

**RESOLUTION OF  
THE BOARD OF DIRECTORS  
OF  
CLOVERLEAF METROPOLITAN DISTRICT  
IMPOSING SYSTEM DEVELOPMENT FEES**

At a special meeting of the Board of Directors of the Cloverleaf Metropolitan District, El Paso County, Colorado, held at 1:00 P.M., on Thursday, May 12, 2022, at 1864 Woodmoor Drive, Suite 100, Monument, Colorado, via online meeting at <https://us02web.zoom.us/j/7636703470>; Meeting ID: 763 670 3470, and via telephone at Call In: 1 720 707 2699, Meeting ID: 763 670 3470, Participant Code: #, at which a quorum was present, the following resolution was adopted:

**WHEREAS**, the Cloverleaf Metropolitan District (the “District”) is organized and exists as a metropolitan district pursuant to the provisions of Sections 32-1-101, *et seq.*, C.R.S.; and

**WHEREAS**, the District was organized under a service plan to provide and/or fund a variety of public services and facilities to residents located within its boundaries and its service area; and

**WHEREAS**, pursuant to Sections 32-1-1001(1)(j) and (k), C.R.S., the District is authorized to impose and, from time to time, to increase or decrease fees, rates, tolls, penalties or charges for services, programs or facilities furnished by the District; and

**WHEREAS**, Section 32-1-1001(1)(j), C.R.S., also provides that until paid, all such fees, rates, tolls, penalties or charges shall constitute a perpetual lien on and against the property served, which lien may be foreclosed in the same manner as provided by the laws of the State of Colorado for the foreclosure of mechanics’ liens; and

**WHEREAS**, the District is authorized by the Service Plan for Cloverleaf Metropolitan District dated May 20, 2021 and approved on July 6, 2021 by the Board of County Commissioners of El Paso County (the “Service Plan”) to finance, construct, acquire, operate and maintain the public facilities and improvements described therein (the “Public Improvements”); and

**WHEREAS**, the District is in the process of issuing its General Obligation Limited Tax Bonds, Series 2022A(3) (the “2022 Bonds”) which will be used to finance costs to construct the Public Improvements; and

**WHEREAS**, in order to repay a portion of the 2022 Bonds, the District has determined that it is in the public interest and necessary to impose and pledge the revenue from a fee in addition to other revenues of the District which will be pledged to the repayment of the 2022 Bonds; and

**WHEREAS**, in order to defray a portion of the costs of financing and acquiring the Public Improvements for the benefit of the District and its residents and taxpayers the District has determined that it is necessary to impose a fee upon all owners of real property within the District’s boundaries and finds based on the report attached hereto as **Exhibit A** and incorporated herein by this reference that the fees hereby imposed are reasonably related to the costs of providing the Public Improvements.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CLOVERLEAF METROPOLITAN DISTRICT THAT:**

1. Adoption of System Development Fees. The District hereby adopts a system development fee (the "System Development Fee") in the amount of \$1,000.00 per residential unit within the boundaries of the District.

2. Payment of System Development Fee. The System Development Fee shall be due and payable to the District by the owner of the property upon issuance of a building permit for construction of each residential unit on property within the District.

3. Interest and Penalties Imposed for Nonpayment. The District may impose such penalties for non-compliance herewith as may be permitted by law. Without limiting the foregoing, a late charge on any past-due amounts at the rate of one percent (1%) per month shall accrue from the date the System Development Fee is due to the District. Interest will accrue on any due and unpaid System Development Fee, exclusive of the late fee, at a rate of twelve percent (12%) per annum.

4. District Expenses of Collection. The District shall be entitled to charge property owners for all costs and expenses associated with collecting an unpaid System Development Fee, including attorneys' fees.

5. Status as Lien/Foreclosure. Pursuant to Section 32-1-1001(l)(j)(I), C.R.S., the District's fees do and shall, until paid, constitute a perpetual lien against the property served which lien may be foreclosed in the same manner as provided by the laws of the State of Colorado for the foreclosure of mechanics' liens.

