

COMBINED COURT, LARIMER COUNTY, COLORADO

I, Suzanne Fredrickson, Clerk of the Combined Courts, Larimer County, Colorado, the same being a Court of Record, in the State aforesaid, do hereby certify the attached to be a true, perfect and complete copy of the following documents:

11/19/2020 – Certificate of Election – Curt W. Burgener Airpark North Metropolitan District No. 4

11/18/2020 – Order and Decree Organizing Airpark North Metropolitan District No. 4 and Issuance of Certificates of Election

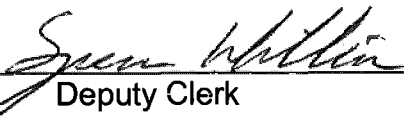
11/18/2020 – Certificate of Election – Jeffrey C. Brines Airpark North Metropolitan District No. 4

11/18/2020 – Certificate of Election – Tammy Percy Airpark North Metropolitan District No. 4

in case D0352020CV030589 In the Matter of: AIRPARK NORTH METROPOLITAN DISTRICT NOS. 1,2,3, AND 4, as the same remains of record in this Court.

DATED: November 25, 2020

SUZANNE FREDRICKSON
Clerk of the District Court

By: 
Deputy Clerk

DATE FILED: November 18, 2020 8:45 PM	
DISTRICT COURT, COUNTY OF LARIMER, COLORADO	
Court Address: 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 Telephone No.: (970) 494-3500	
Petitioner: AIRPARK NORTH METROPOLITAN DISTRICT NOS. 1, 2, 3, AND 4	▲ COURT USE ONLY ▲
By the Court:	Case Number: 2020CV030589 Div: 4B
ORDER AND DECREE ORGANIZING AIRPARK NORTH METROPOLITAN DISTRICT NO. 4 AND ISSUANCE OF CERTIFICATES OF ELECTION	

This matter comes before the Court on the Motion for Order and Decree Organizing Airpark North Metropolitan District No. 4 and Issuance of Certificates of Election (the "Motion") filed by the Petitioner for the organization of Airpark North Metropolitan District No. 4 on November 17, 2020. This Court, being fully advised on the premises, hereby FINDS AND ORDERS with respect to the organization of Airpark North Metropolitan District No. 4 (the "District"), as follows:

1. That the question of the organization of the District, the election of Directors thereof, along with various debt and revenue-raising ballot issues and ballot questions were duly submitted to the eligible electors of the proposed District at an election held on November 3, 2020 (the "Election") at the time and place specified in the Order Calling Election on Organization entered by this Court on September 23, 2020.

2. That a majority of the votes cast at the Election were in favor of organizing the District and in favor of all ballot issues and ballot questions submitted.

3. That the Board of Canvassers' Abstract of Returns and the Board of Canvassers' Certificate of Election Results filed with this Court as Exhibit A to the Motion duly certify the Election returns to this Court as required by law and hereby are, in all respects, approved and confirmed.

4. That the District shall be and is hereby duly and regularly organized in accordance with the requirements of §§ 32-1-101, *et seq.*, C.R.S.

5. That the District shall be known as “Airpark North Metropolitan District No. 4.”

6. That the District is located in the City of Loveland, Larimer County, Colorado, as more particularly described in Exhibit A, attached hereto and incorporated herein by this reference.

7. That the District shall be a quasi-municipal corporation and political subdivision of the State of Colorado with all the powers thereof.

8. A certified copy of this Order and a copy of the approved Consolidated Service Plan for Airpark North Metropolitan District Nos. 1, 2, 4, and 4 (“Consolidated Service Plan”) and the resolution of the City Council of the City of Loveland, Colorado approving the Consolidated Service Plan shall be filed with the Larimer County Clerk and Recorder and the Division of Local Government, Department of Local Affairs.

9. A copy of the Consolidated Service Plan and the resolution of the City Council of the City of Loveland, Colorado approving the Consolidated Service Plan were filed with this Court as part of the Petition filed on August 27, 2020. Pursuant to § 32-1-205(2), C.R.S., the Consolidated Service Plan and approving resolution are incorporated herein by this reference and the District shall cause the Consolidated Service Plan and approving resolution to be appended to this Order at such time as all other legal procedures for District organization have been complied with.

