

## RECORD OF PROCEEDINGS

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**MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
COLORADO INTERNATIONAL CENTER  
METROPOLITAN DISTRICT NO. 13  
HELD  
FEBRUARY 27, 2018**

A Special Meeting of the Board of Directors (referred to hereafter as the "Board") of the Colorado International Center Metropolitan District No. 13 (referred to hereafter as the "District") was convened on Tuesday, the 27<sup>th</sup> day of February, 2018, at 2:00 P.M., at the offices of Westside Investment Partners, Inc., 4100 East Mississippi Avenue, Suite 500, Glendale, Colorado.

### ATTENDANCE

#### Directors In Attendance Were:

Andrew Klein  
Kevin Smith  
Otis Moore, III  
Theodore Laudick

#### Also In Attendance Were:

Ann E. Finn and Ashley B. Frisbie; Special District Management Services, Inc.

Megan Becher, Esq. and Allison Conti, Esq.; McGeady Becher P.C.

Debra Sedgeley; CliftonLarsonAllen, LLP

### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Disclosure of Potential Conflicts of Interest:** The Board noted it was in receipt of disclosures of potential conflicts of interest statements for each of the Directors and that the statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting. Ms. Frisbie requested that the Directors review the Agenda for the meeting and advised the Board of any new conflicts of interest which had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

### ADMINISTRATIVE MATTERS

**Agenda:** Ms. Frisbie distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Laudick, seconded by Director Smith and, upon vote, unanimously carried, the Agenda was approved, as amended.

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**Minutes:** The Board reviewed the Minutes of the June 29, 2017 Regular Meeting, the July 21, 2017 Special Meeting, the December 4, 2017 Special Meeting, and the December 21, 2017 Special Meeting.

Following discussion, upon motion duly made by Director Moore, seconded by Director Laudick and, upon vote, unanimously carried, the Board approved the Minutes of the June 29, 2017 Regular Meeting, the July 21, 2017 Special Meeting, the December 4, 2017 Special Meeting, and the December 21, 2017 Special Meeting.

**Remaining Board Vacancy:** The Board entered into discussion regarding the remaining Board vacancy. It was noted that there are no interested qualified eligible electors at this time.

**Insurance Coverage:** The Board reviewed the Resolution, Intergovernmental Agreement, and Representative Appointment Form with the Colorado Special Districts Property and Liability Pool and the Agency Services Agreement with T. Charles Wilson.

Following discussion, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board approved the Resolution, Intergovernmental Agreement, and Representative Appointment Form with the Colorado Special Districts Property and Liability Pool and the Agency Services Agreement with T. Charles Wilson.

**PUBLIC  
COMMENT**

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There was no public comment.

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**FINANCIAL  
MATTERS**

**Application for Exemption from 2017 Audit:** Ms. Sedgeley reviewed with the Board the Application for Exemption from 2017 Audit.

Following discussion, upon motion duly made by Director Moore, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the Application for Exemption from 2017 Audit.

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**LEGAL MATTERS**

**Rescind adoption of Resolution No. 2017-12-13; Resolution for Inclusion of Real Property owned by ACM HIGH POINT VI LLC (50 acres):** The Board discussed Resolution No. 2017-12-13; Resolution for Inclusion of Real Property owned by ACM HIGH POINT VI LLC (50 acres).

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Following discussion, upon motion duly made by Director Moore, seconded by Director Smith and, upon vote, unanimously carried, the Board rescinded adoption of Resolution No. 2017-12-13; Resolution for Inclusion of Real Property owned by ACM HIGH POINT VI LLC (50 acres).

**Public Hearing on the Inclusion of approximately 55.927 acres of property owned by ACM HIGH POINT VI LLC (the “Property”):** President Klein opened the public hearing.

It was noted that publication of Notice stating that the Board would consider the inclusion of the Property and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, upon motion duly made by Director Moore, seconded by Director Smith and, upon vote, unanimously carried, the Board approved the inclusion of the Property into the District boundaries and adopted Resolution No. 2018-02-02; Resolution for Inclusion of Real Property. A copy of the Resolution is attached hereto and incorporated herein by this reference.

**District Boundary Map:** The Board entered into discussion regarding an updated District boundary map.

Following discussion, upon motion duly made by Director Smith, seconded by Director Laudick and, upon vote, unanimously carried, the Board authorized the District Engineer to update the District boundary map.

**Cost Sharing Agreement between the District and Aurora High Point at DIA Metropolitan District and Colorado International Center Metropolitan District Nos. 3 & 4:** The Board determined to defer this matter.

**Status of Drainage Easement:** The Board discussed the status of the Drainage Easement. No action was taken by the Board.

**Amended and Restated Joint Resolution of the Board of Directors of the Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Concerning the Imposition of Facilities Fees:** The Board discussed Resolution No. 2018-02-03; Amended and Restated Joint Resolution of the Board of Directors of the Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Concerning the Imposition of Facilities Fees.

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Following discussion, upon motion duly made by Director Laudick, seconded by Director Klein and, upon vote, unanimously carried, the Board adopted Resolution No. 2018-02-03; Amended and Restated Joint Resolution of the Board of Directors of the Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Concerning the Imposition of Facilities Fees, subject to being recorded concurrently with the boundary changes. A copy of the Resolution is attached hereto and incorporated herein by this reference.

**Amended and Restated Joint Resolution of the Board of Directors of the Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Concerning the Imposition of Regional Development Fees:** The Board discussed Resolution No. 2018-02-05; Amended and Restated Joint Resolution of the Board of Directors of the Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Concerning the Imposition of Regional Development Fees.

Following discussion, upon motion duly made by Director Laudick, seconded by Director Klein and, upon vote, unanimously carried, the Board adopted Resolution No. 2018-02-05; Amended and Restated Joint Resolution of the Board of Directors of the Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Concerning the Imposition of Regional Development Fees, subject to being recorded concurrently with the boundary changes. A copy of the Resolution is attached hereto and incorporated herein by this reference.

**First Amendment to Joint Resolution of the Board of Directors of the Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Concerning the Imposition of Maintenance Fees:** The Board discussed Resolution No. 2018-02-07; First Amendment to Joint Resolution of the Board of Directors of the Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Concerning the Imposition of Maintenance Fees.

Following discussion, upon motion duly made by Director Laudick, seconded by Director Klein and, upon vote, unanimously carried, the Board adopted Resolution No. 2018-02-07; First Amendment to Joint Resolution of the Board of Directors of the Denver High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 13 Concerning the Imposition of Maintenance Fees, subject to being recorded concurrently with the Court Orders authorizing boundary changes. A copy of the Resolution is attached hereto and incorporated herein by this reference.

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## RECORD OF PROCEEDINGS

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**CONSTRUCTION MATTERS**

**Status of Construction Projects:** Director Laudick updated the Board on the current construction projects.

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**OTHER BUSINESS**


**Special Meeting:** It was noted that the District will need to hold a special meeting to approve items related to the Limited Tax General Obligation Refunding and Improvement Bonds, Series 2018, for Colorado International Center Metropolitan District No. 14.

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**ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By  \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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THESE MINUTES ARE APPROVED AS THE OFFICIAL FEBRUARY 27, 2018  
MINUTES OF THE COLORADO INTERNATIONAL CENTER METROPOLITAN  
DISTRICT NO. 13 BY THE BOARD OF DIRECTORS SIGNING BELOW:

\_\_\_\_\_  
Andrew Klein



\_\_\_\_\_  
Kevin Smith



\_\_\_\_\_  
Otis Moore, III.



\_\_\_\_\_  
Theodore Laudick

**RESOLUTION NO. 2018-02- 02**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13 FOR  
INCLUSION OF REAL PROPERTY**

A. **ACM HIGH POINT VI LLC**, a Delaware limited liability company, the 100% fee owner of the Property (hereinafter defined) has petitioned the **Colorado International Center Metropolitan District No. 13** (the “**District**”) for the inclusion into the District’s boundaries of the real property hereinafter described (“**Property**”).

B. Public Notice has been published in accordance with law, calling for a public hearing on the request for approval of said Petition.

C. The statutory requirements of Section 32-1-401(1)(a), C.R.S., for submission of a petition for inclusion to the Board of Directors of the District (“**Board**”), including a legal description of the Property, a statement that assent to the inclusion of the Property was obtained by the 100% fee owner thereof and acknowledgment in the same manner as required for conveyances of land, were presented to and have been satisfied and approved by the Board.

D. The District may consider the enlargement or extension of its facilities in the exercise of discretion as a governmental function in the interest of public health, safety and welfare.

E. The District is capable of serving the Property with facilities of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13, CITY AND COUNTY OF DENVER, COLORADO:

1. That the Board of Directors of the District shall and hereby does order the inclusion of the Property described herein within the boundaries of the District.

2. The name and address of the Petitioner and the legal description of the Property are as follows:

Petitioner:	ACM HIGH POINT VI LLC
Address of Petitioner:	4100 E. Mississippi Ave., Suite 500 Glendale, CO 80246
Legal Description:	Approximately 55.927 acres of land legally described on <u>Exhibit A</u> attached hereto and incorporated herein.

