4994108 11/13/2024 08:08 AM Total Pages: 33 Rec Fee: \$173.00

Carly Koppes - Clerk and Recorder, Weld County, CO

This document is a facsimile of the certain Fee Resolution recorded on September 6, 2024 at Reception No. 4980894. The sole difference between this document and the original document is that the original enclosure was recorded without signatures.

AMENDED AND RESTATED RESOLUTION OF THE BOARD OF DIRECTORS OF PRAIRIE SONG METROPOLITAN DISTRICT NO. 8 CONCERNING THE IMPOSITION OF DISTRICT SERVICE FEES

WHEREAS, Prairie Song Metropolitan District No. 8 (the "District") is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized and existing pursuant to §§ 32-1-101, et seq., C.R.S., as amended (the "Special District Act"); and

WHEREAS, the District was organized in together with Prairie Song Metropolitan District Nos. 3-6 and 9 (together with the District, the "Districts"); and

WHEREAS, pursuant to that certain Coordinating Services Agreement among the Districts, dated June 30, 2022 (the "Coordinating Agreement"), the District is responsible for all administrative and operational services within the Districts and may, from time to time, establish fair and equitable fees to provide a source for funding such administrative and operational services and impose the same on the property owners within the Districts; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the "Board") shall have the management, control, and supervision of all the business and affairs of the District; and

WHEREAS, the Board of Directors of the District (the "Board") has determined it to be in the best interests of the Districts, and the property owners, taxpayers, and residents of the Districts, to acquire, operate and maintain certain amenities and facilities benefitting property and inhabitants within the Districts, which amenities and facilities generally include swimming pool, fitness and gathering building and related recreational facilities, irrigation pump house, open space, improvements, appurtenances, and rights-of-way (collectively, the "Facilities"); and

WHEREAS, the Board has determined it to be in the best interests of the Districts, and the property owners, taxpayers, and residents of the Districts, to provide certain services to property and inhabitants within the boundaries of the Districts, including without limitation, landscape maintenance, snow removal, covenant enforcement, and design review (collectively, the "Services"); and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the District is authorized to fix and impose fees, rates, tolls, penalties and charges for services or facilities furnished by the District which, until paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, the Service Plan for the Districts (the "Service Plan") authorizes the District to impose fees, rates, tolls, charges and penalties for services provided by the District; and

WHEREAS, pursuant to §32-1-1004(8), C.R.S. and the Service Plan, the District is authorized and empowered to provide covenant enforcement and design review services within the Districts; and

WHEREAS, the District incurs certain direct and indirect costs associated with the upkeep, repair, replacement, improvement, reconstruction operation and maintenance of the Facilities, as necessary, inclusive of the costs of utilities and capital replacement costs (collectively, the "Facility Costs") in order that the Facilities may be properly provided, operated, and maintained; and

WHEREAS, the District incurs certain direct and indirect costs associated with the provision of the Services in order that the Services may be properly provided, the property within the Districts maintained, and that the health, safety and welfare of the Districts and their inhabitants may be safeguarded (collectively, the "Service Costs"); and

WHEREAS, the establishment and continuation of fair and equitable fees (the "Service Fees") to provide a source of funding to pay for the Facility Costs and the Service Costs, (collectively, the "Operations Costs"), which Operations Costs are generally attributable to the persons and/or properties subject to such Service Fees, is necessary to provide for the common good and for the prosperity and general welfare of the Districts and their inhabitants and for the orderly and uniform administration of the District's affairs; and

WHEREAS, the Board previously adopted a Resolution Concerning the Imposition of District Service Fees on November 14, 2023, which was recorded with the Weld County Clerk and Recorder on August 7, 2024, at reception number 4975400 (the "**Original Resolution**"); and

WHEREAS, the Original Resolution contained a fee on Vacant Lots (as defined herein), and, upon further review, the Board has determined that the owners of the Vacant Lots within the District are already providing sufficient funding for operations and maintenance expenses of the District through other contractual obligations; and

WHEREAS, the Board wishes to amend and restate the Original Resolution to remove fees on Vacant Lots; and

WHEREAS, the District finds that the Service Fees, as set forth in this Resolution, are reasonably related to the overall cost of providing the Facilities and Services and paying the Operations Costs, and that imposition thereof is necessary and appropriate; and

NOW THEREFORE, the Board hereby resolves as follows:

- 1. <u>Definitions</u>. Except as otherwise expressly provided or where the context indicates otherwise, the following capitalized terms shall have the respective meanings set forth below:
- a. "District Boundaries" means the legal boundaries of the Districts, as the same are established and amended from time to time pursuant to the Special District Act, as more particularly set forth in the map and legal description attached hereto as **Exhibit B** and incorporated herein by this reference.
- b. "**Due Date**" means the date by which the Service Fees is due, which Due Date is reflected on the Schedule of Fees.
- c. "End User" means any third-party homeowner or tenant of any homeowner occupying or intending to occupy a Residential Unit.

- d. "Fee Schedule" or "Schedule of Fees" means the schedule of fees set forth in Exhibit A, attached hereto and incorporated herein by this reference, until and unless otherwise amended and/or repealed. The Board shall review and update the Fee Schedule on a periodic basis based upon budget needs of the District.
- e. "Lot" means each parcel of land established by a recorded final subdivision plat and which is located within the District Boundaries.
- f. "**Residential Unit**" means each residential dwelling unit (including, without limitation, condominiums, townhomes, and any other attached dwelling unit and detached single family dwelling units) located on a Lot which has been Transferred to an End User.
- g. "**Transfer**" or "**Transferred**" shall include a sale, conveyance or transfer by deed, instrument, writing, lease or any other documents or otherwise by which real property is sold, granted, let, assigned, transferred, exchanged or otherwise vested in an End User.
- h. "Vacant Lot" means each parcel of land within the District established by a recorded final subdivision plat which has been Transferred to an End User, but specifically excluding any parcel upon which one or more Residential Units is situated and specifically excluding any parcel owned by the District.
- 2. <u>Service Fees</u>. The Board has determined, and does hereby determine, that the Service Fees are reasonably related to the overall cost of providing the Services, and paying the Operations Costs, and are imposed on those who are reasonably likely to benefit from or use the Facilities and Services. The revenues generated by the Services Fees will be accounted for separately from other revenues of the District. The Services Fees revenue will be used solely for the purpose of paying Operations Costs and may not be used by the District to pay for general administrative costs of the District.
- a. General Operations and Maintenance Fee. The Board has determined, and does hereby determine, that it is in the best interests of the property owners, taxpayers, and residents within the Districts, and the general public to impose, and does hereby impose a General Operations and Maintenance Fee to fund the general Operations Costs, including but not limited to community amenity and landscape maintenance, covenant enforcement, and administrative expenses in conjunction with services for End Users. The General Operations and Maintenance Fee is hereby established and imposed in an amount as set forth by the District from time to time pursuant to the Fee Schedule and shall constitute the rate in effect until the Fee Schedule is amended or repealed. The General Operations and Maintenance Fee shall be imposed and collected assessed against all Residential Units, commencing at the closing of a sale of a Residential Unit or Vacant Lot to an End User.
- b. <u>Design Review Fee</u>. The Board has determined, and does hereby determine, that it is in the best interests of the property owners, taxpayers, and residents within the Districts, and the general public to impose, and does hereby impose a Design Review Fee to fund the Operations Costs related to the additional expenses associated with the design review and covenant enforcement services provided by the District, to ensure that such costs are the responsibility of the benefitted End User(s). The Design Review Fee is hereby established and imposed in an

amount as set forth by the District from time to time pursuant to the Fee Schedule and shall constitute the rate in effect until the Fee Schedule is amended or repealed. The Design Review Fee shall be imposed and collected assessed against all Residential Units upon submittal of an application for design review.

