

FIRST AMENDMENT TO SERVICE PLAN
CONSOLIDATED SERVICE PLAN FOR CONESTOGA METROPOLITAN DISTRICT
NOS. 1-5
IN THE TOWN OF AULT, COLORADO

Prepared by:

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Submitted: May 1, 2018

1. INTRODUCTION

This First Amendment to Service Plan (the “First Amendment”) for Conestoga Metropolitan Districts Nos. 1-5 (the “Districts”) is proposed to:

A. Include an approximately 1.993 acres parcel of land adjacent to the current property included within the boundaries of Districts No. 2 (residential district) and to update the proposed “Service Area” of the Districts to include this property for purposes of development and coordination of improvements and services by the Districts.

This First Amendment is submitted pursuant to §§ 32-1-201, et seq., C.R.S., as amended, (the “Special District Act”), and the requirements of the Town.

The Districts are quasi-municipal corporations and political subdivisions of the State of Colorado. The consolidated service plan (the “Service Plan”) for the Conestoga Metropolitan District Nos. 1 through 5 (the “Districts”) was approved by the Board of Trustees of the Town of Ault, Colorado, on September 13, 2017, and the Districts were organized by Order of the District Court in and for Weld County on November 21, 2017. The Boards of Directors of the Districts have determined it to be in the best interests of the Districts to amend the Service Plan in order to include into the boundaries of the Conestoga Metropolitan District No. 2 (“District No. 2”) additional property (the “Subject Property”) not originally identified in the Service Plan, as further set forth herein.

The Subject Property is comprised of approximately 1.993 acres and is located adjacent to the existing boundaries of the Districts. The original proponents of the Districts own 100% of the Subject Property. The inclusion of the Subject Property into the boundaries of District No. 2 as set forth herein will not modify or adversely affect the original purpose of the Districts or the services and improvements to be provided by them. Except for the inclusion of the Subject Property into the boundaries of District No. 2 as set forth herein, the Service Plan will remain unchanged.

These changes will not result in an increase in the previously approved debt limit or change any of the material terms of the Service Plan. The Districts are intended to be independent units of local government, separate and distinct from the Town, and, except as may otherwise be provided for by State or local law or this Service Plan, its activities are subject to review by the Town only insofar as they may deviate in a material manner from the requirements of this Service Plan.

All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Service Plan.

2. AMENDMENT

The Service Plan is hereby amended as follows:

(a) The real property described in Exhibit A attached hereto and incorporated by reference herein is hereby included within the Service Plan's identified boundaries of District No. 2 as though such property was initially described in the Service Plan as part of the Initial District Boundaries and the Districts' Service Area.

(b) All references to property acreage within the boundaries of the Districts shall be expanded to include the subject parcel within the Districts' boundaries and Service Area.

3. EFFECT OF FIRST AMENDMENT

The First Amendment of Service Plan is in addition to all of the provisions of the Service Plan. Except as expressly modified herein, the terms, conditions and provisions of the Service Plan are not modified by this First Amendment and shall remain in full force and effect.

4. RESOLUTION OF APPROVAL

The District incorporates the Town Board of Trustees' Resolution approving this First Amendment, including any conditions of approval.

5. CONCLUSION

This First Amendment demonstrates that:

a. There is sufficient existing and projected need for organized service in the area to be serviced by the Districts;

b. The existing service in the area to be served by the Districts is inadequate without the Districts for present and projected needs;

c. The Districts are capable of providing economical and sufficient service to the area within its proposed boundaries;

d. The area to be included in the Districts has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis;

e. The facility and service standards of the Districts are compatible with the facility and service standards of Larimer County and Town of Ault, which are interested parties hereunder. § 32-1-204(1), C.R.S.;

f. The First Amendment will be in the best interests of the area to be served.

