

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PRAIRIESTAR METROPOLITAN DISTRICT NO. 1 HELD MARCH 27, 2019

A Regular Meeting of the Board of Directors of the PrairieStar Metropolitan District No. 1 (referred to hereafter as "Board") was convened on Wednesday, the 27th day of March, 2019, at 6:00 P.M., at the Berthoud Community Center; 248 Welch Avenue, Berthoud, Colorado. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Scott Sarbaugh
Richard McCabe
Jennifer Davis

Upon motion duly made by Director Sarbaugh, seconded by Director McCabe and, upon vote, unanimously carried, the absences of Neil Almy and Kathy Sidney were excused.

Also In Attendance Were:

Judy Leyshon, David Solin and Peggy Ripko; Special District Management Services, Inc.

Elizabeth Cortese, Esq. and Kate Olson, Esq.; McGeady Becher P.C.

Diane Wheeler; Simmons & Wheeler, P.C.

Homeowners in Attendance Were:

Kristyn Degi; Community Liaison
Anton Camarota
Rob Craver
Ricia Reilly White
Marilyn Turner
Jim Lacock
Srihari Varadarajan

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Ms. Leyshon noted that a quorum was

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present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members in accordance with the statute. Attorney Cortese noted that all Directors' Disclosure Statements had been filed.

ADMINISTRATIVE MATTERS

Agenda: Ms. Leyshon distributed for the Board's review and approval a proposed Agenda for the District's regular meeting.

Following discussion, upon motion duly made by Director Sarbaugh, seconded by Director McCabe and, upon vote, unanimously carried, the Agenda was approved, as presented.

Approval of Meeting Location: The Board entered into discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting.

Following discussion, and upon motion duly made by Director Sarbaugh, seconded by Director McCabe and, upon vote, unanimously carried, the Board determined that because there was not a suitable or convenient location within the District's boundaries to conduct this meeting, it was determined to conduct the meeting at the above-stated, date, time and location. The Board further noted that notice of this location was duly posted and that they it had not received any objections to the location or any requests that the meeting place be changed by taxpaying electors within the District's boundaries.

Designation of 24-hour Posting Location: Following discussion, upon motion duly made by Director Sarbaugh, seconded by Director McCabe and, upon vote, unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District at least 24-hours prior to each meeting at the following location: At the entry of Wagonbend and Berthoud Parkway.

Resignation and Appointment of Secretary to the Board: The Board considered the resignation of Lisa A. Jacoby and the appointment of Judy L. Leyshon as Secretary to the Board.

Following discussion, upon motion duly made by Director Sarbaugh, seconded by Director McCabe and, upon vote, unanimously carried, the Board accepted the resignation of Lisa A. Jacoby and the appointment of Judy L. Leyshon as Secretary to the Board.

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CONSENT AGENDA:

The Board considered the following items on the consent Agenda:

- Approval of Minutes of the September 26, 2018 Regular meeting.
- Ratify approval of Second Amendment to Management Agreement between the District and Special District Management Services, Inc.

Following discussion, upon motion duly made by Director Sarbaugh, seconded by Director McCabe and, upon vote unanimously carried, the Board approved and/or ratified approval, as appropriate, of the above Consent Agenda items.

PUBLIC COMMENT

Note to reader: Pursuant to the Joint Resolution between District No. 1 and No. 2 regarding adoption of Policies and Procedures Governing the Enforcement of the Protective Covenants of PrairieStar - District No. 1 is the Operating District and District No. 2 is the Taxing District. It is the intent that District No. 2 provide covenant enforcement services and that District No. 1 provide all improvements and perform all services on behalf of the Districts.

Public Comment: Homeowners addressed the Board regarding various concerns related to District No. 2 as well as those related to the developer and/or builders.

Mr. Craver addressed his concern regarding lack of snow removal on the streets after snow storms.

Director Sarbaugh noted that the District's plan is consistent with the Town of Berthoud's policy and areas of responsibility for snow removal. However, the bus route has been elevated and the Town will now be plowing the bus routes. Director Sarbaugh noted that residents can increase taxes to have the streets plowed.

Mr. Camarota addressed the Board regarding his concern that the detention pond has a lot of contaminants in the water. There is stagnant water and mosquitos. He noted that the water eventually goes to the community garden.

