



02/28/2022 04:37 PM  
City & County of Denver  
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RES

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When recorded return to:  
McGeady Becher P.C.  
450 E. 17th Avenue, Suite 400  
Denver, CO 80203

**NOTICE TO TITLE COMPANIES: THE FOLLOWING RESOLUTION IMPOSES FEES WHICH, UNTIL PAID, CONSTITUTE A STATUTORY AND PERPETUAL LIEN ON AND AGAINST THE PROPERTY SERVED. CONTACT SPECIAL DISTRICT MANAGEMENT SERVICES, INC., AT (303) 987-0835 TO VERIFY PAYMENT.**

**RESOLUTION NO. 2022-01-01**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE DENVER CONNECTION WEST METROPOLITAN DISTRICT REGARDING THE IMPOSITION OF ADMINISTRATIVE FEES**

- A. Denver Connection West Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in the City and County of Denver, Colorado.
- B. The District was organized and operates pursuant to its Service Plan approved by the City and County of Denver, Colorado on September 12, 2016, as it may be amended from time to time (the “**Service Plan**”).
- C. The District’s boundaries are described in the legal description attached hereto as **Exhibit A**, which legal description may be amended from time to time, pursuant to the inclusion and/or exclusion of property into or from the District (the “**Property**”).
- D. The Property is subject to those certain Declaration of Covenants and Restrictions of Denver Connection West, dated July 19, 2017, and recorded in the real property records of the City and County of Denver on July 21, 2017, at Reception No. 2017095170, as the same may be amended and/or modified from time to time (the “**Covenants**”).
- E. Pursuant to the Covenants, and as allowed by Section 32-1-1004(8), C.R.S., the District is empowered to furnish covenant enforcement services and to use revenues that are derived from the Property to furnish the same.
- F. The District is authorized pursuant to the Covenants, the Service Plan, and Section 32-1-1001(1)(j)(I), C.R.S., to fix and impose fees, rates, tolls, charges and penalties for services, programs, or facilities provided by the District, which, until paid, shall constitute a perpetual lien on and against all property served.
- G. Pursuant to the Covenants, the District provides covenant enforcement, design review, and trash collection services within the Property (the “**Services**”).

H. The Property will benefit from the District's provision of the Services.

I. The District previously adopted Resolution No. 2017-05-01, Resolution of the Board of Directors of Denver Connection West Metropolitan District Regarding the Imposition of District Fees, which was recorded in the real property records of the City and County of Denver, Colorado, at Reception No. 2017098069, and Resolution No. 2020-11-04, Amended and Restated Resolution of the Board of Directors of Denver Connection West Metropolitan District Regarding the Imposition of District Fees, which was recorded in the real property records of the City and County of Denver, Colorado, at Reception No. 2020215237 (collectively, the "**Previous Resolutions**").

J. Since the District's adoption of the Previous Resolutions, the District has determined to impose a modified mill levy in the General Fund to generate the revenue necessary to pay for operation and maintenance services, thus eliminating the need for a fee related to operation and maintenance services.

K. The District desires to maintain the imposition of Administrative Fees to offset the administrative expenses incurred when property within the District is sold or conveyed, and, therefore, has determined to impose an Administrative Fee on each single-family residential dwelling unit ("**Residential Unit**"), each alley-loaded single family residential dwelling unit ("**AL Residential Unit**"), and each townhome unit ("**Townhome Unit**") (each a "**Unit**" and collectively the "**Units**") on the Property

L. The District wishes to adopt this the Resolution to provide for the imposition of Administrative Fees.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DENVER CONNECTION WEST METROPOLITAN DISTRICT, AS FOLLOWS:

1. The Board of Directors of the District hereby finds, determines and declares that it is in the best interests of the District, its inhabitants and taxpayers to exercise its power by imposing the following fees:

(a) Administrative Fee.

(i) The Board hereby determines that in order to offset administrative costs associated with a transfer of ownership of any dwelling unit located within the Property, the District shall impose Administrative Fees (the "**Administrative Fees**" or the "**Fees**") in the amount of \$250.00 per Unit, and shall be due and payable at the time of any sale, transfer or re-sale of any Unit constructed on a lot which has a certificate of occupancy.

(ii) The District reserves the right to amend this Resolution in the future to increase or decrease the amount of the Fees.

2. The Fees shall not be imposed on real property conveyed or dedicated to non-profit owners' associations, governmental entities or utility providers.

3. The Fees shall constitute a statutory and perpetual charge and lien upon the Property pursuant to Section 32-1-1001(1)(j), C.R.S., from the date the same becomes due and payable until paid. The lien shall be perpetual in nature as defined by the laws of the State of Colorado on the Property and shall run with the land and such lien may be foreclosed by the District in the same manner as provided by the laws of Colorado for the foreclosure of mechanics' liens. This Resolution shall be recorded in the real property records of the Clerk and Recorder of the City and County of Denver, Colorado.

