

RESOLUTION NO. 2016-06-09

**RESOLUTION OF THE BOARD OF DIRECTORS OF
BELFORD SOUTH METROPOLITAN DISTRICT
REGARDING THE IMPOSITION OF DEVELOPMENT FEES AND NOTICE OF
SYSTEM ACCESS FEES**

- A. Belford South Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado.
- B. Pursuant to its Service Plan, the District is empowered to plan, design, acquire, construct, install, relocate, redevelop and finance certain public improvements within and without the boundaries of the District (the “**Improvements**”), subject to the limitations set forth in the Service Plan.
- C. The District is authorized pursuant to Section 32-1-1001(1)(j)(I), C.R.S., to fix fees and charges for services or facilities provided by the District.
- D. Pursuant to its Service Plan, the District is authorized to collect a one-time development or system fee imposed by the District on each residential unit at or prior to the issuance of a certificate of occupancy for the residential unit (the “**Development Fee**”).
- E. The District is authorized to utilize revenue from the Development Fees for costs associated with capital improvement costs and/or to pledge the same for the repayment of principal and interest on bonds.
- F. The property currently within the boundaries of the District’s Service Area is described in **Exhibit A**, attached hereto and incorporated herein by reference (the “**Property**”), which legal description may be amended from time to time, pursuant to the inclusion and/or exclusion of property into or from the District.
- G. As set forth in the Service Plan, it is anticipated that property within the District will receive water and wastewater service from Stonegate Village Metropolitan District (“**SVMD**”) and will be subject to a System Access Fee per residential unit (“**System Access Fee**”), which System Access Fee has been established by and is payable to SVMD for water and wastewater system capital improvement costs.
- H. This Resolution will be recorded on the Property to put property owners on notice of this imposition of Development Fees by the District and System Access Fees payable to SVMD.

NOW, THEREFORE, be it resolved by the Board of Directors of the Belford South Metropolitan District (the “**Board**”), as follows:

1. The Board hereby finds, determines and declares that it is in the best interest of the District, its inhabitants and taxpayers to exercise its power to impose a Development Fee on the Property.

2. The District hereby imposes the Development Fee on the Property for provision of the Improvements.

3. The Development Fee shall not be imposed on real property conveyed to and/or owned by governmental entities or homeowners' associations.

4. The rate of the Development Fee shall be:

(a) For each single-family detached or attached residential unit, the Development Fee shall not exceed Twenty-Five Thousand Dollars (\$25,000); or

(b) For each multi-family residential unit, the Development Fee shall not exceed Twenty Thousand Dollars (\$20,000).

5. The Development Fee, with respect to any portion of the Property, shall be due and payable prior to issuance of a certificate of occupancy.

6. The District can, in its discretion, increase the Development Fee by up to the consumer Price Index for Denver-Boulder, all items, all urban consumers (or its successor index for any years for which the Consumer Price Index is not available) each year thereafter commencing on January 1, 2017.

7. Any unpaid Development Fee(s) shall constitute a statutory and perpetual charge and lien upon the residential unit pursuant to Section 32-1-1001(1)(J), C.R.S., from the date the same becomes due and payable until the date the Development Fee(s) is/are paid. The lien shall be perpetual in nature on the residential unit and shall run with the land, as defined by the laws of the State of Colorado. Such lien may be foreclosed by the District in the same manner as provided by the laws of the State of Colorado for the foreclosure of mechanics' liens. This Resolution shall be recorded in the real property records of the Clerk and Recorder of the Town of Parker, Colorado.


8. Failure to make payment of the Development Fee(s) in the amount and at the time due hereunder shall constitute a default in the payment of such Development Fee(s). Upon a default, interest shall accrue on the delinquent Development Fee(s) from the date due at the rate of eighteen percent (18%) per annum until paid. The District shall be entitled to enforce such remedies and collection proceedings as may be authorized under Colorado Law including, but not limited to, foreclosure of its perpetual lien. The defaulting property owner shall pay all costs, including attorneys' fees, incurred by the District in connection with the foregoing. In foreclosing its lien, the District will enforce the lien only to the extent necessary to collect the delinquent Development Fee(s) and costs.

9. Judicial invalidation of any 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 the Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.


10. The Development Fee set forth herein are hereby approved and adopted by the Resolution of the Belford South Metropolitan District effective as of the 29th day of June, 2016.

APPROVED AND ADOPTED THIS 29TH DAY OF JUNE, 2016.

