

RESOLUTION NO. 2022-04-01

**RESOLUTION OF THE BOARD OF DIRECTORS OF
AURORA CENTRETECH METROPOLITAN DISTRICT**

RESOLUTION FOR EXCLUSION OF REAL PROPERTY

A. Buckley REF Acquisition LLC, a Delaware limited liability company (the “**Petitioners**”), the 100% fee owner of the Property (defined herein) has petitioned the Aurora CentreTech Metropolitan District (the “**District**”) for the exclusion from the boundaries of said District of the real property hereinafter described on **Exhibit A** attached hereto and incorporated herein (the “**Property**”).

B. Public Notice has been published in accordance with Section 32-1-501(2), C.R.S., calling for a public hearing on the request for approval of said Petition.

C. No written objection was filed by any person in the District to the Petition.

D. The Board of Directors has taken into consideration all of the factors set forth in Section 32-1-501(3), C.R.S.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF AURORA CENTRETECH METROPOLITAN DISTRICT, ARAPAHOE COUNTY, COLORADO:

1. The Board of Directors finds that:
 - (a) exclusion of the Property is in the best interests of the Property to be excluded;
 - (b) exclusion of the Property is in the best interests of the District;
 - (c) exclusion of the Property is in the best interests of the county or counties in which the District is located;
 - (d) the relative costs to the Property to be excluded from the provision of the District’s services exceed the benefits of the Property remaining within the District’s boundaries;
 - (e) under its current service plan the District does not have the ability to provide economical and sufficient service to both the Property seeking exclusion and all of the properties located within the District boundaries;
 - (f) the District does not have the ability to provide services to the Property to be excluded at a reasonable cost compared with the cost which would be imposed by other entities in the surrounding area providing similar services;
 - (g) denying the petition may have a negative impact on employment and other economic conditions in the District and surrounding areas;

(h) denying the petition may have a negative economic impact on the region and on the District, surrounding area and State as a whole;

(i) an economically feasible alternative service may be available; and

(j) it should not be necessary for the District to levy any additional costs on other property within the District if the Petition for Exclusion is granted.

2. The Board of Directors of the District shall and hereby does, order that the Petition for Exclusion be granted, and the Property be excluded from the boundaries of the District subject to Petitioner paying the costs associated with processing the petition and requesting the court enter the Order for Exclusion, and recording thereof.

3. The Board of Directors of the District shall and hereby does further acknowledge and resolve that in accordance with Section 32-1-503, C.R.S., the Property described herein shall be obligated to the same extent as all other property within the District with respect to and shall be subject to the levy of taxes for the payment of that proportion of the outstanding indebtedness of the District and interest thereon existing immediately prior to the effective date of the Order for Exclusion (“**Outstanding Indebtedness**”).

4. The Board of Directors of the District shall and hereby does further order that, in accordance with Section 32-1-503(1), C.R.S., upon the effective date of the Order excluding the Property, the Property shall not be subject to any property tax levied by the Board of Directors of the District for the operating costs of the District.

5. The Board of Directors of the District shall and hereby does further resolve that in its discretion it may establish, maintain, enforce and, from time to time, modify service charges, tap fees, and other rates, fees, tolls and charges, upon residents or users in the area of the District as it existed prior to the exclusion, including the Property, to supplement the proceeds of tax levies in the payment of the Outstanding Indebtedness and the interest thereon.

The name and address of the Petitioner and the legal description of said Property are as follows:

Petitioner:	Buckley REF Acquisition LLC, a Delaware limited liability company
Address of Petitioner:	c/o Joe Shumaker 1166 Avenue of the Americas New York, NY 10036
Legal Description of the Property:	Approximately 18.2075 acres of land legally described on Exhibit A and incorporated herein by this reference.

APPROVED AND ADOPTED April 28, 2022.

**AURORA CENTRETECH
METROPOLITAN DISTRICT**

By: 

President

Attest:



Secretary

EXHIBIT A
Legal Description

EXHIBIT A

Legal Description of Property



JR ENGINEERING

DISTRICT NO. 1
EXHIBIT A

PROPERTY DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 2, TOLLGATE VILLAGE SUBDIVISION FILING NO. 14 RECORDED UNDER RECEPTION NO. 1991491 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 SOUTH, RANGE 66 WEST OF THE 6TH P.M., MONUMENTED AT THE NORTHWEST CORNER BY A 3" BRASS CAP IN A RANGE BOX AND AT THE NORTH QUARTER CORNER BY A 3" BRASS CAP IN A RANGE BOX, BEARING N89°57'02"W.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16;

THENCE S33°34'04"E A DISTANCE OF 719.99 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST ALAMEDA DRIVE, AS SHOWN ON TOLLGATE VILLAGE SUBDIVISION FILING NO. 14, RECORDED UNDER RECEPTION NO. 1991491 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (7) SEVEN COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S02°30'48"E, HAVING A RADIUS OF 554.84 FEET, A CENTRAL ANGLE OF 37°55'48" AND AN ARC LENGTH OF 367.31 FEET, TO A POINT OF TANGENT;
2. S54°35'00"E A DISTANCE OF 596.63 FEET;
3. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 295.00 FEET, A CENTRAL ANGLE OF 59°13'56" AND AN ARC LENGTH OF 304.97 FEET, TO A POINT OF TANGENT;
4. S04°38'56"W A DISTANCE OF 143.10 FEET;
5. S08°07'01"W A DISTANCE OF 165.31 FEET;
6. S04°38'56"W A DISTANCE OF 75.22 FEET;
7. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°34'29" AND AN ARC LENGTH OF 39.08 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST ALAMEDA PARKWAY, SAID POINT BEING A POINT OF REVERSE CURVE;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (2) TWO COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 8055.00 FEET, A CENTRAL ANGLE OF 00°37'00" AND AN ARC LENGTH OF 86.68, TO A POINT OF TANGENT;
2. N89°23'35"W A DISTANCE OF 594.80 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF EAST ALAMEDA PARKWAY RECORDED UNDER RECEPTION NO. B8000208 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (2) TWO COURSES:

1. N03°36'25"E A DISTANCE OF 15.00 FEET;

1000 E Arapahoe Way Suite 400A, Centennial, CO 80112
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SHEET 1 OF 1

2. N86°23'35"W A DISTANCE OF 154.14 FEET;

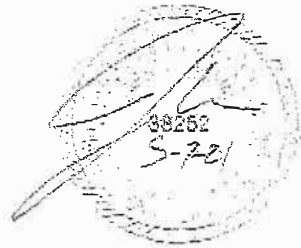
THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, N02°59'12"W A DISTANCE OF 1049.78 FEET TO THE POINT OF BEGINNING.

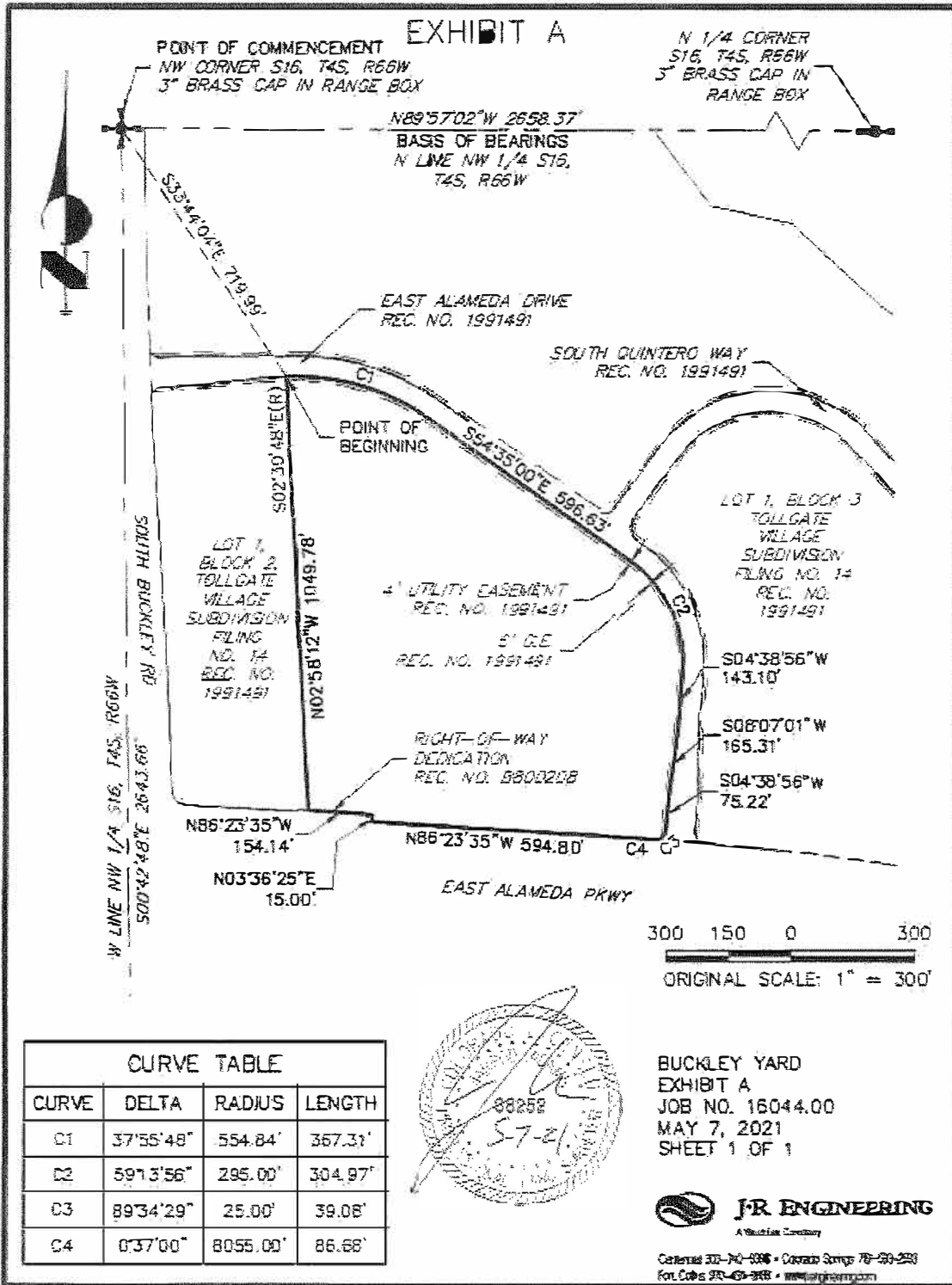
CONTAINING A CALCULATED AREA OF 793,120 SQUARE FEET OR 18.2075 ACRES.

PROPERTY DESCRIPTION STATEMENT

I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR
COLORADO NO. 36252
FOR AND ON BEHALF OF JR ENGINEERING, LLC





CERTIFICATION

The undersigned hereby certifies that the foregoing is a true and correct copy of Resolution No. 2022-04-01, Resolution of the Board of Directors of Aurora CentreTech Metropolitan District, Resolution for Exclusion of Real Property.

**AURORA CENTRETECH METROPOLITAN
DISTRICT**

Date: 05 / 05 / 2022

By: 
Secretary