c. Administrative Fees.

- i. <u>Insufficient Funds Fee</u>: For each payment that for any reason is returned to the District unpaid, the Lot shall owe the District an Insufficient Funds Fee in the amount set forth in the Fee Schedule.
- ii. <u>Administrative Transfer Fee.</u> The Administrative Transfer Fee shall be imposed on all Transfers of a Residential Unit to an End User. The Administrative Transfer Fee shall not apply to any of the following, except to the extent the District determines that such exception is being undertaken for the purpose of improperly avoiding the Administrative Transfer Fee:
- (1) Any Transfer wherein the United States, or any agency or instrumentality thereof, the State of Colorado, any county, city and county, municipality, district, or other political subdivisions of this State, is either the grantor or the grantee.
- (2) Any Transfer by document, decree, or agreement partitioning, terminating or evidencing termination of a joint tenancy, tenancy in common or other co-ownership; however, if additional consideration or value is paid in connection with such partition or termination the Administrative Transfer Fee shall apply and be based upon such additional consideration.
- (3) Any Transfer of title or change of interest in real property by reason of death, pursuant to a will, the law of descent and distribution, or otherwise.
- (4) Any Transfer made and delivered without consideration for the purpose of confirming, correcting, modifying or supplementing a Transfer previously made; making minor boundary adjustments; removing clouds of title; or granting easements, rights-of-way or licenses.
- (5) Any decree or order of a court of record quieting, determining or resting title, except for a decree of foreclosure.
- (6) Transfers to secure a debt or other obligation, or releases other than by foreclosure, which is security for a debt or other obligation.
 - (7) Transfers pursuant to a decree or separation of divorce.
- iii. <u>Late Fees.</u> A late fee may be assessed on any Service Fees that are not paid in full within thirty (30) days after the scheduled Due Date. Pursuant to §29-1-1102(3), C.R.S., such late fees may be assessed by either of the following two methods:

- (1) Fifteen dollars (\$15.00) per each Service Fee not fully paid prior to the thirtieth (30) calendar day following the Due Date; or
- (2) A late fee of Five Percent (5%) per each fee not fully paid prior to the thirtieth (30) calendar day following the Due Date, and each month thereafter, may be charged on unpaid fees until the Late Fee equals Twenty twenty-five percent (25%) of all outstanding Service Fees.

If a late fee is charged, the late fee charged shall be the greater of the two options listed above. Pursuant to §29-1-1102(7), C.R.S., interest may also accrue on any outstanding Service Fees, exclusive of assessed late fees, at the rate of eighteen percent (18%) per annum.

- d. <u>Exclusions from Service Fees</u>. Notwithstanding anything contained in this Resolution to the contrary, no Service Fees shall be due from, or with respect to, any real property within the District for: (a) any property owned by the District; (b) any school site dedicated to a school district; (b) any property dedicated or conveyed to a homeowners association serving property within the Districts; and/or (c) any property required by a town, city or county to be dedicated to the town, city or county, the public, or any other governmental entity for public rights-of-way, or that is required to be conveyed to another special district.
- 3. <u>Payment</u>. Payment for all fees shall be made through the online portal available through the District's website or by check delivered to the address listed on the payment coupon, or equivalent form acceptable to the District, made payable to "Prairie Song Metropolitan District No. 8." All Service Fees shall be due and payable within thirty (30) days of the Due Date. In the event that any Service Fees established hereunder remain unpaid thirty-one (31) days after its respective Due Date, the District may undertake collection efforts for any and all outstanding amounts, in accordance with the District's Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges, as may be amended from time to time.
- 4. Perpetual Lien. All Service Fees imposed hereunder, together with any and all late fees, interest, penalties and costs of collection shall, until paid, constitute a statutory, perpetual lien on and against the property served and any such lien may be foreclosed in the manner provided by the laws of the State of Colorado for the foreclosure of mechanic's liens, pursuant to § 32-1-1001(1)(j)(I), C.R.S. Said lien may be foreclosed at such time as the District, in its sole discretion, may determine. 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. This Resolution shall be recorded in the offices of the Clerk and Recorder of Weld County, Colorado.
- 5. <u>Amendment</u>. The District expressly reserves the right to amend, revise, redact, waive and/or repeal this Resolution, in whole or in part, from time to time, in order to further the purposes of carrying on the business and services of the District.
- 6. <u>Severability</u>. If any portion of this Resolution is declared by any court of competent jurisdiction to be void or unenforceable, such decision shall not affect the validity of any remaining portion of this Resolution, which shall remain in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added as part of this Resolution a

provision similar in terms to such illegal, invalid, or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

- 7. <u>The Property</u>. This Resolution shall apply to all property within the District Boundaries, including, but not limited to, the property set forth in **Exhibit B**, attached hereto and incorporated herein by this reference, and any additional property included into the Districts after the date of this Resolution.
- 8. <u>Effective Date</u>. This Resolution shall become effective November 14, 2023.

[Remainder of Page Intentionally Left Blank. Signature Page Follows]

ADOPTED AND APPROVED nunc pro tunc, effective as of November 14, 2023.

DISTRICT: PRAIRIE SONG METROPOLITAN DISTRICT NO. 8, a quasi-municipal corporation and political subdivision of the State of Colorado

By:

Patrick McMeekin
Patrick McMeekin (Nov 7, 2024 07:49 MST)

Officer of the District

Attest:

By: Jason Stansberry (Nov 6, 2024 16:22 MST)

APPROVED AS TO FORM:

White Bear Ankele Tanaka & Waldron Attorneys at Law

General Counsel to the District

EXHIBIT A PRAIRIE SONG METROPOLITAN DISTRICT NO. 8 Schedule of Fees Effective November 14, 2023

Schedule of Service Fees						
Fee Type	Classifications	Rate				
General Operations and Maintenance Fee	Residential Unit	\$125.00/month				
	The Due Date for each General Operations and Maintenance Fee is the 15th day of each month.					
Design Review Fee	Architectural Plan Review	\$250.00 per Application				
	Initial Landscape Plan Review	\$250.00 per Application				
The Due Date for each Design Review Fee is the date the Application is submitted.						
Insufficient Funds Fee	All Classifications	\$25 per returned payment				
	The Due Date for each Insufficient Funds Fee is the date upon which the payment is returned.					
Administrative Transfer Fee	All Classifications	\$250 per Transfer				
	The Due Date for each Administrative Transfer Fee is the date upon which the Transfer occurs.					

