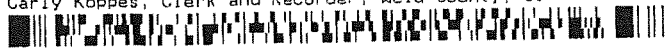


4107363 Pages: 1 of 9
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Carly Koppes, Clerk and Recorder, Weld County, CO



DISTRICT COURT, WELD COUNTY, COLORADO Court Address: 915 10th Street, Greeley, CO, 80632	DATE FILED: May 13, 2015 10:22 AM <p style="text-align: center;">△ COURT USE ONLY △</p>
In the Matter of: LLA METROPOLITAN DISTRICT NO 2	Case Number: 2015CV30171 Division: 5 Courtroom:
<p style="text-align: center;">Order and Decree Creating District, Issuing Certificates of Election and Releasing Bond - LLA Metropolitan District No. 2</p>	

The motion/proposed order attached hereto: GRANTED.

Issue Date: 5/13/2015

JULIE CHRISTINE HOSKINS
District Court Judge

RECEIVED

MAY 19 2015

DIV OF LOCAL GOVERNMENT

Certified to be a full, true and correct copy of the original in my custody.

Date: 5/15/2015

Clerk of the District Court
Weld County, Colorado

By [Signature] Deputy

DISTRICT COURT, COUNTY OF WELD, STATE OF COLORADO 901 9th Avenue Greeley, Colorado 80631 (970) 475-2400	
PETITIONER: IN RE THE ORGANIZATION OF LLA METROPOLITAN DISTRICT NO. 2	
BY THE COURT	▲ COURT USE ONLY ▲
	Case Number: 2015CV30171 Div.: 5 Ctrm.: _____
ORDER AND DECREE CREATING DISTRICT, ISSUING CERTIFICATES OF ELECTION, AND RELEASING BOND	

THIS MATTER comes before the Court on the Motion for Order and Decree Creating District, Issuing Certificates of Election, and Releasing Bond filed by the Petitioner in regard to the organization of LLA Metropolitan District No. 2 (the "District"). The Court, being fully advised in the premises, hereby FINDS AND ORDERS:

1. That the required Notice of Election was duly published in a newspaper of general circulation in the proposed District, one time, in compliance with law.
2. That a majority of the votes cast at the election held on May 5, 2015, in which the question of organization of the District was submitted to eligible electors, were in favor of organization, and that the election was held in accordance with Articles 1 through 13.5 of Title 1, C.R.S.
3. The following ballots were cast on the question of organization of the proposed District:

	<u>VOTES CAST</u>
<u>FOR</u> the Organization of the District	<u>7</u>
<u>AGAINST</u> the Organization of the District	<u>0</u>

4. That all of the provisions of law, and more particularly all of the requirements of Title 32, Article 1, Part 3, C.R.S., have been complied with, met and performed, in the organization of the District.

5. That the District shall be and is hereby duly and regularly organized in accordance with the requirements of Article 1 of Title 32, C.R.S.

6. That the District shall be known as "LLA Metropolitan District No. 2," the corporate name as designated in the Petition filed with this Court.

7. That the District is located in the Town of Hudson, Weld County, Colorado, as more particularly described in **Exhibit A**, attached hereto and made a part hereof.

8. That the District shall be a quasi-municipal corporation and a political subdivision of the State of Colorado with all the powers thereof.

9. That the following qualified persons were duly elected as members of the District's first Board of Directors for the indicated terms, and as further shown on the Certificates of Election, to be issued by this Court in accordance with Section 32-1-305.5(5), C.R.S., which Certificates are submitted herewith separate from this order for execution by the Court:

<u>NAME</u>	<u>TERM</u>
Triston T. Land-Clow	until the next regular election
Toni L. Serra	until the next regular election
Warren V. Burke	until the second regular election
Joel H. Farkas	until the second regular election
Lloyd L. Land	until the second regular election

10. That the Clerk of this Court shall release to Petitioner's Counsel the organizational expenses bond in the amount submitted in connection with the organization of the District.

11. That the interest of the District and the public interest and necessity demand the incurrence of indebtedness to carry out the objectives and purposes of the District requiring the creation of a general obligation indebtedness:

(a) The District has the power to provide for the acquisition, construction, installation, and completion of certain: water; sanitation; street; safety protection; parks and recreational; television relay and translation; mosquito control improvements; covenant enforcement and security services; and all other services permitted by Article I, Title 32, C.R.S., subject to the limitations set forth in the Service Plan.

12. The District shall be a governmental subdivision of the State of Colorado, and a body corporate and politic with all the powers of a public or quasi-municipal corporation. The



facilities, services and financial arrangements of the District shall conform as far as practicable to the approved Service Plan and the Resolution of Approval by the Board of Trustees of the Town of Hudson, Colorado. The approved Service Plan and Resolution of Approval required by Title 32, Article 1, Part 2, C.R.S., previously filed in the within action, shall be and the same are hereby incorporated by reference in this Order. Pursuant to Section 32-1-205(2), C.R.S., a copy of the Resolution of Approval is attached hereto and incorporated herein as **Exhibit B**.

13. The Board of Directors shall take such steps and proceedings as the needs of the District require; and in accordance with Section 32-1-306, C.R.S., within thirty (30) days after the date hereof, the District shall transmit the following:

(a) A certified copy of this Order and Decree Creating District, and a copy of the District's approved Service Plan to the Clerk and Recorder of Weld County, Colorado, and to the Division of Local Government (the "DLG"); and

(b) A certified copy of the Court's findings and this Order and Decree Creating District to the County Clerk and Recorder in each of the counties in which the District or a part thereof extends for recording, as provided in Section 32-1-105, C.R.S.; and

(c) A copy of the District's approved Service Plan to each such County Clerk and Recorder, for retention as a public record for public inspection; and

(d) A copy of the District's Service Plan, together with a copy of the Court's findings and this Order and Decree Creating District to the DLG; and

(e) A copy of the District map to the Weld County Assessor and to each County Assessor in each county in which the District or a part thereof extends and with the DLG according to its standards.

DONE IN COURT this ____ day of May, 2015.

BY THE COURT:

Judge Julie C. Hoskins

EXHIBIT A

Legal Description

A tract of land situated in Section 31, Township 2 North, Range 64 West and in Section 6, Township 1 North Range 64 West of the 6th Principal Meridian, Weld County, Colorado, described as follows:

Beginning at the Northeast corner of said Section 31 and considering the East line of the Northeast ¼ of Section 31 to bear S 00°05'33"W with all bearings contained herein relative thereto;

- Thence S 00°05'33"W a distance of 2665.09 feet to the East ¼ corner of said Section 31;
- Thence S 00°05'17"W a distance of 2654.87 feet to the Southeast corner of said Section 31;
- Thence S 88°08'19"W a distance of 2650.28 feet to the South ¼ corner of said Section 31;
- Thence S 88°08'14"W along the South line of the Southwest ¼ of said Section 31 a distance of 1324.98 feet;
- Thence S 01°32'39"E a distance of 575.01 feet;
- Thence S 89°19'37"W a distance of 572.63 feet;
- Thence N 00°34'54"W a distance of 1152.89 feet;
- Thence N 89°22'01"E a distance of 510.55 feet;
- Thence N 00°31'26"W a distance of 4793.25 feet to the North line of the Northwest ¼ of said Section 31;
- Thence N 88°53'15"E a distance of 1443.42 feet to the North ¼ corner of said Section 31;
- Thence N 88°53'31"E a distance of 2641.01 feet to the Point of Beginning

EXCEPTING THEREFROM THE Rocky Mountain Energy Center LLC parcel described as follows:

- Commencing at the South ¼ corner of said Section 31;
- Thence N 59°53'02"W a distance of 1072.33 feet to the point of beginning;
- Thence N 00°31'26"W a distance of 1961.35 feet;
- Thence N 89°30'04"E a distance of 1966.30 feet;
- Thence S 00°33'39"E a distance of 1958.51 feet;
- Thence S 89°25'06"W a distance of 1967.56 feet to the Point of Beginning.

AND EXCEPTING THEREFROM The North 200.00 feet of the West 200.00 feet of the Northeast ¼ of Section 31

The LLA Metropolitan District No. 2 Initial District Boundary contains a net area of 422.52 Acres

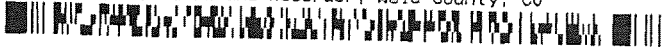


EXHIBIT B

Resolution of Approval

Attachment to Order - 2015CV30171



RESOLUTION NO.

15-07

TITLE: APPROVING THE SERVICE PLAN FOR ILLA
METROPOLITAN DISTRICT NO. 2

WHEREAS, pursuant to Section 32-1-204.5, C.R.S., as amended, a Service Plan ("Service Plan") for proposed ILLA Metropolitan District No. 2 ("District") has been submitted to the Board of Trustees ("Board") of the Town of Hudson ("Town"); and

WHEREAS, pursuant to the provisions of Title 32, Article 1, C.R.S., as amended, the Board held a public hearing on the Service Plan for the District on January 21, 2015; and

WHEREAS, notice of the hearing before the Board was duly published in The Greeley Tribune, a newspaper of general circulation within the Town, on December 31, 2014, as required by law, and forwarded to the petitioners, others entitled to postcard or letter notice, the Division of Local Government, and the governing body of each municipality and title 32 district that has levied an ad valorem tax within the next preceding tax year and that has boundaries within a radius of three miles of the District; and

WHEREAS, the Board has considered the Service Plan and all other testimony and evidence presented at the hearing; and

WHEREAS, the Board finds that the Service Plan should be approved unconditionally, as permitted by Sections 32-1-203(2) and 32-1-204.5(1)(a), C.R.S., as amended; and

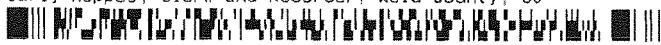
WHEREAS, the Board further finds that it is in the best interests of the citizens of the Town to enter into an Intergovernmental Agreement ("IGA") with the District for the purpose of assigning the relative rights and responsibilities between the Town and the District with respect to certain functions, operations, and obligations of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON, COLORADO:

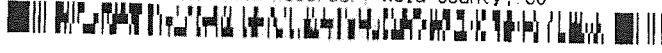
Section 1: The Board hereby determines that all of the requirements of Title 32, Article 1, Part 2, C.R.S., as amended, relating to the filing of the Service Plan for the District have been fulfilled and that notice of the hearing was given in the time and manner required by law.

Section 2: The Board further determines that all pertinent facts, matters and issues were submitted at the public hearing; that all interested parties were heard or had the opportunity to be heard and that evidence satisfactory to the Board of each of the following was presented:

(a) There is sufficient existing and projected need for organized service in the area to be serviced by the proposed District;



- (b) The existing service in the area to be served by the proposed District is inadequate for present and projected needs.
 - (c) The proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries;
 - (d) The area to be included in the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;
 - (e) Adequate service is not, or will not be, available to the area through the Town of Hudson or other existing quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis;
 - (f) The facility and service standards of the proposed District are compatible with the facility and service standards of Town and each municipality which is an interested party under Section 32-1-204, C.R.S.;
 - (g) The proposal is in substantial compliance with a comprehensive plan adopted pursuant to the Town code;
 - (h) The proposal is in compliance with any duly adopted Town, regional, or state long-range water quality management plan for the area;
 - (i) The creation of the proposed District will be in the best interests of the area proposed to be served; and
 - (j) The Service Plan, based upon the statements set forth in the Service Plan and upon all evidence presented at the Public Hearing on the Service Plan, meets all conditions and requirements of Sections 32-1-204, *et seq.*, C.R.S.
- Section 3: The Board hereby approves the Service Plan for the District as submitted.
- Section 4: The Mayor and the Town Clerk are hereby authorized to execute, on behalf of the Town, the IGA in substantially the form presented at this meeting, with such technical additions, deletions, and variations as the Town Attorney may deem necessary or appropriate and not inconsistent with this Resolution.
- Section 5: This Resolution shall be filed in the records of the Town and a certified copy thereof submitted to the petitioners for the District for the purpose of filing in the District Court of Weld County.
- Section 6: All prior resolutions or any parts thereof, to the extent that they are inconsistent with this Resolution, are hereby rescinded.



INTRODUCED, READ AND PASSED this 21st day of January, 2015.

TOWN OF HUDSON, COLORADO



Raymond Patch
Raymond Patch, Mayor

Lynette Barker
Lynette Barker, CMC, Town Clerk

FILED

RECORDED & INDEXED
JAN 21 2015
CLERK AND RECORDER
WELD COUNTY, COLORADO