

DENVER CONNECTION WEST METROPOLITAN DISTRICT

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Lakewood, Colorado 80228-1898
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www.colorado.gov/dcwmmd

NOTICE OF A SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Robert A. Johnson	President	2020/May 2020
Craig Wagner	Treasurer	2022/May 2022
Eric McEachen	Assistant Secretary	2020/May 2020
VACANT	Assistant Secretary	2020/May 2020
Jeff McGovern	Assistant Secretary	2022/May 2022
Lisa A. Johnson	Secretary	

DATE: **December 17, 2019**

TIME: **1:00 P.M.**

PLACE: William Lyon Homes
 400 Inverness Parkway, Suite 350
 Englewood, CO 80112

I. ADMINISTRATIVE MATTERS

A. Present Conflict Disclosures and confirm quorum.

B. Approve Agenda, confirm location of the meeting, posting of meeting notices.

II. PUBLIC COMMENTS

A. _____

III. CONSENT AGENDA

- Review and approve Minutes of the October 22, 2019 Regular Meeting (enclosure).
 - Ratify adoption of Resolution No. 2019-10-05; Authorizing Adjustment of the District Mill Levy in Accordance with Colorado Constitution, Article X, Section 3.
 - Ratify approval of Proposal with Enchanted Gardens Landscaping for Avion at Denver Connection 2019 Holiday Decorations (enclosure).
-

IV. FINANCIAL MATTERS

- A. Review and consider approval of payment of claims as follows (enclosure):

Fund	Period Ending Nov. 19, 2019
General	\$ 14,086.82
Debt	\$ -0-
Capital	\$ 96,461.58
Special Revenue	\$ 42,002.72
Total	\$ 152,551.12

- B. Consider acceptance of the unaudited financial statements dated, October 31, 2019, schedule of developer advances, updated December 5, 2019, property taxes reconciliation, and the schedule of cash position for the period ending September 30, 2019, updated as of November 18, 2019 (enclosure) (to be distributed- Schedule of Cash Position).

V. CONSTRUCTION MATTERS

- A. Engineer's Report (enclosure).

1. Discuss status of HUB Facility.

- a. Review and consider approval of Task Order No. 2 to the MSA with Godden Sudik for Additional Services in the amount of \$15,335 (to be distributed).

- b. MW Golden Contract

1. Discuss status of acceptance of release of retainage, in part or whole, related to the contract with MW Golden.

- c. Thoutt Brother's Concrete Contractors, Inc. Contract

1. Discuss final walk through from November 12, 2019 and status of punch list items related to the contract with Thoutt Brother's Concrete Contractors, Inc.

2. Discuss status of acceptance of release of retainage, in part or whole, related to the contract with Thoutt Brother's Concrete Contractors, Inc.
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d. ETG Systems Contract

1. Review and consider approval of Task Order No. 4 to put fireplace controls on a timer in the amount of \$361.84 (enclosure).
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- B. Review and consider approval of Change Order No. 2 with Thoutt Brothers Concrete Contractors, Inc. for Dog Park Sandstone for a decrease in the amount of <\$425.52> (enclosure).
-

- C. Review and consider approval/status of Cost Certification Report No. 21 in the amount of \$304,140.77 (enclosure).
-

VI. LEGAL MATTERS

- A. Discuss update on McGeady Becher P.C. District records retention.
-

B.

VII. POOL AND HUB OPERATIONS

- A. Discuss and consider approval of Second Amended and Restated District Facilities Rules and Regulations (enclosure).
-

VIII. COVENANT ENFORCEMENT/DESIGN REVIEW/OPERATIONS

- A. Review and discuss Community Manager's Report (enclosure).
-

1. Discuss Architectural Review Requests (enclosure).
-

2. Discuss Violation Report (enclosure).
-

B. Design Review Committee (“DRC”)

1. Update from DRC Committee.

2. Update regarding Altitude Community Law on Rules and Regulations governing satellite dishes and cable television.

C. Social Committee

1. Update from Social Committee.

2. Discuss Trunk or Treat Report (enclosure).

D. Discuss adoption of Second Amended and Restated Resolution Adopting Policies and Procedures Governing the Enforcement of Protective Covenants for Denver Connection West (to be distributed).

IX. OTHER BUSINESS

A.

X. ADJOURNMENT ***THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2019.***

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE DENVER CONNECTION WEST METROPOLITAN DISTRICT (THE “DISTRICT”) HELD OCTOBER 22, 2019

A regular meeting of the Board of Directors of the Denver Connection West Metropolitan District (referred to hereafter as the “Board”) was convened on Tuesday, October 22, 2019, at 6:00 p.m., at The HUB, 4746 Jasper Street, Denver, CO 80239. The meeting was open to the public.

Directors In Attendance Were:

Robert A. Johnson

Eric McEachen

Craig Warner

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote, unanimously carried, the absence of Director McGovern was excused.

Also In Attendance Were:

Lisa A. Johnson and Peggy Ripko; Special District Management Services, Inc. (“SDMS”)

Elisabeth Cortese, Esq.; McGeady Becher P.C.

Kim Fiore; Independent District Engineering Services, LLC (“IDES”)

Yelena Primachenko; CliftonLarsonAllen LLP

Lisa Loprino; William Lyon Homes

Giovanni Forrest; YMCA Manager

(See Sign In Sheet for other attendees)

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The Board noted a quorum was present and that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State seventy-two hours in advance of the meeting. Attorney Cortese requested that the Directors consider whether they had any additional conflicts of interest to disclose.

RECORD OF PROCEEDINGS

Attorney Cortese noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board Members prior to this meeting and in accordance with the statutes. It was noted that disclosure statements had been filed for all Directors by the statutory deadline.

ADMINISTRATIVE MATTERS

Agenda: Ms. Johnson distributed for the Board's review and approval a proposed Agenda for the District's regular meeting.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote, unanimously carried, the Agenda was approved, as amended.

Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, the Board noted the meeting location is within the District's boundaries. The Board further noted that notice of this meeting was duly posted pursuant to statute.

Resolution No. 2019-10-01; Establishing 2020 Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 24-Hour Notices and District Website, if needed: The Board discussed Resolution No. 2019-10-01; Resolution No. 2019-10-01; Establishing 2020 Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 24-Hour Notices and District Website, if needed.

Following discussion, upon motion duly made by Director Wagner, seconded by Director Johnson and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-10-01; Resolution No. 2019-10-01; Establishing 2020 Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 24-Hour Notices.

§32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2020: The Board discussed §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2020.

Following discussion, The Board directed staff to post on the District Website and SDA Website.

PUBLIC COMMENTS

There were questions regarding additional landscaping improvement around The HUB.

CONSENT AGENDA

The Board considered the following actions:

RECORD OF PROCEEDINGS

- Review and approve Minutes of the September 24, 2019 Regular Meeting.
- Ratify the approval of Spa Pool Cover in the amount of \$2,050.00 for Front Range Aquatech.
- Ratify approval of Change Order No. 29 to the Construction Contract withy MW Golden for Extended General Conditions in the amount of \$68,120.00.

Following discussion, upon motion duly made by Director Wagner, seconded by Director McEachen and, upon vote unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions.

FINANCIAL MATTERS

Claims: The Board considered approval of the payment of claims as follows:

Fund	Period Ending Oct. 9, 2019
General	\$ 15,729.97
Debt	\$ 5,500.00
Capital	\$ 19,356.85
Special Revenue	\$ 30,594.73
Total	\$ 71,159.23

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote unanimously carried, the Board approved the payment of claims, as amended.

Financial Statements, Schedule of Developer Advances, Property Tax Reconciliation, and Schedule of Cash Position: Ms. Primachenko presented to the Board the unaudited financial statements dated August 31, 2019, schedule of developer's advances, updated September 30, 2019, property tax reconciliation, and schedule of cash position statement ending August 31, 2019, updated as of October 15, 2019.

Following review and discussion, upon motion duly made by Director Wagner, seconded by Director Johnson and, upon vote unanimously carried, the Board accepted the unaudited financial statements dated August 31, 2019, schedule of developer's advances, updated September 30, 2019, property tax reconciliation, and schedule of cash position statement ending August 31, 2019, updated as of October 15, 2019.

2019 Audit: The Board discussed the engagement of Dazzio & Associates, PC to prepare the 2019 Audit.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote unanimously carried, the Board approved the engagement of Dazzio & Associates, PC to prepare the 2019 Audit in an amount not to exceed \$4,900.00.

2019 Budget Amendment Hearing: The President opened the public hearing to consider the Resolution to Amend the 2019 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2019 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following review and discussion, Director Wagner moved to adopt the Resolution to Amend 2019 Budget, Director Johnson seconded the motion and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-10-02 to Amend the 2019 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

2020 Budget Hearing: The President opened the public hearing to consider the proposed 2020 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2020 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing.

No public comments were received and the public hearing was closed.

Ms. Johnson reviewed the estimated 2019 expenditures and the proposed 2020 expenditures.

Following discussion, the Board considered the adoption of the Resolutions to Adopt the 2020 Budget and Appropriate Sums of Money and Set Mill Levies (for the General Fund at 11.133 mills and the Debt Service Fund at 44.531 mills for a total mill levy of 55.664 mills). Upon motion duly made by Director Wagner, seconded by Director Johnson and, upon vote, unanimously carried, Resolution No. 2019-10-03 to Adopt 2020 Budget and Resolution No. 2019-10-04 to Set Mill Levies were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2019. Ms. Johnson was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of City and County of Denver and the Division of Local Government, not later than December 15, 2019.

RECORD OF PROCEEDINGS

Ms. Johnson was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2020. Copies of the adopted Resolutions are attached to these Minutes and incorporated herein by this reference.

Resolution Authorizing Adjustment of District Mill Levy: Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-11-05; Authorizing Adjustment of the District Mill Levy in Accordance with the Colorado Constitution, Article X, Section 3.

DLG-70 Mill Levy Certification Form: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

CONSTRUCTION MATTERS

Engineer's Report: Ms. Fiore reviewed with the Board the Engineer's Project Status Report dated October 22, 2019. A copy of the report is attached and incorporated herein by this reference.

HUB Facility

Task Order No. 2 to Master Services Agreement ("MSA") with Godden Sudik for Additional Services: The Board deferred discussion.

Construction Contract Agreement between the District and MW Golden

Release of Retainage, in Part or Whole, to MW Golden: The Board deferred discussion.

Construction Contract Agreement between the District and Brightview Landscape Development, Inc.

Acceptance and Release of Retainage Related to the Contract with BrightView Landscape Development, Inc. ("Brightview"): The Board discussed acceptance and release of retainage related to the Contract with Brightview. It was noted that Brightview has finished the punch list items.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Johnson, seconded by Director McEachen and, upon vote unanimously carried, the Board approved the release of retainage and granted final acceptance before warranty period, effective October 22, 2019.

Change Order No. 08 to the Construction Contract with Brightview: The Board discussed Change Order No. 08 to the Construction Contract with Brightview for additional handrails in the amount of \$3,073.00.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote unanimously carried, the Board approved Change Order No. 08 to the Construction Contract with Brightview for additional handrails in the amount of \$3,073.00.

Acceptance and Release of Retainage Related to the Contract with Thoutt Brother's Concrete Contractors, Inc.: The Board deferred discussion at this time.

Fireplace- Timer vs. Remote: Ms. Fiore will obtain a quote from ETG Systems, Inc. for a timer and report back to the Board.

Heat Tape Outside the Bathroom Plumbing: It was noted that heat tape outside bathroom plumbing is not permitted by code.

Task Order No. 2 to the Master Service Agreement ("MSA") with Split Rail Fence & Supply Co. to add Expanded Metal Gates: The Board reviewed Task Order No. 2 to the MSA with Split Rail Fence & Supply Co. to add expanded metal gates in the amount of \$3,589.00.

Following review and discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote unanimously carried, the Board ratified approval of Task Order No. 2 to the MSA with Split Rail Fence & Supply Co. to add expanded metal gates in the amount of \$3,589.00.

Task Order No. 4 to the MSA with Split Rail Fence & Supply Co. for three (3) Panic Hardware Protectors on Existing Gates: The Board reviewed Task Order No. 4 to the MSA with Split Rail Fence & Supply Co. for three (3) Panic Hardware Protectors on existing gates in the amount of \$850.00.

Following review and discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote unanimously carried, the Board ratified approval of Task Order No. 4 to the MSA with Split Rail Fence & Supply Co. for three (3) Panic Hardware Protectors on existing gates in the amount of \$850.00.

RECORD OF PROCEEDINGS

Task Order No. 5 to the MSA with Split Rail Fence & Supply Co. to weld Extension to Existing Posts: The Board reviewed Task Order No. 5 to the MSA with Split Rail Fence & Supply Co. to weld extension on existing posts in the amount of \$877.00.

Following review and discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote unanimously carried, the Board ratified approval of Task Order No. 5 to the MSA with Split Rail Fence & Supply Co. to weld extension on existing posts in the amount of \$877.00.

Cost Certification Report No. 20: Ms. Fiore presented to the Board Cost Certification Report No. 20.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote unanimously carried, the Board accepted Cost Certification Report No. 20 in the amount of \$337,596.86.

LEGAL MATTERS

Resolution to Call the May 5, 2020 Regular Election: Attorney Cortese presented to the Board Resolution No. 2019-10-06 to Call the May 5, 2020 Election.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-10-06 to Call the May 5, 2020 Election and appointed Lisa A. Johnson as the Designated Election Official and authorized her to perform all tasks required for the May 5, 2020 Regular Election of the Board of Directors for the conduct of a mail ballot election. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

POOL AND HUB OPERATIONS

2020 Pool Maintenance Contract with Absolute Pool Management: The Board discussed a 2020 Pool Maintenance Contract with Absolute Pool Management in the amount of \$17,200.00.

Following discussion, upon motion duly made by Director Johnson, seconded by Director McEachen and, upon vote, unanimously carried, the Board approved the 2020 Pool Maintenance Contract with Absolute Pool Management in the amount of \$17,200.00.

Front Range Recreation Site Visits: Ms. Ripko and Ms. Fiore presented to the Board the Front Range Recreation site visits from September 24, 2019 and October 17, 2019.

RECORD OF PROCEEDINGS

COVENANT ENFORCEMENT/ DESIGN REVIEW

Community Manager's Report: Ms. Ripko reviewed with the Board the Community Manager Report.

Service Agreement with Nu Style Landscape and Development, LLC for Snow Removal Services and/or Additional Proposals for the Same: The Board reviewed the Service Agreement with Nu Style Landscape and Development, LLC for Snow Removal Services. Ms. Ripko presented the Nu Style and Development, LLC comparison from 2019 to 2020 and the comparison to the Metco Landscape LLC bid.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote, unanimously carried, the Board approved Nu Style Landscape and Development, LLC for 2020 Snow Removal Services.

Design Review Committee ("DRC")

Update from DRC Committee: Mr. Bongiovanni provided an update. It was noted that a review of fourteen (14) requests are completed, while four (4) are still under review and a total of ten (10) requests have been approved.

Following update, a discussion ensued on satellite dishes and cable television installations. Ms. Ripko will follow-up with Altitude Community Law on the rules governing this.

Social Committee: There is no new update from the Social Committee.

Second Amended and Restated Design and Landscape Guidelines: Ms. Ripko presented to the Board the Second Amended and Restated Design and Landscape Guidelines and Resolution for the same.

Following discussion, upon motion duly made by Director Johnson, seconded by Director Wagner and, upon vote, unanimously carried, the Board adopted Resolution No. 2019-10-07; Establishing Second Amended and Restated Design and Landscape Guidelines of Denver Connection West Metropolitan District, subject to review by Altitude Community Law.

Second Amended and Restated Resolution Adopting Policies and Procedures Governing the Enforcement of Protective Covenants: The Board deferred discussion at this time.

OTHER BUSINESS MATTERS

There was no other business for discussion at this time.

RECORD OF PROCEEDINGS

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Wagner, seconded by Director Johnson and, upon vote unanimously carried, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting

DENVER CONNECTION WEST METROPOLITAN DISTRICT

OCTOBER 22, 2019 BOARD MEETING

Please **print** your name, address and phone number, and the issue(s) you are interested in addressing at this meeting.

NAME	ADDRESS (Postal and Email)	TELEPHONE	ISSUES TO BE ADDRESSED
Marc Robson	4764 Kalispell St	303-915-9415	Landscape Qualifications
Bob Bongiovanni	4764 Kalispell	3/882-0880	

RESOLUTION NO. 2019-11-01

**RESOLUTION OF THE BOARD OF DIRECTORS OF
DENVER CONNECTION WEST METROPOLITAN DISTRICT
ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION,
ESTABLISHING DISTRICT WEBSITE AND
DESIGNATING LOCATION FOR POSTING OF 24-HOUR NOTICES**

A. Pursuant to Section 32-1-903, C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.

B. Pursuant to Section 24-6-402(2)(c)(I), C.R.S., special districts are required to designate annually at the board of directors of the district's first regular meeting of each calendar year, the public place at which notice of the date, time and location of regular and special meetings ("**Notice of Meeting**") will be physically posted at least 24 hours prior to each meeting ("**Designated Public Place**"). A special district is deemed to have given full and timely notice of a regular or special meeting if it posts its Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

C. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., special districts are relieved of the requirement to post the Notice of Meeting at the Designated Public Place, and are deemed to have given full and timely notice of a public meeting, if a special district posts the Notice of Meeting online at a public website of the special district ("**District Website**") at least 24 hours prior to each regular and special meeting

D. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., if a special district is unable to post a Notice of Meeting on the District Website at least 24 hours prior to the meeting due to exigent or emergency circumstances, then it must physically post the Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

E. Pursuant to Section 32-1-903, C.R.S., all special and regular meetings of the board shall be held at locations which are within the boundaries of the district or which are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the meeting location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.

F. The provisions of Section 32-1-903, C.R.S., may be waived if: (1) the proposed change of location of a meeting of the board appears on the agenda of a regular or special meeting; and (2) a resolution is adopted by the board stating the reason for which a meeting is to be held in a location other than under Section 32-1-903(1), C.R.S., and further stating the date, time and place of such meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Denver Connection West Metropolitan District (the "**District**"), City and County of Denver, Colorado:

1. That the provisions of Section 32-1-903(1), C.R.S., be waived pursuant to the adoption of this Resolution.

2. That the Board of Directors (the “**District Board**”) has determined that conducting regular and special meetings pursuant to Section 32-1-903(1), C.R.S., would be inconvenient and costly for the directors and consultants of the District in that they live and/or work outside of the twenty (20) mile radius requirement.

3. That regular meetings of the District Board for the year 2020 shall be held on 2/25, 5/26, 8/25, and 11/24 at 6:00 P.M., at The HUB, 4746 Jasper Street, Denver, CO 80239.

4. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each director.

5. That, until circumstances change, and a future resolution of the District Board so designates, the location of all special and regular meetings of the District Board shall appear on the agenda(s) of said special and regular meetings.

6. That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s) location(s), and any such objections shall be considered by the District Board in setting future meetings.

7. That the District Board authorizes establishment of a District Website, if such District Website does not already exist, in order to provide full and timely notice of regular and special meetings of the District Board online pursuant to the provisions of Section 24-6-402(2)(c)(III), C.R.S.

8. That, if the District has established a District Website, the Notice of Meeting of the District Board shall be posted on the District Website at least 24 hours prior to each regular and special meeting pursuant to Section 24-6-402(2)(c)(III), C.R.S. and Section 32-1-903(2), C.R.S.

9. That, if the District has not yet established a District Website or is unable to post the Notice of Meeting on the District Website at least 24 hours prior to each meeting due to exigent or emergency circumstances, the Notice of Meeting shall be posted within the boundaries of the District at least 24 hours prior to each meeting, pursuant to Section 24-6-402(2)(c)(I) and (III), C.R.S., at the following Designated Public Place:

(a) At The HUB, 4746 Jasper Street, Denver, CO

10. SDMS, Inc. is hereby appointed to post the above-referenced notices.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION ESTABLISHING REGULAR MEETING
DATES, TIME, AND LOCATION, ESTABLISHING DISTRICT WEBSITE AND
DESIGNATING LOCATION FOR 24-HOUR NOTICES]**

RESOLUTION APPROVED AND ADOPTED on October 22, 2019.

**DENVER CONNECTION WEST
METROPOLITAN DISTRICT**

By: _____

President

Attest:

Secretary

SECOND AMENDMENT TO 2019 BUDGET RESOLUTION
DENVER CONNECTION WEST METROPOLITAN DISTRICT

WHEREAS, the Board of Directors of the Denver Connection West Metropolitan District adopted a budget and appropriated funds for the fiscal year 2019 as follows:

General Fund	\$	105,000
Debt Service Fund:	\$	902,544
Special Revenue Fund	\$	300,000
Capital Projects Fund:	\$	6,645,000

WHEREAS, the necessity has arisen for additional expenditures in the General Fund, Debt Service Fund, Special Revenue Fund, and Capital Projects Fund requiring the unanticipated expenditure of funds in excess of those appropriated for the fiscal year 2019; and

WHEREAS, the expenditure of such funds is a contingency which could not have been reasonably foreseen at the time of adoption of the budget; and

WHEREAS, funds are available for such expenditures in the General Fund from Fund Balance; and

WHEREAS, funds are available for such expenditures in the Debt Service Fund from Specific Ownership Taxes, Interest Income, and Facilities Fees; and

WHEREAS, funds are available for such expenditures in the Special Revenue Fund from Operations and Maintenance Fees; and

WHEREAS, funds are available for such expenditures in the Capital Projects Fund from Developer Advances.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Denver Connection West Metropolitan District shall and hereby does amend the Budget for the fiscal year 2019 and adopts a supplemental budget and appropriation for the General Fund, Special Revenue Fund, and Capital Projects Fund for the fiscal year 2019, as follows:

General Fund	\$	150,000
Debt Service Fund	\$	1,300,000
Special Revenue Fund	\$	375,000
Capital Projects Fund	\$	8,157,120

BE IT FURTHER RESOLVED, that such sums are hereby appropriated from the revenues of the District to the proper funds for the purposes stated.

DATED this 22nd day of October, 2019.

DENVER CONNECTION WEST METROPOLITAN
DISTRICT

By:


Secretary

RESOLUTION NO. 2019-10-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF
DENVER CONNECTION WEST METROPOLITAN DISTRICT
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 5, 2020

A. The terms of the offices of Directors Robert Johnson and Eric McEachen shall expire upon the election of their successors at the regular election, to be held on May 5, 2020 ("**Election**"), and upon such successors taking office.

B. A vacancy currently exists on the Board of Directors of the District.

C. In accordance with the provisions of the Special District Act ("**Act**") and the Uniform Election Code ("**Code**"), the Election must be conducted to elect three (3) Directors to serve until the second regular election, to occur May 2, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Denver Connection West Metropolitan District (the "**District**") of the City and County of Denver, Colorado:

1. Date and Time of Election. The Election shall be held on May 5, 2020, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, three (3) Directors shall be elected to serve until the second regular election, to occur May 2, 2023.

