

MINUTES OF A REGULAR MEETING OF THE
BOARDS OF DIRECTORS

OF

CLEAR CREEK STATION METROPOLITAN
DISTRICT NOS. 1-3

Held: Wednesday, March 14, 2018 at 6:00 p.m.
The Shed at Midtown, 1625 W. 67th Ave., Denver,
Colorado.

Attendance

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following Directors were in attendance:

Marc Savela – District Nos. 1-3
Ashley Tarufelli – *Absent*
Chris Petro – District Nos. 1-3
Neil Simpson – District Nos. 1 & 3
Sam Delp – District No. 2
Matthew Zielinski – District No. 2

All Directors' absences are deemed excused unless a contrary notation is recorded in these minutes.

Also present were Kristen D. Bear, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District general counsel; Kimberly Johanns, Simmons & Wheeler, District accountant; and Desiree Wingo, MSI, LLC, District Manager.

Please see the attached sign in sheet for additional attendees.

Call to Order/Declaration of Quorum

Director Savela noted that a quorum of each Board was present and therefore called the meeting to order.

Director Disclosures

Ms. Bear advised the Boards that pursuant to Colorado law, certain disclosures by the Directors may be required prior to taking official action at the meeting. The Boards reviewed the agenda for the meeting, following which each Director confirmed the contents of any written disclosure previously made stating the fact and summary nature of any additional matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Boards determined that the participation of the Directors present

were necessary to obtain a quorum or otherwise enable the Boards to act pursuant to §24-18-109(3)(b).

Approval of Agenda

Ms. Bear presented the Boards with the proposed agenda for the meeting. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda.

Public Comment

None.

Consent Agenda

The following items on the consent agenda were considered routine or administrative. Following a summary by Ms. Bear, upon a motion duly made and seconded, the Boards unanimously approved the items on the consent agenda as follows:

Minutes from December 13, 2017 Regular Meeting

Minutes from March 6, 2018 Special Meeting

Joint Resolution Designating the Districts' 24-Hour Posting Locations

District Manager's Report

Committee Reports:

Social Committee presented an update on events. Requested free rental for person who is performing compliance checks for clean-up after shed events. Also requested changing the security code. Boards unanimously approved both items.

Landscape Committee presented update. Noted that the committee recommends planting more drought resistant perennials, and also wants to re-fresh gravel around the Districts.

Communications Committee presented an update. Noted that the newsletter would be going out shortly.

Boards engaged in general discussions regarding the Advisory Committee. The Boards have concerns with the committee acting on behalf of the Boards without authorization. All three Boards unanimously voted in favor of sending notice to Advisory Committee regarding Boards' decision to vacate the committee immediately.

The District Nos. 1-3 Boards engaged in a general discussion regarding MSI financials. It was noted that the

aging report for the first quarter from January-March, the delinquent accounts were at \$5,486.87. There are six delinquent accounts that are 90 days overdue. It was also noted that the prepaid assessments was \$14,457.79. Following a review and discussion, upon a motion duly made and seconded, the District Nos. 1-3 Boards unanimously approved the Financials and March Check Register. No objections were made.

Ms. Wingo presented the District Nos. 1-3 Boards with the Ratification Items and Management Items. The Boards directed Ms. Wingo to work with Food Truck companies to either park in open space between Bruz and the Shed, or alternatively park behind Bruz in the parking lot. Ms. Wingo presented proposals for flowers, pet waste removal, water feature maintenance and painting of the Shed. Following discussion, upon a motion duly made and seconded, the District Nos. 1-3 Boards unanimously ratified the agreements and services as presented, and approved the proposals of Emerald Isle for flowers and pet waste station services, and Aquatic Chemical Solutions for water feature maintenance, all as presented. The Boards directed Ms. Wingo to obtain additional proposals to paint the Shed.

Ms. Wingo provided the District Nos. 1-3 Boards with an update on maintenance and operations in the community generally based upon the management report included in the meeting packet.

Ms. Wingo provided the District Nos. 1-3 Boards with an update on the architectural and maintenance applications. It was noted that there have been 21 architectural application reviewed since the last meeting.