10. That the following qualified persons are duly elected as members of the District’s first Board of Directors for the indicated terms and as further shown on the Certificates of Election issued by this Court in accordance with § 32-1-305.5(5), C.R.S., which Certificates are attached hereto:

<u>NAME</u>	<u>TERM</u>
Jeffrey C. Brines	to May 2023
Curt W. Burgener	to May 2023
Tammy Percy	to May 2023

11. That the members of the Board of Directors of the District and their lawful successors shall hereafter take such actions and proceedings as are necessary for the governance of the District.

12. That the District shall have and exercise, through its Board of Directors and officers, all of the powers and authorities conferred upon metropolitan districts under and by virtue of the provisions of Article 1, Title 32, C.R.S., and all laws relating thereto, and all powers and authorities as may hereafter be conferred by law.

DONE IN COURT this 18 day of November, 2020.

BY THE COURT:



District Court Judge
Daniel Michael McDonald

EXHIBIT A

Airpark North Metropolitan District No. 4

PARCEL 1

Being part of Tract B of Airpark North Addition as recorded January 30, 1987 as Reception No. 87005729 of the Records of Larimer County, located in the Northeast Quarter (NE1/4) of Section Twenty-eight (28), Township Six North (T.6N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), City of Loveland, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the East Quarter (E1/4) corner of said Section 28 also being the Southeast corner of said Tract B and assuming the South line of said NE1/4 as bearing North 87°33'44" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2635.84 feet with all other bearings contained herein relative thereto;

THENCE North 87°33'44" West along the South line of said NE1/4 also being the South line of said Tract B a distance of 638.93 feet to a point hereon referred to as **POINT A** also being the **POINT OF BEGINNING**;

THENCE North 87°33'44" West continuing along said South lines a distance of 1996.91 feet to the Center corner of said Section 28;

THENCE North 00°15'04" East along the West line of said NE1/4 also being the West line of said Tract B a distance of 578.42 feet to the beginning point of a curve, non-tangent this line to the northerly line of Tract B of Airpark North Addition;

The following 12 courses are along the Northerly lines of said Tract B

THENCE along the arc of a curve concave to the Northeast a distance of 29.65 feet, said curve has a Radius of 120.00 feet, a Delta of 14°09'16" and is subtended by a Chord bearing South 59°00'49" East a distance of 29.57 feet to a Point of Tangency;

THENCE South 66°05'27" East a distance of 90.00 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southwest a distance of 77.45 feet, said curve has a Radius of 125.00 feet, a Delta of 35°30'00" and is subtended by a Chord bearing South 48°20'27" East a distance of 76.22 feet to a Point of Tangency;

THENCE South 30°35'27" East a distance of 46.00 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 115.19 feet, said curve has a Radius of 110.00 feet, a Delta of 60°00'00" and is subtended by a Chord bearing South 60°35'27" East a distance of 110.00 feet to a Point of Tangency;

THENCE North 89°24'33" East a distance of 77.50 feet;

THENCE North 79°24'33" East a distance of 171.50 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southwest a distance of 98.23 feet, said curve has a Radius of 142.00 feet, a Delta of 39°38'00" and is subtended by a Chord bearing South 80°46'27" East a distance of 96.28 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the North a distance of 135.80 feet, said curve has a Radius of 130.00 feet, a Delta of 59°51'01" and is subtended by a Chord bearing North 89°07'02" East a distance of 129.71 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the Southeast a distance of 81.59 feet, said curve has a Radius of 325.00 feet, a Delta of 14°23'00" and is subtended by a Chord bearing North 66°23'02" East a distance of 81.73 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the Northwest a distance of 46.54 feet, said curve has a Radius of 94.00 feet, a Delta of 28°21'59" and is subtended by a Chord bearing North 59°23'32" East a distance of 46.06 feet to a Point of Tangency;

EXHIBIT A

THENCE North 45°12'33" East a distance of 23.53 feet;
THENCE South 43°26'26" East a distance of 105.61 feet;
THENCE South 87°33'44" East a distance of 1054.02 feet;
THENCE South 02°26'16" West a distance of 437.77 feet to the **POINT OF BEGINNING**;

Said described parcel of land contains 889,496 Square Feet or 20.420 Acres, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

PARCEL 2

COMMENCING at the aforementioned **POINT A**;
THENCE North 02°26'16" East a distance of 498.92 feet to a Point of Curvature;
THENCE along the arc of a curve concave to the Southwest a distance of 549.65 feet, said curve has a Radius of 600.00 feet, a Delta of 52°29'16" and is subtended by a Chord bearing North 23°48'22" West a distance of 530.63 feet to a Point of Tangency;
THENCE North 50°03'00" West a distance of 155.84 feet to a Point of Curvature;
THENCE along the arc of a curve concave to the Northeast a distance of 554.30 feet, said curve has a Radius of 600.00 feet, a Delta of 52°55'55" and is subtended by a Chord bearing North 23°35'03" West a distance of 534.80 feet to a Point of Tangency;
THENCE North 02°52'55" East a distance of 572.96 feet;
THENCE South 87°07'05" East a distance of 40.98 feet to the **POINT OF BEGINNING**;
THENCE North 07°53'01" East a distance of 30.11 feet;
THENCE South 87°07'06" East a distance of 114.37 feet;
THENCE South 02°52'55" West a distance of 30.00 feet;
THENCE North 87°07'05" West a distance of 117.00 feet to the **POINT OF BEGINNING**.

Said described parcel of land contains 3,471 Square Feet or 0.080 Acres, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

DATE FILED: November 18, 2020 8:46 PM

DISTRICT COURT, COUNTY OF LARIMER, COLORADO Court Address: 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 Telephone No.: (970) 494-3500		▲ COURT USE ONLY ▲
Petitioner: AIRPARK NORTH METROPOLITAN DISTRICT NOS. 1, 2, 3, AND 4		
By the Court:		
		Case Number: 2020CV030589 Div: 4B
CERTIFICATE OF ELECTION – JEFFREY C. BRINES AIRPARK NORTH METROPOLITAN DISTRICT NO. 4		

The Court having determined that the election conducted on Tuesday, November 3, 2020 concerning the organization of Airpark North Metropolitan District No. 4 was held in accordance with §§ 1-1-101 through 1-13.5-101, *et seq.*, C.R.S., and acting in accordance with § 32-1-305.5(5), C.R.S., the Court hereby certifies that Jeffrey C. Brines was duly elected to the office of Director of Airpark North Metropolitan District No. 4 until the regular special district election in May 2023.

BY THE COURT:



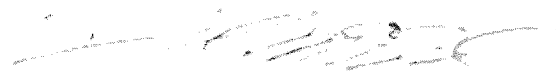
District Court Judge
Daniel Michael McDonald

DATE FILED: November 19, 2020 12:14 PM

DISTRICT COURT, COUNTY OF LARIMER, COLORADO Court Address: 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 Telephone No.: (970) 494-3500	
Petitioner: AIRPARK NORTH METROPOLITAN DISTRICT NOS. 1, 2, 3, AND 4	▲ COURT USE ONLY ▲
By the Court:	Case Number: 2020CV030589 Div: 4B
CERTIFICATE OF ELECTION – CURT W. BURGNER AIRPARK NORTH METROPOLITAN DISTRICT NO. 4	

The Court having determined that the election conducted on Tuesday, November 3, 2020 concerning the organization of Airpark North Metropolitan District No. 4 was held in accordance with §§ 1-1-101 through 1-13.5-101, *et seq.*, C.R.S., and acting in accordance with § 32-1-305.5(5), C.R.S., the Court hereby certifies that Curt W. Burgener was duly elected to the office of Director of Airpark North Metropolitan District No. 4 until the regular special district election in May 2023.

BY THE COURT:



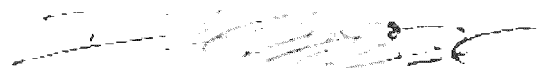
District Court Judge
Daniel Michael McDonald

DATE FILED: November 18, 2020 8:48 PM

DISTRICT COURT, COUNTY OF LARIMER, COLORADO Court Address: 201 LaPorte Avenue, Suite 100 Fort Collins, CO 80521 Telephone No.: (970) 494-3500		
Petitioner: AIRPARK NORTH METROPOLITAN DISTRICT NOS. 1, 2, 3, AND 4		
By the Court:		▲ COURT USE ONLY ▲ Case Number: 2020CV030589 Div: 4B
CERTIFICATE OF ELECTION – TAMMY PEARCY AIRPARK NORTH METROPOLITAN DISTRICT NO. 4		

The Court having determined that the election conducted on Tuesday, November 3, 2020 concerning the organization of Airpark North Metropolitan District No. 4 was held in accordance with §§ 1-1-101 through 1-13.5-101, *et seq.*, C.R.S., and acting in accordance with § 32-1-305.5(5), C.R.S., the Court hereby certifies that Tammy Percy was duly elected to the office of Director of Airpark North Metropolitan District No. 4 until the regular special district election in May 2023.

BY THE COURT:



District Court Judge
Daniel Michael McDonald