

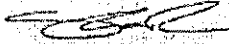
Electronically Recorded RECEPTION#: 2019000111337,
12/19/2019 at 8:18 AM, 1 OF 11,
REC: \$63.00
TD Pgs: 0 Josh Zygielbaum, Adams County, CO.

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Div of Local Government

SO ORDERED BY COURT
11/19/2019

DISTRICT COURT, ADAMS COUNTY, STATE OF COLORADO Address: 1100 Judicial Center Drive Brighton, Colorado 80601 Phone Number: 303-659-1161	 Sharon D Holbrook Judge
IN RE THE ORGANIZATION OF VILLAGE AT NORTH CREEK METROPOLITAN DISTRICT	
	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> Case No.: 2019CV031342 Div.: W Ctm.:
FINDINGS, ORDER AND DECREE ORGANIZING THE VILLAGE AT NORTH CREEK METROPOLITAN DISTRICT	

This matter coming before the Court upon the filing of the Canvass Board's Certificate of Determination of Official Election Result, which document relates to an election held on November 5, 2019, pursuant to the Order Calling Election for Organization of Village at North Creek Metropolitan District entered by this Court on September 4, 2019, at which election there was submitted to the eligible electors the question of the organization of Village at North Creek Metropolitan District (the "District"); the election of Directors thereof; ballot issues as required by Article X, Section 20 of the Colorado Constitution, requesting authorization for debt and tax increases, and authorization to collect, retain and spend all revenues generated; and a ballot question requesting the elimination of Director term limitations imposed by Article XVIII, Section 11 of the Colorado Constitution. Now this Court, having considered the documentary evidence and being fully advised in the premises, does hereby FIND:

1. That the question of the organization of the District, the election of Directors thereof, and appropriate ballot issues and ballot questions were duly submitted to the eligible electors at an election duly held at the time and place specified in the Order for Organizational Election.

2. That the required Notice of Mail Ballot Election was duly published in compliance with the Order Calling Election for Organization of the Village at North Creek Metropolitan District and in accordance with all statutory requirements.

3. That all ballots were cast at the election by eligible electors of the District; and that the Canvass Board has duly certified its election returns to this Court as required by law, which returns show the election results to be as follows:

<u>BALLOT QUESTION A</u>	<u>VOTES</u>
FOR the Organization of the Village at North Creek Metropolitan District	Five (5)
AGAINST the Organization of the Village at North Creek Metropolitan District	Zero (0)
<u>BALLOT ISSUE B</u>	<u>VOTES</u>
FOR an increase in taxes of \$1,000,000	Five (5)
AGAINST an increase in taxes of \$1,000,000	Zero (0)
<u>BALLOT ISSUE C</u>	<u>VOTES</u>
FOR an increase in taxes of \$1,000,000	Five (5)
AGAINST an increase in taxes of \$1,000,000	Zero (0)
<u>BALLOT ISSUE D</u>	<u>VOTES</u>
FOR an increase in debt of \$18,000,000	Five (5)
AGAINST an increase in debt of \$18,000,000	Zero (0)
<u>BALLOT ISSUE E</u>	<u>VOTES</u>
FOR an increase in debt of \$18,000,000	Five (5)
AGAINST an increase in debt of \$18,000,000	Zero (0)
<u>BALLOT ISSUE F</u>	<u>VOTES</u>
FOR an increase in debt of \$18,000,000	Five (5)
AGAINST an increase in debt of \$18,000,000	Zero (0)
<u>BALLOT ISSUE G</u>	<u>VOTES</u>
FOR an increase in debt of \$18,000,000	Five (5)
AGAINST an increase in debt of \$18,000,000	Zero (0)
<u>BALLOT ISSUE H</u>	<u>VOTES</u>
FOR an increase in debt of \$18,000,000	Five (5)
AGAINST an increase in debt of \$18,000,000	Zero (0)
<u>BALLOT ISSUE I</u>	<u>VOTES</u>
FOR an increase in debt of \$18,000,000	Five (5)
AGAINST an increase in debt of \$18,000,000	Zero (0)

