

CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 • 800-741-3254
Fax: 303-987-2032

NOTICE OF SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Otis C. Moore, III	President	2023/May 2023
Andrew R. Klein	Treasurer	2023/May 2023
Michael J. Schroeder	Asst. Secretary	2023/May 2023
Kevin Smith	Asst. Secretary	2025/May 2025
VACANT		2025/May 2023
Ann E. Finn	Secretary	

DATE: **August 9, 2022**

TIME: **10:00 A.M.**

PLACE: VIA Conference Call

Telephone Number: 1 669-900-6833

Meeting ID: 434 948 0582

Passcode: 355867

One tap mobile: +16699006833,,4349480582#,,, *355867#

I. ADMINISTRATIVE MATTERS

A. Confirm quorum. Present Disclosures of Potential Conflicts of Interest.

B. Approve agenda; confirm location of the meeting and posting of meeting notices.

C. **CONSENT AGENDA:** These items are considered to be routine and will be approved and/or ratified by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda.

- Approve Minutes from the June 6, 2022 Regular Meeting (enclosure).
-

D. Acknowledge the resignation of Director Schmitz from the Board of Directors of the District, effective _____, 2022.

- E. Consider appointment of eligible elector, Paige Langley, to the Board of Directors of the District (enclosure - Notice of Vacancies published July 24, 2022). Administer Oath of Office.
-

- F. Consider appointment of Officers:

President _____
Treasurer _____
Secretary _____
Asst. Secretary _____
Asst. Secretary _____
Asst. Secretary _____

II. PUBLIC COMMENT

- A. Members of the public may express their views to the Board on matters that affect the District that are not otherwise on the agenda. Comments will be limited to three (3) minutes.
-

III. FINANCIAL MATTERS

- A. Review and ratify approval of payment of claims for the following periods (enclosures):

Fund	Period Ending June 30, 2022	Period Ending July 31, 2022
General	\$ 7,766.17	\$ 17,341.96
Debt	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-
Total	\$ 7,766.17	\$ 17,341.96

- B. Review and accept unaudited financial statements through the period ending June 30, 2022 and updated cash position statement dated June 30, 2022 (enclosure).
-

IV. LEGAL MATTERS

- A. Conduct public hearing on Petition for Inclusion of approximately 2.3 acres of real property owned by BV Retail Land Holdings, LLLP, and consider adoption of Resolution No. 2022-08-01; Resolution for Inclusion of Real Property (enclosures – Petition and Resolution).
-

V. CAPITAL MATTERS

- A. Discuss status of construction.
-

VI. OPERATIONS

- A. Discuss prairie dog issues.
-

- B. Discuss operation and maintenance services for 2023.
-

- C. Review and consider approval of proposal from All Terrain Ponds and Sprinklers, LLC d/b/a All Terrain Landscaping to remove and replace 6 trees (enclosure).
-

VII. OTHER BUSINESS

- A. _____

VIII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR
NOVEMBER 7, 2022 – BUDGET HEARING**

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT HELD JUNE 6, 2022

A Regular Meeting of the Board of Directors of the City Center West Commercial Metropolitan District (referred to hereafter as “Board”) was convened on Monday, the 6th day of June, 2022, at 1:00 p.m. This District Board meeting was held via conference call. The meeting was open to the public via conference call.

ATTENDANCE

Directors in Attendance Were:

Otis C. Moore, III
Andrew R. Klein
Patrick Schmitz
Kevin Smith

Following discussion, upon motion duly made by Director Moore and seconded by Director Smith, and upon vote, unanimously carried, the absence of Director Schroeder was excused.

Also In Attendance Were:

Ann E. Finn and James Ruthven; Special District Management Services, Inc.

Megan Becher, Esq.; McGeady Becher P.C.

Matthew Miller; McMahan and Associates, L.L.C.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board and to the Secretary of State. Attorney Becher noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Becher noted that all Directors’ Disclosure Statements had been filed. No additional conflicts were disclosed at the meeting.

RECORD OF PROCEEDINGS

ADMINISTRATIVE MATTERS

Agenda: The Board reviewed a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Moore seconded by Director Smith and, upon vote, unanimously carried, the Agenda was approved.

Approval of Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. This District Board meeting was held by conference call and the public was encouraged to participate via conference call.

Ms. Finn noted that notice of the time, date and manner was duly posted and that they have not received any objections to the manner or any requests that the meeting manner be changed by taxpaying electors within the District's boundaries.

Consent Agenda: The Board considered the following actions:

- Approve Minutes from the November 22, 2021 Special Meeting.
- Ratify approval of Service Agreement with All Terrain Ponds and Sprinklers, LLC d/b/a All Terrain Landscaping for landscape maintenance services.

Following discussion and review, upon motion duly made by Director Moore, seconded by Director Smith and, upon vote, unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions.

May 3, 2022 Election: Ms. Finn advised the Board that the May 3, 2022 election was cancelled by the Designated Election Official, as allowed under Colorado law, because there were not more candidates than positions available on the Board of Directors. It was noted that Directors Schmitz and Smith were each elected by acclamation to respective 3-year terms ending in May, 2025.

Appointment of Officers: The Board entered into discussion regarding appointment of officers.

Following discussion, upon motion duly made by Director Moore, seconded by Director Smith and, upon vote, unanimously carried, the following slate of officers were appointed:

RECORD OF PROCEEDINGS

President	Otis C. Moore, III
Treasurer	Andrew R. Klein
Secretary	Ann E. Finn
Assistant Secretary	Michael J. Schroeder
Assistant Secretary	Patrick Schmitz
Assistant Secretary	Kevin Smith

2022 SDA Conference: Ms. Finn discussed the SDA Conference with the Board, and noted the information concerning the details of the conference will be emailed to them once the information is available.

**PUBLIC
COMMENTS**

There were no public comments.

**FINANCIAL
MATTERS**

Claims: The Board considered ratifying the approval of the payment of claims as follows:

Fund	Period Ending Nov. 12, 2021	Period Ending Dec. 10, 2021	Period Ending Jan. 18, 2022	Period Ending Feb. 10, 2022
General	\$ 9,721.55	\$ 11,007.07	\$ 6,402.42	\$ 5,601.39
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ 225.00	\$ -0-	\$ -0-
Total	\$ 9,721.55	\$ 11,232.07	\$ 6,402.42	\$ 5,601.39

Fund	Special Check Feb. 16, 2022	Period Ending March 08, 2022	Period Ending April 08, 2022	Period Ending May 11, 2022
General	\$ 300.00	\$ 6,244.47	\$ 3,802.25	\$ 6,044.11
Debt	\$ -0-	\$ -0-	\$ -0-	\$ 7,000.00
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 300.00	\$ 6,244.47	\$ 3,802.25	\$ 13,044.11

Fund	Special Check May 2022
General	\$ 2,245.63
Debt	\$ -0-
Capital	\$ -0-
Total	\$ 2,245.63

Following discussion, upon motion duly made by Director Moore, seconded by Director Smith and, upon vote, unanimously carried, the Board ratified approval of the payment of the claims.

Unaudited Financial Statements and Schedule of Cash Position: Mr. Ruthven reviewed with the Board the unaudited financial statements, dated March 31, 2022, and the schedule of cash position, dated March 31, 2022.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Moore, seconded by Director Smith and, upon vote, unanimously carried, the Board accepted the unaudited financial statements, dated March 31, 2022, and the schedule of cash position, dated March 31, 2022.

2021 Budget Amendment Hearing: The President opened the public hearing to consider the Resolution to Amend the 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

Following review and discussion, Director Moore moved to adopt the Resolution to Amend 2021 Budget, Director Schmitz seconded the motion and, upon vote, unanimously carried, the Board adopted Resolution No. 2022-06-01 to Amend the 2021 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

2021 Audit: Mr. Matthew Miller reviewed the draft 2021 Audit with the Board.

Following review and discussion, upon motion duly made by Director Moore, seconded by Director Smith, and upon vote, unanimously carried, the Board approved the 2021 Audited Financial Statements and authorized execution of the Representations Letter, subject to final legal review and receipt of an unmodified opinion letter by the Auditor.

Bill.com: The Board discussed a new procedure to process the claims payments.

Following discussion, upon motion duly made by Director Moore and seconded by Director Smith and, upon vote, unanimously carried, the Board authorized processing the claims payments using Bill.com.

LEGAL MATTERS

Potential Inclusions and Exclusions of Property: Attorney Becher discussed with the Board potential inclusions/exclusions of property into/from the boundaries of the District. Director Moore noted he will follow up on the timing for the inclusion/exclusion of property.

RECORD OF PROCEEDINGS

**CAPITAL
MATTERS**

Status of Construction: There was no update given.

OPERATIONS

There were no operations matters.

OTHER BUSINESS

There was no other business for the Board's consideration.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Moore, seconded by Director Smith and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: _____
Secretary for the Meeting

**NOTICE OF VACANCY
ON THE BOARDS OF DIRECTORS
OF CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT AND CITY
CENTER WEST RESIDENTIAL METROPOLITAN DISTRICT**

TO WHOM IT MAY CONCERN, and particularly to the electors of the City Center West Commercial Metropolitan District (the “Commercial District”) and to the electors of the City Center West Residential Metropolitan District (the “Residential District,” and together with the Commercial District, the “Districts”), both of the City of Greeley, Weld County, Colorado.

NOTICE IS HEREBY GIVEN, pursuant to Section 32-1-808, C.R.S., that a vacancy currently exists on each board of directors of the respective Districts. Any qualified, eligible elector of either District interested in filling such vacancy and serving on the board of directors should file a Letter of Interest with the respective board of directors of the Districts on or before the close of business on August 3, 2022, at the District Management office.

Forms of Letters of Interest are available and can be obtained from the District Manager of the Districts, c/o Ann Finn at Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, CO 80228-1898, afinn@sdmsi.com, Phone: 303-987-0835.

**CITY CENTER WEST COMMERCIAL
METROPOLITAN DISTRICT
and
CITY CENTER WEST RESIDENTIAL
METROPOLITAN DISTRICT**

By: */s/ Ann Finn*
District Manager for the Districts

Published: July 24, 2022
Greeley Tribune

City Center West Commercial Metropolitan District
June-22

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	72465	5/24/2022	6/23/2022	\$ 119.11	Landscape Maint & Repair	1696
All Terrain Landscaping	72836	6/1/2022	7/1/2022	\$ 1,861.64	Landscape Maint & Repair	1696
All Terrain Landscaping	72637	5/31/2022	6/30/2022	\$ 591.31	Landscape Maint & Repair	1696
City of Greeley - Director of Finance	073-820913-01 5-2022	5/23/2022	6/22/2022	\$ 15.39	Utilities	1705
City of Greeley - Director of Finance	073-819658-01 5-2022	5/23/2022	5/23/2022	\$ 1,393.59	Utilities	1705
Colorado Special Districts P&L	16478	5/11/2022	5/11/2022	\$ 283.00	Insurance/SDA Dues	1670
McGeady Becher P.C.	914B 4-2022	4/30/2022	4/30/2022	\$ 215.00	Legal	1675
Special District Management Services	May-22	6/24/2022	7/24/2022	\$ 1,057.46	Management	1680
Special District Management Services	May-22	6/24/2022	7/24/2022	\$ 2,086.80	Accounting	1614
Special District Management Services	May-22	6/24/2022	7/24/2022	\$ 103.60	Election	1635
Xcel Energy	778701463	5/5/2022	6/4/2022	\$ 39.27	Utilities	1705
				\$ 7,766.17		

City Center West Commercial Metropolitan District
June-22

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
Disbursements	\$ 7,766.17			\$ 7,766.17
<u>Total Disbursements</u>	<u>\$ 7,766.17</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 7,766.17</u>

