

COMBINED COURT, LARIMER COUNTY, COLORADO

I, Suzanne Fredrickson, Clerk of the Combined Courts, Larimer County, Colorado, the same being a Court of Record, in the State aforesaid, do hereby certify the attached to be a true, perfect and complete copy of the following documents:

11/20/2019 – Order and Decree Organizing West Boyd Metropolitan District No. 1 and Issuance of Certificates of Election
11/20/2019 – Certificate of Election – Kim L. Perry West Boyd Metropolitan District No. 1
11/20/2019 – Certificate of Election – Wendy Messinger West Boyd Metropolitan District No. 1
11/20/2019 – Certificate of Election – Joshua Kane West Boyd Metropolitan District No. 1
11/20/2019 – Certificate of Election – Timothy Depeder West Boyd Metropolitan District No. 1
11/20/2019 – Certificate of Election – David Crowder West Boyd Metropolitan District No. 1

in case D0352019CV030844 In the Matter of: WEST BOYD METROPOLITAN DISTRICTS NOS 1,2, AND 3 as the same remains of record in this Court.

DATED: December 4, 2019

SUZANNE FREDRICKSON
Clerk of the District Court

By: 
Deputy Clerk

DISTRICT COURT, COUNTY OF LARIMER, COLORADO 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 (970) 494-3500		DATE FILED: November 20, 2019 2:02 PM
Petitioner: WEST BOYD METROPOLITAN DISTRICTS NOS. 1, 2, AND 3	▲ COURT USE ONLY ▲	
	Case Number: 2019CV30844 Courtroom: 3B	
ORDER AND DECREE ORGANIZING WEST BOYD METROPOLITAN DISTRICT NO. 1 AND ISSUANCE OF CERTIFICATES OF ELECTION		

This matter comes before the Court on the Motion for Order and Decree Organizing West Boyd Metropolitan District No. 1 and Issuance of Certificates of Election (the "Motion") filed by the Petitioner for the organization of West Boyd Metropolitan District No. 1 on November 20, 2019. This Court, being fully advised on the premises, hereby FINDS AND ORDERS with respect to the organization of West Boyd Metropolitan District No. 1 (the "District"), as follows:

1. That the question of the organization of the District, the election of Directors thereof, along with various debt and revenue-raising ballot issues and ballot questions were duly submitted to the eligible electors of the proposed District at an election held on November 5, 2019 (the "Election") at the time and place specified in the Order Calling Election on Organization entered by this Court on October 16, 2019.

2. That a majority of the votes cast at the Election were in favor of organizing the District and in favor of all ballot issues and ballot questions submitted.

3. That the Board of Canvassers' Abstract of Returns and the Board of Canvassers' Certificate of Election Results filed with this Court as Exhibit A to the Motion duly certify the Election returns to this Court as required by law and hereby are, in all respects, approved and confirmed.

4. That the District shall be and is hereby duly and regularly organized in accordance with the requirements of §§ 32-1-101, *et seq.*, C.R.S.

5. That the District shall be known as "West Boyd Metropolitan District No. 1."

6. That the District is located in the City of Loveland, Larimer County, Colorado, as more particularly described in Exhibit A, attached hereto and incorporated herein by this reference.

7. That the District shall be a quasi-municipal corporation and political subdivision of the State of Colorado with all the powers thereof.

8. A certified copy of this Order and a copy of the approved Consolidated Service Plan for West Boyd Metropolitan District Nos. 1, 2, and 3 ("Consolidated Service Plan") and the resolution of the City Council of the City of Loveland, Colorado approving the Consolidated Service Plan shall be filed with the Larimer County Clerk and Recorder and the Division of Local Government, Department of Local Affairs.

9. A copy of the Consolidated Service Plan and the resolution of the City Council of the City of Loveland, Colorado approving the Consolidated Service Plan were filed with this Court as part of the Petition filed on September 13, 2019. Pursuant to § 32-1-205(2), C.R.S., the Consolidated Service Plan and approving resolution are incorporated herein by this reference and the District shall cause the Consolidated Service Plan and approving resolution to be appended to this Order at such time as all other legal procedures for District organization have been complied with.

10. That the following qualified persons are duly elected as members of the District's first Board of Directors for the indicated terms and as further shown on the Certificates of Election issued by this Court in accordance with § 32-1-305.5(5), C.R.S., which Certificates are attached hereto:

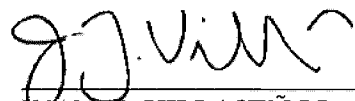
<u>NAME</u>	<u>TERM</u>
Joshua Kane	to May, 2020
David Crowder	to May, 2020
Kim L. Perry	to May, 2022
Wendy Messinger	to May, 2022
Timothy DePeder	to May, 2022

11. That the members of the Board of Directors of the District and their lawful successors shall hereafter take such actions and proceedings as are necessary for the governance of the District.

12. That the District shall have and exercise, through its Board of Directors and officers, all of the powers and authorities conferred upon metropolitan districts under and by virtue of the provisions of Article 1, Title 32, C.R.S., and all laws relating thereto, and all powers and authorities as may hereafter be conferred by law.

SO ORDERED on this 20th day of November, 2019.

BY THE COURT:



JUAN G. VILLASEÑOR
District Court Judge

EXHIBIT A

West Boyd Metropolitan District No. 1

A parcel of land, being part of Lot One (1), Pfeiff Minor Land Division as recorded April 29, 2016 as Reception No. 20160026252 of the Records of the Larimer County Clerk and Recorder, located in the Northeast Quarter (NE1/4) of Section Seventeen (17), Township Five North (T.5N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 1 and assuming the most Westerly South line of Lot 1 as bearing South 89°47'28" West as platted, a distance of 1023.87 feet and with all other bearings contained herein relative thereto;

Thence along the Northwesterly line of Lot 1 the following two courses:

THENCE along the arc of a curve concave to the Northwest a distance of 107.88 feet, having a Radius of 250.00 feet, a Delta of 24°43'28" and is subtended by a Chord that bears North 53°59'13" East a distance of 107.05 feet to a Point of Tangency;

THENCE North 41°37'28" East a distance of 95.68 feet;

THENCE South 01°03'52" East a distance of 133.93 feet to said South line of Lot 1;

THENCE South 89°47'28" West along said South line a distance of 152.63 feet to the POINT OF BEGINNING.

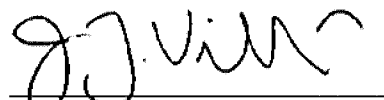
Said described parcel of land contains 8,709 Square Feet or 0.200 Acres, more or less ($\pm$).

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DISTRICT COURT, COUNTY OF LARIMER, COLORADO 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 (970) 494-3500	
Petitioner: WEST BOYD METROPOLITAN DISTRICTS NOS. 1, 2, AND 3	▲ COURT USE ONLY ▲ Case Number: 2019CV30844 Courtroom: 3B
CERTIFICATE OF ELECTION – KIM L. PERRY WEST BOYD METROPOLITAN DISTRICT NO. 1	

The Court having determined that the election conducted on Tuesday, November 5, 2019 concerning the organization of West Boyd Metropolitan District No. 1 was held in accordance with §§ 1-1-101 through 1-13.5-101, *et seq.*, C.R.S., and acting in accordance with § 32-1-305.5(5), C.R.S., the Court hereby certifies that Kim L. Perry was duly elected to the office of director of West Boyd Metropolitan District No. 1 until the regular special district election in May, 2022.

BY THE COURT:



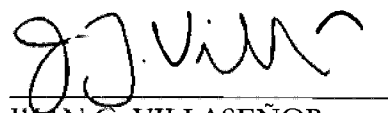
JUAN G. VILLASEÑOR
District Court Judge

DATE FILED: November 20, 2019 2:05 PM

DISTRICT COURT, COUNTY OF LARIMER, COLORADO 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 (970) 494-3500	▲ COURT USE ONLY ▲ Case Number: 2019CV30844 Courtroom: 3B
Petitioner: WEST BOYD METROPOLITAN DISTRICTS NOS. 1, 2, AND 3	
CERTIFICATE OF ELECTION – WENDY MESSINGER WEST BOYD METROPOLITAN DISTRICT NO. 1	

The Court having determined that the election conducted on Tuesday, November 5, 2019 concerning the organization of West Boyd Metropolitan District No. 1 was held in accordance with §§ 1-1-101 through 1-13.5-101, *et seq.*, C.R.S., and acting in accordance with § 32-1-305.5(5), C.R.S., the Court hereby certifies that Wendy Messinger was duly elected to the office of director of West Boyd Metropolitan District No. 1 until the regular special district election in May, 2022.

BY THE COURT:



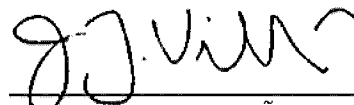
JUAN G. VILLASEÑOR
District Court Judge

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DISTRICT COURT, COUNTY OF LARIMER, COLORADO 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 (970) 494-3500	
Petitioner: WEST BOYD METROPOLITAN DISTRICTS NOS. 1, 2, AND 3	▲ COURT USE ONLY ▲ Case Number: 2019CV30844 Division: 3B
CERTIFICATE OF ELECTION – JOSHUA KANE WEST BOYD METROPOLITAN DISTRICT NO. 1	

The Court having determined that the election conducted on Tuesday, November 5, 2019 concerning the organization of West Boyd Metropolitan District No. 1 was held in accordance with §§ 1-1-101 through 1-13.5-101, *et seq.*, C.R.S., and acting in accordance with § 32-1-305.5(5), C.R.S., the Court hereby certifies that Joshua Kane was duly elected to the office of director of West Boyd Metropolitan District No. 1 until the regular special district election in May, 2020.

BY THE COURT:



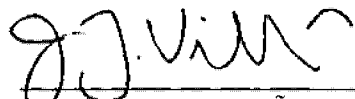
JUAN G. VILLASEÑOR
District Court Judge

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DISTRICT COURT, COUNTY OF LARIMER, COLORADO 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 (970) 494-3500	
Petitioner: WEST BOYD METROPOLITAN DISTRICTS NOS. 1, 2, AND 3	▲ COURT USE ONLY ▲ Case Number: 2019CV30844 Courtroom: 3B
CERTIFICATE OF ELECTION – TIMOTHY DEPEDER WEST BOYD METROPOLITAN DISTRICT NO. 1	

The Court having determined that the election conducted on Tuesday, November 5, 2019 concerning the organization of West Boyd Metropolitan District No. 1 was held in accordance with §§ 1-1-101 through 1-13.5-101, *et seq.*, C.R.S., and acting in accordance with § 32-1-305.5(5), C.R.S., the Court hereby certifies that Timothy DePeder was duly elected to the office of director of West Boyd Metropolitan District No. 1 until the regular special district election in May, 2022.

BY THE COURT:



JUAN G. VILLASEÑOR
District Court Judge

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DISTRICT COURT, COUNTY OF LARIMER, COLORADO 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 (970) 494-3500	
Petitioner: WEST BOYD METROPOLITAN DISTRICTS NOS. 1, 2, AND 3	▲ COURT USE ONLY ▲ Case Number: 2019CV30844 Courtroom: 3B
CERTIFICATE OF ELECTION – DAVID CROWDER WEST BOYD METROPOLITAN DISTRICT NO. 1	

The Court having determined that the election conducted on Tuesday, November 5, 2019 concerning the organization of West Boyd Metropolitan District No. 1 was held in accordance with §§ 1-1-101 through 1-13.5-101, *et seq.*, C.R.S., and acting in accordance with § 32-1-305.5(5), C.R.S., the Court hereby certifies that David Crowder was duly elected to the office of director of West Boyd Metropolitan District No. 1 until the regular special district election in May, 2020.

BY THE COURT:



JUAN G. VILLASEÑOR
District Court Judge