Payment for all fees shall be made through the online portal available through the District's website or by check delivered to the address listed on the payment coupon, or equivalent form acceptable to the District, made payable to "Prairie Song Metropolitan District No. 8."

EXHIBIT B

District Boundaries

EXHIBIT A-1 LEGAL DESCRIPTION OF DISTRICT NO. 1

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6^{TH} P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING A THE CENTER QUARTER CORNER OF SAID SECTION 8, BEING MARKED BY A 3-1/4" ALUMINUM CAP STAMPED L.S. 22098; AND CONSIDERING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8 TO BEAR S87°27'52"W, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE N12°29'55"W, 82.58 FEET TO THE POINT OF BEGINNING;

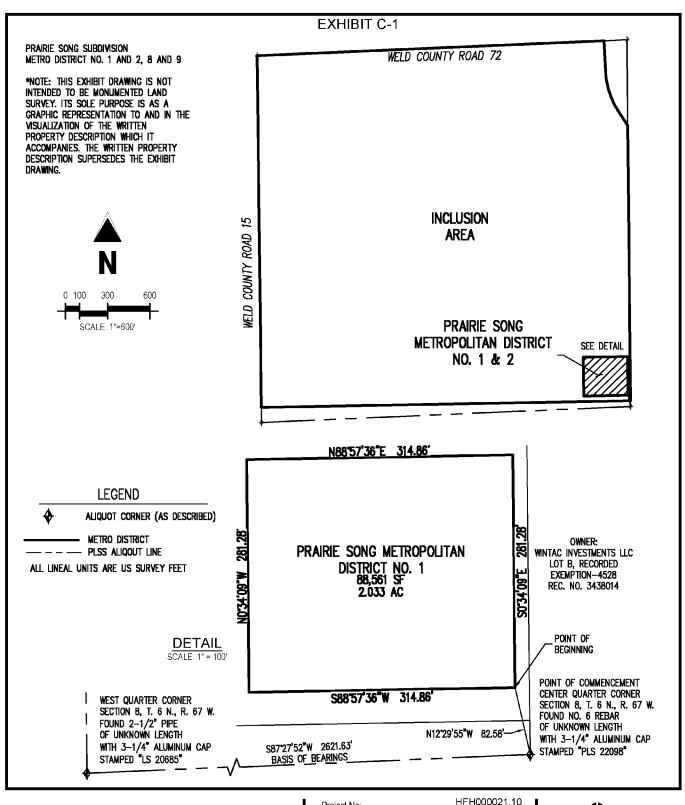
THENCE S88°57'36"W, A DISTANCE OF 314.86 FEET;

THENCE N00°34'09"W, A DISTANCE OF 281.28 FEET;

THENCE N88°57'36"E, A DISTANCE OF 314.86 FEET;

THENCE S00°34'09"E, A DISTANCE OF 281.28 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 88,561 SQUARE FEET OR 2.033 ACRES, MORE OR LESS.



 Project No:
 HFH000021.10

 Drawn By:
 AN

 Checked By:
 RCR

 Date:
 7/2/2021



5265 Ronald Reagan Blvd., Suite 210 Johnstown, CO 80534 970.800.3300 • GallowayUS.com

EXHIBIT A-2 LEGAL DESCRIPTION OF DISTRICT NO. 2

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6^{TH} P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING A THE CENTER QUARTER CORNER OF SAID SECTION 8, BEING MARKED BY A 3-1/4" ALUMINUM CAP STAMPED L.S. 22098; AND CONSIDERING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8 TO BEAR S87°27'52"W, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE N12°29'55"W, 82.58 FEET TO THE POINT OF BEGINNING;

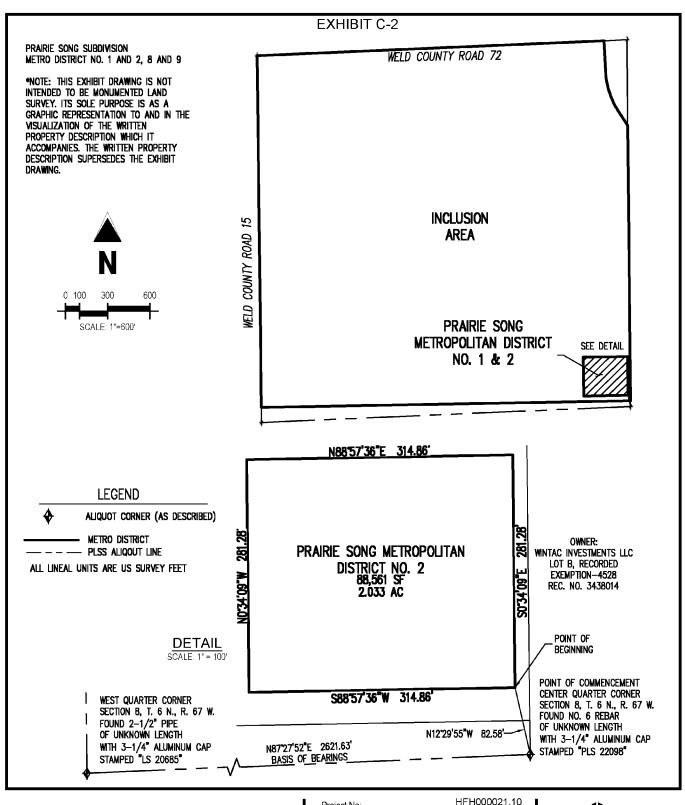
THENCE S88°57'36"W, A DISTANCE OF 314.86 FEET;

THENCE N00°34'09"W, A DISTANCE OF 281.28 FEET;

THENCE N88°57'36"E, A DISTANCE OF 314.86 FEET;

THENCE S00°34'09"E, A DISTANCE OF 281.28 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 88,561 SQUARE FEET OR 2.033 ACRES, MORE OR LESS.