City Center West Commercial Metropolitan District
July-22

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
All Terrain Landscaping	73502	6/30/2022	7/30/2022	\$ 684.45	Landscape Maint & Repair	1696
All Terrain Landscaping	73057	6/13/2022	7/13/2022	\$ 384.00	Landscape Maint & Repair	1696
All Terrain Landscaping	72896	6/6/2022	7/6/2022	\$ 393.00	Landscape Maint & Repair	1696
All Terrain Landscaping	73802	7/8/2022	8/7/2022	\$ 340.39	Landscape Maint & Repair	1696
All Terrain Landscaping	73161	6/17/2022	7/17/2022	\$ 222.79	Landscape Maint & Repair	1696
All Terrain Landscaping	73689	7/1/2022	7/31/2022	\$ 1,861.64	Landscape Maint & Repair	1696
City of Greeley - Director of Finance	073-819658-01 6-2022	6/22/2022	6/23/2022	\$ 1,236.82	Utilities	1705
City of Greeley - Director of Finance	073-820913-01 6-2022	6/22/2022	7/22/2022	\$ 355.60	Utilities	1705
McGeady Becher P.C.	9148 5-2022	5/31/2022	5/31/2022	\$ 1,917.50	Legal	1675
McMahan And Associates L.L.C.	17678	5/31/2022	5/31/2022	\$ 7,100.00	Audit	1615
Special District Management Services	Jun-22	6/30/2022	7/30/2022	\$ 1,157.80	Management	1680
Special District Management Services	Jun-22	6/30/2022	7/30/2022	\$ 1,568.80	Accounting	1614
Special District Management Services	Jun-22	6/30/2022	7/30/2022	\$ 74.00	Election	1635
Xcel Energy	782922896	6/7/2022	6/27/2022	\$ 45.17	Utilities	1705
				\$ 17,341.96		

City Center West Commercial Metropolitan District
July-22

	General	Debt	Capital	Totals
Disbursements	\$ 17,341.96			\$ 17,341.96
Total Disbursements	\$ 17,341.96	\$ -	\$ -	\$ 17,341.96

CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT
Schedule of Cash Position
June 30, 2022

	Rate	Operating	Debt Service	Total
Checking:				
Cash in Bank - First Bank		\$ 29,502.97	\$ 19,395.07	\$ 48,898.04
Trustee:				
UMB Senior Bond Fund			89.65	89.65
UMB Debt Service Reserve Fund			769,742.92	769,742.92
UMB Surplus Fund			218,446.50	218,446.50
UMB Subordinate Project Fund			51,139.00	51,139.00
TOTAL FUNDS:		\$ 29,502.97	\$ 1,058,813.14	\$ 1,088,316.11

2022 Mill Levy Information

General Fund	10.000
Debt Service Fund	50.000
Total	60.000

Board of Directors

* Otis C. Moore, III
 * Andrew R. Klein
 Michael John Schroeder
 Patrick Schmitz
 Kevin Smith

*authorized signer on checking account

CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT
FINANCIAL STATEMENTS
June 30, 2022

CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT
 COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
 June 30, 2022

	GENERAL	DEBT SERVICE	LONG-TERM DEBT	TOTAL MEMO ONLY
Assets				
Cash in Bank - First Bank	\$ 29,503	\$ 19,395	\$ -	\$ 48,898
UMB Senior Bond Fund	-	90	-	90
UMB Debt Service Reserve Fund	-	769,743	-	769,743
UMB Subordinate Project Fund	-	51,139	-	51,139
UMB Surplus Fund	-	218,447	-	218,447
Due from Other District	2,013	8,899	-	10,912
Total Current Assets	<u>31,516</u>	<u>1,067,712</u>	<u>-</u>	<u>1,099,228</u>
Other Debits				
Amount in Debt Service Fund	-	-	1,067,712	1,067,712
Amount to be Provided for Debt	-	-	8,185,836	8,185,836
Total Other Debits	<u>-</u>	<u>-</u>	<u>9,253,548</u>	<u>9,253,548</u>
Total Assets	<u>\$ 31,516</u>	<u>\$ 1,067,712</u>	<u>\$ 9,253,548</u>	<u>\$ 10,352,776</u>
Liabilities				
2020A Bonds Payable	\$ -	\$ -	\$ 7,995,000	\$ 7,995,000
2020B Bonds Payable	-	-	1,162,000	1,162,000
Developer Advance-Operations	-	-	90,669	90,669
Developer Advance - Oper Int	-	-	5,879	5,879
Total Liabilities	<u>-</u>	<u>-</u>	<u>9,253,548</u>	<u>9,253,548</u>
Fund Balance	(10,755)	1,117,343	-	1,106,588
Current Year Earnings	42,271	(49,631)	-	(7,360)
Total fund balances	<u>31,516</u>	<u>1,067,712</u>	<u>-</u>	<u>1,099,228</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balance	<u>\$ 31,516</u>	<u>\$ 1,067,712</u>	<u>\$ 9,253,548</u>	<u>\$ 10,352,776</u>

CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
General Fund
For the 6 Months Ending
June 30, 2022

Account Description	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
Revenues					
Property Tax Revenue	\$ 28,558	\$ 47,082	\$ 58,304	\$ (11,222)	80.8%
Specific Ownership Taxes	840	1,407	3,498	(2,091)	40.2%
Developer Advance	6,244	29,444	40,000	(10,556)	73.6%
Interest Income	-	37	20	17	185.4%
Total Revenues	35,643	77,969	101,822	(23,853)	76.6%
Expenditures					
Accounting	3,804	5,994	12,000	6,006	50.0%
Audit	-	-	8,000	8,000	0.0%
Election	429	642	2,000	1,358	32.1%
Insurance/SDA Dues	669	4,000	3,800	(200)	105.3%
Legal	1,051	2,046	15,000	12,955	13.6%
Management	3,164	4,913	12,000	7,087	40.9%
Miscellaneous	72	72	500	428	14.5%
Snow Removal	75	1,827	5,000	3,173	36.5%
Landscape Maint & Repair	7,413	7,413	25,000	17,587	29.7%
Treasurer's Fees	404	682	875	193	78.0%
Utilities	3,265	8,109	23,000	14,891	35.3%
Emergency Reserve	-	-	3,055	3,055	0.0%
Total Expenditures	20,345	35,699	110,230	74,531	32.4%
Excess (Deficiency) of Revenues Over Expenditures	15,298	42,271	(8,408)	50,679	
Beginning Fund Balance	16,219	(10,755)	10,165	(20,920)	
Ending Fund Balance	\$ 31,516	\$ 31,516	\$ 1,757	\$ 29,759	

CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
Debt Service Fund
For the 6 Months Ending
June 30, 2022

<u>Account Description</u>	<u>Period Actual</u>	<u>YTD Actual</u>	<u>Budget</u>	<u>Favorable (Unfavorable) Variance</u>	<u>% of Budget</u>
Revenues					
Property Tax Revenue	\$ 134,621	\$ 227,237	\$ 291,520	\$ (64,283)	77.9%
Specific Ownership Taxes	4,201	7,033	17,491	(10,458)	40.2%
Interest Income	874	1,194	720	474	165.8%
Total Revenues	<u>139,696</u>	<u>235,463</u>	<u>309,731</u>	<u>(74,268)</u>	<u>76.0%</u>
Expenditures					
Bond Interest	279,825	279,825	559,650	279,825	50.0%
Paying Agent Fees	7,023	7,023	3,000	(4,023)	234.1%
Treasurer's Fees	2,019	3,411	4,373	962	78.0%
Total Expenditures	<u>288,868</u>	<u>290,260</u>	<u>567,023</u>	<u>276,763</u>	<u>51.2%</u>
Excess (Deficiency) of Revenues Over Expenditures	(149,172)	(54,797)	(257,292)	202,495	
Transfers and Other Sources (Uses)					
Transfer from Other District	5,166	5,166	31,596	(26,430)	
Total Transfers and Other Sources (Uses)	<u>5,166</u>	<u>5,166</u>	<u>31,596</u>	<u>(26,430)</u>	
Change in Fund Balance	(144,006)	(49,631)	(225,696)	176,065	
Beginning Fund Balance	1,211,718	1,117,343	1,124,956	(7,613)	
Ending Fund Balance	<u>\$ 1,067,712</u>	<u>\$ 1,067,712</u>	<u>\$ 899,260</u>	<u>\$ 168,452</u>	

RESOLUTION NO. 2022-08-____

**RESOLUTION OF THE BOARD OF DIRECTORS OF
CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT FOR
INCLUSION OF REAL PROPERTY**

A. BV Retail Land Holdings, LLLP, a Colorado limited liability limited partnership, the 100% fee owner of the Property (hereinafter defined) has petitioned the City Center West Commercial Metropolitan District (the “**District**”) for the inclusion into the District’s boundaries of the real property hereinafter described (“**Property**”).

B. Public Notice has been published in accordance with law, calling for a public hearing on the request for approval of said Petition.

C. The statutory requirements of Section 32-1-401(1)(a), C.R.S., for submission of a petition for inclusion to the Board of Directors of the District (“**Board**”), including a legal description of the Property, a statement that assent to the inclusion of the Property was obtained by the 100% fee owner thereof and acknowledgment in the same manner as required for conveyances of land, were presented to and have been satisfied and approved by the Board.

D. The District may consider the enlargement or extension of its facilities in the exercise of discretion as a governmental function in the interest of public health, safety and welfare.

E. The District is capable of serving the Property with facilities of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY CENTER WEST COMMERCIAL METROPOLITAN DISTRICT, CITY OF GREELEY, WELD COUNTY, COLORADO:

1. That the Board of Directors of the District shall and hereby does order the inclusion of the Property described herein within the boundaries of the District.

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

Petitioner:	BV Retail Land Holdings, LLLP
Address of Petitioner:	4100 East Mississippi Avenue, Suite 500 Glendale, CO 80246
Legal Description:	Approximately 2.3 acres of land legally described on Exhibit A attached hereto and incorporated herein.

3. That approval of this inclusion is further subject to the following:

(a) On and after the effective date of this inclusion (which shall be the date of recording of the Court Order approving the inclusion by the Clerk and Recorder of Weld County, Colorado, unless otherwise specified in the Court Order), the Property shall be subject to the rules and regulations of the District, and the payment of any and all taxes, fees, rates and charges of the District.

Dated this 9th day of August, 2022.

**CITY CENTER WEST COMMERCIAL
METROPOLITAN DISTRICT**

By: _____
President

Attest:

Secretary

EXHIBIT A

Legal Description

Lot 5B, Block 1,
H-P GREELEY SUBDIVISION, Seventh Replat, recorded at Reception No. _____,
City of Greeley,
Weld County, Colorado.

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2022-08-_____, Resolution of the Board of Directors of City Center West Commercial Metropolitan District, Resolution for Inclusion of Real Property.

**CITY CENTER WEST COMMERCIAL
METROPOLITAN DISTRICT**

Date: _____

By: _____
Secretary



**Rooted by Reputation
Grounded by Knowledge**

PROPOSAL PREPARED FOR:

City Center West Commercial

Attn: Ann Finn

700 71st Ave

Greeley Co, 80634

afinn@sdmsi.com

303-387-0835

SUBMITTED BY:

Matt Wertz Sr. CAM

970-304-1183

5312 W. 9th St. Dr., Suite 120

Greeley, CO 80634

ATPSLANDSCAPING.COM | 970-304-1183

5312 W. 9th Street Drive, Suite 120, Greeley, CO 80634





Let Our Customers do the Talking



"Ok, these guys rock! The absolute best! I have used many different landscaping companies over the years, but have used All Terrain the last five years and they are always fair, efficient and fast! Recommend them 100%!" - Ken S.

"I have been using All Terrain for at least 7 years. They came to my rescue when another landscape company had done a horrible job with everything, the sprinkler system, landscaping, etc. We had spent up to \$25,000 on our job and it was a mess. Justin, Jason, and Josh are the best and know their business. We have well water, which most landscapers do not understand the issues that come with it, and they knew how to fix the problem with an automatic pump filter system, and had zero problems after they installed this. Also, we have a lot of rental homes in Greeley that I use them for and they are fast and efficient. All Terrain is very professional yet personable, efficient and knowledgeable. I would highly recommend them!!!"
- Jackie N.

"Not only am I thrilled with the Spring Clean Up that All Terrain Landscaping did for me this past week but my neighbors were working on their yard this weekend and told me it was because they had to try to make theirs look as great as my lawn. Of course, I told them to just call All Terrain! Thank you so much!" - Connie H.