**BELFORD SOUTH METROPOLITAN
DISTRICT**

By: 
Michael P. Vickers, President

Attest:


Secretary

Dwg. Name: P:\Clepke3\ComSouth06-District Formation\dwg\Exhibits_Surv\00C.LCPKC3.06-Sl.4.dwg Updated By: BPfohl 2/19/2016 2:37 PM

EXHIBIT A

BELFORD SOUTH METROPOLITAN DISTRICT
LGID NO. _____

LEGAL DESCRIPTION – BOUNDARY PARCEL

PART OF THE SOUTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6 AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6 TO BEAR NORTH 00°30'14" WEST, AND MONUMENTED AS SHOWN HEREON, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE NORTH 00°30'14" WEST, A DISTANCE OF 295.45 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO A NON-TANGENT CURVE;

THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10°46'25", A RADIUS OF 1445.00 FEET, AN ARC LENGTH OF 271.71 FEET, THE CHORD OF WHICH BEARS NORTH 58°02'54" EAST, A DISTANCE OF 271.31 FEET TO A POINT OF TANGENCY;

THENCE NORTH 52°39'42" EAST, A DISTANCE OF 347.52 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 37°49'41", A RADIUS OF 1555.00 FEET, AN ARC LENGTH OF 1026.65 FEET, THE CHORD OF WHICH BEARS NORTH 71°34'32" EAST, A DISTANCE OF 1008.11 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°30'37" EAST, A DISTANCE OF 1246.68 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 40°40'50", A RADIUS OF 945.00 FEET, AN ARC LENGTH OF 670.96 FEET, THE CHORD OF WHICH BEARS NORTH 70°08'58" EAST, A DISTANCE OF 656.95 FEET TO POINT OF TANGENCY;

THENCE NORTH 49°48'33" EAST, A DISTANCE OF 161.42 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 100°04'20", A RADIUS OF 825.00 FEET, AN ARC LENGTH OF 1440.94 FEET, THE CHORD OF WHICH BEARS SOUTH 80°09'16" EAST, A DISTANCE OF 1264.64 FEET TO A NON-TANGENT CURVE;

THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 3°52'15", A RADIUS OF 200.00 FEET, AN ARC LENGTH OF 13.51 FEET, THE CHORD OF WHICH BEARS SOUTH 79°27'14" WEST, A DISTANCE OF 13.51 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 77°31'06" WEST, A DISTANCE OF 135.79 FEET TO A POINT OF CURVATURE;

SEE SHEET 2 OF 7



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TOWN OF PARKER, DOUGLAS COUNTY, COLORADO	
DISTRICT FORMATION	
PROJ. MGR.: <u>BJP</u>	SHEET
DRAWN BY: <u>GDP</u>	1 OF 7
DATE: <u>02/19/16</u>	00C.LCPKC3.06
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EXHIBIT A

BELFORD SOUTH METROPOLITAN DISTRICT
 LGID NO. _____

LEGAL DESCRIPTION – BOUNDARY PARCEL (CONTINUED...)

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 9°27'04", A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 82.48 FEET, THE CHORD OF WHICH BEARS SOUTH 82°14'38" WEST, A DISTANCE OF 82.38 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 86°58'10" WEST, A DISTANCE OF 308.09 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 33°25'14", A RADIUS OF 200.00 FEET, AN ARC LENGTH OF 116.66 FEET, THE CHORD OF WHICH BEARS SOUTH 70°15'33" WEST, A DISTANCE OF 115.01 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 53°32'56" WEST, A DISTANCE OF 294.75 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 94°27'12", A RADIUS OF 125.00 FEET, AN ARC LENGTH OF 206.07 FEET, THE CHORD OF WHICH BEARS SOUTH 06°19'20" WEST, A DISTANCE OF 183.51 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 40°54'16" EAST, A DISTANCE OF 251.99 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 23°16'42", A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 20.31 FEET, THE CHORD OF WHICH BEARS SOUTH 52°32'37" EAST, A DISTANCE OF 20.17 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 64°10'58" EAST, A DISTANCE OF 23.43 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 43°29'20", A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 37.95 FEET, THE CHORD OF WHICH BEARS SOUTH 42°26'18" EAST, A DISTANCE OF 37.05 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 20°41'38" EAST, A DISTANCE OF 39.38 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 20°09'03", A RADIUS OF 100.00 FEET, AN ARC LENGTH OF 35.17 FEET, THE CHORD OF WHICH BEARS SOUTH 10°38'24" EAST, A DISTANCE OF 34.99 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°32'10" EAST, A DISTANCE OF 40.51 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 47°17'03", A RADIUS OF 100.00 FEET, AN ARC LENGTH OF 82.53 FEET, THE CHORD OF WHICH BEARS SOUTH 23°06'21" WEST, A DISTANCE OF 80.20 FEET TO A POINT OF TANGENCY;