3. That approval of this inclusion is further subject to the following:

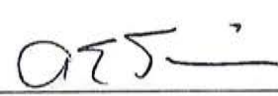
(a) On and after the effective date of this inclusion (which shall be the date of recording of the Court Order approving the inclusion by the Clerk and Recorder of the City and County of Denver, Colorado, unless otherwise specified in the Court Order), the Property shall be subject to the rules and regulations of the District, and the payment of any and all taxes, fees, rates and charges of the District.

RESOLUTION APPROVED AND ADOPTED on February 27, 2018.

**COLORADO INTERNATIONAL CENTER  
METROPOLITAN DISTRICT NO. 13**

By:  \_\_\_\_\_  
President

Attest:

  
\_\_\_\_\_  
Secretary



**EXHIBIT A**

Legal Description

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, 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 SOUTH QUARTER CORNER OF SAID SECTION 3; THENCE ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3, N89°39'14"E A DISTANCE OF 72.02 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 64<sup>TH</sup> AVENUE AND THE POINT OF BEGINNING;  
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES; (1)  
S89°25'17"W A DISTANCE OF 1272.01 FEET TO A POINT OF CURVATURE;  
2) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BISCAY STREET;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES;  
1) N00°49'41"E A DISTANCE OF 493.15 FEET TO A POINT OF CURVATURE;  
2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;  
3) THENCE N02°01'57"E A DISTANCE OF 70.07 FEET;  
4) THENCE 47.86 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'32.4, A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET;  
5) THENCE N00°49'41"E A DISTANCE OF 217.51 FEET TO A POINT OF CURVATURE;  
6) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N22°01'25"W A DISTANCE OF 155.34 FEET;  
7) THENCE N44°52'31"W A DISTANCE OF 289.09 FEET TO A POINT OF CURVATURE;  
8) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N67°43'37"W A DISTANCE OF 155.34 FEET;  
9) THENCE S89°25'17"W A DISTANCE OF 211.50 FEET TO A POINT OF CURVATURE;  
10) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE;  
1) N00°49'41"E A DISTANCE OF 514.15' FEET TO A POINT OF CURVATURE;  
2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;  
THENCE N89°25'17"E A DISTANCE OF 102.02 FEET TO A POINT OF CURVATURE;  
THENCE 508.97 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 36°38'07", A RADIUS OF 796.00 FEET AND A CHORD THAT BEARS N71°06'13"E A DISTANCE OF 500.34 FEET TO A POINT OF REVERSE CURVATURE;  
THENCE 43.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 82°20'19", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS S86°02'41"E A DISTANCE OF 39.50 FEET;  
THENCE S44°52'31"E A DISTANCE OF 1089.90 FEET TO A POINT OF CURVATURE;

THENCE 367.74 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'19", A RADIUS OF 461.00 FEET AND A CHORD THAT BEARS S67°43'41"E A DISTANCE OF 358.07 FEET;  
THENCE N89°25'10"E A DISTANCE OF 198.06 FEET TO A POINT ON THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3;  
THENCE ALONG SAID EASTERLY LINE S00°39'14"W A DISTANCE OF 1092.26 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2,296,434 SQUARE FEET (52.719 ACRES) MORE OR LESS.

ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR N89°32'04"E AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #27278 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP PLS #36580 AT THE CENTER QUARTER CORNER.

PREPARED BY DENNIS PETER  
REVIEWED BY RICHARD A. NOBBE, PLS  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
JANUARY 25, 2018





A PARCEL OF LAND BEING A PORTION OF LOT 2, AND TRACT A, BLOCK 5, HIGH POINT SUBDIVISION FILING NO. 1, RECORDED AT RECEPTION NO. 2008085984, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBES AS FOLLOWS:

COMMENCING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF SAID TRACT A, SAID POINT BEING THE POINT OF BEGINNING;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD, N00°49'41"E A DISTANCE OF 197.06 FEET;  
THENCE N45°00'00"E A DISTANCE OF 66.00 FEET;  
THENCE N90°00'00"E A DISTANCE OF 260.00 FEET;  
THENCE S45°00'00"E A DISTANCE OF 67.00 FEET;  
THENCE N90°00'00"E A DISTANCE OF 94.00 FEET;  
THENCE N45°00'00"E A DISTANCE OF 30.00 FEET;  
THENCE N90°00'00"E A DISTANCE OF 82.10 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;  
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET, S00°49'41"W A DISTANCE OF 213.47 FEET TO A POINT OF CURVATURE;  
THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RAIDUS OF 30.00 FEET, A CENTRAL ANGLE OF 88°35'36" AND A CHORD THAT BEARS S45°07'29"W A DISTANCE OF 41.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 66<sup>TH</sup> AVENUE;  
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 66<sup>TH</sup> AVENUE, S89°25'17"W A DISTANCE OF 491.15 FEET TO A POINT OF CURVATURE;  
THENCE 42.94 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RAIDUS OF 30.00 FEET, A CENTRAL ANGLE OF 91°24'24" AND A CHORD THAT BEARS N44°52'31" A DISTANCE OF 42.94 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 139,733 SQUARE FEET OR 3.208 ACRES, MORE OR LESS.

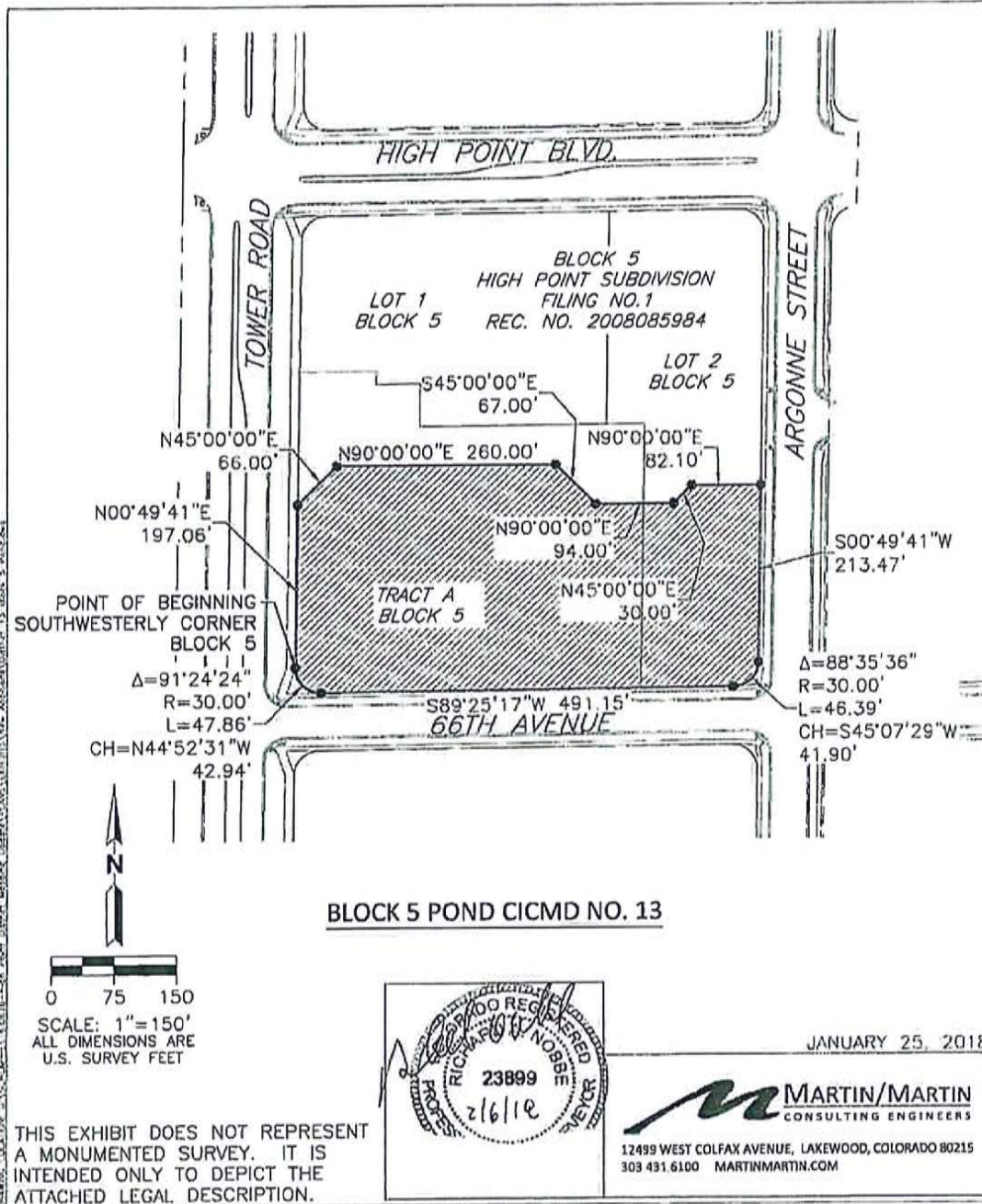
ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR N89°32'04"E AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #27278 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP PLS #36580 AT THE CENTER QUARTER CORNER.

