

TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2024-15

**A RESOLUTION CONSENTING TO THE INCLUSION OF PROPERTY INTO THE
VILLAGES AT JOHNSTOWN METROPOLITAN DISTRICTS**

WHEREAS, the Town of Johnstown, Colorado (the “Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with the authority to administer the affairs of the Town; and

WHEREAS, on March 19, 2018, the Town Council passed Resolution No. 2018-04, Approving the Consolidated Service Plan (“Service Plan”) for the Villages at Johnstown Metropolitan District Nos. 1-8 (the “Districts”); and

WHEREAS, the Districts provide for the planning, design, acquisition, construction, installation and financing of public improvements for the use and benefit of all current and anticipated residents and end users within the boundaries of the District (the “District Boundaries”) under the terms of the Service Plan; and

WHEREAS, pursuant to Section V(A)(11) of the Service Plan, the Districts must obtain the Town’s written consent prior to including property outside the Inclusion Area Boundaries, as defined in the Service Plan, into the District Boundaries; and

WHEREAS, Villages at Johnstown Metropolitan District No. 2 (“District No. 2”) has received a draft petition for inclusion of certain property outside the Inclusion Area Boundaries known as the “Blue Spruce Parcel,” as further described in **Exhibit A** attached hereto and incorporated herein by reference, into the District Boundaries of District No. 2, and District No. 2 desires to include the Blue Spruce Parcel in the District Boundaries of District No. 2; and

WHEREAS, the Blue Spruce Parcel is owned by Blue Spruce Ridge Holdco, LLC, a Colorado limited liability company (“Blue Spruce Property Owner”), and the Blue Spruce Property Owner consents to the inclusion of the Blue Spruce Parcel in the District Boundaries of District No. 2; and

WHEREAS, annexation of the Blue Spruce Parcel into the Town is pending but has not yet been completed, and the Districts and the Blue Spruce Property Owner are agreeable to forestalling processing inclusion of the Blue Spruce Parcel into District No. 2 until the annexation process is concluded; and

WHEREAS, Villages at Johnstown Metropolitan District No. 4 (“District No. 4”) has received a draft petition for inclusion of certain property outside the Inclusion Area Boundaries known as the “West Ridge Parcel” (together with the Blue Spruce Parcel, the “Property”), as further described in **Exhibit B**, attached hereto and incorporated herein by reference, into the District Boundaries of District No. 4, and District No. 4 desires to include the West Ridge Parcel

in the District Boundaries of District No. 4; and

WHEREAS, the West Ridge Parcel is being acquired by West Ridge Holdco, LLC, a Colorado limited liability company (“Future West Ridge Property Owner”), and closing is scheduled for March 31, 2024, after which time the Future West Ridge Property Owner will execute the petition for the inclusion of the West Ridge Parcel into the District Boundaries of District No. 4; and

WHEREAS, the Town Council recognizes the benefits of allowing the Districts to include the Property, and finds, determines, and declares that adoption of this Resolution is in the best interests of the citizens of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. Approval. Subject to the conditions set forth below, the Town Council hereby consents to the inclusion of the Property into the District Boundaries of the Districts, subject to requirements of the Consolidated Service Plan for the Villages at Johnstown Metropolitan District Nos. 1-8, approved on March 19, 2018, as amended, the Intergovernmental Agreement between the Town of Johnstown and Villages at Johnstown Metropolitan District Nos. 1-8, dated March 19, 2018, and any other applicable intergovernmental agreements executed by and between the Town of Johnstown and the Villages at Johnstown Metropolitan District Nos. 1-8. The foregoing approval is subject to the following conditions:

1. The Blue Spruce Parcel is annexed into the Town prior to inclusion of such property into District No. 2, or any of the Districts as development approvals or plans dictate; and
2. The West Ridge Parcel is purchased by the Future West Ridge Property Owner prior to inclusion of such property into District No. 4, or any of the Districts as development approvals or plans dictate.

PASSED, SIGNED, APPROVED, AND ADOPTED this 18th day of March, 2024.

