

After Recording, Return to:
WHITE BEAR ANKELE TANAKA & WALDRON
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

Resolution No. 2017-11-03

**AMENDMENT TO RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
HIGHPOINTE PARK METROPOLITAN DISTRICT**

CONCERNING THE IMPOSITION OF CAPITAL FACILITIES FEES

WHEREAS, the HighPointe Park Metropolitan District (the “District”) was formed pursuant to §§ 32-1-101, *et seq.*, C.R.S., as amended (the “Special District Act”), by order of the District Court for Adams County, Colorado, and after approval of the District’s eligible electors at an election; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “Board”) shall have the management, control and supervision of all the business and affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the District is authorized to fix and impose fees, rates, tolls, penalties and charges for services or facilities furnished by the District which, until such fees, rates, tolls, penalties and charges are paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, on November 4, 2015, the Board adopted the Resolution of the Board of Directors of HighPointe Park Metropolitan District Concerning the Imposition of Capital Facilities Fees, which was recorded in the real property records of the Adams County Clerk and Recorder’s Office on November 6, 2015, at Reception No. 2015000093373 (the “Fee Resolution”), and the Board desires to adopt this Resolution to amend the Fee Resolution as set forth herein.

NOW, THEREFORE, be it resolved by the Board as follows:

1. CHANGE IN ADDRESS FOR PAYMENT OF FEES. The address to which payments for each Capital Facilities Fee due and payable to the HighPointe Park Metropolitan District pursuant to the Fee Resolution, as set forth on Exhibit A of the Fee Resolution, is hereby amended and restated to the following:

Simmons & Wheeler, P.C.
304 Inverness Way South, Suite 490
Englewood, CO 80112
Attn: Diane Wheeler

2. THE PROPERTY. The Fee Resolution and this Amendment to Resolution of the Board of Directors of the HighPointe Park Metropolitan District Concerning the Imposition of

Capital Facilities Fees (the “**Amendment**”) shall apply to all property within the District’s boundaries, including, but not limited to, the property set forth in Exhibit A attached hereto and incorporated herein by this reference, and any additional property included into the District after the date of the Fee Resolution and/or the Amendment.

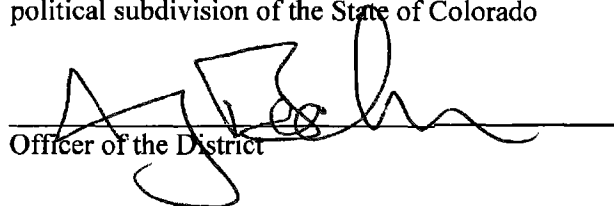
3. PRIOR PROVISIONS EFFECTIVE. Except as specifically amended hereby, all the terms and provisions of the Fee Resolution shall remain in full force and effect.

4. RECORDATION. The Amendment shall be recorded in the real property records of the Clerk and Recorder of Adams County, Colorado.

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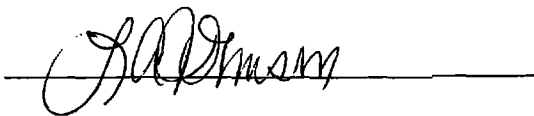
ADOPTED this 16th day of November, 2017.

HIGHPOINTE PARK METROPOLITAN
DISTRICT, a quasi-municipal corporation and
political subdivision of the State of Colorado



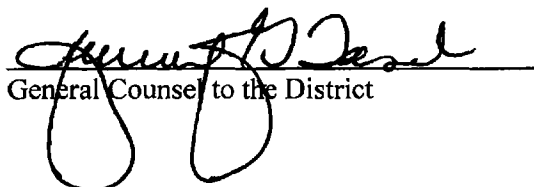
Officer of the District

ATTEST:



APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys At Law



General Counsel to the District

*Signature page to Amendment to Resolution Concerning the Imposition of
Capital Facilities Fee*

EXHIBIT A
DISTRICT BOUNDARIES

Exhibit A (Parcel Numbers and Legal Descriptions)

