

LEYDEN ROCK METROPOLITAN DISTRICT
REGULAR MEETING

via teleconference

Tuesday, May 16, 2023 at 6:00 P.M.

<https://leydenrocklife.com/>

Brett Vernon, President	Term to May 2027
Scott J. Plummer, Secretary	Term to May 2027
Jeff Cunningham, Treasurer	Term to May 2025
Christian Arditia, Assistant Secretary	Term to May 2025
Tanis Batsel Stewart, Assistant Secretary	Term to May 2025

This meeting can be joined through the directions below:

Join Zoom Meeting

<https://us06web.zoom.us/j/88169711850?pwd=MVBaYlFOUjltQWQzMlFhbnRlUWwQT09>

Meeting ID: 881 6971 1850

Passcode: 983761

Call-in Number:1-720-707-2699

NOTICE OF REGULAR MEETING AND AGENDA

1. Call to Order/Declaration of Quorum
2. Director Conflict of Interest Disclosures
3. Approval of Agenda
4. Public Comment – Members of the public may express their views to the Board on matters that affect the District on items not otherwise on the agenda. Comments will be limited to three (3) minutes per person.
5. Consent Agenda:
 - a. Approval of Minutes from April 18, 2023 Regular Meeting (**enclosure**)
 - b. Approval of Minutes from May 2, 2023 Special Meeting (**enclosure**)
6. Financial Matters
 - a. Consider Approval of Payables/Financials (**enclosure**)
 - b. Other Financial Matters
7. District Management Matters
 - a. District Manager’s Report
 - b. Discuss and Consider Approval of Pool Light Repair Proposal (**enclosure**)
 - c. Discuss and Consider Approval of Amending the Clubhouse Rental Agreement
 - d. Discuss and Consider Approval of Restoration of Trail/Vista Proposal (**enclosure**)
 - e. Other Management Matters
8. Director’s Matters
 - a. Other Director’s Matters

2023 Regular Meetings

January 17; February 21; March 21; April 18; May 16; June 20; July 18; August 15; September 19; October 17;
November 21; and December 19 at 6:00 p.m. via teleconference.

9. Capital Projects Discussion
 - a. Discuss Any Trail Updates
 - b. Discuss the Addition of an Emergency Access Road off of Eldora Way Culdesac
 - c. Other Capital Projects Matters
10. Legal Matters
 - a. Other Legal Matters
11. Other Business
12. Adjourn

2023 Regular Meetings

January 17; February 21; March 21; April 18; May 16; June 20; July 18; August 15; September 19; October 17;
November 21; and December 19 at 6:00 p.m. via teleconference.

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF

LEYDEN ROCK METROPOLITAN DISTRICT

Held: Tuesday, April 18, 2023 at 6:00 P.M. via
Teleconference

Attendance

The regular meeting of the Board of Directors of the Leyden Rock Metropolitan District, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve on the Board, were in attendance:

Brett Vernon
Scott Plummer
Jeff Cunningham
Christian Ardita
Tanis Batsel Stewart **left the meeting where indicated.*

Also present: Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Katie Call, Ben Smith, and Christine Ahern, CCMC; Alex Fink, CliftonLarsonAllen, LLP, District Accountant; and members of the public.

Call to Order

It was noted that a quorum of the Board was present and the meeting was called to order.

**Conflict of Interest
Disclosures**

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Murphy noted that a quorum was present and inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted.

Agenda

The Board reviewed the agenda. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda

as amended.

Discuss and Consider Approval of Amended and Restated Residential Improvement Guidelines Regarding Paint Colors

Director Batsel Stewart presented the Amended and Restated Residential Improvement Guidelines (the “Guidelines”) with changes regarding paint colors to the Board. The Guidelines provide the District will not assess a fee for and will automatically approve paint color requests with the existing color scheme. Any change in the color scheme with existing District approved color pallets will be assessed a \$75 fee and any change in color scheme beyond existing District approved color pallets a \$150 fee.

Director Vernon noted the difficulty to establish a standard to evaluate colors outside of the existing District approved color pallets. Director Vernon noted that he thinks subsection C.(v) is unnecessary and may cause an extra burden on staff.

Director Cunningham is in support of staying with the existing District approved color pallets, suggesting that an appeal of the existing District approved pallets could go to the Board as opposed to a tribunal.

Director Ardita inquired about the frequency of updating existing District approved color pallets. Director Batsel Stewart noted that the existing District approved color pallets would be updated yearly. Director Ardita would prefer to keep subsection C.(v) in the Guidelines.

Director Batsel Stewart is comfortable keeping subsection C.(v) in the Guidelines, but she noted while she voted in favor of the existing District approved color pallets, she now believes the existing District approved color pallets are too restrictive.

Director Plummer noted that this process was designed to remove the staff involvement unless there is an appeal. He noted he feels that homeowners should be able to submit outside the existing District approved color pallets.

Ms. Call noted that homeowners are submitting paint colors within the existing District approved color pallets but with certain colors schemes switched for the body versus the trim and these requests are being denied.

Director Batsel Stewart noted that it is unlikely for a purple house to be approved. Director Plummer inquired about purple houses within the community, and it was noted there are none.

Director Vernon noted that certain homes in the community with color schemes that would not have been approved. He noted that he will only vote in favor if all Architectural Review Committee appeals are required to be heard by a quorum of the Board.

Director Batsel Stewart noted that if there Guidelines remain as is, any resident submitting a request outside the existing District approved color pallets will be denied and may appeal to the tribunal. Director Batsel Stewart imagines that the majority of colors outside the existing District approved color pallets will be approved.

