of that parcel described in Book 5562, Page 362, recorded October 5, 1988, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

**BEGINNING** at the northwest corner of said parcel, being a point on the south right-of-way line j south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence leaving said south right-of-way line, S01°00'21"E, along said zoning line, a distance of 1204.63 feet, to a point on the north right-of-way line of Space Village Avenue; thence along said north right-of-way line, along the arc of a non-tangent curve to the right, whose center bears N11°40'58"E, having a radius of 2815.00 feet, a central angle of 7°08'45", a distance of 351.08 feet; thence continuing along said north right-of-way line, N71°12'13"W, a distance of 218.95 feet; thence continuing along said north right-of-way line, transitioning to said east right-of-way line, N35°54'36"W, a distance of 81.68 feet, to a point on said east right-of-way line; thence along said east right-of-way line the following five (5) courses;

1. N00°30'20"W, a distance of 410.06 feet;
2. N02°22'05"E, a distance of 240.28 feet;
3. N00°31'32"W, a distance of 97.57 feet;
4. N89°02'42"E, a distance of 9.66 feet;
5. N06°13'39"E, a distance of 301.91 feet,

to the **POINT OF BEGINNING**.

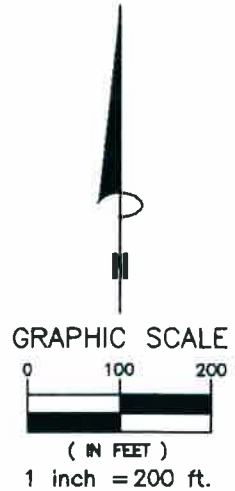
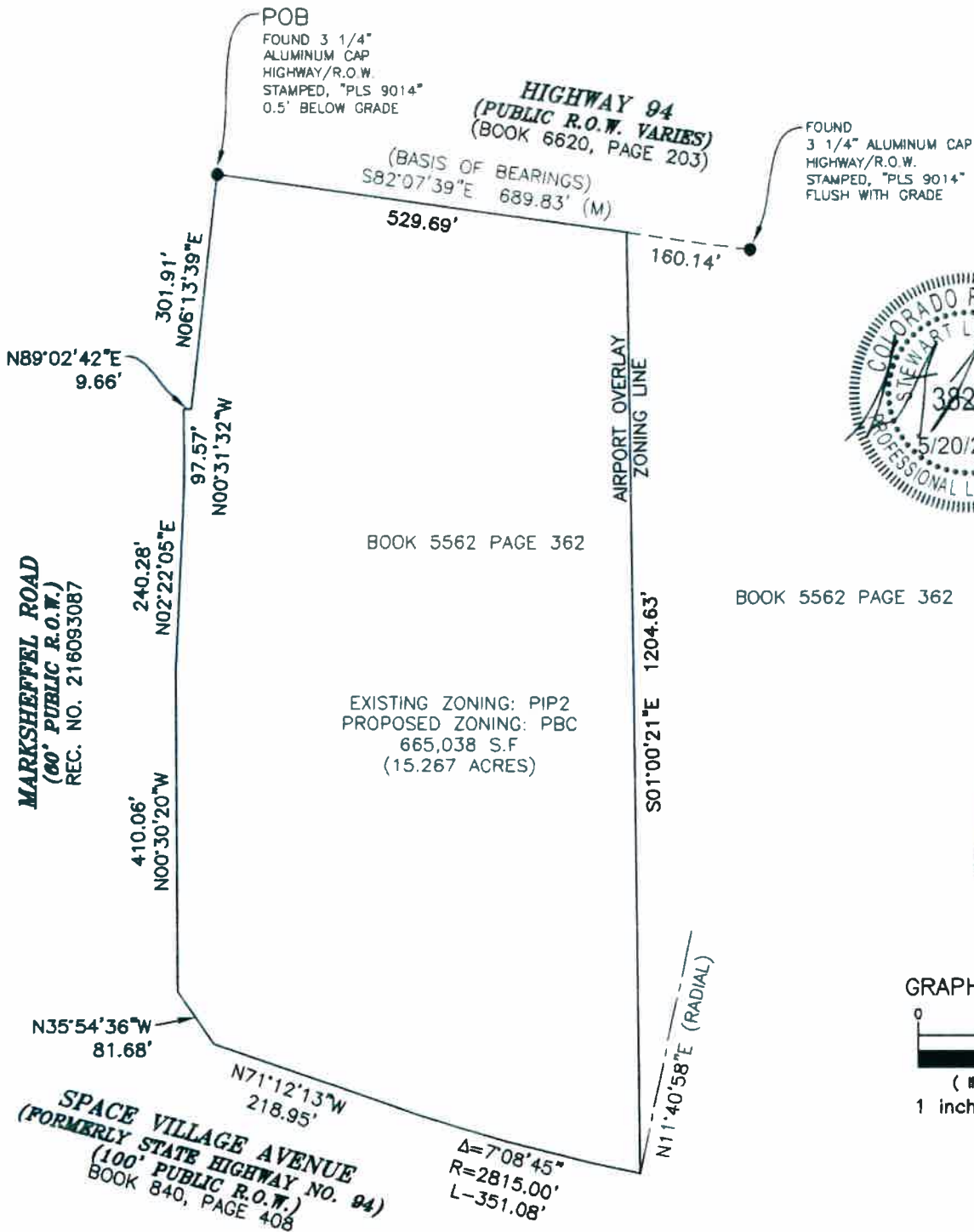
Containing 665,038 Sq. Ft. or 15.267 acres, more or less.



Stewart L. Mapes, Jr.  
Colorado Professional Land Surveyor No. 38245  
For and on behalf of Clark Land Surveying, Inc.

# EXHIBIT A

## DEPICTION OF LEGAL DESCRIPTION



**NOTE:**  
 This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.



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 www.clarkds.com

Project No: 190980	Drawn: DWC	Date: 5/20/2020
	Check: SLM	Sheet 2 of 2