 Project No:
 HFH000021.10

 Drawn By:
 AN

 Checked By:
 RCR

 Date:
 7/2/2021



5265 Ronald Reagan Blvd., Suite 210 Johnstown, CO 80534 970.800.3300 • GallowayUS.com

EXHIBIT "A" LEGAL DESCRIPTION PRAIRIE SONG METROPOLITAN DISTRICT NO. 3

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; AND BEING A PORTION OF LOT B, RECORDED EXEMPTION 0807-08-01 RE 4528, AS SHOWN ON THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, UNDER RECEPTION NO. 3438014. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SECTION 8, FROM WHENCE THE EAST QUARTER CORNER OF SECTION 8 BEARS S00°22'31"E A DISTANCE OF 2654.47 FEET ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8; AND CONSIDERING ALL OTHER BEARINGS RELATIVE THERETO;

THENCE N54°40'52"E, A DISTANCE OF 745.81 FEET TO THE POINT OF BEGINNING;

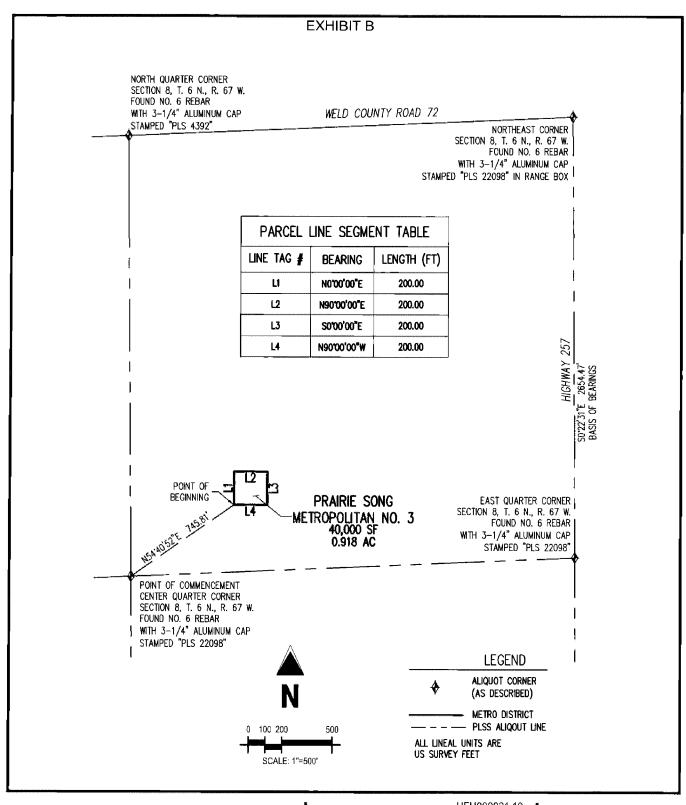
THENCE N00°00'00"E, A DISTANCE OF 200.00 FEET;

THENCE N90°00'00"E, A DISTANCE OF 200.00 FEET;

THENCE S00°00'00"E, A DISTANCE OF 200.00 FEET;

THENCE N90°00'00"W, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 40,000 SQUARE FEET OR 0.918 ACRES, MORE OR LESS AND IS SUBJECT TO ALL RIGHT OF WAY, EASEMENTS AND RESTRICTIONS NOW IN USE OR OF RECORD.



 Project No:
 HFH000021.10

 Drawn By:
 AN

 Checked By:
 RCR

 Date:
 10/11/2021



5265 Ronald Reagan Blvd , Suite 210 Johnstown, CO 80534 970 800 3300 • January J. Roman

EXHIBIT "A" LEGAL DESCRIPTION PRAIRIE SONG METROPOLITAN DISTRICT NO. 4

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 61H P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; AND BEING A PORTION OF LOT B, RECORDED EXEMPTION 0807-08-01 RE 4528, AS SHOWN ON THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, UNDER RECEPTION NO. 3438014. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 8, FROM WHENCE THE SOUTHEAST CORNER OF SECTION 8 BEARS N87°33'30"E A DISTANCE OF 2630.76 FEET ON THE SOUTH LINE OF SAID SECTION 8; AND CONSIDERING ALL OTHER BEARINGS RELATIVE THERETO;

THENCE N00°34'09"W, A DISTANCE OF 1947.39 FEET ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8;

THENCE S42°25'39"E, A DISTANCE OF 43.77 FEET;

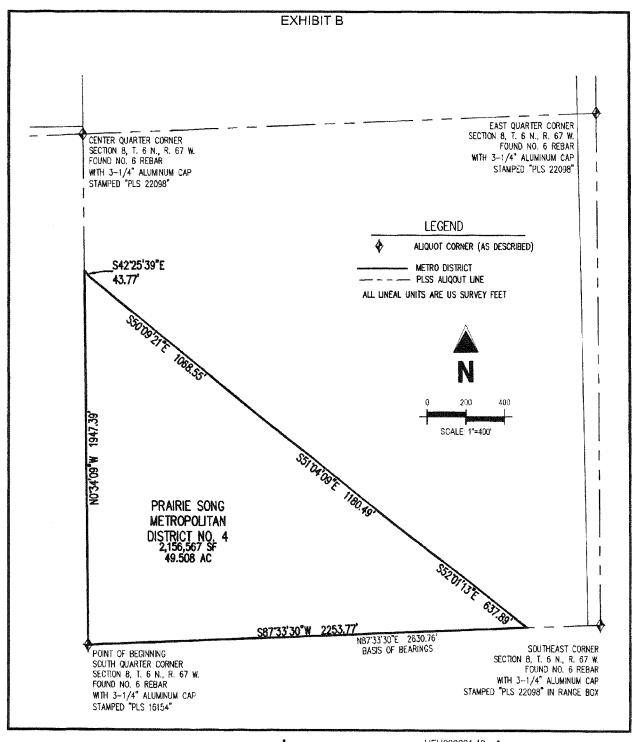
THENCE S50°09'21"E, A DISTANCE OF 1068.55 FEET;

THENCE S51°04'09"E, A DISTANCE OF 1180.49 FEET:

THENCE S52°01'13"E, A DISTANCE OF 637.89 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8;

THENCE S87°33'30"W, A DISTANCE OF 2253.77 FEET ON SAID SOUTH LINE TO THE POINT OF BEGINNING.

PARCEL CONTAINS 2,156,567 SQUARE FEET OR 49.508 ACRES, MORE OR LESS AND IS SUBJECT TO ALL RIGHT OF WAY, EASEMENTS AND RESTRICTIONS NOW IN USE OR OF RECORD.