Ms. Wingo provided the District Nos, 1-3 Boards with an update on covenant enforcement. It was noted that there are currently 85 violations including dead trees, dry lawn, weeds, lawn maintenance, parking, trash violations, initial landscaping, address repair, improvement not approved by AMC, initial landscaping, etc.

Legal Matters

District No. 1: Consider Ratification of Easement Agreement with North Pecos Water and Sanitation District (Filing 10)

Ms. Bear presented the District No. 1 Board with the Easement Agreement with North Pecos Water and Sanitation District for consideration. Following a review and discussion, a motion was duly made and seconded to ratify the Easement Agreement. The motion was passed unanimously.

District No. 1: Consider Ratification of Special Warranty Deed Conveying Tracts A-F, Midtown at Clear Creek Filing No. 10, from Midtown LLC to Clear Creek Station Metropolitan District No. 1

Ms. Bear presented the District No. 1 Board with the Special Warranty Deed Conveying Tracts A-F, Midtown at Clear Creek Filing No. 10, from Midtown LLC to Clear Creek Station Metropolitan District No. 1 for consideration. Following a review and discussion, a motion was duly made and seconded to ratify the Special Warranty Deed. The motion was passed unanimously.

District No. 1: Consider Approval of Construction, Access and Maintenance Easement Agreement with Martin Marietta Materials, Inc.

Ms. Bear presented the District Nos. 1 Board with the Construction, Access and Maintenance Easement Agreement with Martin Marietta Materials, Inc. for consideration. Following review and discussion, a motion was duly made and seconded to approve Construction, Access and Maintenance Easement Agreement. The motion was passed unanimously.

District Nos. 1-3: Discuss Election, Consolidation and Community Meeting

The District Nos. 1-3 Boards engaged in a general discussion regarding the Election, Consolidation and the Community Meeting. It was noted that the Candidate forum was not sponsored by the District and the District would not establish the Mail Ballot drop off location.

District No. 1: Consider Approval of Special Warranty Deed Conveying Lot 3, Block 2, Midtown at Clear Creek Filing No. 9 (the Shed), from Midtown LLC to Clear Creek Station Metropolitan District No. 1

Ms. Bear presented the District No. 1 Board with the Special Warranty Deed Conveying Lot 3, Block 2, Midtown at Clear Creek Filing No. 9 (the Shed), from Midtown LLC to Clear Creek Station Metropolitan District No. 1 for consideration. Following a review and discussion, a motion was duly made and seconded to approve the Special Warranty Deed Conveying Lot 3, Block 2. The motion was passed unanimously.

District No. 1: Consider Approval of Bill of Sale of the Shed Improvements

Ms. Bear presented the District No. 1 Board with the Bill of Sale of the Shed Improvements for consideration. Following a review and discussion, upon a motion duly made and seconded to approve the Bills of Sale of the Shed Improvements. The motion was passed unanimously.

District No. 1: Consider Approval

Ms. Bear presented the District No. 1 Board with the First

of First Amendment to Revocable License Agreement for Shed and Garden Area

Amendment to Revocable License Agreement for Shed and Garden Area. Following a discussion, a motion was made and duly seconded to approve the First Amendment to Revocable License Agreement for Shed and Garden Area. The motion was passed unanimously.

District No. 1: Consider Approval of First Amendment to License Agreement for Dog Park

Ms. Bear presented the District No. 1 Board with the First Amendment to License Agreement for Dog Park. Following a discussion, a motion was made and duly seconded to approve the First Amendment to License Agreement for Dog Park. The motion was passed unanimously.

Financial Matters

District Nos. 1-3: Consider Approval of December 21, 2017 Financials and Checks to be Approved/Ratified

Ms. Johanns presented the District Nos. 1-3 Boards with the December 21, 2017 Financial and Checks to be approved/ratified for consideration. Following a review and discussion, upon a motion duly made and seconded, the Boards unanimously approved the financials and checks payable.

Next Meeting

The next regular meeting will be held on June 13, 2018 at 6:00 p.m.

Adjourn

There being no further business to come before the Boards and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.



District No. 1 Secretary for the Meeting



District No. 2 Secretary for the Meeting



District No. 3 Secretary for the Meeting