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10-12-79

SERVICE PLAN FOR THE METROPOLITAN CHEYENNE CREEK **16 1979**
PARK AND WATER DISTRICT

The general purposes of the Metropolitan Cheyenne Creek Park and Water District are:

1. To provide water for irrigation, sub-irrigation, and preservation of trees, shrubbery, and other vegetation in areas adjacent or closely contiguous to Cheyenne Creek from the easterly boundary of north Cheyenne Canon of the City of Colorado Springs and below the confluence of North and South Cheyenne Creeks and extending to the southerly boundary of U.S. Interstate 25, and also to provide aquatic life in Cheyenne Creek, by maintaining an adequate flow of water in said Creek for said purposes by stabilizing and supplementing the flow of water in the Creek and to purchase or otherwise acquire water for such uses and also to acquire water and otherwise provide for the irrigation and subirrigation and preservation of said trees, shrubs and other vegetation and maintenance of aquatic life in Cheyenne Creek in the above described area.

2. To provide for such park and conservancy facilities in said areas adjacent and closely contiguous to Cheyenne Creek in the above described area not inconsistent or in conflict with the rights of the owners of premises adjacent to said Creek, as will provide an attractive and pleasing appearance.

3. To contract or to cooperate with the City of Colorado Springs, El Paso County, the State of Colorado, and

other governmental or private entities to accomplish the purposes and objectives set forth in paragraphs 1 and 2 above.

At the present time, it is not contemplated that any improvements will be constructed or installed within or for the District for the utilization of the water to increase and stabilize the water flow in Cheyenne Creek. It is also not contemplated for the present or for some time in the future that any physical facilities will be constructed or procured for the conservation objectives of the District.

Accordingly, it would serve no useful purpose to obtain an engineering and architectural survey inasmuch as no physical facilities whatsoever are now contemplated. The District's situation also does not warrant a formal financial survey as such but work, investigations, and surveys have been carried out by proponents of the District showing that there are some 170 or more residential and other properties in the District area which are adjacent or closely contiguous to Cheyenne Creek between the easterly boundary of North Cheyenne Park and the southerly boundary of U.S. Interstate 25. The aggregate assessed valuation of said properties exceeds \$1,500,000. It is estimated that some 500 or 600 persons live in the District area.

As mentioned above, no facilities are to be constructed for the present and the only financial outlay will be an annual expenditure estimated from \$10,000 to \$15,000 to purchase water in the area and stabilize the flow of

water of Cheyenne Creek which would be less than \$100 per property and should be within the financial capabilities of the property owners and should not work financial hardships. It is hoped that governmental assistance will be obtained to lessen this expenditure.

The money needed for the purchase of the water would be procured by charges for the water assessed against the properties or by tax levies for such purposes upon the properties. Money for legal and other expenses for the District's organization has been and is being raised by proponents of the District.

A processing fee in the amount of \$25, as indicated as proper, is attached and there are also attached a description of the lands within the District and a map showing the proposed boundaries of the District.

Respectfully submitted,

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DESCRIPTION OF THE METROPOLITAN CHEYENNE CREEK
PARK AND WATER DISTRICT

An accurate description of the boundaries of the Metropolitan Cheyenne Creek Park and Water District are as follows:

All lots, tracts, parcels or areas of land touching upon or adjacent to the northerly and southerly banks of Cheyenne Creek or extending partly or entirely across the channel of said Cheyenne Creek along its course in El Paso County between the westerly boundary of that tract of land described as Parcel B in that deed recorded in Book 2396, page 922 of the records of the County Clerk and Recorder of El Paso County, sometimes known as 2031 Cheyenne Road, said boundary being at or near the easterly boundary of North Cheyenne Canon Park of the City of Colorado Springs and the confluence of North Cheyenne Creek and South Cheyenne Creek, said boundary being the westerly boundary of the district, and the southerly right-of-way line of U.S. Interstate 25, said boundary being the easterly boundary of the district, together with and including the following described lots, tracts, parcels and areas of land, to-wit:

All the lots, tracts, parcels and areas of land located south of the southerly line of Cheyenne Road and the northerly bank or boundary of Cheyenne Creek between the westerly boundary of the district, as described above, and

the easterly bank or boundary of Cheyenne Creek where it crosses Cheyenne Road, approximately 200^{westerly}/feet from the intersection of Cheyenne Road with Cascade Avenue; Lots 1 through 23 in Block 1 and Blocks 3 and 4 in Pine Grove; that tract described in Book 2039 at page 926 of the El Paso County Clerk's office with street address of 126 Cresta Road; Lots 9 through 13 in Lennox Park; Lots 1 through 5 in Block 1 in Highland Heights; Lots 1 through 12 and Tract A in High Valley Park; that tract as described in deed recorded in Book 1209, page 109 of the El Paso County Clerk's office, street address of 14 Alsace Way; Lot 9, Pierce's Subdivision; Lots 14, 15, 16, 17 and 18, Block 8 and that portion of the unnumbered tract in Block 8 adjacent westerly to Lot 14, Block 8, and Lots 8 and 9, Block 7, all in Addition No. 1, Ivywild; Lots 8 and 9 in Block B, Metzler's Subdivision; Lot 1 and the N 1/2 of Lot 2, Block 2, Ivywild, except that portion shown on the Vacation and Replat of portions of Lots 1 and 2, Block 2, Ivywild; that part of SE1/4 SE1/4 SW1/4, Section 19, T 14 S, R 66 W, of the 6th P.M. as described in deed recorded in Book 2977, page 313 of the El Paso County Clerk's office, with street address of 1622 and 1622 Tejon Place; Lot 2, Block 2, Maddocks Addition to Ivywild; that tract as described in Book 2224, page 896, street address of 1320 South Nevada; that tract described in deed recorded in Book 2902, page 159, with street address of 1328 South Nevada and that tract as described in Book 2683, page 380, with street address of 1331 South Tejon, all as shown and recorded in the El Paso County Clerk's office, all said

district area and boundaries being more fully shown and delineated on the map designated Cheyenne Creek Park and Water District, recorded in Book ____, page ____ of the records of the El Paso County Clerk, reference to which is herein made.

STATE OF COLORADO)
)
COUNTY OF EL PASO)

The Board of County Commissioners of El Paso County, Colorado, met in regular session at the Commissioners' Hearing Room in _____ in Colorado Springs, Colorado, being the regular meeting place of the Board, at _____ o'clock ____ .M., on _____, the _____ day of _____, 1979.

There were present:

Chairman:

Commissioners:

County Clerk and
Recorder:

County Attorney:

Absent:

Thereupon the following proceedings, among others, were had and taken.

The County Clerk and Recorder informed the Board that a Service Plan, supplemental documents and the required processing fee had been filed for the proposed Metropolitan Cheyenne Creek Park and Water District, and a request made that a hearing on said Service Plan be called and held.

Thereupon Commissioner _____ introduced and moved the adoption of the following Resolution:

RESOLUTION

WHEREAS, a Service Plan, supplemental documents and a processing fee have been filed relating to the proposed Metropolitan Cheyenne Creek Park and Water District, in El Paso County, Colorado; and

WHEREAS, the law requires that a Hearing be called and held within thirty (30) days concerning the adequacy of said Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO:

Section 1. That a Hearing on the Service Plan, as filed, for the proposed Metropolitan Cheyenne Creek Park and Water District, be and the same is hereby set for _____ o'clock ____ .M., in _____, in Colorado Springs, Colorado, the regular meeting place of the Board of County Commissioners, on _____, the _____ day of _____, 1979.

Section 2. That the Clerk of this Board is hereby directed to cause the Notice of Hearing to be published in the _____, a newspaper of general circulation within the County, once each week for a period of three successive weeks, by three publications, the first of which shall be at least twenty (20) days prior to the date of Hearing.

Section 3. That the Clerk is hereby further directed to provide written Notice of the Hearing to the

petitioners and to the governing body of any existing municipality or special district which was levied an ad valorem tax within the next preceding tax year and which has boundaries within a radius of three (3) miles of the proposed district.

Section 4. That said Notice shall be in substantially the following form: