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STATE OF COLORADO CITY OF AURORA, COUNTY OF ARAPAHOE THE POINT METROPOLITAN DISTRICT 2024 BUDGET RESOLUTION

The Board of Directors of The Point Metropolitan District, City of Aurora, Arapahoe County, Colorado held a regular meeting on Thursday, December 7, 2023, at the hour of 9:00 A.M., via Zoom video conference at <a href="https://us06web.zoom.us/j/82916742776?pwd="https://us06web.zoom.us/ UC83ejdGM1FDdTBRdUFzdmcrWTBWZz09 and via telephone conference at Dial-In: 1-719-359-4580, Meeting ID: 829 1674 2776, Passcode: 149305.

The following members of the Board of Directors were present:

President:

Carl N. Koelbel

Treasurer:

Thomas E. Whyte

Secretary:

George L. Thorn

Assistant Secretary: Luke Cannon

Also present were: Shannon Smith Johnson, Icenogle Seaver Pogue, P.C.

Ms. Johnson reported that proper notice was made to allow the Board of Directors of The Point Metropolitan District to conduct a public hearing on the 2024 budget and, prior to the meeting, each of the directors had been notified of the date, time and place of this meeting and the purpose for which it was called. It was further reported that this meeting is a regular meeting of the Board of Directors of the District and that a notice of regular meeting was posted on a public website of the District, https://pointmetro.specialdistrict.org/, no less than twenty-four hours prior to the holding of the meeting, and to the best of her knowledge, remains posted to the date of this meeting.

Thereupon, Director Cannon introduced and moved the adoption of the following Resolution:

#### RESOLUTION

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET, APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN AND LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2024 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE POINT METROPOLITAN DISTRICT, CITY OF AURORA, ARAPAHOE COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2024 AND ENDING ON THE LAST DAY OF DECEMBER 2024.

WHEREAS, the Board of Directors (the "Board") of The Point Metropolitan District (the "District") has authorized its treasurer and accountant to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget was submitted to the Board for its review and consideration on or before October 15, 2023; and

WHEREAS, the proposed budget is more than fifty thousand dollars (\$50,000.00), due and proper notice was published on Thursday, November 23, 2023, in the Sentinel, indicating (i) the date and time of the hearing at which the adoption of the proposed budget will be considered; (ii) that the proposed budget is available for inspection by the public at a designated place; (iii) that any interested elector of the District may file any objections to the proposed budget at any time prior to the final adoption of the budget by the District; and (iv) if applicable, the amount of the District's increased property tax revenues resulting from a request to the Division of Local Government pursuant to Section 29-1-302(1), C.R.S.; and an original publisher's Affidavit of Publication is attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the proposed budget was open for inspection by the public at the designated place; and

WHEREAS, a public hearing was held on Thursday, December 7, 2023 and interested electors were given the opportunity to file or register any objections to said proposed budget and any such objections were considered by the Board; and

WHEREAS, the budget being adopted by the Board has been prepared based on the best information available to the Board regarding the effects of Section 29-1-301, C.R.S., and Article X, Section 20 of the Colorado Constitution; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law; and

WHEREAS, pursuant to Section 29-1-113(1), C.R.S., the Board shall cause a certified copy of the budget, including the budget message and any resolutions adopting the budget, appropriating moneys and fixing the rate of any mill levy, to be filed with the Division of Local Government within thirty (30) days following the beginning of the fiscal year of the budget adopted; and

WHEREAS, pursuant to Section 32-1-1201, C.R.S., the Board shall determine in each year the amount of money necessary to be raised by taxation, taking into consideration those items required by law, and shall certify the rate so fixed to the board of county commissioners of each county within the District or having a portion of its territory within the District.