SEE SHEET 3 OF 7

	<h1 style="margin: 0;">Manhard</h1> <h2 style="margin: 0;">CONSULTING LTD</h2>	BELFORD SOUTH METROPOLITAN DISTRICT TOWN OF PARKER, DOUGLAS COUNTY, COLORADO	
	DISTRICT FORMATION		
	PROJ. MGR.: <u>BJP</u> DRAWN BY: <u>GDP</u> DATE: <u>02/19/16</u> SCALE: <u>N/A</u>	SHEET 2 OF 7	00C.LCPKC3.06
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EXHIBIT A

BELFORD SOUTH METROPOLITAN DISTRICT
 LGID NO. _____

LEGAL DESCRIPTION – BOUNDARY PARCEL (CONTINUED...)

THENCE SOUTH 46°44'52" WEST, A DISTANCE OF 59.24 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 6;

THENCE SOUTH 87°49'19" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1546.96 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF THAT RIGHT-OF-WAY PARCEL DESCRIBED IN BOOK 195 AT PAGE 510 OF THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE ALONG THE BOUNDARY OF SAID PARCEL THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 00°17'01" EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 30.03 FEET;
- 2) SOUTH 87°55'04" WEST ALONG A LINE THIRTY FEET NORTHERLY DISTANT, WHEN MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 626.87 FEET;
- 3) SOUTH 00°42'41" WEST A DISTANCE OF 30.04 FEET TO A POINT ON SAID SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

THENCE SOUTH 87°55'04" WEST, ALONG SAID SOUTH LINE A DISTANCE OF 709.76 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

THENCE SOUTH 87°55'04" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 1085.67 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 3,686,731 SQUARE FEET OR 84.6357 ACRES, MORE OR LESS.

I, BRIAN J. PFOHL, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



BRIAN J. PFOHL, P.L.S. 38445
 FOR AND ON BEHALF OF MANHARD CONSULTING

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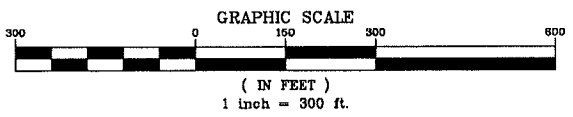
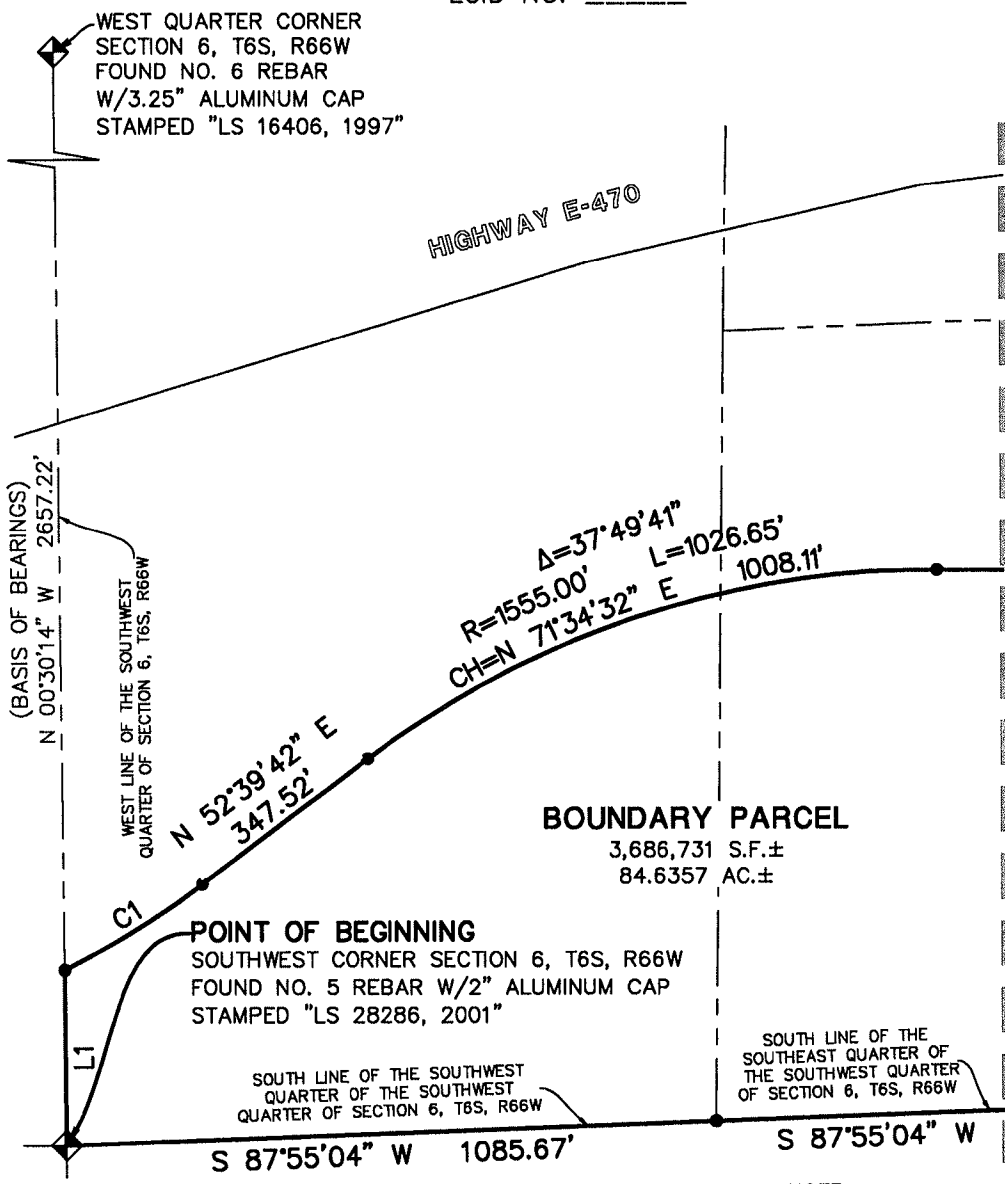
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TOWN OF PARKER, DOUGLAS COUNTY, COLORADO	
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PROJ. MGR.: <u>BJP</u>	SHEET
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EXHIBIT A