BALLOT ISSUE J

FOR an increase in debt of \$18,000,000
AGAINST an increase in debt of \$18,000,000

VOTES

Five (5)
Zero (0)

BALLOT ISSUE K

FOR an increase in debt of \$18,000,000
AGAINST an increase in debt of \$18,000,000

VOTES

Five (5)
Zero (0)

BALLOT ISSUE L

FOR an increase in debt of \$18,000,000
AGAINST an increase in debt of \$18,000,000

VOTES

Five (5)
Zero (0)

BALLOT ISSUE M

FOR an increase in debt of \$18,000,000
AGAINST an increase in debt of \$18,000,000

VOTES

Five (5)
Zero (0)

BALLOT ISSUE N

FOR an increase in debt of \$18,000,000
AGAINST an increase in debt of \$18,000,000

VOTES

Five (5)
Zero (0)

BALLOT ISSUE O

FOR an increase in debt of \$18,000,000
AGAINST an increase in debt of \$18,000,000

VOTES

Five (5)
Zero (0)

BALLOT ISSUE P

FOR authorization to collect, retain and spend any and all amounts
annually from any revenue source
AGAINST authorization to collect, retain and spend any and all amounts
annually from any revenue source

VOTES

Five (5)
Zero (0)

BALLOT ISSUE Q

FOR authorization to enter into agreements with any developer or owner
of property in the district for the purpose of financing the costs of any
public improvements, facilities, systems, or projects
AGAINST authorization to enter into agreements with any developer or
owner of property in the district for the purpose of financing the costs of
any public improvements, facilities, systems, or projects

VOTES

Five (5)
Zero (0)

BALLOT ISSUE R

FOR authorization to issue mortgages, liens or other encumbrances on
District's real and personal property
AGAINST authorization to issue mortgages, liens or other encumbrances
on District's real and personal property

VOTES

Four (4)
Zero (0)

BALLOT QUESTION S

FOR authorization to provide transportation services
AGAINST authorization to provide transportation services

VOTES

Four (4)
Zero (0)

BALLOT QUESTION T

FOR elimination of Board member term limits
AGAINST elimination of Board member term limits

VOTES

Four (4)
Zero (0)

4. That a majority of the votes cast at such election were in favor of the organization of the District and all ballot issues and the ballot questions submitted.

5. That the results of the election of Directors of the District for terms to expire at the second regular election in May, 2022, and as further shown on the Certificates of Election issued by this Court in accordance with Section 32-1-305.5(5), C.R.S., which Certificates are issued in conjunction with this Order, were as follows:

<u>Candidates</u>	<u>Votes</u>
Richmond Weimer	Five (5)
Benjamin Weimer	Five (5)
Mark D. Connor	Five (5)

6. That the results of the election of Directors of the District for terms to expire at the first regular election in May, 2020, and as further shown on the Certificates of Election issued by this Court in accordance with Section 32-1-305.5(5), C.R.S., which Certificates are issued in conjunction with this Order, were as follows:

<u>Candidates</u>	<u>Votes</u>
Rod Weimer	Five (5)
Lorraine Weimer	Five (5)

7. That the legal description of the boundaries of the District, as set forth in Exhibit A attached hereto and incorporated herein by this reference, is legally sufficient to give notice to all persons of the District's boundaries for all purposes relating to this organization and relating to all other functions or activities of the District.

8. That such election was held in accordance with the provisions of Articles 1 through 13.5, Title 1, C.R.S., Article 1, Title 32, C.R.S., and all other applicable provisions of law. All of the requirements of Article 1, Title 32, C.R.S., have been complied with, met, and performed in the organization of the District.