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

- Section 1. <u>Summary of 2024 Revenues and 2024 Expenditures</u>. That the estimated revenues and expenditures for each fund for fiscal year 2024, as more specifically set forth in the budget attached hereto as Exhibit B and incorporated herein by this reference, are accepted and approved.
- Section 2. Adoption of Budget. That the budget as submitted, and if amended, then as amended, and attached hereto as Exhibit B and is approved and adopted as the budget of the District for fiscal year 2024. In the event the final assessed valuation provided by the Arapahoe County Assessor's Office differs from the assessed valuation used in the proposed budget, the District's accountant is hereby directed to modify and/or adjust the budget and mill levy certification as needed to reflect the final assessed valuation without the need for additional Board authorization.
- Section 3. <u>Appropriations</u>. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.
- Section 4. <u>Budget Certification</u>. That the budget shall be certified by George L. Thorn, Secretary of the District, and made a part of the public records of the District and a certified copy of the approved and adopted budget shall be filed with the Division of Local Government.
- Section 5. 2024 Levy of General Property Taxes. That the attached budget indicates that the amount of money from general property taxes necessary to balance the budget for the General Fund for operating expenses is \$6,667 and that the 2023 valuation for assessment, as certified by the Arapahoe County Assessor, is \$416,715. That for the purposes of meeting all general operating expenses of the District during the 2024 budget year, there is hereby levied a tax of 16.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2024, which is inclusive of the District's ARI Mill Levy.

- Section 6. <u>2024 Levy of Debt Retirement Expenses</u>. That the attached budget indicates that the amount of money from general property taxes necessary to balance the budget for the Debt Service Fund for debt retirement expense is \$12,501 and that the 2023 valuation for assessment, as certified by the Arapahoe County Assessor, is \$416,715. That for the purposes of meeting all debt retirement expenses of the District during the 2024 budget year, there is hereby levied a tax of 30.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2024.
- Section 7. 2024 Mill Levy Adjustment. The Board may adjust the mill levy, as specifically set forth in the District's Service Plan (the "Adjusted Mill Levy"). The Board hereby determines in good faith to establish the Adjusted Mill Levy as set forth in the mill levy certification attached hereto as Exhibit C pursuant to the authority granted by its Service Plan to ensure that the District's revenues shall be neither diminished nor enhanced as a result of the changes effecting the mill levy. Subject to adjustment and finalization by the District's accountant in accordance with Sections 2 hereof, the Board further authorizes that the Adjusted Mill Levy be reflected in the District's Certification of Tax Levies to be submitted to the Board of County Commissioners of Arapahoe County on or before January 10, 2024, for collection in 2024.
- Section 8. <u>Certification to County Commissioners</u>. That the Board Secretary and/or District's accountant are hereby authorized and directed to immediately certify to the Board of County Commissioners of Arapahoe County, the mill levy for the District hereinabove determined and set. That said certification shall be in substantially the following form attached hereto as Exhibit C and incorporated herein by this reference.

[The remainder of this page is intentionally left blank.]

The foregoing Resolution was seconded by Director Thorn.

# RESOLUTION APPROVED AND ADOPTED THIS 7TH DAY OF DECEMBER 2023.

### THE POINT METROPOLITAN DISTRICT

By: Thomas E. Whyte

Its: Treasurer

ATTEST:

Scorge (. I work

DocuSigned by:

By: George L. Thorn

Its: Secretary

## STATE OF COLORADO CITY OF AURORA, COUNTY OF ARAPAHOE THE POINT METROPOLITAN DISTRICT

I, George L. Thorn, hereby certify that I am a director and the duly elected and qualified Secretary of The Point Metropolitan District, and that the foregoing constitutes a true and correct copy of the record of proceedings of the Board of Directors of the District, adopted at a regular meeting of the Board of Directors of The Point Metropolitan District held on Thursday, December 7, 2023, via Zoom video conference at <a href="https://us06web.zoom.us/j/82916742776?pwd="https://us06web.zoom.us

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the District this 7th day of December 2023.

DocuSigned by:

GUOVAL (. 14

George L. Thorn, Secretary

[SEAL]



# **EXHIBIT A**

Affidavit Notice as to Proposed 2024 Budget

#### SENTINEL PROOF OF PUBLICATION

STATE OF COLORADO COUNTY OF ARAPAHOE Jss.

I DAVID PERRY, do solemnly swear that I am the PUBLISHER of the SENTINEL; that the same is a weekly newspaper published in the Counties of Arapahoe, Adams, and Denver, State of Colorado and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said Counties of Arapahoe, Adams and Denver for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 30, 1923, entitled "Legal Notices and Advertisements," or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period I of consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated November 23 A.D. 2023 and that the last publication of said notice was in the issue of said newspaper dated November 23 A.D. 2023.

I witness whereof I have hereunto set my hand this 23rd day of November A.D. 2023.

