RESOLUTION

TOWN CENTER METROPOLITAN DISTRICT

A RESOLUTION AMENDING THE RESOLUTION IMPOSING FEES FOR OAK CREST TOWNHOMES OPERATIONS AND MAINTENANCE PROVIDED BY TOWN CENTER METROPOLITAN DISTRICT

WHEREAS, the Town Center Metropolitan District (the "District") is a quasi-municipal corporation and political subdivision of the State of Colorado, organized and operating pursuant to Section 32-1-101 *et seq*., C.R.S. and other Colorado law; and

WHEREAS, the District was organized to serve a public purpose and to promote the health, safety, prosperity, security, and general welfare of the District's and other residents of the State of Colorado; and

WHEREAS, the Board of Directors of the District (the "Board") is empowered to have the management, control, and supervision of all the business and affairs of the District pursuant to Sections 29-1-201, 32-1-1001(1)(h), and 32-1-1101(1)(f), C.R.S.; and

WHEREAS, the District finds and declares that providing the certain operations and maintenance services as described in Exhibit A attached hereto (the "Services") to the certain property described in Exhibit B attached hereto (the "Property") is a benefit to the properties therein, providing added and continuing value to such properties; and

WHEREAS, the District is entitled to fix and from time to time increase fees, rates, tolls, penalties, or charges for services, programs, or facilities it provides pursuant to Sections 32-1-1001(1)(j)(I) and 32-1-1101(1)(f), C.R.S.; and

WHEREAS, the District desires to provide the Services in exchange for reasonable fees to defer the costs of such services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Town Center Metropolitan District that:

1. Definition. As used in this Resolution, "dwelling unit" shall mean any residential dwelling unit, including but not limited to a single family home, a duplex unit, a townhome, and for-sale condominium units.

2. Applicability. This Resolution shall apply to all dwelling units within the Property.

3. Services Fee. The District hereby imposes An Oak Crest Townhomes Operations and Maintenance Fee (the "Fee" of "Fees") of $210.00 per month per dwelling unit on all dwelling units within the Property effective April 1, 2023, to defray the cost of the provision of the Services. The Fee shall apply to each dwelling unit commencing the first day of the first month after the issuance of a certificate of occupancy for such dwelling unit

4. Fee Not Divisible. No party may pay less than the entire amount due for the Fee regardless of the services in which that party actually partakes.

5. Fee Adjustment. The amount of the Fee may be adjusted by lawful action of the Board at any time, without notice.

6. Additional Costs. The Fee does not, by its nature, entitle any party unlimited access to the facilities and services provided by the District. Additional charges may apply, depending on the services requested.

7. Statements. Statements for the Fee shall be rendered on such periodic basis as the Board shall deem appropriate. Bills shall be payable within twenty (20) days of the statement date. All bills which are not paid within twenty (20) days of the statement date shall be deemed delinquent, and the party shall be assessed a penalty of one-percent (1%) per month of all amounts due, including amounts due for the Fee.

8. Enforcement. The District may discontinue providing the Services to any dwelling unit delinquent in any of its payment obligations. Notice of discontinuance shall be mailed with the statement advising that payment must be made within twenty (20) days from the date of the notice or the Services will be discontinued. No party shall be permitted to use District services if the Fees associated with that party's property have not been paid in full. In addition to these remedies, the Fee is by statute a first lien against the properties served, and may be collected in the manner described in Section 32-1-1001(1)(j)(I), C.R.S.

9. Findings. The Board hereby finds, determines, and declares that this Resolution is promulgated in the best interests of the District. The Board further determines that the Resolution bears a reasonable and rational relation to the proper legislative object sought to be attained.

10. Severability. 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 circumstance, shall not affect the validity of the remainder of this Resolution.

11. Effective Date. This Resolution shall be effective immediately upon its adoption, with the amount of the increased fee to take effect as of April 1, 2023.

ADOPTED AND RESOLVED THIS 22nd DAY OF March, 2023.

TOWN CENTER METROPOLITAN DISTRICT

Brandon Wyszynski
_____
President

EXHIBIT A

Town Center Metropolitan District
Oak Crest Townhomes Operations and Maintenance Fee Schedule

SERVICES FEE
The District hereby imposes an Oak Crest Townhomes Operations and Maintenance Fee ("Fee") of $210.00 per month.

**No party may pay less than the entire amount due for the Fee regardless of the services in which that party actually partakes.*

*** As used in this Resolution, "dwelling unit" shall mean any residential dwelling unit, including but not limited to a single family home, a duplex unit, a townhome, and for-sale condominium units but excluding for-rent apartment units.*

SERVICES PROVIDED
Landscape Maintenance and Repairs
Common Area Maintenance
Snow Removal Within Common Areas
Common Area Utilities - Water
Common Area Utilities - Electric