

**RESOLUTION NO. 2018-08-01**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SHERIDAN STATION  
WEST METROPOLITAN DISTRICT REGARDING POTABLE WATER FEES**

A. Sheridan Station West Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in the City of Lakewood (the “**City**”), Jefferson County (the “**County**”), Colorado.

B. The District was organized pursuant to a Service Plan approved by the City on August 22, 2016 (the “**Service Plan**”).

C. The District’s boundaries are described in the legal description attached hereto as **Exhibit A**, which legal description may be amended from time to time, pursuant to the inclusion and/or exclusion of property into or from the District (the “**Property**”).

D. Pursuant to the Service Plan, the District is authorized to provide water services (the “**Services**”).

E. In connection with the development of the Property, potable water meters will be installed within or upon residential units within the Property (each, a “**Water Meter**” and collectively, the “**Water Meters**”).

F. The District is authorized by the Service Plan, and pursuant to Section 32-1-1001(1)(j), C.R.S., to fix and impose fees, rates, tolls, charges and penalties for services of facilities provided by the District, which, until paid, shall constitute a perpetual lien on and against all property served.

G. The District shall impose fees on the Property, as such boundaries may be changed from time to time, to provide funding for the Services (the “**Potable Water Fees**”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SHERIDAN STATION WEST METROPOLITAN DISTRICT:

1. The Board hereby determines that it is in the best interests of the District to impose the Potable Water Fees.

2. There shall be assessed and charged a Potable Water Fee pursuant to Section 32-1-1001(1)(j), C.R.S., for use of the District’s Services, in the amounts set forth in the attached **Exhibit B**, as may be amended from time to time. The owners of all land within the District, other than governmental owners, shall be subject to the Potable Water Fees.

3. Failure to make payment of any Potable Water Fees due hereunder shall constitute a default in the payment of such Potable Water Fees. Upon default, Owner shall be responsible for a late payment (“**Late Payment Fee**”) as set forth in the attached **Exhibit C** – Schedule of District Fees for Late Payment and Lien Enforcement.

4. NOTICE IS HEREBY GIVEN THAT FAILURE TO MAKE PAYMENT OF ALL PAST DUE AMOUNTS, INCLUDING INTEREST, MAY SUBJECT AN OWNER’S



PROPERTY TO A LIEN PURSUANT TO Section 38-22-109(3), C.R.S., as more particularly described below and in the attached **Exhibit C** – Schedule of District Fees for Late Payment and Lien Enforcement.

5. Potable Water Fees shall constitute a statutory and perpetual charge and lien upon the Property pursuant to Section 32-1-1001(1)(j), C.R.S., from the date the same becomes due and payable until paid. The lien shall be perpetual in nature as defined by the laws of the State of Colorado on the Property and shall run with the land and such lien may be foreclosed by the District in the same manner as provided by the laws of Colorado for the foreclosure of mechanics' liens. This Resolution shall be recorded in the real property records of the Clerk and Recorder of Jefferson County, Colorado.

6. The District shall be entitled to institute such remedies and collection proceedings as may be authorized under Colorado law, including, but not limited to, foreclosure of its perpetual lien. The defaulting Owner shall pay all costs, including attorneys' fees, incurred by the District in connection with the foregoing. In foreclosing such lien, the District will enforce the lien only to the extent necessary to collect the delinquent balance of unpaid Potable Water Fees, Late Payment Fees, interest and costs of collection (including, but not limited to, reasonable attorneys' fees).

7. Judicial invalidation of any of the provisions of the 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 the Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.

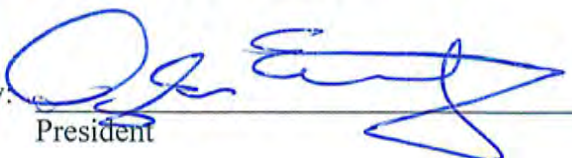
8. Nothing herein shall be interpreted or construed as limiting the Board's authority, in its sole and absolute discretion, to supplement or amend this Resolution from time to time.

9. Any inquiries pertaining to the Potable Water Fees may be directed to the Manager for the District at: Lisa Johnson, Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, phone number: 303-987-0835.

10. This Resolution shall take effect immediately upon its adoption and approval.

APPROVED AND ADOPTED this 24th day of August, 2018.

**SHERIDAN STATION WEST  
METROPOLITAN DISTRICT**

By:   
President

Attest:

  
Secretary

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY SUBJECT TO POTABLE WATER FEES**

**EXHIBIT B**

**SCHEDULE OF POTABLE WATER FEES**

<b>Fee Description</b>	<b>Fee Cycle</b>	<b>Fee Amount per Cycle</b>
<b>1.5" Meter Fee</b>	<b>Monthly</b>	<b>\$45.75*</b>
<b>1" Meter Fee</b>	<b>Monthly</b>	<b>\$27.00*</b>
<b>5/8" Meter Fee</b>	<b>Monthly</b>	<b>\$15.75*</b>
<b>3/4" Meter Fee</b>	<b>Monthly</b>	<b>\$19.50*</b>
<b>Usage Fee</b>	<b>Per 1,000 gallons, regardless of usage</b>	<b>\$4.75*</b>
<b>Service Fee</b>	<b>Monthly</b>	<b>\$6.00</b>
<b>Meter Tampering Fee</b>	<b>Per tampering</b>	<b>\$3,000.00</b>

\*These fees are set as the then-current rates set by Consolidated Mutual Water Company and are subject to change.



**EXHIBIT C**  
**SCHEDULE OF DISTRICT FEES FOR LATE PAYMENT AND LIEN ENFORCEMENT**

<u>District Fee Type</u>	<u>District Fee Amount</u>	<u>District Fee Billing Schedule</u>
Late Payment Fee	\$15 per billing cycle	Upon failure to pay the Potable Water Fees
Lien Process	Delinquent balance of unpaid Potable Water Fees;  Late Payment Fees;  Interest; and  Costs of collection (including, but not limited to, reasonable attorneys' fees).	Upon failure to pay the delinquent balance, and pursuant to Section 38-22-109(3), C.R.S., the District may serve a Notice of Intent to File a Lien Statement (a " <b>Lien Notice</b> ") upon the Owner by certified mail, return receipt requested.  The Lien Notice shall give notice to the Owner that the District intends to perfect its lien against the property by recording a Lien Statement in the office of the Jefferson County Clerk and Recorder if the delinquent balance is not paid in full within thirty (30) days after the Lien Notice is served.