Subscribed and sworn to before me, a notary public in the County of Arapahoc, State of Colorado, this 23rd day of November A.D. 2023.

ilsalella Perri

Notary Public



# REVISED NOTICE AS TO PROPOSED 2024 BUDGET AND HEARING THE POINT METROPOLITAN DISTRICT

REVISED NOTICE IS HEREBY GIVEN that a proposed budget has been submitted to THE POINT METROPOLITAN DISTRICT for the ensuing year of 2024. A copy of such proposed budget has been filed in the office of Koelbel and Company, 5291 East Yale Avenue, Denver, Colorado, where same is open for public inspection. Such proposed budget will be considered at a hearing at the regular meeting of The Point Metropolitan District to be held at 9:00 A.M., on Thursday, December 7, 2023. The meeting will be held via Zoom video conference and via telephone conference and via telephone conference and via telephone conference in Dial-In: 1-79.359-4590, Meeting ID: 829 1674 2778, Passcode: 149305. The Zoom video conference in Kwill be posted on the official website of the Dis-REVISED NOTICE IS HEREBY GIVEN

BY ORDER OF THE
BOARD OF DIRECTORS:
THE POINT METROPOLITAN DISTRICT
By: Ist ICENOGLE | SEAVER | POGUE
A Professional Corporation

Publication: November 23, 2023 Sentinel

DocuSign Envelope ID: 29B62B46-02D9-4865-816A-DE7632E727AF

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considered at a hearing at the regular meeting of The Point Metropolitan District to be held at 9:00

A.M., on Thursday, December 7, 2023. The meeting will be held via Zoom video conference and via

telephone conference at Dial-In: 1-719-359-4580, Meeting ID: 829 1674 2776, Passcode: 149305.

The Zoom video conference link will be posted on the official website of the District:

https://pointmetro.specialdistrict.org/. Any interested elector within The Point Metropolitan District

may inspect the proposed budget and file or register any objections at any time prior to the final

adoption of the 2024 budget.

BY ORDER OF THE BOARD OF DIRECTORS: THE POINT METROPOLITAN DISTRICT

By: /s/ ICENOGLE | SEAVER | POGUE A Professional Corporation

Publish In: Sentinel

Publish On: Thursday, November 23, 2023

# **EXHIBIT B**

Budget Document Budget Message

The Point Metropolitan District Fund:	2024 General	Prepared: FINAL		
Status:		2023		
ITEM	2022	Projected	2024	
	Actual	Actual	Budget	
Expenditures:				
GENERAL	40.000	14,000	14,000	
Legal Accounting/Auditing	13,082 7,800	7,050	7,500	
Insurance	450	2,500	2,500	
Bank fees	0			
Emergency Reserve/Misc. Treasurer's Fee (1.5%)		0	0 75	
Treasurer's rec (1.37a)	0-0-0	(W.COM)	r irestrer	
Total General Expenses	21,332	23,550	24,075	
INCIDENTAL				
Management Fee	2,500	2,500	2,500	
Director's Fees	300	500 0	500 0	
Engineering Utilities	4,263	7,956	8,000	
Contractors	0	· o	0	
SDA Membership	1,650	1,650	1,650	
Miscellaneous				
Maintenance- Repairs	0			
Landscaping and Trash	10,273	26,917	30,000	
Lighting	0	0	0	
Snow Removal	9,469 0	13,322 0	14,000	
Streets (Cleaning & Striping) Signage	1,822	0	0	
Other	47	431	500	
Transfer to Debt Service Fund	0 1,780	0 1,763	0 1,667	
ARI	1,750	1,700	1,001	
Total Incidental Expenses	32,105	55,038	58,817	
TOTAL EXPENDITURES	53,437	78,588	82,892	
BEGINNING FUNDS AVAILABLE	36,800	6,422	(39,089)	
Revenue:				
Specific Ownership Taxes	3,419	0	0	
Net Investment Income	0	0	5	
Interest on Prop.Taxes	0	0	0	
Transfer of Specific Ownership Taxes	0	0	12,000	
Transfer from Capital Fund (Inv.Inc.)	16,258	0	O	
Refunds & Abatements	0	0	٥	
TIF revenues	0	0	69,000	
Developer Advance	0	30,000	0	
Property Taxes (ARI)	1,780	1,667	1,667	
Property Taxes (General)	1,602	1,410	5,001	
, , , , , , , , , , , , , , , , , , , ,	C. C	DI DANGELISTA (I	WINDSHW.	
NET REVENUE	23,059	33,077	87,672	
ENDING FUNDS AVAILABLE	6,422	(39,089)	(34,309)	
Mill Levy:		<u>2023</u>	<u>2024</u>	
Assessed Valuation		341,775	416,715	
Mill Levy		16,000	16.000	

