

**RESOLUTION**  
**ADOPTING BUDGET, APPROPRIATING FUNDS AND CERTIFYING MILL LEVIES**  
**FOR THE CALENDAR YEAR 2023**

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The Board of Directors of Westerly Metropolitan District No. 1 (the “**Board**”), Town of Erie, Weld County, Colorado (the “**District**”), held a regular meeting via teleconference on November 10, 2022 at the hour of 10:30 a.m.

Prior to the meeting, each of the directors was notified of the date, time and place of the budget meeting and the purpose for which it was called and a notice of the meeting was posted or published in accordance with § 29-1-106, C.R.S.

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NOTICE AS TO PROPOSED 2023 BUDGET

**NOTICE OF PUBLIC HEARING ON THE AMENDED 2022 BUDGETS  
AND  
NOTICE OF PUBLIC HEARING ON THE PROPOSED 2023 BUDGETS**

NOTICE IS HEREBY GIVEN that the Boards of Directors (collectively the "Boards") of the WESTERLY METROPOLITAN DISTRICT NOS. 1-4 (collectively the "Districts"), will hold a meeting via teleconference on November 10, 2022 at 10:30, for the purpose of conducting such business as may come before the Boards including a public hearing on the 2023 proposed budgets (the "Proposed Budgets"). The necessity may also arise for an amendment to the 2022 budgets (the "Amended Budgets"). This meeting can be joined using the following teleconference information:

https://us06web.zoom.us/j/87813792771?pwd=WHI4NDNsQTNqSitQaFdQRVUxMnVZQT09  
Meeting ID: 878 1379 2771; Passcode: 330069; (720) 707-2699

NOTICE IS FURTHER GIVEN that the Proposed Budgets and Amended Budgets (if applicable) have been submitted to the Districts. A copy of the Proposed Budgets and Amended Budgets are on file in the office of CliftonLarsonAllen, LLP, 8390 E Crescent Pkwy #300, Englewood, CO 80111, where the same are open for public inspection. Any interested elector of the Districts may file any objections to the Proposed Budgets and Amended Budgets at any time prior to final adoption of the Proposed Budgets or the Amended Budgets by the Boards. This meeting is open to the public and the agenda for any meeting may be obtained by calling (303) 858-1800.

BY ORDER OF THE BOARD OF DIRECTORS:

WESTERLY METROPOLITAN DISTRICT NOS. 1-4, quasi-municipal corporations and political subdivisions of the State of Colorado

/s/ WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

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**Prairie Mountain Media, LLC**

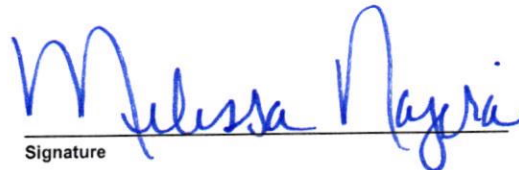
**PUBLISHER'S AFFIDAVIT**

County of Boulder  
State of Colorado

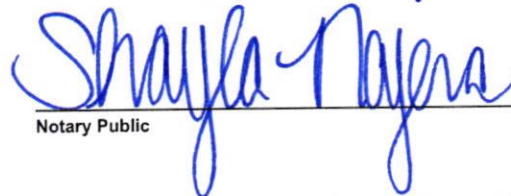
The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Colorado Hometown*.
2. The *Colorado Hometown* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Boulder County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Colorado Hometown* in Boulder County on the following date(s):

Nov 9, 2022

  
Signature

Subscribed and sworn to me before me this  
9th day of November 2022.

  
Notary Public

(SEAL)

SHAYLA NAJERA  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20174031965  
MY COMMISSION EXPIRES July 31, 2025

Account: 1051175  
Ad Number: 1933548  
Fee: \$36.83

WHEREAS, the Board has designated its accountant to prepare and submit a proposed budget to the Board in accordance with Colorado law; and

WHEREAS, the proposed budget has been submitted to the Board for its review and consideration; and

WHEREAS, upon due and proper notice, provided in accordance with Colorado law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held and interested electors were given the opportunity to register their protest to the proposed budget prior to the adoption of the budget by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. Adoption of Budget. The budget attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2023. In the event of recertification of values by the County Assessor's Office after the date of adoption hereof, staff is hereby directed to modify and/or adjust the budget and certification to reflect the recertification without the need for additional Board authorization. Any such modification to the budget or certification as contemplated by this Section 1 shall be deemed ratified by the Board.