PREPARED BY DENNIS PETER  
REVIEWED BY RICHARD A. NOBBE, PLS  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
JANUARY 25, 2018





**CERTIFICATION**

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2018-02-02, Resolution of the Board of Directors of Colorado International Center Metropolitan District No. 13, Resolution for Inclusion of Real Property.

**COLORADO INTERNATIONAL CENTER  
METROPOLITAN DISTRICT NO. 13**

Date: 2/27/2018

By:   
Secretary



04/04/2018 02:08 PM  
City & County of Denver  
Electronically Recorded

R \$78.00

RES

D \$0.00

**RESOLUTION NO. 2018-02- 03**

**AMENDED AND RESTATED JOINT RESOLUTION OF THE BOARD OF DIRECTORS OF THE DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT AND COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13 CONCERNING THE IMPOSITION OF FACILITIES FEE**

WHEREAS, Denver High Point at DIA Metropolitan District (“**Denver High Point**”) and the Colorado International Center Metropolitan District No. 13 (“**CIC No. 13**”) (each a “**District**” and, collectively, the “**Districts**”) are quasi-municipal corporations and political subdivisions of the State of Colorado located in the City and County of Denver, Colorado; and

WHEREAS, the Districts operate under Service Plans approved by the City and County of Denver on March 13, 2006, as amended from time to time; and

WHEREAS, pursuant to their respective Service Plans and that certain Facilities Funding, Construction and Operations Agreement between Denver High Point, Colorado International Center Metropolitan District No. 14 (“**CIC No. 14**”) and CIC NO. 13 dated June 28, 2007, as amended by that certain First Amendment to Facilities Funding, Construction and Operation Agreement on October 29, 2009, with an effective date of September 2, 2008 (collectively “**FFCO**”), Denver High Point is responsible for providing for the design, acquisition, construction, installation, and financing of certain water, sanitation (including storm and sanitary sewer), street, safety protection, park and recreation, transportation, and mosquito control facilities and services (the “**Facilities**”) for its benefit and for the benefit of CIC No. 13 and CIC No. 14; and

WHEREAS, each District is authorized pursuant to Section 32-1-1001(1)(J)(I), C.R.S. to fix fees and charges for services or facilities provided by the District; and

WHEREAS, pursuant to the FFCO, CIC No. 13 is authorized, upon the receipt of a written request from Denver High Point, to independently impose fees for the right of residents and property owners to connect to or gain access to Facilities within the District’s boundaries; and

WHEREAS, pursuant to Section 32-1-1001(1)(J)(I), C.R.S., the Districts approved and adopted the Joint Resolution of the Board of Directors of the Denver High Point and CIC No. 13 Concerning the Imposition of Facilities Fees, dated October 28, 2015, and recorded on December 23, 2015, in the real property records of the City and County of Denver, at reception no. 2015177217, (the “**Joint Fee Resolution**”), establishing and imposing a Facilities Fee against property within the District Boundaries; and

WHEREAS, the Joint Fee Resolution contemplated that the legal description of the District Boundaries may be amended from time to time, pursuant to the inclusion and/or exclusion of property into or from the Districts; and

WHEREAS, pursuant to the Service Plans, FFCO, and that certain City Intergovernmental Agreement between the Districts and the City and County of Denver, dated



September 2, 2008, amended by that certain First Amendment to the City Intergovernmental Agreement dated March 17, 2014, (collectively the “**City IGA**”), CIC No. 14 is authorized and plans to issue bonds for the financing of the Facilities (the “**CIC14 Bonds**”); and

WHEREAS, in accordance with the FFCO and a Capital Pledge Agreement anticipated to be entered into among CIC No. 13, CIC No. 14 and UMB Bank, N.A., CIC No. 13 is authorized to utilize the revenue from the Facilities Fees to pledge for the repayment of principal and interest on the CIC14 Bonds; and

WHEREAS, in connection with issuance of the CIC14 Bonds, there have been certain inclusions and exclusions of certain property into and from the Districts, and as a result the legal description of the District Boundaries has changed; and

WHEREAS, the Districts desire to amend and fully restate the Joint Fee Resolution in order to provide a new legal description of the District Boundaries;

WHEREAS, the Facilities Fee set forth herein is hereby approved and adopted this February 27, 2018, and will become effective upon recordation in the real property records of the City and County of Denver, Colorado; and

WHEREAS, this Resolution shall be recorded on the District Boundaries to put the property owners on notice of the imposition of the Facilities Fee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT AND COLORADO INTERNATIONAL CENTER NO. 13, AS FOLLOWS:

1. **DEFINITIONS.** Except as otherwise expressly provided or where the context indicates otherwise, the following capitalized terms shall have the respective meanings as set forth below:

“**Apartment Unit**” means a unit within an apartment building which unit is held for lease or rent for residential occupancy and for which a final certificate of occupancy has been issued.

“**Commercial Lot**” means each Lot, regardless of the number of Commercial Units thereon, within the District Boundaries that is used and/or zoned for general commercial, industrial, office, retail or other non-residential uses.

“**Commercial Unit**” means each office space, unit, building or other structure within the District Boundaries that is used and/or zoned for general commercial, industrial, office, retail or other non-residential uses.

“**District Boundaries**” means the legal boundaries of Denver High Point and CIC No. 13, as the same are established and amended from time to time pursuant to §32-1-101, et seq., C.R.S., as more particularly set forth in the map and legal description attached hereto as **Exhibit B** and incorporated herein by reference.

“**Due Date**” means the date by which the Facilities Fee is due, which Due Date is reflected on the Schedule of Fees.

“**End User**” means any third-party homeowner or tenant of any homeowner occupying or intending to occupy a Residential Unit and any third party owner or tenant occupying or intending to occupy a Commercial Unit. End User specifically excludes a tenant occupying an Apartment Unit.

“**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.

“**Lot**” means each parcel of land established by a recorded final subdivision plat and which is located within the District Boundaries.

“**Residential Unit**” means each residential dwelling including single-family units and multi-family units (including, without limitation, condominiums, townhomes, and any other attached dwelling unit and detached single family dwelling units) located within the District Boundaries which has been Transferred to an End User.

“**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 a tenant, tenants, purchaser or purchasers.

“**Vacant Lot**” means each parcel of land within the Districts established by a recorded and final subdivision plat, but specifically excluding any parcel upon which one or more Residential Units, Commercial Units or Apartment Units is situated and specifically excluding any parcel owned by the Districts.

## 2. FACILITIES FEE.

(a) A one-time Facilities Fee is hereby established and imposed upon each Residential Unit, including single-family units and multi-family units, and each Commercial Unit within the District Boundaries. The Fees are in accordance with the Fee Schedule attached hereto as Exhibit A. The Districts reserve the right to amend this Resolution in the future to increase or decrease the Fee rates.

(b) The Facilities Fee shall be first due and owing upon issuance of a building permit for any Residential Unit, including single-family units and multi-family units, or Commercial Unit on a Lot. The amount of each Facilities Fee due hereunder shall be at the rate in effect at the time of payment.

(c) The Boards have determined, and do hereby determine, that the Facilities Fees is reasonably related to the overall cost of providing the Facilities, and is imposed on those who are reasonably likely to benefit from or use the Facilities.

(d) The revenues generated by the Facilities Fee will be accounted for separately from other revenues of the Districts. The Facilities Fee revenue will be used solely for the purpose of paying expenses associated with the provision and financing of the Facilities, and may not be used by the Districts to pay for general administrative costs of the Districts. This restriction on the use of the Facilities Fee revenue shall be absolute and without qualification.

(e) The Boards have determined, and do hereby determine, that the Facilities Fee is calculated to defray the cost of funding construction of the Facilities and reasonably distributes the burden of defraying the expenses associated with the provision and financing of the Facilities in a manner based on the benefits received by persons paying the fees and using the Facilities.

3. **LATE FEES AND INTEREST.** Pursuant to §29-1-1102(3), C.R.S., any Facilities Fee not paid in full within fifteen (15) days after the scheduled due date will be assessed a late fee in the amount of Fifteen Dollars (\$15.00) or up to five percent (5%) per month, or fraction thereof, not to exceed a total of twenty-five percent (25%) of the amount due. Interest will also accrue on any outstanding Facilities Fee, exclusive of assessed late fees, penalties, interest and any other costs of collection, specially including, but not limited, to attorney fees, at the rate of eighteen percent (18%) per annum, pursuant to §29-1-1102(7), C.R.S. The Districts may institute such remedies and collection procedures as authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting property owner shall pay all fees and costs, specifically including, but not limited to, attorneys' fees and costs and costs associated with the collection of delinquent fees, incurred by the Districts and/or their consultants in connection with the foregoing.

4. **PAYMENT.** Payment for all fees, rates, tolls, penalties, charges, interest and attorney fees shall be made by check or equivalent form acceptable to the Districts, made payable to "Colorado International Center Metropolitan District No. 13" and sent to the address indicated on the Fee Schedule. The Districts may change the payment address from time to time and such change shall not require an amendment to this Resolution.

5. **LIEN.** The 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 §32-1001(1)(j)(I), C.R.S. Said lien may be foreclosed at such time as the Districts, 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 Denver County, Colorado.