The Point Metropolitan District Fund: Status:	Capital	Prepared: FINAL		
ITEM	2022 Actual	2023 Projected Actual	2024 Budget	
Expenditures;				
Reserve for Contingencies	0	0	0	
Legal	3,500	3,500		
Miscellaneous Expense	. 0		5,000	
Developer Advance Agreement	400,000	0	0	
Street and Plaza Acquisition	D	0	440,000	
Capital Improvements-Phase II	ō	ō	1,374,000	
Bridge Improvements	ō	Ď	650,000	
Repay Loans/Advances	Ď	ō	400,000	
Project Mgmt, Fees	٥	ō	0	
Reimbursement Agreement-Land Purchase	Ö	0_	0	
TOTAL EXPENDITURES	403,500	3,500	2,869,000	
OTHER FINANCING USES:				
Advances To General	0	0	0	
Interest income	6,252	28,386		
Transfers to Debt Fund	a	0	0	
Transfer to General Fund	0	0	0	
TOTAL OTHER	6,252	28,386	0	
TOTAL EXPENDITURES/OTHER	397,248	(24,886)	2,869,000	
BEGINNING FUNDS AVAILABLE	678,669	281,422	306,307	
Revenue:				
Net Investment Income	0	0	٥	
Developer Advances	0	0	٥	
CoBiz/Zions Fund Draws	0	0	0	
CoBiz Draws Funded with Bond Funds-Cap Int.	0	0	0	
CoBiz Draws Funded with Bond Funds-Proj.Funds	0	0	0	
Issuance costs refunded	0	0	0	
Bond Proceeds	0	0	2,669,000	
ENDING FUNDS AVAILABLE	281,422	306,307	106,307	

The Point Metropolitan District		Prepared: FINAL	
Fund: Status:	Debt		
		2023	
ITEM	2022	Projected	2024
	Actual	Actual	Budget
Expenditures:			
Bond Interest	378,191	360,166	347,153
Debt Retirement	320,241	343,241	350,241
Legal-Agent Fee	0	3,500	3, <b>50</b> 0
Legal	0	0	0
Developer Reimbursement	0	0	0
Contractural Debt Payment	0	0	0
Emergency Reserve	0	513	575
Other-Fund Transfers	0	0	0
Treasurer's Fee (1.5%)	216	400	400
TOTAL EXPENDITURES	698,648	707,820	701,869
BEGINNING FUNDS AVAILABLE	780,348	1,397,767	1,921,044
Revenue:			
	44.505	40.007	40.500
Real Estate Taxes	14,395	16,887	12,500
Property Taxes - TIF (Incremental)	154,688	159,664	0
Interest on Prop.Taxes	0	0	0
Capitalized Interest (Sitting in G/L 1040-02) @ 9/30/19	0	0	0
Project Funds (Sitting in G/L 1060-02) @ 9/30/19	0	0	0
Reserve Funds (Sitting In G/L 1050-02) @ 9/30/19	0	D	0
Bond Proceeds	0	0	
Sales Tax Revenue	1,120,544 0	1,000,000	1,000,000
Developer Advances	•	42,547	12,000
Net Investment Income	12,467		
Specific Owner's Taxes	13,972	12,000	12,000
TOTAL REVENUE	1,316,067	1,231,097	1,036,500
OTHER FINANCING SOURCES		_	
Transfer of specific ownership taxes	0	0	(12,000) D
Transfers from Capital Fund Transfers from General Fund	. 0	0	0
TOTAL REVENUE	1,316,067	1,231,097	1,024,500
ENDING FUNDS AVAILABLE	1,397,767	1,921,044	2,243,676
Mill Levy:			
Total Real Estate Taxes		<u>2023</u> 17,089	<u>2024</u> 19,168
Assessed Valuation		341,775	416,715
Mill Levy		30.000	30.000
Total Mill Levy		46.000	46.000

#### THE POINT METROPOLITAN DISTRICT

#### Budget for Year Ending December 31, 2024

#### **Budget Message**

The Point Metropolitan District (the "District") prepares its Budget using the modified accrual basis of accounting. The District does not have any obligations related to lease-purchase agreements. The District provides for the construction, completion and installation of regional transportation improvements.