Section 2. Levy for General Operating Expenses. For the purpose of meeting all general operating expenses of the District during the 2023 budget year, there is hereby levied a tax of 10.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 3. Levy for Debt Service Obligations. For the purposes of meeting all debt service obligations of the District during the 2023 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 4. Levy for Contractual Obligation Expenses. For the purposes of meeting all contractual obligations of the District during the 2023 budget year, there is hereby levied a tax of

55.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 5. Levy for Capital Project Expenses. For the purposes of meeting all capital project obligations of the District during the 2023 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District.

Section 6. Mill Levy Adjustment. When developing the attached budget, consideration was given to any changes in the method of calculating assessed valuation, including any changes to the assessment ratios, or any constitutionally mandated tax credit, cut or abatement, as authorized in the District's service plan. The Board hereby determines in good faith (such determination to be binding and final), that to the extent possible, the adjustments to the mill levies made to account for changes in Colorado law described in the prior sentence, and the actual tax revenues generated by the mill levies, are neither diminished nor enhanced as a result of those changes.

Section 7. Certification to County Commissioners. The Board directs its legal counsel, manager, accountant or other designee to certify to the Board of County Commissioners of Weld County, Colorado the mill levies for the District as set forth herein. Such certification shall be in compliance with the requirements of Colorado law.

Section 8. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated.

Section 9. Filing of Budget and Budget Message. The Board hereby directs its legal counsel, manager or other designee to file a certified copy of the adopted budget resolution, the budget and budget message with the Division of Local Government by January 30 of the ensuing year.


Section 10. Budget Certification. The budget shall be certified by a member of the District, or a person appointed by the District, and made a part of the public records of the District.

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ADOPTED THIS 10<sup>TH</sup> DAY OF NOVEMBER, 2022.

**DISTRICT:**

**WESTERLY METROPOLITAN DISTRICT  
NO. 1**, a quasi-municipal corporation and political  
subdivision of the State of Colorado


By:   
Heidi Majerik (Jan 19, 2023 14:12 MST)  
Officer of the District

Attest:

By:   
\_\_\_\_\_

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

  
\_\_\_\_\_  
General Counsel to the District

STATE OF COLORADO  
COUNTY OF WELD  
WESTERLY METROPOLITAN DISTRICT NO. 1

I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the Board adopted by a majority of the Board at a District meeting held via teleconference on Thursday, November 10, 2022, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 19<sup>th</sup> day of January, 2023.

  
\_\_\_\_\_

**EXHIBIT A**  
**BUDGET DOCUMENT**  
**BUDGET MESSAGE**

**WESTERLY METRO DISTRICT NO. 1**  
**ANNUAL BUDGET**  
**FOR THE YEAR ENDING DECEMBER 31, 2023**



**WESTERLY METROPOLITAN DISTRICT NO. 1  
SUMMARY  
2023 BUDGET  
WITH 2021 ACTUAL & 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

1/9/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCES	\$ -	\$ (33,400)	\$ -
<b>REVENUES</b>			
Property Taxes	32	185	255
Specific Ownership Tax	1	12	15
Interest Income	-	-	-
Facilities Fees	-	168,483	-
Other Reveue	-	-	100
Transfers from WMD No. 2	115	231	3,488
Transfers from WMD No. 3	131	188	164
Transfers from WMD No. 4	9,674,799	16,188,239	10,773,740
Developer Advance	3,546,588	3,151,457	3,672,486
Total revenues	<u>13,221,666</u>	<u>19,508,795</u>	<u>14,450,248</u>
Total funds available	<u>13,221,666</u>	<u>19,475,395</u>	<u>14,450,248</u>
<b>EXPENDITURES</b>			
General Fund	94,148	107,509	120,647
Debt Service Fund	28	141,847	329
Capital Projects Fund	13,160,890	19,226,039	14,329,272
Total expenditures	<u>13,255,066</u>	<u>19,475,395</u>	<u>14,450,248</u>
Total expenditures and transfers out requiring appropriation	<u>13,255,066</u>	<u>19,475,395</u>	<u>14,450,248</u>
ENDING FUND BALANCES	<u>\$ (33,400)</u>	<u>\$ -</u>	<u>\$ -</u>

No assurance provided. See summary of significant assumptions.

