

**ATEC METROPOLITAN DISTRICT NO. 2  
("DISTRICT")**

8390 East Crescent Parkway, Suite 300

Greenwood Village, CO 80111

Phone: 303-779-5710

<https://theaurorahighlands.specialdistrict.net/>

**NOTICE OF A SPECIAL MEETING AND AGENDA**

**DATE:** September 21, 2022

**TIME:** 2:00 p.m.

**LOCATION:** Construction Trailer (formerly Information Center)  
3900 E. 470 Beltway  
Aurora, CO 80019

THIS MEETING WILL ALSO BE ACCESSIBLE BY VIDEO ENABLED WEB CONFERENCE. IF YOU WOULD LIKE TO ATTEND THIS MEETING, PLEASE JOIN THE VIDEO ENABLED WEB CONFERENCE VIA ZOOM AT:

Join Zoom Meeting

<https://us02web.zoom.us/j/83201579755?pwd=N0wxaHZzSkVzWFNtaG1qWVpWcHhCdz09>

**ACCESS:**

Meeting ID: 832 0157 9755

Passcode: 314241

One tap mobile

1-719-359-4580,\*314241

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Matt Hopper	President	May, 2025
Carla Ferreira	Vice President	May, 2025
Michael Sheldon	Treasurer	May, 2025
Deanna Hopper	Assistant Secretary	May, 2023
Kathleen Sheldon	Assistant Secretary	May, 2023
Denise Denslow	Secretary	N/A

**I. ADMINISTRATIVE MATTERS**

- A. Present disclosures of potential conflicts of interest and confirm quorum.
- B. Confirm quorum, location of meeting and posting of meeting notices. Approve Agenda.
- C. Public Comment. Matters not specifically included on the Agenda may be addressed. As a courtesy to others, comments shall be limited to three minutes per person.

**II. CONSENT AGENDA**

Consent Agenda – These items are considered to be routine and will be ratified by one motion. There will be no separate discussion of these items unless a board member so requests; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda.

- Review and consider approval of November 4, 2021 regular meeting minutes (enclosure).

**III. FINANCIAL MATTERS**

- A. None.

**IV. LEGAL MATTERS**

- A. Conduct Public Hearing to consider the inclusion of approximately 39.967 acres of real property owned by NE Denver/Highlands, LLC into the District boundaries and consider adoption of Resolution No. 2022-09-01; Resolution for Inclusion of Real Property (enclosures: Petition and Resolution).

**V. MANAGER MATTERS**

- A. None.

**VI. OTHER BUSINESS**

- A. None.

**VII. ADJOURNMENT**

**The next regular meeting is scheduled for November 3, 2022.**

**MINUTES OF A SPECIAL MEETING OF  
THE BOARDS OF DIRECTORS OF THE  
THE ATEC METROPOLITAN DISTRICT NOS. 1 & 2  
HELD  
NOVEMBER 4, 2021**

Special meetings of the Boards of Directors of the ATEC Metropolitan District Nos. 1 & 2, County of Adams (referred to hereafter as the “Boards”) were convened on Thursday, November 4, 2021 at 3:03 p.m. at the Information Center, 3900 E. 470 Beltway, Aurora, Colorado. The District Board meetings were also held and properly noticed to be held via video enabled web conference. The meetings were open to the public via videoconference.

**Directors In Attendance Were:**

Matt Hopper  
Carla Ferreira  
Michael Sheldon  
Deanna Hopper

The absence of Director Kathleen Sheldon was excused.

**Also In Attendance Was:**

MaryAnn McGeady, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.  
Debra Sedgeley, Zach Leavitt, Denise Denslow, Celeste Terrell, Kathy Suazo and  
Gina Karapetyan; CliftonLarsonAllen LLP (“CLA”)  
Matthew Ruhland, Esq.; Collins Cockrel & Cole P.C.  
Cindy Shearon; Aurora Highlands, LLC

**ADMINISTRATIVE MATTERS** **Disclosure of Potential Conflicts of Interest/Quorum:** Attorney McGeady discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Boards of Directors to the Secretary of State. The members of the Boards were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Boards members prior to this meeting in accordance with statute. It was noted that the disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors as required by statute. No new conflicts were disclosed and a quorum was confirmed.

**Meeting Location/Posting of Notice:** The Boards entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the Board meetings. Following discussion, upon motion duly made by Director M. Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Boards determined to conduct these meetings at the above-stated location, with Directors M. Hopper, Ferreira and M. Sheldon attending in person. The remaining Board members and various consultants attended via videoconference. The Boards further noted that notice providing the time, date and video link information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by any interested person have been received.

**Agenda:** The Boards considered the proposed Agenda for the Districts' special meetings. Upon a motion duly made by Director M. Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Boards approved the agenda as presented.

**Resolutions Establishing Regular Meeting Dates, Times and Location, and Designating Location for Posting 24-Hour Notices:** The Boards discussed business to be conducted, location of meetings and regular meeting dates for 2022. A regular meeting was scheduled on November 3, 2022 at 3:00 p.m. at the Information Center, 3900 E. 470 Beltway, Aurora, Colorado and/or via video / telephonic means. Following review, upon a motion duly made by Director M. Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Boards adopted the Resolutions Establishing Regular Meeting Dates, Time, and Location, and Designating Posting Location for 24-Hour Notices, as presented.

**Public Comment:** There was no public comment.

## **CONSENT AGENDA**

**September 20, 2021 Special Meetings of ATEC Metropolitan District No. 1 (“District No. 1”), ATEC Metropolitan District No. 2 (“District No. 2”), and together with District No. 1, the “Districts”;**

**Districts’ Insurance and Special District Association (“SDA”) Membership in 2022;** and

**Section 32-1-809, C.R.S. Reporting Requirements (Transparency Notice) and Mode of Eligible Elector Notification (post on SDA website).**

Following discussion, upon a motion duly made by Director M. Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Boards approved the Consent Agenda items and authorized District staff to take necessary actions in connection therewith.

## **FINANCIAL MATTERS**

**Public Hearings on Amendment to 2021 Budgets:** The Boards opened the public hearings to consider amendments to the Districts' 2021 Budgets.

It was noted that publication of Notice stating that the Boards would consider amendment of the Districts' 2021 Budgets and the date, time and place of the public hearing was made in a newspaper having general circulation within the Districts. No written objections were received prior to the public hearings.

No public comments were received, and the public hearings were closed.

Ms. Sedgeley noted that amendments to the Districts' 2022 Budgets were not needed.

**Public Hearing on 2022 Budgets:** The Boards opened the public hearings to consider the Districts' proposed 2022 Budgets and to discuss related issues.

It was noted that Notice stating that the Boards would consider adoption of the Districts' 2022 budgets and the date, time and place of the public hearings was published pursuant to statute. No written objections were received prior to the public hearings.

No public comments were received, and the public hearings were closed.

Ms. Sedgeley reviewed the Districts' 2022 Budgets with the Boards. Following discussion, upon motion duly made by Director M. Hopper, seconded by Director M. Sheldon and, upon vote, unanimously carried, the Boards approved the Districts' 2022 Budgets, as discussed, and considered adoption of the Resolutions to Adopt the 2022 Budgets and Appropriate Sums of Money and Resolutions to Set Mill Levies (35.000 mills in the General Fund; Total: 35.000 mills for each of the Districts). Following discussion, upon vote unanimously carried, the Boards adopted the Resolutions and authorized execution of the Certifications of Budgets. The Districts' Accountant was directed to transmit the Certifications of Tax Levies to the Board of County Commissioners of Adams County not later than December 15, 2021. The District Accountant was directed to transmit the Certifications of Budget to the Division of Local Government no later than January 30, 2022.

**DLG-70 Mill Levy Certification Forms:** Following discussion, upon motion duly made by Director M. Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Boards authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification Forms for certification to the Board of County Commissioners and other interested parties.

**Preparation of 2023 Budgets:** Following discussion, upon a motion duly made by Director M. Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Boards appointed the District Accountant to prepare 2023 Budgets for the Districts.

**2021 Applications for Exemption from Audit:** Following discussion, upon a motion duly made by Director M. Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Boards appointed the District Accountant to prepare Applications for Exemption from Audit for the Districts for 2021, and/or if necessary, authorize engagement of an auditor to perform a 2021 Audit for District No. 1

**LEGAL MATTERS** **The Aurora Highlands Community Authority Board ("CAB") Issuance of Special Tax Revenue Refunding and Improvement Bonds, Series 2021A<sub>(3)</sub> and Subordinate Special Tax Revenue Draw Down Bonds, Series 2021B<sub>(3)</sub> (collectively, the "2021 Bonds"):** Attorney McGeady discussed the CAB's issuance of the proposed 2021 Bonds with the Boards.

**Revenue Pledge Agreement (ATEC No. 1) by and between the CAB and District No. 1:** Attorney McGeady discussed the Revenue Pledge Agreement with the District No. 1 Board.

**Resolution authorizing District No. 1 to enter into a Revenue Pledge Agreement with the CAB for the purpose of providing revenue to the**

**CAB, to fund the repayment of up to \$4,000,000,000 in Bonds to be issued by the CAB and for the purpose of providing revenue to the CAB not to exceed \$4,000,000,000 annually to fund administration, operations and maintenance costs of the CAB; approving the form of such Revenue Pledge Agreement; authorizing the execution and delivery by District No. 1 thereof and performance by District No. 1 thereunder; approving related financing documents in connection therewith; authorizing incidental action; repealing prior inconsistent actions; and establishing the effective date thereof (“District No. 1 Pledge Resolution”)**: Following discussion, upon a motion duly made by Director M. Sheldon, seconded by Director M. Hopper and, upon a vote of three for, with Director Ferreira abstaining, the District No. 1 Board adopted the District No. 1 Pledge Resolution.

**Revenue Pledge Agreement (ATEC No. 2) by and between the CAB and District No. 2:** Attorney McGeady discussed the Revenue Pledge Agreement with the District No. 2 Board.

**Resolution authorizing District No. 2 to enter into a Revenue Pledge Agreement with the CAB for the purpose of providing revenue to the CAB, to fund the repayment of up to \$4,000,000,000 in Bonds to be issued by the CAB and for the purpose of providing revenue to the CAB not to exceed \$4,000,000,000 annually to fund administration, operations and maintenance costs of the CAB; approving the form of such Revenue Pledge Agreement; authorizing the execution and delivery by District No. 2 thereof and performance by District No. 2 thereunder; approving related financing documents in connection therewith; authorizing incidental action; repealing prior inconsistent actions; and establishing the effective date thereof (“District No. 2 Pledge Resolution”)**: Following discussion, upon a motion duly made by Director M. Sheldon, seconded by Director M. Hopper and, upon a vote of three for, with Director Ferreira abstaining, the District No. 2 Board adopted the District No. 2 Pledge Resolution.

**Amended and Restated Mill Levy Allocation Policy Agreement by and among the CAB, The Aurora Highlands Metropolitan District No. 1, The Aurora Highlands Metropolitan District No. 2, The Aurora Highlands Metropolitan District No. 3, Aerotropolis Area Coordinating Metropolitan District and the Districts:** Following discussion, upon a motion duly made by Director M. Sheldon, seconded by Director M. Hopper and, upon vote, unanimously carried, the Boards approved the Amended and Restated Mill Levy Allocation Policy Agreement by and among the CAB, The Aurora Highlands Metropolitan District No. 1, The Aurora Highlands Metropolitan District No. 2, The Aurora Highlands Metropolitan District No. 3, Aerotropolis Area Coordinating Metropolitan District and the Districts.

**Termination of Intergovernmental Agreement for Coordination of Facilities Funding for ATEC Development Area by and among District No. 1, the CAB and Aurora Tech Center Development, LLC:**

Following discussion, upon a motion duly made by Director M. Sheldon, seconded by Director M. Hopper and, upon vote, unanimously carried, the District No. 1 Board approved the Termination of Intergovernmental Agreement for Coordination of Facilities Funding for ATEC Development Area by and among District No. 1, the CAB and Aurora Tech Center Development, LLC.

**May 3, 2022 Regular Election New Legislation:** Attorney McGeady reviewed the new legislative requirements and related expenses with the Boards.

**Resolutions Calling May 3, 2022 Elections for Directors, appointing Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of mail ballot elections (“Election Resolutions”):** The Boards discussed the May 3, 2022 elections. Following discussion, upon motion duly made by Director M. Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Boards adopted the Election Resolutions, noting that Jennifer Pino would serve as DEO and that obtaining proposals relative to this service would not be necessary.

**Other:** None.

**MANAGER MATTERS**

**CliftonLarsonAllen LLP Master Service Agreements for Accounting Services and related statement(s) of work:** Ms. Denslow reviewed the Master Service Agreement with the Boards. Following discussion, upon a motion duly made by Director M. Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Boards approved the CliftonLarsonAllen LLP Master Service Agreements for Accounting Services and related statement(s) of work.

**CONSTRUCTION MATTERS**

None.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

There being no further business to come before the Boards at this time, the Boards adjourned the meeting.

Respectfully submitted,

DocuSigned by:

By

*Denise Denslow*

72517AF6E925439

Secretary for the Meeting

**PETITION FOR INCLUSION OF PROPERTY  
PETITION FOR INCLUSION**

In accordance with Section 32-1-40(1)(a), C.R.S., the undersigned, NE Denver/Highlands, LLC, a Colorado limited liability company (the "**Petitioner**"), does hereby respectfully petition ATEC Metropolitan District No. 2 (the "**District**"), acting by and through its Board of Directors (the "**Board**"), for the inclusion of certain real property into the boundaries of the District, subject to the conditions described herein (the "**Inclusion**").

The Petitioners represent to the District as follows:

1. The land to be included consists of approximately 39.967 acres, situated in the City of Aurora and the County of Adams, State of Colorado, and is legally described on Exhibit A attached hereto and incorporated herein by this reference (the "**Property**").
2. The Petitioner owns the Property and is the fee owner of one hundred percent (100%) of the Property and no other person or entity owns an interest in the Property except as beneficial holders of encumbrances.
3. The Petitioner hereby assents to the inclusion of the Property into the boundaries of the District and to the entry of an Order in the Adams County District Court, including the Property into the boundaries of the District (the "**Order for Inclusion**"). The Petitioners acknowledge that from and after the entry of the Order for Inclusion, the Property shall be liable for taxes, assessments, or other obligations of the District, including its proportionate share of existing bonded indebtedness of the District, subject to the conditions and limitations set forth herein.
4. The Petitioners acknowledge that the District is not required to enlarge or extend its facilities beyond those currently existing and all such enlargements or extensions are undertaken in the exercise of discretion as a governmental function in the interest of public health, safety and welfare.
5. The Petitioners acknowledge that acceptance of this petition by the District does not constitute any assurance from the District that the Property can be served by the District and acknowledges that there shall be no withdrawal of this Petition from consideration by the Board after publication of notice of the hearing therefore, without the Board's consent.
6. The Petitioners agree that the Board may, in its sole and absolute discretion, require the Petitioner to enter into an Inclusion Agreement prior to Inclusion of the Property into the District.
7. The Petitioner agrees that it will pay, or cause to be paid, the costs incurred by the District for the Inclusion if this Petition is accepted, including the costs of publication of appropriate legal notices and legal fees and costs incurred by the District in connection with the Inclusion of the Property.

The Petitioner hereby requests that the Board approve the Inclusion of the Property into the boundaries of the District, and that the District file a motion for an order to be entered in the District Court, County of Adams, State of Colorado, including the Property into the boundaries of the District such that, as of the effective date of the Order for Inclusion, the Property shall be subject to all of the taxes and charges imposed by the District, and the Property shall be liable for its proportionate share of existing bonded indebtedness of the District.





## EXHIBIT A

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 65 WEST AND THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WEST QUARTER CORNER OF SAID SECTION 30, WHENCE THE WEST LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 30 BEARS NORTH 00°13'45" WEST, A DISTANCE OF 1,324.09 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE NORTH 37°02'53" WEST, A DISTANCE OF 117.30 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 1,347.05 FEET;

THENCE NORTH 66°18'46" EAST, A DISTANCE OF 1,120.65 FEET TO THE CENTERLINE OF MAIN STREET AS DEDICATED ON THE AURORA HIGHLANDS SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NO. 2019000089309 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, SAID COUNTY AND STATE, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1,200.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 67°48'18" EAST;

THENCE ALONG SAID CENTERLINE THE FOLLOWING SIX (6) COURSES:

1. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°08'08", AN ARC LENGTH OF 149.45 FEET;
2. TANGENT TO SAID CURVE, SOUTH 29°19'50" EAST, A DISTANCE OF 218.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,200.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29°10'15", AN ARC LENGTH OF 610.95 FEET;
4. TANGENT TO SAID CURVE, SOUTH 00°09'35" EAST, A DISTANCE OF 291.20 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,030.00 FEET;
5. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°32'01", AN ARC LENGTH OF 746.64 FEET;
6. TANGENT TO SAID CURVE, SOUTH 41°22'26" WEST, A DISTANCE OF 103.84 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 48°37'34" WEST, A DISTANCE OF 155.23 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 250.00 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°22'26", AN ARC LENGTH OF 180.53 FEET;

THENCE TANGENT TO SAID CURVE, NORTH 90°00'00" WEST, A DISTANCE OF 745.39 FEET TO THE **POINT OF BEGINNING.**

CONTAINING A GROSS AREA OF 47.829 ACRES, (2,083,448 SQUARE FEET), MORE OR LESS.

**EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCELS:**

**EXCEPTION PARCEL A**

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 65 WEST AND THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WEST QUARTER CORNER OF SAID SECTION 30, WHENCE THE WEST LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 30 BEARS NORTH 00°13'45" WEST, A DISTANCE OF 1,324.09 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE NORTH 37°02'53" WEST, A DISTANCE OF 117.30 FEET TO THE **POINT OF BEGINNING;**

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 281.00 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 647.20 FEET TO A POINT HEREIN REFERRED TO AS "**POINT A**";

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 281.00 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 647.20 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 4.175 ACRES, (181,864 SQUARE FEET), MORE OR LESS.

**EXCEPTION PARCEL B**

A PARCEL OF LAND SITUATED IN THE WEST HALF OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT SAID "POINT A"

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 125.00 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 532.00 FEET TO SAID CENTERLINE OF MAIN STREET, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1,030.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 72°19'31" WEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°41'57", AN ARC LENGTH OF 426.04 FEET;

THENCE TANGENT TO SAID CURVE, SOUTH 41°22'26" WEST, A DISTANCE OF 103.84 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 48°37'34" WEST, A DISTANCE OF 155.23 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 250.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°12'59", AN ARC LENGTH OF 153.66 FEET;

THENCE NON-TANGENT TO SAID CURVE, NORTH 00°00'00" EAST, A DISTANCE OF 282.44 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 3.687 ACRES, (160,609 SQUARE FEET), MORE OR LESS.

**CONTAINING AN AREA AFTER EXCEPTIONS OF 39.967 ACRES, (1,740,975 SQUARE FEET), MORE OR LESS.**

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

BRADY J. MOORHEAD, PLS 38668  
 COLORADO LICENSED PROFESSIONAL LAND SURVEYOR  
 FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.  
 300 E. MINERAL AVENUE, SUITE 1  
 LITTLETON, CO 80122

ILLUSTRATION TO EXHIBIT A

NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT

N 1/2 NW 1/4 SEC. 30,  
T.3S., R.65W., SIXTH P.M.



E-470 PUBLIC HIGHWAY  
AUTHORITY  
PARCEL TK-107  
BOOK 5187, PAGE 250

R66W  
R65W

SPECIAL WARRANTY DEED  
REC NO 202000103795

RESOLUTION ACCEPTING  
WARRANTY DEED  
BK 2804 PG 832

N66°18'46"E  
1120.65'

Δ=7°08'08"  
R=1200.00'  
L=149.45'

RESOLUTION ACCEPTING  
WARRANTY DEED  
BK 2804 PG 822

Δ=29°10'15"  
R=1200.00'  
L=610.95'

N67°48'18"E  
(RADIAL)

S29°19'50"E  
218.50'

NW 1/16  
CORNER  
SECTION 30

N 1/16 CORNER  
SECTION 25/30

DRAINAGE EASEMENT  
REC NO. 2019000089309

MAIN STREET

(VARIABLE WIDTH PUBLIC ROW)

REC NO. 2019000089309

PARCEL CONTAINS  
1,740,975 (SQ.FT.)  
39.967 ACRES  
MORE OR LESS

TRACT F  
THE AURORA  
HIGHLANDS  
SUBDIVISION  
FILING NO. 1

REC NO.  
2019000089309  
8' UTILITY EASEMENT  
REC NO. 2019000089309

E-470  
(PUBLIC ROW VARIES)

REC NO. C0425070 (PARCEL A)

N00°00'00"E 1347.05'

1066.05'

N00°13'45"W 1324.09'

W LINE OF S 1/2 OF  
THE NW 1/4 OF SEC. 30  
(BASIS OF BEARINGS)

P.O.C.

"POINT A" & EXC PARCEL B

P.O.B.

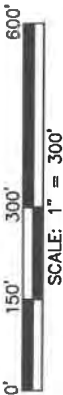
REMAINDER PARCEL &  
EXCEPTION PARCEL A

EXC PARCEL B

L=320.60'

N90°00'00"E  
125.00' (TIE)

N72°19'31"W  
(RADIAL)



2' ELECTRIC UTILITY  
EASEMENT  
BOOK 2833, PAGE 842

281.00'

N90°00'00"E 647.20'

EXC PARCEL A  
181,864 SF  
4.175 AC

S00°00'00"E  
281.00'

L=26.87'

282.44'

N90°00'00"E 532.00'

EXC PARCEL B  
160,609 SF  
3.687 AC

L=153.66'

L=426.04'

POINT OF  
COMMENCEMENT  
W 1/4 CORNER SECTION 30

N37°02'53"W  
117.30' (TIE)

N90°00'00"W 745.39'

Δ=41°22'26"  
R=250.00'  
L=180.53'

DRAINAGE EASEMENT  
REC NO. 2019000089309

N48°37'34"W  
155.23'

S41°22'26"W  
103.84'

SW 1/4 SEC. 30,  
T.3S., R.65W., SIXTH P.M.

C-W 1/16  
CORNER  
SECTION 30

S 1/2 NW 1/4 SEC. 30,  
T.3S., R.65W., SIXTH P.M.

PATH: Q:\136618-04\DWG\EXHIBITS  
DWG NAME: \_\_\_\_\_  
DWG: BJM CHK: JRW  
DATE: 12/13/2021  
SCALE: 1" = 300'



2021-12-13 TAH 40 Acre Parcel

300 East Mineral Ave,  
Suite 1  
Littleton, Colorado 80122  
Phone: (303)713-1898  
Fax: (303)713-1897  
www.aztecconsultants.com

**TAH 40 ACRE PARCEL**  
NW 1/4 SEC 30, T3S, R65W, & NE 1/4 SEC. 25 T3S, R66W, 6TH P.M.  
CITY OF AURORA, ADAMS COUNTY, COLORADO  
JOB NUMBER 136621-01 4 OF 4 SHEETS

**RESOLUTION NO. 2022-09-01**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
ATEC METROPOLITAN DISTRICT NO. 2 FOR INCLUSION OF REAL PROPERTY**

A. NE Denver/Highlands, LLC, a Colorado limited liability company, the 100% fee owner of the Property (hereinafter defined) has petitioned the ATEC Metropolitan District No. 2 (the “**District**”) for the inclusion into the District’s boundaries of the real property hereinafter described (“**Property**”).

B. Public Notice has been published in accordance with law, calling for a public hearing on the request for approval of said Petition.

C. The statutory requirements of Section 32-1-401(1)(a), C.R.S., for submission of a petition for inclusion to the Board of Directors of the District (“**Board**”), including a legal description of the Property, a statement that assent to the inclusion of the Property was obtained by the 100% fee owner thereof and acknowledgment in the same manner as required for conveyances of land, were presented to and have been satisfied and approved by the Board.

D. The District may consider the enlargement or extension of its facilities in the exercise of discretion as a governmental function in the interest of public health, safety and welfare.

E. The District is capable of serving the Property with facilities of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ATEC METROPOLITAN DISTRICT NO. 2, ADAMS COUNTY, COLORADO:

1. That the Board of Directors of the District shall and hereby does order the inclusion of the Property described herein within the boundaries of the District.

2. The name and address of the Petitioner and the legal description of the Property are as follows:

Petitioner: NE Denver/Highlands, LLC

Address of Petitioner: c/o Centura Health Corporation  
9100 E. Mineral Circle  
Centennial, CO 80112

Legal Description: Approximately 39.967 acres of land legally described on **Exhibit A** attached hereto and incorporated herein.

3. That approval of this inclusion is further subject to the following:

(a) On and after the effective date of this inclusion (which shall be the date of recording of the Court Order approving the inclusion by the Clerk and Recorder of Adams County, Colorado, unless otherwise specified in the Court Order), the Property shall be subject to the rules and regulations of the District, and the payment of any and all taxes, fees, rates and charges of the District.

Dated this 21<sup>st</sup> day of September, 2022.

**ATEC METROPOLITAN DISTRICT  
NO. 2**

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

## EXHIBIT A

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 65 WEST AND THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WEST QUARTER CORNER OF SAID SECTION 30, WHENCE THE WEST LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 30 BEARS NORTH 00°13'45" WEST, A DISTANCE OF 1,324.09 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE NORTH 37°02'53" WEST, A DISTANCE OF 117.30 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 1,347.05 FEET;

THENCE NORTH 66°18'46" EAST, A DISTANCE OF 1,120.65 FEET TO THE CENTERLINE OF MAIN STREET AS DEDICATED ON THE AURORA HIGHLANDS SUBDIVISION FILING NO. 1 RECORDED AT RECEPTION NO. 2019000089309 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, SAID COUNTY AND STATE, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1,200.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 67°48'18" EAST;

THENCE ALONG SAID CENTERLINE THE FOLLOWING SIX (6) COURSES:

1. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°08'08", AN ARC LENGTH OF 149.45 FEET;
2. TANGENT TO SAID CURVE, SOUTH 29°19'50" EAST, A DISTANCE OF 218.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,200.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29°10'15", AN ARC LENGTH OF 610.95 FEET;
4. TANGENT TO SAID CURVE, SOUTH 00°09'35" EAST, A DISTANCE OF 291.20 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,030.00 FEET;
5. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°32'01", AN ARC LENGTH OF 746.64 FEET;
6. TANGENT TO SAID CURVE, SOUTH 41°22'26" WEST, A DISTANCE OF 103.84 FEET;



THENCE DEPARTING SAID CENTERLINE, NORTH 48°37'34" WEST, A DISTANCE OF 155.23 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 250.00 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°22'26", AN ARC LENGTH OF 180.53 FEET;

THENCE TANGENT TO SAID CURVE, NORTH 90°00'00" WEST, A DISTANCE OF 745.39 FEET TO THE **POINT OF BEGINNING.**

CONTAINING A GROSS AREA OF 47.829 ACRES, (2,083,448 SQUARE FEET), MORE OR LESS.

**EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCELS:**

**EXCEPTION PARCEL A**

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 65 WEST AND THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WEST QUARTER CORNER OF SAID SECTION 30, WHENCE THE WEST LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 30 BEARS NORTH 00°13'45" WEST, A DISTANCE OF 1,324.09 FEET, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO;

THENCE NORTH 37°02'53" WEST, A DISTANCE OF 117.30 FEET TO THE **POINT OF BEGINNING;**

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 281.00 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 647.20 FEET TO A POINT HEREIN REFERRED TO AS "**POINT A**";

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 281.00 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 647.20 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 4.175 ACRES, (181,864 SQUARE FEET), MORE OR LESS.

**EXCEPTION PARCEL B**

A PARCEL OF LAND SITUATED IN THE WEST HALF OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT SAID "POINT A"

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 125.00 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 532.00 FEET TO SAID CENTERLINE OF MAIN STREET, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1,030.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 72°19'31" WEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°41'57", AN ARC LENGTH OF 426.04 FEET;

THENCE TANGENT TO SAID CURVE, SOUTH 41°22'26" WEST, A DISTANCE OF 103.84 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 48°37'34" WEST, A DISTANCE OF 155.23 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 250.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°12'59", AN ARC LENGTH OF 153.66 FEET;

THENCE NON-TANGENT TO SAID CURVE, NORTH 00°00'00" EAST, A DISTANCE OF 282.44 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 3.687 ACRES, (160,609 SQUARE FEET), MORE OR LESS.

**CONTAINING AN AREA AFTER EXCEPTIONS OF 39.967 ACRES, (1,740,975 SQUARE FEET), MORE OR LESS.**

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

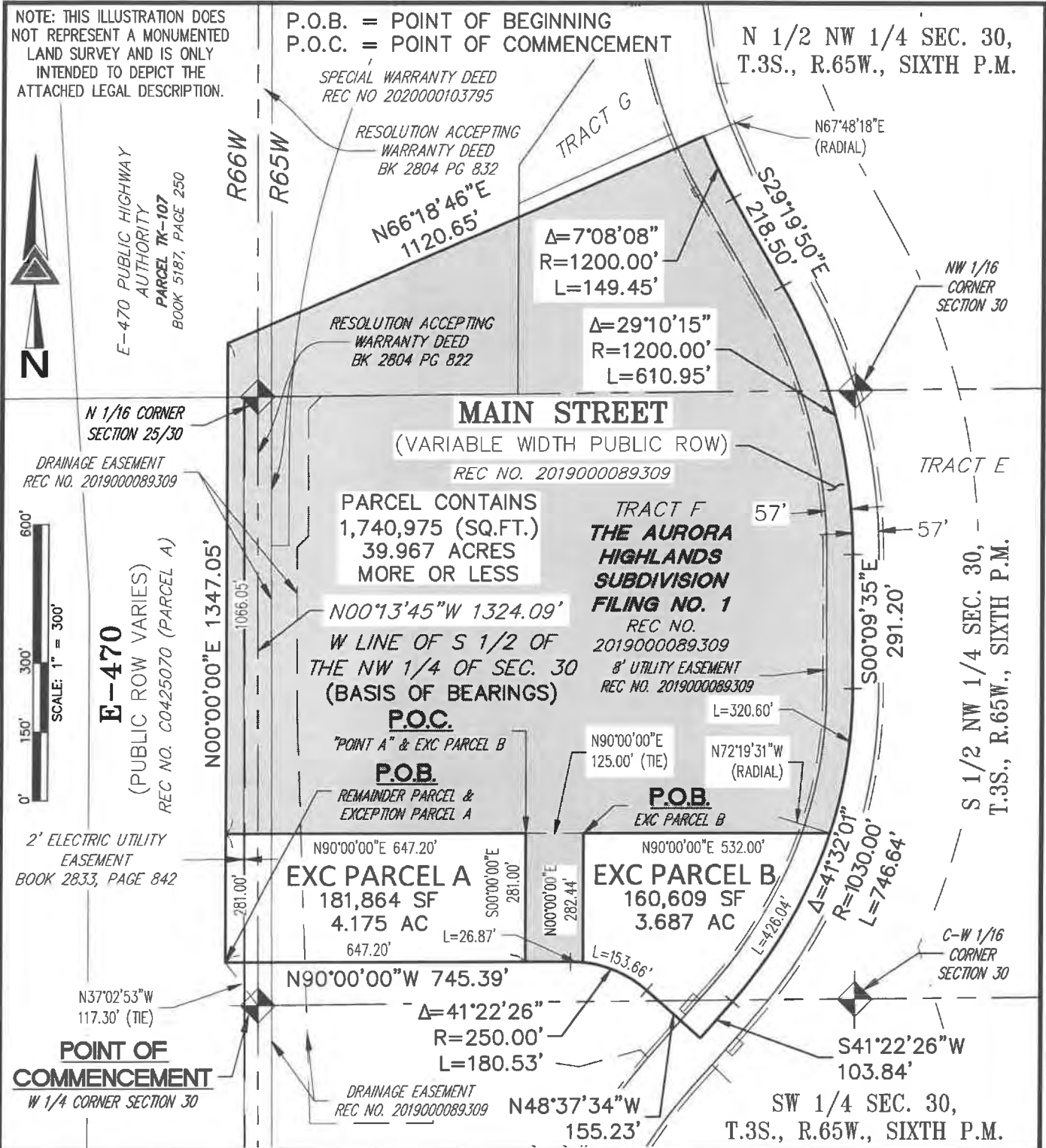
BRADY J. MOORHEAD, PLS 38668  
 COLORADO LICENSED PROFESSIONAL LAND SURVEYOR  
 FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.  
 300 E. MINERAL AVENUE, SUITE 1  
 LITTLETON, CO 80122

ILLUSTRATION TO EXHIBIT A

NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT

N 1/2 NW 1/4 SEC. 30,  
T.3S., R.65W., SIXTH P.M.



PATH: Q:\136618-04\DWG\EXHIBITS  
DWG NAME: \_\_\_\_\_  
DWG: BJM CHK: JRW  
DATE: 12/13/2021  
SCALE: 1" = 300'

**AZTEC**  
CONSULTANTS, INC.

300 East Mineral Ave,  
Suite 1  
Littleton, Colorado 80122  
Phone: (303)713-1898  
Fax: (303)713-1897  
www.aztecconsultants.com

2021-12-13 TAH 40 Acre Parcel

**TAH 40 ACRE PARCEL**  
NW 1/4 SEC 30, T3S, R65W, & NE 1/4 SEC. 25 T3S, R66W, 6TH P.M.  
CITY OF AURORA, ADAMS COUNTY, COLORADO  
JOB NUMBER 136621-01 4 OF 4 SHEETS

**CERTIFICATION**

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2022-09-01, Resolution of the Board of Directors of ATEC Metropolitan District No. 2, Resolution for Inclusion of Real Property.

**ATEC METROPOLITAN DISTRICT NO. 2**

Date: September 21, 2022

By: \_\_\_\_\_  
Secretary