4. The District shall be entitled to institute such remedies and collection proceedings as may be authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting Owner shall pay all costs, including attorneys' fees, incurred by the District in connection with the foregoing. In foreclosing such lien, the District will enforce the lien only to the extent necessary to collect the balance of outstanding Fees and the costs of collection (including, but not limited to, reasonable attorneys' fees).

5. Judicial invalidation of any of the provisions of the Resolution or of any paragraph, sentence, clause, phrase or word herein, or the application thereof in any given circumstances shall not affect the validity of the remainder of the Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.

6. Any inquiries pertaining to the Fees may be directed to the District Manager at: Matt Cohrs, Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, phone number: 303-987-0835.

7. This Resolution shall take effect immediately upon its adoption and approval.

**[SIGNATURE PAGE FOLLOWS]**

**[SIGNATURE PAGE TO RESOLUTION NO. 2022-01-01]**

APPROVED AND ADOPTED this 25th day of January, 2022.

**DENVER CONNECTION WEST  
METROPOLITAN DISTRICT**

By: Marc Robson  
President

Attest:

Shawn Hampton  
Secretary or Assistant Secretary

**EXHIBIT A****LEGAL DESCRIPTION OF THE PROPERTY**

A PARCEL OF LAND LOCATED IN THE NORTH ONE-HALF OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 20, WHENCE THE NORTH ONE-QUARTER CORNER OF SAID SECTION 20 BEARS NORTH 89° 37' 46" EAST AT A DISTANCE OF 2652.47 FEET, SAID LINE ALSO BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION:

THENCE NORTH 89° 37' 46" EAST ALONG SAID NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 20, A DISTANCE OF 90.01 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CHAMBERS ROAD,

THENCE SOUTH 00° 14' 04" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF CHAMBERS ROAD TO THE SOUTHERLY RIGHT-OF-WAY LINE OF GREEN VALLEY RANCH BOULEVARD, A DISTANCE OF 83.00 FEET TO THE TRUE POINT OF BEGINNING,

THENCE NORTH 89° 37' 46" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY, BEING PARALLEL WITH AND 83.00 FEET SOUTH OF SAID NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 20, A DISTANCE OF 2563.30 FEET TO A POINT ON THE NORTH-SOUTH CENTER-LINE OF SECTION 20 WHENCE THE NORTH ONE-QUARTER CORNER OF SAID SECTION 20 BEARS NORTH 00° 20' 10" WEST A DISTANCE OF 83.00 FEET,

THENCE NORTH 89° 37' 19" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY, BEING PARALLEL WITH AND 83.00 FEET SOUTH OF THE NORTH LINE OF NORTHEAST ONE-QUARTER OF SAID SECTION 20, A DISTANCE OF 746.46 FEET,

THENCE DEPARTING FROM SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 44° 37' 19" WEST, A DISTANCE OF 21.35 FEET,

THENCE SOUTH 00° 22' 40" EAST, A DISTANCE OF 48.14 FEET,

THENCE SOUTH 12° 03' 45" WEST, A DISTANCE OF 60.34 FEET,

THENCE SOUTH 00° 22' 41" EAST, A DISTANCE OF 1388.21 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF BOLLING DRIVE, ALSO BEING THE NORTHERLY LINE OF GATEWAY PARK IV - DENVER FILING NO. 5 AS RECORDED APRIL 12, 2000 UNDER RECEPTION NO. 2000051305, WHENCE THE NORTHEAST CORNER OF SAID GATEWAY PARK IV - DENVER FILING NO. 5, BEARS NORTH 89° 22' 37" EAST A DISTANCE OF 925.19 FEET,

THENCE SOUTH 89° 22' 37" WEST ALONG SAID NORTHERLY LINE A DISTANCE OF 1854.03 FEET TO A NON-TANGENT CURVE,

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 07° 38' 49", A RADIUS OF 600.00 FEET AND AN ARC LENGTH OF 80.08 FEET, WHOSE CHORD BEARS SOUTH 68° 36' 19" EAST A DISTANCE OF 80.02 FEET TO A POINT ON THE NORTHERLY LINE OF THE GATEWAY PARK IV-DENVER FILING NO. 1 AS RECORDED APRIL 10, 1998 IN BOOK 32 AT PAGES 14-16,

THENCE ALONG SAID NORTHERLY LINE SOUTH 89° 22' 37" WEST, A DISTANCE OF 1518.59 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY FOR CHAMBERS ROAD,

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, NORTH 00° 14' 04" EAST, A DISTANCE OF 1554.90 FEET TO THE POINT OF BEGINNING:

SAID PARCEL OF LAND CONTAINING 115.66 ACRES OR 5,038,109 SQUARE FEET, MORE OR LESS.

ALL REFERENCES TO RECORDED DOCUMENTS ARE FILED AT THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE.



RY PATRICK RUSK  
PLS No. 38226  
FORESIGHT WEST SURVEYING, INC.  
4955 IRIS STREET  
WHEAT RIDGE, CO 80033  
303.901.0479  
JUNE 8, 2016