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10 Reasons To Choose Us

1) **We're experienced.** All Terrain Landscaping was built by three brothers and has been in business for over 15 years with over 50 years of combined experience. We started off doing sprinkler and pond installation and grew to one of the largest landscaping companies in northern Colorado.

2) **Highly certified.** With more than 10 industry certifications, you can be assured that we are not only experienced, but have the highest levels of training. Our Certified Landscape Irrigation Auditor (CLIA) and Certified Irrigation Designer (CID) certifications demonstrate that our staff has the highest credentials established by the Irrigation Association.

3) **We're green (and we've been green).** For more than a decade, we've been dedicated to responsible, efficient water usage and conservation techniques.

4) **We're your one stop shop.** Whether it's a new sprinkler system you need, landscape lighting, lawn maintenance, a retaining wall, or even holiday lights put up, we're here for you.

5) **Rapid Response.** Our emergency service team is available 24/7 and we have most issues resolved within 24 hours.

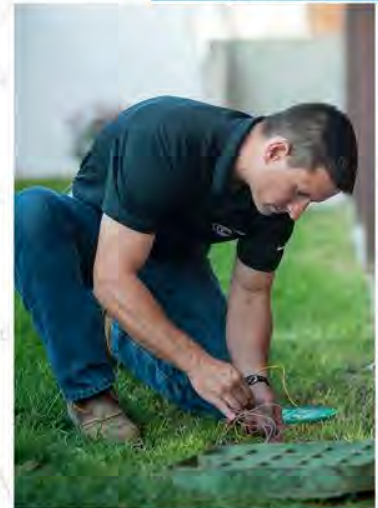
6) **We finish what we start.** We design, install, and routinely service your lawn and underground sprinkler system and won't leave until the job is done right, the first time.

7) **We use the best brands in the industry.** We extensively research the latest products in the industry to ensure we're providing the best brands and models for efficiency, longevity, and savings.

8) **We understand budgets.** We'll always provide options in your landscape design and for ongoing maintenance, we have several service package options, which allow you to pick one that fits your budget.

9) **We love what we do.** Pride and sense of accomplishment in our work means we want to get it right, every time.

10) **Customer Service.** Our dedication to top-notch customer service comes from the heart. We simply enjoy working with our clients, and they do with us.





5312 W 9th St. Dr. Unit 120
Greeley, CO 80634
P: 970-304-1183
ATPSLANDSCAPING.COM

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Rooted by Reputation, Grounded by Knowledge

Project Name:

City Center West Commercial
Attn: Ann Finn
700 71st Ave
Greeley Co, 80634
afinn@sdmsi.com
303-387-0835

We Hereby Propose To:

Removal and installation to include:

- Removal of 6 dead 2-inch caliber trees

Installation to include

- Installation of 6-2inch deciduous trees to match existing living trees





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Proposed Total Cost

TOTAL material and labor \$7,200

Owners Responsibilities/Assumptions:

- Owner is responsible for locating property pins and/or boundaries of the property/job
- Any materials not list above will be billed at a time plus material basis
- Assumes that the majority of existing landscape fabric can be reused
- Assumes that existing drip system is in good working order
- Payment terms are as follows: 50% down payment before work commences and monthly progress billing for work completed until final completion and payment
- Assumes approval and payment within 48 hours after completion of work
- All permits and submittals will be billed on a T&M basis
- Irrigation will be billed on a T&M Basis
- Assumes ease of access to all work areas
- Proposal must be returned within 10 business days or will be subject to price change

Name (Print): _____

Authorized Signature: _____ Date: _____

Note: This proposal may be withdrawn by All Terrain Landscaping if not accepted within ten (10) days. All material is guaranteed to be as specified. All work is to be completed in a workman-like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner is expected to carry fire, tornado, and other necessary insurance. Work is not covered against acts of God or other natural disasters. Our workers are to be fully covered by workman's compensation insurance. All collection costs associated with past due fees with regard to this proposal will be paid by owner. Payment for all services is to be paid within 10 days of receiving an invoice.