Following discussion, upon a motion duly made and seconded, a majority of the Board approved the Guidelines subject to final legal review and no change in the appeal process. Directors Vernon and Cunningham voted against approval of the Guidelines.

**Director Batsel Stewart left the meeting*

Public Comment None.

Consent Agenda Following a summary by Ms. Murphy, the items on the consent agenda were ratified, approved or accepted in one motion duly made and seconded and unanimously carried:

- Minutes from March 21, 2023 Regular Meeting,;
- Minutes from April 4, 2023 Special Meeting; and
- 2022 Audit Engagement Letter with Dazzio & Associates, P.C.

Financial Matters

Consider Approval of Payables/Financials Mr. Fink presented the Claims in the amount of \$25,743.74 to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Claims.

Consider Approval of 2022 Draft Audit Mr. Fink presented the 2022 Draft Audit to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the 2022 Draft Audit subject to final legal, auditor, and Director Cunningham’s comments.

Conduct Public Hearing on 2022 Budget Amendment and Consider Adoption of The public hearing on the 2022 Budget Amendment was opened. Ms. Murphy noted that the notice of public hearing was provided in accordance with Colorado Law. No written objections have been received prior to the meeting. There being no public comment, the

Resolution Amending 2022 Budget hearing was closed.
Mr. Fink reviewed the Resolution Amending 2022 Budget with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution, amending the General Fund to \$1,674,000.

Other Financial Matters None.

District Management Matters

District Manager Report None.

Discuss and Consider Approval of the Proposal for Additional Turf Grass Treatment Mr. Smith presented the Proposal for Additional Turf Grass Treatment to the Board and noted that Keesen Landscape recommends this proposal. Director Vernon noted that this is a soil treatment that will establish root growth and cover approximately four acres. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal.

Discuss and Consider Approval of Insurance Limit Change for Healthy Hub Vending Mr. Smith presented Insurance Limit Change for Healthy Hub Vending to the Board. The vendor is requesting the general liability limit be lowered from \$2,000,000 to \$1,000,000. Director Cunningham inquired if there are other vendors willing to do the work with the required general liability coverage limit. Ms. Call noted there were no other vendors willing to provide the service. This item was deferred. Mr. Smith will inquire whether the vendor is willing to increase their coverage limit.

Discuss Swim Lessons at the Pool Ms. Call engaged in discussion with the Board. Mile High Pools proposed private lessons Monday through Friday from 8 AM to 10 AM for 30 minutes each. Following discussion, upon a motion duly made and seconded, a majority of the Board approved the private lessons as proposed and for CCMC to review the swim times. Director Plummer voted against approval of the private lessons.

Other Management Matters None.

Director's Matters

Other Director's Matters Director Cunningham noted that landscaped areas along Leyden Rock Drive are being washed away and he would like a plan to fix this. Ms. Call noted that she is working with Keesen Landscape on

this matter.

Director Ardita thanked Mr. Smith and Ms. Call for finding swim lessons for the community.

**Capital Projects
Discussion**

Discuss and Consider Approval of Adding Electricity to the Culebra and Yule Entrances Mr. Smith engaged in discussion with the Board. Director Vernon noted that the approval of this proposal will start the process to approve electrical costs. The plans to the City can include the electrical work in the amount of \$35,737.50. Following discussion, upon a motion duly made and seconded, the Board unanimously approved adding electricity to the Culebra and Yule entrances in an amount not to exceed \$35,737.50.

Other Capital Projects Discussion Director Vernon noted that he is working on scheduling meetings to review minor improvement areas.

Legal Matters

Executive Session Upon Director Plummer's motion, Director Ardita's second, and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 7:56 p.m. pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the District for the purpose of receiving legal advice as it relates to District Manager proposals and pursuant to § 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, instructing negotiators related to District Manager proposals.

Pursuant to section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of this executive session that, in the opinion of legal counsel to the District, constitutes privileged attorney-client communication pursuant to section 24-6-402(4)(b), C.R.S.

Pursuant to section 24-6-402(4), C.R.S., the Board did not adopt any proposed, policy, position, resolution, rule, regulation, or take formal action during executive session.

The Board reconvened regular session at 8:27 p.m.

Discuss and Consider Approval of Proposal for Deferred.

Attorney Statement:

ATTORNEY STATEMENT
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Leyden Rock Metropolitan District, I attended the executive session at the regular meeting of Leyden Rock Metropolitan District convened at 7:56 p.m. on April 18, 2023 for the sole purpose of discussing receiving legal advice as it relates to District Manager proposals and pursuant to § 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, instructing negotiators related to District Manager proposals.as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(4)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Megan J. Murphy, Esq.

MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF

LEYDEN ROCK METROPOLITAN DISTRICT

Held: Tuesday, May 2, 2023 at 5:00 P.M. via
Teleconference

Attendance

The special meeting of the Board of Directors of the Leyden Rock Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve on the Board, were in attendance:

Scott J. Plummer
Brett Vernon
Jeff Cunningham
Christian Ardita
Tanis Batsel Stewart

Also present: Megan Murphy, White Bear Ankele Tanaka & Waldron, District General Counsel; Ben Smith, District Manager, and Christine Ahern, CCMC; Katie Cooley, Ascent Land Management; Ron Hill, and members of the public.

Call to Order

It was noted that a quorum of the Board was present, and the meeting was called to order at 6:02 PM.

**Conflict of Interest
Disclosures**

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Murphy noted that a quorum was present and inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Board determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Approval of Agenda

The Board reviewed the agenda. Following discussion, upon a

motion duly made and seconded, the Board unanimously approved the agenda as amended.

Public Comment

Mr. Hill presented an alternative proposal for trail access to the Board. Director Plummer inquired about a trail on Antero Court. Mr. Hill noted that the Yule Yucca open space is next to private backyards and Antero Court is a public road. Director Plummer noted that the trail on Yule Yucca connects to berms along the parkway.

Capital Projects Discussion

Discussion regarding light posts in the Clubhouse parking lot

Mr. Smith engaged in discussion with the Board regarding light posts in the Clubhouse parking lot. Mr. Smith noted that they could add lighting to the far side of the parking lot lighting, which would require trenching. Mr. Smith noted he discussed lighting concerns with an electrician who felt the concerns could be addressed without trenching. No action was taken.

Discussion and Consider Approval of Lap Swim Clock

Mr. Smith presented a proposal for a lap swim clock to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal in the amount of \$378 plus shipping paid from the Capital Projects Fund.

Discuss and Consider Approval of Non-Slip Flooring for Pool Bathroom

Mr. Smith presented a proposal for non-slip flooring for pool bathroom to the Board. Mr. Smith noted the money in the Safety Grant Funds could potentially be reimbursed for this project. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal in the amount of \$1,131.03 plus shipping.

Discuss and Consider Approval of Electrical at the Pool

Mr. Smith presented a proposal for electrical improvements at the pool to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal in the amount of \$13,945.

Discuss and Consider Approval of Landscape Plan Matrix

Ms. Cooley presented the Landscape Plan Matrix to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the plan and authorized The Architerra Group to proceed with the contract amendment.

AV Project

Mr. Smith provided a general update to the Board noting the AV project is almost complete except for items on backorder.

Discussion Regarding Flowers at Pool

Director Batsel Stewart engaged in discussion with the Board regarding flowers at the pool noting that the vendor is unable to

hold all plants for delivery at one time. The flowers will be delivered as they arrive and Director Batsel Stewart requested a board member pick up the flowers to save on delivery costs, against legal counsel's advice. Mr. Smith recommended having the vendor deliver the flowers. Director Plummer inquired about the choice of vendor. Following discussion, upon a motion duly made and seconded, the Board unanimously authorized an extra \$500 for delivery by the vendor or Ms. Cooley to pick up the flowers on behalf of the District.

District Management Matters

Discuss and Consider
Approval of Pool Opening
Party 'Swag'

Mr. Smith and Ms. Ahern presented the pool opening party 'swag' to the Board, including towels, hats, and sunglasses to be distributed at the pool opening party. Ms. Ahern noted there is not enough money in the social fund for prizes. Mr. Smith noted the overflow of funds in the snow budget and contingency to fund. Following discussion, upon a motion duly made and seconded, the Board unanimously approved \$10 per towel, \$8-10 per pair of sunglasses, and \$15 per hat for a total not to exceed \$6,000.

Director's Matters

Consider Approval of
Independent Contractor
Agreement with Mile High
Pools for Swim Lessons

Ms. Murphy presented the Independent Contractor Agreement with Mile High Pools to the Board. Director Plummer noted Apex indicated swim lessons for two hours a day may not allow the pool filter to keep up for the remainder of the day. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agreement.

Discuss and Consider
Approval of Insurance Limit
Change for Healthy Hub
Vending

Mr. Smith presented insurance limit change for Healthy Hub Vending to the Board, noting the additional cost is \$200 for \$2,000,000 in insurance coverage. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the payment to Healthy Hub Vending not to exceed \$200 for the increased insurance coverage.

Executive Session

Upon a motion duly made and seconded, followed by an affirmative vote of at least two-thirds of the quorum present, the Board enter into executive session at 6:25 p.m. for the purpose of receiving legal advice on as it relates to District Manager proposals and pursuant to § 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, instructing negotiators related to District Manager proposals

pursuant to Section 24-6-402(4)(b), C.R.S.

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of this executive session that, in the opinion of legal counsel to the District, constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Pursuant to section 24-6-402(4), C.R.S., the Board did not adopt any proposed, policy, position, resolution, rule, regulation, or take formal action during executive session.

The Board reconvened regular session at 6:36 p.m.

Discuss and Consider
Approval of Independent
Contractor Agreement for
District Management
Services

Following discussion, upon a motion duly made and seconded, the Board unanimously approved AdvanceHOA for District Management Services, subject to final review by Director Vernon and Director Cunningham.

Other Business

Adjournment

There being no further business to come before the Board and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 16th day of May 2023.

ATTORNEY STATEMENT
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Leyden Rock Metropolitan District I attended the executive session at the special meeting of Leyden Rock Metropolitan District convened at 6:25 p.m. on May 2, 2023 for the sole purpose of conferencing with an attorney for the District for the purpose of receiving legal advice as it relates to District Manager proposals and pursuant to § 24-6-402(4)(e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, instructing negotiators related to District Manager proposals. as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Megan J. Murphy, Esq.

