

Douglas County Envelope ID: E34714C1-1D23-42AA-A766-43D8C01DB610

**THIRD AMENDMENT
TO THE
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF
MIRABELLE METROPOLITAN DISTRICT NO. 1**

CONCERNING THE IMPOSITION OF A RESIDENTIAL TAP FEE

(Adoption of New Fee Schedule)

WHEREAS, Mirabelle Metropolitan District No. 1 (the “**District**”) was formed pursuant to §§ 32-1-101, et seq., C.R.S., as amended (the “**Special District Act**”), by order of the District Court for Douglas County, Colorado, and after approval of the District’s eligible electors at an election; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “**Board**”) shall have the management, control and supervision of all the business and affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the District is authorized to fix and impose and, from time to time, increase or decrease fees, rates, tolls, penalties and charges for services or facilities furnished by the District which, until paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, such fees, rates, tolls, penalties, or charges, until paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, on December 11, 2019, the Board adopted a Resolution of the Board of Directors of Mirabelle Metropolitan District No. 1 Concerning the Imposition of Residential Tap Fees, effective as of December 11, 2019, and which was recorded with the Douglas County Clerk and Recorder on January 21, 2020, at Reception Number 2020004185, as amended by that First Amendment to the Resolution of the Board of Directors of Mirabelle Metropolitan District No. 1 Concerning the Imposition of a Residential Tap Fee, recorded with the Douglas County Clerk and Recorder on May 26, 2021, at Reception Number 2021066827, and as amended by that Second Amendment to the Resolution of the Board of Directors of Mirabelle Metropolitan District No. 2 Concerning the Imposition of a Residential Tap Fee, recorded with the Douglas County Clerk and Recorder on March 30, 2022, at Reception Number 2022022982, (collectively, the “**Fee Resolution**”); and

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WHEREAS, the Board has determined that modification of the Schedule of Fees in the Fee Resolution is necessary and in the best interests of the District, present and future property owners within the District, and the properties served by the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARDS AS FOLLOWS:

1. AMENDMENT: The Schedule of Fees set forth in Exhibit A of the Fee Resolution is replaced in its entirety by the Schedule of Fees set forth in Exhibit A to this Resolution, which is attached hereto and incorporated herein by this reference.

2. PRIOR PROVISIONS EFFECTIVE. Except as specifically amended hereby, all the terms and provisions of the Fee Resolution shall remain in full force and effect.

3. PRIOR FEES. Any fees, rates, tolls penalties or charges due under the Fee Resolution, to the extent outstanding and unpaid, shall remain in effect until fully paid and shall not be eliminated hereby.

4. EFFECTIVE DATE. This Third Amendment shall become effective on January 11, 2023.

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APPROVED AND ADOPTED this 11th day of January, 2023.

**MIRABELLE METROPOLITAN DISTRICT
NO. 1**, a quasi-municipal corporation and political
subdivision of the State of Colorado

DocuSigned by:
Tim Roberts

Officer of the District

ATTEST:

DocuSigned by:
Michele Miller

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

DocuSigned by:
Trisha Harris

General Counsel to the District

*Signature Page to Third Amendment to Resolution Concerning the Imposition of
Residential Tap Fees – Adoption of New Fee Schedule*

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EXHIBIT A

**MIRABELLE METROPOLITAN DISTRICT NO. 1
 Schedule of Fees
 2023 Rate Effective January 11, 2023**

		Schedule of Fees			
Fee Type	Classifications	2022 Rate		2023 Rate	
Residential Tap Fee	Residential Lot	Centennial Tap Fee:	\$14,240	Centennial Tap Fee:	\$14,240
		Tap Option Fee:	\$857	Tap Option Fee:	\$1,106
		Meter Fee:	<u>\$614</u>	Meter Fee:	<u>\$614</u>
		Total Residential Tap Fee:	\$15,711	Total Residential Tap Fee:	\$15,960
The Due Date for each Residential Tap Fee is no later than the date on which a building permit is issued by Douglas County, Colorado for the construction of a residence on a Residential Lot.					

PAYMENTS: Payment for each fee shall be made payable to Mirabelle Metropolitan District No. 1 and sent to the following address for receipt by the Due Date:

Mirabelle Metropolitan District No. 1
 c/o CliftonLarsonAllen LLP
 8390 E. Crescent Parkway, Suite 300
 Greenwood Village, CO 80111