PRAIRIE SONG METROPOLITAN DISTRICT NO. 4

Project No:	HFH000021.10
Drawn By;	ĀN
Checked By:	RCR
Date:	9/21/2021



5265 Ronald Reagan Blwf : Suite 210 Johnstown, CC 20014 970 360 3300 + Johnstow Jalingto

EXHIBIT "A" LEGAL DESCRIPTION PRAIRIE SONG METROPOLITAN DISTRICT NO. 5

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6^{TH} P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; AND BEING A PORTION OF LOT B, RECORDED EXEMPTION 0807-08-01 RE 4528, AS SHOWN ON THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, UNDER RECEPTION NO. 3438014. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 8, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER SAID SECTION 8 TO HAVE AN ASSUMED BEARING OF S87°33'30"W A DISTANCE OF 2630.76 FEET AND CONSIDERING ALL OTHER BEARINGS RELATIVE THERETO;

THENCE S87°33'30"W, A DISTANCE OF 64.80 FEET ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8 TO THE POINT OF BEGINNING;

THENCE \$87°33'30"W. A DISTANCE OF 312.20 FEET ON SAID SOUTH LINE:

THENCE N52°01'13"W, A DISTANCE OF 637.89 FEET;

THENCE N51°04'09"W, A DISTANCE OF 1180.49 FEET:

THENCE N50°09'21"W. A DISTANCE OF 1068.55 FEET:

THENCE N42°25'39"W, A DISTANCE OF 43.77 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8;

THENCE N00°34'09"W, A DISTANCE OF 255.86 FEET ON SAID WEST LINE;

THENCE N50°29'49"E, A DISTANCE OF 203.41 FEET;

THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 3541.00 FEET, A CENTRAL ANGLE OF 01°40'56", A DISTANCE OF 103.97 FEET. A CHORD BEARING OF N49°39'21"E WITH A CHORD DISTANCE OF 103.96 FEET:

THENCE N48°48'53"E, A DISTANCE OF 343.16 FEET;

THENCE N40°08'14"W, A DISTANCE OF 82.01 FEET TO A NON-TANGENT CURVE TO THE LEFT;

THENCE ON SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF N03°48'53"E WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE N48°48'53"E, A DISTANCE OF 59.00 FEET TO A NON-TANGENT CURVE TO THE LEFT;

THENCE ON SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF \$86°11'07"E WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE N48°48'53"E, A DISTANCE OF 122.82 FEET;

THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 659.00 FEET, A CENTRAL ANGLE OF 08°58'14", A DISTANCE OF 103.18 FEET, A CHORD BEARING OF N44°19'46"E WITH A CHORD DISTANCE OF 103.07 FEET;

THENCE N39°50'39"E, A DISTANCE OF 374.82 FEET;

THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET. A CHORD BEARING OF N05°09'21"W WITH A CHORD DISTANCE OF 28.28 FEET:

THENCE N47°49'39"E. A DISTANCE OF 82.80 FEET TO A NON-TANGENT CURVE TO THE LEFT:

THENCE ON SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF N84°50'39"E WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE \$50°09'21"E, A DISTANCE OF 59.00 FEET TO A NON-TANGENT CURVE TO THE LEFT;

THENCE ON SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF S05°09'21"E WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE S50°09'21"E, A DISTANCE OF 818.77 FEET;

THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF N84°50'39"E WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE S50°09'21"E, A DISTANCE OF 59.00 FEET TO A NON-TANGENT CURVE TO THE LEFT:

THENCE ON SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF S05°09'21"E WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE \$50°09'21"E, A DISTANCE OF 257.90 FEET;

THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 659.00 FEET, A CENTRAL ANGLE OF 40°45'00", A DISTANCE OF 468.69 FEET, A CHORD BEARING OF 570°31'51"E WITH A CHORD DISTANCE OF 458.88 FEET;

THENCE N88°54'53"E, A DISTANCE OF 152.87 FEET;

THENCE S01°05'16"E, A DISTANCE OF 2203.26 FEET:

THENCE S01°06'40"E, A DISTANCE OF 0.94 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING PARCEL:

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6^{TH} P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; AND BEING A PORTION OF LOT B, RECORDED EXEMPTION 0807-08-01 RE 4528, AS SHOWN ON THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, UNDER RECEPTION NO. 3438014. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 8, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER SAID SECTION 8 TO HAVE AN ASSUMED BEARING OF S87°33'30"W A DISTANCE OF 2630.76 FEET AND CONSIDERING ALL OTHER BEARINGS RELATIVE THERETO;

THENCE S87°33'30"W A DISTANCE OF 113.39 FEET ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8:

THENCE N02°26'30"W A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING;

THENCE S87°33'30"W, A DISTANCE OF 256.93 FEET;

THENCE N01°05'16"W, A DISTANCE OF 325.89 FEET;

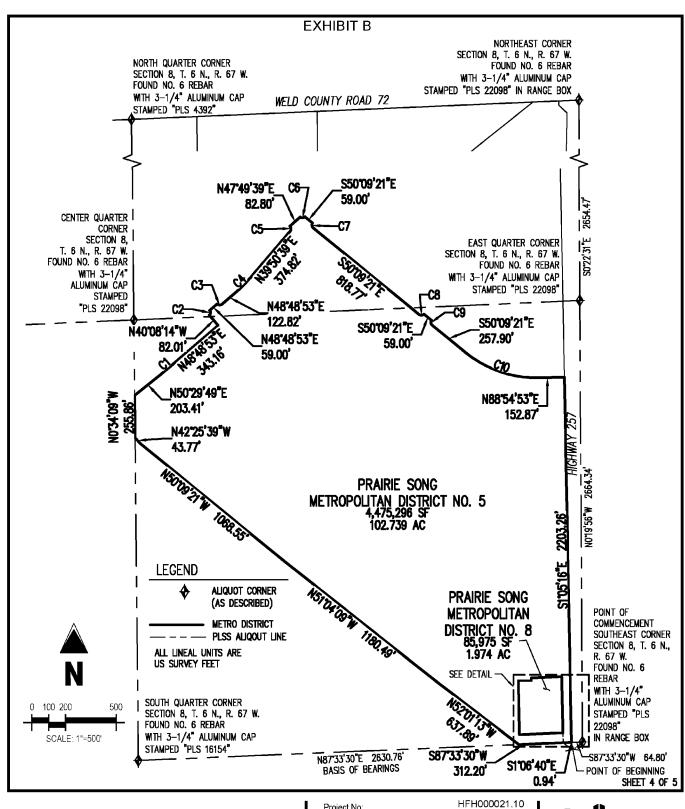
THENCE N90°00'00"E, A DISTANCE OF 76.59 FEET;

THENCE N00°00'00"E, A DISTANCE OF 16.56 FEET;

THENCE N87°33'30"E, A DISTANCE OF 180.02 FEET;

THENCE S01°05'16"E, A DISTANCE OF 339.17 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 85,975 SQUARE FEET OR 1.974 ACRES, MORE OR LESS AND IS SUBJECT TO ALL RIGHT OF WAY, EASEMENTS AND RESTRICTIONS NOW IN USE OR OF RECORD.



