RESOLUTION NO. 2022-12-01

RESOLUTION OF THE BOARD OF DIRECTORS OF JORDAN CROSSING METROPOLITAN DISTRICT APPENDING TOWN OF PARKER TOWN COUNCIL RESOLUTION NO. 22-065, SERIES OF 2022, A RESOLUTION APPROVING ADJUSTMENT OF MILL LEVIES RESULTING FROM LEGISLATIVE OR CONSTITUTIONALLY MANDATED REDUCTIONS TO THE DISTRICT'S SERVICE PLAN

A. Jordan Crossing Metropolitan District (the "**District**") is a quasi-municipal corporation and political subdivision of the State of Colorado pursuant to Title 32, Colorado Revised Statutes.

B. The District operates pursuant to its Service Plan approved by the Town of Parker, on March 20, 2006 (the "**Service Plan**"), which provides the District with the authority to impose mill levies on taxable property. Such mill levies will be the primary source of revenue for repayment of debt service, public improvements, and operations and maintenance costs of the District.

C. In 1982, the State of Colorado (the "**State**") approved an amendment to the State constitution (the "**Gallagher Amendment**") which required that residential property equal 45% of the statewide valuation for assessment and nonresidential property equal 55% of the statewide valuation for assessment, with the nonresidential assessment rate being set at 29% with the expectation that the residential assessment rate would decrease over time.

D. In order to lessen the impact of revenue reductions resulting from mandated reductions in the residential assessment rate, it became common for metropolitan district service plans, including the District's Service Plan, to include "Gallagher Adjustment" language that allowed the District to increase or decrease its mill levy to offset any changes in the residential assessment rate so that to the extent possible, the actual tax revenue generated by the applicable mill levy was neither diminished nor enhanced by changes in the residential assessment rate.

E. In November of 2022, the State's voters approved Amendment B, which repealed the Gallagher Amendment and provided the General Assembly with the authority to decrease the assessment rate in the future.

F. The Town Council of Parker adopted Resolution No. 22-065, Series of 2022, A Resolution Approving Adjustment of Mill Levies Resulting From Legislative or Constitutionally Mandated Reductions on November 21, 2022 ("**Resolution No. 22-065**") in order to, inter alia, allow districts with service plans approved prior to the adoption of Resolution No. 22-065 to adjust their mill levies for legislative as well as constitutional changes and that such amendment is not a material modification of the districts' service plans.

G. Pursuant to Resolution No. 22-065, the Board of Directors of any metropolitan district with a service plan approved by the Town Council prior to the date of Resolution No. 22-065, may pass a resolution resolving that Resolution No. 22-065 be appended to the district's service plan and providing that the "Mill Levy Adjustment," "Gallagher Adjustment," or similar

definition in the district's service plan, or provisions in the district's service plan permitting the adjustment of mill levies to offset changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut, or abatement authorized shall be amended to conform to the language as provided in Resolution No. 22-065.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Jordan Crossing Metropolitan District, Town of Parker, Colorado:

1. Resolution No. 22-065 be appended to the District's Service Plan.

2. The definition of "Gallagher Adjustment" in the District's Service Plan shall be amended to conform with the following language:

> Mill Levy Adjustment: means, if, on or after January 1, 2000, there are changes in the method of calculating assessed valuation or any constitutionally or statutorily mandated tax credit, cut or abatement, the mill levy limitation applicable to such Debt, may be increased or decreased to reflect such changes, such increases and decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by the applicable mill levy, as adjusted for changes occurring after January 1, 2000, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation, and any constitutional or legislative changes in the actual value against which the assessment rate is applied, shall be deemed to be a change in the method of calculating assessed valuation.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO RESOLUTION OF THE BOARD OF DIRECTORS OF JORDAN CROSSING METROPOLITAN DISTRICT APPENDING TOWN OF PARKER TOWN COUNCIL RESOLUTION NO. 22-065, SERIES OF 2022, A RESOLUTION APPROVING ADJUSTMENT OF MILL LEVIES RESULTING FROM LEGISLATIVE OR CONSTITUTIONALLY MANDATED REDUCTIONS TO THE DISTRICT'S SERVICE PLAN]

RESOLUTION APPROVED AND ADOPTED ON December _____, 2022.

JORDAN CROSSING METROPOLITAN DISTRICT

_____
President

Attest:

_____
Secretary