2. Precinct. The District shall consist of one (1) election precinct for the convenience of the eligible electors of the District.

3. Conduct of Election. The Election shall be conducted as an independent mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.

4. Designated Election Official. Lisa Johnson shall be the Designated Election Official and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code or other applicable laws. The Election shall be conducted in accordance with the Act, Code and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.

5. Absentee Ballot Applications. NOTICE IS FURTHER GIVEN, pursuant to Section 1-13.5-1002, C.R.S., that applications for and return of absentee ballots may be filed with the Designated Election Official of the District, c/o Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, between the hours of 8:00

a.m. and 5:00 p.m., until the close of business on the Tuesday immediately preceding the Election (April 28, 2020).

6. Self-Nomination and Acceptance Forms. Self-nomination and acceptance forms are available at the office of the Designated Election Official located at the above address. All candidates must file a self-nomination and acceptance form with the Designated Election Official no later than 3:00 P.M. on February 28, 2020.

7. Cancellation of Election. If the only matter before the electors is the election of Directors of the District and if, at 5:00 P.M. on March 3, 2020, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with law.

8. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board of Director's intention that the various provisions hereof are severable.

9. Repealer. All acts, orders and resolutions, or parts thereof, of the Board of Directors which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

10. Effective Date. The provisions of this Resolution shall take effect as of the date adopted and approved by the Board of Directors of the District.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO RESOLUTION
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 5, 2020]

RESOLUTION APPROVED AND ADOPTED on October 22, 2019.

DENVER CONNECTION WEST
METROPOLITAN DISTRICT

By: _____

President

Attest:

Secretary

RESOLUTION NO. 2019-10-06

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE DENVER CONNECTION WEST METROPOLITAN DISTRICT
ADOPTING THE SECOND AMENDED AND RESTATED DESIGN AND LANDSCAPE
GUIDELINES OF DENVER CONNECTION WEST**

1. The Denver Connection West Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in the City and County of Denver, Colorado.
2. The District operates pursuant to its Service Plan approved by the City and County of Denver, Colorado, on September 12, 2016, as the same may be amended and/or modified from time to time (the “**Service Plan**”).
3. Pursuant to Section 32-1-1001(1)(m), C.R.S., the District has the power “to adopt, amend and enforce bylaws and rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the board and of the special district.”
4. William Lyon Homes, Inc., (the “**Developer**”) has caused to be recorded the Declaration of Protective Covenants of Denver Connection West, recorded on July 21, 2017, at Reception No. 2017095170 of the City and County of Denver, Colorado, real property records, as the same may be amended and/or modified from time to time (the “**Covenants**”) applicable to the real property within the District (the “**Property**”).
5. Pursuant to Section 32-1-1004(8), C.R.S., and pursuant to the District’s Service Plan, a metropolitan district may provide covenant enforcement within the District if the declaration, rules and regulations, or any similar document containing the covenants to be enforced for the area within the metropolitan district name the metropolitan district as the enforcement and design review entity.
6. The Covenants provide that it is the intention of the Developer to empower the District to provide covenant enforcement services to the Property.
7. Pursuant to the Covenants, the District may promulgate, adopt, enact, modify, amend, and repeal design and landscape guidelines concerning and governing the Property and the enforcement of the Covenants.
8. The District, desiring to provide for the orderly and efficient enforcement of the Covenants, adopted the Design and Landscape Guidelines of Denver Connection West on April 25, 2017, effective as of January 1, 2017 (the “**Initial Design and Landscape Guidelines**”), and the Amended and Restated Design Landscape Guidelines of Denver Connection West on May 28, 2019, effective as of January 1, 2018 (the “**Amended and Restated Design and Landscape Guidelines**”).
9. For the same purpose, the District now wishes to further amend and restate the Amended and Restated Design and Landscape Guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DENVER CONNECTION WEST METROPOLITAN DISTRICT:

1. The Board of Directors of the District hereby adopts the Second Amended and Restated Design and Landscape Guidelines of Denver Connection West as described in Exhibit A, attached hereto and incorporated herein by this reference (“**Second Amended and Restated Design and Landscape Guidelines**”).

2. The Board of Directors declares that the Second Amended Design and Landscape Guidelines are effective as of January 1, 2017.


3. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, sentence, clause, phrase or word herein, or the application thereof in any given circumstances, shall not affect the validity of the remainder of this Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO RESOLUTION NO. 2019-10- 06]

APPROVED AND ADOPTED this 22 day of October, 2019.

**DENVER CONNECTION WEST
METROPOLITAN DISTRICT**

By: 

President

Attest:



Secretary or Assistant Secretary

EXHIBIT A

**SECOND AMENDED AND RESTATED
DESIGN AND LANDSCAPE GUIDELINES OF DENVER CONNECTION WEST**

**SECOND AMENDED AND RESTATED
DESIGN AND LANDSCAPE
GUIDELINES
OF
DENVER CONNECTION WEST**

Adopted by the Board of Directors of the Denver Connection West Metropolitan District
on April 25, 2017, revised May 28, 2019

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1 INTRODUCTION

1.1 Basis for Design and Landscape Guidelines

These Design and Landscape Guidelines (the “**Guidelines**”) are intended to assist Owners living in the Denver Connection West community (the “**Community**”). Pursuant to the Declaration of Covenants, Conditions and Restrictions of Denver Connection West (“**Declaration**”), recorded at Reception No. 2017095170 in the City & County of Denver. The Denver Connection West Metropolitan District (“**District**”) is authorized to adopt Design and Landscape Guidelines for the Community.

1.2 Definitions

All capitalized words and phrases used in these Rules shall have the meaning provided in the Declaration unless otherwise defined herein.

1.3 Contents of Rules

In addition to the introductory material, these Guidelines contain (A) a summary of procedures for obtaining approval from the Architectural Review Committee (“**ARC**”) (see Section 2); and (B) a listing of specific types of improvements that Owners might wish to make with specific information as to each of these types of improvements (see Section 3).

1.4 Architectural Review Committee or Representative

The ARC consists of persons, representatives or a committee appointed by the Denver Connection West Metropolitan District Board of Directors to review requests for approval of architectural, landscaping improvements or site changes.

1.5 ARC Contact Information

The contact information of the ARC, persons, committee or representative authorized to administer the architectural review process is:

COMPANY	OFFICE	FAX	E-MAIL
SDMS	303-987-0835	303-987-2032	pripko@sdmsi.com

1.6 Effect of Declaration

The Declaration governs the Community. Each Owner should review and become familiar with the Declaration. Nothing in these Guidelines supersedes or alters the provisions or requirements of the Declaration and, if there is any conflict or inconsistency, the Declaration will control.

1.7 Effect of Governmental and Other Regulations

Use of property within the Community and any Improvements must comply with any applicable building codes and other governmental requirements and regulations. Owners are encouraged to contact the City and County of Denver for further information and requirements for Improvements they wish to make.

APPROVAL BY THE ARC DOES NOT CONSTITUTE ASSURANCE THAT IMPROVEMENTS COMPLY WITH APPLICABLE GOVERNMENTAL REQUIREMENTS OR REGULATIONS OR THAT A PERMIT OR APPROVALS ARE NOT ALSO REQUIRED FROM APPLICABLE GOVERNMENTAL BODIES.

1.8 Interference with Utilities

In making Improvements to property, Owners are responsible for locating all water, sewer, gas, electrical, cable television, or other utility lines or easements. Owners should not construct any Improvements over such easements without the consent of the utility involved, and Owners will be responsible for any damage to any utility lines. All underground utility lines and easements can be located by contacting:

Utility Notification Center of Colorado
1-800-922-1987 or 811

1.9 Goal of Guidelines

Compliance with these Guidelines and the provisions of the Declaration will help preserve the inherent architectural and aesthetic quality of the Community. It is the responsibility of the ARC to ensure that all proposed Improvements meet or exceed the requirements of these Guidelines and to promote the highest quality design for the neighborhood. It is important that Improvements to property be made in harmony with and not detrimental to the rest of the Community. A spirit of cooperation with the ARC and neighbors will go far in creating an optimum environment, which will benefit all Owners. By following these Guidelines and obtaining prior written approval for Improvements to property from the ARC, Owners will be protecting their financial investment and will help ensure that Improvements to property are compatible with standards established for the Community. If a question ever arises as to the correct interpretation of any terms, phrases or language contained in these Guidelines, the ARC's interpretation shall be final and binding.

2 PROCEDURES FOR ARC APPROVAL

2.1 General

The procedures set forth in this Article 2 are intended to clarify the terms, provisions and requirements of Article 2 of the Declaration. In the event of any conflict between these Guidelines and the Declaration, the terms of Article 2 in the Declaration shall control. As indicated in Section 3 of these Guidelines, there are some cases in which advance written approval of the ARC is not required if the Guidelines with respect to that specific type of Improvement are followed. In a few cases, as indicated in Section 3, a specific type of Improvement is not permitted under any circumstances. In all other cases, including Improvements not included in Section 3, advance, or prior written approval by the ARC is required before an Improvement to property is commenced.

2.2 Drawings or Plans

Owners are required to submit to the ARC a completed Architectural Review Request Form ("ARR"), which forms are available from the person or entity listed in Section 1.5, and complete plans and specifications, in duplicate, (said plans and specifications to show exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically, location and size of driveways, general plan of landscaping, fencing, walls, windbreaks and grading plan, as well as such other materials and information as may be required) prior to commencement of work on

any Improvement to property. In most cases, the materials to be submitted will not have to be professionally prepared by an architect, a landscape architect, or draftsman, and a simple drawing with dimensions and description will be sufficient. In the case of major improvements, such as room additions, structural changes or accessory building construction, detailed plans and specifications, prepared by a licensed architect, may be required. Whether done by the Owner, or professionally, the following guidelines should be followed in preparing drawings or plans:

- A. The drawing or plan should be done to scale and shall depict the property lines of your Lot and the outside boundary lines of the home as located on the Lot. If you have a copy of an improvement survey of your Lot obtained when you purchased it, this survey would be an excellent base from which to start.
- B. Existing Improvements, in addition to your home, should be shown on the drawing or plan and identified or labeled. Such existing Improvements include driveways, walks, decks, trees, shrubs, fences, etc. The proposed Improvements should be shown on the plan and labeled. Either on the plan or on an attachment, there should be a brief description of the proposed Improvement, including the materials to be used and the colors. For Example: Redwood deck, ten (10) feet by twelve (12) feet with two inches by four inch (2"x4") decking and natural stain.
- C. The plan or drawing and other materials should include the name of the Owner, the address of the home, the lot, block and filing number of the Lot, and the e-mail address and telephone number where the Owner can be reached.
- D. The proposed Improvements must take into consideration the easements, building location restrictions and sight distance limitations at intersections.
- E. Owners should be aware that many Improvements require a permit from the City and County of Denver or other governmental entity. The ARC reserves the right to require a copy of such permit as a condition of its approval.
- F. In some instances, elevation drawings of the proposed Improvement will be required. The elevation drawings should indicate materials.
- G. Photographs of existing conditions and of proposed materials and colors are encouraged to be included, and are helpful to convey the intended design, but should not be used solely to describe the proposed changes.

2.3 Submission of Drawings and Plans

If submitted paper copies, Two-two copies of the drawing or plans (minimum acceptable size 8.5" x 11") must be submitted to the ARC along with a completed ARR. Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required.

If submitting electronically, the submission should be in PDF format and should be emailed to <EMAIL ADDRESS.>

Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required.

Any costs incurred by the ARC for review of submittals shall be borne by the Owner and shall be payable prior to final approval. Any reasonable engineering consultant fees or other fees incurred by the ARC in reviewing any submission will be assessed to the Owner requesting approval of the submission.

2.4 Action by ARC

The ARC will review plans submitted for approval. The ARC may require submission of additional information or material, and the request will be deemed denied until all required information and materials have been submitted. The ARC will act upon all requests in writing within forty-five (45) days after the complete submission of plans, specifications, and other materials and information as requested by the ARC. If the ARC fails to review and approve in writing (which may be with conditions and/or requirements) or disapprove, a request for architectural approval within forty-five (45) days after the complete submission of the plans, specifications, materials and other information with respect thereto, such request is deemed approved by the ARC.

2.5 Revisions and Additions to Approved Plans

Any revisions and/or additions to approved plans made by the Owner or as required by any governmental agency, must be re-submitted for approval by the ARC. The revised plans must follow the requirements as outlined above.

2.6 Completion of Work

After approval (which may be with conditions and/or requirements) of any proposed Improvement by the ARC, the proposed Improvement shall be completed and constructed as promptly and diligently as possible, and in complete conformity with all conditions and requirements of the approval. Failure to complete the proposed Improvement within one year from the date of the approval or such other date as may be set forth in the approval or as set forth in the Declaration (the "**Completion Deadline**"), shall constitute noncompliance; provided, however, that the ARC may grant extensions of time to individual Owners for completion of any proposed Improvements, either (a) at the time of initial approval of such Improvements, or (b) upon the request of any Owner, provided such request is delivered to the ARC in writing and the Owner is diligently prosecuting completion of the subject Improvements or other good cause exists at the time such request is made.

2.7 Requirements for Initial Installation of Backyard Landscaping

Within the time frames as hereinafter provided, subject to applicable "**force majeure**" delays as determined by the ARC, the Owner of each Unit (other than Developer or a Builder) shall install landscaping on all portion of the Unit which is not covered by a building or other Improvement, as well as on the tree lawn areas adjacent to such Unit, if applicable. The Owner of each Unit (other than Developer or a Builder) shall install landscaping on such Unit, and on adjacent tree lawn areas, within the time period set forth in the Guidelines or, if not set forth in the Guidelines, then: within one hundred (180) days after acquisition of such Unit by such Owner, if said acquisition occurs between April 1 and July 31; or, by the following July 31, if such acquisition does not occur between April 1 and July 31.

Landscaping plans must be submitted to the ARC for review and approval (which may be with conditions and/or requirements), and such approval must be obtained prior to the installation of

landscaping. Each Owner shall maintain all landscaping on such Owner's Unit, and on adjacent tree lawn areas, in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris, and replacement of landscaping.

Please note that Owners-it is not acceptable to leave any portion of the land as bare dirt, or to allow weeds to grow on the land, even behind fences.

2.8 Inspection of Work

The ARC, or its duly authorized representative, shall have the right to inspect any Improvement at any time, including prior to or after completion, in order to determine whether or not the proposed Improvement is being completed or has been completed in compliance with the approval granted pursuant to this Section.

2.9 Notice of Non-Compliance

If, as a result of inspections or otherwise, the ARC determines that any Improvement has been done without obtaining all required approvals (which may be with conditions and/or requirements), or was not done in substantial compliance with the approval that was granted, or has not been completed by the Completion Deadline, subject to any extensions of time granted pursuant to Section 2.6 hereof, then the ARC shall notify the District, and the District shall then notify the applicant in writing of the non-compliance (the "Notice of Non-Compliance"). The Notice of Non-Compliance shall specify the particulars of the non-compliance.

2.10 Correction of Non-Compliance

If the ARC determines that non-compliance exists, the Person responsible for such non-compliance shall remedy or remove the same within not more than forty-five (45) days from the date of receipt of the Notice of Non-Compliance. If such Person does not comply with the ruling within such period, the ARC shall notify the District, and the District may, at its option and if allowed by applicable law, record a notice of non-compliance against the Lot on which the non-compliance exists, may impose fines, penalties and interest, may remove the non-complying Improvement, or may otherwise remedy the non-compliance in accordance with the Declaration and applicable law. The Person responsible for such non-compliance shall reimburse the District, upon demand, for all costs and expenses, as well as anticipated costs and expenses, with respect thereto.

2.11 Amendment

These Guidelines may at any time, from time to time, be added to, deleted from, repealed, amended, and modified, reenacted, or otherwise changed by the ARC, with the approval of the Person authorized to appoint the ARC, as changing conditions and/or priorities dictate.

2.12 Questions

If you have any questions about the foregoing procedures, feel free to call the ARC at the phone number and address listed in the Section 1.5 of these Rules.

3 SPECIFIC TYPES OF IMPROVEMENTS / SITE RESTRICTIONS

3.1 General

The following is a listing, in alphabetical order, of a wide variety of specific types of Improvements which Owners typically consider installing, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans for a proposed Improvement must be submitted to the ARC and written approval of the ARC obtained before the Improvements are made. In some cases, where it is specifically so noted, an Owner may proceed with the Improvements without advance approval if the Owner follows the stated guideline. In some cases, where specifically stated, some types of Improvements are prohibited. ARC review and approval is required on any external items not be listed below.

A. Variances

Approval of any proposed plans by the granting of a variance from compliance with any of the provisions of these Guidelines is at the sole discretion of the ARC when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require.

B. No Unsightliness

No unsightly conditions can exist, including but not limited to, structures, facilities, equipment, and objects. Any equipment, including but not limited to snow removal equipment, garden or maintenance equipment, must be enclosed within a structure when not in use.

C. Waivers; No Precedent

The approval or consent of the ARC to any application for approval shall not be deemed to constitute a waiver of any right to withhold or deny approval or consent as to any application or other matters whatsoever, as to which approval or consent may subsequently or additionally be required. Nor shall any such approval or consent be deemed to constitute a precedent in any other matter.

D. Liability

The ARC and the members thereof shall not be liable in damages to any person submitting requests for approval or to any approval, or failure to approve or disapprove in regard to any matter within its jurisdiction. The ARC shall not bear any responsibility for ensuring structural integrity or soundness of approved construction or modifications, or for ensuring compliance with building codes and other governmental requirements. The ARC will not make any investigation into title, ownership, easements, rights-of-way, or other rights appurtenant to property with respect to architectural requests and shall not be liable for any disputes relating to the same.

3.2 Accessory Buildings

No storage sheds or accessory buildings are permitted on Lots; approval will not be granted.

A playhouse or play structure shall not be considered an accessory building. However, existing setbacks required of the home must be observed when placing playhouses. A copy of the home's plot plan filed with the location of the proposed accessory building is required with the ARR.

Commented [RB1]: I am not sure I know what this means.

Commented [LL2R1]: This means when installing the play house or play structure that existing setbacks must be observed

3.3 Additions and Expansions

Approval is required. Additions or expansions must be constructed of wood, Masonite, glass, brick, stone, or other material as used in construction of the exterior of the home. The design must be the same or generally recognized as a complimentary architectural style and meet all design guidelines as may be applicable. Colors must be the same as that of the residence. Patios may not be more than twenty five percent (25%) of the entire rear yard of the Lot unless otherwise approved by the ARC.

Commented [RB3]: This should be repeated under "Patio - Open" and "Decks"

Commented [LL4R3]: Agree

Commented [PR5R3]: Bob put it there, so we are good

3.4 Address Numbers

Approval is required to replace, alter or relocate existing address numbers, unless the address numbers are replaced using the same style, color and type of number currently on the residence.

3.5 Air Conditioning Equipment

Approval is required for all air conditioning equipment including evaporative coolers (swamp coolers) and attic ventilators installed after the initial construction.

Approval is not required for replacement of existing air conditioning equipment with like equipment located in the same location as the equipment being replaced.

No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment shall be placed or installed on rooftops, or extended from windows. Ground mounted or exterior wall air conditioning equipment installed in the side yard must be installed in a manner so as to minimize visibility from the street and minimize any noise to adjacent property Owners.

3.6 Animals

No animals, livestock (pigs, cattle, horses, goats, lamas, etc.), birds, poultry, reptiles or insects of any kind may be raised, bred, kept or boarded in or on the Units except as permitted by, and in compliance with, the ordinances of the City, as applicable, and any Guidelines and/or the Rules and Regulations that do not conflict with such the ordinances of the City, as applicable. An Owner's right to keep household pets is coupled with the responsibility for collecting and properly disposing of any animal waste and to pay for all damage caused by such pets.

3.7 Artificial Turf

See Section 3.89, Xeriscape

3.8 Antennae/Satellite Dishes

A. General Provisions

"Permitted Antennas" are defined as (a) an antenna which is less than one meter in diameter and is used to receive direct broadcast satellite service, including direct-to-home satellite services, or is used to receive or transmit fixed wireless signals via satellite; (b) an antenna which is less than one meter in diameter and is used to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instruction television fixed services, and local multipoint distribution services or is used to receive or transmit fixed wireless signals other than via satellite; (c) an antenna which is designed to receive broadcast television broadcast signals; or (d) other antennas which are expressly permitted under applicable federal statutes or regulations. In the event a Permitted Antenna is no longer expressly permitted under applicable federal statutes or regulations, such

antenna will no longer be a Permitted Antenna for purposes of this Section. Installation of Permitted Antennas shall not require the approval of the ARC.

- A. All Permitted Antennas shall be installed with emphasis on being as unobtrusive as possible to the Community. To the extent that reception is not substantially degraded or costs unreasonably increased, all Permitted Antennas shall be screened from view from any street and nearby Lots to the maximum extent possible, and placement shall be made in the following order of preference:
 - (1) Inside the structure of the house, not visible from the street
 - (2) Rear yard or side yard, behind and below the fence line
 - (3) Rear yard or side yard, mounted on the house, in the least visible location below roofline
 - (4) Side yard in front of wing fence, screened by and integrated into landscaping
 - (5) Back rooftop
 - (6) Front yard screened by and integrated into landscaping
- B. If more than one (1) location on the Lot allows for adequate reception without imposing unreasonable expense or delay, the order of preference described above shall be used, and the least visible site shall be selected.
- C. Permitted Antennas shall not encroach upon common areas or any other Owner's property.

B. Installation of Antennae/Satellite Dishes

- A. All installations must comply with all applicable building codes and other governmental regulations, and must be secured so they do not jeopardize the safety of residents or cause damage to adjacent properties. Any installation must strictly comply with FCC guidelines.
- B. All Permitted Antennas shall be no larger, nor installed more visibly, than is necessary for reception of an acceptable signal.
- C. Owners are responsible for all costs associated with the Permitted Antenna, including but not limited to costs to install, replace, repair, maintain, relocate, or remove the Permitted Antenna.
- D. All cabling must be run internally when feasible, must be securely attached, and must be as inconspicuous as possible. Permitted Antennas, masts and any visible wiring may be required to be painted to match the color of the structure to which they are attached. The Owner should check with the installer/vendor for the appropriate type of paint.
- E. All other antennas, not addressed above, are prohibited.

3.9 Awnings

Approval is required and Owners must comply with all requirements of the City and County of Denver. Awnings should be an integral part of the house or patio design. The color shall be complimentary to the exterior of the residence.

See Section 3.39, Overhangs/Sunshades/Awnings – Cloth or Canvas.

