

MOUNTAIN VISTA METROPOLITAN DISTRICT

Regular Board Meeting
8905 Explorer Dr - Suite 250
Colorado Springs, CO 80920
Thursday, September 2, 2021 – 10:00 a.m.

Board Members

Brian Bahr, President - Term to May 2022
Richard Vorwaller - Term to May 2023
Jordan Savage- Term to May 2023
Craig Anderson- Term to May 2023
John Eliot- Term to May 2022

**** Please join the meeting from your computer, tablet or smartphone****

<https://global.gotomeeting.com/join/432372773>

United States: [+1 \(669\) 224-3412](tel:+16692243412)

Access Code: 432-372-773

AGENDA

1. Call to order
2. Declaration of Quorum/Director Qualifications/ Disclosure Matters
3. Approval of Agenda
4. Regular Business Items (These items are routine and may be approved by one motion. There will be no separate discussion of these items unless requested, in which event, the item will be heard immediately)
 - a. Approval of Board Meeting Minutes from the August 5, 2021 Meeting (attached)
 - b. Approval of Payables for the Period ending September 2, 2021 (attached)
 - c. Acceptance of Unaudited Financial Statements as of August 31, 2021 and the schedule of cash position updated as of August 31, 2021 (attached)
5. Management Matters
 - a. Discussion on 8231 Diorite exemption request
6. Legal Matters
 - a. Bond Update
 - a. Consider approval of Bond Resolution for Series 2021 Bond Issuance (attached)
 - b. Adopt Resolution Relating to Trash Removal Fees
7. Public Comment and Public Sign-In Attendance Sheet
(Limited to 3 minutes and only for items not on the agenda)
8. Other Business:

Next Regular Meeting Date – October 7, 2021 at 10:00 a.m.

8. Adjourn



**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
MOUNTAIN VISTA METROPOLITAN DISTRICT
HELD AUGUST 5, 2021 AT 10:00 A.M.**

Pursuant to posted notice, the regular meeting of the Board of Directors of the Mountain Vista Metropolitan District was held on Thursday, August 5, 2021 at 10:00 AM, via electronic means and telephone conference call.

Attendance

In attendance were Directors:

Brian Bahr (Excused)
Jordan Savage
Craig Anderson (Excused)
John Eliot (via phone)
Richard Vorwaller

Also in attendance were:

Kevin Walker, WSDM
Riley Walker, WSDM
Rebecca Hardekopf, WSDM (via phone)
Pete Susemihl, Susemihl, McDermott & Downie, P.C.

1. Call to Order & Introductions: The meeting was called to order at 10:03 a.m. by Director Vorwaller.

2. Approval of Agenda: Director Savage moved to approve the Agenda and excuse Directors Bahr and Anderson; seconded by Director Vorwaller. Motion passed unanimously.

3. Regular Business Items

- a. Approval of Board Meeting Minutes from the June 23, 2021 Meeting
- b. Approval of Payables for the Period ending August 5, 2021
- c. Acceptance of Unaudited Financial Statements as of July 31, 2021 and the schedule of cash position updated as of July 31, 2021

Director Vorwaller moved to approve the Regular Business Items as presented; seconded by Director Savage. Motion passed unanimously.

4. Legal Matters: Mr. Susemihl reported the bond documents should be received by the end of the week with a possible closing date in September. Mr. Susemihl recommended approving the new Bond Resolution if needed at the September 2, 2021 Board meeting. The Notice of Issuing Debt will also need to be posted.

5. Public Comment: There was no public comment.

6. Other Business:

- a. Next Regular Meeting Date – September 2, 2021
- b. Mr. Walker discussed District Management Matters and noted they are working on staying ahead of the weeds and working on the construction issue. Mr. Walker explained a concerned citizen sent photos of the construction of the detention pond that did not include a grate and they felt it was a safety hazard. The design was approved by the City without grates, but a new grate will be designed and installed. Mr. Walker reported that Mr. Riley Walker will be going to part-time, so Ms. Hardekopf will be taking over as Assistant District Manager.

7. Adjournment: The Board adjourned the meeting at 10:18 a.m.

Respectfully Submitted,
Walker Schooler District Managers

By: Kristina Kulick for the Recording Secretary

Mountain Vista Metropolitan District
PAYABLES
8/16/2021
GENERAL FUND ACCOUNT

Company	Invoice	Date	Amount	Comments
A-1 Backflow	25453	7/19/2021	120.00	
City of Colorado Springs	48028901	8/20/2021	51.84	
City of Colorado Springs	48028902	8/20/2021	4.86	
City of Colorado Springs	48028950	8/20/2021	93.96	
City of Colorado Springs	48022821	8/20/2021	75.74	
City of Colorado Springs	48023097	8/20/2021	26.33	
City of Colorado Springs	48028903	8/20/2021	6.89	
Colorado Springs Utilities	5666367862	8/16/2021	7,260.93	
Colorado Springs Utilities	3882724424	8/18/2021	18.75	
Colorado Springs Utilities	2657352726	8/18/2021	5,458.83	
Mailing Services Inc	15429	7/12/2021	136.19	
Susemihl Mcdermott Downie P.C.	33606	7/31/2021	5,867.46	
Walker Schooler District Managers	6853	7/31/2021	3,595.76	
Weisburg Landscape Maintenance	42680	7/21/2021	8,850.00	
Weisburg Landscape Maintenance	42849	7/29/2021	141.50	
Weisburg Landscape Maintenance	42850	7/29/2021	68.50	
Weisburg Landscape Maintenance	42708	7/31/2021	3,965.00	
Weisburg Landscape Maintenance	42941	8/9/2021	167.50	
Weisburg Landscape Maintenance	42919	8/9/2021	149.50	
Weisburg Landscape Maintenance	42952	8/10/2021	3,615.00	
Wesburg Landscape Maintenance	42879	8/3/2021	1,400.00	
TOTAL			\$ 41,074.54	

TOTAL FOR ALL FUNDS

\$ 41,074.54

_____, President

Mountain Vista Metropolitan District

Balance Sheet

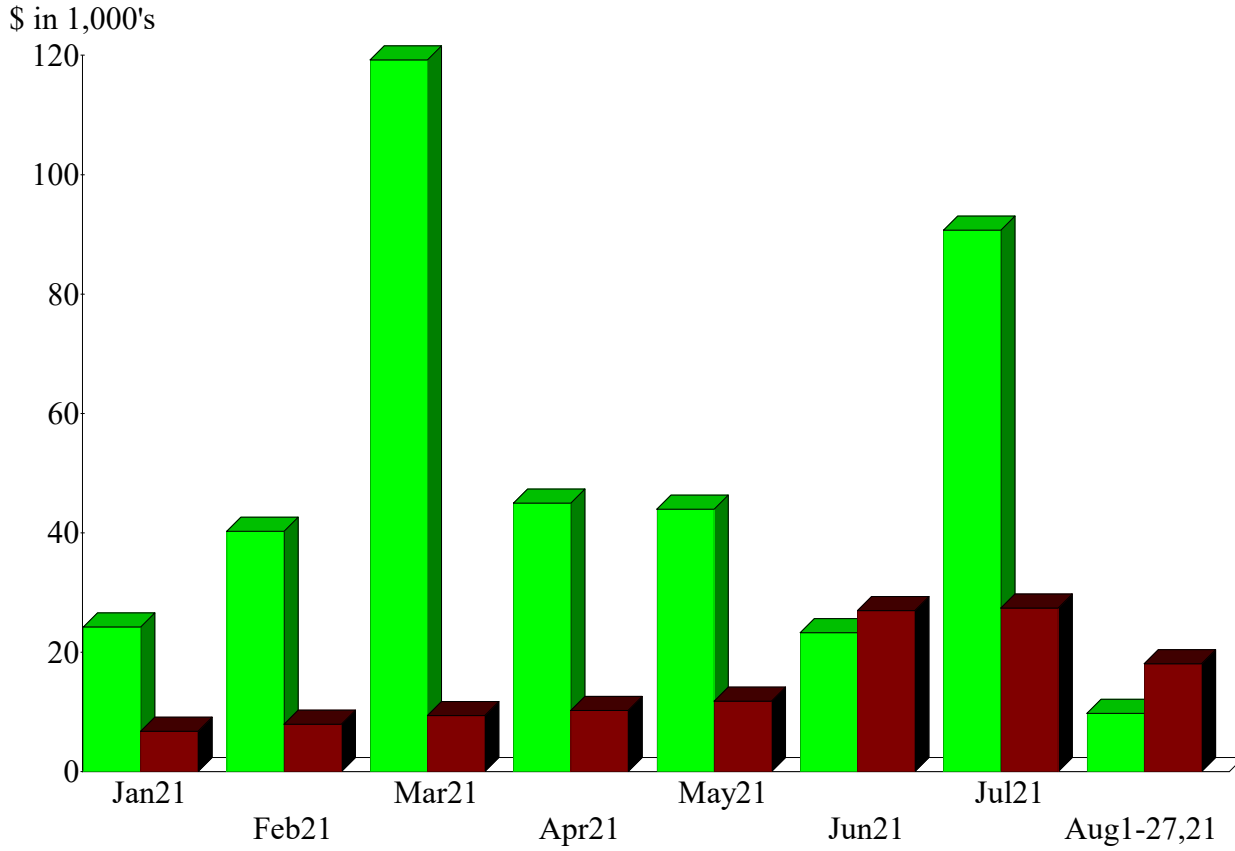
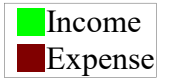
As of August 27, 2021

	<u>Aug 27, 21</u>
ASSETS	
Current Assets	
Checking/Savings	
3079 - Kirkpatrick Checking	972,499.41
Total Checking/Savings	972,499.41
Accounts Receivable	0.00
Other Current Assets	
12000 · Undeposited Funds	181.50
Total Other Current Assets	181.50
Total Current Assets	972,680.91
TOTAL ASSETS	972,680.91
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 · Accounts Payable	8,850.00
Total Accounts Payable	8,850.00
Total Current Liabilities	8,850.00
Total Liabilities	8,850.00
Equity	
30000 · Opening Balance Equity	132,142.06
32000 · Retained Earnings	553,795.45
Net Income	277,893.40
Total Equity	963,830.91
TOTAL LIABILITIES & EQUITY	972,680.91

Mountain Vista Metropolitan District Profit & Loss Budget vs. Actual January 1 through August 27, 2021

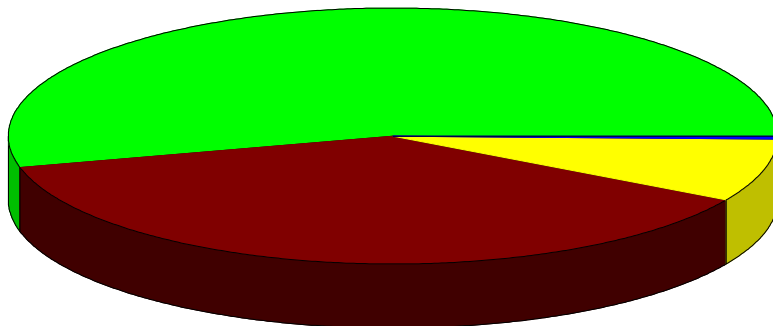
	TOTAL				
	Aug 1 - 27, 21	Jan 1 - Aug 27, 21	Budget	\$ Over Budget	% of Budget
Income					
Building Permit Fees					
1-0010 · Single Family - Fee	4,000.00	150,000.00	0.00	150,000.00	100.0%
Building Permit Fees - Other	0.00	0.00	300,000.00	-300,000.00	0.0%
Total Building Permit Fees	4,000.00	150,000.00	300,000.00	-150,000.00	50.0%
Treasurer Taxes					
1-1000 · Current Year Tax- O&M	33.92	50,192.24	50,566.47	-374.23	99.26%
1-1015 · Delinquent Interest O&M	0.69	12.98	0.00	12.98	100.0%
1-1020 · Specific Ownership Tax - O&M	482.24	3,393.90	3,539.65	-145.75	95.88%
2-1000 · Current Year Tax- Debt	101.77	150,576.76	151,699.42	-1,122.66	99.26%
2-1015 · Delinquent Interest - Debt	2.08	38.92	0.00	38.92	100.0%
2-1020 · Specific Ownership tax - Debt	3,715.19	12,450.18	10,618.96	1,831.22	117.25%
Total Treasurer Taxes	4,335.89	216,664.98	216,424.50	240.48	100.11%
1-2000 · Late Fee	0.00	230.00	0.00	230.00	100.0%
1-2010 · Trash Service	1,448.60	29,647.58	25,000.00	4,647.58	118.59%
Total Income	9,784.49	396,542.56	541,424.50	-144,881.94	73.24%
Expense					
Treasurer Fee					
1-1100 · Treasurer Collection Fee - O&M	0.52	753.09	758.50	-5.41	99.29%
2-1100 · Treasurer Collection Fee - Debt	1.56	2,259.25	2,275.49	-16.24	99.29%
Total Treasurer Fee	2.08	3,012.34	3,033.99	-21.65	99.29%
1-1200 · Professional Services					
1-1210 · Audit/ Accounting	0.00	1,200.00	9,000.00	-7,800.00	13.33%
1-1220 · District Management	0.00	23,741.51	36,000.00	-12,258.49	65.95%
1-1230 · Trash Service	0.00	12,733.59	12,000.00	733.59	106.11%
1-1250 · Legal	0.00	5,882.46	10,000.00	-4,117.54	58.83%
Total 1-1200 · Professional Services	0.00	43,557.56	67,000.00	-23,442.44	65.01%
1-1270 · Bond Costs					
1-1271 · Cost of Issuance	0.00	4,500.00	0.00	4,500.00	100.0%
Total 1-1270 · Bond Costs	0.00	4,500.00	0.00	4,500.00	100.0%
1-1300 · Bank Fees					
1-1310 · Copies & Postage	0.00	887.78	500.00	387.78	177.56%
1-1400 · Dues & Subscriptions	0.00	825.00	650.00	175.00	126.92%
1-1450 · Insurance	0.00	-445.00	5,000.00	-5,445.00	-8.9%
1-1600 · Landscape Maintenance & Repairs					
1-1610 · Utilities	12,738.51	24,797.86	75,000.00	-50,202.14	33.06%
1-1600 · Landscape Maintenance & Repairs - Other	5,332.00	37,628.00	25,000.00	12,628.00	150.51%
Total 1-1600 · Landscape Maintenance & Repairs	18,070.51	62,425.86	100,000.00	-37,574.14	62.43%
1-1620 · Stormwater Fee	0.00	1,105.62	1,250.00	-144.38	88.45%
1-1630 · Miscellaneous	0.00	1,100.00	50,000.00	-48,900.00	2.2%
Total Expense	18,072.59	118,649.16	227,933.99	-109,284.83	52.05%
Net Income	-8,288.10	277,893.40	313,490.51	-35,597.11	88.65%

Income and Expense by Month
January 1 through August 27, 2021



Income Summary
January 1 through August 27, 2021

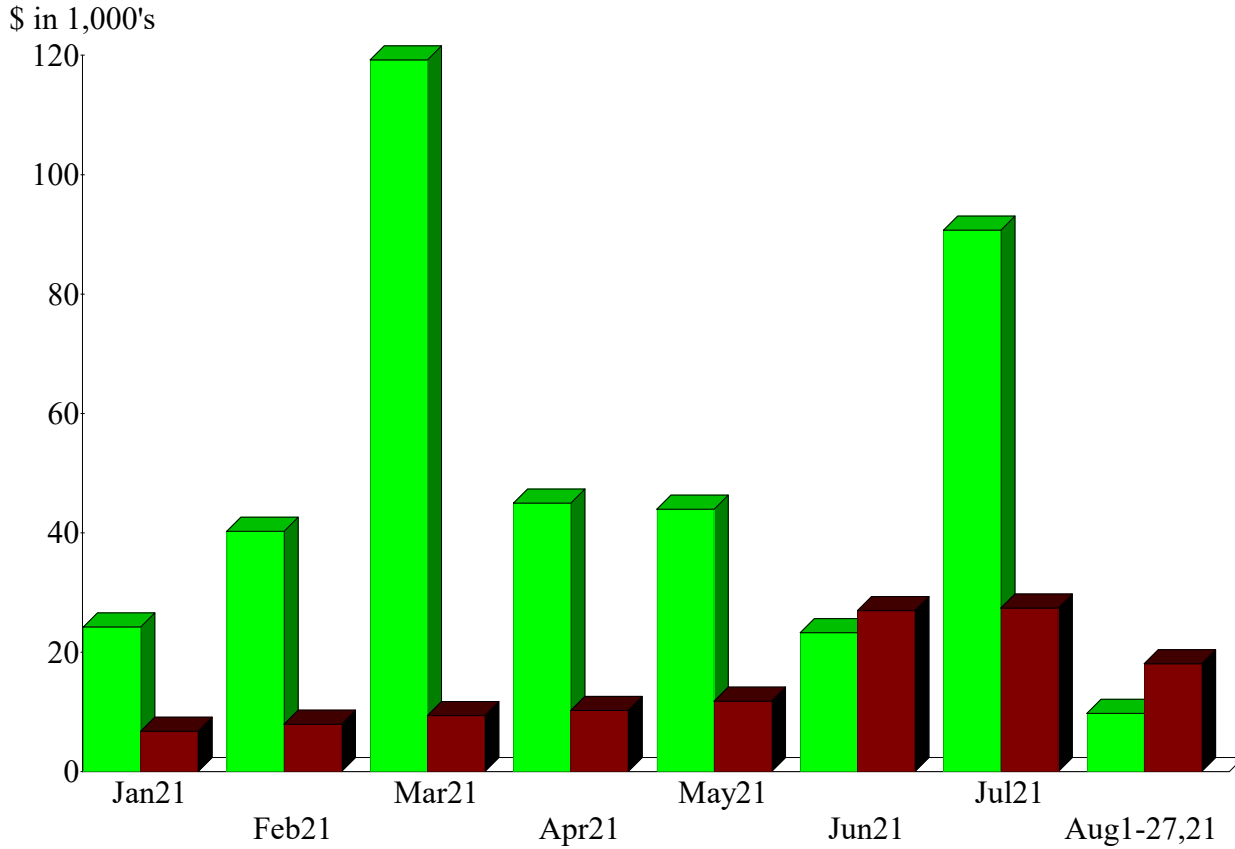
Treasurer Taxes	54.07%
Building Permit Fees	37.83
1-2010 · Trash Service	8.05
1-2000 · Late Fee	0.06
Total	\$396,542.56



By Account

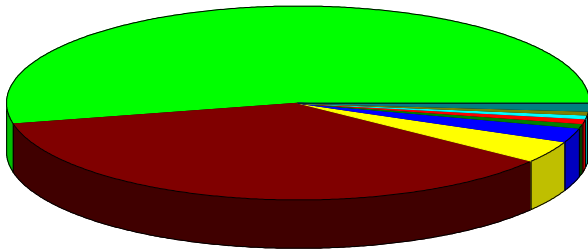
Income and Expense by Month
January 1 through August 27, 2021

Income
Expense



Expense Summary
January 1 through August 27, 2021

1-1600 · Landscape Maintenance & Repai	53.83%
1-1200 · Professional Services	36.57
1-1270 · Bond Costs	3.78
Treasurer Fee	2.53
1-1620 · Stormwater Fee	0.93
1-1630 · Miscellaneous	0.92
1-1310 · Copies & Postage	0.75
1-1400 · Dues & Subscriptions	0.69
1-1450 · Insurance	\$-445.00
Sub-Total	\$118,649.16



By Account

CERTIFIED RECORD

OF

PROCEEDINGS

MOUNTAIN VISTA METROPOLITAN DISTRICT

IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

RELATING TO

GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2021(3)

(Attach copy of notice of meeting, as posted)

STATE OF COLORADO)
)
EL PASO COUNTY)
)
MOUNTAIN VISTA METROPOLITAN DISTRICT)

The Board of Directors of Mountain Vista Metropolitan District, El Paso County, Colorado, met in regular session at the offices of Challenger Communities, 8065 Explorer Drive, Suite 250, in Colorado Springs, Colorado, 80920, on Thursday, the 2nd day of September, 2021 at the hour of 10:00 a.m.

In accordance with §11-57-211, C.R.S., one or more of the members of the Board participated in this meeting and voted through the use of a conference telephone, and there was at least one person physically present at the designated meeting area to ensure that the public meeting was in fact accessible to the public.

The following members of the Board of Directors were present, constituting a quorum:

President and Chairman:	Brian Bahr
Vice President:	John Eliot
Secretary/Treasurer:	Jordan Savage
Assistant Secretaries:	Craig Anderson
	Richard Vorwaller _____

Absent: _____

Thereupon there was introduced the following resolution:

RESOLUTION

WHEREAS, Mountain Vista Metropolitan District, El Paso County, Colorado (the “District”), is a duly and regularly created, established, organized, and existing metropolitan district, existing as such under and pursuant to the constitution and laws of the State of Colorado; and

WHEREAS, at a special election of the qualified electors of the District, duly called and held on Tuesday, November 7, 2006 (the “2006 Election”), in accordance with law and pursuant to due notice, a majority of those qualified to vote and voting at the 2006 Election voted in favor of, *inter alia*, the issuance of general obligation indebtedness for the purpose of providing public improvements; and

WHEREAS, the returns of the 2006 Election were duly canvassed and the result thereof duly declared; and

WHEREAS, the result of the 2006 Election was certified by the District by certified mail to the board of county commissioners of each county in which the District is located or to the governing body of a municipality that has adopted a resolution of approval of the special district pursuant to §32-1-204.5, C.R.S., and with the division of securities created by §11-51-701, C.R.S. in accordance with law; and

WHEREAS, the District has not issued any bonds or other obligations using the authorization of the 2006 Election; and

WHEREAS, the Board of Directors of the District (the “Board”) has determined and does hereby determine that it is necessary to pay the costs of acquiring, constructing, and installing a portion of the facilities the debt for which was approved at the 2006 Election (the “Project”); and

WHEREAS, the Board has determined and hereby determines that it is in the best interests of the District, and the residents and taxpayers thereof, that the Project be financed by the issuance of bonds; and

WHEREAS, for the purpose of paying the costs of the Project, the Board has determined and hereby determines that it is in the best interests of the District, and the residents and taxpayers thereof, that the District should issue its General Obligation Limited Tax Bonds, Series 2021(3), in the maximum aggregate principal amount of \$25,000,000 (the “Bonds”); and

WHEREAS, the Bonds shall be issued pursuant to the provisions of Title 32, Article 1, Part 11, C.R.S., and all other laws thereunto enabling; and

WHEREAS, the Board specifically elects to apply all of the provisions of Title 11, Article 57, Part 2, C.R.S., to the Bonds; and

WHEREAS, the Bonds will be issued and secured by that certain Indenture of Trust (the “Indenture”), between the District and UMB Bank, n.a., as trustee (the “Trustee”); and

WHEREAS, the Bonds shall be limited mill levy obligations of the District, payable solely from the Pledged Revenue, all as defined and described in the Indenture; and

WHEREAS, the Bonds are being issued only to financial institutions or institutional investors within the meaning of §32-1-1101 (6)(a)(IV), C.R.S., and thus are permitted pursuant to such statute; and

WHEREAS, the issuance of the Bonds shall not involve a public offering, and shall be made exclusively to “accredited investors”, as that term is used in §11-59-110 (1)(g), C.R.S., and thus will be exempt from registration under the Colorado Municipal Bond Supervision Act; and

WHEREAS, the allocation of the Bonds to the authorized but unissued indebtedness from the 2006 Election shall be as set forth in the Indenture, and shall be determined based upon the expected use of the proceeds thereof as of the date of issuance of the Bonds; and

WHEREAS, the Board has been presented with a proposal in the form of a Bond Purchase Agreement (the “Bond Purchase Agreement”) from Piper Sandler & Co., of Denver, Colorado (the “Underwriter”), to purchase the Bonds; and

WHEREAS, after consideration, the Board has determined that the sale of the Bonds to the Underwriter is in the best interests of the District and the residents thereof; and

WHEREAS, pursuant to §32-1-902(3), C.R.S., and §18-8-308, C.R.S., all known potential conflicting interests of the Directors were disclosed to the Colorado Secretary of State and to the Board in writing at least 72 hours in advance of this meeting; additionally, in accordance with §24-18-110, C.R.S., the appropriate Board members have made disclosure of their personal and private interests relating to the issuance of the Bonds in writing to the Secretary of State and the Board; finally, said officials have stated for the record immediately prior to the adoption of this Bond Resolution the fact that they have said interests and the summary nature of such interests and the participation of said officials is necessary to obtain a quorum or otherwise enable the Board to act; and

WHEREAS, there has been presented to this meeting of the Board the current forms of the “Financing Documents” as defined hereafter; and

WHEREAS, the Board desires to authorize the issuance and sale of the Bonds and the execution of the Financing Documents;

THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF MOUNTAIN VISTA METROPOLITAN DISTRICT:

Section 1. Definitions. Unless the context indicates otherwise, as used herein, capitalized terms shall have the meanings ascribed by the preambles hereto and the Indenture, and the following capitalized terms shall have the respective meanings set forth below:

Authorized Officer: the person or persons authorized to sign the Indenture and the Bond Purchase Agreement pursuant to the Delegated Authority, and to sign other documents

pertaining to the Bonds as provided in this Bond Resolution, which shall be any member of the Board.

Bond Resolution: this resolution which authorizes the issuance of the Bonds and the execution of the Indenture, and any amendment or supplement lawfully made hereto.

Continuing Disclosure Obligation: an agreement, certificate, or undertaking of the District to provide certain post-issuance information as described in the Limited Offering Memorandum.

Delegated Authority: the authority delegated by this Bond Resolution to any Authorized Officer to sign the Bond Purchase Agreement and to make the following determinations with respect to the Bonds in the Indenture, which determinations shall be subject to the restrictions and parameters set forth below:

- (1) the rate or rates of interest on the Bonds;
- (2) the conditions on which and the prices at which the Bonds may be redeemed before maturity;
- (3) the existence and amount of any capitalized interest or reserve funds;
- (4) the price or prices at which the Bonds will be sold;
- (5) the principal amount and denominations of the Bonds;
- (6) the amount of principal maturing in any particular year; and
- (7) the dates on which principal and interest shall be paid.

The foregoing authority shall be subject to the following restrictions and parameters:

- (1) the interest rate or rates on the Bonds shall be such that the Bonds bear interest at a net effective interest rate which does not exceed 16%;
- (2) the total repayment cost of the Bonds and the maximum annual repayment costs thereof shall not exceed, respectively, the total repayment cost and maximum annual tax increase limitations of the 2006 Election;
- (3) the sale price of the Bonds shall be an amount not less than 95% of the aggregate principal amount of the Bonds;
- (4) the Bonds shall mature not later than December 1, 2052; and
- (5) the principal amount of the Bonds shall not exceed \$25,000,000.

Financing Documents: collectively, the Indenture, the Continuing Disclosure Obligation, the Letter of Representations, and the Bond Purchase Agreement.

Letter of Representations: the letter of representations from the District to DTC to induce DTC to accept the Bonds as eligible for deposit at DTC.

Limited Offering Memorandum: the final version of the Preliminary Limited Offering Memorandum.

Preliminary Limited Offering Memorandum: the document of that name concerning the Bonds and the District, which will be used to market the Bonds to investors.

Section 2. Approvals, Authorizations, and Amendments. The Financing Documents are incorporated herein by reference and are hereby approved. All Authorized Officers are hereby authorized and directed to execute the Financing Documents and to affix the seal of the District thereto, and further to execute and authenticate such other documents, instruments, or certificates as are deemed necessary or desirable in order to issue and secure the Bonds. Such documents are to be executed in substantially the form presented at this meeting of the Board, provided that such documents may be completed, corrected, or revised as deemed necessary by the parties thereto in order to carry out the purposes of this Bond Resolution. Copies of all of the Financing Documents shall be delivered, filed, and recorded as provided therein.

Upon execution and delivery of the Financing Documents, the covenants, agreements, recitals, and representations of the District therein shall be effective with the same force and effect as if specifically set forth herein, and such covenants, agreements, recitals, and representations are hereby adopted and incorporated herein by reference.

The proper officers of the District are hereby authorized and directed to prepare and furnish to any interested person certified copies of all proceedings and records of the District relating to the Bonds and such other affidavits and certificates as may be required to show the facts relating to the authorization and issuance thereof.

The execution of any instrument by an authorized officer of the District in connection with the issuance, sale, or delivery of the Bonds not inconsistent herewith shall be conclusive evidence of the approval by the District of such instrument in accordance with the terms thereof and hereof.

Section 3. Authorization. In accordance with the Constitution of the State of Colorado; the Supplemental Act; Title 32, Article 1, Part 11, C.R.S.; the 2006 Election; and all other laws of the State of Colorado thereunto enabling, there shall be issued the Bonds for the purpose of: (i) paying the Project Costs; and (ii) paying issuance and other costs in connection with the Bonds. The Bonds shall constitute limited tax obligations of the District as provided in the Indenture. The District hereby elects to apply all of the provisions of the Supplemental Act to the Bonds.

Section 4. Bond Details; Delegated Authority. The Bonds shall be issued only as fully registered Bonds without coupons in Authorized Denominations. Unless the District shall otherwise direct, the Bonds shall be numbered separately from 1 upward, with the number of each Bond preceded by "R-". The Bonds shall be dated as of the date of issuance, and shall be payable at such time or times, shall be subject to redemption prior to maturity, and otherwise shall be as determined in the Indenture. Pursuant to §11-57-205, C.R.S., of the Supplemental Act the

Board hereby delegates the Delegated Authority to an Authorized Officer and authorizes the signing of the Indenture and the Bond Purchase Agreement pursuant thereto.

Section 5. Permitted Amendments to Bond Resolution. The District may amend this Bond Resolution in the same manner and subject to the same terms and conditions as apply to an amendment or supplement to the Indenture.

Section 6. Authorization to Execute Documents. The officers of the District are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Bond Resolution, including but not limited to the execution of such certificates and affidavits as may be reasonably required by the Underwriter.

Section 7. Appointment of District Representative. _____ is hereby appointed District Representative, as defined in the Indenture. A different District Representative may be appointed by resolution adopted by the Board and a certificate filed with the Trustee.

Section 8. Costs and Expenses. All costs and expenses incurred in connection with the issuance and payment of the Bonds shall be paid either from the proceeds of the Bonds or from legally available moneys of the District, or from a combination thereof, and such moneys are hereby appropriated for that purpose.

Section 9. Acceptance of Bond Purchase Agreement. The Board hereby reaffirms its determination to accept the Bond Purchase Agreement as submitted by the Underwriter, and to sell the Bonds to the Underwriter upon the terms, conditions, and provisions as set forth in the Bond Purchase Agreement, subject to the Delegated Authority. All Authorized Officers are hereby authorized to execute the Bond Purchase Agreement and to attest to such execution, all on behalf of the District.

Section 10. Limited Offering Memorandum. The draft of the Preliminary Limited Offering Memorandum is hereby authorized and approved in the form presented to the Board at this meeting. The Board hereby authorizes the finalization and posting of the Preliminary Limited Offering Memorandum, the use and distribution by the Underwriter of the Preliminary Limited Offering Memorandum in connection with the marketing of the Bonds, and the preparation and distribution of a final Limited Offering Memorandum in conjunction with an offer of the Bonds to investors. The final Limited Offering Memorandum shall contain such corrections and additional or updated information so that it will not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading. All Authorized Officers are hereby authorized to execute copies of the Preliminary Limited Offering Memorandum and the Limited Offering Memorandum on behalf of the District.

Section 11. Ratification and Approval of Prior Actions. All actions heretofore taken by any Authorized Officer or the officers, agents, attorneys, or employees of the District, not inconsistent with the provisions of this Bond Resolution, relating to the authorization, sale, issuance, and delivery of the Bonds, are hereby ratified, approved, and confirmed.

Section 12. Bond Resolution Irrepealable. After any of the Bonds have been issued, this Bond Resolution shall constitute a contract between the Owners and the District, and shall be and remain irrepealable until the Bonds and the interest accruing thereon shall have been fully paid, satisfied, and discharged in accordance with the Indenture.

Section 13. Repealer. All orders, bylaws, and resolutions of the District, or parts thereof, inconsistent or in conflict with this Bond Resolution, are hereby repealed to the extent only of such inconsistency or conflict.

Section 14. Severability. If any section, paragraph, clause, or provision of this Bond Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Bond Resolution, the intent being that the same are severable.

Section 15. Effective Date. This Bond Resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this __ day of September, 2021.

(S E A L)

President or Vice President

ATTESTED:

Secretary or Assistant Secretary

Thereupon, Director _____ moved the adoption of the foregoing resolution. The motion to adopt the resolution was duly seconded by Director _____, put to a vote, and carried on the following recorded vote:

Those voting AYE:

Those voting NAY:

Thereupon the President, as Chairman of the meeting, declared the Bond Resolution duly adopted and the Secretary was directed to enter the foregoing proceedings and resolution upon the minutes of the Board.

Thereupon, after consideration of other business before the Board, the meeting was adjourned.

STATE OF COLORADO)
)
EL PASO COUNTY)
)
MOUNTAIN VISTA METROPOLITAN)
DISTRICT)

The undersigned, as the Secretary or an Assistant Secretary of Mountain Vista Metropolitan District, hereby certifies that the foregoing pages constitute a true and correct copy of that portion of the record of proceedings of the Board of Directors of said District relating to the adoption of a resolution authorizing the issuance of its General Obligation Limited Tax Bonds, Series 2021(3), adopted at a regular meeting of the Board held at the offices of Challenger Communities, 8065 Explorer Drive, Suite 250, in Colorado Springs, Colorado, 80920, on Thursday, the 2nd day of September, 2021 at the hour of 10:00 a.m., as recorded in the official record of proceedings of said District kept in my office; that the proceedings were duly had and taken; that the meeting was duly held; that the persons therein named were present at said meeting and voted as shown therein; that each director of the Board was informed of the date, time, place, and purpose of the special meeting; and that a notice of meeting, in the form herein set forth at page 1, was posted at one public place within the District (as designated at the District's first regular meeting of the calendar year) not less than 24 hours prior to the meeting, in accordance with law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the District, as of the 2nd day of September, 2021.

(S E A L)

Secretary or Assistant Secretary

RESOLUTION
A RESOLUTION OF THE BOARD OF DIRECTORS OF MOUNTAIN VISTA
METROPOLITAN DISTRICT RELATING TO TRASH REMOVAL FEES

WHEREAS, Mountain Vista Metropolitan District, El Paso County, Colorado (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado duly organized and existing as a metropolitan district under the laws of the State of Colorado, including particularly Title 32 of the Colorado Revised Statutes; and

WHEREAS, in order to provide for trash removal services, the District desires to adopt a fee; and

WHEREAS, the District Board of Directors finds that such fees are authorized by CRS 32-1-1001(1)(j) and by the recorded covenants.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF MOUNTAIN VISTA METROPOLITAN DISTRICT, EL PASO COUNTY, COLORADO AS FOLLOWS:

Section 1. The Board of Directors hereby finds, determines and declares the necessity of providing for the orderly payment of the costs of trash removal and to insure the health, safety and welfare of the inhabitants of the District.

Section 2. Pursuant to CRS 32-1-1001(1)(j), there shall be assessed and charged a fee of \$45.00 per quarter per residential lot along with a late fee of \$5.00.

Section 3. The fees shall be a perpetual charge and lien upon all the property in the District upon which the fees have been imposed from the date of the same become due and payable until paid, and 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.

Section 4. This Resolution, immediately on its adoption, shall be authenticated by the signatures of the President and Secretary of the District and recorded in the District book of Resolutions kept for that purpose.

ADOPTED AND APPROVED THIS _____ DAY OF _____ 2021.

Brian Bahr, President

ATTEST:

Jordan Savage, Secretary