

After Recording, Return to:  
White Bear Ankele Tanaka & Waldron  
2154 East Commons Avenue, Suite 2000  
Centennial, Colorado 80122

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF  
THE CANYONS METROPOLITAN DISTRICT NO. 5  
CONCERNING THE IMPOSITION OF A FACILITIES FEE**

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WHEREAS, The Canyons Metropolitan District No. 5 (the “**District**”) was formed pursuant to Colorado Revised Statutes §32-1-101 *et seq.*, as amended, by order of the District Court for Douglas County, Colorado, and after approval of the District’s eligible electors at a regular 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, the Board has determined it to be in the best interests of the District, and the property owners, taxpayers, and residents of the District, to acquire, construct, operate and maintain certain public improvements and facilities benefitting property and inhabitants within the District, which improvements and facilities generally include, without limitation, streets, storm drainage, landscaping, traffic and safety controls, water, sanitation, transportation, security, television relay, mosquito control, trails, parks, open space and other improvements, facilities, appurtenances and rights-of-way (collectively, the “**Facilities**”); and

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

WHEREAS, the District will incur certain costs associated with the financing, construction, acquisition, upkeep, repair, operation, maintenance, improvement, replacement and reconstruction of the Facilities, as necessary, inclusive of the costs of utilities and capital replacement costs (collectively, the “**Facility Costs**”) in order that the Facilities may be properly provided and maintained; and

WHEREAS, the establishment of a fair and equitable fee to provide a source of funding to pay for Facility Costs, (the “**Facilities Fee**”) which costs are generally attributable to the persons subject to such fees and charges, is necessary to provide for the necessary public infrastructure, the common good and for the prosperity and general welfare of the District and its inhabitants and for the orderly and uniform administration of the District’s affairs; and

WHEREAS, the District finds that the Facilities Fee as set forth in this Resolution is reasonably related to the overall cost of providing the Facilities and funding the Facility Costs, and that imposition thereof is necessary and appropriate; and

WHEREAS, the Consolidated Service Plan for The Canyons Metropolitan District Nos. 5-11 (the "**Service Plan**") limits the imposition of a "Capital Fee" (as defined in the Service Plan) to an amount not greater than \$5,000 per unit for residential property, and \$1.00 per each square foot of finished space for non-residential uses, subject to the Annual Increase; and

WHEREAS, the boundaries of the District and The Canyons Metropolitan District No. 6 (collectively, the "**Districts**") overlap, and therefore the Districts have agreed that the District will impose a Facilities Fee in the amount of \$4,000 on each Residential Lot and in the amount of \$0.80 per each square foot of finished space for each Non-Residential Lot, and The Canyons Metropolitan District No. 6 will impose a Facilities Fee in the amount of \$1,000 on each Residential Lot, and in the amount of \$0.20 per each square foot of finished space for each Non-Residential Lot, all subject to the Annual Increase.

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

1. Definitions. Except as otherwise expressly provided or where the context indicates otherwise, the following capitalized terms shall have the respective meanings set forth below:

(a) "**Annual Increase**" means the lesser of (i) five percent (5%) annually or (ii) the percentage increase in the Denver-Boulder Consumer price index percentage increase for the prior year, beginning January 1, 2017.

(b) "**Fee Schedule**" or "**Schedule of Fees**" means the schedule of fees set forth in **Exhibit A**, attached hereto and incorporated herein by this reference, until and unless otherwise amended and/or repealed.

(c) "**Initial Transfer**" means the first Transfer following the approval and recordation of the plat or re-plat which created the lot to be Transferred.

(d) "**Non-Residential Lot**" means each parcel of land established by a recorded subdivision plat and which is located within the District, regardless of the number of Non-Residential Units thereon, that is used and/or zoned for non-residential uses, including, but not limited to commercial property, churches, day care centers, fire stations, and schools.

(e) "**Non-Residential Unit**" means each office space, unit, building or other structure that is used and/or zoned to allow for non-residential uses, including, but not limited to commercial property, churches, day care centers, fire stations, and schools.

(f) "**Residential End User**" means any third-party homeowner or tenant of any homeowner occupying or intending to occupy a Residential Unit.