3.10 Backyard Sport Pads.

Approval is required. Backyard, concrete pads for “sport” type courts must be approved by the ARC. The ARC will consider backyard sport courts based on pad size, Lot size and proximity to other Lots. Sport equipment installed or stored on or around the pad must be maintained at all times in a neat and clean manner.

Sport pads may not be installed on side lots.

Commented [LL6]: This would have to go to the board for a vote.

Commented [PR7R6]: They will be reviewing all of these recommendations.

3.11 Balconies

See Section 3.17, Decks.

3.12 Barbecue/Gas Grills

Approval is required for all permanent or built-in structures. Approval is not required for portable units. All barbecue grills, smokers, etc. must be stored in the rear or side yard or within an enclosed structure, not visible from the front of the home.

3.13 Basketball Backboards

Approval is not required, subject to the following limitations. No basketball backboards shall be attached to the garage. Only portable basketball backboards shall be allowed if the following guidelines are met:

- A. Portable units cannot be placed in the public rights of way, streets, sidewalks or street lawns.
- B. Location must be in the driveway, at least half of the length of the driveway away from the street, or in the side or rear yard.
- C. Portable basketball backboards may be left out when not in use only if the backboard, hoop, and net are in good repair. Portable basketball backboards that are not in good repair, including the hoop and net, must be stored out of sight when not in use and may not be left out for more than 24 hours.
- D. Permanent garage or pole mounted basketball hoops are not permitted.

3.14 Birdbaths

Approval is not required, subject to the following limitations. Placement in front or side yard is not allowed. Birdbaths are only permitted in the rear yard.

Commented [RB8]: I don't understand the logic of not allowing birdbaths on side yards, if they are not visible from the street

Commented [PR9R8]: I agree.

Commented [LL10R8]: I agree as well. I would think board approval would be needed.

See Section 3.66, Statues or Fountains.

3.15 Birdhouses and Bird Feeders

Approval is not required, subject to the following limitations. If installed in the rear or side yard and the size is limited to one foot by two feet, no approval is required. No more than three of each of a birdhouse or bird feeder shall be installed on any Lot. Birdhouses or bird feeders may be mounted on a pole, provided the pole shall not exceed five (5) feet in height.

3.16 Carports

Approval will not be granted.

3.17 Clothes Lines and Hangers

Approval is not required, subject to the following limitations. Clotheslines may only be placed in the rear or side yard. Fixed clotheslines and hangers are not permitted. Temporary drying structures will be permitted so long as such structures are used solely in the rear or side yard of a lot and are immediately removed from sight after each use. Retractable clotheslines with permanent fixtures require approval.

3.18 Cloth or Canvas Overhangs

See Section 3.39, Overhangs/Sunshades/Awnings – Cloth or Canvas.

3.19 Decks

Approval is required. The deck must be harmonious (in configuration, detail, material and color) with the architecture of the house. Modifications or additions to Builder installed decks must incorporate the same materials, colors and detailing as the Builder's or approved existing deck. TREX or similar engineered composite wood type products are the preferred material for construction. Plastic, PVC or similar materials are prohibited.

The appropriate governmental permits may also require.

The deck should be located so as not to create an unreasonable level of noise for adjacent property Owners.

Changes in grade or drainage pattern must not adversely affect adjoining properties and shall comply with drainage change requirements of the Declaration.

Upper-level decks shall be attached directly to the house. Only ground level decks may be approved as freestanding decks. Decks shall not extend beyond the Lot boundaries into any common area.

Depending on Lot location and orientation, decks should not project beyond the side walls of the house. [The side walls of the house are defined as the major (structural) side walls and do not include bay windows, chimney enclosures, porches or other such projections. In certain situations, stairs and some portions of the deck may extend up to 4' beyond the side walls.

A solid trim board shall be provided on any open side of the deck to conceal the joists and cut ends of the decking. Underdeck screening should be compatible with the architecture of the house and deck. Any lattice must be properly framed and recessed.

Commented [RB11]: This doesn't make sense for decks in side yards

Commented [PR12R11]: Should be discussed in a meeting

Commented [LL13R11]: I agree this should be discussed at a meeting and require board approval

Railings and other features such as privacy screens for attached housing must match the approved Builder design.

Decks may not be more than twenty five percent (25%) of the entire rear yard of the Lot unless otherwise approved by the ARC.

Enclosing a deck or balcony requires Approval, including support from affected neighbors¹

Commented [LL14]: All of this may also need board approval.

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Items placed on decks or balconies must adhere to the following:

- Decks and balconies will not be used for storage, which includes, but is not limited to, cardboard boxes, storage boxes (with the exception of deck boxes, described below), items stored in plastic bags, clothing racks¹, auto parts, tires, kitchen appliances, or tools. Bicycle storage is permitted.
- Patio furniture should be designed for outdoor use and resistant to the effects of weather. Furniture designed for indoor use is susceptible to fading, degradation, and attracting vermin and is therefore not allowed on decks or balconies.
- Storage sheds (whether prefabricated or built on site) are not allowed on decks or balconies, with the exception of deck boxes, the dimensions of which do not exceed 62" L x 29" W x 26" H. For decks smaller than 240 square feet, only one deck box would be allowed. For larger decks, the total area occupied by deck boxes should not exceed 7.5% of the surface area. Colors should conform to the color of the building.
- Gazebos, pergolas, screens, trellises, and other such installations on decks or balconies must be approved by adjacent homeowners and cannot exceed 10 feet in height.
- If a grill or other heat-producing device is placed on a deck or balcony on a building having more than 2 dwelling units, it must adhere to Denver Fire Code regarding "Barbecues, Propane and Heat-Producing Devices on Balconies."² The essential components of Fire Code are as follows:

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Commented [RB15]: Is this allowed for townhome owners?

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--No gas-fired grills, charcoal grills or other similar devices used for cooking, heating, or any other purpose, shall be used or kindled on any balcony or under any overhanging portion or within 10 feet (3 m) of any structure.

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--Exceptions:

- a) One and 2 family dwellings.
- b) LP-gas burners having an LP-gas container with a water capacity not greater than 2.5 pounds (nominal 1-pound (0.454kg) LP-gas capacity). Two extra 1 pound LP-gas containers may be stored on the balcony.
- c) Listed natural gas appliances shall be permitted on balconies when installed in accordance with the International Fuel Gas Code and supplied by the building's natural gas system.
- d) Listed electric ranges, grills or similar electrical apparatus shall be permitted.

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3.20 Dog Houses

Approval is required. Dog houses are restricted to ten (10) square feet and must be located in a fenced back or side yard or dog run. Dog houses must be installed at ground level, and must not be visible above the fence. Dog houses must also match the colors and materials of the exterior of the home. Limit of one dog house per Lot.

¹ Clotheslines on decks and balconies must adhere to the restrictions described under Clotheslines.

² Go to <https://www.denvergov.org/content/denvergov/en/fire-department-home/safety-information/home-fire-safety.html> and click on "Balcony Grills and Barbecues."

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3.21 Dog Runs

Approval is required. Dog runs must be located in the rear or side yard, abutting the home and substantially screened from view by planting fast-growing or mature trees or shrubs. Dog runs will be limited to two hundred (200) square feet, unless a variance is granted by the ARC. Dog run fences should be left natural in color and sealed to prevent weathering. The ARC may adopt approved heights, stains and configurations for fencing. Covers (ex: tarps, sheets, blankets, etc.) on dog runs are not allowed.

3.22 Doors

Approval is not required for an already existing main entrance door to a home or an accessory building if the material matches or is similar to existing doors on the house and if the color is generally accepted as a complimentary color to that of existing doors on the house. Complementary colors would be the body, trim or accent colors of the house or white (for storm/screen doors on townhomes).

- A. Storm Doors. Approval is not required for storm doors as long as the door is complimentary with the color scheme of the home. Owners wishing to utilize a different color must first obtain approval.
- B. Security Doors and Windows. Approval is not required for the installation of the pre-approved security doors as specified in Exhibit B. Security doors installed in the townhomes must be white. All other security or security-type doors and windows must be approved prior to installation. All Security doors installed in the single family homes must match the trim of the house.

Commented [RB16]: Exhibit B should specify that white is only required for townhomes. Security doors on other homes should be complimentary with the color scheme of the home.

Commented [LL17R16]: That is correct

Commented [LL18]:

3.23 Drainage

The Declaration requires that there be no interference with the established drainage pattern over any property. The established drainage pattern means the drainage pattern which exists at the time final grading of a Lot by the Declarant or a Builder is completed. When installing your landscaping, it is very important to ensure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or against the house foundation, walkways, sidewalks, and driveways into the street or alley. The ARC may require a report from a drainage engineer as part of landscaping or improvement plan approval. Landscaping and all drainage from downspouts off the house should conform to the established drainage pattern. Sump pump drainage should be vented a reasonable distance from the property line, on the Owner's property, to allow for absorption. Adverse effects to adjacent properties, including District lands, sidewalks and streets, will not be tolerated could result in substantial legal and financial liability to the Owner that caused the drainage issue.

3.24 Driveways and Parking

Approval is required for any changes or alterations to driveways. This includes construction of a pull-off area to the side of the driveway and/or concrete driveway extensions. Only clear sealant may be used on the driveway (no colors) and Owners will be required to maintain the driveways against oil spills, spalling/peeling/etc.

No house trailer, utility trailer, horse trailer, camper, boat, or boat trailer shall be permitted to be parked or stored on a driveway or on any other portion of a Lot unless they are parked within a garage or are located on a Lot so they cannot be seen from any street and are shielded from view from any adjoining Lot.

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~~No unregistered or inoperable motor vehicles or trailer of any kind may be disassembled, serviced or repaired on a driveway or any other portion of a Lot in such a manner as to be visible from any point on adjacent property or the street, except in the case of an emergency breakdown. The foregoing shall not prohibit the changing of flat tires checking or changing of oil or other maintenance checks.~~

~~Parking of vehicles is prohibited on unpaved areas including unpaved front, side and rear yards.~~

~~Exterior storage of commercial vehicles, including on driveways, is prohibited. Commercial vehicles including, but not limited to, transporters, limousines, utility trailers, and any other PUC licensed vehicle or any vehicle requiring a Class C license to operate should generally be stored off-site. Allowed exceptions include temporary loading, delivery or emergencies, when these vehicles, may be parked in driveways or paved areas for a period not to exceed forty-eight hours in any calendar week. Emergency first responder vehicles are exempt from this policy in accordance with Colorado law.~~

~~Parking in an alley or parking a car that intrudes into an alley from a driveway, is prohibited.~~

~~Any vehicle or recreational equipment parked in violation of these or other regulations contained herein or in the Rules and Regulations may be towed by the District at the sole expense of the owner of such vehicle.~~

Commented [PR19]: This is covered under Vehicular Parking, Storage & Repairs. This section is quoted directly from the CC&Rs and can't be changed

Commented [LL20R19]:

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3.25 Evaporative Coolers

Approval is required. No rooftop or window mount installations are allowed. See Section 3.5, Air Conditioning Equipment.

3.26 Exterior Lighting

See Section 3.37, Lights and Lighting.

3.27 Fences

A. General Statement

Fences constructed by the Developer or Builder on the Owner's lot along or abutting property lines, arterial streets, collector streets, and local streets may not be removed, replaced, painted/stained a different color or altered, including, adding a gate, without approval of the ARC.

Most of the fences constructed by the Developer or Builder are located on the Owners property (within the lot lines) and are to be maintained (repaired, replaced if necessary and re-stained as necessary) by the Owner of the property the fence is located on. Owners' shall repair or recondition fences located on their property at their own expense and as necessary and or required by the ARC and/or Denver Connection West Metropolitan District.

B. ~~Reserved~~ Placement of Fences

~~Fences should not be installed within five feet of an alleyway, to prevent interference with snow removal or obstruct line-of-sight for vehicles backing into alleys.~~

Commented [LL26]: I agree with this. However, there are a handful of DRR's that have been approved otherwise. These prior approvals should be grandfathered in

Commented [PR27R26]: They would be legally grandfathered in, so we are good.

C.D. Fence Designs

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All fences not installed by the Developer and/or Builder that are to be installed by an Owner require approval of the ARC and shall comply with the exact fence specifications attached as Exhibit A or other design guidelines as may be adopted by the ARC. Double fencing of property lines shall not be permitted.

Please see Exhibit A for example of approved fencing per the ARC.

D.E. Stain Color/Maintenance

All Fences installed by Owners' are required to be stained the color - "SEAGULL GRAY" GS224 "SOLID GRAIN STAIN" MANUFACTURED BY DIAMOND VOGEL.

All fences constructed by Owners' on Lots shall be maintained in good condition and repair by the Owner. Fences installed by Owners' on their lot will be owned and maintained by the Owner. **Fences installed by the Developer and/or Builder are located on Owners lots will be owned and maintained by the Owner of that lot the fence is located on.** In the event any fences installed are installed on common area by the Developer and/or Builder will be owned and maintained by the Denver Connection West Metropolitan District.

E.F. [Reserved]

F.G. Prior Approved Fencing

Replacement of any existing fencing must comply with the attached Exhibit A or the then current guidelines or ARC adopted standards related to fencing.

G.H. Pet Fencing

Pet fencing may include any invisible fence on or within the perimeter boundary of an Owner's lot. **Wire mesh fencing is not permitted nor necessary as the approved fencing style for the community is a solid fence.** See Exhibit A for example of approved fencing to be used in the community.

See Section 3.18, Dog Houses and Section 3.19, Dog Runs.

3.28 Fire Pits

Approval is required. The only fire pits that are permitted are those powered by propane or natural gas and they must be more than 10 feet from any structure, or combustible materials.

3.29 Firewood Storage

All firewood must be located in the side or rear yard, must be neatly stacked, shall not be visible from any street or the ground level of any other Lot, and must not be located so as to block established drainage patterns.

3.30 Flags/Flagpoles

Approval is required for any freestanding flagpole.

Approval is not required for flagpoles mounted to the front of the residence provided that the flags displayed thereon (if other than an American Flag) are temporary in nature and are only displayed on

Commented [RB28]: So this prohibits fire pits on covered porches, correct?

Commented [PR29R28]: Pretty much

Commented [LL30R28]: I think this should be clarified by the board and voted on

holidays or in celebration of specific events. They must not be placed earlier than forty-five (45) days prior to the start of the particular holiday/event or celebration and must be removed no later than thirty (30) days following the particular holiday/event or celebration. Under no circumstance may the height of the flagpole exceed the height of the roofline of the residence. Flag size cannot exceed five (5) feet in length and three (3) feet in width.

American Flags: Owners shall be permitted to display an American flag in accordance with the Federal Flag Code (P.L., 94-344, 90stat.810; 4U.S.C. SECS 4 to 10) and as follows:

- A. The flag shall be no larger than three (3) feet by five (5) feet.
- B. The flag may be displayed in a window or from a flagpole projecting horizontally from a location on the front of the dwelling.
- C. Flags and/or flagpoles shall be replaced as necessary in order to prevent wear and tear.
- D. Flags may not be illuminated without prior written approval of the ARC. Any request for lighting must detail the type and location of lighting. Lighting shall be placed so as not to disturb Owners of neighboring Lots.

An Owner or resident may display a service flag bearing a star denoting the Owner's or resident's or his family member's active or reserve U.S. military service during a time of war or armed conflict. The flag may be displayed on the inside of a window or door of the home on the Lot. The flag may not be larger than nine (9) inches by sixteen (16) inches.

3.31 Gardens – Flower or Vegetable

Approval is not required for flower or vegetable gardens that do not exceed one hundred fifty (150) total square feet. All flower gardens must be weeded, cared for and maintained. Vegetable gardens shall be located in the rear or side yard and should not be placed nor will be allowed within 5 feet of the foundation of the home. Placement closer than 5 feet poses a substantial risk of water damage to foundations, repairs to which are entirely the responsibility of the Owner, and could result in voiding of warranties.

3.32 Gazebos

Approval is required. A gazebo must be an integral part of the rear yard landscape plan and must be similar in material and design to the residence. The color must be generally accepted as a complementary color to the exterior of the residence.

3.33 Grading and Grade Changes

Owners are not permitted to alter the approved grading design of the lot so as to alter the drainage pattern of the lot. See Section 3.21, Drainage

3.34 Greenhouses

Approval is required, and they must be placed in side or rear yards. Generally, greenhouses are discouraged due to the extensive maintenance required. Approval will be based upon but not limited to general aesthetics, quality and permanence of materials used. Adequate screening will be required.

3.35 Hanging of Clothes

See Section 3.15, Clothes Lines and Hangers.

3.36 Hot Tubs and Jacuzzis

Approval is required. Hot tubs and Jacuzzis must be an integral part of the deck or patio area and of the rear yard landscaping, and be installed in such a way that it is not immediately visible to adjacent property Owners and that it does not create an unreasonable level of noise for adjacent property Owners. Hot Tubs are not permitted in side yards. In some instances, additional plant material around the hot tub may be required for screening. Non-vegetative screening materials should match or complement the house or deck structure. Prefabricated hot tub enclosures will be evaluated on a case-by-case basis, and may require additional plant material screening.

Commented [LL31]: Again, this will require board approval

Commented [LL32R31]:

3.37 Kennels

Approval will not be granted. Breeding or maintaining animals for a commercial purpose is prohibited.

Also see Section 3.19, Dog Runs.

3.38 Landscaping

Within the time frames as hereinafter provided, subject to applicable "force majeure" delays as determined by the ARC, the Owner of each Unit (other than Developer or a Builder) shall install landscaping on all portion of the Unit which is not covered by a building or other Improvement, as well as on the tree lawn areas adjacent to such Unit. The Initial Owner of each Unit (other than Developer or a Builder) shall install landscaping on such Unit, and on adjacent tree lawn areas, within one hundred (180) days after acquisition of such Unit by such Owner, if said acquisition occurs between April 1 and July 31; or, by the following July 31, if such acquisition does not occur between April 1 and July 31. Any alterations from the initial plan must be approved prior to installation.

Commented [LL33]: Maybe add something to the effect and future owners will also have to apply to ACC for changes?

Commented [PR34R33]: Added

Commented [RB35]: Isn't this true for just the initial owners?
This may be confusing for future owners

Approval is required for installation or modification of landscaping. All Owners must comply with any applicable landscaping requirements of the County and the City. The plot plan of the residence and yard must be provided at a measurable scale. All organic materials (plants, shrubs, trees, etc.), building materials (stone, wood, edging, etc.), must be clearly labeled in detail. Bushes, trees, and sod may not be planted closer than 5 feet to any building foundation; planting closer than 5 feet poses a substantial risk of water damage to foundations, repairs to which are entirely the responsibility of the Owner, and could result in voiding of warranties. In planting near alleys, sidewalks, and other common elements, Owners should carefully choose plant varieties that are less likely to cause root damage. Owners will be held financial responsible for repairs caused by roots or other effects of landscaping.

In planning for landscaping, Owners are responsible for locating all water, sewer, gas, electrical, cable television, or other utility lines or easements. Owners should not construct any Improvements (including laying concrete sidewalks or planting large trees) over such easements without the consent of the utility involved, and Owners will be responsible for any damage to any utility lines. All

Commented [LL36]: Something should be added about permitting is the owners responsibility as well

Commented [PR37R36]: That is in form

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underground utility lines and easements can be located by contacting: Utility Notification Center of Colorado, 1-800-922-1987 or 811.

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The ARC may adopt approved landscape requirements and standards, and all new landscape installations and improvements must meet said requirements. Owners are responsible for compliance with all applicable laws.

Each Owner shall maintain all landscaping on such Owner's Unit, and on adjacent tree lawn areas, in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris, and replacement of landscaping.

3.39 Leases

The term "**lease**," as used herein, includes any agreement for the leasing or rental of a Unit, or any portion thereof, and shall specifically include month to month rentals and subleases, but not leases having a term of less than 30 days except if the Owner of a Unit enters into a lease-back of the Unit in connection with such Owner's sale of the Unit that will permit such Owner to continue occupying the Owner's Unit after the closing of the sale of the Unit. Any Owner shall have the right to lease his Unit, or any portion thereof, as long as all leases provide that the lease, and lessee's occupancy of the leased premises, are subject in all respects to the Governing Documents; and that any failure by the lessee to comply with any of the Governing Documents, in any respect, constitutes a default under the lease.

3.40 Lights and Lighting

Approval is not required for replacing existing lighting, including coach lights, with the same lighting style and color as originally installed.

Approval is required to modify builder installed lighting fixtures or to add exterior lighting.

Approval is required to install motion detector spotlights, spotlights, floodlights or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, etc.).

- A. Considerations will include, but may not be limited to, the visibility, style and location of the fixture.
- B. Exterior lighting for security and/or other uses must be directed at the ground and house, whereby the light cone stays within the property boundaries and the light source does not cause glare to other properties (bullet type light fixtures are recommended).
- C. Ground lighting along walks must be maintained in a working and sightly manner. Low-voltage or solar powered ground lighting fixtures which are typically affixed by stakes or similar posts are to be maintained in good aesthetic repair, be functional, not be a tripping or other physical hazard along pedestrian pathways, and remain generally vertical in their presentation.
- D. Holiday lighting and decorations do not require approval. It is required that they not be installed more than thirty (30) days prior to the holiday. They shall be removed within thirty (30) days following the holiday.

3.41 Lights, Sounds and Odors

No light shall be emitted which is unreasonably bright or causes unreasonable glare; no sound shall be emitted from any Unit which is unreasonably loud or annoying; and no odor shall be permitted from any Unit which is noxious or interferes with the reasonable and peaceful enjoyment or possession of another Unit by occupant thereof.

3.42 Nuisances

No nuisance is permitted which is visible within or otherwise affects any portion of the Property, nor any use, activity or practice which interferes with the peaceful enjoyment or possession and proper use of any Unit, or any portion thereof, by its residents. Construction activity performed by the Developer, approved Builders', the Metropolitan District or any entity approved by the ACR performing activities related to development of the property and/or Units, Lot or other structures are exempt from this section.

3.43 Ornaments/Art - Landscape/Yard

Approval is not required for yard ornaments which are installed in the side or rear yard and which are of a height less than three (3) feet.

Up to three (3) small (less than 12 inches in height) front yard ornaments may be installed in the front yard without approval, as long as the ornament is installed at ground level and the color and design integrate into the landscape.

Approval is required for any other yard ornaments.

See Section 3.66, Statues or Fountains.

3.44 Overhangs/Sunshades/Awnings- Cloth or Canvas

Approval is required. An overhang should be an integral part of the house or patio design. The color must be the same as, or generally recognized as, a complementary color to the exterior of the residence. A swatch of material to be used must be provided with the review submittal.

See Section 3.41, Patio Covers.

3.45 Painting

Approval is not required to repaint a house if the color and/or color combinations are identical to the original manufacturer color established on the home and/or accessory improvement and installed by the Builder. Any changes to the original color scheme installed by the Builder must be submitted for approval and must conform to the general color scheme of the Community.

3.46 Patio Covers

Approval is required. Patio covers must be constructed of material consistent with the home and be similar or generally recognized as complementary in color to the colors on the house. Freestanding patio covers may be permitted as well as extensions of the roof.

3.47 Patios – Enclosed

See Section 3.3, Additions and Expansions.

3.48 Patios – Open

Approval is required. Open patios must be an integral part of the landscape plan and must be located so as not to create an unreasonable level of noise for adjacent property Owners. In some instances, additional plant material around the patio may be required for screening or integration into the landscape design. The patio and materials must be similar or generally accepted as a complementary color and design to the residence.

Patios may not be more than twenty five percent (25%) of the entire rear yard of the Lot unless otherwise approved by the ARC.

See Section 3.17, Decks.

3.49 Paving

Approval is required, regardless of whether for walks, driveways, patio areas or other purposes, and regardless of whether concrete, asphalt, brick, flagstones, stepping stones, pre-cast patterned, or exposed aggregate concrete pavers are used as the paving material.

See Section 3.11, Driveways.

3.50 Pipes

Approval is required for all exterior pipes, conduits and equipment. Adequate screening may also be required.

3.51 Play Structures and Sports Equipment

Approval is required, and they must be placed in a side or rear yard. Consideration will be given to adjacent properties (a minimum five (5) foot setback from the property line, is required for trampolines, swing sets, fort structures, etc.) so as not to create an undue disturbance. In some instances, additional plant material around the equipment may be required for screening. Wood structures must be constructed of pressure treated or other weather resistant materials. All play equipment must be maintained in a good and sightly manner. The use of multi-colored permanent cloth/canvas tarps will be considered on a case by case basis and consideration will be given to the colors requested so as to not be unsightly to adjacent residences. Height of any play structure or sports equipment may not exceed twelve (12) feet.

Toys, bikes and other sports equipment must be stored out of view when not in use.

3.52 Playhouses

Approval is not required if a structure is less than twenty-four (24) square feet and less than six (6) feet high, from highest point to the ground. They must be placed in a side or rear yard.

Approval is required for structures greater than twenty-four (24) square feet and/or greater than six (6) feet high, from the highest point to the ground.

See Section 3.2, Accessory Buildings.

3.53 Poles

See Section 3.28, Flags/Flagpoles.

3.54 Ponds and Water Features

Approval is required. Considerations by the ARC will include, but not be limited to, the following criteria:

- A. Must be integrated into landscape scheme.
- B. Setback shall be a minimum of five (5) feet from all property lines.
- C. Must not affect existing drainage on the lot or off the property.
- D. Must be maintained at all times.

3.55 Pools

Approval is required. Pools must be placed in the rear yard and be an integral part of the deck or patio area. They should be located in such a way that they are not immediately visible to adjacent property Owners (i.e. screened with plant material). Above ground pools and temporary pools are prohibited. One (1) wading pool, if less than eighteen (18) inches high and eight (8) feet in diameter, per Lot, is permitted on a temporary basis without prior approval, if placed in the side or rear yard.

See Section 3.34, Hot Tubs and Jacuzzis.

3.56 Radio Antennae

See Section 3.6, Antennae/Satellite Dishes.

3.57 Radon Mitigation Systems

Approval is required. Equipment must be painted a color similar or generally accepted as complimentary to the exterior of the house. All equipment shall be installed so as to minimize its visibility.

3.58 Roofing Materials

Approval is required for all roofing materials other than those originally used by the Builder. All buildings constructed on a Lot should be roofed with the same or greater quality and type of roofing material as originally used by the Builder.

Approval is not required for repairs to an existing roof with the same building material and color that exist on the building.

3.59 Rooftop Equipment

Approval is required but generally will not be allowed. Equipment must be painted a color similar or generally accepted as complimentary to the roofing material of the house. All rooftop equipment shall be installed so as to minimize its visibility.

See Section 3.64, Solar Energy Devices.

3.60 Satellite Dishes

See Section 3.6, Antennae/Satellite Dishes.

3.61 Saunas

See Section 3.2, Accessory Buildings.

3.62 Screen Doors

See Section 3.20, Doors.

3.63 Seasonal Decorations

Approval is not required if installed on a lot within forty-five (45) days of a holiday, provided that an Owner is keeping with the Community standards, and provided that the decorations are removed within thirty (30) days of the holiday.

See Section 3.37, Lights and Lighting.

3.64 Security Devices.

Approval is not required. Security devices, including cameras and alarms, must be selected, located and installed so as to be an integral part of the house and not distract from the home's architecture and appearance. Cameras and housing sirens, speaker boxes, conduits and related exterior elements should be unobtrusive and inconspicuous. Such devices should be located where not readily visible and should be a color that blends with or matches the surface to which it is attached.

3.65 Sheds

See Section 3.2, Accessory Buildings.

3.66 Shutters – Exterior

Approval is required and generally will not be approved if the shutters are not of the same design, material and/or color as originally installed by the Builder. New proposed shutters should be appropriate for the architectural style of the home and be of the appropriate proportion to the windows they frame. Shutters should be the same color as the "accent" color of the home (typically the same as the front door or other accent details).

3.67 Siding

Approval is required.

3.68 Signs

Approval is not required for one (1) temporary sign advertising property for sale or lease or one (1) open house sign, which shall be no larger than five (5) square feet and which are conservative in color and style; one (1) yard/garage sale signs which is no larger than 36" x 48"; and/or burglar alarm notification signs, ground staked or window mounted which are no larger than 8" x 8". Such signs may be installed in the front yard or on the back yard fence of the Lot.

Political signs (defined as signs that carry a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue) may be displayed no earlier than 45 days prior to an election and must be removed within 7 days of the election. No more than one (1) sign per political office or ballot measure may be maintained on an individual lot. Political signs shall not exceed 36" by 48" in size.

Approval is required for all other signs. No lighted signs will be permitted unless utilized by the Developer and/or a Builder.

3.69 Solar Energy Devices

Approval is required in order to review aesthetic conditions. Photovoltaic (PV) Solar panels must lay flat on the roof, meet all applicable safety, building codes and electrical requirements, including solar panels for thermal systems (solar water heaters). The ARC is allowed to request changes as long as they don't significantly increase the cost or decrease the efficiency of the proposed device and panels. Please also see Colorado Law C.R.S. 38-30-168, which governs the review and the Owner's installation of such devices.

3.70 Spas

See Section 3.34, Hot Tubs and Jacuzzis.

3.71 Statues or Fountains

Approval is not required if statues or fountains are installed in the side or rear yard and are not greater than four (4) feet in height from the highest point, including any pedestal.

Approval is required if the statue or fountain is proposed for the front yard. Statue or fountain location in the front yard should be located close to the main entrance of the house.

See Section 3.12, Birdbaths and Section 3.38, Ornaments/Art – Landscape/Yard

3.72 Storage Sheds

Approval will not be given.

See Section 3.60, Sheds and Section 3.2, Accessory Buildings.

3.73 Sunshades

See Section 3.39, Overhangs/Awnings – Cloth or Canvas and Section 3.41, Patio Covers.

3.74 Swamp Coolers

See Section 3.5, Air Conditioning Equipment, Section 3.23, Evaporative Coolers, and Section 3.54, Rooftop Equipment.

3.75 Swing Sets

See Section 3.46, Play Structures and Sports Equipment.

3.76 Television Antennae

See Section 3.6, Antennae/Satellite Dishes.

3.77 Trash and Materials, Restrictions

No refuse, garbage, trash, lumber, grass, shrubs or tree clippings, plant waste, metal, bulk materials, scrap or debris of any kind shall be kept, stored, or allowed to accumulate on a Lot or a street, unless placed in a suitable covered container or trash bin that is suitably located solely for the purpose of trash or recycling pickup. Further, no trash or materials shall be permitted to accumulate in such a manner as to be visible from any Unit. All equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition. No trash cans, trash bins or other trash or recycling receptacles shall be maintained in an exposed or unsightly manner. Finally, trash removal and recycling services may be subscribed to by the Metropolitan District on behalf of the residents of all or any portion of the Property and, if so, the Board of the Metropolitan District may determine the scope, frequency, and all other matters, with regard to such trash removal and recycling services; and the Owners shall pay their proportionate share of such trash removal and recycling services, as determined by the Board of the Metropolitan District. This section shall not be construed to prevent composting.

Trash cans/bags can be out from 6pm the night before collection day to noon the day after collection day. When not out for collection, trash cans/bags must be stored out of view.

3.78 Tree Houses

Approval will not be granted. Tree houses are not permitted.

3.79 Units to be Maintained

Each Lot (including adjacent tree lawn area(s)) and the Improvements thereon shall at all times be maintained, repaired and replaced in a good, clean and slightly condition by the Owners of such Lot. Any concrete foundation components and concrete post-tension slab that is installed as part of the construction of any Units on the Property or any geogrid extending underground from any retaining wall on or adjacent to a Lot shall not be cut, drilled, removed or modified by any Owner unless such work is performed in accordance with plans prepared by a licensed structural engineer and any requirements of the ARC. Maintenance includes but is not limited to paint, roofing, windows and landscape.

3.80 Vehicular Parking, Storage and Repairs

- A. Mobile homes, recreational vehicles, trailers (either with or without wheels), campers, camper trailers, boats and other watercraft, recreational vehicles and boat trailers may only be parked in enclosed garages or specific areas, if any, which may be designated by the ARC, but this restriction shall not prevent the parking of such

vehicles as a temporary expedient for loading, delivery or emergency. No parking is allowed on any landscaped area. Stored vehicles and vehicles which are inoperable or do not have current operating licenses are not permitted on the Property except within enclosed garages. For purposes of this Section, the ARC may determine whether a vehicle is considered "stored". For example, a vehicle may be considered to be "stored" if it is up on blocks or covered with a tarp and remains on blocks or so covered for seventy-two (72) consecutive hours without the prior approval (which may be with conditions and/or requirements) of the ARC.

- B. No activity, including maintenance, repair, rebuilding, dismantling, repainting or servicing of any kind of vehicles, trailers or boats, may be performed or conducted in the Property unless it is done within completely enclosed structure(s) which screen the sight and sound of the activity from the street and from adjoining property. Any Owner or other Person undertaking any such activities shall be solely responsible for, and assumes all risks of: such activities, including adoption and utilization of any and all necessary safety measures, precautions and ventilation. However, the foregoing restrictions do not prevent washing and polishing of any motor vehicle, boat, trailer, motor-driven cycle, or other vehicle on a Unit, together with those activities normally incident and necessary to such washing and polishing.
- C. In the event the ARC or the Board of the Metropolitan District determines that a vehicle is parked or stored in violation of subsections 3.7.1 or 3.7.2 hereof, then a written notice describing said vehicle shall be personally delivered to the owner thereof (if such owner can be reasonably ascertained) or shall be conspicuously placed upon the vehicle (if the owner thereof cannot be reasonably ascertained), and if the vehicle is not removed within a reasonable time thereafter, as determined by the ARC or the Board of the Metropolitan District, then the ARC or the Board of the Metropolitan District may have the vehicle removed at the sole expense of the owner thereof.
- D. Garages shall not be converted for habitable living space or for storage which prevents the parking of automobiles therein. No Owner or occupant of a Unit and no invitee of an Owner or occupant shall park or permit to be parked any vehicle upon any street or driveway or elsewhere in such a manner as to block, impair or impede access to and from another Owner's garage.
- E. DEVELOPER, EACH BUILDER, THE METROPOLITAN DISTRICT, AND THE ARC, HEREBY DISCLAIM ANY AND ALL OBLIGATIONS REGARDING, RELATING TO OR ARISING OUT OF, THE PERFORMANCE OF ANY MAINTENANCE, SERVICING, REBUILDING, REPAIR, DISMANTLING, OR REPAINTING OF ANY TYPE OF VEHICLE, BOAT, TRAILER, MACHINE OR DEVICE OF ANY KIND, BY ANY OWNER OR OTHER PERSON.

3.81 Vanes

See Section 3.77, Weather Vanes and Directionals.

3.82 Vents

See Section 3.54, Rooftop Equipment.

3.83 Walls

See Section 3.25, Fences and Section 3.76, Walls, Retaining.

3.84 Walls, Retaining

Approval is required except that an Owner may replace a builder-installed wall with like material.

New or old creosote treated timber railroad ties are prohibited. All retaining walls should be constructed of brick, stone, or other materials of an appearance compatible with the primary building. Existing grading patterns must not be affected.

Commented [LL38]: Do we need to add something about the grading not being affected

Commented [PR39R38]: Yes!

3.85 Weather Vanes and Directionals

Approval is required.

3.86 Wind Electric Generators

Approval is required. In addition to ARC approval, windmills and any other type of fixture, which fall under the criteria of a wind generator, or are used to generate power etc., must meet the requirement of the C.R.S. 40-2-124 and any applicable regulations of the Colorado Public Utilities Commission.

3.87 Windows Replacement

Approval is not required when replacing with identical windows if installed correctly according to manufacturer's instructions. If changing styles, considerations will include, but may not be limited to, size, color, existing and proposed window style and style of home.

Windows

Replacement windows that match original or existing colors, materials and grid patterns will generally be approved.

If you want to change the color, design or materials of one or more windows, the general standard is that all windows on a single side of a structure must be similar or complementary. Approval consideration of Design Review Request Form for window replacement will be dependent upon general aesthetics, design symmetry and overall curb appeal.

When adding new windows (for additions / expansions), the windows shall be consistent with the scale, spacing and proportions typical of the existing structure and adjacent properties. Design accent and special purpose windows (e.g., round / fan windows, bay windows, green houses) will be considered based upon overall design appeal

Reflective and mirrored glass with a visible reflectivity greater than ten (10) percent is prohibited. Where reflective glass is used, such glass shall be gray, bronze, or other similar neutral shade. The use of silver, gold, blue, green or highly-mirrored surfaced glass is prohibited.

Exterior window frames shall be compatible with the exterior color of the house. Window frames other than wood shall be either anodized, electrostatically-painted, fiberglass or vinyl clad. Unpainted aluminum window frames are prohibited. Wood frames shall be painted, sealed or stained.

Windows with embedded blinds or shades will be considered given that they complement the architectural style and color of the structure. They must be maintained and kept in good working order.

Windows shall be maintained in good condition.

Window screens shall be maintained in good working condition, free of tears, rust and dents.

Screens, shutters or shades that are exterior to the window(s) require Approval. Approval consideration of exterior screens, shutters and/or shades is contingent upon general aesthetics, design symmetry and overall curb appeal.

3.88 Windows: Tinting, Security Bars, Well Covers, etc.

Approval is not required for window well covers that are manufactured with metal or plexiglass. All others will require ARC approval.

Approval is required for any visible window tinting. Highly reflective and/or dark tinting is considered too commercial for residential applications and is not permitted.

Approval is required for security bars and generally will not be approved.

3.89 Xeriscape

Approval is required. Using drought tolerant plantings and other water conservation methods of landscaping is encouraged; however, the design must be approved. Xeriscape uses much less water than typical suburban residential landscape, but it does not mean that large areas of river rock or mulch will be allowed in place of green, growing plant material. Artificial turf is permitted with the following guidelines:

- A. The synthetic turf must be natural in appearance and integrated into the overall landscape design in a natural looking manner, so as not to appear as a sports field and it shall not be installed directly adjacent to the property line.
- B. The general appearance of the synthetic turf must be designed and installed in such a manner as to effectively simulate the appearance of a well-maintained lawn.
- C. The synthetic turf uniformity must be maintained for all areas.
- D. No synthetic turf shall be installed or approved in the front yard and/or the tree lawn area.
- E. Turf must have a minimum of an 8-year product warranty and the warranty shall not be limited to the amount of usage, lawn elevation, nor the type of footwear that can be worn.

- F. Installation must assure adequate drainage, must have an adequate subgrade, be properly secure
- G. be free of ripples or showing of seams, have finished edges, and be securely attached to prevent lateral movement.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.

EXHIBIT A
PRIVACY FENCES



**EXHIBIT B
FENCE STAIN**

Product Name:

Grain Stain Exterior Solid Latex Stain (Product Code: BT1504)

Color Name:

GS224SO

Seagull SO

Product Details:

Product is available in 1 gallon cans or 5 gallon pails.

Price per gallon is below:

(Subject to change)

1 gallon cans: \$31.99 per gallon

5 gallon pails: \$31.69 per gallon

Store Location and Information:

(Subject to change)

Diamond Vogel Paint

4500 East 48th Ave

Denver, CO 80216

(303) 333-3117

Hours:

Monday – Friday, 7am – 5pm

Saturday, 8am – 12pm

EXHIBIT C
SECURITY DOORS

Commented [LL40]: Something should be added white only in townhomes.
Security doors in single family to match trim

**APPENDIX A
ARCHITECTURAL REVIEW REQUEST FORM**

Denver Connection West Metropolitan District
SDMS, Inc.
141 Union Blvd, Ste 150
Lakewood, CO 80228

FOR OFFICE USE ONLY

Date Received: _____
Crucial Date: _____
Date Sent to ARC: _____
Response Received: _____

NAME: _____

ADDRESS: _____

PHONE(S): _____

E-MAIL: _____

My request involves the following type(s) of improvement(s):

- | | | |
|--|---|---------------------------------------|
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Drive/Walk Addition | <input type="checkbox"/> Fencing |
| <input type="checkbox"/> Deck/Patio Slab | <input type="checkbox"/> Patio Cover | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Roofing | <input type="checkbox"/> Painting | |
| <input type="checkbox"/> Painting | <input type="checkbox"/> Basketball Backboard | |

Please describe proposed improvements in the area below or on a separate sheet.

Include two copies of your plot plans, and describe improvements showing in detail what you intend to accomplish (see Article 2 of the Rules and Regulations of Denver Connection West). Be sure to show existing conditions as well as your proposed improvements and any applicable required screening (see the Rules and Regulations for requirement details for your specific proposed Improvement).

I understand that I must receive approval from the ARC in order to proceed with installation of Improvements if Improvements vary from the Rules and Regulations or, are not specifically exempt. I understand that I may not alter the drainage on my lot. I understand that the ARC is not responsible for the safety of Improvements, whether structural or otherwise, or conformance with building codes or other governmental laws or regulations, and that I may be required to obtain a building permit to complete the proposed Improvements. The ARC and the members thereof, as well as the District, the Board of Directors, or any representative of the ARC, shall not be liable for any loss, damage or injury arising out of or in any way connected with the performance of the ARC for any action, failure to act, approval, disapproval, or failure to approve or disapprove submittals, if such action was in good faith or without malice. All work authorized by the ARC shall be completed within the time limits established specified below, but if not specified, not later than one year after the approval was granted. I further understand that following the completion of my approved Improvement the ARC reserves to right to inspect the Improvement at any time in order to determine whether the proposed Improvement has been completed and/or has been completed in compliance with this Architectural Review Request.

Date: _____ Homeowner's Signature: _____

ARC Action:

- ☐ Approved as submitted
- ☐ Approved subject to the following requirements:
- ☐ Disapproved for the following reasons:

All work to be completed no later than: _____

Date: _____ Signature: _____

Submittal Fees may be charged on the following schedule for each submittal based upon recommendation by the Design Review Committee:

- Landscape Review and/or Fence Review - \$50
- A Main Building Addition, Deck, Patio, Site Plan, Footprint (including Driveway) Review - \$100
- Paint Color - \$50
- All other items - \$50

DENVER CONNECTION WEST METRO DISTRICT

Board Meeting Project Status

October 22, 2019



Project Work

Cost Certification

- Cost Certification #20

Construction Contract Documents

Contractor Contracts

- MW Golden Acceptance and Retainage Release
- Brightview Acceptance and Retainage Release
 - Punchlist items complete – Final walk through scheduled for October 17
 - Retainage Release
- Thoutt Brother's Acceptance and Retainage Release
 - Work complete – awaiting Thoutt's request for Substantial Completion

District Contract Change Orders

- Brightview
 - Change Order 8 – Additional Handrails - \$3,073.00 – Recommend Approval

Consultant/Vendor Agreements

Consultant/Vendor Agreements

- Heat tape outside bathroom plumbing

Consultant/Vendor Task Orders

- Split Rail Fence
 - Task Order 2 – Add Expanded Metal to Gates – \$3,589.00 – Recommend Ratification
 - Task Order 4 – Panic Hardware Protectors - \$850.00 – Recommend Ratification
 - Task Order 5 – Weld Extension to Existing Posts - \$877.00 – Recommend Ratification
- Godden Sudik
 - Task Order 2 – Additional Services – \$15,335.00 – Already overbilled by \$2,415.56

Other Matters

- Do residents want fire place on timer instead of remote?
- Spa Equipment Evaluation – Front Range Recreation site visit September 24 and October 17, 2019

Enchanted Gardens Landscaping 10804 E. Mexico Ave. Aurora, CO 80012 Dec.5, 2019

PROPOSAL


Holiday Decorations 2019
Avion at Denver Connection

Enchanted Gardens will decorate the four entry signs with lit garland, bows and wreaths. The Hub will have lit garland and bows around the perimeter of the front door overhang. Two large lit and decorated wreaths, one on each side of the door. A fresh evergreen arrangement will be created in the orange containers in front. If the area is too windy for the arrangements then a small "Christmas tree" shrub will be installed with lights. LED lights will be used for energy efficiency.

Once approved, the installation could begin this weekend, completed by Sunday (weather permitting). Removal is at the client's requested dates. The decorations remain the property of Enchanted Gardens Landscaping. Client satisfaction is guaranteed, payment is due upon completion, with client's approval.

The total amount for the specified decorations above is \$5,500.00. Enchanted Gardens Landscaping strives to work within your budget – please point out any concerns. Thank you for your consideration. The area will be so festive when completed!

AGREED:


Representative for Avion at Denver Connection

12/6/19
Date

President - Avion
Enchanted Gardens Landscaping

Date

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
1341						
11/19/2019	Absolute Pool Management, LLC	10814	Pool Maintenance	5-758	2,000.00	2,000.00
11/19/2019	Absolute Pool Management, LLC	10817	Pool Maintenance	5-758	490.00	490.00
Total 1341:						2,490.00
1342						
11/19/2019	Altitude Community Law P.C.	OCT 2019	Administrative Managem	5-749	977.00	977.00
Total 1342:						977.00
1343						
11/19/2019	BrightView Landscape Services,	PAY APP 11 10/201	Capital Outlay	3-762	51,551.95	51,551.95
Total 1343:						51,551.95
1344						
11/19/2019	Brownstein Hyatt Farber Schreck	775999	Legal	3-675	11,636.75	11,636.75
11/19/2019	Brownstein Hyatt Farber Schreck	778929	Legal	3-675	2,265.25	2,265.25
Total 1344:						13,902.00
1345						
11/19/2019	CliftonLarsonAllen, LLP	2273453	Accounting	1-612	4,021.35	4,021.35
Total 1345:						4,021.35
1346						
11/19/2019	Colorado Special Districts Pro	POL-0000763	Insurance and Bonds	5-736	400.00	400.00
Total 1346:						400.00
1347						
11/19/2019	Comcast	00916181 10/19	Clubhouse Operations/S	5-720	267.23	267.23
11/19/2019	Comcast	00916181 11/19	Clubhouse Operations/S	5-720	267.38	267.38
Total 1347:						534.61
1348						
11/19/2019	Denver Water	15891 10/19	Utility - Water	5-747	334.99	334.99
11/19/2019	Denver Water	15898 11/19	Utility - Water	5-747	1,173.08	1,173.08
11/19/2019	Denver Water	4746 11/19	Utility - Water	5-747	264.62	264.62
Total 1348:						1,772.69
1349						
11/19/2019	Dodge Data & Analytics	A40019863	Miscellaneous	1-685	53.04	53.04
Total 1349:						53.04
1350						
11/19/2019	ETG Systems, Inc.	19334	Security	5-763	389.05	389.05
11/19/2019	ETG Systems, Inc.	19335	Security	5-763	389.05	389.05
11/19/2019	ETG Systems, Inc.	19337	Capital Outlay	3-762	4,305.58	4,305.58
11/19/2019	ETG Systems, Inc.	19353	Security	5-763	389.05	389.05
Total 1350:						5,472.73

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
1351						
11/19/2019	Freedom Mailing Services, Inc	36828	Billing Services	5-770	261.45	261.45
Total 1351:						261.45
1352						
11/19/2019	Front Range Recreation	10-01-2019	Pool Maintenance	5-758	120.00	120.00
Total 1352:						120.00
1353						
11/19/2019	IDES LLC	DEN087.32	Capital Outlay	3-762	5,345.16	5,345.16
Total 1353:						5,345.16
1354						
11/19/2019	McGeady Becher P.C.	SEPT 2019	Legal	1-675	3,482.00	3,482.00
11/19/2019	McGeady Becher P.C.	SEPT 2019	Legal	3-675	1,985.00	1,985.00
11/19/2019	McGeady Becher P.C.	SEPT 2019	Administrative Managem	5-749	1,930.00	1,930.00
Total 1354:						7,397.00
1355						
11/19/2019	MGT Landscaping Inc	13674	Landscaping Maintenanc	5-761	1,533.00	1,533.00
Total 1355:						1,533.00
1356						
11/19/2019	MSI, LLC	87788	Administrative Managem	5-749	14.91	14.91
11/19/2019	MSI, LLC	88263	Administrative Managem	5-749	.56	.56
Total 1356:						15.47
1357						
11/19/2019	Norris Design, Inc.	01-53623	Capital Outlay	3-762	1,698.89	1,698.89
Total 1357:						1,698.89
1358						
11/19/2019	Nu Style Landscape & Design, In	15069	Landscape Improvement	5-762	3,500.00	3,500.00
11/19/2019	Nu Style Landscape & Design, In	15070	Landscape Improvement	5-762	3,500.00	3,500.00
Total 1358:						7,000.00
1359						
11/19/2019	Pet Scoop	253442	Dog Park Maintenance	5-735	841.50	841.50
Total 1359:						841.50
1360						
11/19/2019	Special Dist Management Srvs	OCT 2019	District Management	1-680	5,708.86	5,708.86
11/19/2019	Special Dist Management Srvs	OCT 2019	Accounting	1-612	630.00	630.00
11/19/2019	Special Dist Management Srvs	OCT 2019	Clubhouse Operations/S	5-720	165.00	165.00
11/19/2019	Special Dist Management Srvs	OCT 2019	Management	5-745	1,482.00	1,482.00
11/19/2019	Special Dist Management Srvs	OCT 2019	Covenant Control	5-780	4,096.00	4,096.00
11/19/2019	Special Dist Management Srvs	OCT 2019	Administrative Managem	5-749	28.50	28.50
11/19/2019	Special Dist Management Srvs	OCT 2019	Billing Services	5-770	1,911.00	1,911.00

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
Total 1360:						14,021.36
1361						
11/19/2019	Specialized Cleaning Services	11871	Clubhouse Operations/S	5-720	900.00	900.00
Total 1361:						900.00
1362						
11/19/2019	Split Rail Fence Company	7792 & 13236	Capital Outlay	3-762	17,673.00	17,673.00
Total 1362:						17,673.00
1363						
11/19/2019	United Piping & Mechanical	19SV42-01	Clubhouse Operations/S	5-720	300.00	300.00
Total 1363:						300.00
1364						
11/19/2019	United States Protective Service	2019-944	Security	5-763	4,487.50	4,487.50
11/19/2019	United States Protective Service	2019-945	Security	5-763	1,993.75	1,993.75
Total 1364:						6,481.25
1365						
11/19/2019	Xcel Energy	655807799	Utility - Electricity	1-695	1,772.84	1,772.84
11/19/2019	Xcel Energy	660408817	Utility - Electricity	1-695	1,276.06	1,276.06
Total 1365:						3,048.90
1366						
11/19/2019	YMCA of Metropolitan Denver	11101953	Management	5-745	4,547.20	4,547.20
Total 1366:						4,547.20
Grand Totals:						152,359.55

Denver Connection West Metropolitan District
November-19

	General	Debt	Capital	Special Revenue Fund	Totals
Disbursements	\$ 13,895.25		\$ 96,461.58	\$ 42,002.72	\$ 152,359.55
Xpress Bill Pay	191.57	\$ -			\$ 191.57
Total Disbursements from Checking Acct	\$ 14,086.82	\$ -	\$ 96,461.58	\$ 42,002.72	\$ 152,551.12

DENVER CONNECTION WEST METROPOLITAN DISTRICT

FINANCIAL STATEMENTS

OCTOBER 31, 2019

DENVER CONNECTION WEST METROPOLITAN DISTRICT
BALANCE SHEET - GOVERNMENTAL FUNDS
OCTOBER 31, 2019

	<u>General</u>	<u>Special Revenue</u>	<u>Debt Service</u>	<u>Capital Projects</u>	<u>Total</u>
ASSETS					
Cash - Checking	\$ 44,735	\$ 83,950	\$ 118	\$ 50,544	\$ 179,347
Cash - Xpress Deposit Account	-	58,121	-	-	58,121
Colotrust	-	-	455,192	-	455,192
UMB - Surplus Fund 2017A	-	-	996,469	-	996,469
UMB - Bond Fund Series 2017A	-	-	541,675	-	541,675
UMB - Reserve Fund Series 2017A	-	-	795,983	-	795,983
Accounts receivable	-	29,545	-	-	29,545
Receivable from County Treasurer	304	-	1,215	-	1,519
Prepaid expense	-	-	3,667	-	3,667
TOTAL ASSETS	<u>\$ 45,039</u>	<u>\$ 171,616</u>	<u>\$ 2,794,319</u>	<u>\$ 50,544</u>	<u>\$ 3,061,518</u>
LIABILITIES AND FUND BALANCES					
CURRENT LIABILITIES					
Accounts payable	\$ 24,822	\$ 44,147	\$ -	\$ 135,525	\$ 204,494
Due to County Treasurer	2,439	-	9,757	-	12,196
Total Liabilities	<u>27,261</u>	<u>44,147</u>	<u>9,757</u>	<u>135,525</u>	<u>216,690</u>
FUND BALANCES					
Total Fund Balances	<u>17,778</u>	<u>127,469</u>	<u>2,784,562</u>	<u>(84,981)</u>	<u>2,844,828</u>
TOTAL LIABILITIES AND FUND BALANCES	<u>\$ 45,039</u>	<u>\$ 171,616</u>	<u>\$ 2,794,319</u>	<u>\$ 50,544</u>	<u>\$ 3,061,518</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

**DENVER CONNECTION WEST METROPOLITAN DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE TEN MONTHS ENDED OCTOBER 31, 2019**

GENERAL FUND

	<u>Amended Budget</u>	<u>Year to Date Actual</u>	<u>Variance</u>
REVENUES			
Property taxes	\$ 32,697	\$ 32,754	\$ 57
Specific ownership tax	3,400	2,861	(539)
TOTAL REVENUES	<u>36,097</u>	<u>35,615</u>	<u>(482)</u>
EXPENDITURES			
Accounting	30,500	28,630	1,870
Auditing	4,900	4,900	-
Contingency	302	-	302
County Treasurer's fee	298	298	-
District management	50,000	46,884	3,116
Legal services	45,000	34,484	10,516
Miscellaneous	8,000	6,892	1,108
TOTAL EXPENDITURES	<u>139,000</u>	<u>122,088</u>	<u>16,912</u>
NET CHANGE IN FUND BALANCES	(102,903)	(86,473)	16,430
FUND BALANCES - BEGINNING	<u>104,324</u>	<u>104,252</u>	<u>(72)</u>
FUND BALANCES - ENDING	<u>\$ 1,421</u>	<u>\$ 17,779</u>	<u>\$ 16,358</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances – governmental funds have been omitted.

**DENVER CONNECTION WEST METROPOLITAN DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE TEN MONTHS ENDED OCTOBER 31, 2019**

SPECIAL REVENUE FUND

	<u>Current Month</u>	<u>Year to Date Actual</u>	<u>Amended Budget</u>	<u>Variance</u>
REVENUES				
Admin fees	\$ 800	\$ 17,400	\$ 27,200	(9,800)
Miscellaneous income	-	100	100	-
Operations and Maintenance Fee	3,544	323,423	420,384	(96,961)
TOTAL REVENUES	<u>4,344</u>	<u>340,923</u>	<u>447,684</u>	<u>(106,761)</u>
EXPENDITURES				
Administrative management	-	17,309	35,000	17,691
Clubhouse operations/supplies	1,453	31,195	66,000	34,805
Contingency	-	-	755	755
Covenant control	977	36,446	50,000	13,554
District management	7,683	7,683	-	(7,683)
Dog Park Maintenance	842	4,927	5,270	343
Dues and licenses	-	630	630	-
Insurance and bonds	-	23,266	23,266	-
Landscape Maintenance	1,533	18,132	23,632	5,500
Legal services	-	8,525	15,000	6,475
Miscellaneous	446	2,003	2,500	497
Pool Maintenance	2,610	28,272	25,975	(2,297)
Repairs and maintenance	1,200	9,426	15,000	5,574
Reserve for Capital improvements	-	-	51,972	51,972
Security	-	12,764	10,000	(2,764)
Snow Removal	-	16,424	25,000	8,576
Utility - electricity	466	12,533	15,000	2,467
Utility - water	1,773	9,555	10,000	445
TOTAL EXPENDITURES	<u>18,866</u>	<u>239,090</u>	<u>375,000</u>	<u>135,910</u>
NET CHANGE IN FUND BALANCES	(14,522)	101,833	72,684	29,149
FUND BALANCES - BEGINNING	<u>141,989</u>	<u>25,634</u>	<u>25,562</u>	<u>72</u>
FUND BALANCES - ENDING	<u>\$ 127,467</u>	<u>\$ 127,467</u>	<u>\$ 98,246</u>	<u>\$ 29,221</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances – governmental funds have been omitted.

SUPPLEMENTARY INFORMATION

**DENVER CONNECTION WEST METROPOLITAN DISTRICT
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE TEN MONTHS ENDED OCTOBER 31, 2019**

DEBT SERVICE FUND

	<u>Amended Budget</u>	<u>Year to Date Actual</u>	<u>Variance</u>
REVENUES			
Property taxes	\$ 130,796	\$ 131,022	\$ 226
Specific ownership tax	11,224	11,446	222
Interest income	33,000	32,363	(637)
Facilities fees	510,000	486,000	(24,000)
TOTAL REVENUES	<u>685,020</u>	<u>660,831</u>	<u>(24,189)</u>
EXPENDITURES			
County Treasurer's fee	1,190	1,193	(3)
Paying agent fees	1,833	1,833	-
Bond interest - Series 2017A	520,838	260,419	260,419
Bond interest - Series 2017B	334,198	-	334,198
Bond principal Series 2017B	435,802	-	435,802
Contingency	6,139	-	6,139
TOTAL EXPENDITURES	<u>1,300,000</u>	<u>263,445</u>	<u>1,036,555</u>
NET CHANGE IN FUND BALANCES	(614,980)	397,386	1,012,366
FUND BALANCES - BEGINNING	<u>2,387,176</u>	<u>2,387,176</u>	<u>-</u>
FUND BALANCES - ENDING	<u><u>\$ 1,772,196</u></u>	<u><u>\$ 2,784,562</u></u>	<u><u>\$ 1,012,366</u></u>

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**DENVER CONNECTION WEST METROPOLITAN DISTRICT
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE TEN MONTHS ENDED OCTOBER 31, 2019**

CAPITAL PROJECTS FUND

	<u>Amended Budget</u>	<u>Year to Date Actual</u>	<u>Variance</u>
REVENUES			
Denver County Reimbursement	\$ 1,543,980	\$ 1,543,980	\$ -
TOTAL REVENUES	<u>1,543,980</u>	<u>1,543,980</u>	<u>-</u>
EXPENDITURES			
Engineering	110,000	102,547	7,453
Architecture	10,000	2,161	7,839
Capital outlay	6,398,500	2,305,428	4,093,072
Accounting	13,441	13,441	-
District management	26,199	26,199	-
Legal services	55,000	52,122	2,878
Repay developer advance	1,543,980	1,543,980	-
TOTAL EXPENDITURES	<u>8,157,120</u>	<u>4,045,878</u>	<u>4,111,242</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(6,613,140)	(2,501,898)	4,111,242
OTHER FINANCING SOURCES (USES)			
Developer advance	7,590,901	3,394,679	(4,196,222)
TOTAL OTHER FINANCING SOURCES (USES)	<u>7,590,901</u>	<u>3,394,679</u>	<u>(4,196,222)</u>
NET CHANGE IN FUND BALANCES	977,761	892,781	(84,980)
FUND BALANCES - BEGINNING	<u>(977,761)</u>	<u>(977,761)</u>	<u>-</u>
FUND BALANCES - ENDING	<u>\$ -</u>	<u>\$ (84,980)</u>	<u>\$ (84,980)</u>

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**DENVER CONNECTION WEST METROPOLITAN DISTRICT
2019 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Services Provided

The District is a quasi-municipal corporation and political subdivision of the State of Colorado under Title 32, Article 1 of the Colorado Revised Statutes, and was organized by order of the District Court in 2016. The formation of the District was approved by the City and County of Denver, Colorado. The District was organized to provide the public improvements and the operation and maintenance of the District. The District's service area includes 115.66 acres generally to the southeast corner of Green Valley Ranch Blvd and Chambers Road.

On November 8, 2016, the District's electors authorized debt in the amount of \$200,000,000 for public improvements including street improvements, park and recreation, water, sanitation, public transportation, mosquito control, and traffic and safety control. \$60,000,000 of debt was also authorized for the purpose of refunding debt, operations and maintenance, and intergovernmental agreements. The District is authorized to increase taxes \$20,000,000 annually to pay the operations and administrative costs of the District, without limitation.

Additionally, the Service Plan limits (except for a Gallagher adjustment) the District's total mill levy to 50.000 mills.

The District has no employees and all administrative functions are contracted.

The District prepares its budget on the modified accrual basis of accounting in accordance with the requirements of Colorado Revised Statutes C.R.S. 29-1-105 using its best estimates as of the date of the budget hearing. These estimates are based on expected conditions and its expected course of actions. The assumptions disclosed herein are those that the District believes are significant to the budget. There will usually be differences between the budget and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material.

Revenues

Property Taxes

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or, if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

The District's maximum Required Mill Levy is 55.277 mills, adjusted for changes in the ratio of actual value to assessed value of property within the District. Required Mill Levy means an ad valorem mill levy imposed upon all taxable property of the District each year in an amount sufficient to pay the principal, premium if any, and interest on the Bonds as the same become due and payable [and to make up any deficiencies in the Reserve Fund]. As of December 31, 2019, the adjusted maximum mill levy for debt service is 44.222 mills and the general fund mill levy increased to 11.055 from 10.000 mills.

**DENVER CONNECTION WEST METROPOLITAN DISTRICT
2019 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Revenue - (continued)

The calculation of the taxes levied is displayed on the Property Tax Summary page of the budget using the adopted mill levy imposed by the District.

Specific Ownership Taxes

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District's share will be equal to approximately 6.00% of the property taxes collected.

Net Investment Income

Interest earned on the District's available funds has been estimated based on an average interest rate of approximately 1.5%.

Developer Advances

Developer advances are expected to fund capital project expenditures. Developer advances are to be recorded as revenue for budget purposes with an obligation for future repayment when the District is financially able to issue bonds to reimburse the Developer.

Administrative Fee

The District imposes Administrative Fee associated with a transfer of ownership of any dwelling unit located within the Property in the amount of \$100 per unit. The fee is due and payable at the time of sale, transfer or re-sale of any unit constructed on a lot which has a certificate of occupancy. It is anticipated that in 2019 the District will have 200 dwelling units.

Operations and Maintenance Fees

The District imposes an Operations and Maintenance fee (O&M fee) to offset the operations and maintenance expenditures of the District. In the amount of \$168 per quarter for each residential unit, \$183 per quarter for each rear-loaded residential unit and \$183 per quarter for each townhome unit. The O&M fees will be billed quarterly as determined by the District. The amount charged by the District for Operations and Maintenance Fees is anticipated to be \$590,220. It is anticipated that in 2019 the District will have 350 residential units, 154 rear-loaded residential units, and 331 townhome units.

System Development Fees

The District imposes a Facilities Fee at a rate of \$3,000 per dwelling unit, attached or detached, which becomes due and payable on or before the issuance of a building permit for such dwelling unit.

**DENVER CONNECTION WEST METROPOLITAN DISTRICT
2019 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Expenditures

General and Administrative Expenditures

General and administrative expenditures include the estimated cost of services necessary to maintain the District's administrative viability such as legal, accounting, insurance, dues, and other administrative expenditures. Estimated expenditures related to clubhouse maintenance, operations and management are also included in the General Fund budget.

County Treasurer's Fees

County Treasurer's fees have been computed at 1% of property tax collections.

Debt Service

Principal and interest payments are provided based on the debt amortization schedule from the Series 2017A Bonds and Series 2017B Bonds (discussed under Debt and Leases).

Capital Outlay

The District anticipates infrastructure improvements as noted in the Capital Projects fund.

Debt and Leases

In August 2017, the District issued \$9,690,000 in Series 2017A Limited Tax (convertible to unlimited tax) General Obligation Bonds with interest of 5.375%. The Bonds are subject to redemption prior to maturity at the option of the District and due on August 1, 2047.

The bonds are secured by and payable from Senior Pledged Revenue consisting of monies derived by the District from the following sources, net of any collection costs: (1) all Senior Property Tax Revenues, (2) all Senior Specific Ownership Tax Revenues, (3) all Capital Fees and any other legally available monies which the District determines to be treated as Pledged Revenue. The Bonds are also secured by amounts held by the Trustee in the Reserve Fund in the amount of \$793,518.76. The Reserve Fund was created for the purpose of paying, if necessary, the principal of, premium, if any, and interest on the Bonds. Required Mill Levy means an ad valorem mill lev imposed upon all taxable property of the District each year in an amount sufficient to pay the principal, premium if any, and interest on the bonds as the same become due and payable and to make up deficiencies in the Reserve Fund.

The maximum Required Mill Levy is 40.000 mills, adjusted for changes in the ratio of actual value to assessed value of property within the District. As of December 31, 2018, the adjusted maximum mill levy is 44.222.

**DENVER CONNECTION WEST METROPOLITAN DISTRICT
2019 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

In August 2017, the District issued \$2,539,000 in Series 2017B Subordinate Bonds. The Bonds are special limited obligations of the District secured by and payable from the Subordinate pledged revenues, subject in all respects to the prior lien in favor of the Senior Bonds. The Series 2017B Subordinate Bonds are term bonds due on August 1, 2047 at an interest rate of 8.00%.

Proceeds of the Bonds were used to finance and reimburse the costs of public improvements necessary for development within the District and with respect to the proceeds of the 2017A Bonds only, fund capitalized interest account on the 2017A Bonds, fund the Senior Reserve Fund and pay the costs of issuing the Bonds.

The District has no operating or capital leases.

Reserves

Emergency Reserve

TABOR requires local governments to establish emergency reserve. This reserve must be at least 3% of fiscal year spending. Since all funds received by the District are from Developer advances which pay for all of the District's operations and maintenance costs, an emergency reserve is not reflected in the District's budget.

Debt Service Reserves

The District maintains a Debt Service Reserve as required with the issuance of the 2017A Bonds.

**DENVER CONNECTION WEST
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY**

**\$9,690,000 Limited Tax (Convertible to Unlimited Tax) General Obligation Bonds
Refunding and Improvement Bonds**

Series 2017A

August 23, 2017

Principal due December 1

Interest Rates 5.375% Payable

June 1 and December 1

Year Ended December 31,	Principal	Interest	Total
2019	\$ -	\$ 520,838	\$ 520,838
2020	-	520,838	520,838
2021	-	520,838	520,838
2022	80,000	520,838	600,838
2023	110,000	516,538	626,538
2024	125,000	510,625	635,625
2025	135,000	503,906	638,906
2026	155,000	496,650	651,650
2027	160,000	488,319	648,319
2028	185,000	479,719	664,719
2029	195,000	469,775	664,775
2030	220,000	459,294	679,294
2031	230,000	447,469	677,469
2032	255,000	435,106	690,106
2033	270,000	421,400	691,400
2034	300,000	406,888	706,888
2035	315,000	390,763	705,763
2036	345,000	373,831	718,831
2037	365,000	355,288	720,288
2038	395,000	335,669	730,669
2039	420,000	314,438	734,438
2040	455,000	291,863	746,863
2041	480,000	267,406	747,406
2042	520,000	241,606	761,606
2043	550,000	213,656	763,656
2044	595,000	184,094	779,094
2045	625,000	152,113	777,113
2046	675,000	118,519	793,519
2047	1,530,000	54,825	1,584,825
	<u>\$ 9,690,000</u>	<u>\$ 11,013,105</u>	<u>\$ 20,703,105</u>

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DENVER CONNECTION WEST
Schedule of Developer Advances
Updated as of December 5, 2019

Summary of Developer Advances					
<u>Description</u>	<u>Date</u>	<u>General Fund Operation</u>	<u>Capital Projects Fund</u>	<u>Capital Projects Fund Cap. Acquisition</u>	<u>Total</u>
DEVELOPER ADVANCE	08/10/17	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00
DEVELOPER ADVANCE	08/10/17	25,546.49	75,453.51	-	101,000.00
DEVELOPER ADVANCE - CAP REQ NO. 1	08/22/17	-	-	2,238,416.10	2,238,416.10
REPAYMENT OF DEVELOPER ADVANCE	08/24/17	-	-	(2,238,416.10)	(2,238,416.10)
DEVELOPER ADVANCE - CAP REQ NO. 2	09/26/17	-	-	5,135,399.18	5,135,399.18
REPAYMENT OF DEVELOPER ADVANCE	09/29/17	-	-	(5,135,399.18)	(5,135,399.18)
DEVELOPER ADVANCE	10/11/17	7,002.05	48,080.02	-	55,082.07
DEVELOPER ADVANCE - CAP REQ NO. 3	10/17/17	-	-	1,453,582.43	1,453,582.43
REPAYMENT OF DEVELOPER ADVANCE	10/24/17	-	-	(454,189.33)	(454,189.33)
REPAYMENT OF DEVELOPER ADVANCE	10/24/17	-	-	(999,393.10)	(999,393.10)
DEVELOPER ADVANCE	11/17/17	2,771.14	10,399.67	-	13,170.81
DEVELOPER ADVANCE - CAP REQ NO. 4	11/28/17	-	-	1,018,498.02	1,018,498.02
DEVELOPER ADVANCE - CAP REQ NO. 5	11/28/17	-	-	1,529,019.85	1,529,019.85
REPAYMENT OF DEVELOPER ADVANCE	12/01/17	-	-	(1,018,498.02)	(1,018,498.02)
REPAYMENT OF DEVELOPER ADVANCE	12/01/17	-	-	(450,938.68)	(450,938.68)
DEVELOPER ADVANCE	12/20/17	6,135.08	7,541.43	-	13,676.51
DEVELOPER ADVANCE	12/20/17	-	69,184.81	-	69,184.81
INTEREST ON DEVELOPER ADVANCE	12/31/17	1,060.54	3,503.76	15,351.90	19,916.20
DEVELOPER ADVANCE	01/24/18	3,960.77	53,675.51	-	57,636.28
DEVELOPER ADVANCE	02/09/18	4,443.29	34,732.28	-	39,175.57
DEVELOPER ADVANCE	02/23/18	-	29,295.15	-	29,295.15
DEVELOPER ADVANCE - CAP REQ NO. 6	02/27/18	-	-	1,891,252.48	1,891,252.48
DEVELOPER ADVANCE	03/16/18	7,286.26	192,664.71	-	199,950.97
DEVELOPER ADVANCE	04/13/18	8,071.36	246,594.88	-	254,666.24
DEVELOPER ADVANCE - CAP REQ NO. 7	04/27/18	-	-	939,036.41	939,036.41
DEVELOPER ADVANCE	05/04/18	4,974.95	872,325.84	-	877,300.79
DEVELOPER ADVANCE	06/14/18	783.90	224,216.10	-	225,000.00
DEVELOPER ADVANCE - CAP REQ NO. 8	06/26/18	-	-	809,628.31	809,628.31
DEVELOPER ADVANCE	07/06/18	-	315,359.75	-	315,359.75
DEVELOPER ADVANCE	08/02/18	5,544.24	591,077.57	-	596,621.81
DEVELOPER ADVANCE - CAP REQ NO. 9	08/26/18	-	-	662,283.45	662,283.45
DEVELOPER ADVANCE	09/07/18	4,893.40	568,052.01	-	572,945.41
DEVELOPER ADVANCE	10/05/18	6,817.47	334,674.86	-	341,492.33
DEVELOPER ADVANCE - CAP REQ NO. 10	10/23/18	-	-	110,761.05	110,761.05
DEVELOPER ADVANCE	10/26/18	8,766.61	634,423.41	-	643,190.02
DEVELOPER ADVANCE - CAP REQ NO. 11	11/27/18	-	-	639,021.44	639,021.44
DEVELOPER ADVANCE	11/30/18	10,578.45	432,358.09	-	442,936.54
DEVELOPER ADVANCE - CAP REQ NO. 12	11/30/18	-	-	1,617,123.47	1,617,123.47
DEVELOPER ADVANCE - CAP REQ NO. 13	12/31/18	-	-	118,677.19	118,677.19
DEVELOPER ADVANCE - CAP REQ NO. 14	12/31/18	-	-	629,015.12	629,015.12
INTEREST ON DEVELOPER ADVANCE	12/31/18	6,028.20	172,329.15	333,767.75	512,125.10
DEVELOPER ADVANCE	01/15/19	-	531,380.96	-	531,380.96
DEVELOPER ADVANCE	02/05/19	-	412,353.99	-	412,353.99
DEVELOPER ADVANCE	04/01/19	-	341,050.23	-	341,050.23
DEVELOPER ADVANCE	04/01/19	-	232,893.48	-	232,893.48
DEVELOPER ADVANCE - CAP REQ NO. 15	04/23/19	-	-	38,403.86	38,403.86
DEVELOPER ADVANCE	05/02/19	-	100,851.47	-	100,851.47
DEVELOPER ADVANCE - CAP REQ NO. 16	05/28/19	-	-	16,111.52	16,111.52
DEVELOPER ADVANCE	07/01/19	-	177,102.39	-	177,102.39
DEVELOPER ADVANCE - CAP REQ NO. 17	07/08/19	-	-	85,788.22	85,788.22
DEVELOPER ADVANCE	07/09/19	-	187,190.84	-	187,190.84
DEVELOPER ADVANCE	08/05/19	-	179,393.16	-	179,393.16
DEVELOPER ADVANCE - CAP REQ NO. 18	08/27/19	-	-	467,550.60	467,550.60
DEVELOPER ADVANCE	09/06/19	-	10,894.82	-	10,894.82
DEVELOPER ADVANCE - CAP REQ NO. 19	09/17/19	-	-	257,015.92	257,015.92
DEVELOPER ADVANCE - CAP REQ NO. 20	10/14/19	-	-	337,372.86	337,372.86
DEVELOPER ADVANCE	10/23/19	-	19,324.31	-	19,324.31
REPAYMENT OF DEVELOPER ADVANCE	10/30/19	-	-	(1,543,979.67)	(1,543,979.67)
DEVELOPER ADVANCE - CAP REQ NO. 21	11/18/19	-	-	233,542.31	233,542.31
DEVELOPER ADVANCE	12/05/19	-	82,559.58	-	82,559.58
INTEREST ON DEVELOPER ADVANCE	12/05/19	8,215.91	470,712.25	644,147.47	1,123,075.63
Total To Date		\$ 125,880.11	\$ 7,661,649.99	\$ 9,379,952.83	\$ 17,167,482.93

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DENVER CONNECTION WEST METROPOLITAN DISTRICT
Property Taxes Reconciliation
2019

	Current Year									Prior Year		
	Property Taxes	Delinquent Taxes, Rebates and Abatements	Specific Ownership Taxes	Interest	Treasurer's Fees	Due to County	Net Amount Received	% of Total Property Taxes Received		Total Cash Received	% of Total Property Taxes Received	
								Monthly	Y-T-D		Monthly	Y-T-D
January	\$ 3,523.94	\$ -	\$ 699.60	\$ -	\$ (35.24)	\$ -	4,188.30	1.51%	1.51%	262.50	0.17%	0.17%
February	53,282.05	-	3,038.39	-	(532.82)	-	55,787.62	22.79%	24.29%	4,568.75	2.89%	3.06%
March	15,528.72	-	1,124.61	2.09	(155.31)	-	16,500.11	6.64%	30.93%	6,019.00	3.81%	6.87%
April	42,272.78	-	1,301.94	(4,227.05)	(380.46)	-	38,967.21	18.08%	49.01%	1,736.00	1.10%	7.97%
May	67,262.08	(14,246.00)	1,284.36	(2,001.54)	(510.14)	-	51,788.76	22.67%	71.69%	131,739.25	83.42%	91.39%
June	50,315.61	(44,313.50)	1,199.03	(6,646.96)	6.45	(638.40)	1,199.03	2.57%	74.25%	3,602.00	2.28%	93.68%
July	912.34	(11,785.50)	1,384.64	(1,856.99)	127.31	(12,602.84)	1,384.64	-4.65%	69.60%	9,870.00	6.25%	99.93%
August	-	-	1,453.36	-	-	-	1,453.36	0.00%	69.60%	-	0.00%	99.93%
September	740.71	-	1,301.98	18.98	(7.60)	752.09	1,301.98	0.32%	69.92%	-	0.00%	99.93%
October	281.91	-	1,518.98	14.09	(2.96)	293.04	1,518.98	0.12%	70.04%	-	0.07%	100.00%
November	-	-	-	-	-	-	-	0.00%	70.04%	-	0.00%	100.00%
December (accrued)	-	-	-	-	-	-	-	0.00%	70.04%	-	0.00%	100.00%
	\$ 234,120.14	\$ (70,345.00)	\$ 14,306.89	\$ (14,697.38)	\$ (1,490.77)	\$ (12,196.11)	\$ 174,089.99	70.04%	70.04%	\$ 157,797.50	100.00%	100.00%

Taxes Levied	% of Levied	Property Taxes Collected	% Collected to Amount Levied
--------------	-------------	--------------------------	------------------------------

Property Tax

General Fund	\$ 46,764	20.00%	\$ 32,753.62	70.04%
Debt Service Fund	187,066	80.00%	131,021.52	70.04%
Total	\$ 233,830	100.00%	\$ 163,775.14	70.04%

Specific Ownership Tax

General Fund	\$ 2,806	20.00%	\$ 2,861.38	101.97%
Debt Service Fund	11,224	80.00%	11,445.51	101.97%
Total	\$ 14,030	100.00%	\$ 14,306.89	101.97%

Treasurer's Fees

General Fund	\$ 468	20.00%	\$ 298.15	63.71%
Debt Service Fund	1,871	80.00%	1,192.62	63.74%
Total	\$ 2,339	100.00%	\$ 1,490.77	63.74%

Tax rebates due to Denver County

As of 1/1/2018	\$ -
Amounts withheld in 2019	(70,345.00)
Amounts paid in 2019	58,148.89
Total due as of 09/30/2019	<u>(12,196.11)</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, And the statement of revenues, expenditures and changes in fund balances – governmental funds have been omitted.

DENVER CONNECTION WEST METRO DISTRICT

Board Meeting Project Status

December 17, 2019



Project Work

Cost Certification

- Cost Certification #21 - \$304,140.77

Construction Contract Documents

Contractor Contracts

- MW Golden Acceptance and Retainage Release
- Brightview Acceptance and Retainage Release
 - Final Change Order work started
 - Retainage Release complete
- Thoutt Brother's Acceptance and Retainage Release
 - Work complete – Final Walk Through 11/12/19
 - Will grant Final Acceptance as of 9/16/19 if punchlist items are complete by 12/3/19
 - Retainage Release

Consultant/Vendor Agreements

Consultant/Vendor Task Orders

- ETG Systems
 - Task Order 4 – \$361.84 - Put Fireplace controls on a timer
- Godden Sudik
 - Task Order 2 – Additional Services – \$15,335.00 – Already overbilled by \$2,415.56

**DENVER CONNECTION METROPOLITAN DISTRICT
MASTER SERVICES AGREEMENT TASK ORDER**

AGREEMENT TITLE Master Service Agreement for Design Services

AGREEMENT NO. 1 **AGREEMENT DATE** 4/23/18 **TASK ORDER NO. 4**

CONSULTANT ETG Systems, Inc.

TASK ORDER REFERENCE: Cost Proposal (attached)

TASK ORDER NAME: Put Indoor Fireplace on a Timer

METRO DISTRICT PROJECT ENGINEER: IDES, LLC (Kim Fiore)

BASIS OF COMPENSATION: As per Cost Proposal (attached)

SCHEDULE: As per Cost Proposal (attached)

AGREEMENT PRICE RECONCILIATION:

Previously Approved Change Orders/Amendments/Task Orders \$ 54,586.52

Task Order Price – Task Order No. 4 \$ 361.84

Total of Agreement Prices including this Task Order \$ 54,948.36

AGREEMENT TERMS AND CONDITIONS

All other terms and conditions of the Agreement remain unchanged and in full force and effect.

This Task Order constitutes written assurance by the District that lawful appropriations have been made to cover the cost of the Task Order, pursuant to Section 24-91-103.6, C.R.S.

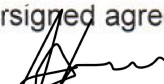
APPROVALS REQUIRED:

To be effective, this Task Order must be approved according to the Agreement.

Recommended by Kim Fiore Date 11/20/19

Approved by _____ Date _____

The undersigned agrees to the above terms and conditions:

 11/30/2019
Consultant Date

President
Title

Denver HUB - Install timer for fireplace

William Lyon Homes



Presented To:

William Lyon Homes
Nathan Skrdla
Manager of Architecture and Planning
nathan.skrdla@lyonhomes.com
303-703-8657

Presented By:

Mihai Simon

Modified: 11/19/2019

Revision: 0

Project/Quote ID: WILLI-DENVE-0004

Scope of Work

Install timer of up to 8 hrs for the interior fireplace.

Clubhouse Area

Wire and Cable

- 1 **ETG Systems 120VAC Circuit, shared**
Timer Switch

- 1 **ETG Systems ETG Technician**
ETG Technician to install

Wire and Cable Total: \$359.53

Clubhouse Area Total: \$359.53

Project Subtotal: \$359.53

Project Summary

Total Installation Price: **\$359.53**

Sales Tax: **\$2.31**

Grand Total: **\$361.84**

Client: **Nathan Skrdla**

Date

Contractor: **ETG Systems, Inc**

Date

Denver Connection West Metropolitan District

CHANGE ORDER

Project:	Denver Connection West	No.:	02
Contract For:	Landscape Concrete Flatwork	Date Issued:	2/14/2019
Contractor:	Thoutt Bros. Concrete Contractors, Inc.	Owner:	Denver Connection West Metropolitan District
Address:	5460 Tennyson Street Denver, CO 80212	Address:	8480 E. Orchard Rd, Ste 1000 Greenwood Village, CO 80111

You are directed to make the following changes in the Contract Documents:

Description: Deduct for Dog Park colored concrete not installed

Purpose of Change Order: Three bands of colored concrete were not installed at the dog park

Attachments (List Documents Supporting Change): Change Order Request #3

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIME (in days):

Original Contract Price:	\$ 418,148.42	Original Contract Time:	90
Previous Change Orders No. 000 to No. 001:	\$ 110.25	Net Change from Previous Change Orders:	0
Contract Price Prior to this Change Order:	\$ 418,258.67	Contract Time Prior to this Change Order:	90
Net Change of this Change Order:	\$ -425.52	Net Change of this Change Order:	0
Contract Price with all approved Change Orders:	\$ 417,833.15	Contract Time with all approved Change Orders:	90

RECOMMENDED:

By: Kim Ford
Date: 11/20/19
Engineer

APPROVED:

By: Ayla Butts
Date: 11/20/19
Contractor

APPROVED:

By: _____
Date: _____
Owner

Change Order Request

THOUTT BROS CONCRETE CONTRACTORS INC
5460 Tennyson St
Denver, CO 80212-4049
Phone: 303-458-1298



Owner : IDES
35 Union Blvd. Suite 302
Lakewood, CO 80228

Project: 18-02-438 Denver Connection West
Green Valley Ranch Blvd. & Kittredge St.
Denver, CO 80239

PCOType: PCO

Item		Quantity	UM	Unit Price	Amount
Change Order Request: # 3 - Deduct for Dog Park Sand Scape Bands					
1	Deduct for Dog Park Sand Scape Bands	-36.000	SF	11.82000	-425.52
Total For Change Order					-425.52

1. Sub grade to be within 1/10. No Compaction. (Unless cutting, compaction backfill is bid and grade to be within 5/10)
2. Bid excludes wire mesh, rebar, fibermesh & other reinforcement unless expressly listed in above units.
3. We will not remove frost or frozen sub grade material.
4. Cold weather protection if needed add 1.80 per linear foot or add .68 per square foot. (if contractor furnishes blankets there will be no additional cost).
5. There will be a 3.50 per cubic yard increase for any concrete poured between November 1 and March 31 (Increase from Supplier).
6. Extra mobilizations will incur added costs.

Approved By: IDES

Signed: _____

Date: _____

Submitted By: THOUTT BROS CONCRETE CONTRACTORS INC

Signed: _____

Date: _____

Denver Connection West Metropolitan District Cost Certification Report



Report 21



355 Union Blvd., Suite 302
Lakewood, CO 80228

**Denver Connection West
Metropolitan District
Cost Certification**

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Vendor Participation Attachment B

Expenditure Data..... Attachment C

November 18, 2019

Denver Connection West Metropolitan District

RECOMMENDATION FOR COST CERTIFICATION REPORT #21

INTRODUCTION

Independent District Engineering Services, LLC (Engineer) was hired by the Denver Connection West Metropolitan District (District) to provide review of expenditures paid by William Lyon Homes (Developer). These expenditures (Expenditures) are for the Denver Connection Development located in the City of Denver, Colorado (Project). This Report summarizes the Engineer's approach and findings for this Cost Certification.

The expenditures for Public Improvements discussed in this Report were paid for by the Developer or the District. The expenditures paid for by the Developer have been reviewed in this Report and are being certified as District Eligible in the amount of **\$233,542.31**. The expenditures paid for by the District have been reviewed in this Report and are being certified as District Eligible in the amount of **\$70,598.46**. The total combined is **\$304,140.77**.

This Cost Certification Report (Report) generally covers the areas shown on Attachment A.

GOVERNING DOCUMENTS

The following controlling documents were used in recommendations for District eligible expenses:

- Service Plan for Denver Connection West Metropolitan District in the City and County of Denver, Colorado, prepared by McGeady Becher P.C., dated September 12, 2016.
- Facilities Funding and Acquisition Agreement, between the Denver Connection West Metropolitan District and William Lyon Homes, Inc. dated January 20, 2017.
- Gateway Improvements Draft Agreement between William Lyon Homes and the City and County of Denver.

It should be noted IDES used the above controlling documents only as a general guideline for eligibility in our certification of costs.

ACTIVITIES CONDUCTED

For this Cost Certification Report, the following activities were performed:

- Governing Documents provided by the District and the Developer were reviewed as the basis for recommendation of Cost Certification.
- The Invoice Summary as provided by the District was included, and invoices provided by the Developer were reviewed. A summary was created and is attached as Attachment C.
- Site visits were conducted. Project improvements were photographed.

ASSUMPTIONS

Due to the specific Scope authorized for this Cost Certification Report, the following assumptions were made. The District should validate or cause to have validated these assumptions.

- It is assumed that Geotechnical Pavement Designs have been performed and followed. Materials testing was performed during construction and District has verified materials passed all such testing.
- It is our recommendation the District and Developer agree that the Developer will be responsible for all Storm Water Management Practice (SWMP) activities until the conditions

of State and Local Permits are met and the District shall have no SWMP Obligations for Infrastructure acquired by the District. No SWMP inspections or recommendations were conducted as part of this Report.

- It is assumed that Contractors have obtained all SWMP Permitting in the name of the District and the District shall not have any responsibility to close-out these permits.
- It is our understanding that the District and Developer agree that the Developer will complete all Local Jurisdiction Acceptance.
- It is assumed that the District has obtained or will obtain final unconditional lien waivers from all Contractors performing Work or Consultants providing Services for the Project.
- It is assumed all Work Product is acceptable and copies of Acceptances were or will be submitted to the appropriate jurisdictions.
- Costs presented do not represent the entire Contract Value, but rather the District's portion of the capital costs paid by the District.
- Expenditures that did not have enough information to be verified with this Report may be verified in a future Report.
- The District has or will cause all Infrastructure Acceptance requirements to be met as outlined in the Service Plan; District/Developer Agreements; and Board Resolutions/Polities. This Cost Certification Report is one part of the overall Infrastructure Acquisition.
- This report was prepared with a specific authorized Scope of Work and an elaborate analysis was not performed, but rather a realistic and reasonable analysis to estimate the District Eligible Expenditures for bonding purposes. A more detailed analysis or submission of additional District eligible expenditures may result in adjustments to our cost certification.

DISCUSSION

This report mostly consists of Expenditures Between August and October 2019. The Improvements reviewed are generally represented in Attachments A and C.

Vendor Participation

All Contractors, Consultants, and Vendors (Vendors) whose invoice information was submitted, were evaluated for their participation on the Project and Services performed, materials provided, or work completed. A summary of Vendor Participation is included as Attachment B.

Review of Invoices and Summary of Expenditures

To provide a recommendation for acceptance of District Improvements, invoices provided by the Developer were reviewed. Invoice costs were allocated as District or Non District and a summary is included as Attachment C.

SUMMARY OF EXPENDITURES BY CATEGORY AND SERVICE PLAN DIVISION

The table below provides a summary of expenditures by Category and Service Plan Division. The Service Plan categorizes Expenditures to specific categories based upon then anticipated costs. The major elements of the Improvements were allocated across these specific categories.

Category	District Eligible Expenses	Percentage
Street Improvements	\$43,185.62	14.20%
Traffic and Safety Controls	\$0.00	0.00%
Water Improvements	\$481.20	0.16%
Sanitation Improvements	\$0.00	0.00%
Stormwater Drainage Improvements	\$15,703.72	5.16%
Parks and Recreation Improvements	\$243,713.58	80.13%
Transportation	\$0.00	0.00%
Mosquito Control	\$0.00	0.00%
Covenant Enforcement	\$1,056.65	0.35%
Total	\$304,140.77	100.00%

FIELD INVESTIGATION RESULTS

Field investigations were conducted periodically. From our visual inspection it appears the Improvements were constructed in a quality manner consistent with other similar projects and meeting generally accepted construction requirements.

RECOMMENDATION

In our professional opinion the expenditures for the Improvements were reviewed and found to be reasonable. The costs of improvements are comparable to other similar projects in Colorado. At this time and based on the information provided, the Engineer certifies the expenditures provided by the Developer as District Eligible expenditures as shown in Attachment C and subject to the level of review presented in this Report. These expenditures are in the amount of **\$233,542.31** as paid by the Developer, **\$70,598.46** and as paid by the District, for a total of **\$304,140.77**.

Should you have any questions or require further information please feel free to contact me.

Respectfully Submitted,
Independent District Engineering Services, LLC



Kim Fiore, PE

Attachments

Attachment A

Site Map

ATTACHMENT A

GREEN VALLEY RANCH BOULEVARD

POND

SINGLE FAMILY MODELS

MULTIFAMILY MODELS

MEMPHIS STREET

KITTRIDGE STREET

CHANNEL

CHANNEL

PARK

AREA COVERED BY COST CERTIFICATION 20

PARTIAL EROSION CONTROL
PARTIAL LANDSCAPE AND IRRIGATION
RETAINAGE RELEASE UTILITIES AND CONCRETE

Attachment B

Vendor Participation

ATTACHMENT B VENDOR PARTICIPATION

Following is a Summary of the Contractors, Consultants and Vendor Participation in work and services for the Cost Certification. Notes include any invoice discrepancies, basis of payment, and basis for reimbursement.

Absolute Pool Management, LLC Provided pool chemicals and maintenance. Provided pool area cleaning.

Altitude Community Law P.C. Provided legal services concerning covenant enforcement.

Avion at Denver Connection Townhomes Reimbursement for electrical that the Townhomes paid that should have been paid by the District for the Hub. The backup doesn't match the amount requested.

Brownstein Hyatt Farber Schreck Provided legal services regarding the MW Golden contract.

Clifton Larson Allen, LLP Provided District accounting services.

CTL Thompson, Inc Provided concrete and asphalt testing services.

Denver Water Provided water and sewer for the HUB. Provided water for irrigation.

Dodge Data and Analytics Fees were paid for legal advertisements.

Entitlement & Engineering Solutions, Inc Provided engineering services.

Flame Designz, LLC Fees paid for a service call concerning the propane to the damaged grills.

Fox Rothschild, LLP Provided legal services.

IDES, LLC Provided District engineering services.

McGeady Becher, PC Provided legal services.

Means Law Group, LLC Provided legal services concerning the damaged grills.

MGT Landscaping, Inc. Provided landscape maintenance.

Navtek Directional Services Construction of sleeving under Joplin.

Norris Design, Inc Provided landscape construction administration services.

Nu Style Landscape and Development, LLC Construction of landscaping.

Omerta Storm Water Management Provided erosion control.

Pet Scoop Provided services for waste station maintenance.

Premier Earthworks & Infrastructure, Inc. Retainage release for utility and concrete work.

Special District Management Services Provided District management services.

Specialized Cleaning Services Provided Hub cleaning services.

UMB Bank, NA Fees for administrative purposes.

YMCA of Metropolitan Denver Provided HUB program management services.

Attachment C

Expenditure Data

Attachment C

**Denver Connection West Metropolitan District
Engineer's Summary for Cost Certification 21**

Invoice ID	Invoice Date	Invoice Provided	Check Date	Check No.	Description	Invoiced Amount	District Eligible Expenses	Non-Eligible Expenses	Notes
Invoices Paid by William Lyon Homes									
CTL Thompson, Inc.									
524094	9/30/19	Yes	10/14/19	49102	Testing	\$625.00	\$625.00	\$0.00	
527673	10/31/19	Yes	11/4/19	49550	Testing	\$630.00	\$630.00	\$0.00	
Subtotal CTL Thompson, Inc.						\$1,255.00	\$1,255.00	\$0.00	
Entitlement & Engineering Solutions, Inc.									
VIL001.02-38	8/30/19	Yes	10/28/19	49425	Engineering	\$188.00	\$114.68	\$73.32	Overall Site 61% District
Subtotal Entitlement & Engineering Solutions Inc.						\$188.00	\$114.68	\$73.32	
Fox Rothschild LLP									
2436430	10/8/19	Yes	10/28/19	49431	Legal Services	\$441.00	\$0.00	\$441.00	HOA not District Eligible
Subtotal Fox Rothschild LLP						\$441.00	\$0.00	\$441.00	
McGeady Becher, P.C.									
6	9/30/19	Yes	10/28/19	49456	Legal Services	\$100.00	\$100.00	\$0.00	Directors Qualifications
Subtotal McGeady Becher, P.C.						\$100.00	\$100.00	\$0.00	
Means Law Group, LLC									
201	8/31/19	Yes	10/14/19	49167	Legal	\$109.50	\$109.50	\$0.00	Damaged grills relase agreement
Subtotal Means Law Group, LLC						\$109.50	\$109.50	\$0.00	
Navtek Directional Services									
23131	10/14/19	Yes	11/4/19	49602	Sleeves 4713 N Joplin	\$3,000.00	\$3,000.00	\$0.00	
Subtotal Navtek Directional Services						\$3,000.00	\$3,000.00	\$0.00	
Nu Style Landscape & Development, LLC									
Pay App 13	9/30/19	Yes	10/14/19	49179	Landscape	\$163,102.50	\$163,102.50	\$0.00	
Subtotal Nu Style Landscape & Development, LLC						\$163,102.50	\$163,102.50	\$0.00	
Omerta Storm Water Management									
46843	6/25/19	Yes	11/4/19	49604	Erosion Control	\$700.00	\$700.00	\$0.00	
48779	9/25/19	Yes	10/28/19	49469	Erosion Control	\$827.40	\$827.40	\$0.00	
48935	10/3/19	Yes	10/28/19	49469	Erosion Control	\$218.00	\$218.00	\$0.00	
Subtotal Omerta Storm Water Management						\$1,745.40	\$1,745.40	\$0.00	
Premier Earthworks & Infrastructure, Inc.									
161020.RR2	9/10/19	Yes	10/7/19	48973	Utility, Parks and Concrete	\$313,716.71	\$64,115.23	\$0.00	All Retainage held on District items has been released
161020-23	9/17/19	Yes	10/7/19	48973	Utility, Parks and Concrete	\$171,314.72	\$0.00	\$1,430.82	All Retainage held on District items has been released
Subtotal Premier Earthworks & Infrastructure, Inc.						\$485,031.43	\$64,115.23	\$1,430.82	
Subtotal Invoices Paid by William Lyon Homes						\$654,972.83	\$233,542.31	\$1,945.14	
Invoices Paid by the Denver Connection West Metropolitan District									
Absolute Pool Management, LLC									
10745	7/25/19	Yes	10/22/19	1324	Clean Up Glass	\$95.00	\$95.00	\$0.00	
10751	7/29/19	Yes	10/22/19	1324	Clean Up Glass	\$800.00	\$800.00	\$0.00	
10757	7/31/19	Yes	10/22/19	1324	Clean Up Glass	\$142.50	\$142.50	\$0.00	
10813	10/1/19	Yes	10/22/19	1324	Pool Maintenance	\$2,000.00	\$2,000.00	\$0.00	

Attachment C

Denver Connection West Metropolitan District
Engineer's Summary for Cost Certification 21

Invoice ID	Invoice Date	Invoice Provided	Check Date	Check No.	Description	Invoiced Amount	District Eligible Expenses	Non-Eligible Expenses	Notes
10816	10/1/19	Yes	10/22/19	1324	Pool Maintenance	\$490.00	\$490.00	\$0.00	
10821	9/17/19	Yes	10/22/19	1324	Spa Repair	\$180.00	\$180.00	\$0.00	
10822	9/25/19	Yes	10/22/19	1324	Restroom Cleaning	\$199.34	\$199.34	\$0.00	
Subtotal Absolute Pool Management, LLC						\$3,906.84	\$3,906.84	\$0.00	
Altitude Community Law P.C.									
79393	9/23/19	Yes	10/22/19	1325	Covenant Enforcement Legal Services	\$901.75	\$901.75	\$0.00	
Subtotal Altitude Community Law P.C.						\$901.75	\$901.75	\$0.00	
Avion at Denver Connection Townhomes									
Email	10/3/19	Yes	10/22/19	1326	HUB Utility-Electricity	\$840.40	\$377.02	\$463.38	Invoice provided for backup was only \$377.02
Subtotal Avion at Denver Connection Townhomes						\$840.40	\$377.02	\$463.38	
Brownstein Hyatt Farber Schreck									
772582	9/10/19	Yes	10/22/19	1327	Legal Services regarding MW Golden Contract	\$978.88	\$978.88	\$0.00	
Subtotal Brownstein Hyatt Farber Schreck						\$978.88	\$978.88	\$0.00	
Clifton Larson Allen, LLP									
14801	9/23/19	Yes	10/22/19	1328	Accounting Services	\$3,889.95	\$3,889.95	\$0.00	
Subtotal Clifton Larson Allen, LLP						\$3,889.95	\$3,889.95	\$0.00	
Denver Water									
5301610208	9/17/19	Yes	10/22/19	1329	Water 4746 N Jasper St	\$544.02	\$544.02	\$0.00	Hub
1798771346	9/17/19	Yes	10/22/19	1329	Water 15898 E Bolling Dr	\$2,168.81	\$2,168.81	\$0.00	Irrigation
Subtotal Denver Water						\$2,712.83	\$2,712.83	\$0.00	
Dodge Data & Analytics									
A40019533	9/12/19	Yes	10/22/19	1330	Legal Advertising	\$46.92	\$46.92	\$0.00	
A40019627	9/24/19	Yes	10/22/19	1330	Legal Advertising	\$59.16	\$59.16	\$0.00	
Subtotal Dodge Data & Analytics						\$106.08	\$106.08	\$0.00	
Flume DesignZ, LLC									
100916	10/7/19	Yes	10/22/19	1331	HUB Propane Service Call - Grills	\$250.00	\$250.00	\$0.00	
Subtotal Flume DesignZ, LLC						\$250.00	\$250.00	\$0.00	
IDES LLC									
DEN087.31	9/30/19	Yes	10/22/19	1332	District Engineer	\$8,450.68	\$8,450.68	\$0.00	
Subtotal IDES LLC						\$8,450.68	\$8,450.68	\$0.00	
McGeady Becher P.C.									
1324-0003C	8/31/19	Yes	10/22/19	1333	Legal Services	\$485.00	\$485.00	\$0.00	
1324-0004C	8/31/19	Yes	10/22/19	1333	Legal Services	\$5,698.22	\$5,698.22	\$0.00	
1324-0005C	8/31/19	Yes	10/22/19	1333	Legal Services	\$85.00	\$85.00	\$0.00	
1324-0019C	8/31/19	Yes	10/22/19	1333	Legal Services	\$215.00	\$215.00	\$0.00	
1324-0202C	8/31/19	Yes	10/22/19	1333	Legal Services	\$250.00	\$250.00	\$0.00	
1324-0301C	8/31/19	Yes	10/22/19	1333	Legal Services	\$1,910.00	\$1,910.00	\$0.00	
1324-0503C	8/31/19	Yes	10/22/19	1333	Legal Services	\$40.00	\$40.00	\$0.00	
1324-0513C	8/31/19	Yes	10/22/19	1333	Legal Services	\$960.00	\$960.00	\$0.00	
1324-0520C	8/31/19	Yes	10/22/19	1333	Legal Services	\$5,305.00	\$5,305.00	\$0.00	
1324-0521C	8/31/19	Yes	10/22/19	1333	Legal Services	\$80.00	\$80.00	\$0.00	
1324-0522C	8/31/19	Yes	10/22/19	1333	Legal Services	\$320.00	\$320.00	\$0.00	
1324-0601C	8/31/19	Yes	10/22/19	1333	Legal Services	\$4,293.29	\$4,293.29	\$0.00	
1324-0901C	8/31/19	Yes	10/22/19	1333	Legal Services	\$380.00	\$380.00	\$0.00	
1324-2102C	8/31/19	Yes	10/22/19	1333	Legal Services	\$160.00	\$160.00	\$0.00	

Attachment C

**Denver Connection West Metropolitan District
Engineer's Summary for Cost Certification 21**

Invoice ID	Invoice Date	Invoice Provided	Check Date	Check No.	Description	Invoked Amount	District Eligible Expenses	Non-Eligible Expenses	Notes
Subtotal McGeady Becher P.C.						\$20,181.51	\$20,181.51	\$0.00	
MGT Landscaping Inc.									
13649	9/18/19	Yes	10/22/19	1334	Landscape Maintenance	\$1,533.00	\$1,533.00	\$0.00	
Subtotal MGT Landscaping Inc.						\$1,533.00	\$1,533.00	\$0.00	
Norris Design, Inc.									
153107	8/31/19	Yes	10/22/19	1335	Landscape Design	\$3,204.00	\$3,204.00	\$0.00	
Subtotal Norris Design, Inc.						\$3,204.00	\$3,204.00	\$0.00	
Pet Scoop									
250172	9/30/19	Yes	10/22/19	1336	Dog Park Mainenance	\$764.00	\$764.00	\$0.00	
Subtotal Pet Scoop						\$764.00	\$764.00	\$0.00	
Special Distrc Management Services									
58825	9/30/19	Yes	10/22/19	1337	District Management	\$2,732.00	\$2,732.00	\$0.00	
58826	9/30/19	Yes	10/22/19	1337	District Management	\$390.00	\$390.00	\$0.00	
58827	9/30/19	Yes	10/22/19	1337	District Management	\$448.00	\$448.00	\$0.00	
58829	9/30/19	Yes	10/22/19	1337	District Management	\$72.00	\$72.00	\$0.00	
58831	9/30/19	Yes	10/22/19	1337	District Management	\$812.00	\$812.00	\$0.00	
58832	9/30/19	Yes	10/22/19	1337	District Management	\$54.00	\$54.00	\$0.00	
58837	9/30/19	Yes	10/22/19	1337	District Management	\$76.00	\$76.00	\$0.00	
58824	9/30/19	Yes	10/22/19	1337	District Management	\$434.72	\$434.72	\$0.00	
58835	9/30/19	Yes	10/22/19	1337	District Management	\$1,007.00	\$1,007.00	\$0.00	
58834	9/30/19	Yes	10/22/19	1337	District Management	\$412.50	\$412.50	\$0.00	
58833	9/30/19	Yes	10/22/19	1337	District Management	\$864.50	\$864.50	\$0.00	
58836	9/30/19	Yes	10/22/19	1337	District Management	\$4,008.00	\$4,008.00	\$0.00	
Subtotal Special District Management Services						\$11,310.72	\$11,310.72	\$0.00	
Specialized Cleaning Services									
11831	9/27/19	Yes	10/22/19	1338	Clubhouse/HUB Operations	\$1,575.00	\$1,575.00	\$0.00	
Subtotal Specialized Cleaning Services						\$1,575.00	\$1,575.00	\$0.00	
UMB Bank, N.A.									
681086	9/9/19	Yes	10/22/19	1339	Administrative Fees	\$2,000.00	\$2,000.00	\$0.00	
681088	9/9/19	Yes	10/22/19	1339	Administrative Fees	\$3,500.00	\$3,500.00	\$0.00	
Subtotal UMB Bank, N.A.						\$5,500.00	\$5,500.00	\$0.00	
YMCA of Metropolitan Denver									
9101953	9/10/19	Yes	10/22/19	1340	Hub Program Management	\$4,956.20	\$4,956.20	\$0.00	
Subtotal YMCA of Metropolitan Denver						\$4,956.20	\$4,956.20	\$0.00	
Subtotal Invoices Paid by the Denver Connection West Metropolitan District						\$71,061.84	\$70,598.46	\$463.38	
TOTAL						\$726,034.67	\$304,140.77	\$2,408.52	

Summary of Infrastructure Acquisitions

IA No.	Invoked Amount	District Eligible Expenses	Non-Eligible Expenses	Notes
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Attachment C

Denver Connection West Metropolitan District
Engineer's Summary for Cost Certification 21

Invoice ID	Invoice Date	Invoice Provided	Check Date	Check No.	Description	Invoiced Amount	District Eligible Expenses	Non-Eligible Expenses	Notes
Invoices Paid by William Lyon Homes									
Cost Certification #1						\$2,425,678.59	\$2,238,416.10	\$187,262.49	
Cost Certification #2						\$6,765,241.72	\$5,135,399.18	\$1,629,842.54	
Cost Certification #3						\$1,969,137.63	\$1,453,582.43	\$515,555.20	
Cost Certification #4						\$1,387,710.08	\$1,018,498.02	\$369,212.06	
Cost Certification #5						\$1,634,650.16	\$1,529,019.85	\$105,630.31	
Cost Certification #6						\$2,421,444.07	\$1,891,252.48	\$530,191.59	
Cost Certification #7						\$1,138,336.65	\$939,036.41	\$199,300.24	
Cost Certification #8						\$956,478.26	\$809,628.31	\$146,849.95	
Cost Certification #9						\$822,652.66	\$662,283.45	\$160,369.21	
Cost Certification #10						\$117,022.40	\$110,761.05	\$6,261.35	
Cost Certification #11						\$865,993.45	\$639,021.44	\$226,972.01	
Cost Certification #12						\$1,727,849.30	\$1,617,123.47	\$109,946.43	
Cost Certification #13						\$176,615.72	\$118,677.19	\$57,938.53	
Cost Certification #14						\$645,798.72	\$629,015.12	\$16,378.80	
Cost Certification #15						\$62,033.86	\$38,403.86	\$23,630.00	
Cost Certification #16						\$33,790.59	\$16,111.52	\$17,679.07	
Cost Certification #17						\$120,106.23	\$85,788.22	\$34,318.01	
Cost Certification #18						\$500,500.42	\$467,550.60	\$32,949.82	
Cost Certification #19						\$260,418.72	\$257,015.92	\$3,402.80	
Cost Certification #20						\$379,833.19	\$337,372.86	\$42,342.21	
Cost Certification #21						\$654,972.83	\$233,542.31	\$1,945.14	
Subtotal Invoices Paid by William Lyon Homes						\$25,066,265.25	\$20,227,499.80	\$4,417,977.75	
Invoices Paid by the Denver Connection West Metropolitan District									
Cost Certification #7						\$272,414.28	\$272,413.73	\$0.55	
Cost Certification #8						\$523,087.93	\$516,600.15	\$6,487.78	
Cost Certification #9						\$2,611,690.14	\$2,606,201.38	\$5,488.76	
Cost Certification #10						\$984,658.47	\$983,753.38	\$905.09	
Cost Certification #11						\$442,921.54	\$441,985.67	\$935.87	
Cost Certification #12						\$543,596.34	\$542,523.65	\$1,072.69	
Cost Certification #13						\$415,724.80	\$413,842.22	\$1,882.58	
Cost Certification #14						\$340,921.49	\$336,849.07	\$4,072.42	
Cost Certification #15						\$246,775.22	\$242,451.32	\$4,323.90	
Cost Certification #16						\$124,123.61	\$122,692.58	\$1,431.03	
Cost Certification #17						\$201,846.38	\$201,846.38	\$0.00	
Cost Certification #18						\$428,057.83	\$427,668.60	\$389.23	
Cost Certification #19						\$133,041.90	\$132,564.87	\$477.03	
Cost Certification #20						\$224.00	\$224.00	\$0.00	
Cost Certification #21						\$71,061.84	\$70,598.46	\$463.38	
Subtotal Invoices Paid by the Denver Connection West Metropolitan District						\$7,340,145.77	\$7,312,215.46	\$27,930.31	
TOTAL						\$32,406,411.02	\$27,539,715.26	\$4,445,908.06	

DENVER CONNECTION WEST METROPOLITAN DISTRICT

**AMENDED AND RESTATED
DISTRICT FACILITIES RULES AND REGULATIONS**

The Board of Directors of the Denver Connection West Metropolitan District hereby declares that the following District Facilities Rules and Regulations ("**Rules and Regulations**") have been prepared and adopted to provide for the administration and operation of the facilities of the District included but not limited to the HUB at Denver Connection, the swimming pool and spa, parks and open space (the "**District Facilities**"). Rates and fees contained in the Rules and Regulations shall be effective as of the date of adoption.

The Board of Directors hereby expressly reserve the right to make any lawful addition and/or revisions in these Rules and Regulations when and as they may become advisable to properly manage the District and to promote the peace, health, safety and welfare of the people residing in the District. These Rules and Regulations are supplementary to, and are not to be construed as, any abridgement of any lawful rights of the Board as outlined in the Colorado Revised Statutes governing Special Districts.

Adopted this _____ day of _____, 2019.

**DENVER CONNECTION WEST
METROPOLITAN DISTRICT**

By: _____
President

Attest:

Secretary

**DENVER CONNECTION WEST METROPOLITAN DISTRICT
DISTRICT FACILITIES RULES AND REGULATIONS**

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DENVER CONNECTION WEST METROPOLITAN DISTRICT

RULES AND REGULATIONS INTRODUCTION

These Rules and Regulations have been adopted by the Board of Directors (“**Board**”) of Denver Connection West Metropolitan District (the “**District**”) in order to set forth standards for the use and operation of the District Facilities. The District shall retain the power to amend these Rules and Regulations as it deems appropriate. Any such amendments shall be by resolution adopted at a regular or special meeting of the Board and periodically incorporated in printed copies of these Rules and Regulations. Prior notice of these amendments shall not be required to be provided by the District exercising its amendment powers.

ARTICLE I. HUB RULES AND REGULATIONS

The HUB is available to all owners of real property, and residents, within the District boundaries (“**District Members**”) and non-property owners/non-residents of the District (“**Non-District Members**”), individually each a “**Member**” and collectively, the “**Members**”) for private social functions as provided for in these Rules and Regulations. The Applicant for the reservation will be responsible for any damage to the premises occurring during their use of the HUB, including, but not limited to, damage to the interior or exterior of the facility, furniture and/or fixtures. Non-District Members may reserve the HUB with the purchase of an annual membership as outlined in Exhibit A. Membership fee payment, damage and cleaning deposit and facility inspection fee must be made prior to reserving the HUB.

The HUB and its daily operations, such as rentals and key card distribution, are managed by:

Denver Connection West MD
Giovanni Forrest, Program Director
303-736-2482
gforrest@denverymca.org
c/o YMCA @ the HUB
4746 Jasper Street
Denver, CO 80239

A. RESERVING THE HUB BY DISTRICT MEMBERS

1. An application for a reservation can be requested by a Member by contacting Giovanni Forrest at The HUB at 303-736-2482 or gforrest@denverymca.org. Applications for a reservation, in the form of a “**HUB Reservation Agreement**”, are accepted for no more than three (3) months in advance of a request. Damage and cleaning deposit in the amount of \$300.00 is required for every event and an inspection fee of \$25 are required. See Fee Schedule for additional fees that may apply. The deposit and inspection fee must be paid via credit card or electronic funds

2. A HUB Reservation Agreement must be completed, signed and returned to confirm the time of the reservation.

3. A pin number for access to The HUB will be provided once the reservation is confirmed.

4. Damage and cleaning deposit will be refunded the HUB has been inspected by an authorized representative of the District (a “**District Representative**”) and the facility is deemed acceptable. The HUB facility is expected to be returned in the same condition as it was prior to the event held.

B. RESERVING THE HUB BY NON-DISTRICT MEMBERS

1. Non-District Members are required to purchase an annual membership in the amount of \$2,550.00 per year per household.

2. A HUB Reservation Agreement must be completed, signed and returned at the time of the reservation. Damage and cleaning deposit, membership fee, and facility inspection fee must also be paid at this time.

3. Three (3) payments must be prepared for the reservation of the HUB, one for the annual membership in the amount of \$2,550.00, another for the damage and cleaning deposit in the amount of \$300, and a third in the amount of \$25 for the facility inspection fee. Fees must be paid via credit card. A fourth payment would be required for the Tenant Users Liability Policy if alcohol will be served.

4. The key card to the HUB will be available for pick-up by the Non-District Member the day before the event. Key cards must be returned on the next business day after the event. A \$25/day fee will be charged in the event the key is not returned as stated above.

5. The HUB facility is expected to be returned in the same condition as it was prior to when the event is held. The damage and cleaning deposit will be returned by mail after the inspection and the key has been returned.

C. PROCEDURES DURING THE EVENT

1. Events shall not begin before 8:00 a.m. and shall terminate no later than 9:00 p.m.

2. The Member reserving the HUB must be in attendance at all times during the event. The Member is responsible for the conduct of all guests.

3. If alcohol will be provided at an event, the Member is required to provide a Certificate of Insurance for Host Liquor Liability Insurance. If unable to obtain, the Member shall contact Giovanni Forrest at The HUB at 303-736-2482 or gforrest@denverymca.org.

4. All vehicles must be properly parked surrounding the HUB and not take resident parking spaces within the community. Improperly parked vehicles may be towed at the owner's expense.

5. The swimming pool, swimming pool deck area and spa cannot be reserved as part of the HUB function. Swimming suits or wet clothing are not allowed at any time in the HUB.

6. Under no circumstances shall alcoholic beverages be sold at events.

7. No food is allowed on the sofas or soft seating to prevent damage to the fabric.

8. Trash bags are provided, and all trash is to be removed from the HUB and placed in the outside trash receptacle.

9. No pets, with the exception of Service Animals, are permitted in the HUB.

10. No smoking, vaping, chewing tobacco, drugs (legal or illegal), or cannabis is permitted within the HUB.

11. Doors and windows are to be kept closed when the heat or air conditioning is in use.

12. No helium balloons are permitted in The HUB.

13. No confetti is permitted in The HUB or in the deck area.

14. No writing or decorations are permitted on the windows. Only removable tape (i.e. masking, painters or "Scotch" tape) may be used to attach decorations to the walls. "Duct" tape or other type of sticky tape that might damage the finish of the walls, etc. is prohibited.

D. PROCEDURES FOLLOWING THE EVENT

1. Cleaning the HUB is the responsibility of the Member and shall be completed no later than the date and time indicated in the HUB Reservation Agreement. The District Representative will inspect the premises after the event. The damage and cleaning deposit, less any costs for cleaning and/or repairs will be returned within seven (7) business days after the inspection is completed and the key returned. A fee of \$40/hour will be charged for any cleaning and/or trash removal.

2. The Member reserving the HUB is responsible for payment or replacement cost for all items damaged or lost as a result of, or occasioned by the Member's use of the property.

3. It is the responsibility of the Board of Directors to ensure the repair or replacement of all Clubhouse property damaged during a private or community event as soon as possible.

E. GENERAL RULES

1. The District may sponsor community events and /or programing. In the event damage occurs at a community sponsored event, the person or persons causing the damage will be held responsible for the repairs.

2. An individual may be denied use of one or more District Facilities for the following reasons:

(a) History of negligence concerning District Facilities rules, regulations, policies, or procedures.

(b) More than 2 quarters delinquent in Operations and Maintenance Fees.

(c) Resident of any lot that has received a third offense or more in the covenant enforcement process.

(d) Other reasons deemed substantial by the Board of Directors.

3. The District Manager of the Denver Connection West Metropolitan District is to be provided with a schedule of events occurring in the HUB each month.

4. HUB programming will take priority over Member requested reservations.

5. Only one reservation per day will be considered.

6. Maximum occupancy inside the HUB is 90 persons.

7. Surveillance cameras are in use at all times.

8. No one under the age of 21 is allowed to use the HUB unless supervised by a resident, property owner or Member over the age of 21.

9. Waivers of liability are required for all Members using the HUB facility.

10. One key card will be issued per household/membership.

11. The HUB will not be available for reservations on the following holidays:

New Year's Day	January 1
Martin L. King Jr.'s Birthday	3rd Monday in January
Presidents Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veterans Day	November 11
Thanksgiving Day	4th Thursday in November

Christmas Day

December 25

12. Sales, solicitations, distribution and posting of materials are prohibited within the District Facilities and other District property. The District may designate certain areas outside the District Facilities and in other areas of the District Facilities for sales, solicitations and distribution of materials. Activities may be further restricted to specific times and dates as determined by the District. Users may not use the District Facilities (including the HUB) for commercial or business purposes including, but not limited to, sales of goods or services, personal training sessions, athletic lessons, advertising, or promotions.

ARTICLE II. SWIMMING POOL/SPA RULES AND REGULATIONS

A. GENERAL INFORMATION

The District welcomes Members and guests to the swimming pool/spa (the “Pool”). These Rules and Regulations will provide for a more enjoyable experience while visiting the Pool.

Membership Eligibility: All District Members, and Non-District Members who have paid a fee for membership as set forth in these Rules and Regulations are Members.

1. Membership Keys.

(a) The Pool facilities main gate will be locked at all times. One gate key will be issued per membership by a District Representative. The gate key must not be duplicated. In the event a gate key is lost, there is a \$50 charge for a replacement key. Subsequent losses will result in a \$50 charge for each replacement key.

(b) Membership keys must be returned when property is sold. A Member who sells their property and is under contract for another property within the District may be eligible to retain membership during this period. Contact the YMCA Program Director for further details.

(c) Membership keys issued to Non-District Members are good for the period of one year and must be renewed on an annual basis or returned.

2. Children at the Pool: **THERE IS NO LIFEGUARD AT THE POOL/SPA.** Members are reminded that parents are responsible for the *behavior and safety* of their children. Children (12 years of age and younger) must be supervised at all times by a guardian who is at least 16 years or older. Neither the District, the YMCA Program Director nor staff assumes or accepts responsibility for supervision of children.

3. Guests at the Pool/Spa must be accompanied by a Member in good standing. Members are responsible for their guest's actions, including but not limited to, any damage to the Pool. In general, each Member is limited to no more than four (4) guests per day. All guests must be accompanied by their Member host at all times when using the pool. Organized parties with large numbers of guests, whether Members or Non-Members, are not

permitted to ensure the enjoyment of other members. This includes but is not limited to large gatherings are the pool, spa and/or grill area.

4. Limitations on Use: The Pool may not be used to conduct any activity, program or other event for profit by any Members, business or other person.

B. GENERAL OPERATION RULES AND PROCEDURES

1. The District has contracted with SDMS, Inc. (“**Management Company**”) for the administration and operation oversight of the Pool/Spa. Any inquiries pertaining to the operation and/or management of the Pool/Spa should be directed to:

Denver Connection West MD
C/O SDMS
141 Union Blvd, Ste 150
Lakewood, CO 80228
Phone: pripko@sdmsi.com
Email: 303-987-0835

2. The Pool/Spa will be open from 8:00 a.m. to 9:00 p.m. daily. Entering the Pool facilities during closed hours will subject the Member to a warning or suspension of Pool privileges. Entering the pool before or after hours without District approval is considered trespassing.

3. The Pool/Spa will open Memorial Day weekend and close on Labor Day. Opening and closing dates may vary each year, depending on weather.

4. No animals will be allowed with exception of trained service dogs in the Pool/Spa fenced area.

5. The District is not responsible for lost or stolen articles.

6. The District is not responsible for any accident occurring on property owned and operated by the District.

C. POOL RULES

The following are rules and regulations for specific areas of the Pool. Additional rules and regulations may also be posted in specific areas. The District has implemented these rules and will in all cases seek Pool user cooperation in abiding by these rules to ensure the safety of all Pool users. It is impossible to list every rule and standard, so it must be understood that a District Representative is empowered to make decisions, make judgment calls and enforce rules in an effort to prevent accidents.

1. A District Representative shall have jurisdiction over rule enforcement based on potential and preventable hazards and accidents. Appeals of any such enforcement may be made to the Board of Directors.

2. No running is allowed within the fenced pool area or other wet/slippery areas.

3. Food and drinks, with the exception of alcohol, will be allowed on the pool deck area. Glass bottles and containers are not allowed in any area at the Pool. Alcohol is not permitted in the Pool, Spa or on the Pool deck.

4. Proper swimming attire must be worn by all swimmers. No cut off pants are allowed. All children under 3 years must wear approved swim diapers in the pool.

5. No spitting while in the Pool, Spa, or on the Pool deck.

6. No flips, twists, cannonballs, can openers, back dives, back jumps or any other unsafe entry into the water will be allowed from the side of the Pool.

7. Diving into the Pool is prohibited at all times.

8. Showers are recommended before entering the Pool in accordance with Colorado State law.

9. Inflatable beach balls, flotation devices and other items designed for community swimming pools are allowed. Swimming pool play items should not interfere with the use or enjoyment of the Pool by others.

10. Smoking is not allowed within the Pool fenced area.

11. Children (under 12) must be supervised at all times by a guardian over the age of 16.

12. Members are not to attempt to reserve chairs or tables by leaving personal items on the chairs unless they expect to return promptly. Tables or chairs reserved for more than 30 minutes without being used can be used by another patron.

13. During inclement weather, use reasonable caution. If lightning is apparent, please vacate the pool immediately.

14. All pool cards will be deactivated at the end of each pool season.

D. SPA RULES

1. No children under the age of 12 are permitted in the Spa unless accompanied by a guardian over the age of 16.

2. Proper swimming attire must be worn by all swimmers. No cut off pants are allowed. All children under 3 years must wear approved swim diapers.

3. Shower before using the Spa.

4. No alcohol, beverages, or food are permitted in the Spa.

5. No smoking in the Spa.

SAFETY ADVISORY: Members and guests with heart disease, diabetes, high or low blood pressure or any serious illness, and pregnant women should not enter the Spa without prior consultation with their physician. People with skin, ear, genital or other body infections, open sores or wounds, should not use the Spa due to the possibility of spreading infection. Do not allow the Spa's water temperature to exceed 104 degrees Fahrenheit (40 degrees Celsius). Do not soak for more than 15 minutes at one sitting in 104-degree Fahrenheit (40 degree Celsius) water. Do not use the Spa alone or while consuming alcoholic beverages or during/after using over-the-counter or prescribed medications that may cause sleepiness, drowsiness, or raise or lower blood pressure. Do not use the Spa while under the influence of medication or immediately after consuming a heavy meal. Illegal drug use is strictly prohibited. Enter the Spa slowly and cautiously.

E. KIDDIE POOL RULES

1. No children over the age of five (5) are permitted in the Kiddie Pool.
2. Proper swimming attire must be worn by all swimmers. All children under three (3) years of age must wear approved swim diapers.

F. POOL CODE OF CONDUCT

Disorderly conduct will result in immediate disciplinary action. Such discipline may include a minimum of one (1) month's suspension at the Board's discretion. If a District Representative deems it necessary to involve law enforcement authorities, a minimum suspension of 30 days from the Pool will be mandatory. Disorderly conduct may include, but is not limited to the following:

1. Threatening, profane, indecent, coercive or disrespectful actions, gestures, words or language to District Representatives, fellow Members, or guests;
2. Fighting (verbal or physical), scuffling or horseplay within the Pool or on District property;
3. Running or speed walking
4. Climbing on wall separating the main pool from the kiddie pool
5. Loud music
6. Climbing over the fence surrounding the facility
7. Possession or consumption of alcoholic beverages while utilizing the Spa;
8. No smoking, vaping, chewing tobacco, drugs (legal or illegal), or cannabis is permitted within the HUB.

9. Unacceptable loitering within the Pool or on District property or any District Facilities deemed to be destructive or offensive;

10. Dress code violations posted for the Pool facilities;

11. Failing to obey any directive given by a District Representative in accordance with these Rules and Regulations;

12. Theft or attempt to remove equipment or items belonging to the District, its Members or guests;

13. Damage or vandalism to Pool equipment or facilities;

14. Failure to obey posted safety rules;

15. Committing illegal or criminal acts in violation of state, local, or federal laws or regulations;

16. Actions or activities that are not respectful of the well-being of other persons and/or property.

ARTICLE III. PARKS AND OPEN SPACE

RESERVED: Rules and Regulations governing the use of the Parks and Open Space are in the process of being prepared.

ARTICLE IV. CODE OF CONDUCT

Disorderly conduct as determined by the Board of Directors will result in immediate disciplinary action. Such discipline may include a minimum of one (1) month's suspension of use of the District Facilities at the Board's discretion. If a District Representative deems it necessary to involve law enforcement authorities, a minimum suspension of thirty (30) days from the HUB and/or Swimming Pool Facilities may be issued after consideration of the circumstances surrounding the incident in question by the District Board. Disorderly conduct may include, but is not limited to the following:

1. Threatening, profane, indecent, coercive or disrespectful actions, gestures, words or language to District representatives, fellow Members or guests;

2. Fighting (verbal or physical), scuffling or horseplay within any Facility or on District property;

3. Possession or use of Legal or Illegal drugs and use of cannabis within any District Facility or on District property;

4. Smoking or vaping within the HUB or Pool fenced area;

5. Unacceptable loitering within the HUB or on District property or any District facilities deemed to be destructive or offensive;

6. Dress code violations;
7. Failing to obey any directive given by a Board Member/District Manager or District Representative in accordance with these Rules and Regulations;
8. Theft or attempt to remove equipment or items belonging to the District, its members or guests;
9. Damage or vandalism to HUB or Pool equipment or facilities;
10. Failure to obey posted safety rules;
11. Committing illegal or criminal acts in violation of state, local, or federal laws or regulations;
12. Actions or activities that in the discretion of the District Board of Directors are not respectful of the well-being of other persons and/or property.

Costs to repair damage resulting from the actions of a Member or a guest will be charged to the Member. This includes, but is not limited to, damage to the physical property at The HUB or any fees incurred by the District to ensure the safety of all Members.

EXHIBIT A
DENVER CONNECTION WEST METROPOLITAN DISTRICT
SCHEDULE OF FEES

Fees shall be assessed for District Members as follows:

\$300 per event – Damage and Cleaning Deposit for the HUB

\$25 per event – Non-refundable Facility Inspection Fee*

\$100 per event – Tenant Usage Liability Insurance Policy (TULIP) Fee. Contact District Representative for additional information.*

\$50 per key card for replacement of lost/stolen or damaged key card

Fees shall be assessed for Non-District Members as follows:

\$2,550.00 per year - Household membership*

\$300 per event – Damage and Cleaning Deposit for the HUB

\$25 per event – Non-refundable Facility Inspection fee*

\$100 per event – Tenant Usage Liability Insurance Policy (TULIP) Fee. Contact District Representative for additional information.*

\$50 per key card for replacement of lost/stolen or damaged key card

* To be paid in certified funds or credit card

EXHIBIT B

DENVER CONNECTION WEST METROPOLITAN DISTRICT

HUB USE OR RENTAL AGREEMENT

This HUB Use or Rental Agreement (the “**Agreement**”) is made and entered into by and between the Denver Connection West Metropolitan District (the “**District**”) and the Member named below for use of the HUB Facility. The use or rental of the HUB Facility shall be for the type of function indicated below and shall be in accordance with the provisions of this Agreement and the “**District Facilities Rules and Regulations**” adopted by the Board of Directors of the District and attached hereto and incorporated herein by this reference:

Member’s Name: _____ (the “**Member**”)

Address: _____

City: _____ State: _____ Zip: _____

Phone :(H) _____ (W) _____

Date of Function: _____ Is this a commercial function? _____

Hours of Function _____ (include set up and cleanup) HUB must be vacated by 9:00 PM.

Date & Time for Return of key _____ (no later than 24 hours or next business day after function)

Number of Guests _____

Will food be served? _____ Will alcohol be served? _____

Alcoholic Beverages are not to be sold on the premises at any time.

Will Kitchen be used? _____ Will there be music? _____

The \$300 Damage and Cleaning Deposit may be refunded after an inspection is completed and return of key card following the function and the HUB is found to have been left in an acceptable condition. The fee for the facility inspection is \$25 per event. The fee for Tenant Users Liability Insurance Protection (“**TULIP**”) is \$100 per event. The Member is responsible for the payment of actual repair or replacement costs for all HUB property damaged or lost as a result of or occasioned by the Member’s use of the HUB and HUB property.

For Non-District Members, the annual membership fee of \$2,550.00 (or proof of prior payment), a \$300 damage and cleaning Deposit, a \$25 facility inspection fee and a \$100 Tenant Users Liability Insurance Protection (“**TULIP**”) fee per event must accompany this Agreement. The damage and cleaning Deposit may be refunded after an inspection is completed (and return of key card) following the function and the HUB is found to have been left in an acceptable condition. The Non-District Member is responsible for the payment of actual repair or replacement costs for all HUB property damaged or lost as a result of or occasioned by the Non-District Member’s use of the HUB and HUB property.

The Member making the reservation must be in attendance for the ENTIRE duration of the function.

Vehicles of event participants must be properly parked in parking spaces surrounding the HUB. Those vehicles not properly parked in parking spaces surrounding the HUB may be subject to tow.

The swimming pool, swimming pool deck area and spa cannot be reserved as part of the HUB function. Swimming attire is not allowed at any time in the HUB.

Solicitation Policy. Sales, solicitations, distribution and posting of materials other than in areas designated by the District, if any, are prohibited within the HUB. Activities may be further restricted to specific times and dates as determined by the District. Users may not use the HUB for commercial or business purposes including, but not limited to, sales of goods or services, personal training sessions, athletic lessons, advertising, or promotions.

Non-Waiver. No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other provision of this Agreement, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed to be a waiver of any subsequent default hereunder. Notwithstanding any provision to the contrary in this Agreement, no term or condition of this Agreement shall be construed or interpreted as a waiver, either expressed or implied, of any of the immunities, rights, benefits or protection provided to the District under the Colorado Governmental Immunity Act.

I understand and agree to abide by the terms of this Agreement and the “**District Facilities Rules and Regulations.**” I understand that I am responsible for any loss or damage of the HUB facility or surrounding areas which may occur as a result of this function and agree to hold the Denver Connection West Metropolitan District harmless from any and all liability or damage resulting from the actions of myself, my family, or any attendees at the function. I acknowledge that I have read this Agreement and the “**District Facilities Rules and Regulations,**” which are incorporated herein by this reference.

This AGREEMENT entered into on (date) _____

Signature of Member _____ Date _____

Accepted by: _____

Amount collected: _____

EXHIBIT C

DENVER CONNECTION WEST METROPOLITAN DISTRICT HUB

USE INSTRUCTIONS

This information is being provided to acquaint you with the Denver Connection West Metropolitan District HUB and assist you with your use of the space.

1. The front door is to remain locked during all events. Upon leaving the HUB, the door will be locked once reservation time expires. Check that the door will not open – note that even when locked the handle will turn.

2. There are three (3) thermostats in the HUB. They are to be set at 74 degrees for Cool and 68 degrees for Heat when the room is not being occupied. Be sure they are returned to these settings when event is completed. Keep all doors closed when cooling or heating the HUB.

3. Lights and fans are operated in the following manner:

(a) Upon entering The HUB there is a one (1) light switch to the right of the front door.

(b) The fan is controlled by a switch behind the left door.

(c) The kitchen lights are controlled by the two switches to the left of the door.

(d) When leaving The HUB, the kitchen lights must be turned off as they were turned on (See above). The rest of the lights and fans will shut off manually by the switch. The fireplace needs to be turned off separately.

4. The switch operating the fireplace is located to the left of the Fireplace and is merely an ON/ OFF switch by the bookshelf.

5. The lights in the Men's & Women's restrooms work automatically by turning on when one enters and, after one leaves, they will automatically shut off after a time delay.

At the end of your event, please follow these instructions:

1. All trash must be removed at the end of your event.

2. There will be a limited amount of cleaning supplies and a vacuum for use located in the maintenance closet. All other supplies will be provided by the person that reserved the facility.

3. The kitchen area is to be left clean – sink, counter tops and microwave wiped down. Run disposal to clear any residue.

4. Refrigerator and freezer are to be completely empty and wiped down inside.
5. Sweep floor and vacuum carpet as needed. Clean up any spills on carpet or tile. – Vacuum, broom, dust pan and bucket will be located in maintenance closet.
6. Return all furniture to positions indicated on attached floor plan. See attached The HUB layout plan.
7. Please leave The HUB in excellent condition for the next user.
8. Upon leaving The HUB, the door must be locked, and security system set by pushing “pound (#) and the number “2”).
9. Check that the door will not open – even when locked the handle will turn.



Special District Management Services, Inc.

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Lakewood, CO 80228-1898
303-987-0835 • Fax: 303-987-2032
www.sdmsi.com

MEMORANDUM

To: Denver Connection West Board of Directors

From: Peggy Ripko
Community Manager
Special District Management Services, Inc.

Date: December 10, 2019

Subject: Community Management Report

Below is a brief overview of community management tasks completed by SDMS at the direction of the Board of Directors or its representative(s) during the month of October & November, 2019.

1. The HUB & Pool
 - a. Respond to issues at HUB, including:
 - i. Winterization
 - ii. Water leak
 - b. Discussions regarding pool winterization and extended seasons
 - c. E-mail correspondence regarding warranty items and punch list items
 - d. Fill out monthly TULIP report and submit
 - e. Review daily activity reports from security company
2. Rules and regulations/Enforcement
 - a. Regular inspections, including required follow up
 - b. Follow up on enforcement resolutions update
 - c. Process incoming architectural forms and forward for review. Follow up as needed.
3. Website
 - a. Update as needed
4. Update Operation & Maintenance budget and forward for review.
5. General Communication
 - a. E-mails and phone calls from owners as needed.
 - b. Weekly e-mail blasts

DCWMD

Address	Decision	Improvement	Sent for Review Date	Crucial Date
15624 E. 47th Drive	Awaiting Decision	Landscaping	10/21/2019	12/5/2019
15833 E. Warner Drive	Awaiting Decision	Fencing	10/28/2019	12/13/2019
15674 East 47th Drive	Awaiting Decision	Front Security Door	10/31/2019	12/15/2019
4771 Kittredge Street	Awaiting Decision	Landscaping	11/11/2019	12/26/2019
4715 N. Helena Street	Awaiting Decision	Patio, Deck, Landscaping, Fencing	11/4/2019	12/20/2019
16021 E. 47th Place	Awaiting Decision	Storm Door Install	11/4/2019	12/20/2019
16102 E. 47th Place	Awaiting Decision	Handrail Install	12/9/2019	1/24/2020

DCWMD October Violations

Violation	Friendly Date	First Offense Letter	Second Offense	Fine Letter Sent (3rd	Notes
Trash Can	10/24/2019				
Trash Can	Note				New Homeowner
Toys, Random items on side of house	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can, Parking on Landscaping	10/24/2019				
Trash Can	10/24/2019				
Cut down weeds in back	10/3/2019	10/24/2019			
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	Note				New Homeowner
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Trash Can	10/24/2019				
Unapproved landscaping	11/1/2019				

**Denver Connection West
Social Committee Event Report**

Event: Trunk r Treat

Date of Event: 10-26-2019

Attendance: 50

Expenditures:

Item:	Cost
Candy	796.92
TOTAL:	\$796.92

Suggestions for Future Events: