

## RIVER VALLEY METROPOLITAN DISTRICT

### RESOLUTION TO ESTABLISH SYSTEM DEVELOPMENT FEES

**WHEREAS**, River Valley Metropolitan District (the "District"), is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized and existing pursuant to Title 32, Article 1, C.R.S.; and

**WHEREAS**, the District was primarily organized to finance, acquire, construct and install water, sanitary sewer, storm drainage, park and recreation, roads and traffic and safety public infrastructure (collectively, the "Public Infrastructure") within its service area in accordance with the District's Service Plan approved by the Town of Silt, Garfield County on May 26, 2020 (the "Service Plan"); and

**WHEREAS**, until such time as another governmental entity or nonprofit association accepts the Public Infrastructure for ownership, operation and maintenance purposes, the District is responsible for owning, operating, maintaining and repairing such Public Infrastructure; and

**WHEREAS**, the District will incur significant expenses to finance the construction, installation and completion of the offsite and onsite Public Infrastructure; and

**WHEREAS**, pursuant to the authority set forth in Section 32-1-1001(1)(j), C.R.S., and the Service Plan, the District may establish fees and charges for Public Infrastructure ("System Development Fees") furnished by the District; and

**WHEREAS**, the establishment and imposition of System Development Fees by the District will assist its financing, acquisition, construction, installation, completion and maintenance of the Public Infrastructure, which may include payment of principal of and interest on any bonds issued by the District in order to finance the construction of such Public Infrastructure; and

**WHEREAS**, the Public Infrastructure and the System Development Fees will serve to promote the health, safety, prosperity, security and general welfare of the District, its residents and taxpayers.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of River Valley Metropolitan District, Garfield County, Colorado as follows:

1. **Imposition of System Development Fees.** The District hereby imposes a System Development Fee upon each platted lot (each a "Lot") within the District as more particularly described in the legal description attached hereto as Exhibit A and incorporated herein by this reference, to fund a portion of the costs of financing, acquiring, constructing, installing, completing and maintaining the Public Infrastructure in the amounts of:

\$1,000 for each single-family detached residential unit;  
\$500 for each single-family attached or multi-family residential unit; and  
\$0.45/sq. ft. for commercial structures.

*The Systems Development Fee is subject to annual increase by up to the Consumer Price Index for Grand Junction all items, all urban consumers (or its successor index for any years for which Consumer Price Index is not available).*

The Board of Directors of the District finds that the System Development Fee is fair and equitable and approximates a pro rata calculation of not more than the appraised value of the Public Infrastructure which is not otherwise funded by the District.

2. **Due Date.** The System Development Fee shall be due and payable to the District by the first purchaser of each Lot on the date of closing on such Lot.

3. **Delinquent Fees.** Until paid, any System Development Fee shall be subject to delinquency interest at a rate of 8% per annum from the due date and shall be collected in accordance with the provisions of Section 32-1-1001(1)(j), C.R.S., to the extent or as otherwise permitted by law. Until paid in full, such System Development Fee, together with interest accrued thereon, shall constitute a perpetual lien against the affected Lot as provided and permitted by law.

4. **Payment Certificate and Partial Release of Lien.** After payment of the System Development Fee for a particular Lot, the District shall record a Partial Release of Lien as soon as practicable, but in no event more than 30 days after such request.

5. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

6. **Effective Date.** This Resolution shall take effect and be of full force and effect as of August 1, 2021.

ADOPTED this 8<sup>th</sup> day of July, 2021.

**RIVER VALLEY METROPOLITAN DISTRICT**

  
\_\_\_\_\_  
John Reed, President

Attest:

X   
\_\_\_\_\_  
Russ Hatle, Secretary

STATE OF COLORADO )  
 ) ss.  
COUNTY OF Garfield )

**ASHLEY DUDA**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID 20194043364  
My Commission Expires November 15, 2023

Subscribed and sworn before me this 19<sup>th</sup> day of July, 2021 by John Reed,  
as President of the River Valley Metropolitan District.

  
\_\_\_\_\_  
Notary Public

STATE OF COLORADO )  
 ) ss.  
COUNTY OF EAGLE )

Subscribed and sworn before me this 23<sup>rd</sup> day of July, 2021 by Russ Hatle,  
as Secretary of the River Valley Metropolitan District.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 11/13/2021

**BRIAN PONCE ESTRADA**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID 20204039860  
My Commission Expires: November 13, 2024

**EXHIBIT A  
TO  
RIVER VALLEY METROPOLITAN DISTRICT  
RESOLUTION TO ESTABLISH SYSTEM DEVELOPMENT FEES**

**Legal Description attached hereto**

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## RIVER VALLEY METROPOLITAN DISTRICT (HOMESTEAD AND RIVERVIEW)

SITUATED IN SECTION 11, TOWNSHIP 6 SOUTH, RANGE 92 WEST, OF THE SIXTH  
PRINCIPAL MERIDIAN, TOWN OF SILT, COUNTY OF GARFIELD, STATE OF COLORADO

PROPERTY DESCRIPTION:

**HOMESTEAD**

**PARCEL 1**

TRACT 4000, PAINTED PASTURES SUBDIVISION, ACCORDING TO THE FINAL PLAT MAP THEREOF, RECORDED MAY 15, 2008 AS RECEPTION NO. 748623

CONTAINING 33,718 SQUARE FEET OR 0.774 ACRES, MORE OR LESS

**PARCEL 2**

BLOCKS 1, 2 AND 3, PAINTED PASTURES SUBDIVISION, ACCORDING TO THE AMENDED FINAL PLAT OF MF LOTS 1001-1006, PAINTED PASTURES SUBDIVISION, RECORDED AUGUST 21, 2009 AS RECEPTION NO. 773723

CONTAINING 95,494 SQUARE FEET OR 2.192 ACRES, MORE OR LESS

TOWN OF SILT  
COUNTY OF GARFIELD  
STATE OF COLORADO

**RIVERVIEW**

A PARCEL OF LAND SITUATION IN SECTION 11, TOWNSHIP 6 SOUTH, RANGE 92 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF SILT, COUNTY OF GARFIELD, STATE OF COLORADO; SAID PARCEL OF LAND BEING LOTS O-S:3001 AND 3002, LOTS 69-107, INCLUSIVE, ALONG WITH PERLINO LOOP, CREMELLO LANE, E. SABINO LANE, AND E. SABINO COURT, ALL LYING EASTERLY OF THE N. OVERO BOULEVARD RIGHT-OF-WAY, PAINTED PASTURES SUBDIVISION, ACCORDING TO THE FINAL PLAT MAP THEREOF, RECORDED MAY 15, 2008 AS RECEPTION NO. 748623; TOGETHER WITH BLOCKS 4 TO 6, INCLUSIVE, PAINTED PASTURES, ACCORDING TO THE AMENDED FINAL PLAT OF MF LOTS 1001-1006, PAINTED PASTURES SUBDIVISION, RECORDED AUGUST 21, 2009 AS RECEPTION NO. 773723; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 11 (WITH ALL BEARINGS HEREIN BEING RELATIVE TO A BEARING OF S89° 47' 58"E ALONG THE NORTH LINE OF THE NE1/4 OF SAID SECTION 11); SAID POINT ALSO BEING AN ANGLE POINT ON THE NORTHERLY BOUNDARY LINE OF SAID PAINTED PASTURES SUBDIVISION; THENCE S89°47'58"E ALONG SAID NORTH LINE OF THE NE1/4 OF SAID SECTION 11 AND ALONG SAID NORTHERLY BOUNDARY LINE OF SAID PAINTED PASTURES SUBDIVISION A DISTANCE OF 874.06 FEET TO THE NORTHEAST CORNER OF SAID PAINTED PASTURES SUBDIVISION; THENCE LEAVING SAID NORTH LINE OF THE NE1/4 OF SAID SECTION 11, ALONG THE BOUNDARY LINE OF SAID PAINTED PASTURES SUBDIVISION THE FOLLOWING TWO (2) COURSES:

- 1) S02°09'20"W A DISTANCE OF 819.51 FEET TO THE SOUTHEAST CORNER OF SAID PAINTED PASTURES SUBDIVISION;
  - 2) N85°57'20"W A DISTANCE OF 793.50 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF N. OVERO BOULEVARD, ACCORDING TO SAID FINAL PLAT OF PAINTED PASTURES, RECORDED MAY 15, 2008 AS RECEPTION NO. 748623; THENCE LEAVING SAID BOUNDARY LINE OF SAID PAINTED PASTURES SUBDIVISION, ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF N. OVERO BOULEVARD THE FOLLOWING FOUR (4) COURSES:
    - 1) N40°57'20"W A DISTANCE OF 92.01 FEET;
    - 2) N04°02'40"E A DISTANCE OF 287.15 FEET;
    - 3) 83.21 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 335.00 FEET AND A CENTRAL ANGLE OF 14°13'57" (CHORD BEARS N03°04'19"W A DISTANCE OF 83.00 FEET);
    - 4) N10°11'17"W A DISTANCE OF 332.68 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF SAID PAINTED PASTURES SUBDIVISION; SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF THE NW1/4 OF SAID SECTION 11;
- THENCE ALONG SAID NORTHERLY BOUNDARY LINE AND SAID NORTH LINE S89°46'24"E A DISTANCE OF 51.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 683,872 SQUARE FEET OR 15.700 ACRES, MORE OR LESS

TOWN OF SILT  
COUNTY OF GARFIELD  
STATE OF COLORADO

PROPERTY DESCRIPTION CONTAINING A TOTAL OF 18.666 ACRES, MORE OR LESS.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

**SOPRIS ENGINEERING - LLC**

CIVIL CONSULTANTS  
502 MAIN STREET, SUITE A3  
CARBONDALE, COLORADO 81623  
(970) 704-0311

## RIVER VALLEY METROPOLITAN DISTRICT (VILLAGE)

SITUATED IN SECTION 11, TOWNSHIP 6 SOUTH, RANGE 92 WEST, OF THE SIXTH  
PRINCIPAL MERIDIAN, COUNTY OF GARFIELD, STATE OF COLORADO

### PROPERTY DESCRIPTION:

#### **VILLAGE**

A PARCEL OF LAND SITUATED IN GOVERNMENT LOTS 2 AND 3 OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GARFIELD, STATE OF COLORADO; SAID PARCEL BEING THE SAME AS THAT PROPERTY DESCRIBED IN THOSE DOCUMENTS RECORDED AS RECEPTION NOS. 914118 AND 914119 OF THE GARFIELD COUNTY RECORDS; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 11, A GARFIELD COUNTY SURVEYOR BRASS CAP IN PLACE; THENCE SOUTH 42°15'00" EAST A DISTANCE OF 1243.83 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF HIGHWAY 6 & 24, THE POINT OF BEGINNING (WITH ALL BEARINGS HEREIN BEING RELATIVE TO A BEARING OF S85°59'46"E ALONG THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 6 AND 24, FROM THAT FOUND CONCRETE RIGHT-OF-WAY POST ON THE ANGLE POINT OF SAID SOUTHERLY LINE TO THE FOUND NO. 5 REBAR AND 1.25" PLASTIC CAP (BROKEN) STAMPED "L.S. 29030" FOR THE NORTHEAST CORNER OF SUBJECT PROPERTY);

THENCE S85°57'20"E ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 445.07 FEET TO A POINT ON THE EAST LINE OF SAID GOVERNMENT LOT 2 OF SECTION 11; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY S00°08'48"W ALONG SAID EAST LINE A DISTANCE OF 147.98 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE LEAVING SAID EAST LINE S81°38'38"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD A DISTANCE OF 1305.59 FEET TO A POINT ON THE WEST LINE OF SAID GOVERNMENT LOT 2; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE N00°33'16"E ALONG SAID WEST LINE A DISTANCE OF 94.23 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY ON THE NORTHERLY SIDE OF THE CACTUS VALLEY DITCH; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY ON THE NORTHERLY SIDE OF THE CACTUS VALLEY DITCH THE FOLLOWING SEVEN (7) COURSES:

- 1) N87°59'33"W A DISTANCE OF 106.71 FEET;
- 2) N71°24'06"W A DISTANCE OF 66.86 FEET;
- 3) N58°12'07"W A DISTANCE OF 93.99 FEET;
- 4) N78°56'55"W A DISTANCE OF 91.49 FEET;
- 5) N56°49'50"W A DISTANCE OF 97.90 FEET;
- 6) N36°51'32"W A DISTANCE OF 86.40 FEET;
- 7) N49°36'09"W A DISTANCE OF 173.85 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 6&24;

THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY S85°57'20"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 607.28 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE, SAID POINT BEING THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED IN THAT DEED RECORDED AS RECEPTION NO. 760876 OF THE GARFIELD COUNTY RECORDS; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND THE BOUNDARY OF SAID RECEPTION NO. 760876 N49°08'56"E A DISTANCE OF 70.84 FEET TO THE NORTHEAST CORNER OF SAID RECEPTION NO. 760876; THENCE LEAVING SAID BOUNDARY OF SAID RECEPTION NO. 760876 AND CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE S85°57'20"E A DISTANCE OF 795.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 488,931 SQUARE FEET OR 11.224 ACRES, MORE OR LESS

NOTICE: ACCORDING TO COLORADO LAW YOU MUST  
COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN  
THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER  
SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON  
ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN  
YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

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