VI. CERTIFICATION

It is hereby respectfully requested that the Board of Trustees of the Town of Ault, Colorado, which has jurisdiction to approve this First Amendment by virtue of Section 32-1-204.5 and Section 32-1-207(2) C.R.S., *et seq.*, as amended, adopt a resolution of approval which approves this First Amendment to the Consolidated Service Plan for Conestoga Metropolitan District Nos. 1-5 as submitted.

Exhibit A
First Amendment to Service Plan
Consolidated Service Plan for Conestoga Metropolitan District Nos. 1-5

[insert legal description and map of subject property]

EXHIBIT A

PROPERTY DESCRIPTION

A parcel of land located in the Southeast Quarter (SE1/4) of Section Eleven (11), Township Seven North (T.7N.), Range Sixty-six West (R.66W.), Sixth Principal Meridian (6th P.M.), Town of Ault, County of Weld, State of Colorado.

COMMENCING at the South Quarter corner of said Section 11 and assuming the West line of said SE1/4 as bearing North 00°31'51" West being a Grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2696.30 feet with all other bearings contained herein relative thereto;

THENCE North 00°31'54" West along said West line a distance of 39.61 feet to the Southwest corner of the Second Replat of Conestoga Subdivision First Filing as recorded September 7, 2017 as Reception No. 4333634 of the Records of Weld County;

The following Four (4) courses are along the Southerly lines of said Second Replat of Conestoga Subdivision First Filing:

THENCE North 89°59'29" East a distance of 594.29 feet to the **POINT OF BEGINNING**;
THENCE North 00°12'15" West a distance of 254.56 feet;

THENCE North 89°47'44" East a distance of 340.66 feet;

THENCE South 00°00'44" East a distance of 255.72 feet to the Northerly Right of Way line of Colorado State Highway 14;

THENCE South 89°59'29" West along said Northerly Right of Way line a distance of 339.81 feet to the **POINT OF BEGINNING**.

Said described parcel of land contains 86,807 Square Feet or 1.993 Acres, more or less (\pm) and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

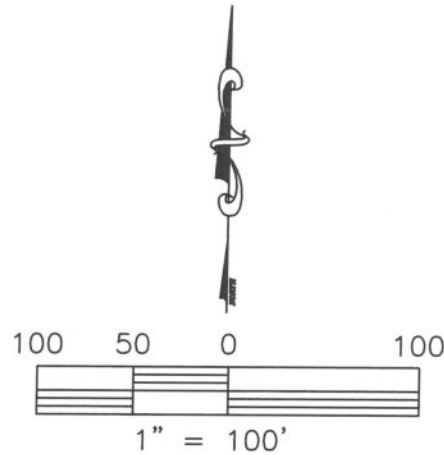
SURVEYORS STATEMENT

I, Ronnie L. Edwards, a Colorado Licensed Professional Land Surveyor do hereby state that this Parcel Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Ronnie L. Edwards - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #38480