The attached Budget for the District includes these important features:

#### **GENERAL FUND:**

Budget consists of legal, accounting, and administrative expenses. These expenses are reflected in the attached Budget. Property taxes and Developer Advances will fund the budgeted expenses. The mill levy is set at 16.00 for this fund.

#### **CAPITAL PROJECTS:**

The district anticipates additional capital improvements in 2024 which will be paid with bond funding established.

#### DEBT SERVICE FUND:

The district issued bonds in 2018. The 2024 budget includes paying bond interest and principal of \$697,394. The mill levy remains at 30.00. Revenue sources consist of Property Taxes and Sales Tax Revenue.

# **EXHIBIT C**

Certification of Tax Levy

County Tax Entity Code 4706

4706	County Tax Entity		GID/SID GO/2
DocuSign Enve	lope ID: 91854A8D CERTI	0-BBD4-4F64-BF87-D6CCDD9469CB IFICATION OF TAX LEVIES for NON-SCHOOL Governm	ents

TO: County Commissioners <sup>1</sup> of	Arapahoe C	ounty		, Colorado.
On behalf of the The Point Metropolitan District				<u>,                                    </u>
the The Board of Directors	(taxing	entity) <sup>A</sup>		
the Board of Briestors	(govern	ning body) <sup>B</sup>		
of the The Point Metropolitan District	(local a	overnment) C		
Hereby officially certifies the following mills to be levied against the taxing entity's GROSS assessed valuation of:  Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area <sup>F</sup> the tax levies must be  (local government) <sup>C</sup> 6,718,341  (GROSS <sup>D</sup> assessed valuation, Line 2 of the Certification of Valuation Form DLG 57 <sup>1</sup> 416,715				
calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of:  Submitted:  Ol/09/2024  Ol/09/2024				F VALUATION PROVIDED
(no later than Dec. 15) (mm/dd/yyyy)			.,,	
PURPOSE (see end notes for definitions and examples)		LEVY <sup>2</sup>		REVENUE <sup>2</sup>
1. General Operating Expenses <sup>H</sup>	10	6.000	mills	<u>\$6,667</u>
2. <minus> Temporary General Property Tax Temporary Mill Levy Rate Reduction<sup>1</sup></minus>	Credit/	>	mills	<u>\$&lt; &gt;</u>
SUBTOTAL FOR GENERAL OPERATI	NG:	6.000	mills	§ 6,667
3. General Obligation Bonds and Interest <sup>J</sup>	3	0.000	mills	\$ 12,501
4. Contractual Obligations <sup>K</sup>	_		mills	\$
5. Capital Expenditures <sup>1</sup>	_		mills	\$
6. Refunds/Abatements <sup>M</sup>	_		mills	\$
7. Other <sup>N</sup> (specify):			mills	\$
			mills	\$
TOTAL: [Sum of General Subtotal and Line	Operating nes 3 to 7	16.000	mills	<b>\$19,168</b>
Contact person: Thomas E. Whyte		Phone: (303)	758-35	00
Signed: Thomas E. White	7	Title: Board	Treasur	er
Survey Question: Does the taxing entity have voter approval to adjust the general  Operating levy to account for changes to assessment rates?  Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.				

<sup>&</sup>lt;sup>1</sup> If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.

<sup>&</sup>lt;sup>2</sup> Levies must be rounded to three decimal places and revenue must be calculated from the total <u>NET assessed valuation</u> (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).

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CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

# CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BON	DS <sup>J</sup> :	
1.	Purpose of Issue:	Incremental Revenue and Limited Tax Loan
Series:	Series 2018A	
	Date of Issue:	August 23, 2018
	Coupon Rate:	Variable
	Maturity Date: Levy:	December 1, 2025
		30.000
	Revenue:	\$12,501
2.	Purpose of Issue:	
	Series:	
	Date of Issue:	
	Coupon Rate:	
	Maturity Date:	
	Levy:	
	Revenue:	
CON	TRACTS <sup>k</sup> :	
3.	Purpose of Contract:	
٥.	Title:	
	Date:	
	Principal Amount:	
	Maturity Date:	
	Levy:	
	Revenue:	
4.	Purpose of Contract:	
1.0	Title:	
	Date:	
	Principal Amount:	
	Maturity Date:	
	Levy:	
	Revenue:	

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The Point Metropolitan District of Arapahoe County, Colorado on this 7th day of December 2023.

George L. Thorn

George L. Thorn, Secretary

SEAL