(g) **“Residential Lot”** means each parcel of land established by a recorded subdivision plat located within the District that is used and/or zoned for a Residential Unit.

(h) **“Residential Unit”** means each residential dwelling unit (including, without limitation, condominiums, townhomes, and any other attached dwelling unit, and detached single family dwelling units).

(i) **“Responsible Party”** means (i) the owner a Non-Residential Lot at the time a building permit is issued for any Non-Residential Unit on said Non-Residential Lot, or (ii) the transferee owner or owners of a Residential Lot, and if the Responsible Party consists of more than one party, then the obligation to pay the Facilities Fee shall be the joint and several obligation of all of the parties constituting the Responsible Party.

(j) **“Third Party Builder”** means a person or an entity that purchases a Residential Lot for the purpose of constructing a Residential Unit on such lot for sale to a Residential End User, but does not include a person or an entity that purchases a Residential Lot for investment purposes without constructing a Residential Unit on such lot, or a person or an entity that purchases a Residential Lot for the purpose of Transferring such lot to such an investor.

(k) **“Transfer,” “Transferred” or “Transferring”** shall include a grant, sale, conveyance, or transfer by deed, instrument, writing, lease, or any other documents or otherwise by which real property is sold, granted, let, assigned, transferred, exchanged or otherwise vested in a tenant, tenants, purchaser or purchasers. Notwithstanding the foregoing, the following shall not be considered a “Transfer,” “Transferred” or “Transferring” for purposes of this definition: (i) a conveyance to secure a debt or obligation (or a release, reconveyance, or foreclosure of any such security); or (ii) any conveyance that The Canyons Metropolitan District No. 5, in its sole and absolute discretion, determines should not trigger the payment of the Facilities Fee.

2. Facilities Fee.

(a) The Board has determined, and does hereby determine, that it is in the best interests of the District and its respective residents and property owners to impose, and does hereby impose a Facilities Fee to fund the Facility Costs. The Facilities Fee is hereby established and imposed in an amount as set forth in the Fee Schedule and shall constitute the rate in effect until such schedule is amended or repealed. The initial Fee Schedule is set forth in **Exhibit A**, attached hereto and incorporated herein by this reference. Notwithstanding the foregoing, the District has agreed not to impose a Facilities Fee on Residential Lots in excess of \$4,000 or on Non-Residential Lots in excess of \$0.80 per each square foot of finished space, and The Canyons Metropolitan District No. 6 has agreed not to impose a Facilities Fee on Residential Lots in excess of \$1,000, or on Non-Residential Lots in excess of \$0.20 per each square foot of finished space, all subject to the Annual Increase, without a written agreement signed by both Districts. In no event shall the combined Facilities Fees of the Districts exceed the amounts authorized in the Service Plan, as may be amended from time to time.

(b) The Board has determined, and does hereby determine that the Facilities Fee is reasonably related to the overall cost of providing the Facilities and is imposed on those who are reasonably likely to benefit from or use the Facilities.

(c) The Board has determined, and does hereby determine that the Facilities Fee is calculated to defray the cost of funding Facility Costs and reasonably distributes the burden of defraying the Facility Costs in a manner based on the benefits received by persons paying the fees and using the Facilities.

3. Payment of Facilities Fees.

(a) Residential Lot: All Facilities Fees on Residential Lots shall be due and payable by the Responsible Party, in full, to the District, on the earlier to occur of (i) the Initial Transfer of a Residential Lot to a Third Party Builder, or (ii) the issuance of a building permit for a Residential Unit on a Residential Lot.

(b) Non-Residential Lot: All Facilities Fees on Non-Residential Lots shall be due and payable by the Responsible Party, in full, to the District, on the issuance of each building permit for a Non-Residential Unit on a Non-Residential Lot.

4. Late Fees and Penalty Interest. Pursuant to § 29-1-1102(3), C.R.S., any Facilities Fee not paid in full within fifteen (15) days after the scheduled due date will be assessed a late fee in the amount of Fifteen Dollars (\$15.00) or up to five percent (5%) per month, or fraction thereof, not to exceed a total of twenty-five percent (25%) of the amount due. Interest will also accrue on any outstanding Facilities Fee, exclusive of assessed late fees, penalties, interest and any other costs of collection, specifically including, but not limited, to attorneys' fees, at the rate of 18% per annum, pursuant to § 29-1-1102(7), C.R.S. The District may institute such remedies and collection procedures as authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting property owner shall pay all fees and costs, specifically including, but not limited to, attorneys' fees and costs and costs associated with the collection of delinquent fees, incurred by the District and/or its consultants in connection with the foregoing.

5. Payment. Payment for all fees, rates, tolls, penalties, charges, interest and attorneys' fees imposed pursuant to this Resolution shall be by check or equivalent form acceptable to the District, made payable to "The Canyons Metropolitan District No. 5" and sent to the address indicated on the Fee Schedule. The District may change the payment address from time to time and such change shall not require an amendment to this Resolution.

6. Fees Constitute Lien. The fees imposed by this Resolution, together with any and all late fees, interest, penalties and costs of collection, shall, until paid, constitute a statutory, perpetual lien on and against the property served, and any such lien may be foreclosed in the manner provided by the laws of the State of Colorado for the foreclosure of mechanic's liens, pursuant to § 32-1-1001(1)(j), C.R.S., such lien being a charge imposed for the provision of services and facilities to the property. Said lien may be foreclosed at such times as the District in its sole discretion may determine. The lien shall be perpetual in nature (as defined by the laws of

the State of Colorado) on the property and shall run with the land. This Resolution shall be recorded in the offices of the Clerk and Recorder of Douglas County, Colorado.

7. Use of Facilities Fees. The revenues generated by the Facilities Fee will be accounted for separately from other revenues of the District. The Facilities Fee revenue will be used solely for the purpose of paying Facility Costs, and may not be used by the District to pay for general administrative costs of the District. This restriction on the use of the Facilities Fee revenue shall be absolute and without qualification.

8. Prepayment of Fees. The District may enter into agreements for the prepayment of Facilities Fees, in its sole and absolute discretion, in order to permit property owners to avoid future increases in the Facilities Fee rate. The rate for such prepaid fees shall be the rate of the then-current Facilities Fee at the time of prepayment rather than the rate in effect at the time the Facilities Fee would otherwise be due and owing.

9. Severability. If any portion of this Resolution is declared by any court of competent jurisdiction to be void or unenforceable, such decision shall not affect the validity of any remaining portion of this Resolution, which shall remain in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added as part of this Resolution a provision similar in terms to such illegal, invalid or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

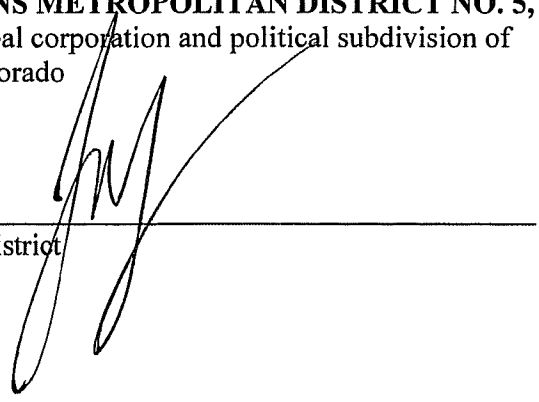
10. The Property. This Resolution shall apply to all property within the District's boundary, (as the same is established and amended from time to time pursuant to §§32-1-101, *et seq.*, C.R.S.) including but not limited to the property set forth in **Exhibit B**, attached hereto and incorporated herein by this reference, and any additional property included into the District after the date of this Resolution.

11. Effective Date. This Resolution was duly adopted by the Board of Directors of The Canyons Metropolitan District No. 5 at a meeting held on December 17, 2015, and shall become effective immediately.

*(Signature Page Follows)*

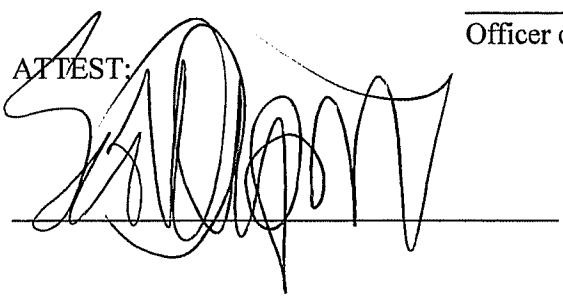
ADOPTED this 17<sup>th</sup> day of December, 2015.

**THE CANYONS METROPOLITAN DISTRICT NO. 5,**  
a quasi-municipal corporation and political subdivision of  
the State of Colorado



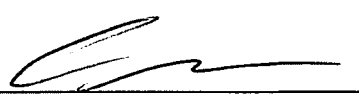
\_\_\_\_\_  
Officer of the District

ATTEST:



APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law



\_\_\_\_\_  
General Counsel to the District

*(Signature page to Resolution Concerning the Imposition of a Facilities Fee)*

**EXHIBIT A**

**THE CANYONS METROPOLITAN DISTRICT NO. 5  
SCHEDULE OF FEES**

**Effective December 17, 2015**

<b>FEE TYPE</b>	<b>CLASSIFICATION</b>	<b>RATE</b>
<b>FACILITIES FEE</b>		
	Residential Lot	\$4,000 per Residential Lot*
	Non-Residential Lot	\$0.80 per each square foot of finished space*

\* The Facilities Fee will be increased by the Annual Increase beginning on January 1, 2017, and on each subsequent Jan 1 thereafter.

**Payments:** Payment for all fees shall be made payable to The Canyons Metropolitan District No. 5, and sent to the District Accountant at the following address for receipt by the due date:

The Canyons Metropolitan District No. 5  
 c/o CliftonLarsonAllen LLP  
 8390 E Crescent Pkwy Ste 500  
 Greenwood Village, CO 80111

**EXHIBIT B**

**THE CANYONS METROPOLITAN DISTRICT NO. 5**



LEGAL DESCRIPTION

THE CANYONS METROPOLITAN DISTRICT No. 5

A PARCEL OF LAND LYING WITHIN PORTIONS OF SECTIONS 1, 2, 10, 11, 12 AND 14, ALL IN TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF CASTLE PINES, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING ASSUMED TO BEAR S 89°54'12" E, FROM THE SOUTH QUARTER CORNER OF SECTION 2, BEING A #6 REBAR WITH A 2" ALUMINUM CAP STAMPED PLS 33202, TO THE SOUTHEAST CORNER OF SECTION 2, BEING A STONE WITH CHISELED CROSS, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 2, THENCE N 13°19'02" E, A DISTANCE OF 1295.59 FEET TO A POINT ON THE SOUTH LINE OF THAT "PARCEL 1 REVISED" AS SHOWN ON THE "ORDER FOR IMMEDIATE POSSESSION", DISTRICT COURT, DOUGLAS COUNTY, STATE OF COLORADO CASE NUMBER 08-CV-1689 OF RECORD AT RECEPTION NO. 2008057654, SAID DOUGLAS COUNTY RECORDS, AND THE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINE OF SAID "PARCEL 1 REVISED" THE FOLLOWING TWENTY (20) COURSES:

1. S 18°44'17" E, A DISTANCE OF 126.18 FEET;
2. N 67°10'35" E, A DISTANCE OF 278.16 FEET;
3. N 06°45'01" E, A DISTANCE OF 133.08 FEET;
4. N 46°05'31" E, A DISTANCE OF 91.67 FEET;
5. N 63°36'35" E, A DISTANCE OF 222.60 FEET;
6. N 20°28'12" E, A DISTANCE OF 240.39 FEET;
7. N 30°38'19" E, A DISTANCE OF 61.62 FEET;
8. N 24°59'03" E, A DISTANCE OF 115.00 FEET;
9. N 13°13'20" E, A DISTANCE OF 140.00 FEET;
10. N 82°45'32" E, A DISTANCE OF 130.00 FEET;
11. N 37°25'06" E, A DISTANCE OF 145.00 FEET;
12. N 52°50'09" W, A DISTANCE OF 150.00 FEET;
13. N 37°45'39" E, A DISTANCE OF 470.00 FEET;

14. S 81°39'48" E, A DISTANCE OF 150.00 FEET;
15. N 22°03'27" E, A DISTANCE OF 520.00 FEET;
16. N 35°41'01" E, A DISTANCE OF 315.00 FEET;
17. N 22°11'16" E, A DISTANCE OF 305.00 FEET;
18. N 57°52'06" E, A DISTANCE OF 325.00 FEET;
19. S 43°52'31" E, A DISTANCE OF 190.00 FEET;
20. N 61°52'03" E, A DISTANCE OF 157.02 FEET TO A POINT ON THE WEST LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 1, AS SHOWN ON SAID "ORDER FOR IMMEDIATE POSSESSION", DISTRICT COURT, DOUGLAS COUNTY, STATE OF COLORADO CASE NUMBER 08-CV-1689 OF RECORD AT RECEPTION NO. 2008057654;

THENCE S 01°07'38" E, ALONG SAID WEST LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 1161.23 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 1;  
THENCE N 89°15'37" E, ALONG THE SOUTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 1034.67 FEET TO A POINT ON "PARCEL 3 REVISED" AS SHOWN ON THE "ORDER FOR IMMEDIATE POSSESSION", DISTRICT COURT, DOUGLAS COUNTY, STATE OF COLORADO CASE NUMBER 08-CV-1689 OF RECORD AT RECEPTION NO. 2008057654;

THENCE ALONG THE SOUTH LINE OF SAID "PARCEL 3 REVISED" THE FOLLOWING THIRTY ONE (31) COURSES:

1. S 08°14'06" E, A DISTANCE OF 8.23 FEET;
2. S 58°33'35" E, A DISTANCE OF 249.77 FEET;
3. S 34°15'30" E, A DISTANCE OF 212.57 FEET;
4. S 10°33'16" W, A DISTANCE OF 72.81 FEET;
5. S 64°46'21" W, A DISTANCE OF 52.38 FEET;
6. N 71°12'30" W, A DISTANCE OF 60.75 FEET;
7. S 60°16'11" W, A DISTANCE OF 13.65 FEET;
8. S 20°59'07" E, A DISTANCE OF 27.19 FEET;
9. S 25°18'29" W, A DISTANCE OF 131.41 FEET;
10. S 54°40'50" W, A DISTANCE OF 99.61 FEET;
11. S 20°27'19" W, A DISTANCE OF 154.05 FEET;
12. S 34°55'08" E, A DISTANCE OF 44.79 FEET;
13. N 48°28'08" E, A DISTANCE OF 324.71 FEET;

14. S 63°35'16" E, A DISTANCE OF 157.44 FEET;
15. S 18°22'50" E, A DISTANCE OF 324.38 FEET;
16. S 53°50'19" W, A DISTANCE OF 270.57 FEET;
17. S 03°46'27" W, A DISTANCE OF 54.35 FEET;
18. N 88°42'25" E, A DISTANCE OF 318.12 FEET;
19. S 04°58'23" W, A DISTANCE OF 195.15 FEET;
20. S 18°07'17" E, A DISTANCE OF 196.02 FEET;
21. S 23°40'10" W, A DISTANCE OF 63.75 FEET;
22. S 12°57'56" E, A DISTANCE OF 284.56 FEET;
23. S 34°31'45" E, A DISTANCE OF 185.55 FEET;
24. S 50°33'04" W, A DISTANCE OF 292.34 FEET;
25. S 59°03'06" E, A DISTANCE OF 84.73 FEET;
26. N 86°27'51" E, A DISTANCE OF 321.36 FEET;
27. S 45°46'02" E, A DISTANCE OF 117.99 FEET;
28. S 51°01'02" E, A DISTANCE OF 205.89 FEET;
29. N 66°18'35" E, A DISTANCE OF 36.11 FEET;
30. N 35°47'25" W, A DISTANCE OF 360.50 FEET;
31. N 03°11'24" E, A DISTANCE OF 352.40 FEET;

THENCE DEPARTING THE SOUTH LINE OF SAID "PARCEL 3 REVISED", N 80°05'05" E, A DISTANCE OF 507.43 FEET;

- THENCE S 18°32'44" E, A DISTANCE OF 821.93 FEET;
- THENCE S 18°46'35" E, A DISTANCE OF 818.91 FEET;
- THENCE S 18°44'42" E, A DISTANCE OF 168.26 FEET;
- THENCE S 15°56'12" E, A DISTANCE OF 353.83 FEET;
- THENCE S 20°48'31" E, A DISTANCE OF 158.85 FEET;
- THENCE S 23°13'00" E, A DISTANCE OF 326.76 FEET;
- THENCE S 01°03'17" W, A DISTANCE OF 887.11 FEET;
- THENCE S 10°12'18" W, A DISTANCE OF 631.88 FEET;
- THENCE S 17°53'17" W, A DISTANCE OF 282.01 FEET;
- THENCE S 24°01'34" W, A DISTANCE OF 938.02 FEET;
- THENCE S 30°34'07" W, A DISTANCE OF 683.04 FEET;

THENCE S 80°40'54" W, A DISTANCE OF 2535.52 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 11;  
THENCE S 89°54'53" W, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 11, A  
DISTANCE OF 2672.88 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 11;  
THENCE S 89°54'53" W, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST  
QUARTER OF SAID SECTION 14, A DISTANCE OF 1169.50 FEET TO THE NORTHEAST CORNER OF THE  
WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE  
NORTHWEST QUARTER OF SAID SECTION 14;  
THENCE S 01°05'10" E, ALONG THE EAST LINE OF SAID WEST HALF OF THE WEST HALF OF THE  
NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION  
14, A DISTANCE OF 675.92 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE WEST HALF OF  
THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID  
SECTION 14;  
THENCE S 89°48'36" W, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE  
NORTHWEST QUARTER OF SAID SECTION 14, A DISTANCE OF 1109.67 FEET TO A POINT ON THE SOUTH  
LINE OF THAT 75 FOOT PUBLIC SERVICE COMPANY EASEMENT RECORDED IN BOOK 122 AT PAGE 110,  
SAID DOUGLAS COUNTY RECORDS;  
THENCE N 33°43'35" W, ALONG SAID SOUTH LINE, A DISTANCE OF 728.41 FEET TO A POINT ON THE  
WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14;  
THENCE N 01°53'13" W, ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14, A  
DISTANCE OF 71.46 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 11, ALSO BEING THE  
SOUTHWEST CORNER OF THAT DEED RECORDED IN BOOK 157 AT PAGE 30, SAID DOUGLAS COUNTY  
RECORDS;  
THENCE N 00°14'30" W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 11  
AND THE WEST LINE OF SAID DEED, A DISTANCE OF 600.31 FEET;  
THENCE N 33°43'35" W, A DISTANCE OF 910.59 FEET;  
THENCE N 16°43'22" E, A DISTANCE OF 62.48 FEET TO A POINT OF CURVATURE;  
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 545.00 FEET, A CENTRAL  
ANGLE OF 66°04'20" AND AN ARC LENGTH OF 628.48 FEET;  
THENCE N 82°47'42" E, A DISTANCE OF 87.86 FEET TO A POINT OF CURVATURE;  
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET, A CENTRAL ANGLE  
OF 85°30'14" AND AN ARC LENGTH OF 52.23 FEET TO A POINT OF REVERSE CURVATURE;

THENCE ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 985.50 FEET, A CENTRAL ANGLE OF 22°41'44" AND AN ARC LENGTH OF 390.37 FEET;

THENCE N 19°59'13" E, A DISTANCE OF 117.60 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 829.50 FEET, A CENTRAL ANGLE OF 16°26'17" AND AN ARC LENGTH OF 237.98 FEET;

THENCE N 03°32'56" E, A DISTANCE OF 297.01 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF CURVE TO THE RIGHT HAVING A RADIUS OF 969.50 FEET, A CENTRAL ANGLE OF 19°14'26" AND AN ARC LENGTH OF 325.57 FEET;

THENCE N 22°47'22" E, A DISTANCE OF 234.20 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 434.50 FEET, A CENTRAL ANGLE OF 31°33'29" AND AN ARC LENGTH OF 239.32 FEET;

THENCE N 08°46'08" W, A DISTANCE OF 100.45 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 554.50 FEET, A CENTRAL ANGLE OF 53°50'26" AND AN ARC LENGTH OF 521.06 FEET;

THENCE N 45°04'18" E, A DISTANCE OF 102.18 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 539.50 FEET, A CENTRAL ANGLE OF 56°45'31" AND AN ARC LENGTH OF 534.44 FEET;

THENCE N 11°41'12" W, A DISTANCE OF 380.04 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 769.50 FEET, A CENTRAL ANGLE OF 40°37'05" AND AN ARC LENGTH OF 545.51 FEET;

THENCE S 67°30'38" E, A DISTANCE OF 421.33 FEET;

THENCE S 75°43'36" E, A DISTANCE OF 195.93 FEET;

THENCE N 85°06'13" E, A DISTANCE OF 65.76 FEET;

THENCE N 72°04'52" E, A DISTANCE OF 66.89 FEET;

THENCE N 72°54'21" E, A DISTANCE OF 76.38 FEET;

THENCE N 67°23'28" E, A DISTANCE OF 97.34 FEET;

THENCE N 70°01'36" E, A DISTANCE OF 87.64 FEET;

THENCE N 66°48'45" E, A DISTANCE OF 85.53 FEET;

THENCE N 58°18'44" E, A DISTANCE OF 74.80 FEET;

THENCE N 58°00'30" E, A DISTANCE OF 176.58 FEET;

THENCE N 68°12'33" E, A DISTANCE OF 70.56 FEET;

THENCE N 78°22'21" E, A DISTANCE OF 64.98 FEET;

THENCE N 73°40'20" E, A DISTANCE OF 113.14 FEET;  
THENCE N 48°20'46" E, A DISTANCE OF 250.55 FEET;  
THENCE N 35°43'17" E, A DISTANCE OF 147.49 FEET;  
THENCE N 31°53'36" E, A DISTANCE OF 180.70 FEET;  
THENCE N 34°02'01" E, A DISTANCE OF 90.31 FEET;  
THENCE N 58°36'09" E, A DISTANCE OF 112.36 FEET;  
THENCE N 60°57'18" E, A DISTANCE OF 173.84 FEET TO THE POINT OF BEGINNING.

EXCLUDING THEREFROM THE FOLLOWING TWO (2) PARCELS OF LAND:

1. THAT PARCEL OF LAND RECORDED IN BOOK 157 AT PAGE 30, SAID DOUGLAS COUNTY RECORDS;
2. THAT PARCEL OF LAND RECORDED IN BOOK 297 AT PAGE 644, SAID DOUGLAS COUNTY RECORDS;

THE ABOVE DESCRIBED PARCEL OF LAND INCLUDES THE METROPOLITAN DISTRICT No. 2 DIRECTOR'S PARCEL, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING WITHIN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF CASTLE PINES, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH P.M. BEING ASSUMED TO BEAR N 89°31'53" W, FROM THE NORTHEAST CORNER OF SAID SECTION 15, BEING MONUMENTED BY A 2" ALUMINUM CAP STAMPED "PLS 17488", TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, BEING MONUMENTED BY A 3.25" ALUMINUM CAP STAMPED "PLS 6935", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 15, THENCE S 01°53'13" E, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 678.88 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15;

THENCE N 89°20'06" W, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 1051.50 FEET TO THE POINT OF BEGINNING;

THENCE N 89°20'06" W, CONTINUING ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 255.00 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15;

THENCE N 01°02'28" W, ALONG THE WEST LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 15, A DISTANCE OF 170.08 FEET;

