

**RESOLUTION
OF THE
BOARD OF DIRECTORS OF
MULBERRY METROPOLITAN DISTRICT NO. 1
AMENDING NON-POTABLE WATER FEE SCHEDULE**

WHEREAS, Mulberry Metropolitan District No. 1 (the “**Coordinating District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized and existing pursuant to §§ 32-1-101, et seq., C.R.S., as amended (the “**Special District Act**”); and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the Coordinating District (the “**Board**”) shall have the management, control and supervision of all the business and affairs of the Coordinating District; and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the Coordinating District is authorized to fix and impose fees, rates, tolls, penalties and charges for services or facilities furnished by the Coordinating District which, until such fees, rates, tolls, penalties and charges are paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, on July 17, 2024, the Board adopted the Resolution Concerning the Imposition of Non-Potable Water Fee, which was recorded on August 16, 2024, at Reception No. 20240034207 in the real property records of Larimer County, Colorado (the “**Prior Resolution**”); and

WHEREAS, the Coordinating District has determined that certain changes to the Fee Schedule are necessary and in the best interest of the Districts, and the Districts’ property owners and taxpayers.

NOW, THEREFORE, be it resolved by the Board as follows:

1. Amendment. The Schedule of Fees included as Exhibit A to the Prior Resolution is hereby amended and restated as set forth in **Exhibit 1**, attached hereto and incorporated herein by reference.
2. Prior Provisions Effective. Except as specifically amended herein, all the terms and provisions of the Prior Resolution shall remain in full force and effect.
3. Prior Fees. Any fees, rates, tolls, penalties or charges due under the Prior Resolution, to the extent outstanding and unpaid, shall remain in effect until fully paid and shall not be eliminated hereby.
4. Effective Date. This Resolution shall become effective March 25, 2025.

ADOPTED MARCH 25, 2025.

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

Patrick M McMeekin

Patrick M McMeekin (Mar 26, 2025 13:46 MDT)

Officer of the Coordinating District

ATTEST:

Lanodn Hoover

Lanodn Hoover (Mar 26, 2025 16:27 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys At Law

Ene Velasco

General Counsel to the Coordinating District

Signature page to Resolution Amending Non-Potable Water Fee Schedule

EXHIBIT 1
MULBERRY METROPOLITAN DISTRICT NO. 1
Schedule of Fees
Effective March 25, 2025

MULBERRY METROPOLITAN DISTRICT NO. 1		
Schedule of Fees	Classifications	Rate
Effective July 17, 2024	<u>Residential Unit*</u> Single Family Residence (Lot sq. ft.) 5,000-6,000 6,001-7,000 7,001-8,000 8,001-9,000 9,000 +	\$275 per year collected annually \$315 per year collected annually \$350 per year collected annually \$375 per year collected annually \$390 per year collected annually
	Cottage (Lot sq. ft.) 1,000-2,000 2,001-3,000 3,000 +	\$75 per year collected annually \$150 per year collected annually \$220 per year collected annually
	Apartment or Other Multi-Family	Metered and billed separately based on usage (\$6.89 k/gal) plus base fee of \$72.01
	Residential Dwelling Unit Not Otherwise Enumerated	Metered and billed separately based on usage (\$6.89 k/gal) plus base fee of \$72.01
The Due Date for each Non-Potable Water Fee for the year is the 15 th day of each April. * 20% Discount offered for Xeriscape Lots (subject to review and approval). Xeriscape for the purposes of receiving the 20% discount may only contain a combination of water-wise drought tolerant shrubs, trees and grasses neatly combined with inert materials such as rock, mulch and other ground cover. Both the front and rear yards must be Xeriscaped combining a variety of plant types and colors in accordance with the Xeriscape design guidelines. The use of blue grass or other highly irrigated plant material will not qualify for the Xeriscape discount. The Architectural Review Committee and/or Board of Directors reserves the right to reasonably approve or deny the discount after review of the Xeriscaped property.		

PAYMENTS:

Payment for all fees shall be made through the online portal available through the Coordinating District's website or by check delivered to the address listed on the payment coupon, or equivalent form acceptable to the Coordinating District, made payable to "Mulberry Metropolitan District No. 1."