

**RESOLUTION #R-8-2019**

**A RESOLUTION APPROVING THE DISSOLUTION OF WATERFALL  
METROPOLITAN DISTRICT NO. 2**

**WHEREAS**, Waterfall Metropolitan District No. 2 (the “District”) was formed pursuant to Section 32-1-101, *et seq.*, C.R.S., as amended, by an Order of the Larimer County District Court issued on May 16, 2008, after approval by the City pursuant to Resolution #R-32-2008 and by the District’s eligible electors at a regular election held on May 6, 2008; and

**WHEREAS**, the District is generally located in the northwest section of the intersection of Boyd Lake Avenue and U.S. Highway 34, which area contains approximately 7.93 acres as depicted and legally described in **Exhibit “A”** attached hereto and incorporated by reference; and

**WHEREAS**, the District has no outstanding financial obligations or bonds, has not acquired any assets since the District was organized by Court order on May 16, 2008, and has not provided, does not currently provide, and does not plan to provide in the future, any services pursuant to the Consolidated Service Plan For Waterfall Metropolitan Districts Nos. 1 and 2 (the “Service Plan”) approved by the City on April 1, 2008; and

**WHEREAS**, at a special meeting of the Board of Directors of the District (the “Board”) held on December 13, 2018, the Board determined that it would be in the best interest of the District that such District be dissolved pursuant to Section 32-1-701(1), C.R.S., and adopted a Resolution approving the dissolution of the District; and

**WHEREAS**, the terms of the Service Plan require that the City approve dissolution of the District because dissolution results in a material modification of the Service Plan; and

**WHEREAS**, the Board requested that the City execute that certain Consent to Dissolution of Waterfall Metropolitan District No. 2 (the “Consent Form”), attached hereto as **Exhibit “B”** and incorporated by reference, to formally acknowledge the City’s approval of dissolution of the District; and

**WHEREAS**, the City Council finds the dissolution of the District is in the best interest of the City of Loveland.

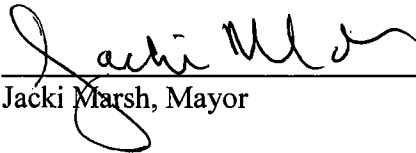
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF LOVELAND, COLORADO that:**

**Section 1.** The dissolution of the District is approved and the City Manager is authorized to execute the Consent Form.

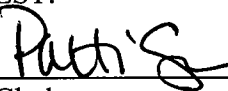
**Section 2.** The City Manager, after consultation with the City Attorney, is authorized to modify the Consent Form to effectuate the purposes of this Resolution or to protect the interests of the City.

**Section 3.** That this Resolution shall take effect as of the date of its adoption.


ADOPTED this 15<sup>th</sup> day of January, 2018.

  
\_\_\_\_\_  
Jacki Marsh, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney



# WATERFALL METROPOLITAN DISTRICT NO. 2 LOVELAND, COLORADO

**DISTRICT MAP**  
WATERFALL METROPOLITAN  
DISTRICT NO. 2  
LOVELAND, CO

MARCH 1, 2012

**LEGEND**



WATERFALL METROPOLITAN  
DISTRICT #2



SECTION CORNER

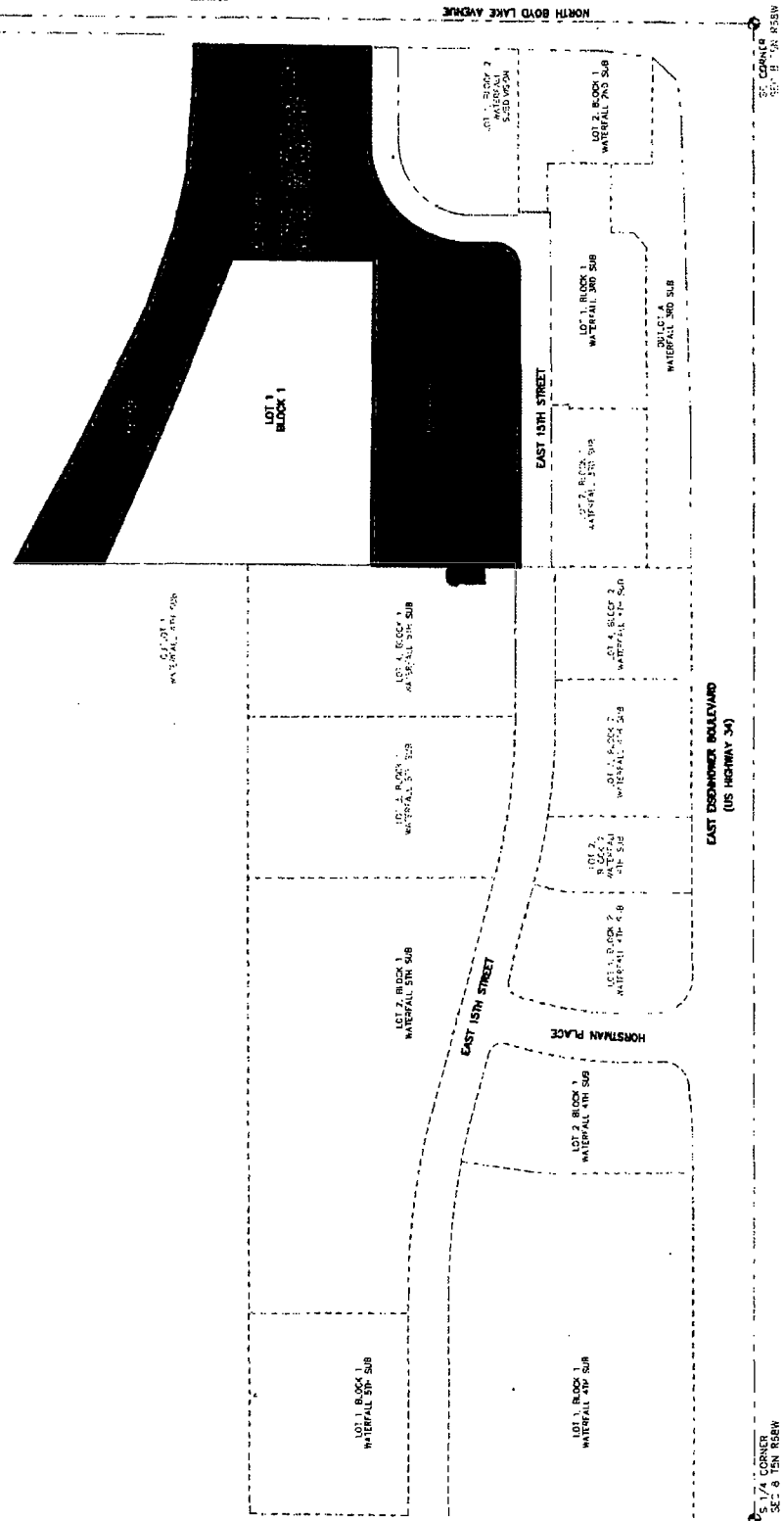
**VICINITY MAP**  
N.T.A.



TEST

760 Whelan Way  
Building C, Suite 200  
Fort Collins, Colorado  
Phone: 970.224.0200  
Fax: 970.224.0204  
Job No. 1145.0001.00  
K:\1145\0001\dwg\

Waterfall Metro District Map 3-1-12.dwg



SCALE: 1"=200'

**PLAT REFERENCE**

OUTLOT 1, BLOCK 1 AND OUTLOT 2, BLOCK 1 WATERFALL 6<sup>TH</sup> SUBDIVISION, CITY OF LOVELAND, COLORADO.

A PORTION OF LOT 4, BLOCK 1, WATERFALL 5TH SUBDIVISION, CITY OF LOVELAND, COLORADO, AND BEING LEGALLY DESCRIBED AS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 8, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8 TO BEAR N89°40'06"E (ENDS OF SAID LINES MONUMENTED AS SHOWN ON SAID WATERFALL FOURTH SUBDIVISION), WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.

THENCE N72°52'02"E, 1,717.21 FEET TO THE POINT OF BEGINNING;

THENCE N00°13'06"E, 77.00 FEET;

THENCE N89°35'37"E, 27.50 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF SAID TRACT 1;

THENCE ALONG SAID EASTERLY BOUNDARY LINE, S00°13'06"W, 77.00 FEET, THENCE S89°35'37"W, 27.50 FEET TO THE POINT OF BEGINNING.

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**CITY OF LOVELAND, COUNTY OF LARIMER, COLORADO**

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CONSENT TO THE DISSOLUTION OF WATERFALL METROPOLITAN DISTRICT NO. 2

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TO THE DISTRICT COURT IN AND FOR THE COUNTY OF LARIMER, STATE OF COLORADO:

The undersigned has received a copy of the Petition for Dissolution to be filed with this Court regarding the dissolution of the above-referenced metropolitan district and hereby consents to the dissolution of Waterfall Metropolitan District No. 2, which is proposed pursuant to Part 7, Article 1, Title 32 of the Colorado Revised Statutes.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2018.

**CITY OF LOVELAND, COLORADO**

By: \_\_\_\_\_  
Stephen C. Adams, City Manager