TOWN OF JOHNSTOWN, COLORADO

Troy D. Mellon, Mayor

ATTEST:

Hannah Hill, Town Clerk

EXHIBIT A

BLUE SPRUCE PARCEL PROPERTY DESCRIPTION

THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

CONSIDERING THE SOUTH LINE OF SAID SOUTHEAST 1/4 AS BEARING NORTH 89 DEGREES 55'23" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 26; THENCE ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 26 NORTH 1278.85 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 79 DEGREES 23'04" EAST 137.06 FEET; THENCE NORTH 63 DEGREES 47'08" EAST 215.02 FEET; THENCE NORTH 76 DEGREES 14'08" EAST 476.92 FEET; THENCE NORTH 61 DEGREES 50'06" EAST 141.76 FEET; THENCE NORTH 48 DEGREES 57'30" EAST 854.64 FEET; THENCE NORTH 75 DEGREES 42'25" EAST 215.91 FEET; THENCE NORTH 51 DEGREES 34'56" EAST 149.44 FEET; THENCE NORTH 60 DEGREES 19'55" EAST 81.69 FEET; THENCE NORTH 40 DEGREES 46'23" EAST 155.68 FEET; THENCE NORTH 21 DEGREES 09'42" EAST 214.18 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 26; THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 56'21" WEST 2137.06 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST 1/4; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 SOUTH 1363.96 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING

EXHIBIT B

WEST RIDGE PARCEL PROPERTY DESCRIPTION

SOUTH 71°36'43" EAST, A DISTANCE OF 71.06 FEET; THENCE SOUTH 82°10'04" EAST, A DISTANCE OF 97.85 FEET; THENCE NORTH 89°26'58" EAST, A DISTANCE OF 53.70 FEET; THENCE SOUTH 85°00'43" EAST, A DISTANCE OF 125.92 FEET; THENCE NORTH 81°02'47" EAST, A DISTANCE OF 80.15 FEET; THENCE NORTH 87°46'43" EAST, A DISTANCE OF 83.05 FEET; THENCE SOUTH 84°24'59" EAST, A DISTANCE OF 49.25 FEET; THENCE SOUTH 80°22'13" EAST, A DISTANCE OF 89.42 FEET; THENCE SOUTH 70°09'46" EAST, A DISTANCE OF 68.99 FEET; THENCE SOUTH 43°39'12" EAST, A DISTANCE OF 83.38 FEET; THENCE SOUTH 25°33'06" EAST, A DISTANCE OF 52.69 FEET; THENCE SOUTH 43°59'50" EAST, A DISTANCE OF 77.85 FEET; THENCE SOUTH 04°12'03" WEST, A DISTANCE OF 233.09 FEET; THENCE SOUTH 69°05'50" EAST, A DISTANCE OF 15.70 FEET; THENCE NORTH 17°34'31" EAST 139.19 FEET; THENCE NORTH 40°02'58" EAST, A DISTANCE OF 159.14 FEET; THENCE NORTH 05°51'56" EAST, A DISTANCE OF 121.36 FEET; THENCE NORTH 12°17'23" WEST, A DISTANCE OF 171.26 FEET; THENCE ALONG SAID EAST -WEST CENTERLINE EAST 58.79 FEET; THENCE LEAVING SAID EAST-WEST CENTERLINE THE FOLLOWING COURSES AND DISTANCES:

NORTH 25°19'22" WEST 86.82 FEET; NORTH 08°29'17" WEST 111.32 FEET; NORTH 05°31'27" EAST 139.65 FEET; NORTH 29°38'10" EAST 162.24 FEET; NORTH 35°51'16" EAST 86.72 FEET; NORTH 25°24'32" EAST 80.02 FEET; NORTH 05°28'47" EAST 71.89 FEET; NORTH 06°32'16" EAST 145.74 FEET; NORTH 00°47'38" EAST 107.72 FEET; NORTH 11°02'34" WEST 106.43 FEET; NORTH 17°04'49" WEST 136.26 FEET; NORTH 20°38'45" WEST 138.61 FEET; NORTH 24°55'38" WEST 91.71 FEET; NORTH 38°40'46" WEST 86.25 FEET; NORTH 33°06'24" WEST 80.78 FEET; NORTH 27°07'25" WEST 61.05 FEET; NORTH 48°44'34" WEST 53.16 FEET; NORTH 57°46'06" WEST 192.87 FEET; NORTH 09°40'58" EAST 10.42 FEET; NORTH 70°39'09" WEST 57.88 FEET; NORTH 80°11'09" WEST 141.34 FEET; SOUTH 73°52'29" WEST 14.40 FEET; NORTH 89°27'00" WEST 109.17 FEET; SOUTH 68°44'27" WEST 23.58 FEET; NORTH 75°48'44" WEST 92.55 FEET; NORTH 76°01'39" WEST 34.36 FEET; SOUTH 71°20'42" WEST 40.83 FEET; SOUTH 86°56'38" WEST 41.49 FEET; SOUTH 74°14'50" WEST 40.03 FEET; SOUTH 19°35'37" WEST 58.28 FEET; SOUTH 00°31'42" WEST 53.78 FEET; SOUTH 17°15'53" WEST 34.59 FEET; SOUTH 43°03'40" WEST 42.38 FEET; SOUTH 57°49'33" WEST 34.27 FEET; SOUTH 40°16'57" WEST 63.13 FEET; SOUTH 58°39'57" WEST 71.24 FEET; SOUTH 65°55'32" WEST 77.03 FEET; SOUTH 80°50'09" WEST 44.53 FEET; SOUTH 57°07'28" WEST 84.48 FEET; SOUTH 72°37'21" WEST 46.13 FEET; SOUTH 74°08'30" WEST 54.32 FEET; SOUTH 42°19'31" WEST 47.87 FEET; SOUTH 34°18'06" WEST 39.06 FEET; SOUTH 12°43'54" WEST 43.25 FEET; SOUTH 08°09'19" EAST 84.74 FEET; SOUTH 19°58'20" WEST 91.02 FEET; SOUTH 40°51'00" WEST 45.33 FEET; SOUTH 54°31'22" WEST 37.85 FEET; SOUTH 47°20'20" WEST 68.25 FEET; TO THE NORTH-SOUTH CENTERLINE OF SAID SECTION 32; THENCE ALONG SAID NORTH-SOUTH CENTERLINE NORTH 00°08'14" EAST 16.19 FEET;

THENCE LEAVING SAID NORTH-SOUTH CENTERLINE THE FOLLOWING COURSES AND DISTANCES:

SOUTH 22°34'57" WEST 21.33 FEET; SOUTH 70°59'45" WEST 44.31 FEET; SOUTH 85°15'17" WEST 87.89 FEET; SOUTH 74°52'21" WEST 75.55 FEET; SOUTH 31°38'36" WEST 37.17 FEET; SOUTH 26°48'57" EAST 30.97 FEET; SOUTH 25°22'49" EAST 49.38 FEET; SOUTH 43°45'46" WEST 20.24 FEET; SOUTH 28°40'14" EAST 93.61 FEET; SOUTH 40°05'35" EAST 61.12 FEET; SOUTH 67°02'19" EAST 21.06 FEET; SOUTH 29°55'22" EAST 170.61 FEET; SOUTH 07°00'27" EAST 20.44 FEET; SOUTH 35°43'03" EAST 28.25 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 32;
THENCE LEAVING SAID NORTH-SOUTH CENTERLINE THE FOLLOWING COURSES AND DISTANCES:
SOUTH 28°51'51" EAST 114.87 FEET; SOUTH 30°25'32" EAST 91.51 FEET; SOUTH 37°30'38" EAST 204.61 FEET; SOUTH 21°46'11" EAST 62.77 FEET; SOUTH 37°39'55" EAST 26.63 FEET; SOUTH 80°32'04" EAST 43.53 FEET; SOUTH 37°46'31" EAST 83.57 FEET TO THE TRUE POINT OF BEGINNING.