 Project No:
 HFH000021.10

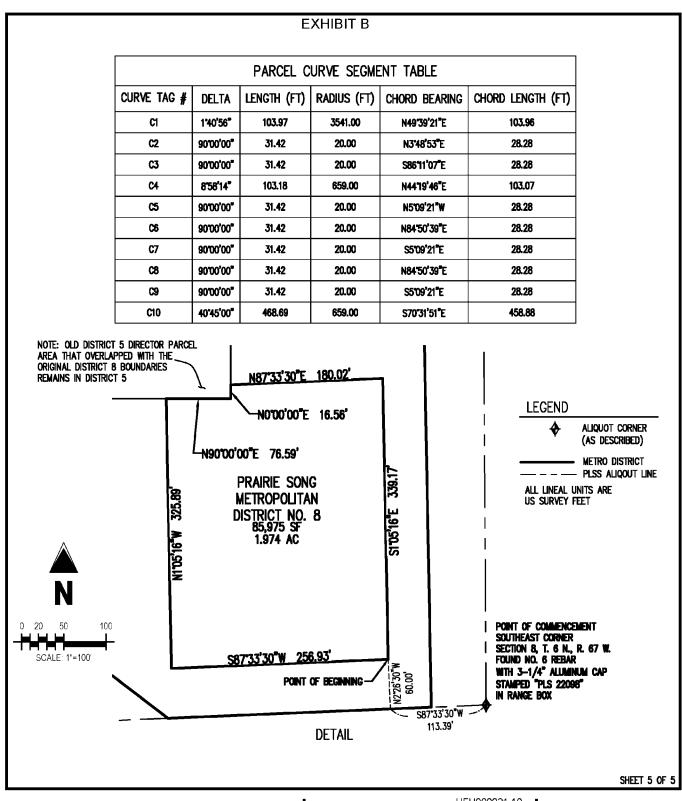
 Drawn By:
 AN

 Checked By:
 RCR

 Date:
 9/22/2021
 REV. 12-17-2021

Galloway

5265 Ronald Reagan Blvd., Suite 210 Johnstown, CO 80534 970.800.3300 • GallowayUS.com



Project No:	HFH000021.10
Drawn By:	AN
Checked By:	RCR
Date:	9/22/2021 REV. 12-17-2021



5265 Ronald Reagan Blvd., Suite 210 Johnstown, CO 80534 970.800.3300 • GallowayUS.com

EXHIBIT "A" LEGAL DESCRIPTION PRAIRIE SONG METROPOLITAN DISTRICT NO. 6

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6TH P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; AND BEING A PORTION OF LOT B, RECORDED EXEMPTION 0807-08-01 RE 4528, AS SHOWN ON THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, UNDER RECEPTION NO. 3438014. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 8, FROM WHENCE THE EAST QUARTER CORNER OF SECTION 8 BEARS S00°22'31"E A DISTANCE OF 2654.47 FEET ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8; AND CONSIDERING ALL OTHER BEARINGS RELATIVE THERETO:

THENCE S87°28'54"W, A DISTANCE OF 119.62 FEET ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8 TO THE POINT OF BEGINNING:

THENCE S00°01'54"W, A DISTANCE OF 25.00 FEET;

THENCE S45°57'10"E, A DISTANCE OF 69.00 FEET TO A NON-TANGENT CURVE TO THE LEFT:

THENCE ON SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 11410.00 FEET, A CENTRAL ANGLE OF 01°10'32", A DISTANCE OF 234.10 FEET, A CHORD BEARING OF S01°09'39"W WITH A CHORD DISTANCE OF 234.10 FEET;

THENCE S01°44'54"W, A DISTANCE OF 1072.29 FEET:

THENCE S01°07'12"E. A DISTANCE OF 1274.06 FEET:

THENCE S01°05'16"E, A DISTANCE OF 459.86 FEET;

THENCE S88°54'53"W, A DISTANCE OF 152.87 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

THENCE ON SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 659.00 FEET, A CENTRAL ANGLE OF 40°45'00", A DISTANCE OF 468.69 FEET, A CHORD BEARING OF N70°31'51"W WITH A CHORD DISTANCE OF 458.88 FEET;

THENCE N50°09'21"W, A DISTANCE OF 257.90 FEET;

THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF N05°09'21"W WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE N50°09'21"W, A DISTANCE OF 59.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

THENCE ON SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF S84°50'39"W WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE N50°09'21"W, A DISTANCE OF 818.77 FEET;

THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF N05°09'21"W WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE N50°09'21"W. A DISTANCE OF 59.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT:

THENCE ON SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF S84°50'39"W WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE S47°49'39"W, A DISTANCE OF 82.80 FEET;

THENCE N50°09'21"W, A DISTANCE OF 285.15 FEET;

THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 791.00 FEET, A CENTRAL ANGLE OF 07°43'14", A DISTANCE OF 106.59 FEET, A CHORD BEARING OF N46°17'44"W WITH A CHORD DISTANCE OF 106.51 FEET;

THENCE N42°26'07"W, A DISTANCE OF 427.63 FEET;

THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF N87°26'07"W WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE N42°26'07"W, A DISTANCE OF 82.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

THENCE ON SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 31.42 FEET, A CHORD BEARING OF N02°33'53"E WITH A CHORD DISTANCE OF 28.28 FEET;

THENCE N47°33'53"E, A DISTANCE OF 82.00 FEET;

THENCE N42°26'07"W, A DISTANCE OF 330.39 FEET;

THENCE ON A SAID CURVE TO THE LEFT, HAVING A RADIUS OF 741.00 FEET, A CENTRAL ANGLE OF 11°23'55", A DISTANCE OF 147.42 FEET, A CHORD BEARING OF N48°08'04"W WITH A CHORD DISTANCE OF 147.17 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8;

THENCE N00°34'09"W, A DISTANCE OF 774.96 FEET ON SAID WEST LINE;

THENCE N87°29'41"E, A DISTANCE OF 387.21 FEET;

THENCE N00°25'04"W, A DISTANCE OF 255.92 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8;

THENCE N87°28'54"E, A DISTANCE OF 712.77 FEET ON SAID NORTH LINE;

THENCE S00°26'17"E, A DISTANCE OF 480.06 FEET;

THENCE N87°19'54"E, A DISTANCE OF 49.67 FEET;

THENCE S00°28'14"E, A DISTANCE OF 450.86 FEET;

THENCE N87°25'31"E, A DISTANCE OF 447.92 FEET;

THENCE N12°11'46"E, A DISTANCE OF 75.35 FEET;

THENCE N25°25'12"E, A DISTANCE OF 210.66 FEET;

THENCE N34°53'52"E, A DISTANCE OF 258.67 FEET;

