

RESOLUTION 2023-09

**RESOLUTION AND ORDER FOR INCLUSION OF PROPERTY
BY THE
BOARD OF DIRECTORS
OF
TRIVIEW METROPOLITAN DISTRICT SUBDISTRICT A
(PCD Parcel)**

WHEREAS, CSI Development, Inc., a Colorado corporation, whose address is 540 Elkton Dr., Suite 202 Colorado Springs, CO 80907 (the "Petitioner"), filed with Triview Metropolitan District Subdistrict A (the "District") a Petition for Inclusion of Real Property (the "Petition"), a copy of which is attached hereto as **Exhibit A**, and incorporated herein by this reference; and

WHEREAS, the Petitioner represents that it is the one hundred percent (100%) fee owner of the real property described in the Petition (the "Property"); and

WHEREAS, the Petition requests that the Board of Directors of the District (the "Board") include the Property into the District, in accordance with § 32-1-401(1)(a), C.R.S.; and

WHEREAS, pursuant to the provisions of § 32-1-401(1)(b), C.R.S., publication of notice of the filing of the Petition and the place, time, and date of the public meeting at which the Petition would be considered, the name and address of the Petitioner and notice that all persons interested shall appear at such time and place and show cause in writing why the Petition should not be granted, was made in *The Gazette* on November 8, 2023. The Affidavit of Publication is attached hereto as **Exhibit B** and incorporated herein by this reference (the "Affidavit of Publication"); and

WHEREAS, no written objection to the inclusion was filed by any person; and

WHEREAS, the Petition was heard at a public meeting of the Board the District held on November 13, 2023, at the hour of 5:30 p.m.; and

WHEREAS, the Board has reviewed the Petition and all relevant information related thereto; and

WHEREAS, the Board of the District desires to grant the Petition and approve the inclusion of the Property into the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. Grant of Petition. The Board hereby grants the Petition and orders the inclusion of the Property into the District.

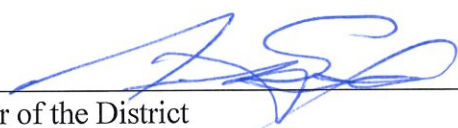
2. Effective Date of Resolution. This Resolution shall become effective as of the date hereof.

3. Motion and Order for Inclusion. The Board hereby directs its legal counsel to file a motion with the District Court in and for El Paso County seeking an Order for Inclusion.

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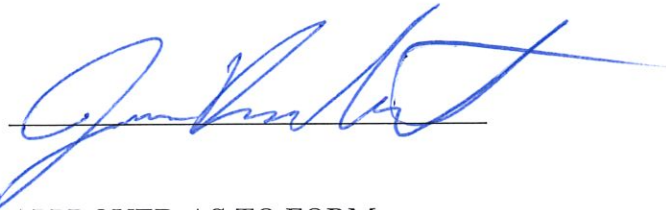
ADOPTED this 13th day of November 2023.

TRIVIEW METROPOLITAN DISTRICT
SUBDISTRICT A



Officer of the District

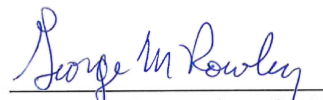
ATTEST:



General Counsel to the District

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law



General Counsel to the District

CERTIFICATION OF RESOLUTION

I hereby certify that the foregoing constitutes a true and correct copy of the Resolution and Order for Inclusion of Real Property adopted by the Board at a meeting held on November 13, 2023, at 5:30 p.m., at 16055 Old Forest Point, Suite 302 Monument, CO 80132 and via teleconference.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 13 day of November 2023.



Signature

EXHIBIT A
TO RESOLUTION AND ORDER FOR INCLUSION OF PROPERTY
(Petition for Inclusion)

PETITION FOR INCLUSION OF PROPERTY

(PCD Parcel)

TO: THE BOARD OF DIRECTORS OF
TRIVIEW METROPOLITAN DISTRICT SUBDISTRICT A,
TOWN OF MONUMENT, EL PASO COUNTY, COLORADO

Pursuant to the provisions of §§ 32-1-401, *et seq.*, C.R.S., CSI Development, Inc., a Colorado corporation, (the "Petitioner") hereby respectfully requests that **TRIVIEW METROPOLITAN DISTRICT SUBDISTRICT A** (the "District"), by and through its Board of Directors, include the real property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property"), into the boundaries of the District.

The Petitioner hereby represents and warrants to the District that it is the one hundred percent (100%) fee owner of the Property and that no other person, persons, entity, or entities own an interest therein except as beneficial holders of encumbrances, if any. The Petitioner hereby assents to the inclusion of the Property into the boundaries of the District and to the entry of an Order by the District Court in and for El Paso County, including the Property into the boundaries of Subdistrict "A" of the District.

The Petitioner hereby acknowledges that, without the consent of the Board of Directors of the District, it cannot withdraw its Petition once the notice of the public hearing on the Petition has been published.

The name and address of the Petitioner is as follows:

CSI Development, Inc.
540 Elkton Dr., Suite 202
Colorado Springs, CO 80907

Remainder of page intentionally left blank. Signature page follows.

PETITIONER:

CSI DEVELOPMENT, INC., a Colorado corporation



Printed Name: Robert C. Oldach

Title: Vice President

STATE OF COLORADO)
) ss.
COUNTY OF El Paso)

The above and foregoing instrument was acknowledged before me this 6 day of Nov 2023, by Robert C. Oldach, as Vice President of CSI Development, Inc., a Colorado corporation.

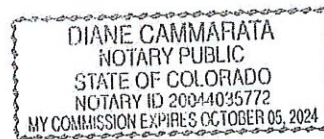
WITNESS my hand and official seal.

(SEAL)



Notary Public

My commission expires: 10/5/2024



*Signature Page to Petition for Inclusion of Real Property
(PCD Parcel)*

EXHIBIT A
(The Property)

LWA Land Surveying, Inc.

953 East Fillmore Street
Colorado Springs, CO 80907
719-636-5179

JACKSON CREEK "PCD PARCEL"

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6th P.M., IN THE TOWN OF MONUMENT, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT ON THE EASTERLY RIGHT OF WAY LINE OF JACKSON CREEK PARKWAY AS DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 203270646 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, FROM WHENCE THE SOUTHEAST CORNER OF SECTION 23 BEARS S38°32'02"E A DISTANCE OF 2060.11 FEET;
THENCE N84°22'43"W ON SAID EASTERLY RIGHT OF WAY LINE OF JACKSON CREEK PARKWAY A DISTANCE OF 402.96 FEET TO A POINT OF CURVE;
THENCE NORTHWESTERLY CONTINUING ON SAID EASTERLY RIGHT OF WAY ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 940.00 FEET, THROUGH A CENTRAL ANGLE OF 63°04'44" AN ARC DISTANCE OF 1034.88 FEET;
THENCE N01°18'00"W A DISTANCE OF 16.22 FEET, MORE OR LESS TO A POINT THAT IS 30.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 23;
THENCE S89°38'01"E ON A LINE THAT IS 30.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE SOUTHEAST QUARTER, A DISTANCE OF 1150.59 FEET;
THENCE S0°55'53"W A DISTANCE OF 700.86 FEET;
THENCE S37°21'07"W A DISTANCE OF 146.03 FEET;
THENCE S72°36'55"W A DISTANCE OF 30.34 FEET;
THENCE S34°11'40"W A DISTANCE OF 221.77 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED TRACT CONTAINS 19.88 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 26, S00°29'34"E A DISTANCE OF 2662.55 FEET. THE LINE WAS FOUND TO BE DOCUMENTED BY A 3-1/4" DIA. ALUMINUM CAP PLS 13155 ON THE NORTH AND A 3-1/4" DIA. ALUMINUM CAP PLS 25955 ON THE SOUTH. THE DIRECTION IS BASED ON THE CREEKSIDE COMMERCIAL NORTH SUBDIVISION PLAT REC. NO. 215713708.