The Court being fully advised in this matter, it is therefore ORDERED,
ADJUDGED AND DECREED:

1. That this Court has jurisdiction in all matters pertaining to this action as provided by law.
2. That the Canvass Board's Certificate of Determination of Official Election Results filed herein hereby is, in all respects, approved and confirmed.
3. That the District has been, and is hereby declared to be, duly organized and is hereby named, and shall be known as "Village at North Creek Metropolitan District."
4. That the District is located within the City of Thornton, County of Adams Colorado, and a description of the boundaries of the District, and the territory to be included therein, is attached hereto as Exhibit A. Further, a map of the District, Resolution of the City Council of the City of Thornton, Colorado, approving the District's Service Plan, and a copy of the District's approved Service Plan are all on file with this Court and are incorporated into this Order and Decree by this reference.
5. That the following are the names of the electors of the District who were elected and are therefore designated to serve on the first Board of Directors of the District:

Terms to expire May, 2020

Rod Weimer
Lorraine Weimer

Terms to expire May, 2022:

Richmond Weimer
Benjamin Weimer
Mark D. Connor

6. That the District shall be a quasi-municipal corporation and a political subdivision of the State of Colorado with all the powers of a metropolitan district as provided by law; and that the facilities, services, and financial arrangements of the District shall conform as far as practicable to the District's approved Service Plan and Resolution of the City Council of the City of Thornton, Colorado, approving the District's Service Plan.

7. That within 30 days after the date hereof, the District shall transmit to the Adams County Clerk and Recorder a certified copy of this Findings, Order and Decree. The same shall be recorded by the Adams County Clerk and Recorder and shall be filed with the Division of Local Government, and a map of the District shall be filed with the

Adams County Assessor, Adams County Clerk and Recorder and Division of Local Government.

8. That the above-named duly elected and designated Board of Directors of the District shall qualify for office and organize such Board in the manner prescribed by law and shall file with the Clerk of this Court their Oaths of Office and individual, schedule, or blanket corporate surety bonds, at the expense of the District, in the amounts and form specified by law.

9. That the members of the Board of Directors of the District and their lawful successors shall hereafter take such actions and proceedings as are necessary for the governance of the District.

10. That the District shall have and exercise, through the duly elected Board of Directors and officers of the District, all of the powers and authorities conferred upon metropolitan districts under and by virtue of the provisions of Article 1, Title 32, C.R.S., and all laws relating thereto, and all powers and authorities as may hereafter be conferred by law.

DONE this ____ day of _____, 2019.

BY THE COURT:

District Court Judge

Combined Court, Adams County, CO
CERTIFIED to be a full, true & correct
copy of the original in my custody

DEC 06 2019



DATED

BY _____
Deputy

EXHIBIT A
TO FINDINGS, ORDER AND DECREE CREATING THE
VILLAGE AT NORTH CREEK METROPOLITAN DISTRICT

A Description of the Boundaries of the District

EXHIBIT A Parcel Description

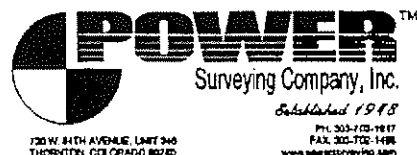
PARCEL DESCRIPTION - DISTRICT BOUNDARY

BEING A PORTION OF THE REAL PROPERTY AS DESCRIBED IN EL CONCRETO, INC. 1920 BEATI:42 AM
CERTAIN SPECIAL WARRANTY DEED RECORDED MAY 22, 2012 AT REC. #2012000036830,
LYING WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 2, TOWNSHIP 1 SOUTH,
RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF
COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 2, FROM WHENCE THE
NORTHEAST CORNER OF SAID NORTHWEST QUARTER (NW 1/4) BEARS NORTH 89°55'00" EAST
A DISTANCE OF 2639.09 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;
THENCE NORTH 89°55'00" EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER
(NW 1/4), 623.89 FEET TO A POINT;
THENCE LEAVING SAID NORTH LINE, SOUTH 00°05'00" EAST, 60.00 FEET TO A POINT ON THE
SOUTH LINE OF EAST 168TH AVENUE, AND BEING THE POINT OF BEGINNING;

