

**RESOLUTION 2017-06-01
OF THE
BOARD OF DIRECTORS
OF THE
LINCOLN PARK METROPOLITAN DISTRICT**

**REGARDING
AN AMENDMENT TO SCHEDULE OF FEES AND CHARGES
AND ADOPTION OF A PLAN ADMINISTRATION FEE**

At a special meeting of the Board of Directors of the Lincoln Park Metropolitan District, Douglas County, Colorado, held at 11:00 A.M., on Wednesday, June 28, 2017, at CliftonLarsonAllen, 8390 E. Crescent Pkwy., Ste. 500, Greenwood Village, CO 80111, at which a quorum was present, the following resolution was adopted:

WHEREAS, the Lincoln Park Metropolitan District (the "District") was organized and exists as a metropolitan district pursuant to the provisions of Sections 32-1-101 *et seq.*, C.R.S.; and

WHEREAS, pursuant to Section 32-1-1001(1)(j), C.R.S., the District's Board of Directors (the "Board") has the power to fix and from time to time increase or decrease fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the District; and

WHEREAS, Section 32-1-1001(1)(j)(I), C.R.S. also provides that until paid, all such fees, rates, tolls, penalties, or charges shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by the laws of Colorado for the foreclosure of mechanics' liens; and

WHEREAS, the District desires to amend its current Lincoln Park Metropolitan District Fee Schedule; and

WHEREAS, the District provides plan review, administration, and coordination services following the receipt of a request for a water, sewer, or irrigation tap connection, and in addition to the fees currently imposed by the District, the District's Board desires to impose a fee for these services furnished by the District (the "Plan Administration Fee"); and

WHEREAS, pursuant to Section 32-1-1001(2)(a), C.R.S., the governing body of any special district furnishing domestic water or sanitary sewer services directly to residents and property owners within or outside the special district's boundaries may only fix or increase fees, rates, tolls, penalties, or charges for such services after consideration of the action at a public meeting held at least thirty (30) days after providing notice as specified in Section 32-1-1001(2)(a), C.R.S.; and

WHEREAS, the Board considered fixing or increasing fees, rates, tolls, or penalties at its public meeting held on June 28, 2017; and

WHEREAS, in accordance with Section 32-1-1001(2)(a)(IV), C.R.S., such notice was posted on a publicly accessible section of the Special District Association of Colorado's website on May 25, 2017, which is at least thirty (30) days before the public meeting at which the action was considered.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LINCOLN PARK METROPOLITAN DISTRICT AS FOLLOWS:

Section 1. Adoption by the Board. The Board hereby adopts the "Lincoln Park Metropolitan District Fee Schedule" attached hereto as **Exhibit A** and incorporated herein by this reference. The Board also hereby adopts the Plan Administration Fee for plan review, administration, and coordination services furnished by the District in the amount listed in the Lincoln Park Metropolitan District Fee Schedule attached hereto.

Section 2. Interest and Penalties Imposed for Nonpayment. The District may impose such penalties for non-compliance herewith as may be permitted by law. Without limiting the foregoing, a late charge on any past-due amounts at the rate of one percent (1%) per month shall accrue from the date the fees are due to the District. Interest will accrue on any due and unpaid fee, exclusive of the late charge, at a rate of twelve percent (12%) per annum.

Section 3. Status as Lien/Foreclosure. Pursuant to Section 32-1-1001(l)(j)(I), C.R.S., the District's fees do and shall, until paid, constitute a perpetual lien against the property served which lien may be foreclosed in the same manner as provided by the laws of the State of Colorado for the foreclosure of mechanics' liens.

Section 4. District Expenses of Collection. The District shall be entitled to charge property owners for all costs and expenses associated with collecting unpaid fees, including attorneys' fees.

Section 5. Actions to Effectuate Resolution. The District's accountants and legal counsel are authorized and directed to take all actions necessary and appropriate to effectuate this Resolution and the imposition of any or all of the fees contemplated hereunder. All actions not inconsistent with the provisions of this Resolution heretofore taken by the members of the Board, the District's accountant, the District's legal counsel, and the officers, agents, and employees of the District and directed toward effectuating the purposes stated herein are hereby ratified, approved, and confirmed.

Section 6. Repealer. All prior acts, orders, or resolutions, or parts thereof, by the District in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any act, order, or resolution, or part thereof, heretofore repealed.

Section 7. Severability. If any section, paragraph, clause, or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining sections, paragraphs, clauses, or provisions of this Resolution, it being the intention that the various parts hereof are severable.

Section 8. Effective Date of Resolution. This Resolution and the amendments set forth herein shall be effective as of the date of its adoption and shall remain effective until rescinded, repealed, or otherwise modified by the Board.

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Whereupon, a motion was made and seconded, and upon a majority vote this Resolution was approved by the Board.


ADOPTED AND APPROVED THIS 28TH DAY OF JUNE 2017.

**LINCOLN PARK
METROPOLITAN DISTRICT**



By: Jeni Reilly
Its: Asst. Secretary

ATTEST:



By: Mason Mistrot
Its: Vice President

EXHIBIT A

Lincoln Park Metropolitan District Fee Schedule

Lincoln Park Metropolitan District
 8390 East Crescent Parkway, Suite 500
 Greenwood Village, Colorado 80111-2814
 303-779-4525 303-779-2050 (fax)

Lincoln Park Metropolitan District Fee Schedule - Effective 6/28/17

Water/Sewer	Equivalent	Tap Fee	SVM D Admin Fee	Supplemental Water Resources Fee	SVM D Sewer Connection Fee	LPMD Plan Administration Fee	Total Fee
Meter Size							
Multi-Family	0.5	\$6,748.68	*	\$7,162.66	\$ 2,000.00	\$100.00	\$16,011.34
Townhome	0.75	\$10,123.02	*	\$10,743.99	\$ 3,000.00	\$150.00	\$24,017.01
3/4"	1	\$13,497.36	\$759.44	\$14,325.33	\$ 4,000.00	\$200.00	\$32,782.13
1"	2	\$26,994.72	\$1,518.88	\$28,650.66	\$ 8,000.00	\$400.00	\$65,564.24
1 1/2"	4	\$53,989.44	\$3,037.72	\$57,301.33	\$ 16,000.00	\$800.00	\$131,128.49
2"	8	\$107,978.88	\$6,075.44	\$114,602.66	\$ 32,000.00	\$1,600.00	\$262,256.98
3"	18	\$242,952.48	\$13,669.74	\$257,855.99	\$ 72,000.00	\$3,600.00	\$590,078.21
4" and Larger		By Agreement					

Irrigation

Meter Size	Equivalent	Tap Fee	SVM D Admin Fee	Supplemental Water Resources Fee	SVM D Sewer Connection Fee	LPMD Plan Administration Fee	Total Fee
3/4"	1	\$6,924.15	\$759.44	\$14,325.33	\$ 4,000.00	\$200.00	\$26,208.92
1"	2	\$13,848.29	\$1,518.88	\$28,650.66	\$ 8,000.00	\$400.00	\$52,417.81
1 1/2"	4	\$27,696.58	\$3,037.72	\$57,301.33	\$ 16,000.00	\$800.00	\$104,835.63
2"	8	\$55,393.17	\$6,075.44	\$114,602.66	\$ 32,000.00	\$1,600.00	\$209,671.27
3"	18	\$124,634.62	\$13,669.74	\$257,855.99	\$ 72,000.00	\$3,600.00	\$471,760.35
4" and Larger		By Agreement					

System Development Fee Schedule

All Property in District: \$12,500 per acre or portion (rounded up to nearest acre)

MONTHLY USER FEES

Single Family and Non-Residential Uses Multi-Family Uses	Park and Recreation Fee	\$34.50/Month \$34.50/Month/Unit
Multi-Family Uses Non-Residential Uses Vacant Land	Street Maintenance Fee (Applies Only to Market Square Area)	\$10/Unit/Month \$110/Acre/Month \$50/Acre/Month
All Occupied Property Vacant Land	Water Resource Fee	\$15/month \$50/Acre/Month
All Property outside of District Boundary	Out of District Fee	\$13,497.36 per SFE

As set out in the Lincoln Park Metropolitan District Rules and Regulations for Parks and Open Space

Park and Facilities Rental & Permitting Fees

Notes:

- 1) Checks are made payable to the Lincoln Park Metropolitan District (LPMD).
- 2) a. The Supplemental Water Resource Fee is required by Stonegate Village Metropolitan District (SVM D) and is remitted to SVM D upon receipt. The Admin Fee includes: meter/meter set fee, inspection fee, set up fee, and construction water.
 b. The Admin Fee is required by Stonegate Village Metropolitan District (SVM D) and is remitted to SVM D upon receipt. The Admin Fee includes: meter/meter set fee, inspection fee, set up fee, and construction water.
- 3) Fees may be changed by the Board of Directors in accordance with Colorado law.