

Resolution No. 2021-10-06

**RESOLUTION
OF THE
BOARD OF DIRECTORS
OF
CASCADE METROPOLITAN DISTRICT NO. 1**

**CERTIFYING DELINQUENT DEBT SERVICE FEES, ADMINISTRATIVE FEES
RATES, TOLLS, PENALTIES AND CHARGES TO EL PASO COUNTY TREASURER
FOR COLLECTION**

WHEREAS, the Cascade Metropolitan District No. 1 (the "District") was duly organized and validly exists pursuant to and in accordance with the Special District Act, §§ 32-1-101, *et seq.*, C.R.S.; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the Board of Directors of the District (the "Board") is empowered to fix and from time to time increase or decrease certain fees, rates, tolls, penalties or charges for services, programs or facilities furnished by the District; and

WHEREAS, the District was the provider of water services to residents and owners within and outside of the District's boundaries; and

WHEREAS, on June 9, 2015, the district issued bonds in the form of the *Water Enterprise Revenue Refunding and Improvement Bonds, Series 2015A and Series 2015B* (collectively, the "Bonds"); and

WHEREAS, the District utilized the Bonds to improve the District's water distribution system, reduce water losses and to meet the construction standards required by Colorado Springs Utilities; and

WHEREAS, the District's water distribution system was converted to Colorado Springs Utilities on December 1, 2020 (the "Conversion"); and

WHEREAS, the District did not dissolve with the Conversion and will not be permitted to do so until such time as the debt incurred for the required improvements to the infrastructure has been repaid in full; and

WHEREAS, to repay the debt, and for ongoing administration functions necessary to remain in compliance with Colorado law, the District is required to impose and collect ongoing monthly debt service fees (the "Debt Service Fee") and monthly administrative fees (the

“Administrative Fee”); and

WHEREAS, pursuant to § 32-1-1101(l)(e), C.R.S., the District is permitted to have certain delinquent fees, rates, tolls, penalties, charges or assessments made or levied by the District certified to the El Paso County Treasurer (the "County Treasurer") for collection in the same manner as taxes; and

WHEREAS, the properties reflected on Exhibit A, attached hereto and incorporated herein by this reference (the "Delinquent Properties"), are delinquent in their Debt Service and Administrative Fees by at least six (6) months and by more than One Hundred Fifty Dollars (\$150); and

WHEREAS, the Delinquent Properties have outstanding delinquent fees rates, tolls, penalties, charges or assessments in the amounts set forth in Exhibit A (the "Delinquent Fees"); and

WHEREAS, pursuant to § 32-1-1101(l)(e), C.R.S., the District may elect, by resolution, at a public meeting held after receipt of notice by the Delinquent Properties, to certify the Delinquent Fees to the County Treasurer for collection; and

WHEREAS, on September 22, 2021, the District provided notice to the Delinquent Properties through written correspondence deposited in the United States mail; and

WHEREAS, the Board hereby considers the adoption of this Resolution at a public meeting, which meeting has been properly noticed in accordance with Colorado law; and

WHEREAS, the District, by this Resolution, desires to certify the Delinquent Fees to the County Treasurer for collection.

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

1. CERTIFICATION OF DELINQUENT FEES. The Board hereby elects to have the Delinquent Fees certified to the County Treasurer to be collected and paid over by the County Treasurer in the same manner as taxes are authorized to be collected and paid over pursuant to § 39-10-107, C.R.S. The Board hereby directs the District's Manager to certify to the County Treasurer the Delinquent Fees set forth in Exhibit A, attached hereto and incorporated herein by this reference (the "Certification"). Such Delinquent Fees shall be certified by no later than the deadline established by the County Treasurer in order to comply with State statutory and County certification deadlines.

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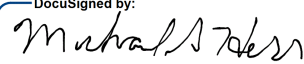
APPROVED AND ADOPTED this 26th day of October, 2021.

CASCADE METROPOLITAN DISTRICT NO. 1

By: 

BE6991F9512F487
Officer of the District

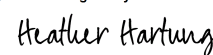
ATTEST:

By: 

93E8835FDB0447A...

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law



BF8B11B86F4A4F3
General Counsel to the District

EXHIBIT A

Delinquent Properties and Delinquent Fees

Street Address	Property Description	Past Due	Collection Fee	Total
4590 Hagerman Avenue	Assessor Parcel No. 8323307015	\$388.00	\$246.00	\$634.00
4675 Fountain Avenue	Assessor Parcel No. 8323300078	\$298.50	\$246.00	\$544.50
8302 Chipita Park Road	Assessor Parcel No. 8322100077	\$193.43	\$246.00	\$439.43