THENCE NORTH 89°55'00" EAST, ALONG SAID SOUTH LINE OF EAST 168TH AVENUE, 1480.79
FEET TO A POINT;
THENCE LEAVING SAID SOUTH LINE, SOUTH 00°05'00" EAST, 280.53 FEET TO A POINT;
THENCE SOUTH 89°55'00" WEST, 9.05 FEET TO A POINT;
THENCE SOUTH 00°05'00" EAST, 220.25 FEET TO A POINT;
THENCE NORTH 89°55'00" EAST, 115.75 FEET TO A POINT;
THENCE NORTH 00°05'00" WEST, 28.75 FEET TO A POINT;
THENCE NORTH 89°55'00" EAST, 50.00 FEET TO A POINT;
THENCE SOUTH 65°34'09" EAST, 95.58 FEET TO A POINT;
THENCE NORTH 89°55'00" EAST, 203.38 FEET TO A POINT;
THENCE SOUTH 00°05'00" EAST, 109.76 FEET TO A NON-TANGENT CURVE TO THE LEFT
CONCAVE SOUTHEASTERLY;
THENCE SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 644.88 FEET, AND
WHOSE LONG CHORD BEARS SOUTH 64°10'56" WEST AND HAS A CHORD LENGTH OF 331.49
FEET, THROUGH A CENTRAL ANGLE OF 29°47'13", FOR AN ARC LENGTH OF 335.26 FEET TO A
POINT OF NON-TANGENCY;
THENCE SOUTH 89°55'00" WEST, 35.53 FEET TO A POINT;
THENCE SOUTH 00°05'00" EAST, 74.74 FEET TO A NON-TANGENT CURVE TO THE LEFT
CONCAVE SOUTHEASTERLY;
THENCE SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 507.00 FEET, AND
WHOSE LONG CHORD BEARS SOUTH 37°13'17" WEST AND HAS A CHORD LENGTH OF 22.96
FEET, THROUGH A CENTRAL ANGLE OF 02°35'43", FOR AN ARC LENGTH OF 22.97 FEET TO A
POINT OF NON-TANGENCY;
THENCE SOUTH 35°55'25" WEST, 111.43 FEET TO A POINT;
THENCE SOUTH 23°15'12" WEST, 102.53 FEET TO A POINT;
THENCE NORTH 55°54'57" WEST, 37.15 FEET TO A POINT;
THENCE SOUTH 36°23'52" WEST, 81.85 FEET TO A POINT;
THENCE SOUTH 39°00'14" WEST, 73.18 FEET TO A POINT;
THENCE SOUTH 50°52'27" WEST, 20.25 FEET TO A POINT;
THENCE SOUTH 68°04'58" WEST, 26.57 FEET TO A POINT;
THENCE SOUTH 83°17'26" WEST, 39.79 FEET TO A POINT;
THENCE NORTH 87°22'02" WEST, 42.30 FEET TO A POINT;

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DRAWING BY: FMZ
PROJECT NO.

DATE: 4-25-2019
501-18-097(B)

EXHIBIT A Parcel Description

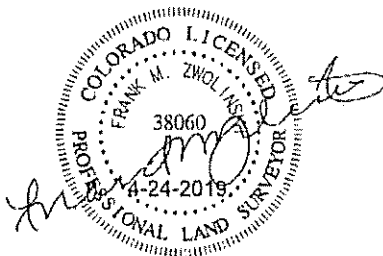
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THENCE NORTH 85°06'17" WEST, 43.10 FEET TO A POINT;
THENCE NORTH 67°44'59" WEST, 53.68 FEET TO A POINT;
THENCE SOUTH 51°52'34" WEST, 158.43 FEET TO A POINT ON THE NORTH LINE OF COLORADO
STATE HIGHWAY 7;
THENCE ALONG SAID NORTH LINE THE FOLLOWING THREE (3) COURSES:

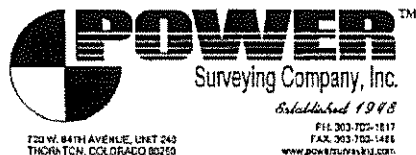
1. NORTH 35°11'45" WEST A DISTANCE OF 750.96 FEET TO A POINT;
2. NORTH 37°13'15" WEST A DISTANCE OF 307.70 FEET TO A NON-TANGENT CURVE TO THE
LEFT CONCAVE SOUTHWESTERLY;
3. NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 1507.50 FEET, AND WHOSE
LONG CHORD BEARS NORTH 51°24'45" WEST AND HAS A CHORD LENGTH OF 534.85 FEET,
THROUGH A CENTRAL ANGLE OF 20°26'10", FOR AN ARC LENGTH OF 537.69 FEET TO A
POINT OF NON-TANGENCY;

THENCE LEAVING SAID NORTH LINE, NORTH 28°21'42" EAST, 56.11 FEET TO THE POINT OF
BEGINNING.