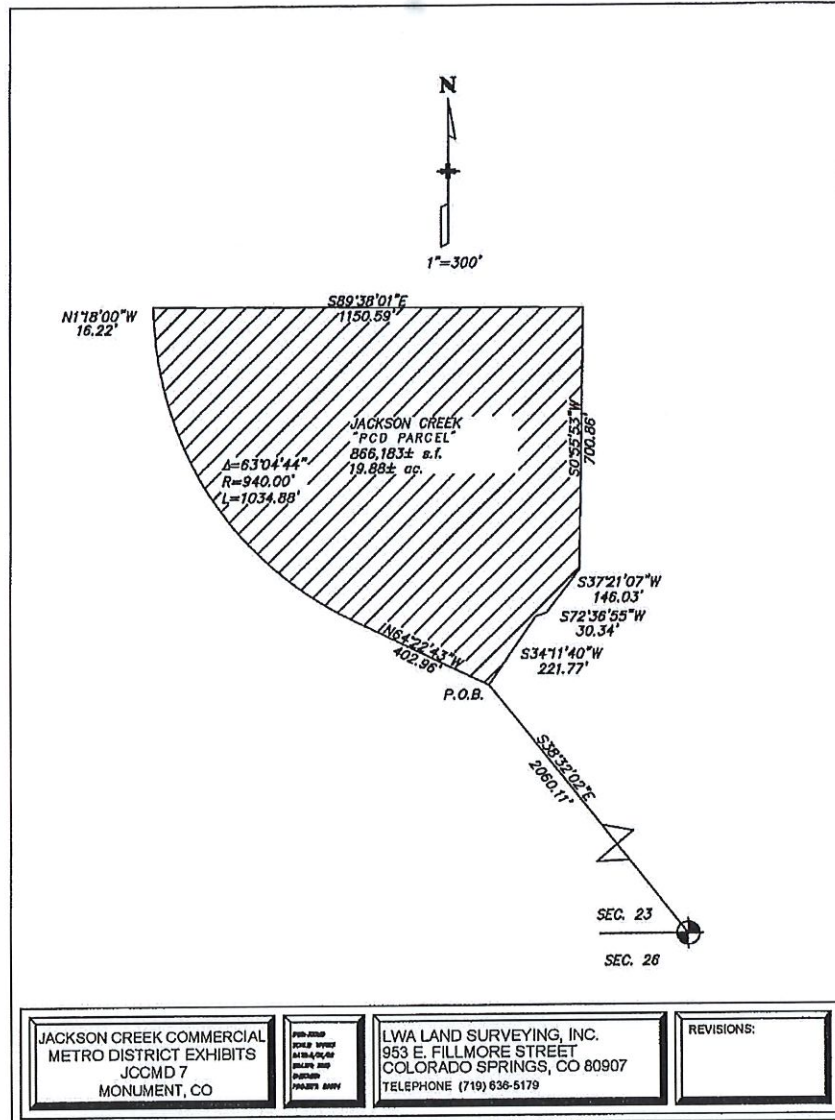


EXHIBIT B
TO RESOLUTION AND ORDER FOR INCLUSION OF PROPERTY
(Affidavit of Publication)

NOTICE OF PUBLIC HEARING ON INCLUSION
(PCD Parcel)

NOTICE IS HEREBY GIVEN to all interested persons that a Petition for Inclusion of Property (the "Petition") has been filed with the Board of Directors of Triview Metropolitan District Subdistrict A, El Paso County, Colorado (the "District"). The Petition requests that the property described below be included into the Triview Metropolitan District Subdistrict A. The Petition shall be heard at a public meeting on November 13, 2023, at 5:30 p.m., at 16055 Old Forest Point #300, Monument, CO 80132

<https://us02web.zoom.us/j/82449019347?pwd=TU1ZQmkxWm1RZy9YVTZoczlQWFpDQT09>

Meeting ID: 824 4901 9347
Passcode: 357545

The name(s) and address(es) of the Petitioner(s) and a description of the property to be included are as follows:

CSI Development, Inc.
540 Elkton Dr., Suite 202
Colorado Springs, CO 80907

General Description of Property: Approximately 20 acres located at the southeast corner of Higby Road and Jackson Creek Parkway

NOTICE IS FURTHER GIVEN to all interested persons that they shall appear at the public meeting and show cause in writing why such Petition should not be granted.

BY ORDER OF THE BOARD OF DIRECTORS OF TRIVIEW METROPOLITAN DISTRICT SUBDISTRICT A

By: WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law
General Counsel to the District

PUBLISHED IN: Gazette Telegraph
PUBLISHED ON: November 8, 2023

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF El Paso

I, Lorre Cosgrove, being first duly sworn, deposes and says that she is the Legal Sales Representative of The Colorado Springs Gazette, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of El Paso, and the State of Colorado, and which is called Colorado Springs Gazette; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper **1 time(s) to wit 11/08/2023**

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

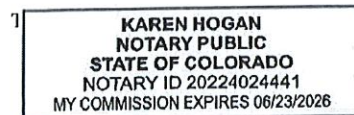


Lorre Cosgrove
 Sales Center Agent

Subscribed and sworn to me this 11/09/2023, at said City of Colorado Springs, El Paso County, Colorado.
 My commission expires June 23, 2026.



Karen Hogan
 Notary Public



Document Authentication Number
 20224024441-441593

**NOTICE OF PUBLIC HEARING ON INCLUSION
 (PCD Parcel)**

NOTICE IS HEREBY GIVEN to all interested persons that a Petition for Inclusion of Property (the "Petition") has been filed with the Board of Directors of Triview Metropolitan District Subdistrict A, El Paso County, Colorado (the "District"). The Petition requests that the property described below be included into the Triview Metropolitan District Subdistrict A. The Petition shall be heard at a public meeting on November 13, 2023, at 5:30 p.m., at 16055 Old Forest Point #302, Monument, CO 80132

<https://us02web.zoom.us/j/82449019347?pwd=FU1ZQmktZW1RZy9VTZoczlQWFpDQT09>

Meeting ID: 824 4901 9347
 Passcode: 357545

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CSI Development, Inc.
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 Colorado Springs, CO 80907

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**BY ORDER OF THE BOARD OF DIRECTORS OF
 TRIVIEW METROPOLITAN DISTRICT SUBDISTRICT A**

By: WHITE BEAR ANKELE TANAKA & WALDRON
 Attorneys at Law
 General Counsel to the District

PUBLISHED IN: Gazette Telegraph
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Published in The Gazette November 8, 2023.