Director Sarbaugh responded that the ponds are supplied from a community tap (which is treated District drinking water). The ponds have constant flow. Part of the pond will be wetlands which could produce mosquitos. The water is managed the same as the Town code. Grading on ponds are designed to hold 200% of 100-year flood which is able to drain to zero. Currently using water from snow melt for earthwork. Have not used water from the tap yet. Director McCabe noted that there are ponds in 1/2 of the 1st filing, 3rd filing and 2/3rd of the 4th filing, which will use the ponds.

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Director Sarbaugh also noted that there are plans for a second park near Mission Homes and that the community garden is progressing well.

Mr. Lacock reported to the Board that vehicles are crossing over County Road 17 and driving down the path. He suggested to the Board that maybe putting a fence across the path temporarily would deter vehicles from crossing over County Road 17 and driving down the path.

Director Sarbaugh noted that he would look into it.

FINANCIAL MATTERS

Unaudited Financials: Ms. Wheeler presented unaudited financial statements through the period ending December 31, 2018 with the Board. Following discussion, the Board deferred acceptance pending amendments.

2017 and 2018 Audits: Following discussion, upon motion duly made by Director McCabe, seconded by Director Sarbaugh and, upon vote, unanimously carried, the Board ratified approval of the engagement of Dazzio & Associates, PC to perform the 2017 and 2018 Audits.

2017 Budget Amendment Hearing: The President opened the public hearing to consider Amending the 2017 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2017 Budget 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 comments were received from the public in attendance and the public hearing was closed.

Following review and discussion, Director Sarbaugh moved to adopt Resolution No. 2019-03-01 to Amend the 2017 Budget, Director Davis seconded the motion and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-03-01 to Amend the 2017 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

2018 Budget Amendment Hearing: The President opened the public hearing to consider Amending the 2018 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2018 Budget 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 and no

RECORD OF PROCEEDINGS

comments were received from the public in attendance and the public hearing was closed.

Following review and discussion, Director Sarbaugh moved to adopt Resolution No. 2019-03-02 to Amend the 2018 Budget, Director Davis seconded the motion and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-03-02 to Amend the 2018 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

5th Certification of District Eligible Improvement Costs: The Board reviewed the Engineers Report and Certification #5 prepared by Manhard Consulting, Ltd. of District eligible improvements totaling \$3,176,927.61.

Following discussion, upon motion duly made by Director Sarbaugh, seconded by Director McCabe and, upon vote, unanimously carried, the Board accepted the Engineers Report and Certification #5 of District eligible costs totaling \$3,176,927.61.

Preparation of 2020 Budget: Following discussion, upon motion duly made by Director Sarbaugh, seconded by Director Davis and, upon vote, unanimously carried, the Board appointed Simmons & Wheeler, P.C. to prepare the 2020 Budget.

LEGAL MATTERS

Inclusion Agreement between the District, PrairieStar Metropolitan District No. 2 and PrairieStar, Inc.: Attorney Cortese presented to the Board an Inclusion Agreement between the District, PrairieStar Metropolitan District No. 2 and PrairieStar, Inc.

Following discussion, upon motion duly made by Director Sarbaugh, seconded by Director Davis and, upon vote, unanimously carried, the Board approved the Inclusion Agreement between the District, PrairieStar Metropolitan District No. 2 and PrairieStar, Inc.

Public Hearing on the Inclusion of less than one (1.0) acre of property owned by Cooperland, LLC: President Sarbaugh opened the public hearing to consider the inclusion of approximately less than once acre of real property owned by Cooperland, LLC into the District.

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

RECORD OF PROCEEDINGS

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 Davis, seconded by Director McCabe and, upon vote, unanimously carried, the Board approved the exclusion of the property as described in the Petition and adopted Resolution No. 2019-03-03; Resolution for Inclusion of Real Property. A copy of Resolution No. 2019-03-03 is attached hereto and incorporated herein by this reference.

Public Hearing on the Exclusion of less than one (1.0) acre of property owned by Cooperland, LLC: President Sarbaugh opened the public hearing to consider the exclusion of approximately less than one acre of real property owned by Cooperland, LLC out of the District.

It was noted that publication of Notice stating that the Board would consider the exclusion 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 Davis, seconded by Director McCabe and, upon vote, unanimously carried, the Board approved the exclusion of the property as described in the Petition and adopted Resolution No. 2019-03-04; Resolution for Exclusion of Real Property. A copy of Resolution No. 2019-03-04 is attached hereto and incorporated herein by this reference.