6. **SEVERABILITY.** 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. **PROPERTY.** 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. **EFFECTIVE DATE.** This Resolution was adopted by the Board of Directors of the Districts on February 27, 2018, to be effective upon recordation in the real property records of the City and County of Denver.

APPROVED AND ADOPTED THIS 27<sup>th</sup> day of February, 2018.


**DENVER HIGH POINT AT DIA  
METROPOLITAN DISTRICT**, a quasi-  
municipal corporation and political subdivision  
of the State of Colorado

By:   
Andrew R. Klein, President

Attest:

By:   
Secretary or Assistant Secretary

**COLORADO INTERNATIONAL CENTER  
METROPOLITAN DISTRICT NO. 13**, a  
quasi-municipal corporation and political  
subdivision of the State of Colorado

By:   
Andrew R. Klein, President

Attest:

By:   
Secretary or Assistant Secretary

**EXHIBIT A**

**DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT  
AND  
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13**

**Schedule of Facilities Fees**

<b>Schedule of Fees</b>		
<b>Fee Type</b>	<b>Classifications</b>	<b>Rate</b>
<b>Facilities Fee</b>	Multi-Family Residential Unit	\$1,250 / Multi-Family Residential Unit
	Single-Family Residential Unit	\$2,500 / Single-Family Residential Unit
	Commercial	\$0.25 / square foot

**PAYMENTS:** Payment for each fee shall be made payable to the Colorado International Center Metropolitan District No. 13 and sent to the following address for receipt by the Due Date:

Colorado International Center Metropolitan District No. 13  
c/o CliftonLarsonAllen  
8390 E. Crescent Parkway, Suite 500  
Greenwood Village, CO 80111

**EXHIBIT B**

**DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT  
AND  
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13**

**District Boundaries**

DENVER HIGH POINT AT DIA  
METROPOLITAN DISTRICT  
LGID NO.65666  
LAND DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, 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:

PARCEL NO.1

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3;  
THENCE S00°49'25"W A DISTANCE OF 704.49 FEET ALONG THE WESTERLY LINE OF SAID NORTHWEST QUARTER TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE EXTENDED OF 71<sup>ST</sup> AVENUE;  
THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE EXTENDED, N89°57'08"E A DISTANCE OF 701.20 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET AND THE POINT OF BEGINNING;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N00°46'58"E A DISTANCE OF 11.00 FEET;  
THENCE S89°54'36"E A DISTANCE OF 191.58 FEET;  
THENCE S00°49'56"W A DISTANCE OF 152.03 FEET;  
THENCE S09°09'07"E A DISTANCE OF 150.28 FEET;  
THENCE S24°18'56"E A DISTANCE OF 48.82 FEET;  
THENCE S15°14'54"E A DISTANCE OF 197.61 FEET;  
THENCE S03°27'43"E A DISTANCE OF 59.02 FEET;  
THENCE S10°07'32"E A DISTANCE OF 91.62 FEET;  
THENCE S28°55'59"W A DISTANCE OF 35.32 FEET;  
THENCE S00°19'00"E A DISTANCE OF 22.84 FEET;  
THENCE S77°40'30"W A DISTANCE OF 62.07 FEET;  
THENCE N35°58'53"W A DISTANCE OF 27.53 FEET;  
THENCE N10°07'06"W A DISTANCE OF 34.38 FEET TO A POINT OF CURVATURE;  
THENCE 7.28 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10°25'17", A RADIUS OF 40.00 FEET AND A CHORD THAT BEARS N15°19'45"W A DISTANCE OF 7.27 FEET;  
THENCE S52°42'05"W A DISTANCE OF 10.61 FEET;  
THENCE 11.84 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 22°36'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N25°59'37"W A DISTANCE OF 11.76 FEET;  
THENCE N37°17'55"W A DISTANCE OF 28.47 FEET;  
THENCE N08°32'02"W A DISTANCE OF 20.78 FEET;  
THENCE 56.25 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 59°08'05", A RADIUS OF 57.00 FEET AND A CHORD THAT BEARS N66°51'57"W A DISTANCE OF 56.25 FEET TO A POINT OF REVERSE CURVATURE;  
THENCE 151.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 70°13'22", A RADIUS OF 124.00 FEET AND A CHORD THAT BEARS N61°19'19"W A DISTANCE OF 142.64 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N00°46'58"E A DISTANCE OF 539.96 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 3.590 ACRES (156,392 SQUARE FEET), MORE OR LESS.



BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR N89°32'04"E AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #27278 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP PLS #36580 AT THE CENTER QUARTER CORNER.

PREPARED BY DENNIS PETER  
REVIEWED BY RICHARD A. NOBBE, PLS  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
MARCH 23, 2018  
REVISED APRIL 4, 2018



COLORADO INTERNATIONAL CENTER  
METROPOLITAN DISTRICT NO.13  
LGID NO. 65664  
LAND DESCRIPTION

TWO (2) PARCELS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, 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:

PARCEL NO.1

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 3; THENCE ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3, N89°39'14"E A DISTANCE OF 72.02 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 64<sup>TH</sup> AVENUE AND THE POINT OF BEGINNING;  
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES; (1)  
S89°25'17"W A DISTANCE OF 1272.01 FEET TO A POINT OF CURVATURE;  
2) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BISCAY STREET;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES;  
1) N00°49'41"E A DISTANCE OF 493.15 FEET TO A POINT OF CURVATURE;  
2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;  
3) THENCE N02°01'57"E A DISTANCE OF 70.07 FEET;  
4) THENCE 47.86 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'32", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET;  
5) THENCE N00°49'41"E A DISTANCE OF 217.51 FEET TO A POINT OF CURVATURE;  
6) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N22°01'25"W A DISTANCE OF 155.34 FEET;  
7) THENCE N44°52'31"W A DISTANCE OF 289.09 FEET TO A POINT OF CURVATURE;  
8) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N67°43'37"W A DISTANCE OF 155.34 FEET;  
9) THENCE S89°25'17"W A DISTANCE OF 211.50 FEET TO A POINT OF CURVATURE;  
10) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE;  
1) N00°49'41"E A DISTANCE OF 514.15 FEET TO A POINT OF CURVATURE;  
2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;  
THENCE N89°25'17"E A DISTANCE OF 102.02 FEET TO A POINT OF CURVATURE;  
THENCE 508.97 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 36°38'07", A RADIUS OF 796.00 FEET AND A CHORD THAT BEARS N71°06'13"E A DISTANCE OF 500.34 FEET TO A POINT OF REVERSE CURVATURE;  
THENCE 43.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 82°20'19", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS S86°02'41"E A DISTANCE OF 39.50 FEET;  
THENCE S44°52'31"E A DISTANCE OF 1089.90 FEET TO A POINT OF CURVATURE;

THENCE 367.74 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF  $45^{\circ}42'19''$ , A RADIUS OF 461.00 FEET AND A CHORD THAT BEARS  $S67^{\circ}43'41''E$  A DISTANCE OF 358.07 FEET;  
THENCE  $N89^{\circ}25'10''E$  A DISTANCE OF 198.06 FEET TO A POINT ON THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3;  
THENCE ALONG SAID EASTERLY LINE  $S00^{\circ}39'14''W$  A DISTANCE OF 1092.26 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2,296,434 SQUARE FEET (52.719 ACRES) MORE OR LESS.

TOGETHER WITH PARCEL NO.2

BEING A PORTION OF LOT 2, AND TRACT A, BLOCK 5, HIGH POINT SUBDIVISION FILING NO. 1, RECORDED AT RECEPTION NO. 2008085984; COMMENCING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF SAID TRACT A, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD,  $N00^{\circ}49'41''E$  A DISTANCE OF 197.06 FEET;  
THENCE  $N45^{\circ}00'00''E$  A DISTANCE OF 66.00 FEET;  
THENCE  $N90^{\circ}00'00''E$  A DISTANCE OF 260.00 FEET;  
THENCE  $S45^{\circ}00'00''E$  A DISTANCE OF 67.00 FEET;  
THENCE  $N90^{\circ}00'00''E$  A DISTANCE OF 94.00 FEET;  
THENCE  $N45^{\circ}00'00''E$  A DISTANCE OF 30.00 FEET;  
THENCE  $N90^{\circ}00'00''E$  A DISTANCE OF 82.10 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;  
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET,  $S00^{\circ}49'41''W$  A DISTANCE OF 213.47 FEET TO A POINT OF CURVATURE;  
THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF  $88^{\circ}35'36''$  AND A CHORD THAT BEARS  $S45^{\circ}07'29''W$  A DISTANCE OF 41.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 66<sup>TH</sup> AVENUE;  
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 66<sup>TH</sup> AVENUE,  $S89^{\circ}25'17''W$  A DISTANCE OF 491.15 FEET TO A POINT OF CURVATURE;  
THENCE 42.94 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF  $91^{\circ}24'24''$  AND A CHORD THAT BEARS  $N44^{\circ}52'31''$  A DISTANCE OF 42.94 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 139,733 SQUARE FEET OR 3.208 ACRES, MORE OR LESS.