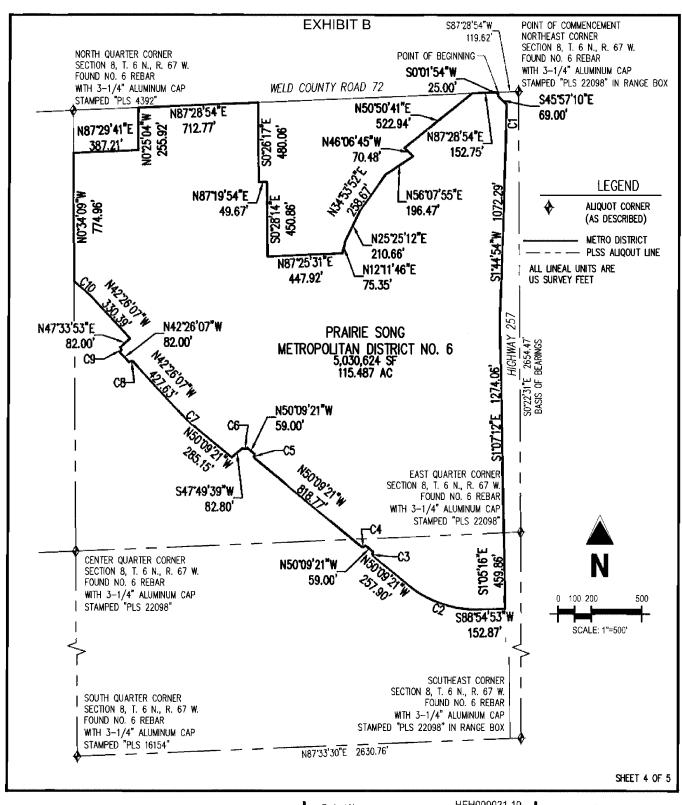
THENCE N56°07'55"E, A DISTANCE OF 196.47 FEET;

THENCE N46°06'45"W, A DISTANCE OF 70.48 FEET;

THENCE N50°50'41"E, A DISTANCE OF 522.94 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8;

THENCE N87°28'54"E, A DISTANCE OF 152.75 FEET ON SAID NORTH LINE TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5,030,624 SQUARE FEET OR 115.487 ACRES, MORE OR LESS AND IS SUBJECT TO ALL RIGHT OF WAY, EASEMENTS AND RESTRICTIONS NOW IN USE OR OF RECORD.



 Project No:
 HFH000021.10

 Drawn By:
 AN

 Checked By:
 RCR

 Date:
 9/21/2021

Galloway

5265 Ronald Reagan Blvd , Suite 210 Johnstown, CO 80534 970 800 3300 • Gertleweyld Singer

EXHIBIT B

PARCEL CURVE SEGMENT TABLE						
CURVE TAG #	DELTA	LENGTH (FT)	RADIUS (FT)	CHORD BEARING	CHORD LENGTH (FT)	
CI	110'32"	234.10	11410.00	S1 '09'39"W	234.10	
C2	40°45'00"	468.69	659.00	N70'31'51"W	458.88	
C3	90'00'00"	31.42	20.00	N5'09'21"W	28.28	
C4	90'00'00"	31.42	20.00	S84°50'39"W	28.28	
C5	90'00'00"	31.42	20.00	N5'09'21"W	28.28	
C6	90'00'00"	31.42	20.00	S84'50'39"W	28.28	
C7	7'43'14"	106.59	791.00	N4677'44"W	106.51	
C8	90'00'00"	31.42	20.00	N87°26'07"W	28.28	
C9	90'00'00"	31.42	20.00	N2'33'53 " E	28.28	
C10	11"23"55"	147.42	741.00	N48'08'04"W	147.17	

SHEET 5 OF 5

 Project No:
 HFH000021.10

 Drawn By:
 AN

 Checked By:
 RCR

 Date:
 9/21/2021



EXHIBIT A-7 LEGAL DESCRIPTION OF DISTRICT NO. 7

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6^{TH} P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH SIXTEENTH CORNER OF SECTION 8, FROM WHENCE THE WEST CORNER OF SECTION 8 BEARS N00°22'01"W A DISTANCE OF 1327.99 FEET ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8; AND CONSIDERING ALL OTHER BEARINS RELATIVE THERETO;

THENCE ON SAID LINE N00°22'01"W, A DISTANCE OF 259.13 FEET;

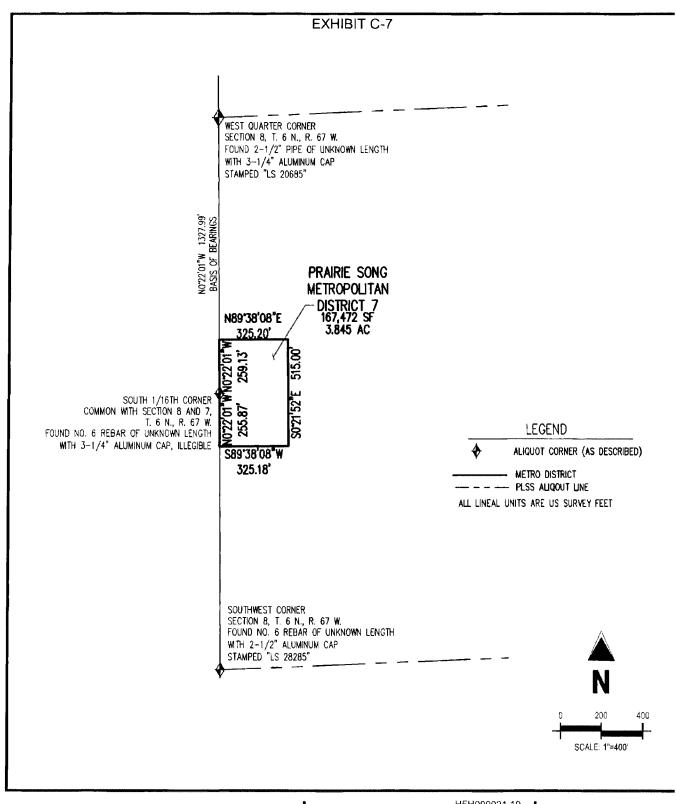
THENCE N89°38'08"E, A DISTANCE OF 325.20 FEET;

THENCE S00°21'52"E, A DISTANCE OF 515.00 FEET:

THENCE S89°38'08"W, A DISTANCE OF 325.18 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8;

THENCE NO0°22'01"W, A DISTANCE OF 255.87 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 167,472 SQUARE FEET OR 3.845 ACRES, MORE OR LESS AND IS SUBJECT TO ALL RIGHT OF WAY, EASEMENTS AND RESTRICTIONS NOW IN USE OR OF RECORD.