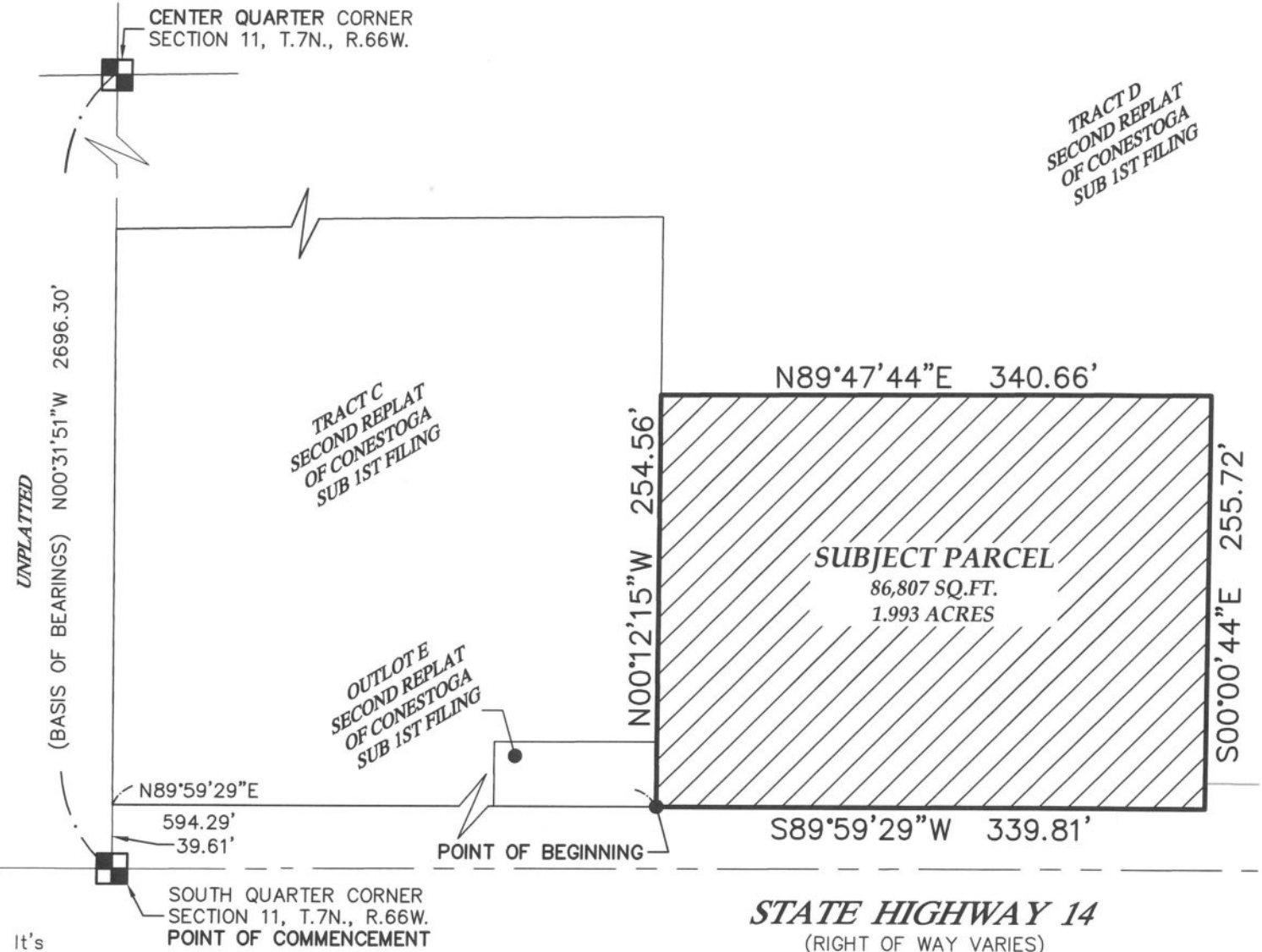
KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011



TRACT D
SECOND REPLAT
OF CONESTOGA
SUB 1ST FILING

TRACT C
SECOND REPLAT
OF CONESTOGA
SUB 1ST FILING

SUBJECT PARCEL
86,807 SQ.FT.
1.993 ACRES



UNPLATTED
(BASIS OF BEARINGS)

CENTER QUARTER CORNER
SECTION 11, T.7N., R.66W.

SOUTH QUARTER CORNER
SECTION 11, T.7N., R.66W.
POINT OF COMMENCEMENT

POINT OF BEGINNING

STATE HIGHWAY 14
(RIGHT OF WAY VARIES)

Ronnie L. Edwards
 Colorado Licensed Professional
 Land Surveyor #38480

Ronnie L. Edwards – On Behalf Of King Surveyors
Colorado Licensed Professional
Land Surveyor #38480

NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)



KING SURVEYORS
 650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | fax: (970) 686-5821
 email: contact@KingSurveyors.com

PROJECT NO: 20170417
DATE: 2/1/2018
CLIENT: GENESIS DEVELOPMENT MANAGEMENT
DWG: 20170417 SUBJECT PARCEL 02-01-18
DRAWN: TJJ **CHECKED:** RLE