

After Recording, Return to:
WHITE BEAR ANKELE TANAKA & WALDRON
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

**RESOLUTION OF THE
BOARD OF DIRECTORS OF
VISTAS AT WEST MESA METROPOLITAN DISTRICT**

**AMENDING RESOLUTION CONCERNING THE IMPOSITION OF FACILITIES
FEES**

WHEREAS, Vistas at West Mesa Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S. the Board of Directors of the District (the “**Board**”) shall have the management, control and supervision of all the business affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the District is authorized to fix, and impose fees, rates, tolls, penalties and charges for services and facilities furnished by the District which, until such fees, rates, tolls, penalties and charges are paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, on February 10, 2023, the Board adopted the Resolution Concerning the Imposition of an Operations Fee, which was recorded on February 27, 2023, at Reception No. 223016007 in the real property records of El Paso County, Colorado (the “**Fee Resolution**”); and

WHEREAS, having reviewed the information provided by its Accountant, the Board has determined that a decrease to the amount of the Operations Fee is reasonable and in the best interest of the District’s property owners and taxpayers.

NOW, THEREFORE, be it resolved by the Board as follows:

1. Amendment. The District’s Schedule of Fees is hereby amended and restated as set forth in **Exhibit 1**, attached hereto and incorporated herein by reference.
2. Prior Provisions Effective. Except as specifically amended herein, all the terms and provisions of the Fee Resolution shall remain in full force and effect.
3. Prior Fees. Any fees, rates, tolls, penalties or charges due under the Fee Resolution, to the extent outstanding and unpaid, shall remain in effect until fully paid and shall not be eliminated hereby.
4. Effective Date. This Resolution shall become effective February 10, 2023.

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ADOPTED this 14th day of April, 2023.

VISTAS AT WEST MESA METROPOLITAN
DISTRICT, a quasi-municipal corporation and
political subdivision of the State of Colorado

Jeff Powles

Officer of the District

ATTEST:

Heather Smith

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys At Law

George W. Rowley

General Counsel to the District

Signature Page to Amended Resolution Concerning the Imposition of an Operations Fee

EXHIBIT 1

**EXHIBIT A
VISTAS AT WEST MESA METROPOLITAN DISTRICT
Schedule of Fees
Effective February 10, 2023**

Schedule of Fees		
Fee Type	Classifications	Rate
Operations Fee – Recurring Payment	Residential Unit	\$ 125/month
The Due Date for each Operations fee is the 1st day of each month.		
Operations Fee – Payment Due Upon a Transfer	Residential Unit	\$ 50 per Transfer
The Due Date for each Operations Fee—Payment Due Upon Transfer is the date upon which the Transfer occurs.		

PAYMENTS: Payment for each fee shall be made payable to the Vistas at West Mesa Metropolitan District and sent to the following address for receipt by the Due Date:

Vistas at West Mesa Metropolitan District
c/o WSDM District Managers
614 N Tejon Street
Colorado Springs, CO 80903