6. Modification/Future Events. The policy adopted herein and the rates therefor, have been established based on projected budgetary requirements of the District using various assumptions regarding costs of improvements, bond issues and interest rates therefor, together with operations expenses and maintenance expenses. Actual costs may differ from projections, and the District may decide to modify its System Development Fee in the future, provided, however, that the District anticipates pledging the revenues from the System Development Fees as part of the 2022 Bonds and upon the occurrence thereof may not (i) reduce the amount of the System Development Fees, or (ii) amend or supplement this Resolution in any way which would materially adversely affect the amount or timing of System Development Fees to be collected, without the prior written consent as required in the Series 2022 Bond documents; provided that nothing herein shall prevent the District from increasing the amount of the System Development Fees.

7. Recordation. This Resolution, along with a description of the District's boundaries, attached hereto as **Exhibit B** and incorporated herein by this reference, shall be recorded in the office of the Clerk and Recorder for El Paso County, Colorado to serve as public notice of the System Development Fee, which is applicable to all property within the District.

8. Actions to Effectuate Resolution. The District's management and legal counsel are authorized and directed to take all actions necessary and appropriate to effectuate this Resolution and the imposition of the System Development Fee contemplated hereunder. All actions not inconsistent with the provisions of this Resolution heretofore taken by the members of the Board of Directors, District's management, District's legal counsel and the officers, agents and

employees of the District and directed toward effectuating the purposes stated herein are hereby ratified, approved and confirmed.

9. Repealer. All prior acts, orders or resolutions, or parts thereof, by the District in conflict with this Resolution are hereby repealed, including, but not limited to any and all prior resolutions of the Board adopting facilities fees, system development fees, and/or development fees, except that this repealer shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

10. Severability. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution, it being the intention that the various parts hereof are severable.

11. Effective Date. This Resolution shall take effect on the date of its adoption.

Whereupon, a motion was made and seconded, and upon a majority vote this Resolution was approved by the Board of Directors.

**ADOPTED AND APPROVED THIS 12<sup>th</sup> DAY OF MAY 2022.**

CLOVERLEAF METROPOLITAN DISTRICT:

DocuSigned by:  
*Andrew Biggs*  
830CC12727494B8...  
Andrew Biggs, President

ATTEST:

DocuSigned by:  
*Joseph W. DesJardin*  
E976D347AEE04DB...  
Joseph DesJardin, Secretary

## **Exhibit A**

Fee Report

**SIMMONS & WHEELER, P.C.**

304 Inverness Way South, Suite 490, Englewood, CO 80112

**Certified Public Accountants**

(303) 689-0833

## *Fee Report*

May 11, 2022

Board of Directors  
Cloverleaf Metropolitan District

Re: Verification of System Development Fee amount

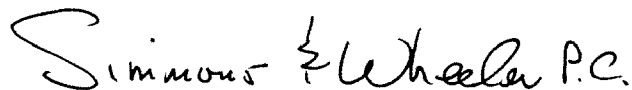
This report summarizes the results of the procedures we have performed related to substantiation of the amount of the System Development Fee to be imposed pursuant to the Resolution of the Board of Directors of Cloverleaf Metropolitan District ("District") Imposing System Development Fees. The District is in the process of issuing its General Obligation Limited Tax Bonds Series 2022A<sub>3</sub> (Series 2022 Bonds") for the purpose of paying the costs of a portion of the Public Improvements. With the imposition of \$1,000 System Development Fee the Series 2022 Bonds will generate \$5,189,980 of proceeds to pay for a portion of the Public Improvements. As disclosed in the Limited Offering Memorandum associated with the issuance of the Series 2022A Bonds, the expected cost of the Public Improvements is in excess of \$5,189,980, and with out the revenue generated from the imposition of the System Development Fee the proceeds would be less than the \$5,189,980, the imposition of the System Development Fee of at least \$1,000 appears reasonable.

We have read the Resolution of the Board of Directors of Cloverleaf Metropolitan District Imposing System Development Fees System and the applicable portions of the Limited Offering Memorandum as necessary and appropriate. We did not verify the costs of the Public Improvements.

Based on our review, the System Development Fee of at least \$1,000 appears reasonable.

We were not engaged to and did not conduct an examination in accordance with generally accepted auditing standards in the United States of America, the objective of which would be the expression of an opinion on the financial statements of the District. Accordingly, we do not express such an opinion. We performed our engagement as a consulting service under the American Institute of Certified Public Accountants' Statement of Standards for Consulting Services. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are not independent with respect to the District.



Simmons & Wheeler, P.C.