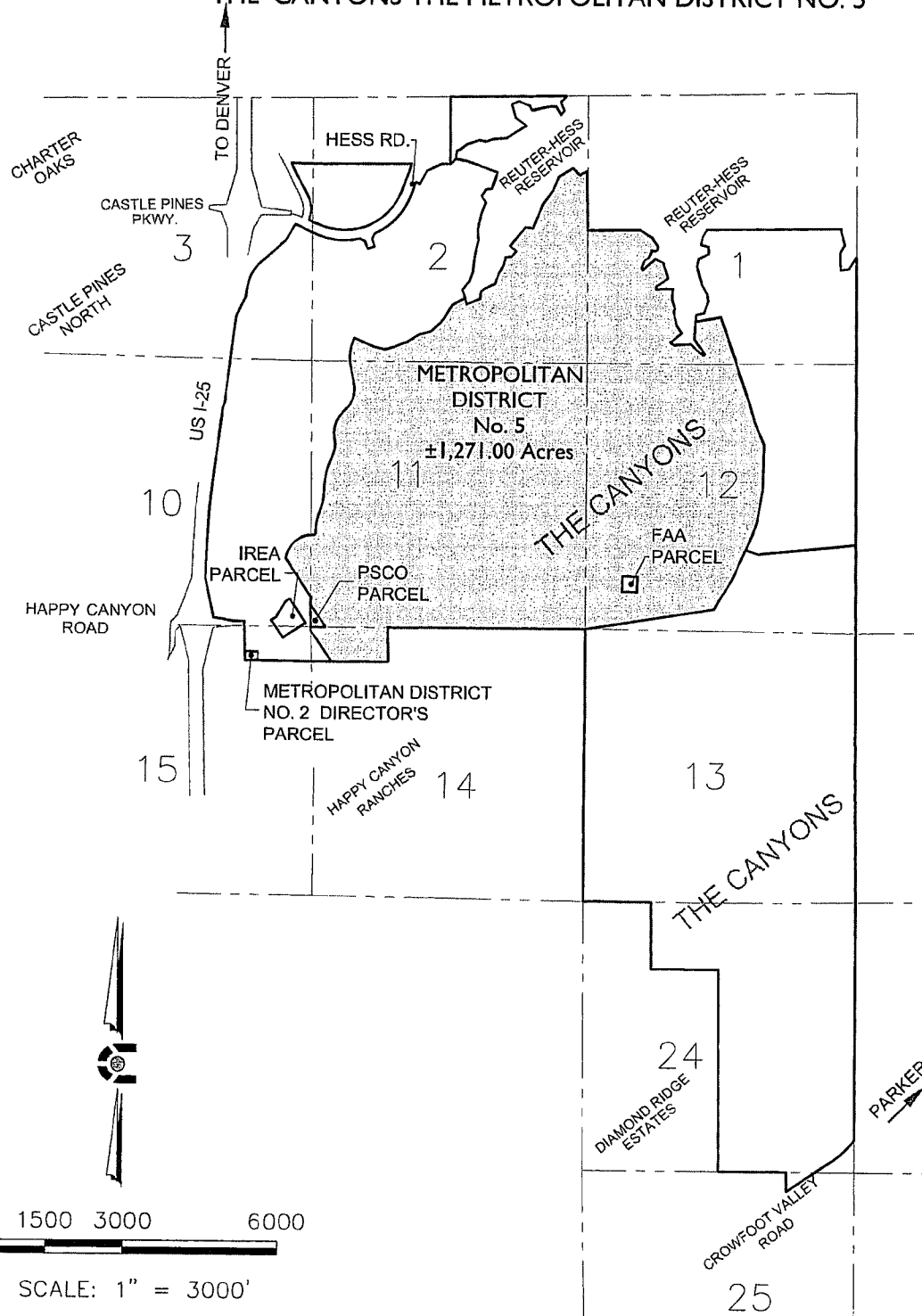
THENCE S 89°20'06" E, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 260.06 FEET;  
THENCE S 00°39'54" W, A DISTANCE OF 170.00 FEET TO A THE POINT OF BEGINNING.

THE SUBJECT PROPERTY, AFTER REMOVAL OF THOSE EXCEPTIONS STATED HEREIN, CONTAINS  
APPROXIMATELY 1271.00 ACRES, MORE OR LESS

THOMAS M. GIRARD  
COLORADO PLS 38151  
FOR AND ON BEHALF OF  
CORE CONSULTANTS, INC.

# EXHIBIT

## THE CANYONS THE METROPOLITAN DISTRICT NO. 5



NOTE: THIS DOES NOT REPRESENT A MONUMENTED SURVEY.  
 IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.  
 PROJECT: 14-002 DR: J. ANTON  
 DATE: 12/16/15 DS: T. GIRARD  
 SHEET 3 OF 3 P.M. B. CALVERT



**CORE**  
 CONSULTANTS

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