

After Recording Return To:
White Bear Ankele Tanaka & Waldron
2154 E. Commons Avenue, Suite 2000
Centennial, Colorado 80122
(303) 858-1800

**RESOLUTION OF THE
BOARD OF DIRECTORS
OF THE
BEACON POINT METROPOLITAN DISTRICT**

**ADOPTING THE FIRST AMENDMENT TO
THE AMENDED AND RESTATED RESOLUTION
CONCERNING THE IMPOSITION OF A DEVELOPMENT FEE**

(Adoption of New Development Fee Schedule)

WHEREAS, the Beacon Point Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; 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 and, from time to time, increase or decrease fees, rates, tolls, penalties and charges for services or facilities furnished by the District which, until paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, on February 7, 2022, the Board adopted the Amended and Restated Resolution Concerning the Imposition of a Development Fee which was recorded on March 7, 2022 with the Clerk and Recorder of Arapahoe County at Reception Number E2025707 (collectively, the “**Development Fee Resolution**”); and

WHEREAS, the Board wishes to update the management company contact information provided on the Development Fee Resolution in the schedule of fees.

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

1. AMENDMENT TO SCHEDULE OF FEES. The schedule of fees set forth in **Exhibit B** of the Development Fee Resolution is hereby repealed and replaced in its entirety with the schedule of fees set forth in **Exhibit B** to this Resolution, which is attached hereto and incorporated herein by this reference.

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

4. DEVELOPMENT FEES. Any fees, rates, tolls penalties or charges due under the Development Fee Resolution, to the extent outstanding and unpaid, shall remain in effect until fully paid and shall not be eliminated hereby.

5. THE PROPERTY. This Resolution shall apply to all property within the District's boundaries, including, but not limited to, the property set forth in **Exhibit A** of the Development Fee Resolution, and any additional property included into the District after the date of this Resolution.

[Remainder of Page Intentionally Left Blank. Signature Page to Follow].

ADOPTED this 9th day of November, 2022.

**BEACON POINT METROPOLITAN
DISTRICT**, a quasi-municipal corporation and
political subdivision of the State of Colorado

TR Hernacki

TR Hernacki (Nov 30, 2022 15:02 MST)

Officer of the District

ATTEST:

David Bdrachio

David Bdrachio (Dec 4, 2022 19:55 GMT+1)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys At Law

Heather L. Hanz

General Counsel to the District

*Signature page to the First Amendment to the Amended and Restated Resolution Concerning the
Imposition of a Development Fee - Adoption of New Development Fee Schedule*

EXHIBIT B
BEACON POINT METROPOLITAN DISTRICT
Development Fee Schedule
Effective November 9, 2022

Development Fee Schedule
<p>A one-time Development Fee is imposed upon each Lot that is currently platted on the Property and each Lot that is to be platted on the Property at the rate of \$3,000* per Lot.</p> <p>The Due Date for each Development Fee is the earlier of the following to occur: (1) the issuance of a building permit for each Lot or (2) the issuance of a certificate of occupancy for each Lot.</p> <p>The Development Fee shall be due and payable by the Responsible Party, in full, to the District on the Due Date.</p> <p>*As of February 7, 2022. Amount to increase by 5% on January 1, 2023, rounded to the nearest twenty-five dollars (\$25.00), and increased by 5%, compounded, on each January 1 thereafter.</p>

PAYMENTS: Payment for each Development Fee shall be made payable to the Beacon Point Metropolitan District and sent to the following address for receipt by the Due Date:

Beacon Point Metropolitan District
c/o Westwind Management Group, LLC
27 Inverness Drive East
Englewood, CO 80112