Service Agreement for Engineering Services between the District and Ranger Engineering, LLC: Attorney Cortese presented to the Board a Service Agreement for Engineering Services between the District and Ranger Engineering, LLC.

Following discussion, upon motion duly made by Director Davis, seconded by Director McCabe and, upon vote, unanimously carried, the Board approved the Service Agreement for Engineering Services between the District and Ranger Engineering, LLC.

OTHER MATTERS

There were no other matters presented.

ADJOURNMENT

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

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Respectfully submitted,

By 
Secretary for the Meeting

PRAIRIESTAR METROPOLITAN DISTRICTS 1-4

March 27, 2019

Please print your name, address and phone number and the issue(s) you are interested in addressing at this meeting.

NAME	ADDRESS	TELEPHONE/EMAIL	ISSUE(S) TO BE ADDRESSED
Anton Camarota	481 Country Rd	603 692 9777 anton.camarota@gmail.com	catchment pond
Rob Craver	500 TEN GALLON DR.	970-775-2303	FLOWER
RICIA REILLY WHITE	450 COUNTRY RD.	303-775-6622	
Kristyn Degi	2910 Big Thunder	9705562531	
Mandy Turner	894 PrairieStar	603-765-5903	
Jim Lacock	731 WALTON BEND RD	(866) 836-7551	
Srihari Vrabalakrishnan	2828 Verbaq.	970 286 5187	

RESOLUTION TO AMEND 2017 BUDGET
PRAIRIESTAR METROPOLITAN DISTRICT NO. 1

WHEREAS, the Board of Directors of the PrairieStar Metropolitan District No. 1 adopted an amended budget and appropriated funds for the fiscal year 2017 as follows:

General Fund	\$	83,995
Debt Service Fund	\$	-0-
Capital Projects Fund	\$	44,000

WHEREAS, the necessity has arisen for additional expenditures in the Capital Projects Fund requiring the unanticipated expenditure of funds in excess of those appropriated for the fiscal year 2017; and

WHEREAS, the expenditure of such funds could not have been reasonably foreseen at the time of adoption of the budget; and

WHEREAS, funds are available for such expenditures in the Capital Projects Fund from developer advances.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the PrairieStar Metropolitan District No. 1 shall and hereby does amend the amended Budget for the fiscal year 2017 and adopts a supplemental budget and appropriation for the Capital Projects Fund for the fiscal year 2017, as follows:

Capital Projects Fund	\$	4,300,000
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BE IT FURTHER RESOLVED, that such sums are hereby appropriated from the revenues of the District to the proper funds for the purposes stated.

DATED this 27th day of March, 2019.

PRAIRIESTAR METROPOLITAN DISTRICT
NO. 1

By: Judy Lushor
Secretary

PrairieStar Metropolitan District No. 1
Amended Budget
Capital Projects Fund
For the Year ended December 31, 2017

	Adopted Budget <u>2017</u>	Amended Budget <u>2017</u>
Beginning fund balance	\$ 25,891	\$ 25,891
Revenues:		
Developer advances	-	4,274,109
Miscellaneous	-	-
Total revenues	<u>-</u>	<u>4,274,109</u>
Total funds available	<u>25,891</u>	<u>4,300,000</u>
Expenditures:		
Accounting	4,200	4,200
Legal	6,000	6,000
Management fees	7,200	7,200
Capital improvements	-	4,274,109
Transfer to General Fund	1,491	1,491
Engineering	<u>7,000</u>	<u>7,000</u>
Total expenditures	<u>25,891</u>	<u>4,300,000</u>
Ending fund balance	<u>\$ -</u>	<u>\$ -</u>

RESOLUTION TO AMEND 2018 BUDGET
PRAIRIESTAR METROPOLITAN DISTRICT NO. 1

WHEREAS, the Board of Directors of the PrairieStar Metropolitan District No. 1 adopted an amended budget and appropriated funds for the fiscal year 2018 as follows:

General Fund	\$	100,000
Debt Service Fund	\$	-0-
Capital Projects Fund	\$	36,000

WHEREAS, the necessity has arisen for additional expenditures in the Capital Projects Fund requiring the unanticipated expenditure of funds in excess of those appropriated for the fiscal year 2018; and