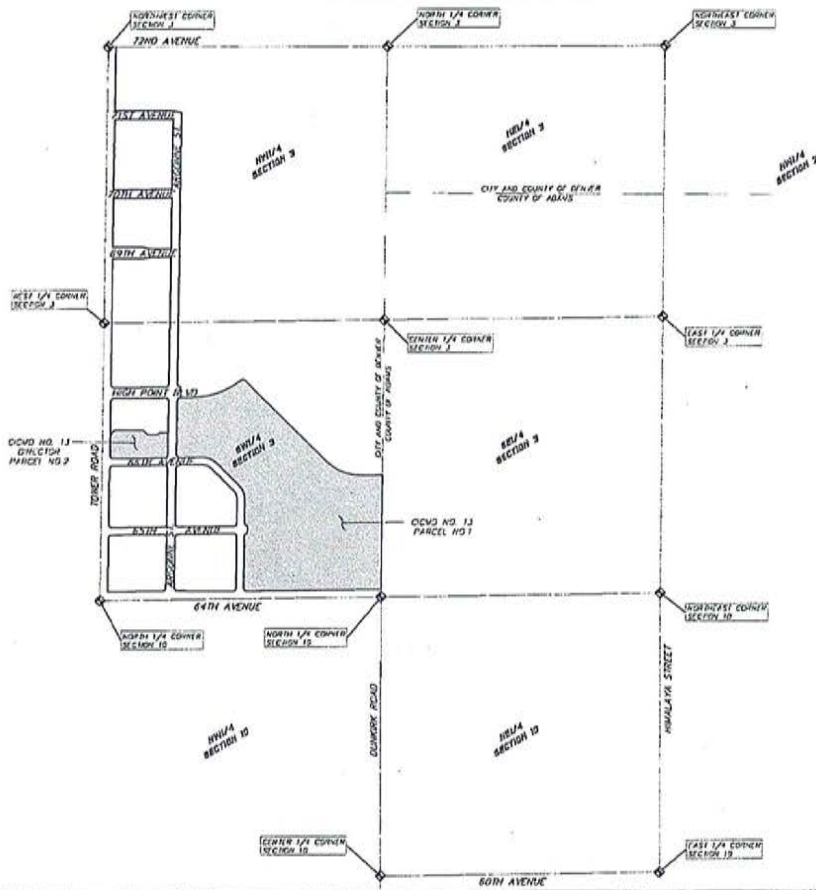
ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR  $N89^{\circ}32'04''E$  AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #27278 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP PLS #36580 AT THE CENTER QUARTER CORNER.

PREPARED BY DENNIS PETER  
REVIEWED BY RICHARD A. NOBBE, PLS  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
MARCH 23, 2018

**COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO.13 (LGID NO. 65664)**  
 TWO (2) PARCELS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO



**LEGEND**

- CO. DATED INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13, INCORPORATED FROM DENVER AND ADJACENT METROPOLITAN DISTRICTS
- SECTION L&C
- GRAVITY FEELING L&C



**MARTIN/MARTIN**  
 ENGINEERS ARCHITECTS LAND SURVEYORS  
 1500 17TH AVENUE, SUITE 1000  
 DENVER, COLORADO 80202

**CICMD NO.13 DENVER MAP**

No.	Description of Sections	Area	Name
1			
2			
3			
4			
5			
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25			

DATE: JANUARY 23, 2018  
 JOB NUMBER: 18-0018  
 DRAWN BY: JPM/MLM  
 CHECKED BY: JPM/MLM  
 DESIGNED BY: JPM/MLM

Sheet 1 of 1

**10F1**



04/04/2018 02:10 PM  
City & County of Denver  
Electronically Recorded

R \$78.00

RES

D \$0.00

**RESOLUTION NO. 2018-02-05**

**AMENDED AND RESTATED  
JOINT RESOLUTION OF THE BOARD OF DIRECTORS OF THE DENVER HIGH  
POINT AT DIA METROPOLITAN DISTRICT  
AND  
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13  
CONCERNING THE IMPOSITION OF REGIONAL DEVELOPMENT FEE**

WHEREAS, Denver High Point at DIA Metropolitan District (“**Denver High Point**”) and the Colorado International Center Metropolitan District No. 13 (“**CIC No. 13**”) (each a “**District**” and, collectively, the “**Districts**”) are quasi-municipal corporations and political subdivisions of the State of Colorado located in the City and County of Denver, Colorado; and

WHEREAS, the Districts each operate under Service Plans approved by the City and County of Denver on March 13, 2006, as amended from time to time; and

WHEREAS, pursuant to their respective Service Plans and that certain Facilities Funding, Construction and Operations Agreement between Denver High Point, Colorado International Center Metropolitan District No. 14 (“**CIC No. 14**”) and CIC NO. 13 dated June 28, 2007, as amended by that certain First Amendment to Facilities Funding, Construction and Operation Agreement on October 29, 2009, with an effective date of September 2, 2008 (collectively “**FFCO**”), Denver High Point is responsible for providing for the design, acquisition, construction, installation, and financing of certain water, sanitation (including storm and sanitary sewer), street, safety protection, park and recreation, transportation, and mosquito control facilities and services (the “**Facilities**”) for its benefit and for the benefit of CIC No. 13 and CIC No. 14; and

WHEREAS, the Districts are authorized pursuant to Section 32-1-1001(1)(J)(I), C.R.S. to fix fees and charges for services or facilities provided by the Districts; and

WHEREAS, pursuant to that certain City Intergovernmental Agreement between the Districts and the City and County of Denver, dated September 2, 2008, as amended by that certain First Amendment to the City Intergovernmental Agreement dated March 17, 2014, (collectively, the “**City IGA**”), the Districts are obligated to impose the Regional Mill Levy and to impose a Regional Development Fee, (the “**Regional Development Fee**”), within the District Boundaries, for the purposes of financing certain improvements, (the “**Regional Improvements**”); and

WHEREAS, pursuant to Section 32-1-1001(1)(J)(I), C.R.S., the Districts approved and adopted the Joint Resolution of the Board of Directors of Denver High Point and CIC No. 13 Concerning the Imposition of Regional Development Fees, dated October 28, 2015, and recorded on December 23, 2015, in the real property records of the City and County of Denver, at reception no. 2015177221, (the “**Joint Regional Development Fee Resolution**”), establishing and imposing a Regional Development Fee against property within the Districts’ Boundaries; and

WHEREAS, the Joint Regional Development Fee Resolution contemplated that the legal description of the Districts' boundaries may be amended from time to time, pursuant to the inclusion and/or exclusion of property into or from the Districts; and

WHEREAS, pursuant to the Service Plans, City IGA, and FFCO, CIC No. 13 is authorized and plans to issue bonds or enter into other debt obligations for the financing of the Facilities; and

WHEREAS, in connection with the bond issuance there has been inclusions and exclusions of certain property into and from the Districts, and as a result the legal description of the District Boundaries has changed; and

WHEREAS, the Districts desire to amend and fully restate the Joint Regional Development Fee Resolution in order to provide a new legal description of the District Boundaries; and

WHEREAS, this Resolution shall be recorded on the District Boundaries to put the property owners on notice of the imposition of the Regional Development Fee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DENVER HIGH POINT AT DIA AND COLORADO INTERNATIONAL CENTER NO. 13, AS FOLLOWS:

1. **DEFINITIONS.** Except as otherwise expressly provided or where the context indicates otherwise, the following capitalized terms shall have the respective meanings as set forth below:

**"Commercial Unit"** means each office space, unit, building or other structure within the District Boundaries that is used and/or zoned for general commercial, industrial, office, retail or other non-residential uses.

**"District Boundaries"** means the legal boundaries of the Districts, as the same are established and amended from time to time pursuant to §32-1-101, et seq., C.R.S., as more particularly set forth in the map and legal description attached hereto as **Exhibit B** and incorporated herein by reference.

**"Due Date"** means the date by which the Regional Development Fee is due, which Due Date is reflected on the Schedule of Fees.

**"End User"** means any third-party homeowner or tenant of any homeowner occupying or intending to occupy a Residential Unit and any third party owner or tenant occupying or intending to occupy a Commercial Unit. End User specifically excludes a tenant occupying an Apartment Unit.

**"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.

**“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 within the District Boundaries which has been Transferred to an End User.

**“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 a tenant, tenants, purchaser or purchasers.

**“Zone Lot”** means the zone lot designated by a property owner as defined in §59-1(158) of the Denver Revised Municipal Code on which a building permit is sought for construction.

## 2. REGIONAL DEVELOPMENT FEE.

(a) A one-time Regional Development Fee is hereby established and imposed upon each Residential Unit and each Commercial Unit within the District Boundaries. The Fees are in accordance with the Fee Schedule attached hereto as **Exhibit A**. The Districts reserve the right to amend this Resolution in the future to increase or decrease the Fee rates. Notwithstanding the foregoing, the Regional Development Fee shall be amended annually by any “Construction Cost Adjustment” provided by the City.

