

**THIRD CREEK METROPOLITAN DISTRICT NO. 2
PUBLIC DISCLOSURE STATEMENT
§ 32-1-104.8, C.R.S.**

NAME OF DISTRICT: Third Creek Metropolitan District No. 2, as more particularly depicted in **Exhibit A**, attached hereto (the "District").

POWERS OF THE DISTRICT:

The District, together with Third Creek Metropolitan District No. 1 and Third Creek Metropolitan District No. 3, in the City of Commerce City (the "City"), has the power and authority to provide public improvements and related operation and maintenance activities within and without the boundaries of the District as such power and authority is described in the Special District Act, Sections 32-1-101 *et seq.*, Colorado Revised Statutes, and other applicable statutes, common law and the Constitution, subject to limitations set forth in the Consolidated Service Plan Service Plan for Third Creek Metropolitan District No. 1, Third Creek Metropolitan District No. 2, and Third Creek Metropolitan District No. 3 (the "Service Plan"), including but not limited to the following:

1. Operations and Maintenance Limitation. The District is not authorized to operate or maintain any part of the public improvements unless provision therefor has been made pursuant to an intergovernmental agreement with the City, except that the District is required to operate and maintain any park and recreation improvements within the District boundaries.

2. Fire Protection Limitation. The District is not authorized to plan for, design, acquire, construct, install, relocate, redevelop, finance, operate or maintain fire protection facilities or services, unless provided pursuant to an intergovernmental agreement with the City. The authority to plan for, design, acquire, construct, install, relocate, redevelop or finance fire hydrants and related improvements installed as part of the water system is not limited by this provision.

3. Television Relay and Translation. 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 provided pursuant to an intergovernmental agreement with the City.

4. Telecommunication Facilities. The District agrees that no telecommunication facilities owned, operated or otherwise allowed by the District shall affect the ability of the City to expand its public safety telecommunication facilities or impair existing telecommunication facilities.

5. Eminent Domain Limitation. The District is not authorized to exercise the power of eminent domain without a prior resolution of the City Council consenting to the exercise of such power.

6. Water Rights/Resources Limitation. The District is not authorized to acquire, own, manage, adjudicate or develop water rights or resources unless provided pursuant to an intergovernmental agreement with the City. The District's powers with regard to water and sanitary sewer service is limited to financing, designing, constructing and installing facilities and then conveying ownership of the same to South Adams County Water and Sanitation District. The District is not authorized to operate or maintain water facilities or sanitary sewer facilities, except as may be authorized by South Adams County Water and Sanitation District and the City.

7. Sales and Use Tax. The District is not authorized to invoke or exercise any actual or perceived City sales and use tax exemption.

8. Consolidation and Subdistrict Limitation. The District is not authorized to file a request with any Court to consolidate with another Title 32 district, or to form a subdistrict, without a prior resolution from the City Council approving such consolidation or the formation of such subdistrict.

9. Fee & Public Improvements Fee Limitation. No fee related to repayment of debt may be authorized to be imposed upon or collected from taxable property owned or occupied by an End User (as such term is defined in the Service Plan) subsequent to the issuance of a certificate of occupancy for such taxable property. This restriction does not apply to any fee imposed or collected from taxable property for the purpose of funding the operation and maintenance costs of the District. The District is not authorized to impose, collect, receive, spend or pledge to any debt any fee, assessment, tax or charge that is collected by a retailer in the boundaries of the District on the sale of goods or services by such retailer and that is measured by the sales price of such goods or services, except as provided pursuant to an intergovernmental agreement with the City.

10. Other Limitations. Other limitations on the District's powers and authority are provided in the Service Plan and include limitations concerning construction standards, zoning and land use, City Council or voter-approved growth limits, District boundary adjustments, and debt.

To enable the District to provide for the public improvements contemplated in the Service Plan, and subject to the limitations within the Service Plan, the District may incur "Debt," which means any bonds or other obligations for the payment of which the Districts have promised to impose an ad valorem property tax mill levy and/or collect fee revenue. "Debt" includes intergovernmental agreements that contain a pledge of an ad valorem property tax mill levy and/or fee revenue between and among any of the Third Creek Metropolitan District Nos. 1, 2, and 3.

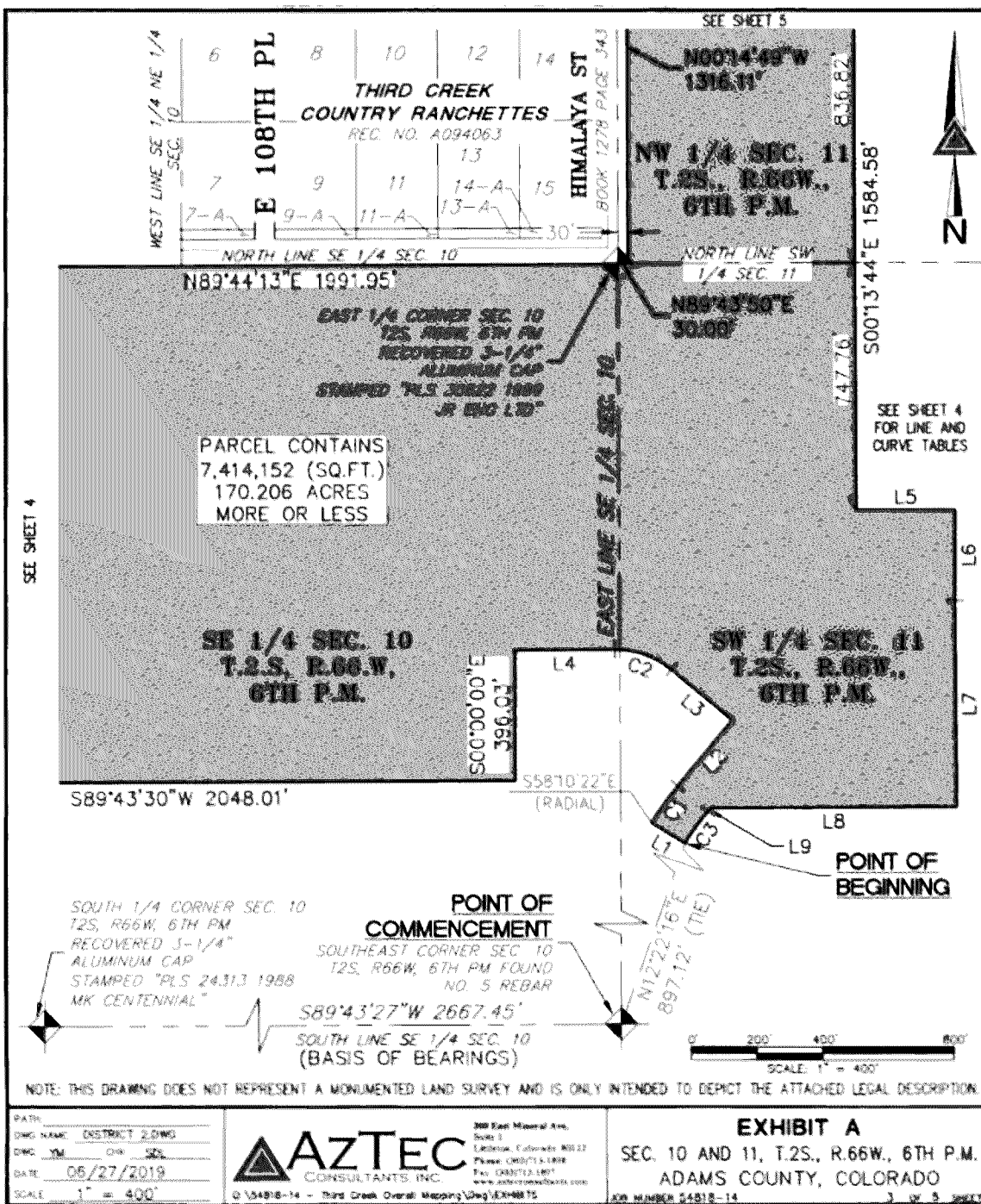
STATEMENT REGARDING SERVICE PLAN:

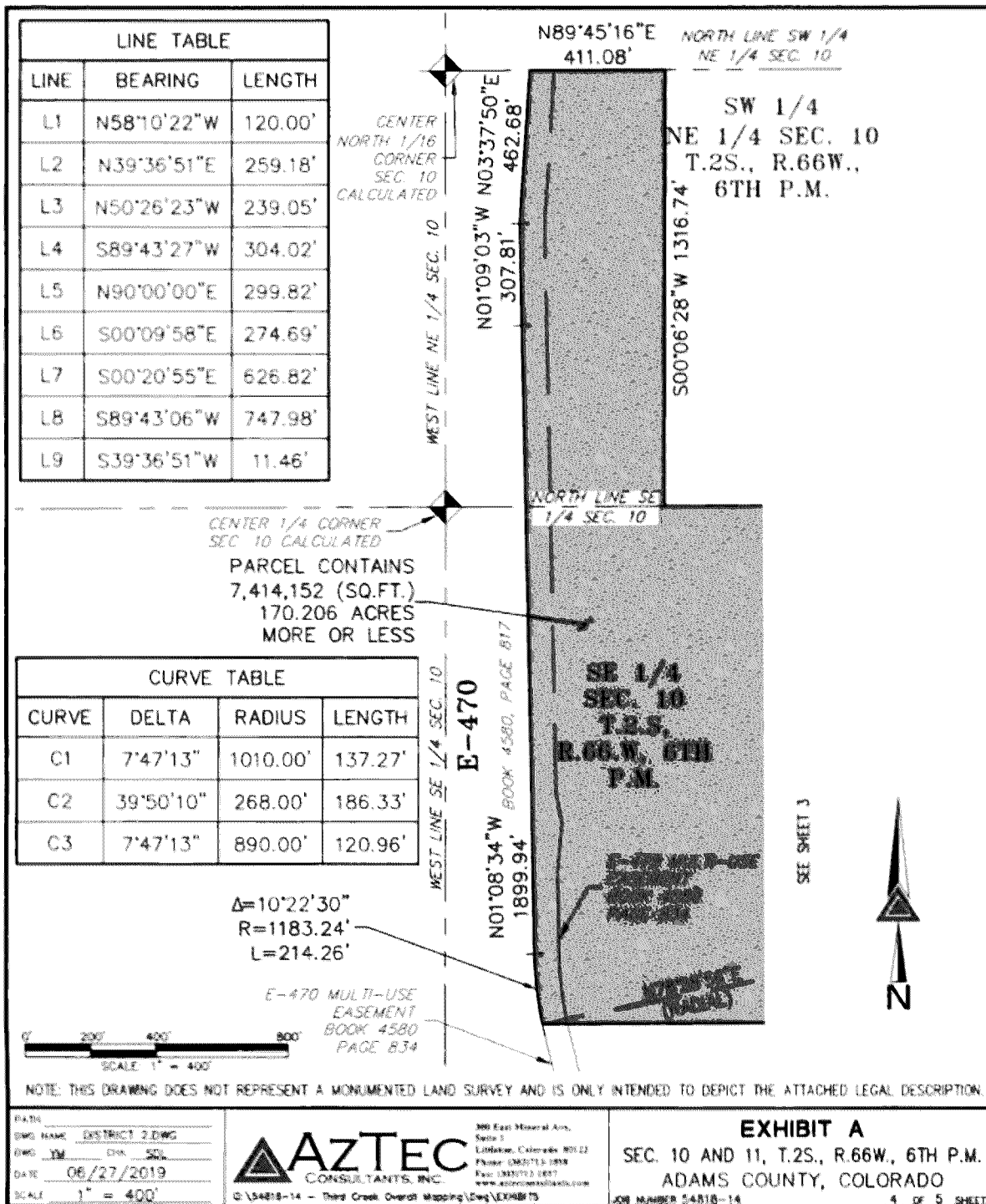
The Consolidated Service Plan for Third Creek Metropolitan District No. 1, Third Creek Metropolitan District No. 2, and Third Creek Metropolitan District No. 3, as may be amended from time to time, includes a description of the District's powers and authority. A copy of the District's Service Plan is available from the Colorado Division of Local Government in the State Department of Local Affairs.

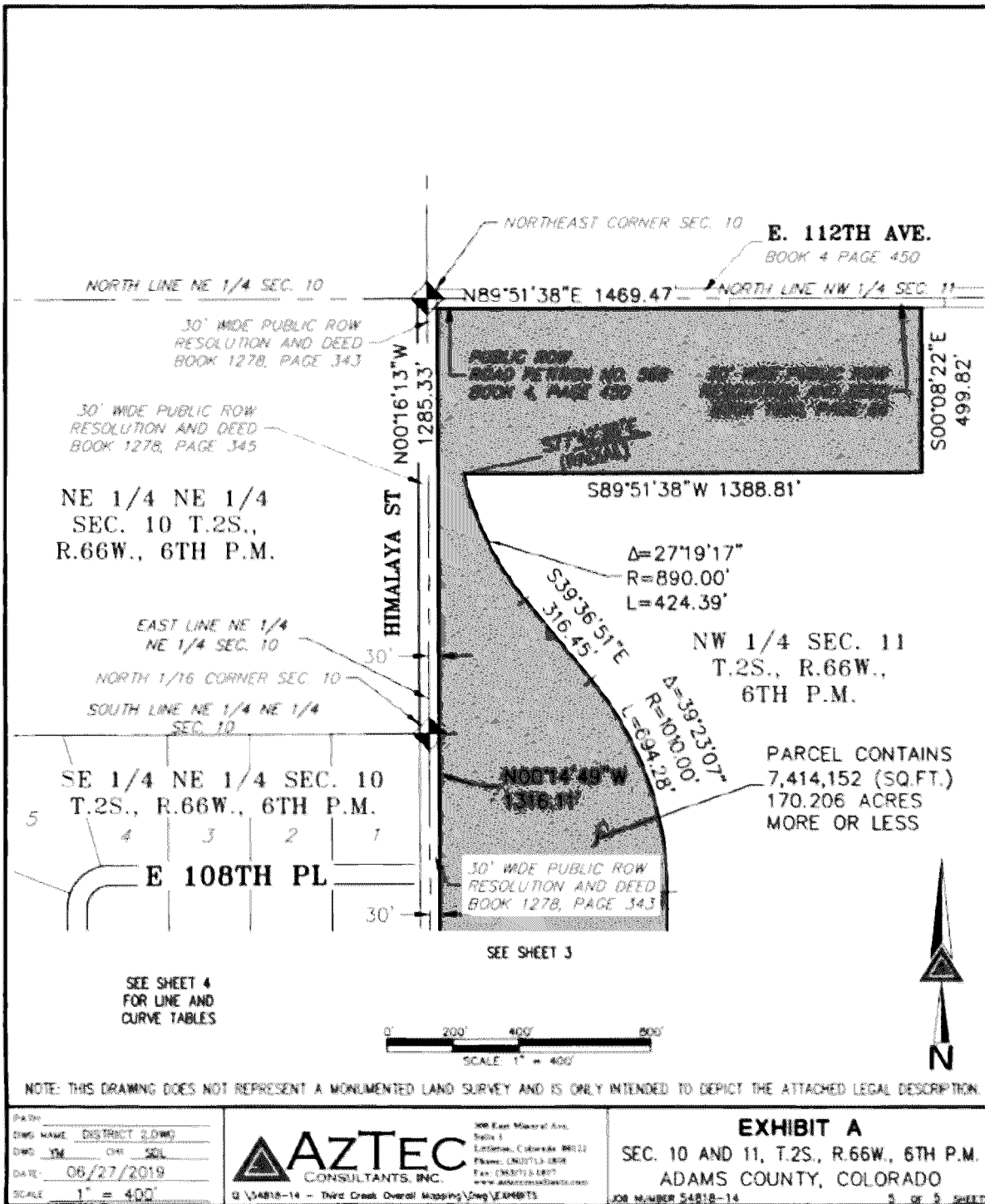
Third Creek Metropolitan District No. 2 is authorized by Title 32 of the Colorado Revised Statutes to use a number of methods to raise revenues for capital needs and general operations costs. These methods, subject to the limitations imposed by Section 20 of Article X of the Colorado Constitution, include issuing debt, levying taxes, and imposing fees and charges. Information concerning directors, management, meetings, elections, and current taxes are provided annually in the Notice to Electors described in Section 32-1-809(1), Colorado Revised Statutes, which can be found at the District office, on the District's web site, on file at the Division of Local Government in the State Department of Local Affairs, or on file at the office of the clerk and recorder of each county in which the special district is located.

EXHIBIT A

DEPICTION OF THIRD CREEK METROPOLITAN DISTRICT NO. 2







DATE:	06/27/2019
SCALE:	1" = 400'

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Q:\34818-14 - Third Creek Overall Mapping\DWG\EXHIBIT A

EXHIBIT A
 SEC. 10 AND 11, T.2S., R.66W., 6TH P.M.
 ADAMS COUNTY, COLORADO
 JOB NUMBER 54818-14 5 OF 5 SHEETS