Containing ±1,228,065 square feet or ±28.192 acres of land.



Frank M. Zwolinski, P.L.S.
Colorado License #38060
For and on behalf of Power Surveying Company, Inc.
720 W. 84th Ave., Unit 240
Thornton, CO 80260
303-702-1617



DRAWING BY: FMZ DATE: 4-25-2019
PROJECT NO. 501-18-097(B)

EXHIBIT A Parcel Description

PARCEL DESCRIPTION - INCLUSION AREA

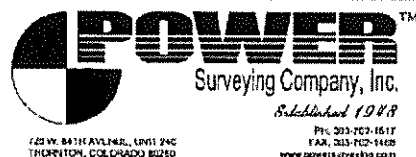
BEING A PORTION OF THE REAL PROPERTY AS DESCRIBED AND CONVEYED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED MAY 22, 2012 AT REC. #2012000036830, LYING WITHIN THE NORTH HALF (N 1/2) OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 2, FROM WHENCE THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 2 BEARS NORTH 89°55'00" EAST A DISTANCE OF 2635.50 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;
THENCE SOUTH 00°24'20" WEST, 60.00 FEET TO A POINT ON THE SOUTH LINE OF EAST 168TH AVENUE, AND BEING THE POINT OF BEGINNING;

THENCE ALONG THE EXTERIOR BOUNDARY OF SAID REAL PROPERTY THE FOLLOWING TWELVE (12) COURSES:

1. ALONG SAID SOUTH LINE OF EAST 168TH AVENUE, NORTH 89°55'00" EAST, 700.10 FEET TO A POINT;
2. SOUTH 00°05'00" EAST, 91.45 FEET TO A TANGENT CURVE TO THE LEFT CONCAVE EASTERLY;
3. SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 330.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 07°53'18" EAST AND HAS A CHORD LENGTH OF 89.63 FEET, THROUGH A CENTRAL ANGLE OF 15°36'35", FOR AN ARC LENGTH OF 89.91 FEET TO A NON-TANGENT CURVE TO THE LEFT CONCAVE SOUTHEASTERLY;
4. SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 526.47 FEET, AND WHOSE LONG CHORD BEARS SOUTH 53°04'50" WEST AND HAS A CHORD LENGTH OF 140.63 FEET, THROUGH A CENTRAL ANGLE OF 15°21'02", FOR AN ARC LENGTH OF 141.05 FEET TO A POINT OF NON-TANGENCY;
5. SOUTH 56°31'56" WEST, 116.88 FEET TO A TANGENT CURVE TO THE LEFT CONCAVE SOUTHEASTERLY;
6. SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 140.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 33°44'38" WEST AND HAS A CHORD LENGTH OF 108.45 FEET, THROUGH A CENTRAL ANGLE OF 45°34'33", FOR AN ARC LENGTH OF 111.36 FEET TO A POINT OF TANGENCY;
7. SOUTH 10°57'20" WEST, 75.73 FEET TO A TANGENT CURVE TO THE RIGHT CONCAVE WESTERLY;
8. SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 175.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 17°49'32" WEST AND HAS A CHORD LENGTH OF 41.87 FEET, THROUGH A CENTRAL ANGLE OF 13°44'23", FOR AN ARC LENGTH OF 41.97 FEET TO A NON-TANGENT CURVE TO THE RIGHT CONCAVE NORTHERLY;
9. WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 360.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 70°20'48" WEST AND HAS A CHORD LENGTH OF 311.33 FEET, THROUGH A CENTRAL ANGLE OF 51°14'25", FOR AN ARC LENGTH OF 321.95 FEET TO A REVERSE CURVE TO THE LEFT CONCAVE SOUTHERLY;