<u>Parcel Number</u>	<u>Legal Description</u>
A. 0171915400009	SECT,TWN,RNG:15-2-88 DESC: BEG AT SE COR SE4 SEC 15 TH W 60 FT TH N 50 FT THE TRUE POB TH CONT N 853/40 FT TH W 400 FT TH S 853/40 FT TH E 400 FT TO TRUE POB EXC ST8 TOG WITH PARC DESC AS BEG AT A PT FROM WHICH THE SE COR SE4 SEC 16 BRIS N 59D 47M W A DIST OF 98/48 FT TH S 87D 04M W 305/84 FT TH N 45D 05M W 12/73 FT TH E 319/22 FT ML TO POB AND EXC RD 57570A
B. 0171915400025	SECT,TWN,RNG:15-2-88 DESC: PARCEL B PT OF S2 SE4 SEC 15 DESC AS BEG 450 FT W AND 332/67 FT N OF SE COR SD S2 SE4 TH CONT N 567/33 FT TH E 400 FT TO A PT 50 FT W OF E LN SD S2 SE4 SD PT BEING ON W ROW LN N WASHINGTON ST TH N 408/78 FT TO A PT ON N LN SD S2 SE4 TH W 1282/90 FT TO A PT ON ELY ROW LN GRANT ST TH S 34D 24M W 23/22 FT TH S 21D 24M E 392/91 FT TH S 19D 58M E 350/71 FT TO BEG OF CURVE TO RT RAD SD CURVE IS 765/85 FT DELTA SD CURVE IS 20D 19M CHD SD CURVE BR5 S 09D 48M E 270/35 FT TH ALG ARC SD CURVE 271/77 FT TH E 593/76 FT TO TRUE POB 20/153A
C. 0171915400015	SECT,TWN,RNG:15-2-88 DESC: BEG 50 FT N OF SE COR SEC 16 TH CONT N 650 FT TH W 460 FT TH S 850 FT TH E 450 FT TO POB EXC E 50 FT AND EXC S 853/40 FT THEREOF 1/81A
D. 0171915400027	SECT,TWN,RNG:15-2-88 DESC: PT OF NE4 SE4 SEC 16 DESC AS BEG AT SE COR SD NE4 SE4 TH W 880/56 FT TO E LN LOT 12 BLK 8 LOMA LINDA PARK SECOND FILING THE POB TH W 482/32 FT TO ELY ROW LN GRANT ST TH N 34D 22M E 58/67 FT TO S LN 98TH AVE ROW TH THE FOL 2 COURSES E 120/18 FT TO A TANG 688/75 FT RAD CURVE AND ELY ALG SD CURVE WHICH IS CONCAVE NLY THRU A C/A OF 28D 15M AN ARC DIST OF 320/30 FT TO E LN SD LOT 12 TH S 120/67 FT TO POB EXC LOGAN ST AND EXC PT LYING WITHIN PARC OWNED BY HIGHLINE LATERAL DT CO 0/40A
E. 0171915407003	SUB:LOMA LINDA PARK SECOND FILING BLK:8 DESC: LOT 11 EXC RD
F. 0171915407004	SUB:LOMA LINDA PARK SECOND FILING BLK:8 LOT:10
G. 0171915407005	SUB:LOMA LINDA PARK SECOND FILING BLK:8 LOT:9
H. 0171915407008	SUB:LOMA LINDA PARK SECOND FILING BLK:8 LOT:8
I. 0171915407007	SUB:LOMA LINDA PARK SECOND FILING BLK:8 LOT:7
J. 0171915407008	SUB:LOMA LINDA PARK SECOND FILING BLK:8 LOT:6
K. 0171915407009	SUB:LOMA LINDA PARK SECOND FILING BLK:8 LOT:5
L. 0171915407010	SUB:LOMA LINDA PARK SECOND FILING BLK:8 LOT:4
M. 0171915407011	SUB:LOMA LINDA PARK SECOND FILING BLK:8 LOT:3

N. 0171915407012 SUB:LOMA LINDA PARK SECOND FILING BLK:6 LOT:2

O. 0171915407013 SUB:LOMA LINDA PARK SECOND FILING BLK:6 LOT:1

P. 0171915400028 SECT,TWN,RNG:15-2-68 DESC: A TRACT CONSISTING OF THOSE PTS OF BOTH E 98TH PL AND PEARL ST ROW AS DEDICATED BY PLAT OF LOMA LINDA PARK SECOND FLG WHICH LIE SLY OF TH S LN PROPOSED 98TH AVE ROW DESG AS BEG AT SE COR NE4 SE4 SEC 15/2/88 TH W 170 FT TO POB IN E LN OF SD PEARL ST TH N 338/29 FT TO S LN OF SD 98TH AVE TH W 80 FT TO W LN OF SD PEARL ST TH S 26/17 FT TO A PT IN N LN OF SD 98TH PL TH THE FOL 4 COURSES (1) WLY ALG A NON-TANG 810/63 FT RAD CURVE (A RAD LN FROM LAST SD PT BRS S) WHICH IS CONCAVE SLY THRU A C/A OF 06D 00M AN ARC DIST OF 83/38 FT (2) S 84D 08M W TANG TO SD CURVE 40 FT TO A TANG CURVE (3) WLY ALG SD CURVE WHICH IS CONCAVE SLY THRU A C/A OF 08D 56M AN ARC DIST OF 188/82 FT (RAD EQUALS 1162/28 FT) AND (4) S 74D 12M W TANG TO SD CURVE 124/55 FT TH S 61D 28M W 188/47 FT TO A PT IN S LN SD E 98TH PL TH THE FOL 8 COURSES (1) E 7/08 FT (2) ELY ALG A NON-TANG 430/08 FT RAD CURVE (A RAD FROM SD PT BRS N) WHICH IS CONCAVE NLY THRU A C/A OF 16D 58M AN ARC DIST OF 122/48 FT (3) N 74D 12M E TANG TO SD CURVE 178/75 FT (4) S 18D 07M E 80 FT TO A TANG 45 FT RAD CURVE (5) SLY ELY AND NLY ALG SD CURVE WHICH IS CONCAVE NLY THRU A C/A OF 180D AN ARC DIST OF 141/37 FT (6) N 18D 07M W 72/58 FT TO A PT IN A NON-TANG CURVE (7) ELY ALG SD CURVE (A RAD FROM SD PT BRS S 11D 03M E) WHICH IS CONCAVE SLY THRU A C/A OF 05D 12M AN ARC DIST OF 98/17 FT (RAD EQUALS 1082/28 FT) (8) N 84D 08M E TANG TO SD CURVE 40 FT TO A TANG 830/83 FT RAD CURVE AND (9) ELY ALG SD CURVE WHICH IS CONCAVE SLY THRU A C/A OF 06D 00M AN ARC DIST OF 87/03 FT TO THE W LN SD PEARL ST TH NON-TANG TO SD CURVE S 252/18 FT TO S LN SD NE4 SE4 TH E 80 FT TO POB 1/46A

Q. 0171915406010 SUB:LOMA LINDA PARK SECOND FILING BLK:7 LOT:9

R. 0171915406009 SUB:LOMA LINDA PARK SECOND FILING BLK:7 LOT:8

S. 0171915406008 SUB:LOMA LINDA PARK SECOND FILING BLK:7 LOT:7

T. 0171915406007 SUB:LOMA LINDA PARK SECOND FILING BLK:7 LOT:6

U. 0171915406006 SUB:LOMA LINDA PARK SECOND FILING BLK:7 DESC: LOT 5 EXC RD

MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 15, RANGE 2 SOUTH, RANGE 68 WEST OF THE 6TH P.M., THENCE NORTH 00°11'05" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 84.76 FEET; THENCE NORTH 89°48'55" WEST, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 85°22'09" WEST, A DISTANCE OF 314.96 FEET;
THENCE NORTH 44°47'31" WEST, A DISTANCE OF 28.76 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF PEARL STREET;
THENCE NORTH 00°24'59" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 272.68 FEET;
THENCE NORTH 80°00'00" WEST, A DISTANCE OF 630.65 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF GRANT STREET;
THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF GRANT STREET THE FOLLOWING THREE (3) COURSES:
1) ALONG A NON-TANGENT CURVE TO THE LEFT, A DISTANCE OF 270.48 FEET, SAID CURVE HAVING A RADIUS OF 765.95 FEET, AN INTERNAL ANGLE OF 20°13'58" AND A CHORD BEARING NORTH 09°51'02" WEST, A DISTANCE OF 269.08 FEET;
2) THENCE NORTH 18°58'02" WEST, A DISTANCE OF 350.71 FEET;
3) THENCE NORTH 21°23'55" WEST, A DISTANCE OF 392.91 FEET;
THENCE NORTH 34°24'40" EAST, A DISTANCE OF 23.22 FEET;
THENCE SOUTH 89°46'45" EAST, A DISTANCE OF 301.83 FEET;

THENCE NORTH 00°13'15" EAST, A DISTANCE OF 64.80 FEET, TO A POINT ON THE SOUTHERLY
RIGHT-OF-WAY LINE OF EAST 98TH AVENUE;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EAST 98TH AVENUE THE
FOLLOWING FOUR (4) COURSES;

1) ALONG A NON-TANGENT CURVE TO THE LEFT, A DISTANCE OF 199.94 FEET, SAID CURVE
HAVING A RADIUS OF 898.75 FEET, AN INTERNAL ANGLE OF 16°23'42" AND A CHORD
BEARING NORTH 68°42'40" EAST, A DISTANCE OF 199.26 FEET;

2) THENCE NORTH 81°30'49" EAST, A DISTANCE OF 249.69 FEET, TO A POINT OF
CURVATURE;

3) THENCE ALONG A TANGENT CURVE TO THE RIGHT, A DISTANCE OF 343.07 FEET, SAID
CURVE HAVING A RADIUS OF 683.70 FEET, AN INTERNAL ANGLE OF 28°45'00" AND A CHORD
BEARING NORTH 75°53'19" EAST, A DISTANCE OF 339.49 FEET;

4) THENCE SOUTH 89°44'11" EAST, A DISTANCE OF 231.31 FEET, TO A POINT 75.00 FEET
WEST OF SAID EAST LINE OF THE SOUTHEAST QUARTER;

THENCE SOUTH 00°11'05" WEST, ALONG A LINE 75 FEET WEST OF AND PARALLEL WITH THE EAST
LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 1424.74 FEET;

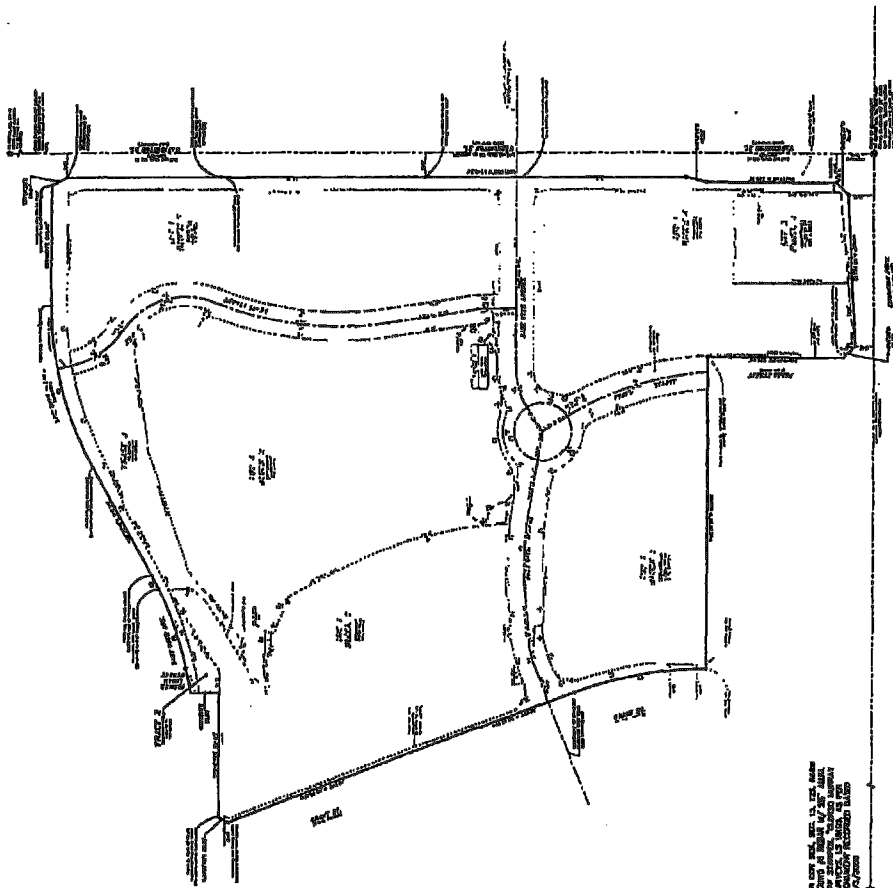
THENCE NORTH 89°48'55" WEST, A DISTANCE OF 5.00 FEET, TO A POINT 80.00 FEET WEST OF
SAID EAST LINE OF THE SOUTHEAST QUARTER;

THENCE SOUTH 00°11'05" WEST, ALONG A LINE 80.00 FEET WEST OF AND PARALLEL WITH SAID
EAST LINE OF THE SOUTHEAST QUARTER, A DISTANCE OF 155.98 FEET TO THE POINT OF
BEGINNING,

SAID PARCEL CONTAINS 32.46 ACRES, MORE OR LESS.

BASIS OF BEARINGS: THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 15 IS ASSUMED
TO BEAR SOUTH 00°11'05" WEST.

HIGHPOINTE PARK METROPOLITAN DISTRICT
SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,



CURVE TABLE



- Legend
- Assisted center as shown and described herein
 - Private easement as described herein
 - 200 ft radius 1/4" 1/2" side curb of road
 - 200 ft radius 3/4" 1/2" side curb of road
 - Existing easement lines
 - Property boundaries
 - Section line of coordinate



FOR MORE INFORMATION, CONTACT THE DISTRICT ENGINEER AT 800-855-4277. ALL INFORMATION IS SUBJECT TO THE DISTRICT'S RECORDING POLICY.

DECEMBER 11, 2009