## **Exhibit B**

District Boundaries



**EXHIBIT A**

**CLOVERLEAF METROPOLITAN DISTRICT**

**PROPERTY DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF TRACT B, WOODMOOR PLACER RECORDED IN BOOK U-2 AT PAGE 66 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF SECTION 23 AND THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE LINE BETWEEN THE 30.00' WITNESS CORNER TO THE CENTER QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 10377 1997 30.00 WC" AND THE 30.0' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SAID SECTION 23, MONUMENTED BY A 1-1/2" ALUMINUM CAP STAMPED "LS 2692", SAID LINE BEARING S89°54'49"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

COMMENCING AT 30' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N23°36'18"W A DISTANCE OF 971.92 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF TRACT B, WOODMOOR PLACER RECORDED IN BOOK U-2 AT PAGE 66 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON SAID SOUTHWESTERLY LINE, N47°53'03"W A DISTANCE OF 244.83 FEET, TO THE SOUTHWESTERLY CORNER OF TRACT H, WOODMOOR GREENS PLAT RECORDED IN BOOK U-2 AT PAGE 51;

THENCE ON THE PERIMETER OF SAID TRACT H, THE FOLLOWING THREE (3) COURSES:

1. N33°23'09"W A DISTANCE OF 130.11 FEET, TO A POINT OF NON-TANGENT CURVE, ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LEGGINS WAY;
2. ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S33°24'06"E, HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 15°37'05" AND AN ARC LENGTH OF 81.78 FEET, TO A POINT OF NON-TANGENT;

3. S52°28'59"E A DISTANCE OF 196.68 FEET, TO A POINT ON THE WESTERLY LINE OF SAID TRACT B, WOODMOOR PLACER;

THENCE ON SAID WESTERLY LINE, THE FOLLOWING FIVE (5) COURSES:

1. N81°20'01"E A DISTANCE OF 130.03 FEET;
2. N26°20'33"E A DISTANCE OF 511.07 FEET;
3. N52°03'56"E A DISTANCE OF 451.83 FEET;
4. N17°03'30"W A DISTANCE OF 222.24 FEET;
5. N07°26'50"W A DISTANCE OF 104.67 FEET, TO A POINT ON THE NORTHERLY LINE OF THAT PROPERTY DESCRIBED IN THE TRUSTEE'S DEED RECORDED UNDER RECEPTION NO. 211111394;

THENCE ON SAID NORTHERLY LINE, N84°15'58"E A DISTANCE OF 126.43 FEET;

THENCE DEPARTING SAID NORTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

1. N84°03'34"E A DISTANCE OF 224.55 FEET;
2. S05°52'43"E A DISTANCE OF 936.00 FEET, TO A POINT ON THE EASTERLY LINE OF SAID PROPERTY DESCRIBED IN THE TRUSTEE'S DEED;

THENCE ON SAID EASTERLY LINE, THE FOLLOWING TWO (2) COURSES:

1. S52°15'31"E A DISTANCE OF 279.39 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 01°22'45" AND AN ARC LENGTH OF 13.72 FEET, TO A POINT OF NON-TANGENT;

THENCE DEPARTING SAID EASTERLY LINE, THE FOLLOWING FIVE (5) COURSES:

1. N28°37'11"E A DISTANCE OF 67.40 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 345.00 FEET, A CENTRAL ANGLE OF 26°50'54" AND AN ARC LENGTH OF 161.66 FEET, TO A POINT OF NON-TANGENT;
3. S34°31'56"E A DISTANCE OF 97.38 FEET, TO A POINT OF NON-TANGENT CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S45°14'01"E, HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 22°29'51" AND AN ARC LENGTH OF 90.31 FEET, TO A POINT OF TANGENT;
5. N67°15'50"E A DISTANCE OF 11.14 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF CLOVERLEAF ROAD, SAID POINT BEING A POINT OF NON-TANGENT CURVE;



THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING FIVE (5) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N85°06'36"E, HAVING A RADIUS OF 410.00 FEET, A CENTRAL ANGLE OF 46°01'11" AND AN ARC LENGTH OF 329.31 FEET, TO A POINT OF NON-TANGENT;
2. S50°58'07"E A DISTANCE OF 104.84 FEET, TO A POINT OF NON-TANGENT CURVE;
3. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S39°04'09"W, HAVING A RADIUS OF 269.73 FEET, A CENTRAL ANGLE OF 95°15'09" AND AN ARC LENGTH OF 448.43 FEET, TO A POINT OF NON-TANGENT;
4. S44°20'00"W A DISTANCE OF 278.41 FEET, TO A POINT OF NON-TANGENT CURVE;
5. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S45°13'59"E, HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 15°03'35" AND AN ARC LENGTH OF 81.48 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF SAID TRACT B, WOODMOOR PLACER, SAID POINT BEING A POINT OF NON-TANGENT;

THENCE ON SAID SOUTHWESTERLY LINE, THE FOLLOWING THREE (3) COURSES:

1. N61°02'18"W A DISTANCE OF 958.19 FEET;
2. N60°38'25"W A DISTANCE OF 314.83 FEET;
3. N83°12'34"W A DISTANCE OF 466.58 FEET, TO A POINT OF TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,623,721 SQUARE FEET OR 37.2755 ACRES.

**PROPERTY DESCRIPTION STATEMENT**

I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

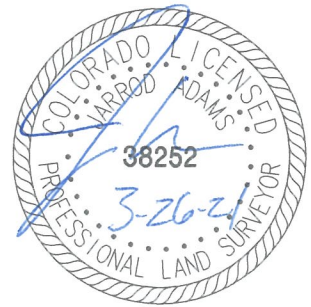
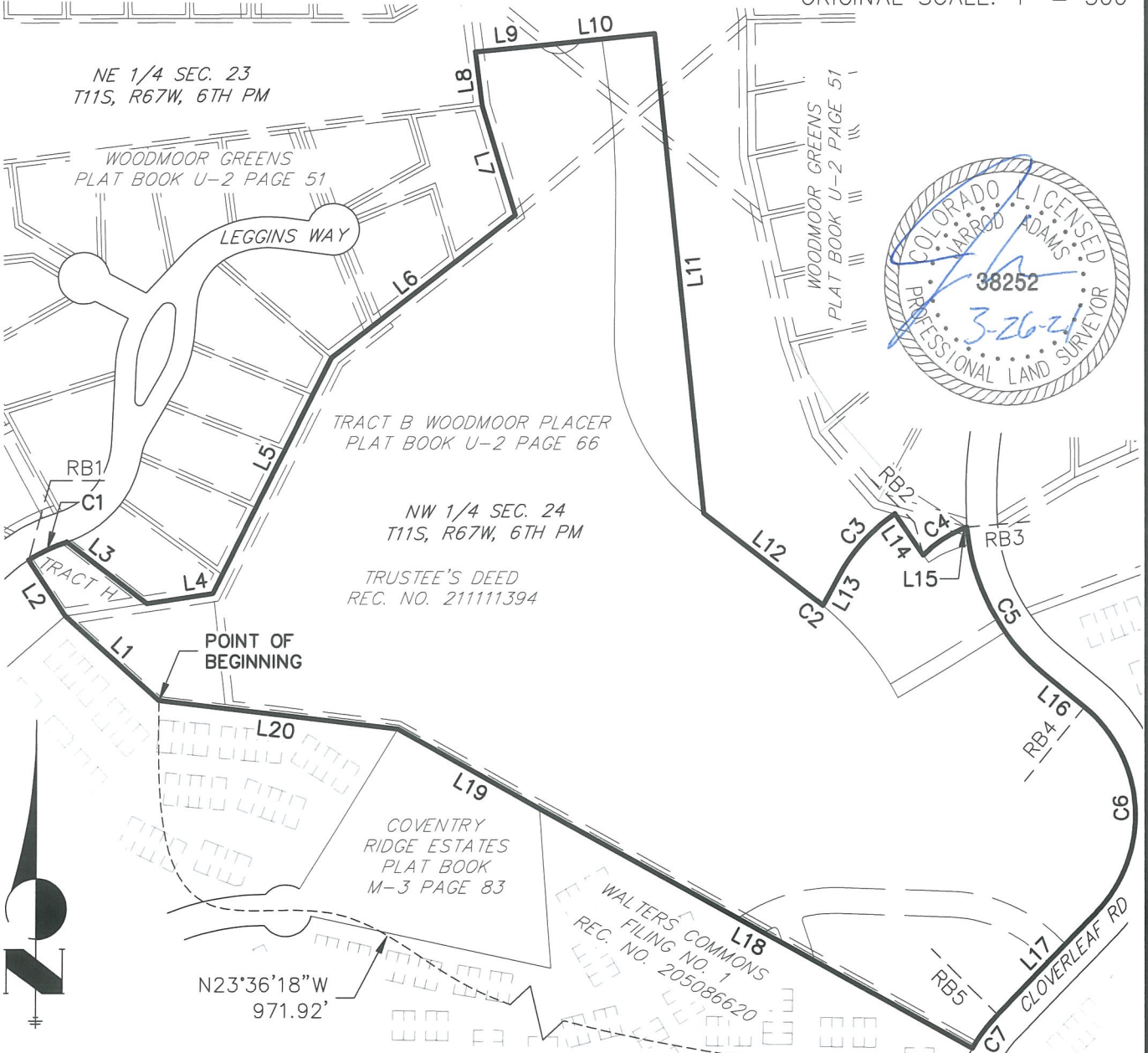
JARROD ADAMS, PROFESSIONAL LAND SURVEYOR  
COLORADO NO. 38252  
FOR AND ON BEHALF OF JR ENGINEERING, LLC