**WESTERLY METROPOLITAN DISTRICT NO. 1**  
**PROPERTY TAX SUMMARY INFORMATION**  
**2023 BUDGET**  
**WITH 2021 ACTUAL & 2022 ESTIMATED**  
**For the Years Ended and Ending December 31,**

1/9/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
<b>ASSESSED VALUATION</b>			
Agricultural	\$ -	\$ 460	\$ -
State assessed	-	2,130	2,460
Vacant land	450	-	1,470
	450	2,590	3,930
Certified Assessed Value	\$ 450	\$ 2,590	\$ 3,930
 <b>MILL LEVY</b>			
General	10.000	10.000	10.000
Debt Service	61.230	61.230	55.000
Total mill levy	71.230	71.230	65.000
 <b>PROPERTY TAXES</b>			
General	\$ 5	\$ 26	\$ 39
Debt Service	27	159	216
Levied property taxes	32	185	255
Budgeted property taxes	\$ 32	\$ 185	\$ 255
 <b>BUDGETED PROPERTY TAXES</b>			
General	\$ 5	\$ 26	\$ 39
Debt Service	27	159	216
	\$ 32	\$ 185	\$ 255

No assurance provided. See summary of significant assumptions.

**WESTERLY METROPOLITAN DISTRICT NO. 1  
GENERAL FUND  
2023 BUDGET  
WITH 2021 ACTUAL & 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

1/9/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCES	\$ -	\$ (33,400)	\$ -
<b>REVENUES</b>			
Property Taxes	5	26	39
Specific Ownership	-	2	2
Interest Income	-	-	-
Transfers from WMD No. 2	115	231	3,488
Transfers from WMD No. 3	131	188	164
Transfers from WMD No. 4	5	4	264
Developer Advance	60,492	140,458	116,690
Total revenues	60,748	140,909	120,647
Total funds available	60,748	107,509	120,647
<b>EXPENDITURES</b>			
General and administrative			
Accounting	40,624	50,000	56,000
Auditing	-	8,200	8,200
County Treasurer Fees	-	1	1
Dues and Membership	650	1,066	1,100
Insurance	-	5,954	6,300
Legal	52,874	40,000	45,000
Election	-	944	1,000
Engineering	-	-	-
Contingency	-	1,344	3,046
Total expenditures	94,148	107,509	120,647
Total expenditures and transfers out requiring appropriation	94,148	107,509	120,647
ENDING FUND BALANCES	\$ (33,400)	\$ -	\$ -

No assurance provided. See summary of significant assumptions.

**WESTERLY METROPOLITAN DISTRICT NO. 1  
DEBT SERVICE FUND  
2023 BUDGET  
WITH 2021 ACTUAL & 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

1/9/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCES	\$ -	-	-
REVENUES			
Property Taxes	27	159	216
Specific Ownership Taxes	1	10	13
Facility Fees	-	141,678	-
Other Revenue	-	-	100
Total revenues	<u>28</u>	<u>141,847</u>	<u>329</u>
Total funds available	<u>28</u>	<u>141,847</u>	<u>329</u>
EXPENDITURES			
General and administrative			
County Treasurer's Fee	-	4	3
Contingency	-	3	100
Transfers to WMD No. 4	28	141,840	226
Total expenditures	<u>28</u>	<u>141,847</u>	<u>329</u>
Total expenditures and transfers out requiring appropriation	<u>28</u>	<u>141,847</u>	<u>329</u>
ENDING FUND BALANCES	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

No assurance provided. See summary of significant assumptions.

