

**THE SHORES ON PLUM CREEK METROPOLITAN DISTRICT NO. 9
2023 ANNUAL REPORT
TO THE TOWN OF FREDERICK, WELD COUNTY, COLORADO**

Pursuant to Section VII of the Service Plan (“Service Plan”) for The Shores on Plum Creek Metropolitan District No. 9 (the “District”) and pursuant to Section 32-1-207(3)(c), C.R.S., the District is required to submit an Annual Report (“Annual Report”) to the Town of Frederick, Weld County, Colorado, that shall reflect the activity and financial events of the District through December 31, 2023 no later than September 1st of each year. The District submits the following information relating to significant events of the District through December 31, 2023 (the “Reporting Year”).

1. A narrative summary of the progress of the District in implementing its Service Plan for the Reporting Year.

The Service Plan for The Shores on Plum Creek Metropolitan District Nos. 1-5 was approved by the Town of Frederick on March 27, 2018. A First Amendment to the Service Plan for The Shores on Plum Creek Metropolitan District Nos. 1-10 was approved on December 11, 2018, and a Second Amendment to the Service Plan was approved on April 14, 2020.

No significant improvements were installed during the Reporting Year.

2. Except when exemption from audit has been granted for the Reporting Year under Local Government Audit Law, the audited financial statements of the District for the Reporting Year including a statement of financial condition (i.e., balance sheet) as of December 31st of the Reporting Year and the statement of operations (i.e., revenues and expenditures) for the Reporting Year. If exempt from audit, the District shall provide a copy of the request for exemption and the State’s approval for the exemption.

The District filed an application for exemption from audit for fiscal year 2023. A copy can be obtained via the State Auditor’s online portal: <https://apps.leg.co.gov/osa/lg/submissions/search>.

3. Unless disclosed within a separate schedule to the financial statements, a summary of the capital expenditures incurred by the District in development of public improvements in the Reporting Year, as well as any public improvements proposed to be undertaken in the five (5) years following the Reporting Year.

The District did not incur any capital expenditures for public improvements in 2023. An estimate of all future improvements and expenditures are outlined as an exhibit to the Service Plan on file with the Town of Frederick.

4. Unless disclosed within a separate schedule to the financial statements, a summary of the financial obligations of the District at the end of the Reporting Year, including the amount of outstanding debt, the amount and terms of any new debt issued in the Reporting Year, the amount of payment or retirement of existing debt of the District in the Reporting Year, the total assessed valuation of all taxable properties within the District as of January 1st of the

Reporting Year and the current mill levy of the District pledged to debt retirement in the Reporting Year.

As of December 31, 2023, the District reports as follows:

a. Amount of outstanding bonded indebtedness of the District:

None.

b. The amount of payment or retirement of debt of the District in the Reporting Year:

None.

c. The final assessed valuation of the taxable properties within the District for the current year (2024):

District No. 9: \$148,540

d. Current mill levy of the District pledged to debt retirement in the Reporting Year.

The District certified 0.000 mill levies in 2023 for collection in 2024.

5. The District's budget for the calendar year in which the annual report is submitted.

The 2024 budget for the District was filed with the Division of Local Government and is available through the Division of Local Government's website: <https://dola.colorado.gov/lgis/>.

6. A summary of residential and commercial development in the District for the Reporting Year.

No significant residential or commercial development occurred during the Reporting Year.

7. A summary of all fees, rates, tolls, and charges imposed by the District as of January 1st of the Reporting Year.

There were no fees, charges or assessments imposed by the District as of January 1, 2023.

8. Certification of the Board that no action, event or condition enumerated in Section 14.4 of the Town Land Use Code (Material Modification) has occurred in the Reporting Year, or certification that such event has occurred but that an amendment to the Service Plan that allows such event has been approved by Town Board.

A Second Amendment to the Service Plan was approved by the Town on April 14, 2020. There was no increase in capital costs or increase in debt authorization requested by the Second Amendment, only an expansion of the future inclusion area. No actions, events or conditions occurred during the Reporting Year.

9. Boundary changes made or proposed to the District boundaries as of December 31st of the Reporting Year.

No boundary changes were made or proposed during the Reporting Year.

10. Intergovernmental agreements with other governmental entities, either entered into, terminated, or proposed, as of December 31st of the Reporting Year.

The District did not enter into any intergovernmental agreements during the Reporting Year. Further, no intergovernmental agreements were terminated or proposed.

11. Copies of the District's rules and regulations, if any as of December 31st of the Reporting Year.

The District did not adopt rules and regulations during the Reporting Year.

12. A summary of any litigation which involves the District's improvements as of December 31st of the Reporting Year.

There is no litigation or notices of claim, pending or threatened, against the District of which the District is aware.

13. Status of the District's construction of the improvements as of December 31st of the Reporting Year.

No improvements were constructed by the District during the Reporting Year.

14. Notice of any uncured events of default by the District, which continue beyond a ninety (90) day period, under any debt instrument.

None.

15. Any inability of the District to pay its obligations as they come due in accordance with the terms of such obligations, which continue beyond a ninety (90) day period.

None.

16. A list of all facilities and improvements constructed by the District that have been dedicated to and accepted by the Town as of December 31st of the Reporting Year.

No facilities or improvements were dedicated to the Town of Frederick during the Reporting Year.

17. The name, business address and telephone number of each member of the Board and its chief administrative officer and general counsel, together with the date, place and time of the regular meetings of the Board.

The names, business address and telephone number of the Board members, president and general counsel for the District and the place and time for meetings are attached as **Exhibit A**.

The foregoing Annual Report and accompanying exhibit are submitted by the undersigned, on behalf of The Shores on Plum Creek Metropolitan District No. 9, dated this 13th day of August, 2024.

SPENCER FANE LLP

/s/ David S. O'Leary

David S. O'Leary, Counsel to the District

This annual report must be electronically filed with the governing body with jurisdiction over the special district, the division, and the state auditor, and such report must be electronically filed with the county clerk and recorder for public inspection, and a copy of the report must be made available by the special district on the special district's website pursuant to section 32-1-104.5 (3).

Exhibit A

DISTRICT OFFICIALS CONTACT INFORMATION

The names, business address and telephone number of the Board members, president and general counsel for the District and the place and time for meetings are as follows:

Board of Directors for District No. 9:

Kenneth Schell, President
Craig Cheney, Secretary/Treasurer
Jon P. File, Vice President/Assistant Secretary
Pamela Cheney, Vice President/Assistant Secretary
Judith Schell, Vice President/Assistant Secretary

Business Address: c/o CliftonLarsonAllen LLP
(District Manager) Attn.: Marlena Brzeska-Cloyd
(303) 253-7803
marlena.brzeska-cloyd@claconnect.com

General Counsel for the District:

Spencer Fane LLP
c/o David S. O'Leary, Esq.
1700 Lincoln Street, Suite 2000
Denver, CO 80203
Telephone: (303) 839-3800
Email: doleary@spencerfane.com

Place and Time for Meetings of the District:

The Board does not hold regular meetings, and schedules special meetings as needed. The meetings are held virtually, or at the offices of CliftonLarsonAllen LLP, located at 8390 E. Crescent Pkwy., Ste. 300, Greenwood Village, CO 80111.