# EXHIBIT A

300 150 0 150

ORIGINAL SCALE: 1" = 300'



N23°36'18"W  
971.92'

**BASIS OF BEARINGS**

30.00' WITNESS CORNER  
C1/4 CORNER SEC. 23  
T.11S, R.67W, 6TH P.M.  
RECOVERED 3-1/4" ALUMINUM CAP  
STAMPED "RLS 10377 1997 30.00 WC"

S89°54'49"E 2658.92'

POINT OF COMMENCEMENT  
30.0' REFERENCE MONUMENT  
E1/4 CORNER SEC. 23  
T.11S, R.67W, 6TH P.M.  
RECOVERED 1-1/2" ALUMINUM CAP  
STAMPED "LS 2692"

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

CLOVERLEAF METROPOLITAN DISTRICT  
CLOVERLEAF  
PROJECT NO.: 25186.00  
DATE: 03/26/2021

SHEET: 4 OF 5



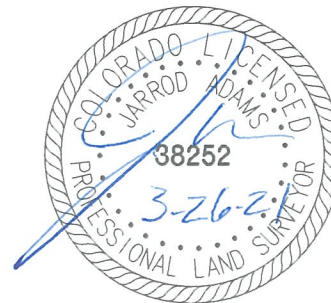
Centennial 303-740-9393 • Colorado Springs 719-593-2593  
Fort Collins 970-491-9888 • www.jrengineering.com

## EXHIBIT A

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N47°53'03"W	244.83'
L2	N33°23'09"W	130.11'
L3	S52°28'59"E	196.68'
L4	N81°20'01"E	130.03'
L5	N26°20'33"E	511.07'
L6	N52°03'56"E	451.83'
L7	N17°03'30"W	222.24'
L8	N07°26'50"W	104.67'
L9	N84°15'58"E	126.43'
L10	N84°03'34"E	224.55'
L11	S05°52'43"E	936.00'
L12	S52°15'31"E	279.39'
L13	N28°37'11"E	67.40'
L14	S34°31'56"E	97.38'
L15	N67°15'50"E	11.14'
L16	S50°58'07"E	104.84'
L17	S44°20'00"W	278.41'
L18	N61°02'18"W	958.19'
L19	N60°38'25"W	314.83'
L20	N83°12'34"W	466.58'

RADIAL BEARING TABLE	
LINE	BEARING
RB1	S33°24'06"E
RB2	S45°14'01"E
RB3	N85°06'36"E
RB4	S39°04'09"W
RB5	S45°13'59"E

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	15°37'05"	300.00'	81.78'
C2	1°22'45"	570.00'	13.72'
C3	26°50'54"	345.00'	161.66'
C4	22°29'51"	230.00'	90.31'
C5	46°01'11"	410.00'	329.31'
C6	95°15'09"	269.73'	448.43'
C7	15°03'35"	310.00'	81.48'



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

CLOVERLEAF METROPOLITAN DISTRICT  
 CLOVERLEAF  
 PROJECT NO.: 25186.00  
 DATE: 03/26/2021

SHEET: 5 OF 5



**J-R ENGINEERING**

A Westrian Company

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