**WESTERLY METROPOLITAN DISTRICT NO. 1  
CAPITAL PROJECTS FUND  
2023 BUDGET  
WITH 2021 ACTUAL & 2022 ESTIMATED  
For the Years Ended and Ending December 31,**

1/9/23

	ACTUAL 2021	ESTIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCES	\$ -	\$ -	\$ -
REVENUES			
Facilitee Fees	-	26,805	-
Transfers from WMD No. 4	9,674,794	16,188,235	10,773,476
Developer Advance	3,486,096	3,010,999	3,555,796
Total revenues	<u>13,160,890</u>	<u>19,226,039</u>	<u>14,329,272</u>
Total funds available	<u>13,160,890</u>	<u>19,226,039</u>	<u>14,329,272</u>
EXPENDITURES			
General and Administrative			
Accounting	-	25,000	25,000
Repay Developer Advance	3,486,096	3,010,999	3,555,796
Engineering	-	20,000	25,000
Capital Projects			
Capital Outlay	9,674,794	16,170,040	10,723,476
Total Expenditures	<u>13,160,890</u>	<u>19,226,039</u>	<u>14,329,272</u>
Total expenditures and transfers out requiring appropriation	<u>13,160,890</u>	<u>19,226,039</u>	<u>14,329,272</u>
ENDING FUND BALANCES	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

No assurance provided. See summary of significant assumptions.

**WESTERLY METRO DISTRICT NO. 1  
2023 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**SERVICES PROVIDED**

The District, a quasi-municipal corporation and a political subdivision of the State of Colorado, was organized by order and decree of the Weld County District Court on June 24, 2020, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District operates under a Service Plan approved by the Town of Erie.

The District was established to provide financing for the design, acquisition, installation, construction and completion of public improvements and services, including water, sanitation, street, safety protection, park and recreation, transportation, television relay and translation and mosquito control improvements and services.

Westerly Metro Districts Nos. 1-4 are expected to work together to provide for the acquisition, construction, and financing of the public improvements for the Development where District No. 1 acts as the operating district and provides for the construction or acquisition of the infrastructure, District No. 4 issues the debt and Districts No. 2 and 3 act as financing districts that levy taxes and support Districts 1 and 4.

The District has no employees and all administrative functions are contracted.

**REVENUES**

**Property Taxes**

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or, if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

The District's maximum Required Mill Levy is 55.000 mills, adjusted for changes in the ratio of actual value to assessed value of property within the District. Required Mill Levy means an ad valorem mill levy imposed upon all taxable property of the District each year in a amount sufficient to pay the principal, premium if any, and interest on the Bonds as the same become due and payable [and to make up any deficiencies in the Reserve Fund]. As of December 31, 2022, the adjusted maximum mill levy for debt service is 55.000 mills.

The calculation of the taxes levied is displayed on the Property Tax Summary page of the budget using the adopted mill levy imposed by the District.

**Specific Ownership Taxes**

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District's share will be equal to approximately 6% of the property taxes collected.

**WESTERLY METRO DISTRICT NO. 1  
2023 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**REVENUES (CONTINUED)**

**Developer Advance**

The District is in the development stage. As such, the operating and administrative expenditures will be mainly funded by the Developer. A portion of the capital expenditures are also expected to be funded by the Developer. Developer advances are recorded as revenue for budget purposes with an obligation for future repayment when the District is financially able to reimburse the Developer from bond proceeds and other legally available revenue.

**EXPENDITURES**

**Administrative and Operating Expenditures**

Operating and administrative expenditures include the estimated services necessary to maintain the District's administrative viability such as legal, management, accounting, insurance and meeting expense. Estimated expenditures related to street repairs and maintenance, street lights, street sweeping, landscaping, mowing, parks and open space maintenance, utilities and snow removal were also included the General Fund budget.

**County Treasurer's Fees**

County Treasurer's fees have been computed at 1.5% of property tax collections.

**Capital Outlay**

The District anticipates infrastructure improvements as noted in the Capital Projects fund.

**Emergency Reserve**

The District has provided for an emergency reserve fund equal to at least 3% of fiscal year spending as defined under TABOR