WHEREAS, the expenditure of such funds could not have been reasonably foreseen at the time of adoption of the budget; and

WHEREAS, funds are available for such expenditures in the Capital Projects Fund from developer advance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the PrairieStar Metropolitan District No. 1 shall and hereby does amend the amended Budget for the fiscal year 2018 and adopts a supplemental budget and appropriation for the Capital projects Fund for the fiscal year 2018, as follows:

Capital Projects Fund:	\$	4,2500,000
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BE IT FURTHER RESOLVED, that such sums are hereby appropriated from the revenues of the District to the proper funds for the purposes stated.

DATED this 27th day of March, 2019.

PRAIRIESTAR METROPOLITAN DISTRICT
NO. 1

By:  Secretary

PrairieStar Metropolitan District No. 1
Amended Budget
Capital Projects Fund
For the Year ended December 31, 2018

	Adopted Budget <u>2018</u>	Amended Budget <u>2018</u>
Beginning fund balance	\$ <u> -</u>	\$ <u> 2,273</u>
Revenues:		
Developer advances	36,700	4,247,727
Miscellaneous	<u> -</u>	<u> -</u>
Total revenues	<u> 36,700</u>	<u>4,247,727</u>
Total funds available	<u> 36,700</u>	<u>4,250,000</u>
Expenditures:		
Accounting	8,000	7,750
Legal	6,200	12,000
Management fees	7,500	9,000
Capital improvements	-	4,192,500
Transfer to General Fund	-	-
Engineering	<u> 15,000</u>	<u> 28,750</u>
Total expenditures	<u> 36,700</u>	<u>4,250,000</u>
Ending fund balance	<u>\$ <u> -</u></u>	<u>\$ <u> -</u></u>

RESOLUTION NO. 2019-03-01

**RESOLUTION OF THE BOARD OF DIRECTORS OF
PRAIRIESTAR METROPOLITAN DISTRICT NO. 1
FOR INCLUSION OF REAL PROPERTY**

A. Cooperland, LLC, a Colorado limited liability company, the 100% fee owner of the Property (hereinafter defined) has petitioned the PrairieStar Metropolitan District No. 1 (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 PRAIRIESTAR METROPOLITAN DISTRICT NO. 1, LARIMER COUNTY, 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: Cooperland, LLC, a Colorado limited liability company

Address of Petitioner: 2738 Pine Street
Boulder, Colorado 80302

Legal Description: Approximately less than one (1.0) acre of land legally described on Exhibit A 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 Larimer County, 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.

Dated this 27th day of March, 2019.

**PRAIRIESTAR METROPOLITAN
DISTRICT NO. 1**

By: _____

President

Attest:

Secretary

EXHIBIT A

Legal Description



ENGINEERING
PLANNING
SURVEYING

☐☐ P 303.682.1131
F 303.682.1149

☐☐ info@civilarts.us
www.civilarts.us

☐☐ 1500 Kansas Avenue, Suite 2-E
Longmont, CO 80501

EXHIBIT "A"

March 4, 2019

A description of a PrairieStar Metropolitan District Filing No. 1 located in the S1/2 of Section 2, T4N, R69W of the 6th P.M., in Larimer County, Colorado. For: PrairieStar, Inc.

PRAIRIESTAR METROPOLITAN DISTRICT NO. 1

A tract of land located in the S1/2 of Section 2, T4N, R69W of the 6th P.M., County of Larimer, State of Colorado, described as follows:

COMMENCING at the W1/4 Corner of said Section 2, from which the Southwest Corner of said Section 2 bears S00°37'55"E, 2663.62 feet (Basis of Bearing), thence S63°39'53"E, 4043.12 feet to the Westerly Right-of-way Line of the Burlington Northern & Santa Fe Railroad and the POINT OF BEGINNING;

Thence S3°06'38"E, 20.00 feet along the Westerly Right-of-way Line of said Burlington Northern & Santa Fe Railroad;

Thence S86°53'22"W, 20.00 feet at right angles from the Westerly Right-of-way Line of said Burlington Northern & Santa Fe Railroad;

Thence N3°06'38"W, 20.00 feet parallel with the Westerly Right-of-way Line of said Burlington Northern & Santa Fe Railroad;

Thence N86°53'22"E, 20.00 feet at right angles from the Westerly Right-of-way Line of said Burlington Northern & Santa Fe Railroad to the POINT OF BEGINNING.