BELFORD SOUTH METROPOLITAN DISTRICT
 LGID NO. _____



NOTE:
 ● DENOTES CHANGE OF DIRECTION ONLY. THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

SEE SHEET 7 FOR LINE AND CURVE TABLES

MATCHLINE A-A - SEE SHEET 5

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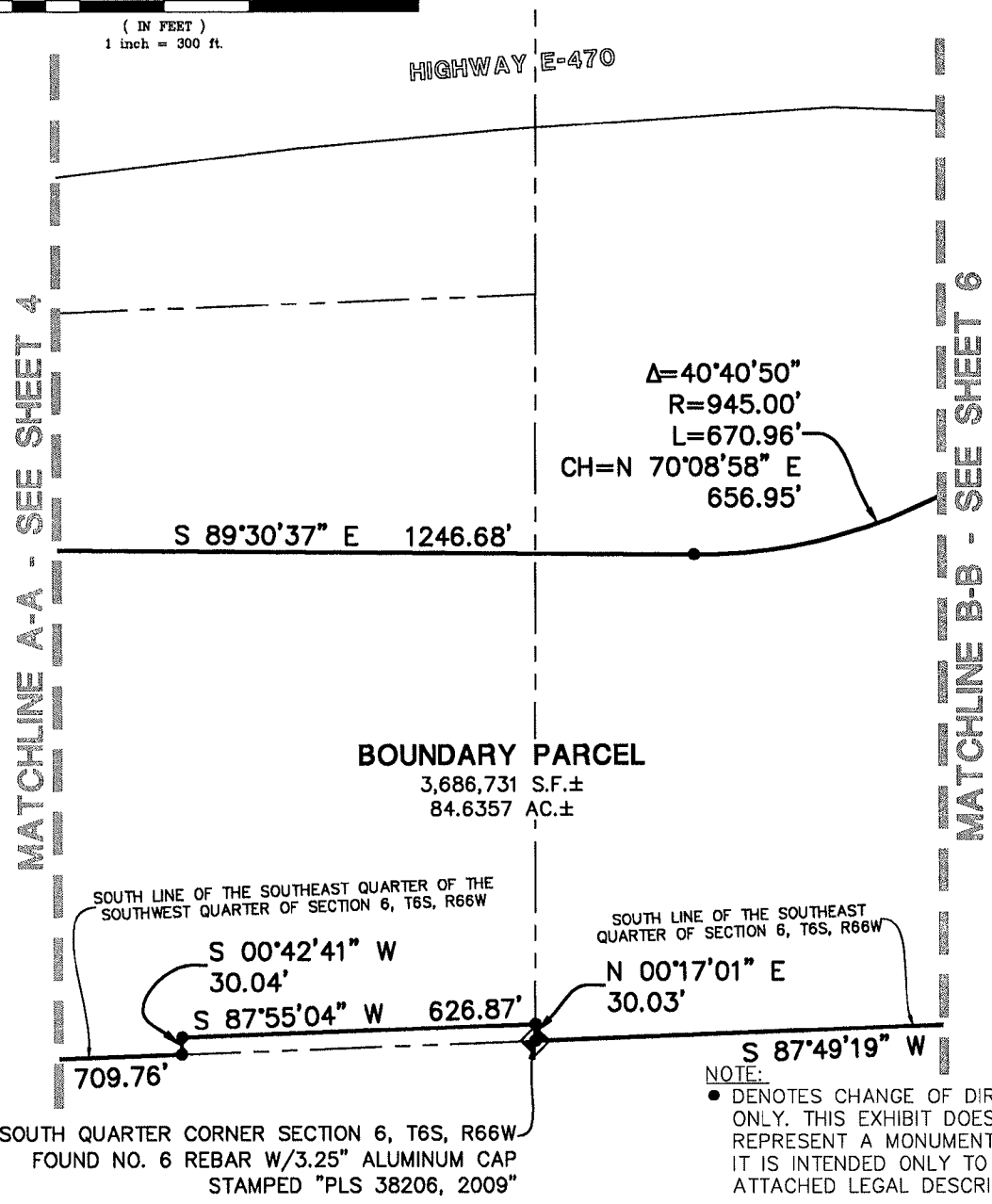
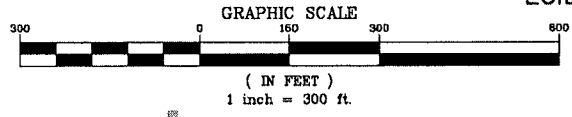
BELFORD SOUTH METROPOLITAN DISTRICT	
TOWN OF PARKER, DOUGLAS COUNTY, COLORADO	
DISTRICT FORMATION	
PROJ. MGR.: <u>BJP</u>	SHEET
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EXHIBIT A

BELFORD SOUTH METROPOLITAN DISTRICT

LGID NO. _____



BOUNDARY PARCEL
3,686,731 S.F.±
84.6357 AC.±

SOUTH LINE OF THE SOUTHEAST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 6, T6S, R66W

S 00°42'41" W 30.04'
S 87°55'04" W 626.87'

SOUTH QUARTER CORNER SECTION 6, T6S, R66W
FOUND NO. 6 REBAR W/3.25" ALUMINUM CAP
STAMPED "PLS 38206, 2009"

SOUTH LINE OF THE SOUTHEAST
QUARTER OF SECTION 6, T6S, R66W

N 00°17'01" E 30.03'
S 87°49'19" W

NOTE:
● DENOTES CHANGE OF DIRECTION ONLY. THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

