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**RESOLUTION OF THE BOARD OF DIRECTORS OF  
JOHNSTOWN NORTH METROPOLITAN DISTRICT NO. 1**

**A RESOLUTION APPROVING AN INCREASE IN THE NON-POTABLE IRRIGATION  
WATER RATE CHARGED TO OWNERS OF PROPERTY LOCATED IN THE DISTRICT'S  
SERVICE AREA**

WHEREAS, Johnstown North Metropolitan District No. 1 (the "District") owns, operates and maintains a non-potable irrigation water distribution system, which provides non-potable irrigation water to property located within a development of an area known as Iron Horse (the "Service Area"); and

WHEREAS, pursuant to Section 32-1-1001(1)(k), C.R.S. and the Consolidated Service Plan for Johnstown North Metropolitan Districts Nos. 1–3, the District is authorized to establish fees, rates, tolls, penalties or charges for services and facilities furnished by the District without the District's boundaries; and

WHEREAS, for purposes of funding the District's costs associated with providing non-potable irrigation water to property owners located within the Service Area, the District imposed a non-potable irrigation water rate on such property receiving non-potable irrigation water from the District, via Resolution dated March 19, 2013 and recorded in the Larimer County Clerk and Recorder's Office (the "Recorder's Office") on April 15, 2013, at Reception No. 20130028516, as such fee was increased via Resolution dated December 3, 2014 and recorded in the Recorder's Office on December 22, 2014, at Reception No. 20140073796, as such fee was further increased via Resolution dated March 5, 2020 and recorded in the Recorder's Office on June 24, 2020, at Reception No. 20200045250, as such fee was further increased via Resolution dated October 27, 2022 and recorded in the Recorder's Office on November 15, 2022, at Reception No. 20220067046, and as such fee was further increased and collection procedures amended via Resolution dated October 26, 2023 and recorded in the Recorder's Office on October 30, 2023, at Reception No. 20230046608 ("2024 Water Rate Resolution"); and

WHEREAS, due to increase costs associated with providing non-potable irrigation water, the District desires to increase its non-potable irrigation water rate to be charged to owners receiving non-potable irrigation water from the District; and

WHEREAS, pursuant to Section 32-1-1001(2), C.R.S., the District is required to provide at least thirty-day notice to property owners receiving domestic water indicating that the District is considering taking action at a public meeting to increase its non-potable water rates and stating the date, time, and place of the public meeting at which the action will be considered (the "Notice"); and

WHEREAS, pursuant to Section 32-1-1001(2)(III), C.R.S., Notice may be provided by posting the information on the official website of the District; and

WHEREAS, on September 19, 2024, the District posted the Notice on its official website at: <https://www.johnstownnorthmd.live/> that it will consider increasing rates for non-potable water

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services provided by the District at a public meeting to be held via MS Teams on Thursday, October 24, 2024, at 11:30 a.m.

NOW THEREFORE, THE BOARD OF DIRECTORS OF JOHNSTOWN NORTH METROPOLITAN DISTRICT NO. 1 HEREBY RESOLVES AS FOLLOWS:

1. Effective January 1, 2025, the District hereby increases its non-potable irrigation water rate to Eight Dollars and Fifty-Four Cents (\$8.54) per One Thousand Gallons of actual water usage, which rate shall be charged to each property owner receiving non-potable irrigation water for the benefit of the owner's property located within the Service Area (the "Non-Potable Irrigation Water Charge"). Such Non-Potable Irrigation Water Charge may be further adjusted from time to time, via Resolution, in the sole discretion of the Board.

2. Except as otherwise provided in Paragraph 1 herein, all other provisions of the 2024 Water Rate Resolution shall remain in full force and effect.

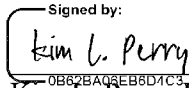
3. This Resolution shall be recorded in the Recorder's Office against the real property within the Service Area, as more particular described in **Exhibit A** attached hereto and incorporated herein by reference.

*(Signature Page Follows.)*

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**ADOPTED AND APPROVED** this 24<sup>th</sup> day of October, 2024.

**JOHNSTOWN NORTH METROPOLITAN  
DISTRICT NO. 1**

Signed by:  
By:  \_\_\_\_\_  
0862BA05EB8D4C3  
Kim L. Perry, President

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## EXHIBIT A

### Legal Description of Service Area

#### DESCRIPTION: JOHNS TOWN NORTH METROPOLITAN DISTRICT No. 2

A tract of land being a portion of that tract of land described at Reception No. 2001118317, being located in the North Half of Section 13, Township 5 North, Range 68 West of the 6<sup>th</sup> Principal Meridian, County of Larimer, State of Colorado, being more particularly described as follows:

Considering the North line of the Northwest Quarter of said Section 13 as bearing South 89°20'36" East (length of said line being 2756.04 feet), and with all bearings contained herein relative thereto:

Commencing at the Northwest Corner of said Section 13; thence along the West line of said Northwest Quarter, South 00°15'14" West, 351.44 feet to a point on the Southerly right-of-way line of the Union Pacific Railroad; thence along said Southerly right-of-way line, South 68°08'05" East 64.54 feet to a point on the proposed East right-of-way line of County Road 3, said point also being the **POINT OF BEGINNING**; thence continuing along said Southerly right-of-way line, South 68°08'05" East, 3,632.26 feet; thence departing said right-of-way line, South 00°27'09" West, 416.45 feet to a point on the Westerly right-of-way line of the Great Western Railroad; thence along the Westerly and Northerly right-of-way lines of the Great Western Railroad beginning with a non-tangent curve concave to the East, with a central angle of 04°25'04", a radius of 1,432.69 feet, an arc length of 110.47 feet, and a chord which bears South 25°55'48" West, 110.44 feet; thence along a non-tangent reverse curve concave to the West, with a central angle of 75°19'27", a radius of 457.26 feet, an arc length of 601.14 feet and a chord which bears South 37°14'41" West, 558.78 feet to a point on the South line of the Northeast Quarter of said Section 13; thence, North 00°27'45" East, 142.76 feet; thence, North 89°35'17" West, 305.12 feet to a point on the East line of the Northwest Quarter of said Section 13; thence along said East line, South 00°27'45" West, 112.76 feet to a point on the North right-of-way line of the Great Western Railroad as described at Book 146, Page 261; thence along said North right-of-way line being parallel to, and 30 feet North of, and measured at right angles to the South line of said Northwest Quarter of Section 13, North 89°29'44" West, 2686.44 feet to a point on the proposed East right-of-way line of County Road 3; thence departing said North right-of-way line and along said proposed East right-of-way line, North 00°15'14" East, 2257.50 feet to the Point of Beginning.

The above described Metro District Parcels contains a 5,302,485 square feet or 121.728 acres more or less and is subject to all easements and rights-of-way now on record or existing.

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**DESCRIPTION: JOHNSTOWN NORTH METROPOLITAN DISTRICT No. 3**

Tracts of land being a portion of that tract of land described at Reception No. 2001118317, being located in the Northwest Quarter of Section 13, Township 5 North, Range 68 West of the 6<sup>th</sup> Principal Meridian, County of Larimer, State of Colorado, being more particularly described as follows:

Considering the North line of the Northwest Quarter of said Section 13 as bearing South 89°20'36" East (length of said line being 2756.04 feet), and with all bearings contained herein relative thereto:

**Area No. 1 (Northwest)**

Commencing at the Northwest Corner of said Section 13, thence along the West line of said Northwest Quarter, South 00°15'14" West, 50.51 feet; thence departing said West line, South 89°44'46" East, 80.60 feet to a point on the Southerly right-of-way line of U.S. Highway No. 34, said point also being the **POINT OF BEGINNING**; thence along said Southerly right-of-way line of U.S. Highway No. 34, South 88°20'32" East, 411.32 feet; thence departing said Southerly right-of-way line and along the Westerly line of that tract of land described at Book 722, Page 367, South 12°35'28" West, 305.53 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said Northerly right-of-way line, North 68° 08'05" West, 394.23 feet to a point on the proposed East right-of-way line of County Road No.3; thence departing said Northerly line and along said proposed East right-of-way line, North 00°15'14" East, 143.24 feet to a point on the Southerly right-of-way line of U.S. Highway No. 34 as described at Book 1577, Page 776; thence along said Southerly right-of-way line, North 45°56'32" East, 28.79 feet to the Point of Beginning.  
Contains 94,601 square feet or 2.172 acres more or less,

also:

**Area No. 2 (Northeast)**

Commencing at the North Quarter Corner of said Section 13, thence along the East line of the Northwest Quarter of said Section 13, South 00°27'45" West, 447.65 feet to the **POINT OF BEGINNING**; thence continuing along said East line, South 00°27'45" West, 813.06 feet to a point on the Northerly right-of-way line of the Union Pacific Railroad; thence along said Northerly right-of-way line, North 68°08'05" West, 2,248.30 feet; thence departing said Northerly right-of-way line and along the Easterly line of that tract of land described at Book 722, Page 367, North 12°35'28" East, 394.31 feet to a point on the Southerly right-of-way line of U.S. Highway No. 34; thence along said Southerly right-of-way line, South 88°20'32" East, 1,881.82 feet to a point on the Westerly line of that tract of land described at Book 619, Page 554; thence along said Westerly and Southerly lines of said tract of land, South 08°00'55" West, 342.13 feet; thence, South 84°47'00" East, 174.56 feet to the Point of Beginning.  
Contains 1,555,060 square feet or 35.699 acres more or less,

The above described Metro District Parcels contains a 1,649,661 square feet or 37.871 acres more or less and is subject to all easements and rights-of-way now on record or existing.