Project No:

Drawn By:

Checked By:

HFH000021.10

ÁΝ

RCR maining 4

Galloway

nžité Ronald Reagant Brat. Siste 210 Johnstown Cor60534

LEGAL DESCRIPTION OF DISTRICT NO. 8

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6^{TH} P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; AND BEING A PORTION OF LOT B, RECORDED EXEMPTION 0807-08-01 RE 4528, AS SHOWN ON THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, UNDER RECEPTION NO. 3438014. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 8, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER SAID SECTION 8 TO HAVE AN ASSUMED BEARING OF \$87°33'30"W A DISTANCE OF 2630.76 FEET AND CONSIDERING ALL OTHER BEARINGS RELATIVE THERETO:

THENCE S87°33'30"W A DISTANCE OF 113.39 FEET ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8:

THENCE NO2°26'30"WA DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING;

THENCE S87°33'30"W, A DISTANCE OF 256.93 FEET;

THENCE N01°05'16"W, A DISTANCE OF 325.89 FEET;

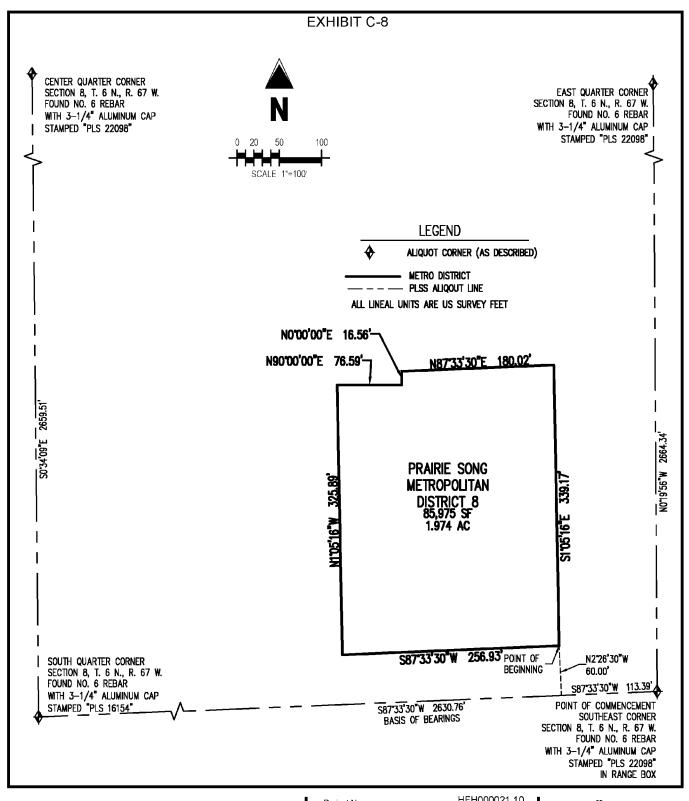
THENCE N90°00'00"E, A DISTANCE OF 76.59 FEET;

THENCE N00°00'00"E, A DISTANCE OF 16.56 FEET;

THENCE N87°33'30"E, A DISTANCE OF 180.02 FEET;

THENCE S01°05'16"E, A DISTANCE OF 339.17 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 89,975 SQUARE FEET OR 1.974 ACRES, MORE OR LESS AND IS SUBJECT TO ALL RIGHT OF WAY, EASEMENTS AND RESTRICTIONS NOW IN USE OR OF RECORD.



 Project No:
 HFH000021.10

 Drawn By:
 AN

 Checked By:
 RCR

 Date:
 8/5/2021 REV. 12-17-2021



5265 Ronald Reagan Blvd., Suite 210 Johnstown, CO 80534 970.800.3300 • GallowayUS.com

EXHIBIT A-9 LEGAL DESCRIPTION OF DISTRICT NO. 9

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 67 WEST OF THE 6^{TH} P.M., TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO; AND BEING A PORTION OF LOT B, RECORDED EXEMPTION 0807-08-01 RE 4528, AS SHOWN ON THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER, UNDER RECEPTION NO. 3438014. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 8, FROM WHENCE THE SOUTH QUARTER CORNER OF SECTION 8 BEARS S87°33'30"W A DISTANCE OF 2630.76 FEET ON THE SOUTH LINE OF THE SOUTHEAST QUARTER SAID SECTION 8, AND CONSIDERING ALL OTHER BEARINS RELATIVE THERETO;

THENCE S87°33'30"W A DISTANCE OF 370.32 FEET ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8:

THENCE N02°26'30"W A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING:

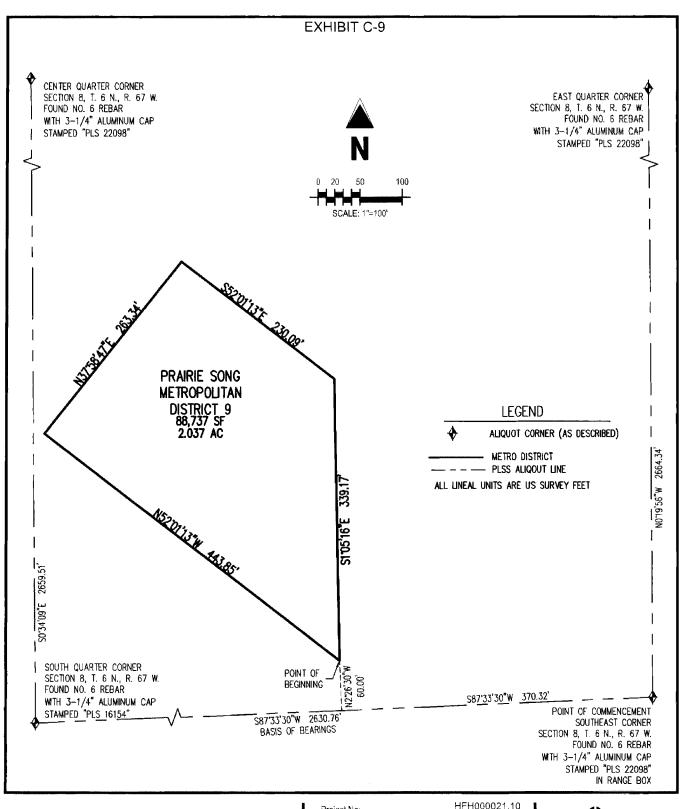
THENCE N52°01'13"W, A DISTANCE OF 443.85 FEET;

THENCE N37°58'47"E, A DISTANCE OF 263.34 FEET;

THENCE S52°01'13"E, A DISTANCE OF 230.09 FEET;

THENCE S01°05'16"E, A DISTANCE OF 339.17 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 88,73 7SQUARE FEET OR 2.037 ACRES, MORE OR LESS AND IS SUBJECT TO ALL RIGHT OF WAY, EASEMENTS AND RESTRICTIONS NOW IN USE OR OF RECORD.



 Project No:
 HFH000021.10

 Drawn By:
 AN

 Checked By:
 RCR

 Date:
 8/5/2021

Galloway

5265 Ronald Reagan Blvd , Suile 210 Johnstown, CO 60534 970 890 3300 • Golover Albertain