SEE SHEET 7 FOR LINE AND CURVE TABLES

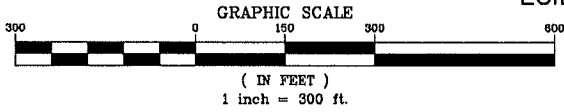
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TOWN OF PARKER, DOUGLAS COUNTY, COLORADO	
DISTRICT FORMATION	
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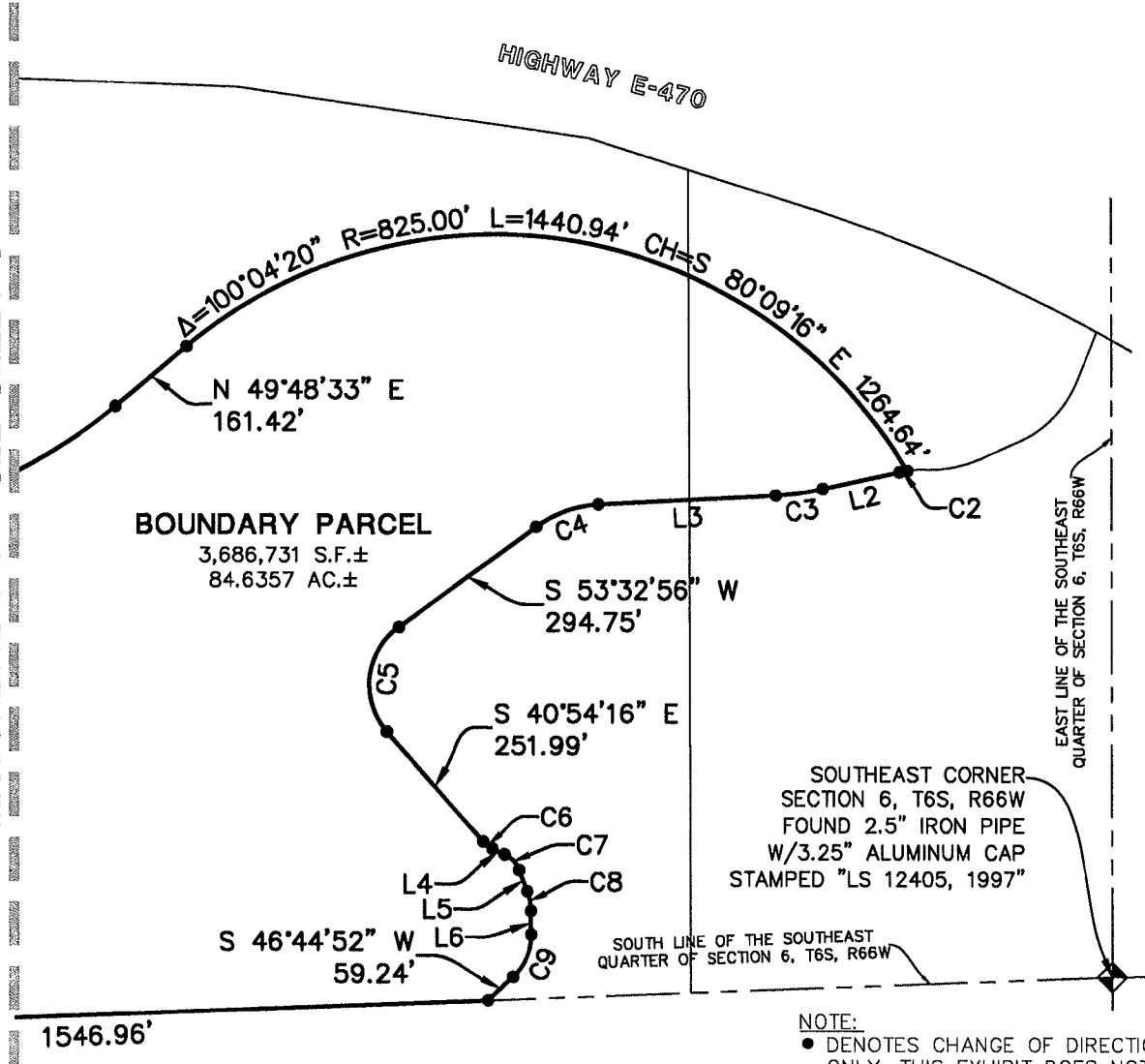
EXHIBIT A

BELFORD SOUTH METROPOLITAN DISTRICT

LGID NO. _____



MATCHLINE B-B - SEE SHEET 5



NOTE:

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SEE SHEET 7 FOR LINE AND CURVE TABLES



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6 OF **7**
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EXHIBIT A

BELFORD SOUTH METROPOLITAN DISTRICT
LGID NO. _____

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 00°30'14" W	295.45'
L2	S 77°31'06" W	135.79'
L3	S 86°58'10" W	308.09'
L4	S 64°10'58" E	23.43'
L5	S 20°41'38" E	39.38'
L6	S 00°32'10" E	40.51'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	10°46'25"	1445.00'	271.71'	N 58°02'54" E	271.31'
C2	3°52'15"	200.00'	13.51'	S 79°27'14" W	13.51'
C3	9°27'04"	500.00'	82.48'	S 82°14'38" W	82.38'
C4	33°25'14"	200.00'	116.66'	S 70°15'33" W	115.01'
C5	94°27'12"	125.00'	206.07'	S 06°19'20" W	183.51'
C6	23°16'42"	50.00'	20.31'	S 52°32'37" E	20.17'
C7	43°29'20"	50.00'	37.95'	S 42°26'18" E	37.05'
C8	20°09'03"	100.00'	35.17'	S 10°38'24" E	34.99'
C9	47°17'03"	100.00'	82.53'	S 23°06'21" W	80.20'

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