

**SECOND AMENDMENT TO RESOLUTION NO. 2016-09-04 RESOLUTION OF THE
BOARD OF DIRECTORS OF THE HIGHLINE CROSSING METROPOLITAN
DISTRICT REGARDING THE IMPOSITION OF DISTRICT FEES**

A. On September 23, 2016, Highline Crossing Metropolitan District (the “**District**”) adopted Resolution No. 2016-09-04 Regarding the Imposition of District Fees (the “**Resolution**”).

B. On June 26, 2017, the District adopted the First Amendment to the Resolution (the “**First Amendment**”), amending the Resolution to reflect to a change in the District’s contact information.

C. The District desires to further amend the Resolution due to changed economic circumstances affecting the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HIGHLINE CROSSING METROPOLITAN DISTRICT, ARAPAHOE COUNTY, COLORADO, AS FOLLOWS:

1. Defined Terms. Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Resolution.

2. Amendment to Section 1, Subsection (a) of the Resolution. Section 1, Subsection (a) of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

(a) Operations Fee.

(i) The Board hereby imposes an Operations and Maintenance Fee (the “**Operations Fee**”) in the amount of \$1,000.00 per year on each residential lot (each, a “**Lot**”) within the District. The District reserves the right to amend this resolution in the future to increase or decrease the amount of the Operations Fee.

(ii) The Operations Fee shall be paid in quarterly amounts of \$250.00 per calendar quarter invoiced on each January 1st, April 1st, July 1st and October 1st and due on each January 25th, April 25th, July 25th and October 25th. An invoice for the Operations Fee payable for each calendar quarter will be mailed to each property owner (“**Owner**”) thirty (30) days prior to the final due date (the “**Bill Date**”), following a five (5) day grace period after the initial due date. If payment in full is not received by the 30th day following the Bill Date (the “**Past Due Date**”), the fee is deemed past due and otherwise outstanding. A “Reminder Notice” may be, but is not required to be, sent at such time. Notwithstanding the above, the Owner shall have the right to pay the Operations Fee for said calendar year in one installment on or before January 15th, in which event, the Owner shall be entitled to a five percent (5%) discount.

(iii) Failure to make payment of any Operations Fees due hereunder shall constitute a default in the payment of such Operations Fees. Upon default, Owner shall be responsible for a late payment (“**Late Payment Fee**”) in the amount of \$15.00 per late payment.

(iv) If the Owner does not make payment of all past due amounts, including interest (the “**Delinquent Balance**”), within 60 days from the Past Due Date, the District may deliver to the Owner a Notice of Intent to File a Lien Statement (a “**Lien Notice**”). The Lien Notice shall give notice to the Owner that the District intends to perfect its lien against the Property by recording a Lien Statement in the office of the Arapahoe County Clerk and Recorder if the Delinquent Balance is not paid in full within thirty (30) days after said Lien Notice is served upon Owner by certified mail, return receipt requested, pursuant to Section 38-22-109(3), C.R.S

3. Except as expressly set forth in this Second Amendment, all provisions of the Resolution remain unchanged and in full force and effect, valid and binding on the parties thereto

4. This Second Amendment to the Resolution shall take effect immediately upon its adoption and approval.

[SIGNATURE PAGE FOLLOWS]

APPROVED AND ADOPTED THIS 15th day of November, 2021.

**HIGHLINE CROSSING
METROPOLITAN DISTRICT**, a quasi-
municipal corporation and political subdivision
of the State of Colorado

By: *Daniel Payotelis*
President

Attest:

By: 
Secretary