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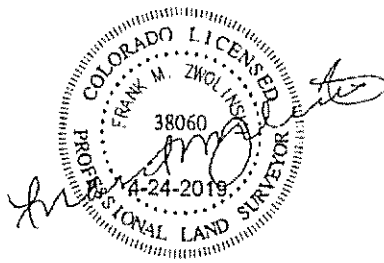
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- 10. WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 586.31 FEET, AND WHOSE LONG CHORD BEARS NORTH 86°03'09" WEST AND HAS A CHORD LENGTH OF 41.32 FEET, THROUGH A CENTRAL ANGLE OF 04°02'18", FOR AN ARC LENGTH OF 41.33 FEET TO A COMPOUND CURVE TO THE LEFT CONCAVE SOUTHERLY;
- 11. WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 675.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 78°49'36" WEST AND HAS A CHORD LENGTH OF 325.19 FEET, THROUGH A CENTRAL ANGLE OF 27°52'37", FOR AN ARC LENGTH OF 328.42 FEET TO A COMPOUND CURVE TO THE LEFT CONCAVE SOUTHEASTERLY;
- 12. SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 507.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 51°42'13" WEST AND HAS A CHORD LENGTH OF 231.28 FEET, THROUGH A CENTRAL ANGLE OF 26°22'09", FOR AN ARC LENGTH OF 233.33 FEET TO A POINT OF NON-TANGENCY;

THENCE LEAVING SAID EXTERIOR BOUNDARY, NORTH 00°05'00" WEST, 74.74 FEET TO A POINT;
THENCE NORTH 89°55'00" EAST, 35.53 TO A NON-TANGENT CURVE TO THE RIGHT CONCAVE SOUTHEASTERLY;
THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 644.88 FEET, AND WHOSE LONG CHORD BEARS NORTH 64°10'56" EAST AND HAS A CHORD LENGTH OF 331.49 FEET, THROUGH A CENTRAL ANGLE OF 29°47'13", FOR AN ARC LENGTH OF 335.26 FEET TO A POINT OF NON-TANGENCY;
THENCE NORTH 00°05'00" WEST, 109.76 FEET TO A POINT;
THENCE SOUTH 89°55'00" WEST, 203.38 FEET TO A POINT;
THENCE NORTH 65°34'09" WEST, 95.58 FEET TO A POINT;
THENCE SOUTH 89°55'00" WEST, 50.00 FEET TO A POINT;
THENCE SOUTH 00°05'00" EAST, 28.75 FEET TO A POINT;
THENCE SOUTH 89°55'00" WEST, 115.75 FEET TO A POINT;
THENCE NORTH 00°05'00" WEST, 220.25 FEET TO A POINT;
THENCE NORTH 89°55'00" EAST, 9.05 FEET TO A POINT;
THENCE NORTH 00°05'00" WEST, 280.53 FEET TO A POINT ON THE AFOREMENTIONED SOUTH LINE OF EAST 168TH AVENUE;
THENCE ALONG SAID SOUTH LINE, NORTH 89°55'00" EAST, 533.90 FEET TO THE POINT OF BEGINNING.

Containing ±634,201 square feet or ±14.559 acres of land.

Combined Court, Adams County, CO
CERTIFIED to be a full, true & correct
copy of the original in my custody

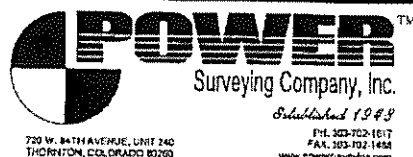


DEC 06 2019



DATED _____
BY Josh Zygielbaum
Deputy

Frank M. Zwolinski, P.L.S.
Colorado License #38060
For and on behalf of Power Surveying Company, Inc.
720 W. 84th Ave., Unit 240
Thornton, CO 80260
303-702-1617



DRAWING BY: FMZ DATE: 4-25-2019
PROJECT NO. 501-18-097(B)