



RESOLUTION NO. 2016-12-05

**DENVER CONNECTION WEST METROPOLITAN DISTRICT
FACILITIES FEE RESOLUTION**

A. Denver Connection West Metropolitan District (the “**District**”) is situated in Denver County, State of Colorado, as more fully 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.

B. The property within the boundaries of the District is currently being platted and subdivided for home construction (the “**Property**”); and

C. The District Board of Directors has determined that prior to maturation of its tax base it is necessary and appropriate to fix and charge rates for use of its services and facilities in order to pay all or a portion of the cost of capital used to construct such facilities and to operate and maintain such facilities.

D. The adoption of services and facilities rates in the form of a “**Facilities Fee**” will serve a public purpose and promote the health, safety and general welfare of the District by providing for the orderly payment of the District’s costs of operation, maintenance and capital.

E. The District Board of Directors finds that such a Facilities Fee is authorized by Section 32-1-1001(1)(j), C.R.S.

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

1. The Board of Directors hereby finds, determines and declares the necessity of providing for the orderly payment of the District’s costs of capital in order to ensure the full satisfaction of the District’s financial obligations incurred for the construction of the Project, all to ensure the health, safety and welfare of the inhabitants of the District.

2. The following words and phrases used herein shall have the following meaning:

(a) Board means the duly elected or appointed Board of Directors of the District, as constituted from time to time.

(b) District Service System means the system of street, water, sanitation, traffic and safety protection, park and recreation, transportation, and stormwater drainage facilities constructed or acquired by the District.

(c) Dwelling Unit means a residential building located on the Property, intended for occupancy by one or more individuals and consisting of one self-contained living unit whether attached or detached, as reasonably determined by the District.

(d) Equivalent Unit means the right to use the District Service System for one (1) Dwelling Unit.

(e) Facilities Fee means the payment made or to be made by the owner(s) of the Property to the District as consideration for one (1) Equivalent Unit.

3. There shall be assessed and charged a Facilities Fee pursuant to Section 32-1-1001(1)(j), C.R.S., for use of the District Service System. The owners of all land within the District, other than governmental owners, shall be subject to the Facilities Fee.

4. The Facilities Fee shall be imposed at a rate of \$3,000 per Equivalent Unit.

5. Such Facilities Fees shall be revised upward or downward from time to time upon adoption of a resolution by the District Board of Directors.

6. The Facilities Fee with respect to any Dwelling Unit shall be due and payable on or before the date of issuance of a building permit by Denver County for improvements to be constructed on such Dwelling Unit.

7. The Facilities Fee shall be a perpetual charge and lien upon the property in the District from the date the same becomes due and payable until paid, 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.

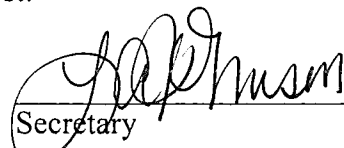
8. The Facilities Fee set forth herein is hereby approved and adopted by resolution of the Board of Directors of Denver Connection West Metropolitan District effective as of December 9, 2016.

**DENVER CONNECTION WEST
METROPOLITAN DISTRICT**

By: 

President

Attest:

By: 

Secretary

EXHIBIT A

Legal Description of the District

All property located in Denver Connection West Filing No. 1, City and County of Denver, State of Colorado as shown on the plat, recorded on August 12, 2016 at Reception No. 2016106834 in the records of the City and County of Denver.