

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

RESOLUTION NO. 2016-12- 11

**RRC METROPOLITAN DISTRICT NO. 2
FACILITIES FEE RESOLUTION**

A. RRC Metropolitan District No. 2 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in the Town of Morrison, Jefferson County, Colorado.

B. The District’s boundaries are described in the legal description attached hereto as **Exhibit A**, which legal description may be amended from time to time, pursuant to the inclusion and/or exclusion of property into or from the District (the “**Property**”).

C. The District, under its Service Plan, is authorized to provide for the design, acquisition, construction, installation and financing of certain water, sanitation, street, safety protection, park and recreation, transportation, television relay and translation, and mosquito control improvements and services (the “**District Improvements**”).

D. The District has determined it is in the best interests of its inhabitants and taxpayers to provide the District Improvements.

E. The Property will benefit from the District Improvements.

F. The District has determined that, to meet the costs of providing the District Improvements, it is necessary to establish and impose a Facilities Fee against the Property.

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RRC METROPOLITAN DISTRICT NO. 2, JEFFERSON COUNTY, COLORADO, AS FOLLOWS:

1. The Board of Directors hereby finds, determines and declares that it is in the best interests of the District, its inhabitants and taxpayers to exercise its power by imposing the Facilities Fee on the Property and to pledge the revenues received therefrom for payment of bonds to be issued or any other indebtedness of the District.

2. The District hereby imposes the Facilities Fee on the Property in the amount of Three Thousand Dollars (\$3,000) on each single-family Residential Unit, and One Thousand Five Hundred Dollars (\$1,500) on each multi-family Residential Unit. A Residential Unit is a residential building intended for occupancy by one or more individuals and consisting of one

self-contained living unit, whether attached or detached, as reasonably determined by the District.

3. The Facilities Fee shall be due and payable for each Residential Unit on or before the date of issuance of a building permit for such Residential Unit and shall be paid directly to the District.

4. A written request may be made to the District for a deferral of payment of any Facilities Fee from the date of issuance of a building permit to an alternative date. Any request for deferral will be considered on a case by case basis by the District upon review of the circumstances and rationale behind the request. The District shall retain sole and absolute discretion in determining whether a deferral for payment will be granted. Approval by the District of a deferral for payment must be duly authorized in writing.

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

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

7. Failure to make payment of the Facilities Fee due hereunder shall constitute a default in the payment of such Facilities Fee. Upon default, simple interest shall accrue on such total amount of Facilities Fee due at the rate of 12% per annum until paid. The District shall be entitled to institute such remedies and collection proceedings as may be authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting Residential Unit owner shall pay all costs, including attorney fees, incurred by the District in connection with the foregoing. In foreclosing such lien, the District will enforce the lien only to the extent necessary to collect the unpaid Facilities Fee, accrued interest thereon, and costs of collection (including, but not limited to, reasonable attorney fees).

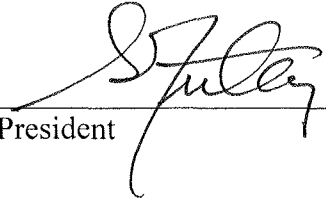
8. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, sentence, clause, phrase or word herein, or the application thereof in any given circumstances shall not affect the validity of the remainder of this Resolution, unless such invalidation would act to destroy the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

9. Any inquiries pertaining to the Facilities Fee may be directed to the District's General Counsel at: McGeady Becher P.C., 450 E. 17th Ave., Suite 400, Denver, Colorado, 80203, phone number 303-592-4380.

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

APPROVED AND ADOPTED THIS 6th day of December, 2016.

RRC METROPOLITAN DISTRICT NO. 2,
a quasi-municipal corporation and political
subdivision of the State of Colorado

By: _____
President

Attest:

By: _____
Secretary

EXHIBIT A
LEGAL DESCRIPTION OF THE DISTRICT

Lot 13, Block 1,
Red Rocks Centre,
County of Jefferson,
State of Colorado.