Area = 400 square feet, more or less.

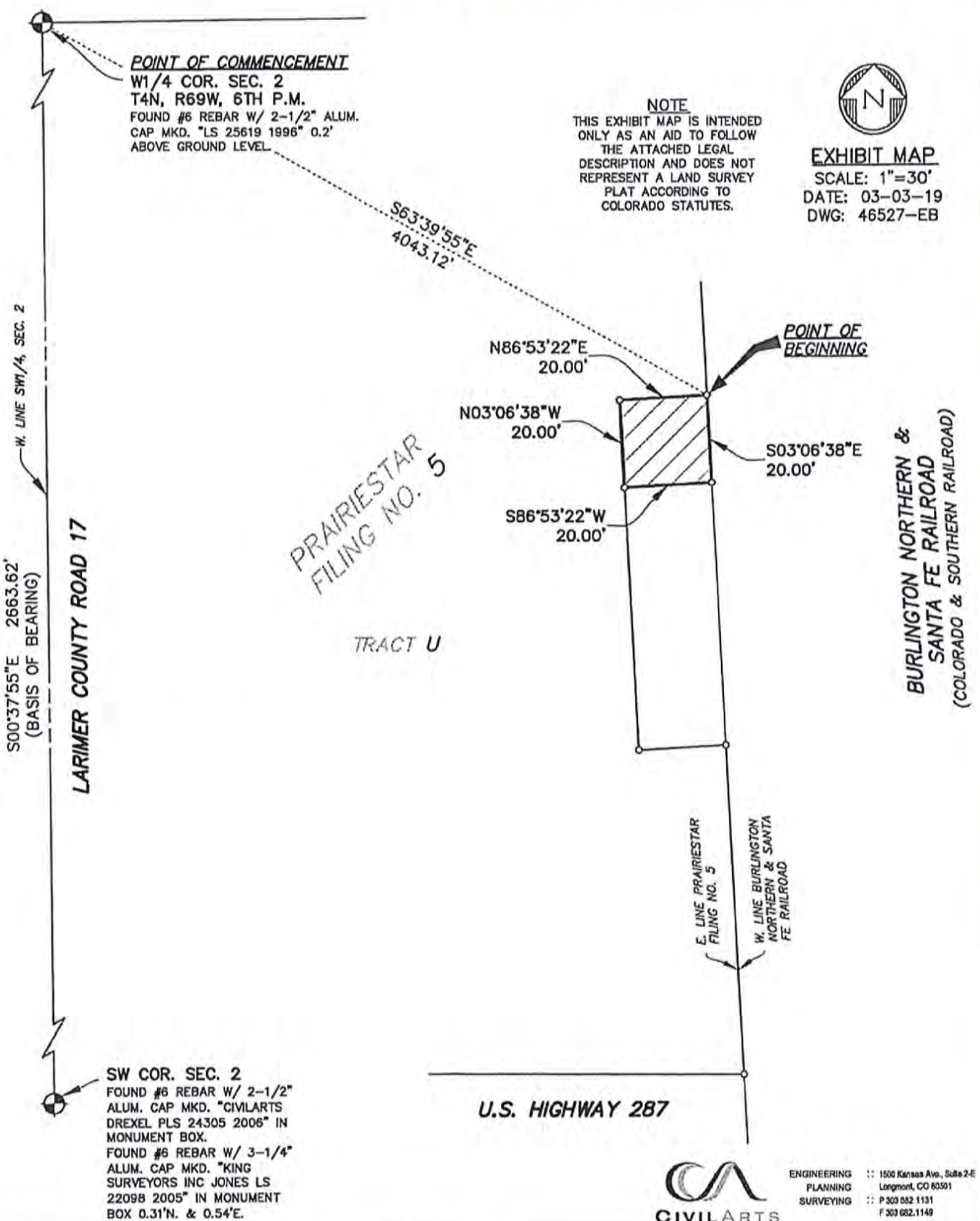
NOTICE: According to Colorado law you **must** commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.


Frank N. Drexel 24305
Colorado Professional Land
Surveyor No. 24305
1500 Kansas Ave #2-E, Longmont, CO 80501
Date: _____

File: 46527-MD1.doc

Project: 465-27

PRAIRIESTAR METROPOLITAN DISTRICT NO. 1



POINT OF COMMENCEMENT
 W1/4 COR. SEC. 2
 T4N, R69W, 6TH P.M.
 FOUND #6 REBAR W/ 2-1/2" ALUM.
 CAP MKD. "LS 25619 1996" 0.2'
 ABOVE GROUND LEVEL.

NOTE
 THIS EXHIBIT MAP IS INTENDED
 ONLY AS AN AID TO FOLLOW
 THE ATTACHED LEGAL
 DESCRIPTION AND DOES NOT
 REPRESENT A LAND SURVEY
 PLAT ACCORDING TO
 COLORADO STATUTES.



EXHIBIT MAP
 SCALE: 1"=30'
 DATE: 03-03-19
 DWG: 46527-EB

PRAIRIESTAR
 FILING NO. 5

TRACT U

BURLINGTON NORTHERN &
 SANTA FE RAILROAD
 (COLORADO & SOUTHERN RAILROAD)

W. LINE SW1/4, SEC. 2
 S00°37'55"E 2663.62'
 (BASIS OF BEARING)

LARIMER COUNTY ROAD 17

SW COR. SEC. 2
 FOUND #6 REBAR W/ 2-1/2"
 ALUM. CAP MKD. "CIVILARTS
 DREXEL PLS 24305 2006" IN
 MONUMENT BOX.
 FOUND #6 REBAR W/ 3-1/4"
 ALUM. CAP MKD. "KING
 SURVEYORS INC JONES LS
 22098 2005" IN MONUMENT
 BOX 0.31'N. & 0.54'E.

U.S. HIGHWAY 287

E. LINE PRAIRIESTAR
 FILING NO. 5
 W. LINE BURLINGTON
 NORTHERN & SANTA
 FE RAILROAD



ENGINEERING :: 1500 Kansas Ave., Suite 2-E
 PLANNING :: Longmont, CO 80501
 SURVEYING :: P 303 682 1131
 F 303 682.1148

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2019-03-01, Resolution of the Board of Directors of PrairieStar Metropolitan District No. 1, Resolution for Inclusion of Real Property.

PRAIRIESTAR METROPOLITAN DISTRICT NO. 1

Date: 3/27/19

By: Judith Lupton
Secretary

RESOLUTION NO. 2019-03-02

**RESOLUTION OF THE BOARD OF DIRECTORS OF
PRAIRIESTAR METROPOLITAN DISTRICT NO. 1**

RESOLUTION FOR EXCLUSION OF REAL PROPERTY

A. Cooperland, LLC, a Colorado limited liability company (the “**Petitioners**”), the 100% fee owner of the Property (defined herein) has petitioned the PrairieStar Metropolitan District No. 1 (the “**District**”) for the exclusion from the boundaries of said District of the real property hereinafter described on Exhibit A attached hereto and incorporated herein (the “**Property**”).

B. Public Notice has been published in accordance with Section 32-1-501(2), C.R.S., calling for a public hearing on the request for approval of said Petition.

C. No written objection was filed by any person in the District to the Petition.

D. The Board of Directors has taken into consideration all of the factors set forth in Section 32-1-501(3), C.R.S.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF PRAIRIESTAR METROPOLITAN DISTRICT NO. 1, LARIMER COUNTY, COLORADO:

1. The Board of Directors finds that:

(a) exclusion of the Property is in the best interests of the Property to be excluded;

(b) exclusion of the Property is in the best interests of the District;

(c) exclusion of the Property is in the best interests of the county or counties in which the District is located;

(d) the relative costs to the Property to be excluded from the provision of the District’s services exceed the benefits of the Property remaining within the District’s boundaries;

(e) under its current service plan the District does not have the ability to provide economical and sufficient service to both the Property seeking exclusion and all of the properties located within the District boundaries;

(f) the District does not have the ability to provide services to the Property to be excluded at a reasonable cost compared with the cost which would be imposed by other entities in the surrounding area providing similar services;

(g) denying the petition may have a negative impact on employment and other economic conditions in the District and surrounding areas;

(h) denying the petition may have a negative economic impact on the region and on the District, surrounding area and State as a whole;

(i) an economically feasible alternative service may be available; and

(j) it should not be necessary for the District to levy any additional costs on other property within the District if the Petition for Exclusion is granted.

2. The Board of Directors of the District shall and hereby does, order that the Petition for Exclusion be granted and the Property be excluded from the boundaries of the District subject to Petitioner paying the costs associated with processing the petition and requesting the court enter the Order for Exclusion, and recording thereof.

3. The Board of Directors of the District shall and hereby does further acknowledge and resolve that in accordance with Section 32-1-503, C.R.S., the Property described herein shall be obligated to the same extent as all other property within the District with respect to and shall be subject to the levy of taxes for the payment of that proportion of the outstanding indebtedness of the District and interest thereon existing immediately prior to the effective date of the Order for Exclusion (“**Outstanding Indebtedness**”).

4. The Board of Directors of the District shall and hereby does further order that, in accordance with Section 32-1-503(1), C.R.S., upon the effective date of the Order excluding the Property, the Property shall not be subject to any property tax levied by the Board of Directors of the District for the operating costs of the District.


5. The Board of Directors of the District shall and hereby does further resolve that in its discretion it may establish, maintain, enforce and, from time to time, modify service charges, tap fees, and other rates, fees, tolls and charges, upon residents or users in the area of the District as it existed prior to the exclusion, including the Property, to supplement the proceeds of tax levies in the payment of the Outstanding Indebtedness and the interest thereon.

The name and address of the Petitioner of one hundred percent (100%) of the Property and the legal description of said Property are as follows:

Petitioner:	Cooperland, LLC, a Colorado limited liability company
Address of Petitioner:	2738 Pine Street Boulder, Colorado 80302
Legal Description of the Property:	Approximately less than one (1.0) acre of land legally described on Exhibit A and incorporated herein by this reference.


APPROVED AND ADOPTED March 27, 2019.

**PRAIRIE STAR METROPOLITAN
DISTRICT NO. 1**

By: 

President

Attest:



Secretary

EXHIBIT A
Legal Description



ENGINEERING
PLANNING
SURVEYING

☐☐ P 303.682.1131
☐☐ F 303.682.1149

☐☐ info@civilarts.us
☐☐ www.civilarts.us

☐☐ 1860 Lefthand Circle, Suite A
Longmont, CO 80501

May 7, 2010

A description of PrairieStar Metropolitan District No. 1 located in the S1/2 of Section 2, T4N, R69W of the 6th P.M., in Larimer County, Colorado. For: Sarbaugh Realty Group.

LEGAL DESCRIPTION
PRAIRIESTAR METROPOLITAN DISTRICT NO. 1

A Parcel of land located in the S1/2 of Section 2, T4N, R69W of the 6th P.M., County of Larimer, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 2, from which the W1/4 Corner of said Section 2 bears N00°37'55"W, 2663.62 feet (Basis of Bearing), thence N75°23'26"E, 3299.46 feet to a point on the Westerly Line of proposed Lot 2, Block 4, PrairieStar, a proposed subdivision of the Town of Berthoud, Colorado and the POINT OF BEGINNING;

Thence N00°15'55"E, 20.00 feet along said Westerly Line;

Thence S89°44'05"E, 20.00 feet;

Thence S00°15'55"W, 20.00 feet;

Thence N89°44'05"W, 20.00 feet to the POINT OF BEGINNING;

Area = 400 square feet or 0.009 acre, more or less.

NOTICE: According to Colorado law you **must** commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.



 Peter D. Steger
 Colorado Professional Land
 Surveyor No. 25379
 1860 Lefthand Cir #A, Longmont, CO 80501
 Date: _____
 File: 4657-LGL PS METRO DIST 1.doc Project: 465-7