LEYDEN ROCK METROPOLITAN DISTRICT

FINANCIAL STATEMENTS

MARCH 31, 2023

**Leyden Rock Metro District
Balance Sheet - Governmental Funds
March 31, 2023**

	<u>General</u>	<u>Special Revenue</u>	<u>Debt Service</u>	<u>Capital Projects</u>	<u>Total</u>
Assets					
Checking Account	\$ 17,269.29	\$ -	\$ -	\$ 92,105.22	\$ 109,374.51
Cash - Mutual of Omaha Bank	-	115,438.24	-	-	115,438.24
Cash - CCMC Debit Card	-	3,981.04	-	-	3,981.04
CSAFE	650,409.19	-	4,000.00	-	654,409.19
UMB Bond Fund	-	-	1,186,442.98	-	1,186,442.98
UMB Project Fund	-	-	-	4,464,992.51	4,464,992.51
Accounts receivable	-	21,228.23	-	-	21,228.23
Receivable from County Treasurer	45,098.81	-	66,749.82	-	111,848.63
Prepaid expenses	-	292.84	-	-	292.84
Total Assets	<u>\$ 712,777.29</u>	<u>\$ 140,940.35</u>	<u>\$ 1,257,192.80</u>	<u>\$ 4,557,097.73</u>	<u>\$ 6,668,008.17</u>
Liabilities					
Accounts payable	\$ 32,008.50	\$ 2,072.18	\$ -	\$ -	\$ 34,080.68
Prepaid assessments	-	10,721.24	-	-	10,721.24
Accrued expenses	-	21,255.77	-	-	21,255.77
Total Liabilities	<u>32,008.50</u>	<u>34,049.19</u>	<u>-</u>	<u>-</u>	<u>66,057.69</u>
Fund Balances	<u>680,768.79</u>	<u>106,891.16</u>	<u>1,257,192.80</u>	<u>4,557,097.73</u>	<u>6,601,950.48</u>
Liabilities and Fund Balances	<u>\$ 712,777.29</u>	<u>\$ 140,940.35</u>	<u>\$ 1,257,192.80</u>	<u>\$ 4,557,097.73</u>	<u>\$ 6,668,008.17</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances – governmental funds have been omitted.

Leyden Rock Metro District
General Fund Statement of Revenues, Expenditures and Changes in
Fund Balances - Budget and Actual
For the Period Ending March 31, 2023

	<u>Annual Budget</u>	<u>Actual</u>	<u>Variance</u>
Revenues			
Property taxes	\$ 1,462,014.00	\$ 704,747.60	\$ 757,266.40
Specific ownership taxes	102,341.00	27,222.69	75,118.31
Interest income	10,000.00	3,016.75	6,983.25
Other revenue	10,000.00	-	10,000.00
Total Revenue	<u>1,584,355.00</u>	<u>734,987.04</u>	<u>849,367.96</u>
Expenditures			
Accounting	50,000.00	18,161.17	31,838.83
Auditing	7,000.00	-	7,000.00
County Treasurer's fee	21,930.00	10,571.38	11,358.62
Dues and membership	2,000.00	1,237.50	762.50
Insurance	31,500.00	34,313.00	(2,813.00)
Legal	150,000.00	31,779.09	118,220.91
Miscellaneous	250.00	475.00	(225.00)
Election	40,000.00	14,346.93	25,653.07
Contingency	7,320.00	-	7,320.00
Total Expenditures	<u>310,000.00</u>	<u>110,884.07</u>	<u>199,115.93</u>
Other Financing Sources (Uses)			
Transfers to other fund	(1,419,131.00)	(258,590.04)	(1,160,540.96)
Total Other Financing Sources (Uses)	<u>(1,419,131.00)</u>	<u>(258,590.04)</u>	<u>(1,160,540.96)</u>
Net Change in Fund Balances	(144,776.00)	365,512.93	(510,288.93)
Fund Balance - Beginning	306,776.00	315,255.86	(8,479.86)
Fund Balance - Ending	<u>\$ 162,000.00</u>	<u>\$ 680,768.79</u>	<u>\$ (518,768.79)</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

Leyden Rock Metro District
Special Revenue Fund Statement of Revenues, Expenditures and Changes in
Fund Balances - Budget and Actual
For the Period Ending March 31, 2023

	<u>Annual Budget</u>	<u>Actual</u>	<u>Variance</u>
Revenues			
Operations fee	\$ 25,888.00	\$ 1,897.00	\$ 23,991.00
Interest income	750.00	25.62	724.38
Other revenue	20,975.00	10,377.96	10,597.04
Rental income	15,000.00	1,109.78	13,890.22
Total Revenue	<u>62,613.00</u>	<u>13,410.36</u>	<u>49,202.64</u>
Expenditures			
Miscellaneous	2,978.00	1,014.76	1,963.24
Facilities management	367,104.00	98,692.43	268,411.57
Irrigation repairs	36,000.00	-	36,000.00
Pool contract maintenance	103,962.00	-	103,962.00
Pool supplies	15,000.00	281.25	14,718.75
Pool repairs and maintenance	6,000.00	-	6,000.00
District clean-up	43,000.00	4,830.00	38,170.00
Maintenance of district assets	4,500.00	-	4,500.00
Landscape replacement	125,000.00	7,143.00	117,857.00
Lighting	6,500.00	-	6,500.00
Native weed control	73,000.00	-	73,000.00
Landscape maintenance	200,500.00	44,443.04	156,056.96
Clubhouse maintenance and supplies	12,700.00	2,021.65	10,678.35
Clubhouse social activities	63,000.00	9,201.65	53,798.35
Clubhouse housekeeping	28,000.00	4,825.00	23,175.00
Clubhouse keys and locks	1,200.00	-	1,200.00
Pest Control	10,000.00	4,500.00	5,500.00
Snow removal	55,000.00	15,298.60	39,701.40
Utilities - gas and electric	20,000.00	2,192.90	17,807.10
Utilities - trash removal	247,500.00	69,860.62	177,639.38
Utilities - water and sewer	30,000.00	2,813.68	27,186.32
Telephone/Wi-Fi/Cable	9,000.00	1,200.41	7,799.59
Administration costs	4,200.00	547.30	3,652.70
Postage, printing, copies	500.00	139.80	360.20
Water and soil sampling	8,000.00	-	8,000.00
Mileage	1,300.00	427.18	872.82
Office equipment	2,400.00	550.57	1,849.43
Website	1,400.00	253.98	1,146.02
Contingency	4,000.00	-	4,000.00
Total Expenditures	<u>1,481,744.00</u>	<u>270,237.82</u>	<u>1,211,506.18</u>
Other Financing Sources (Uses)			
Transfers from other funds	1,419,131.00	258,590.04	1,160,540.96
Total Other Financing Sources (Uses)	<u>1,419,131.00</u>	<u>258,590.04</u>	<u>1,160,540.96</u>
Net Change in Fund Balances	-	1,762.58	(1,762.58)
Fund Balance - Beginning	122,475.00	105,128.58	17,346.42
Fund Balance - Ending	<u>\$ 122,475.00</u>	<u>\$ 106,891.16</u>	<u>\$ 15,583.84</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

SUPPLEMENTARY INFORMATION

Leyden Rock Metro District
Debt Service Fund Schedule of Revenues, Expenditures and Changes in
Fund Balances - Budget and Actual
For the Period Ending March 31, 2023

	<u>Annual Budget</u>	<u>Actual</u>	<u>Variance</u>
Revenues			
Property taxes	\$ 2,163,780.00	\$ 1,043,026.08	\$ 1,120,753.92
Specific ownership taxes	151,465.00	40,300.32	111,164.68
Interest income	7,000.00	1,829.72	5,170.28
Total Revenue	<u>2,322,245.00</u>	<u>1,085,156.12</u>	<u>1,237,088.88</u>
Expenditures			
County Treasurer's fee	32,457.00	15,645.92	16,811.08
Paying agent fees	6,000.00	4,000.00	2,000.00
Bond interest - Series 2021A	1,751,100.00	-	1,751,100.00
Bond principal - Series 2021A	500,000.00	-	500,000.00
Contingency	10,443.00	-	10,443.00
Total Expenditures	<u>2,300,000.00</u>	<u>19,645.92</u>	<u>2,280,354.08</u>
Net Change in Fund Balances	22,245.00	1,065,510.20	(1,043,265.20)
Fund Balance - Beginning	169,827.00	191,682.60	(21,855.60)
Fund Balance - Ending	<u>\$ 192,072.00</u>	<u>\$ 1,257,192.80</u>	<u>\$ (1,065,120.80)</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

Leyden Rock Metro District
Capital Projects Fund Schedule of Revenues, Expenditures and Changes in
Fund Balances - Budget and Actual
For the Period Ending March 31, 2023

	<u>Annual Budget</u>	<u>Actual</u>	<u>Variance</u>
Revenues			
Interest income	\$ 148,000.00	\$ 57,335.76	\$ 90,664.24
Other revenue	12,635.00	-	12,635.00
Total Revenue	<u>160,635.00</u>	<u>57,335.76</u>	<u>103,299.24</u>
Expenditures			
Engineering	-	10,618.75	(10,618.75)
Capital outlay	4,831,280.00	132,680.51	4,698,599.49
Contingency	12,635.00	-	12,635.00
Total Expenditures	<u>4,843,915.00</u>	<u>143,299.26</u>	<u>4,700,615.74</u>
Other Financing Sources (Uses)			
Repay developer advance	<u>(2,641,085.00)</u>	<u>(2,641,085.68)</u>	0.68
Total Other Financing Sources (Uses)	<u>(2,641,085.00)</u>	<u>(2,641,085.68)</u>	0.68
Net Change in Fund Balances	(7,324,365.00)	(2,727,049.18)	(4,597,315.82)
Fund Balance - Beginning	7,397,365.00	7,284,146.91	113,218.09
Fund Balance - Ending	<u>\$ 73,000.00</u>	<u>\$ 4,557,097.73</u>	<u>\$ (4,484,097.73)</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

**LEYDEN ROCK METROPOLITAN DISTRICT
2023 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Services Provided

The District, a quasi-municipal corporation and a political subdivision of the State of Colorado, was organized (originally as Leyden Rock Metropolitan District No. 10) by order and decree of the District Court for the County of Jefferson on January 5, 2012, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes).

The District was established to provide financing for the operations and maintenance and design, acquisition, installation, construction and completion of public improvements and services, including water, sanitation, street, safety protection, park and recreation, transportation, fire protection, security, television relay and translation and mosquito control improvements and services. The District provides covenant control and was organized in conjunction with nine other related Districts – Leyden Rock Metropolitan District Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9. The District serves as the Operating and Financing District which will pay all vendors, issue debt, levy ad valorem taxes on taxable properties within each District and assess fees, rates and other charges as authorized by law. The District's service area is located entirely within the City of Arvada, Jefferson County, Colorado. District Nos. 1-9 have been dissolved.

The District is not authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain fire protection facilities or services, unless such facilities and services are provided pursuant to an intergovernmental agreement with the City. The District is not authorized to plan for, design acquire, construct, install, relocate, redevelop, finance, operate or maintain television relay and translation facilities and services, other than for the installation of conduit as part of a street construction project, unless such facilities and services are provided pursuant to an intergovernmental agreement with the City.

On November 1, 2011, the District's voters authorized total indebtedness of \$80,000,000 for each of the above listed facilities, \$80,000,000 for intergovernmental agreements and \$80,000,000 for refunding of debt. Collectively, the Districts shall not issue debt over the amount of \$80,000,000. Additionally, the maximum debt mill levy is 40.000 mills, subject to adjustment, which shall not be imposed for longer than 40 years from the first year the debt service mill levy is imposed unless a refunding of the Debt has been voted upon. As of December 31, 2019, the adjusted debt mill levy is 44.531. The election also approved an annual increase in property taxes of \$5,000,000 without limitation of rate, to pay the District's operation and maintenance costs.

The District has no employees and all administrative functions are contracted.

The District prepares its budget on the modified accrual basis of accounting in accordance with the requirements of Colorado Revised Statutes C.R.S. 29-1-105 using its best estimates as of the date of the budget hearing. These estimates are based on expected conditions and its expected course of actions. The assumptions disclosed herein are those that the District believes are significant to the budget. There will usually be differences between the budget and actual results, because events and circumstances frequently do not occur as expected, and those difference may be material.

**LEYDEN ROCK METROPOLITAN DISTRICT
2023 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Revenues

Property Taxes

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or, if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and, generally, sale of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

The calculation of the taxes levied is displayed on the property tax summary information page of the budget.

Operations Fee

The District will collect a fee of \$276 per year from homeowners located within Filing 6, Tract K, of the District to pay for the District's costs of operations, payable on January 1 of each year or in quarterly installments. In addition, the District receives \$305 from each new homeowner.

Specific Ownership Taxes

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District's share will be equal to approximately 7% of the property taxes collected.

Interest Income

Interest earned on the District's available funds has been estimated based on an average interest rate of approximately 4.00%.

Expenditures

Administrative and Operating Expenditures

Administrative and operating expenditures include the estimated services necessary to maintain the District's administrative viability such as legal, management, accounting, insurance and meeting expense. Estimated expenditures related to landscaping and utilities are included in the Fee Operations Fund budget.

County Treasurer's Fee

County Treasurer's collection fees have been computed at 1.5% of property taxes.

**LEYDEN ROCK METROPOLITAN DISTRICT
2023 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Expenditures –(continued)

Debt Service

Principal and interest payments in 2023 are provided based on the debt amortization schedule from the Series 2021 Bonds (discussed under Debts and Leases).

Debt and Leases

The District issued its 2021 Bonds (the Bonds) on October 22, 2021, in the amount of \$45,840,000. The proceeds from the sale of the Bonds were used to: (i) pay the costs of refunding the 2016A, 2016B and 2017C Bonds; (ii) funding and reimbursing a portion of the costs of constructing and installing certain public improvements benefiting the District; (iii) paying the costs of issuing the costs of issuance of the Bonds, including premium for the Insurance Policy and the Reserve Policy.

The Bonds bear interest at 3.00%-5.00%, payable semi-annually on June 1 and December 1, beginning on December 1, 2021. The Bonds are subject to redemption prior to maturity at the option of the District, as a whole or in part by lot in integral multiples of \$1,000 on December 1, 2031, and on any date thereafter upon payment of 100% of the principal amount of the Bonds to be redeemed, plus accrued interest to the redemption date, without redemption premium. The Bonds maturing on December 1, 2046 also are subject to mandatory sinking fund redemption prior to maturity, in part, by lot, upon payment of 100% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date, without redemption premium. The Bonds maturing on December 1, 2051 also are subject to mandatory sinking fund redemption prior to maturity, in part, by lot, upon payment of 100% of the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date, without redemption premium.

The Bonds are secured by and payable solely from and to the extent of the Pledged Revenue, which includes monies derived from the following, net of costs of collection: (i) the Required Mill Levy; (ii) the portion of the Specific Ownership Tax which is collected as a result of the imposition of the Required Mill Levy and (iii) any other legally available amounts that the District determines, in its absolute discretion to transfer to the trustee for application as Pledge Revenue.

The Bonds are also secured by amounts on deposit in the Reserve Fund in the amount of \$2,739,400, which is funded by the Reserve Policy. The Reserve Policy, issued by Assured Guaranty Municipal Corp. (AGM) is a policy of insurance guaranteeing the payment, when due, of the principal and interest on the Bonds. The insurance extends over the life of the issue and cannot be canceled by AGM as further provided in the policy.

The District has no operating or capital leases.

Emergency Reserves

The District has provided for an Emergency Reserve equal to at least 3% of fiscal year spending, as defined under the TABOR Amendment.

**LEYDEN ROCK METROPOLITAN DISTRICT
SCHEDULE OF DEBT SERVICE
REQUIREMENTS TO MATURITY**

\$45,840,000

**2021 General Obligation Limited Tax Convertible to
Unlimited Tax Refunding and Improvement Bonds**

Principal Payable December 1

3.00% - 5.00%

June 1 and December 1

Beginning December 1, 2021

<u>Year Ended December 31,</u>	<u>Principal Amount</u>	<u>Interest Amount</u>	<u>Annual Total</u>
2023	\$ 500,000	\$ 1,751,100	\$ 2,251,100
2024	570,000	1,726,100	2,296,100
2025	665,000	1,697,600	2,362,600
2026	745,000	1,664,350	2,409,350
2027	780,000	1,627,100	2,407,100
2028	865,000	1,588,100	2,453,100
2029	910,000	1,544,850	2,454,850
2030	1,005,000	1,499,350	2,504,350
2031	1,055,000	1,449,100	2,504,100
2032	1,155,000	1,396,350	2,551,350
2033	1,200,000	1,350,150	2,550,150
2034	1,300,000	1,302,150	2,602,150
2035	1,350,000	1,250,150	2,600,150
2036	1,455,000	1,196,150	2,651,150
2037	1,515,000	1,137,950	2,652,950
2038	1,610,000	1,092,500	2,702,500
2039	1,660,000	1,044,200	2,704,200
2040	1,745,000	994,400	2,739,400
2041	1,795,000	942,050	2,737,050
2042	1,850,000	888,200	2,738,200
2043	1,925,000	814,200	2,739,200
2044	2,000,000	737,200	2,737,200
2045	2,080,000	657,200	2,737,200
2046	2,165,000	574,000	2,739,000
2047	2,250,000	487,400	2,737,400
2048	2,340,000	397,400	2,737,400
2049	2,435,000	303,800	2,738,800
2050	2,530,000	206,400	2,736,400
2051	2,630,000	105,200	2,735,200
Total	\$ 44,085,000	\$ 31,424,700	\$ 75,509,700

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances – governmental funds have been omitted.

LEYDEN ROCK METROPOLITAN DISTRICT
Schedule of Cash Position
March 31, 2023
Updated as of May 10, 2023

	General Fund	Debt Service Fund	Fee Operations Fund	Capital Projects Fund	Total Funds
<u>First Bank - Checking</u>					
Balance as of 03/31/23	\$ 17,269.29	\$ -	\$ -	\$ 92,105.22	\$ 109,374.51
Subsequent activities:					
4/5/2023 Transfer from CSAFE	251,125.00	-	-	-	251,125.00
4/10/2023 Transfer to CCMC	(251,125.00)	-	-	-	(251,125.00)
4/12/2023 Transfer from CSAFE	25,000.00	-	-	-	25,000.00
4/26/2023 Bill.com Payments	(24,378.54)	-	-	-	(24,378.54)
Anticipated activities:					
Anticipated Transfer from CSAFE	30,000.00	-	-	-	30,000.00
Anticipated Bill.com Payments	(31,848.03)	-	-	-	(31,848.03)
Anticipated Balance	\$ 16,042.72	\$ -	\$ -	\$ 92,105.22	\$ 108,147.94
<u>CSAFE</u>					
Balance as of 03/31/23	\$ 650,409.19	\$ 4,000.00	\$ -	\$ -	\$ 654,409.19
Subsequent activities:					
4/5/2023 Transfer to 1st Bank	(251,125.00)	-	-	-	(251,125.00)
4/10/2023 Property/SO tax	45,098.81	66,749.82	-	-	111,848.63
4/12/2023 Pledged Revenue Transfer	-	(70,749.82)	-	-	(70,749.82)
4/12/2023 Transfer to 1st Bank	(25,000.00)	-	-	-	(25,000.00)
4/30/2023 Interest Income	1,844.41	-	-	-	1,844.41
Anticipated activities:					
Anticipated Transfer to 1st Bank	(30,000.00)	-	-	-	(30,000.00)
Anticipated Balance	\$ 391,227.41	\$ -	\$ -	\$ -	\$ 391,227.41
<u>CCMC - Total Cash</u>					
Balance as of 03/31/23	\$ -	\$ -	\$ 119,419.28	\$ -	\$ 119,419.28
Subsequent activities:					
4/10/2023 Transfer from First Bank	\$ -	\$ -	\$ 251,125.00	\$ -	251,125.00
Anticipated Balance	\$ -	\$ -	\$ 370,544.28	\$ -	\$ 370,544.28
<u>UMB - 2021 Bond Fund</u>					
Balance as of 03/31/23	\$ -	\$ 1,186,442.98	\$ -	\$ -	\$ 1,186,442.98
Subsequent activities:					
4/12/2023 Pledged Revenue Transfer	-	70,749.82	-	-	70,749.82
4/30/2023 Interest Income	-	2,883.13	-	-	2,883.13
Anticipated activities:					
Anticipated Balance	\$ -	\$ 1,260,075.93	\$ -	\$ -	\$ 1,260,075.93
<u>UMB - 2021 Project Fund</u>					
Balance as of 03/31/23	\$ -	\$ -	\$ -	\$ 4,464,992.51	\$ 4,464,992.51
Subsequent activities:					
4/30/2023 Interest Income	-	-	-	17,272.35	17,272.35
Anticipated Balance	\$ -	\$ -	\$ -	\$ 4,482,264.86	\$ 4,482,264.86
Anticipated Balances	\$ 407,270.13	\$ 2,520,151.86	\$ 370,544.28	\$ 4,574,370.08	\$ 7,872,336.35

Yield information (as of 04/30/2023):

CSAFE - 4.93%

UMB invested in Goldman Sachs Govt Fund - 4.70%

LEYDEN ROCK METROPOLITAN DISTRICT
Property Taxes Reconciliation
2023

	Current Year						Prior Year					
	Property Taxes	Delinquent Taxes, Rebates and Abatements	Specific Ownership Taxes	Interest	Treasurer's Fees	Net Amount Received	% of Total Property Taxes Received		Total Cash Received	% of Total Property Taxes Received		
							Monthly	Y-T-D		Monthly	Y-T-D	
January	\$ 7,004.71	\$ -	\$ 23,020.47	\$ -	\$ (105.07)	\$ 29,920.11	0.19%	0.19%	\$ 43,137.39	0.53%	0.53%	
February	1,650,384.06	-	21,728.83	-	(24,755.76)	1,647,357.13	45.52%	45.71%	1,686,579.35	45.35%	45.88%	
March	90,384.91	-	22,773.71	46.48	(1,356.47)	111,848.63	2.49%	48.20%	117,910.94	2.60%	48.48%	
April						-	0.00%	48.20%	181,764.32	4.43%	52.91%	
May						-	0.00%	48.20%	244,992.55	6.09%	59.00%	
June						-	0.00%	48.20%	1,503,619.12	40.45%	99.46%	
July						-	0.00%	48.20%	32,843.53	0.32%	99.77%	
August						-	0.00%	48.20%	31,818.88	0.11%	99.89%	
September						-	0.00%	48.20%	21,903.96	0.00%	99.89%	
October						-	0.00%	48.20%	24,094.60	0.03%	99.92%	
November						-	0.00%	48.20%	23,884.40	0.07%	99.99%	
December						-	0.00%	48.20%	16,484.67	0.00%	99.99%	
	\$ 1,747,773.68	\$ -	\$ 67,523.01	\$ 46.48	\$ (26,217.30)	\$ 1,789,125.87	48.20%	48.20%	\$ 3,929,033.71	99.99%	99.99%	

