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RESOLUTION NO. 2022-05-01

FIRST AMENDMENT TO  
AMENDED AND RESTATED RESOLUTION OF  
THE BOARD OF DIRECTORS OF BEEBE DRAW FARMS AUTHORITY  
ADOPTING FEES FOR AMENITIES

A. Beebe Draws Farms Authority is an authority and separate legal entity duly established pursuant to Section 29-1-203, C.R.S. (the “**Authority**”) in accordance with the applicable laws of the State of Colorado.

B. Pursuant to that certain Authority Establishment Agreement dated April 12, 2011 (the “**AEA**,” as the same may be amended from time to time), between Beebe Draw Farms Metropolitan District No. 1 and Beebe Draw Farms Metropolitan District No. 2 (collectively, the “**Districts**”), the Authority was established for the purpose of furnishing, operating, and planning for the Public Improvements, as defined in the AEA.

C. Pursuant to Sections 3.5(b), (c) and (j) of the AEA, the Authority will own, operate, maintain, finance and construct the Public Improvements, and may set fees, rates, tolls, charges and penalties for services and facilities provided by the Authority, including, without limitation, the “**Amenities**,” as defined in the AEA. Furthermore, pursuant to Section 9.2 of the AEA, the Authority shall establish differential fees for the use of the Amenities for those who do not reside or own property within the Districts.

D. The Board of Directors of the Authority (the “**Board**”) previously determined that, to provide for the costs associated with the Amenities, it is necessary to impose certain fees for use of the Amenities (the “**Fee(s)**”).

E. On May 12, 2021, the Board adopted Resolution No. 2021-05-02, the Amended and Restated Resolution of the Board of Directors of Beebe Draw Farms Authority Adopting Fees for Amenities, which amended and restated certain resolutions previously adopted by the Board, setting Fees for use of the Amenities.

F. The Board has determined to adjust the Fees for use of the Amenities adopted pursuant to Resolution No. 2021-05-02 due to increasing costs and the ongoing operations and maintenance needs of the Amenities, and desires to amend Resolution No. 2021-05-02 accordingly.

NOW, THEREFORE, by and through its Board, the Authority hereby resolves as follows:

1. The Fees, as set forth on Exhibit A, attached hereto and incorporated herein by this reference, are hereby adopted pursuant to the authority granted to the Authority by the AEA, to provide for, operate, and maintain the Amenities. The Fees shall be effective as of July 1, 2022.

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2. Except as set forth herein, the provisions of Resolution No. 2021-05-02 shall remain in full force and effect.

APPROVED AND ADOPTED THIS 11<sup>th</sup> DAY OF MAY 2022.

BEEBE DRAW FARMS AUTHORITY

DocuSigned by:

*Joe Knopinski*

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By: Paul Joseph Knopinski

Its: President

**EXHIBIT A**

**Amenity Fees  
(Effective July 1, 2022)**

The Authority may impose a fee of \$250 per incident for use of any Amenity without paying the set Fee.

**A. Swimming Pool**

1. Residents of/Property Owners within the Authority (“In-Authority”):
  - a. \$200/year family membership.
  - b. Full payment due at time of membership.
2. Non-residents of/non-property owners within the Authority (“Non-Authority”):
  - a. \$400.00/year.
  - b. Full payment due at time of membership.

**B. Pavilion at the Swimming Pool – Reservation**

1. In-Authority:
  - a. \$25.00 non-refundable fee per event.
  - b. Full payment due in conjunction with reservation booking.
2. Non-Authority:
  - a. \$100.00 non-refundable fee per event.
  - b. Full payment due in conjunction with reservation booking.

**C. Party at the Swimming Pool – Reservation**

1. In-Authority (Pool membership required):
  - a. \$200.00 non-refundable fee per event, plus a \$50.00 refundable deposit.
  - b. Full payment (\$250.00) due in conjunction with reservation booking.

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2. Non-Authority (Pool membership not required):
  - a. \$500.00 non-refundable fee per event, plus a \$250.00 refundable deposit.
  - b. Full payment (\$750.00) due at execution of Swimming Pool Event Agreement.

**D. Lake Christina Area**

1. In-Authority:
  - a. No fee.\*
2. Non-Authority:
  - a. \$500.00 per vehicle per year.\*
  - b. Full payment due at execution of Park Use Permit and Agreement and/or Activity Participation, Assumption of Risk, Release and Waiver of Liability.

\*Fishing at Lake Christina requires a fishing permit, see item E., below.

**E. Annual Fishing Permits**

**The fine for fishing without a permit is \$100.00 per person, per occurrence.**

1. In-Authority:
  - a. \$15.00 non-refundable fee per family.
  - b. Full payment due upon application for a fishing permit.
2. Non-Authority:
  - a. \$100 non-refundable fee per person.
  - b. Full payment due upon application for a fishing permit.

**F. Pavilion at Lake Christina – Reservation**

1. In-Authority:
  - a. \$100.00 non-refundable payment and \$100.00 refundable deposit per event.
  - b. Full payment due at execution of Park Use Permit and Agreement.

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2. Non-Authority:
  - a. \$500.00 non-refundable fee per event.
  - b. Full payment due at execution of Park Use Permit and Agreement.

**G. Community Information and Sales Center - Reservation**

1. In-Authority:
  - a. \$75.00 non-refundable payment and \$150.00 refundable deposit per event.
  - b. Full payment (\$225.00) due at execution of Facility and Property Rental Contract.
2. Non-Authority:
  - a. \$300.00 non-refundable payment and \$300.00 refundable deposit per event.
  - b. Full payment (\$600.00) due at execution of Facility and Property Rental Contract.

**H. Equestrian Facilities and Trail System\*\***

1. In-Authority:
  - a. No fee.
2. Non-Authority: \$500.00 per person, per year.
  - a. Payment due at execution of Park Use Permit and Agreement and/or Activity Participation, Assumption of Risk, Release and Waiver of Liability

\*\*Does not include jump course, which is included in Item D., above.