(b) The Regional Development Fee shall be based upon the square footage within the applicable Zone Lot, as defined in the Fee Schedule. The Regional Development Fee shall be first due and owing upon transfer of title of any portion of the property from the developer to a builder in accordance with the fee formula set forth in the Fee Schedule, but in no event later than the date of issuance of a building permit for the designated Zone Lot.

(c) The Construction Cost Adjustment is provided annually to the Districts by the City of Denver.

(d) The Boards have determined, and do hereby determine, that the Regional Development Fee is reasonably related to the overall cost of providing the Regional Improvements, and is imposed on those who are reasonably likely to benefit from or use the Regional Improvements.

(e) The revenues generated by the Regional Development Fee will be accounted for separately from other revenues of the Districts. The Regional Development Fee revenue will be used solely for the purpose of paying Regional Improvement costs, and may not be used by the Districts to pay for general administrative costs of the Districts. This restriction on the use of the Regional Development Fee revenue shall be absolute and without qualification.

(f) The Boards have determined, and do hereby determine, that the Regional Development Fee is calculated to defray the cost of funding construction of the Facilities and reasonably distributes the burden of defraying the Facilities Costs in a manner based on the benefits received by persons paying the fees and using the Facilities.



3. **LATE FEES AND INTEREST.** Pursuant to §29-1-1102(3), C.R.S., any Regional Development Fee not paid in full within fifteen (15) days after the scheduled due date will be assessed a late fee in the amount of Fifteen Dollars (\$15.00) or up to five percent (5%) per month, or fraction thereof, not to exceed a total of twenty-five percent (25%) of the amount due. Interest will also accrue on any outstanding Regional Development Fee, exclusive of assessed late fees, penalties, interest and any other costs of collection, specially including, but not limited, to attorney fees, at the rate of eighteen percent (18%) per annum, pursuant to §29-1-1102(7), C.R.S. The Districts may institute such remedies and collection procedures as authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting property owner shall pay all fees and costs, specifically including, but not limited to, attorneys' fees and costs and costs associated with the collection of delinquent fees, incurred by the Districts and/or their consultants in connection with the foregoing.

4. **PAYMENT.** Payment for all fees, rates, tolls, penalties, charges, interest and attorney fees shall be made by check or equivalent form acceptable to the Districts, made payable to "Colorado International Center Metropolitan District No. 13" and sent to the address indicated on the Fee Schedule. The Districts may change the payment address from time to time and such change shall not require an amendment to this Resolution.

5. **LIEN.** The 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 Districts, 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 Denver County, Colorado.

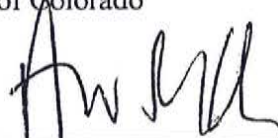
6. **SEVERABILITY.** If any portion of this Resolution is declared by any court of competent jurisdiction to be void or unenforceable, such decision shall not affect the validity of any remaining portion of this Resolution, which shall remain in full force and effect. In addition, in lieu of such void 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. **PROPERTY.** 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. **EFFECTIVE DATE.** This Resolution was adopted by the Boards of Directors of the Districts on February 27, 2018, to be effective upon recordation in the real property records of the City and County of Denver.

APPROVED AND ADOPTED THIS 27<sup>th</sup> day of February, 2018.


**DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado

By:   
Andrew R. Klein, President

Attest:

By:   
Secretary or Assistant Secretary

**COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13**, a quasi-municipal corporation and political subdivision of the State of Colorado

By:   
Andrew R. Klein, President

Attest:

By:   
Secretary or Assistant Secretary

**EXHIBIT A**

**DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT  
AND  
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13**

**Schedule of Regional Development Fees**

**Denver High Point at DIA Metropolitan District  
2017 Regional Development Fee Amount Calculation**

By: Christy Strach, CCD PW

Date: 7/17/2017

Year 2000 Engineering News- Record Inflation Construction Index	6005
Year 2016-2017 Engineering News-Record Inflation Construction Index	10478
Year 2000 Colorado Department of Transportation Composite Construction Index	162.3
Year 2016-2017 Colorado Department of Transportation Composite Construction Index	292.03

*The escalation of the Regional Development Fee shall be calculated based on 40% using the Engineering News-Record Inflation Construction Index and 60% using the Colorado Department of Transportation Composite Construction Index*

Calculation of the Escalation of the Regional Development Fee	ENR ICI Component	CDOT CCI Component	Total
	$10478 / 6005 = 1.74$	$292.03 / 162.3 = 1.80$	
Portion of Regional Development Fee	40%	60%	
	$40\% \times 1.74 = 0.70$	$60\% \times 1.80 = 1.08$	1.78

Location	2017 Fee Amount Calculation Methodology	2017 Fee Amount Calculation	2017 Fee Amount Per Square Foot
<b>Zone Lots within 660' east of the centerline of Tower Road or north or south of the centerline of 56<sup>th</sup> Avenue within the District.</b>	\$0.50 per square foot of designated Zone Lot, adjusted per the Construction Cost Adjustment occurring between year 2000 and August of year prior to the year in which the fee will be imposed.	$= 1.78 \times \$0.50$	<b>\$ 0.89</b>

<p><b>Zone Lots between 660'; and 1320' east of the centerline of Tower Road or north or south of the centerline of 56<sup>th</sup> Avenue within the District.</b></p>	<p>\$0.40 per square foot of designated Zone Lot, adjusted per the Construction Cost Adjustment occurring between year 2000 and August of year prior to the year in which the fee will be imposed.</p>	<p>= 1.78 x \$0.40</p>	<p>\$</p>	<p><b>0.71</b></p>
<p><b>Zone Lots further than 1320' east of the centerline of Tower Road or north or south of the centerline of 56<sup>th</sup> Avenue within the District.</b></p>	<p>\$0.20 per square foot of designated Zone Lot, adjusted per the Construction Cost Adjustment occurring between year 2000 and August of year prior to the year in which the fee will be imposed.</p>	<p>= 1.78 x \$0.20</p>	<p>\$</p>	<p><b>0.36</b></p>

**PAYMENTS:** Payment for each fee shall be made payable to the Colorado International Center Metropolitan District No. 13 and sent to the following address for receipt by the Due Date:

Colorado International Center Metropolitan District No. 13  
 c/o CliftonLarsonAllen  
 8390 E. Crescent Parkway, Suite 500  
 Greenwood Village, CO 80111

**EXHIBIT B**

**DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT  
AND  
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13**

**District Boundaries**

DENVER HIGH POINT AT DIA  
METROPOLITAN DISTRICT  
LGID NO.65666  
LAND DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, 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:

PARCEL NO.1

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3;  
THENCE S00°49'25"W A DISTANCE OF 704.49 FEET ALONG THE WESTERLY LINE OF SAID NORTHWEST QUARTER TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE EXTENDED OF 71<sup>ST</sup> AVENUE;  
THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE EXTENDED, N89°57'08"E A DISTANCE OF 701.20 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET AND THE POINT OF BEGINNING;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N00°46'58"E A DISTANCE OF 11.00 FEET;  
THENCE S89°54'36"E A DISTANCE OF 191.58 FEET;  
THENCE S00°49'56"W A DISTANCE OF 152.03 FEET;  
THENCE S09°09'07"E A DISTANCE OF 150.28 FEET;  
THENCE S24°18'56"E A DISTANCE OF 48.82 FEET;  
THENCE S15°14'54"E A DISTANCE OF 197.61 FEET;  
THENCE S03°27'43"E A DISTANCE OF 59.02 FEET;  
THENCE S10°07'32"E A DISTANCE OF 91.62 FEET;  
THENCE S28°55'59"W A DISTANCE OF 35.32 FEET;  
THENCE S00°19'00"E A DISTANCE OF 22.84 FEET;  
THENCE S77°40'30"W A DISTANCE OF 62.07 FEET;  
THENCE N35°58'53"W A DISTANCE OF 27.53 FEET;  
THENCE N10°07'06"W A DISTANCE OF 34.38 FEET TO A POINT OF CURVATURE;  
THENCE 7.28 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10°25'17", A RADIUS OF 40.00 FEET AND A CHORD THAT BEARS N15°19'45"W A DISTANCE OF 7.27 FEET;  
THENCE S52°42'05"W A DISTANCE OF 10.61 FEET;  
THENCE 11.84 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 22°36'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N25°59'37"W A DISTANCE OF 11.76 FEET;  
THENCE N37°17'55"W A DISTANCE OF 28.47 FEET;  
THENCE N08°32'02"W A DISTANCE OF 20.78 FEET;  
THENCE 56.25 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 59°08'05", A RADIUS OF 57.00 FEET AND A CHORD THAT BEARS N66°51'57"W A DISTANCE OF 56.25 FEET TO A POINT OF REVERSE CURVATURE;  
THENCE 151.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 70°13'22", A RADIUS OF 124.00 FEET AND A CHORD THAT BEARS N61°19'19"W A DISTANCE OF 142.64 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N00°46'58"E A DISTANCE OF 539.96 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS 3.590 ACRES (156,392 SQUARE FEET), MORE OR LESS.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR N89°32'04"E AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #27278 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP PLS #36580 AT THE CENTER QUARTER CORNER.

