

**A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
SETTING THE DATE OF A PUBLIC HEARING CONCERNING THE
ORGANIZATION OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD
FILING GENERAL IMPROVEMENT DISTRICT AND ORDERING
PUBLICATION AND MAILING OF THE NOTICE OF HEARING
TO ELECTORS OF THE PROPOSED DISTRICT**

WHEREAS, Section 31-25-604(1) C.R.S., provides that the organization of a general improvement district shall be initiated by a petition signed by not less than thirty percent (30%) or 200 of the electors of the proposed district, whichever is less; and

WHEREAS, representatives of the Charlou Park 3rd Filing neighborhood have presented to the City Clerk and the City Council of the City of Cherry Hills Village, Colorado (the "City"), a petition (the "Petition") for the organization of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (the "District"); and

WHEREAS, the City Clerk has certified that the Petition is signed by a sufficient number of electors of the District; and

WHEREAS, as set forth in the Petition, the primary purpose of the District will be to finance the undergrounding of existing overhead electrical distribution lines and related equipment; and

WHEREAS, the City Council hereby accepts the certificate of the City Clerk and deems the Petition filed as of the date of this meeting in accordance with applicable law; and

WHEREAS, in response to the Petition and pursuant to Part 6 of Article 25 of Title 31, C.R.S., the Council will conduct a public hearing to determine whether to submit the question of organizing the District and such other matters as the issuance of bonds and levying of taxes to District electors at the November 6, 2018 election; and

WHEREAS, Section 31-25-605, C.R.S., provides for the filing of a bond or cash deposit in an amount sufficient to pay all expenses connected with the proceedings in case the organization of the District is not effected; and

WHEREAS, representatives of the neighborhood have submitted a cash deposit to the City in the amount of ten thousand dollars (\$10,000.00).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:

Section 1. A public hearing concerning the organization of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District and the financing of improvements to be constructed therein shall be held on Tuesday, August 21, 2018 at 6:30 p.m. in the Joint Public Safety Facility, 2460 East Quincy Avenue, Cherry Hills Village, Colorado, 80113. The City Council finds and determines that such date is not less than twenty (20) days nor more than forty (40) days after the date upon which the Petition is deemed to have been filed.

Section 2. Notice of the pendency of the Petition, the purposes and boundaries of the District, and the time and place of the public hearing shall be given by the City Clerk by publication once a week in three consecutive weekly editions of *The Villager*, a newspaper of general circulation in the District, as required by Section 31-25-606(1), C.R.S. On or about the date of said publication, notice shall also be given by mail to each elector of the District at his or her last known address, as disclosed by the tax and official voter registration records of Arapahoe County. The notice to be published and mailed shall be in substantially the same form attached to this Resolution as **Attachment A**.

Section 3. In accordance with the requirements of Section 39-1-110(1)(a), C.R.S., the City Clerk is hereby directed to notify the Assessor and the Board of County Commissioners of Arapahoe County of the filing of the Petition and the boundaries of the District.

Section 4. Should any one or more sections or provisions of the Resolution be judicially determined invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining sections or provisions hereof, the intention being that the various

sections or provisions hereof are severable.

Section 5. All prior resolutions or parts thereof inconsistent with this Resolution are hereby rescinded to the extent of said inconsistency.

Section 6. Any reconsideration of this Resolution is hereby waived. This Resolution shall take effect and be in full force immediately after its adoption by the City Council.

Introduced, passed and adopted at the regular meeting of the City Council this 17th day of July, 2018, by a vote of 6 yes and 0 no.

(SEAL)



Laura Christman, Mayor

ATTEST:

Approved as to form:



Laura Smith, City Clerk



Linda C. Michow, City Attorney

NOTICE OF A PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, CONCERNING THE ORGANIZATION OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING GENERAL IMPROVEMENT DISTRICT

All electors of the area described below and all persons generally are hereby notified that, pursuant to a petition filed with the City Clerk, the City Council of the City of Cherry Hills Village, Colorado (the "City"), will be conducting a public hearing concerning the organization of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District (the "District").

1. Based upon the Petition submitted to the City, the District will contain the following described property located within Charlou Park 3rd Filing, generally bounded on the north by S. El Camino Drive, on the west by S. Holly Street, on the south by Charlou Drive and on the east by S. Denice Drive:

PLOTS 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24,
CHARLOU PARK 3RD FILING,
CITY OF CHERRY HILLS VILLAGE,
ARAPAHOE COUNTY,
STATE OF COLORADO

2. The District will underground existing overhead electrical distribution lines and complete related improvements including but not limited to the removal of utility poles along portions of S. Denice Drive, Charlou Drive and S. Dasa Drive (the "Proposed Improvements").

3. The total estimated cost of the Proposed Improvements is \$500,000.00. It is anticipated that the Proposed Improvements will be financed with the proceeds of general obligation bonds, to be paid from property taxes levied upon the taxable real and personal property within the District in a sufficient rate and amount to pay such bonds. All property within the District will be subject to the lien of indebtedness in the above amount.

4. On Tuesday, August 21, 2018 at 6:30 p.m. in the Joint Public Safety Facility, 2460 East Quincy Avenue, Cherry Hills Village, Colorado, 80113, the City Council will conduct a public hearing concerning the organization of the District. Following the public hearing, the City Council will consider an ordinance submitting the question of organizing the District and of issuing general obligation bonds and levying property taxes to finance the proposed improvements to the electors of the District at the November 6, 2018, regular election.

5. All comments concerning the District that are made in person at the public hearing or in writing prior to the public hearing by electors of the District or other members of the public will be heard and determined by the City Council before final action is taken. Said hearing and determination will take place at the meeting referred to above.

6. Pursuant to Colorado State Statutes Section 31-25-602(2)(b), properties owned by entities other than a natural person are permitted to designate a natural person to serve as an elector for the owner. Such designation shall be in writing and filed with the City Clerk. Only one such person may be designated by an owner.

Dated this ____ day of _____, 2018.

Laura Smith, City Clerk

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