Taxes Levied	% of Levied	Property Taxes Collected	% Collected to Amount Levied
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Property Tax

General Fund	25.000	\$ 1,462,014.00	40.32%	\$ 704,747.59	48.20%
Debt Service Fund	37.000	2,163,780.00	59.68%	1,043,026.09	48.20%
	62.000	\$ 3,625,794.00	100.00%	\$ 1,747,773.68	48.20%

Specific Ownership Tax

General Fund	\$ 102,314.00	40.32%	\$ 27,222.70	26.61%
Debt Service Fund	151,465.00	59.68%	40,300.31	26.61%
	\$ 253,779.00	100.00%	\$ 67,523.01	26.61%

Treasurer's Fees

General Fund	\$ 21,930.00	40.32%	\$ 10,571.38	48.21%
Debt Service Fund	32,457.00	59.68%	15,645.92	48.21%
	\$ 54,387.00	100.00%	\$ 26,217.30	48.21%

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statement of revenues, expenditures and changes in fund balances – governmental funds have been omitted.

Leyden Rock Metropolitan District
Interim Claims 04/10/23 - 05/11/23

Process Date	Vendor	Invoice Number	Amount
4/26/2023	CliftonLarsonAllen, LLP	3612753	(2,695.44)
4/26/2023	White, Bear & Ankele PC	27289	(21,683.10)
			<u>(24,378.54)</u>

Date	Estimate #
4/6/2023	4739

CCMC
17685 W 83rd Drive
Arvada, CO 80007

Leyden Rock
17685 W 83rd Drive
Arvada, CO 80007

Description	Qty	Rate	Total
REPLACE POOL LIGHTS			
Pentair Equipment: 55W 120V 100' White Pool 500W Intellibrite 5G LED	4	1,028.00	4,112.00
Pentair IntelliBrite(R) 5g LED Spa Light; 120 V, 18 W, 100 ft Cord, White	2	915.00	1,830.00
Labor: Installation	1	1,200.00	1,200.00

Approved by _____

Subtotal \$7,142.00

Sales Tax (0.0%) \$0.00

Total **\$7,142.00**

Please call 970-418-0767 or email
peakonepoolandspa@gmail.com and reference
Estimate # to approve. Thank you for your business!

This estimate is an approximation and is not guaranteed. It is the approximate cost to complete the work described based on information provided. Actual cost may change and will be charged based upon the price of parts provided by Peak One Pool & Spa plus labor which will be charged by the hour and may include time taken to research, source and purchase any materials provided. Estimate is good for 90 days.



April 28, 2023

WORK ORDER #95700

PROPOSAL FOR

Leyden Rock Metropolitan District
W. 82nd Avenue & Leyden Rock Drive
Arvada, CO 80007

Thank you for allowing us to provide you a quote to perform the work we discussed. We will work out a schedule with you to complete the work once you sign and return this proposal. You may send it via email to service@keesenlandscape.com or fax it to (303) 761-3466. While we do not anticipate any changes to the total cost, Keesen Landscape Management, Inc. does reserve the right to review any proposal that is over 30 days old.

DESCRIPTION OF WORK TO BE PERFORMED

Vista Location Restore Landscape and Trail (near 17512/17492 W 83rd PI)

This pocket park was renovated with a very good design, however some deferred maintenance is in order. To put it back to the specification of the original design, the following items will be completed:

- Grade, top dress and restore trail with Grey Breeze
- Replace edging at bottom of the hill near the bench as it is allowing the breeze to wash down the slope without it
- Dig out volunteer grasses in beds
- Add Mulch and stablizer to beds as beds are completely empty of wood mulch
- Replace nine (9) missing Feather Reed ornamental grasses

Irrigation in this area visually looks to be operable however if there is any repairs or amendments needed those will be billed at the standard T&M rates.

Sale	\$5,680.00
Sales Tax	\$0.00
Total	\$5,680.00

**LEYDEN ROCK METROPOLITAN DISTRICT
WORK ORDER SUMMARY**

INCLUDED SERVICES	SALES TAX	TOTAL COST
Enhancement	\$0.00	\$5,680.00
	\$0.00	\$5,680.00

Note: Unless otherwise specified, supplemental watering is not included in this proposal. If additional watering is necessary to protect plant material warranty, a separate proposal will be submitted.

Note: New plant material will be covered by a 1 year/1 replacement warrant. This does not cover any plant material not connected to working irrigation, owner negligence or circumstances beyond our control including freeze and rodent damage. This includes trees, shrubs and perennial plant material only.

Force Majeure and Delays

Landscape Contractor’s installation and warranty obligations under this work order are accepted subject to strikes, labor troubles (including strikes or labor troubles affecting any suppliers of Landscape Contractor), floods, fires, acts of God, accidents, delays, shortages of equipment, contingencies of transportation, and other causes of like or different character beyond the control of the Landscape Contractor. Impossibility of performance by reason of any legislative, executive, or judicial act of any government authority shall excuse performance of or delay in performance of this work order.

By _____
Angie Sherman

By _____

Date 4/28/2023

Date _____

**Keesen Landscape Management,
Inc.**

LEYDEN ROCK
METROPOLITAN DISTRICT

Note: Unless otherwise specified in the work order, all required irrigation repairs/modifications will be done at a time and materials rate of \$68.00 per man hour.