PREPARED BY DENNIS PETER  
REVIEWED BY RICHARD A. NOBBE, PLS  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
MARCH 23, 2018  
REVISED APRIL 4, 2018





COLORADO INTERNATIONAL CENTER  
METROPOLITAN DISTRICT NO.13  
LGID NO. 65664  
LAND DESCRIPTION

TWO (2) PARCELS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, 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:

PARCEL NO.1

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 3; THENCE ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3, N89°39'14"E A DISTANCE OF 72.02 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 64<sup>TH</sup> AVENUE AND THE POINT OF BEGINNING;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES; (1)

S89°25'17"W A DISTANCE OF 1272.01 FEET TO A POINT OF CURVATURE;

2) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BISCAY STREET;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES;

1) N00°49'41"E A DISTANCE OF 493.15 FEET TO A POINT OF CURVATURE;

2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;

3) THENCE N02°01'57"E A DISTANCE OF 70.07 FEET;

4) THENCE 47.86 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'32", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET;

5) THENCE N00°49'41"E A DISTANCE OF 217.51 FEET TO A POINT OF CURVATURE;

6) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N22°01'25"W A DISTANCE OF 155.34 FEET;

7) THENCE N44°52'31"W A DISTANCE OF 289.09 FEET TO A POINT OF CURVATURE;

8) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N67°43'37"W A DISTANCE OF 155.34 FEET;

9) THENCE S89°25'17"W A DISTANCE OF 211.50 FEET TO A POINT OF CURVATURE;

10) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE;

1) N00°49'41"E A DISTANCE OF 514.15 FEET TO A POINT OF CURVATURE;

2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;

THENCE N89°25'17"E A DISTANCE OF 102.02 FEET TO A POINT OF CURVATURE;

THENCE 508.97 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 36°38'07", A RADIUS OF 796.00 FEET AND A CHORD THAT BEARS N71°06'13"E A DISTANCE OF 500.34 FEET TO A POINT OF REVERSE CURVATURE;

THENCE 43.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 82°20'19", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS S86°02'41"E A DISTANCE OF 39.50 FEET;

THENCE S44°52'31"E A DISTANCE OF 1089.90 FEET TO A POINT OF CURVATURE;

THENCE 367.74 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'19", A RADIUS OF 461.00 FEET AND A CHORD THAT BEARS S67°43'41"E A DISTANCE OF 358.07 FEET;  
THENCE N89°25'10"E A DISTANCE OF 198.06 FEET TO A POINT ON THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3;  
THENCE ALONG SAID EASTERLY LINE S00°39'14"W A DISTANCE OF 1092.26 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2,296,434 SQUARE FEET (52.719 ACRES) MORE OR LESS.

TOGETHER WITH PARCEL NO.2

BEING A PORTION OF LOT 2, AND TRACT A, BLOCK 5, HIGH POINT SUBDIVISION FILING NO. 1, RECORDED AT RECEPTION NO. 2008085984; COMMENCING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF SAID TRACT A, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD, N00°49'41"E A DISTANCE OF 197.06 FEET;  
THENCE N45°00'00"E A DISTANCE OF 66.00 FEET;  
THENCE N90°00'00"E A DISTANCE OF 260.00 FEET;  
THENCE S45°00'00"E A DISTANCE OF 67.00 FEET;  
THENCE N90°00'00"E A DISTANCE OF 94.00 FEET;  
THENCE N45°00'00"E A DISTANCE OF 30.00 FEET;  
THENCE N90 00'00"E A DISTANCE OF 82.10 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;  
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET, S00° 49' 41"W A DISTANCE OF 213.47 FEET TO A POINT OF CURVATURE;  
THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 88°35'36" AND A CHORD THAT BEARS S45°07'29"W A DISTANCE OF 41.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 66<sup>TH</sup> AVENUE;  
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 66<sup>TH</sup> AVENUE, S89°25'17"W A DISTANCE OF 491.15 FEET TO A POINT OF CURVATURE;  
THENCE 42.94 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 91°24'24" AND A CHORD THAT BEARS N44°52'31" A DISTANCE OF 42.94 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 139,733 SQUARE FEET OR 3.208 ACRES, MORE OR LESS.

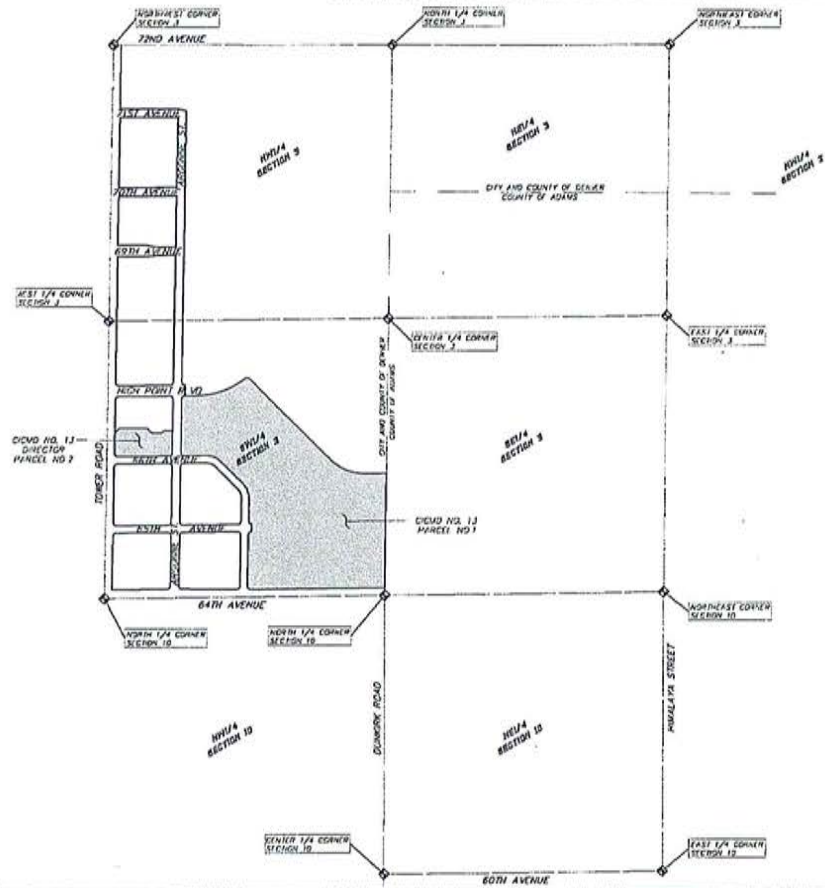
ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR N89°32'04"E AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #27278 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP PLS #36580 AT THE CENTER QUARTER CORNER.

PREPARED BY DENNIS PETER  
REVIEWED BY RICHARD A. NOBBE, PLS  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
MARCH 23, 2018

**COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO.13 (LGID NO. 65664)**  
 TWO (2) PARCELS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO



**LEGEND**

- COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13 PARCEL NO. 1
- CITY AND COUNTY OF DENVER COUNTY OF ADAMS
- DEATH BOUNDARY LINE



**Map Information**

**CICMD NO.13 DENVER MAP**

DATE:	MARCH 24, 2018
PREPARED BY:	REBECCA
CHECKED BY:	REBECCA
DESIGNED BY:	REBECCA
DATE PLOTTED:	3/23/18

**Sheet Number:**  
**10F1**

PLAT NO. 1818  
 FILED IN THE OFFICE OF THE COUNTY CLERK OF DENVER, COLORADO  
 ON MARCH 24, 2018 AT 10:00 AM  
 BY [Signature]



06/22/2018 01:12 PM  
City & County of Denver  
Electronically Recorded

R \$43.00

RES

D \$0.00

**RESOLUTION NO. 2018-02-07**

**FIRST AMENDMENT  
TO JOINT RESOLUTION OF THE BOARD OF DIRECTORS OF THE DENVER HIGH  
POINT AT DIA METROPOLITAN DISTRICT  
AND  
COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13  
CONCERNING THE IMPOSITION OF MAINTENACE FEE**

WHEREAS, Denver High Point at DIA Metropolitan District (“**Denver High Point**”) and the Colorado International Center Metropolitan District No. 13 (“**CIC No. 13**”) (each a “**District**” and, collectively, the “**Districts**”) are quasi-municipal corporations and political subdivisions of the State of Colorado located in the City and County of Denver, Colorado; and

WHEREAS, the Districts each operate under Service Plans approved by the City and County of Denver on March 13, 2006, as amended from time to time; and

WHEREAS, pursuant to their respective Service Plans and that certain Facilities Funding, Construction and Operations Agreement between Denver High Point, Colorado International Center Metropolitan District No. 14 (“**CIC No. 14**”) and CIC NO. 13, dated June 28, 2007 as amended by that certain First Amendment to Facilities Funding, Construction and Operation Agreement on October 29, 2009, with an effective date of September 2, 2008 (collectively “**FFCO**”), Denver High Point is responsible for providing for the design, acquisition, construction, installation, and financing of certain water, sanitation (including storm and sanitary sewer), street, safety protection, park and recreation, transportation, and mosquito control facilities and services (the “**Facilities**”) for its benefit and for the benefit of CIC No. 13 and CIC No. 14; and

