

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF  
NORTHFIELD METROPOLITAN DISTRICT NO. 3**

**PROHIBITING DISTRICT REIMBURSEMENT  
OF DEVELOPER FOR SUNIGA ROAD IMPROVEMENTS**

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WHEREAS, Northfield Metropolitan District No. 3 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized pursuant to §§ 32-1-101, *et seq.*, C.R.S.; and

WHEREAS, pursuant to § 32-1-1001(1)(d), C.R.S., the Board of Directors of the District (the “**Board**”) is authorized to enter into contracts and agreements affecting the affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(h) C.R.S., the Board has the management, control, and supervision of all the business and affairs of the District; and

WHEREAS, DFC Northfield, LLC (the “**Developer**”) constructed certain oversized improvements to Suniga Road, an arterial roadway within District boundaries (the “**Suniga Oversized Improvements**”), and the Developer dedicated to the City of Fort Collins (the “**City**”) the Suniga Oversized Improvements together with a corresponding right-of-way dedication (the “**ROW Dedication**”); and

WHEREAS, the Developer seeks reimbursement from, and/or has been reimbursed by the City for, the costs associated with the construction of the Suniga Oversized Improvements and the ROW Dedication; and

WHEREAS, pursuant to Section VIII of the Service Plan for the District, approved by the City on October 1, 2019 (the “**Service Plan**”), to the extent that the City reimburses a developer for Public Improvements that would otherwise be reimbursable under the Special District Act, the District shall not reimburse the developer for such Public Improvements; and

WHEREAS, the District’s accountant has furnished an affidavit stating that the District has neither accepted costs for reimbursement nor reimbursed costs related to the Suniga Oversized Improvements or the ROW Dedication.

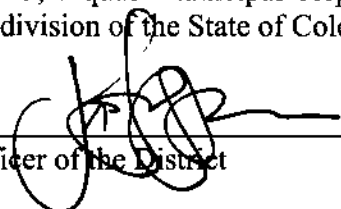
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT AS FOLLOWS:

1. In accordance with Section VIII of the Service Plan, and to the extent the City reimburses the Developer, the District shall not reimburse the Developer for the costs associated with the construction of the Suniga Oversized Improvements or the ROW Dedication.

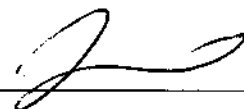
2. The District's accountant shall ensure that the District does not reimburse the Developer or its successors or assigns for the cost of any Suniga Oversized Improvements for which they have been reimbursed by the City

APPROVED AND ADOPTED THIS 2<sup>ND</sup> DAY OF NOVEMBER 2022.

NORTHFIELD METROPOLITAN DISTRICT  
NO. 3, a quasi-municipal corporation and political  
subdivision of the State of Colorado

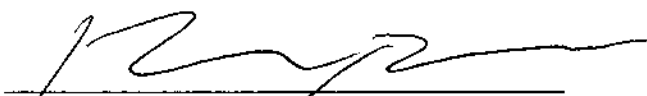
  
\_\_\_\_\_  
Officer of the District

ATTEST:

  
\_\_\_\_\_

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

  
\_\_\_\_\_  
General Counsel to the District

*Signature page to Resolution Prohibiting District Reimbursement of Developer  
for Suniga Road Improvements*