PRAIRIESTAR METROPOLITAN DISTRICT NO. 1

SHEET 2 OF 2

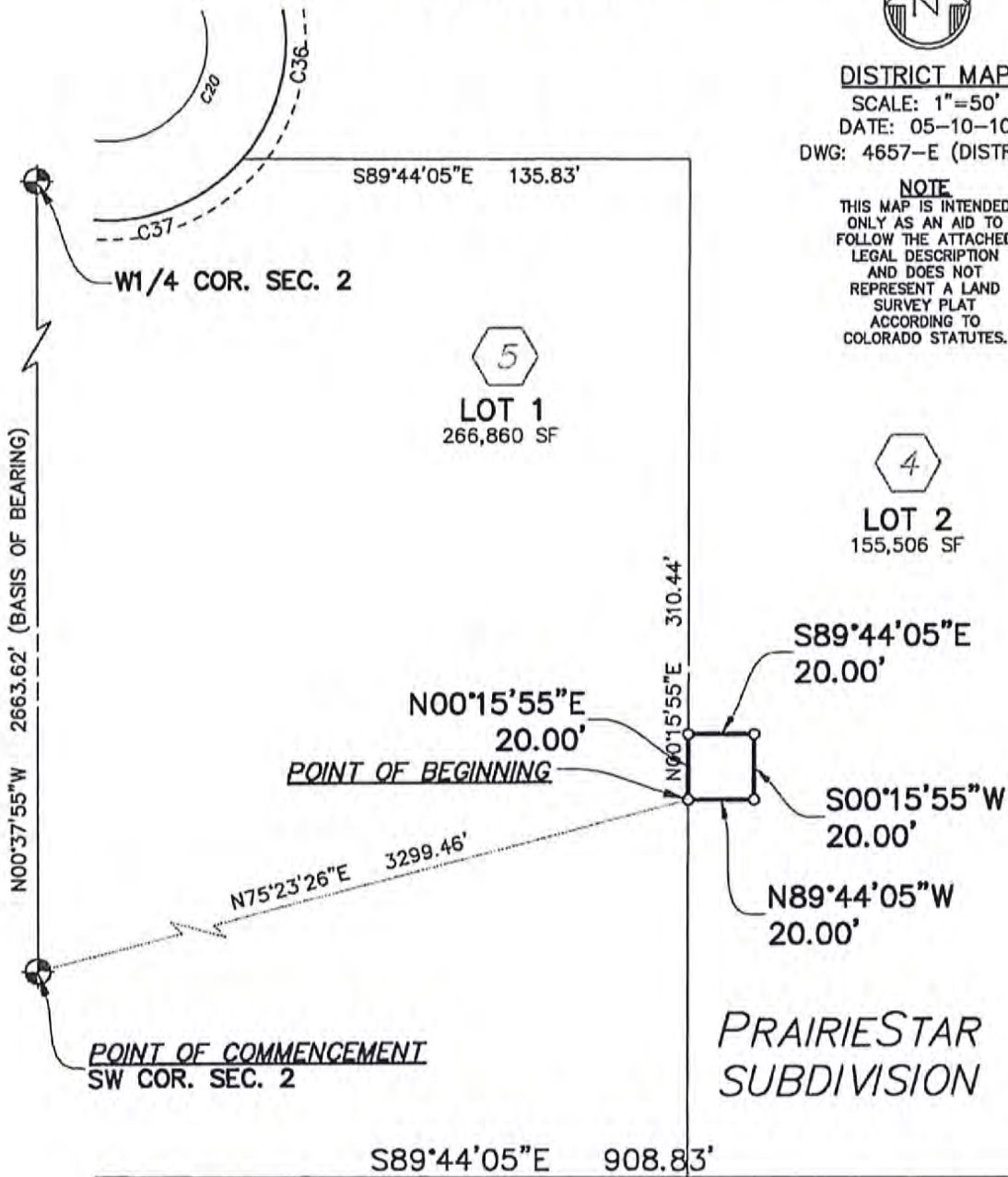


DISTRICT MAP

SCALE: 1"=50'
DATE: 05-10-10
DWG: 4657-E (DISTRICT)

NOTE

THIS MAP IS INTENDED ONLY AS AN AID TO FOLLOW THE ATTACHED LEGAL DESCRIPTION AND DOES NOT REPRESENT A LAND SURVEY PLAT ACCORDING TO COLORADO STATUTES.



U.S. HIGHWAY NO. 287



ENGINEERING :: 1880 Lothand Circle, Suite A
PLANNING :: Longmont, CO 80501
SURVEYING :: P 303.682.1131
F 303.682.1149

CERTIFICATION

The undersigned hereby certifies that the foregoing is a true and correct copy of Resolution No. 2019-03-02, Resolution of the Board of Directors of PrairieStar Metropolitan District No. 1, Resolution for Exclusion of Real Property.

PRAIRIESTAR METROPOLITAN DISTRICT NO. 1

Date: 3/27/19

By: Judy Lupton
Secretary