WHEREAS, each District is authorized, pursuant to Section 32-1-1001(1)(j)(I), C.R.S., to fix and impose fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the Districts; and

WHEREAS, the Districts previously determined it is in the best interests of the Districts, and their property owners, taxpayers and residents to provide certain services related to the Facilities, including, without limitation, landscape maintenance and snow removal (the “**Services**”); and

WHEREAS, pursuant to the Service Plans and FFCO, CIC No. 13 is authorized, upon the receipt of a written request from Denver High Point, to independently impose fees for certain direct and indirect costs associated with the operation and maintenance costs of the Facilities; and

WHEREAS, in accordance with the authorization provided pursuant to §32-1-1001(1)(j) C.R.S., Denver High Point and CIC No. 13 previously approved and adopted a Joint Resolution of the Boards of Directors of the Denver High Point and CIC No. 13 Concerning the Imposition of Maintenance Fee, on October 28, 2015, which was recorded on December 23, 2015, in the real

property records of the City and County of Denver, at reception no. 2015177219, (the “**Joint Maintenance Fee Resolution**”), establishing and imposing a Maintenance Fee against property within the District Boundaries (as defined below); and

WHEREAS, the Joint Maintenance Fee Resolution contemplated that the legal description of the District Boundaries may be amended from time to time, pursuant to the inclusion and/or exclusion of property into or from the Districts; and

WHEREAS, due to the inclusion and exclusion of certain property into and from the Districts, the legal description of the District Boundaries has changed; and

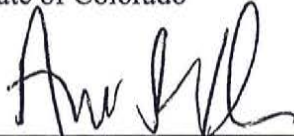
WHEREAS, the Districts desire to amend the Joint Maintenance Fee Resolution in order to provide a new legal description of the District’s Boundaries.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT AND COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13, AS FOLLOWS:


1. The Board of Directors hereby directs that Exhibit A to the Joint Maintenance Fee Resolution be replaced in its entirety by the Appendix A attached hereto.
2. From and after the date hereof, the defined term “District Boundaries” as used in the Joint Maintenance Fee Resolution, shall be defined as the legal boundaries of Colorado International Center No. 13, as the same are established and amended from time to time pursuant to §32-1-1101, et seq., C.R.S., as more particularly set forth in the legal description in Appendix A hereto.
3. Section 4 of the Joint Maintenance Fee Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:
  - “4. **PAYMENT.** Payment for all fees, rates, tolls, penalties, charges, interest and attorney fees shall be made by check or equivalent form acceptable to the Districts, made payable to “**Denver High Point at DIA Metropolitan District**” and sent to the address indicated on the Fee Schedule. The Districts may change the payment address from time to time and such change shall not require an amendment to this Resolution.”
4. This Resolution shall take effect immediately upon its adoption and approval.

APPROVED AND ADOPTED THIS 27<sup>th</sup> day of February, 2018.

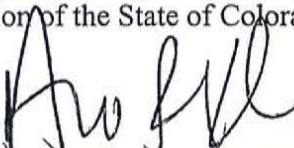
**DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado

By:   
Andrew R. Klein, President


Attest:

By:   
Secretary or Assistant Secretary

**COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13**, a quasi-municipal corporation and political subdivision of the State of Colorado

By:   
Andrew R. Klein, President

Attest:

By:   
Secretary or Assistant Secretary

**APPENDIX A**

**TO THE FIRST AMENDMENT TO JOINT RESOLUTION DENVER HIGH POINT AT  
DIA METROPOLITAN DISTRICT AND COLORADO INTERNATIONAL CENTER  
METROPOLITAN DISTRICT NO. 13 CONCERNING THE IMPOSITION OF  
MAINTENANCE FEE**

**Legal Description of the District Boundaries**

COLORADO INTERNATIONAL CENTER  
METROPOLITAN DISTRICT NO.13  
LGID NO. 65664  
LAND DESCRIPTION

TWO (2) PARCELS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, 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:

PARCEL NO.1

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 3; THENCE ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3, N89°39'14"E A DISTANCE OF 72.02 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 64<sup>TH</sup> AVENUE AND THE POINT OF BEGINNING;  
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES; (1)  
S89°25'17"W A DISTANCE OF 1272.01 FEET TO A POINT OF CURVATURE;  
2) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BISCAY STREET;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TEN (10) COURSES;  
1) N00°49'41"E A DISTANCE OF 493.15 FEET TO A POINT OF CURVATURE;  
2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;  
3) THENCE N02°01'57"E A DISTANCE OF 70.07 FEET;  
4) THENCE 47.86 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'32", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 FEET;  
5) THENCE N00°49'41"E A DISTANCE OF 217.51 FEET TO A POINT OF CURVATURE;  
6) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N22°01'25"W A DISTANCE OF 155.34 FEET;  
7) THENCE N44°52'31"W A DISTANCE OF 289.09 FEET TO A POINT OF CURVATURE;  
8) THENCE 159.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'12", A RADIUS OF 200.00 FEET AND A CHORD THAT BEARS N67°43'37"W A DISTANCE OF 155.34 FEET;  
9) THENCE S89°25'17"W A DISTANCE OF 211.50 FEET TO A POINT OF CURVATURE;  
10) THENCE 47.86 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91°24'24", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N44°52'31"W A DISTANCE OF 42.94 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSE;  
1) N00°49'41"E A DISTANCE OF 514.15 FEET TO A POINT OF CURVATURE;  
2) THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 88°33'36", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N45°07'29"E A DISTANCE OF 41.90 FEET;  
THENCE N89°25'17"E A DISTANCE OF 102.02 FEET TO A POINT OF CURVATURE;  
THENCE 508.97 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 36°38'07", A RADIUS OF 796.00 FEET AND A CHORD THAT BEARS N71°06'13"E A DISTANCE OF 500.34 FEET TO A POINT OF REVERSE CURVATURE;  
THENCE 43.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 82°20'19", A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS S86°02'41"E A DISTANCE OF 39.50 FEET;  
THENCE S44°52'31"E A DISTANCE OF 1089.90 FEET TO A POINT OF CURVATURE;



THENCE 367.74 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°42'19", A RADIUS OF 461.00 FEET AND A CHORD THAT BEARS S67°43'41"E A DISTANCE OF 358.07 FEET;  
THENCE N89°25'10"E A DISTANCE OF 198.06 FEET TO A POINT ON THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3;  
THENCE ALONG SAID EASTERLY LINE S00°39'14"W A DISTANCE OF 1092.26 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2,296,434 SQUARE FEET (52.719 ACRES) MORE OR LESS.

TOGETHER WITH PARCEL NO.2

BEING A PORTION OF LOT 2, AND TRACT A, BLOCK 5, HIGH POINT SUBDIVISION FILING NO. 1, RECORDED AT RECEPTION NO. 2008085984; COMMENCING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF SAID TRACT A, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF TOWER ROAD, N00°49'41"E A DISTANCE OF 197.06 FEET;  
THENCE N45°00'00"E A DISTANCE OF 66.00 FEET;  
THENCE N90°00'00"E A DISTANCE OF 260.00 FEET;  
THENCE S45°00'00"E A DISTANCE OF 67.00 FEET;  
THENCE N90°00'00"E A DISTANCE OF 94.00 FEET;  
THENCE N45°00'00"E A DISTANCE OF 30.00 FEET;  
THENCE N90°00'00"E A DISTANCE OF 82.10 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET;  
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF ARGONNE STREET, S00° 49' 41"W A DISTANCE OF 213.47 FEET TO A POINT OF CURVATURE;  
THENCE 46.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 88°35'36" AND A CHORD THAT BEARS S45°07'29"W A DISTANCE OF 41.90 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 66<sup>TH</sup> AVENUE;  
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 66<sup>TH</sup> AVENUE, S89°25'17"W A DISTANCE OF 491.15 FEET TO A POINT OF CURVATURE;  
THENCE 42.94 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 91°24'24" AND A CHORD THAT BEARS N44°52'31" A DISTANCE OF 42.94 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 139,733 SQUARE FEET OR 3.208 ACRES, MORE OR LESS.

ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ASSUMED TO BEAR N89°32'04"E AND BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #27278 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP PLS #36580 AT THE CENTER QUARTER CORNER.

PREPARED BY DENNIS PETER  
REVIEWED BY RICHARD A. NOBBE, PLS  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
MARCH 23, 2018

**COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO.13 (LGID NO. 65664)**  
 TWO (2) PARCELS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO



**LEGEND**

- TO BEASD ON NATIONAL SYSTEM OF HORIZONTAL DATUM IS 12
- SECTION LINE
- SECTION BOUNDARY LINE



**MARION MARTIN**  
 PROFESSIONAL LAND SURVEYOR  
 1510 1/2 S. WASHINGTON ST., SUITE 100  
 DENVER, CO 80202  
 (303) 733-1111

**CICMD NO.13 DENVER MAP**

Section	3
Township	3 S.
Range	66 W.
City and County	Denver, Colorado
Map Number	13-001
Scale	AS SHOWN
Author	MARION MARTIN
Checked By	MARION MARTIN
Date	07/13/18

**10F1**