

GVR METROPOLITAN DISTRICT
FIRST AMENDMENT TO SERVICE PLAN
City and County of Denver
Denver, Colorado

I. INTRODUCTION

Denver City Council approved the Petition to form the GVR Metropolitan District ("District") by Ordinance No. 361, Series of 1983 on June 13, 1983. The Service Plan for the GVR Metropolitan District ("District") was also approved by the City and County of Denver (the "City") in 1983. This First Amendment to Service Plan amends, but does not replace the existing Service Plan, for the express purpose of expanding the District's powers to include covenant enforcement / design review and mosquito control services as authorized by statute. All other provisions of the Service Plan which are not expressly amended or superseded herein shall remain in full force and effect.

II. SERVICE PLAN AMENDMENT

The District hereby amends its Service Plan to expressly authorize the District to additionally perform the following:

1. Covenant Enforcement and Design Review Services. The District may furnish covenant enforcement and design review services within the District's boundaries as authorized by § 32-1-1004(8), C.R.S. It is the District's intent to enter into a contract for the provision of covenant enforcement and design review services with the applicable master association, which defines the duties and responsibilities of the contracting parties, including the covenants that may be enforced by the District. The provision of services is anticipated to be funded with property tax revenues authorized by the District's electorate.

2. Mosquito Control Services. The District may furnish mosquito control services within the District's boundaries as authorized by § 32-1-103(10)(b), C.R.S. It is the District's intent to provide mosquito control services on an as-needed basis, to augment such services currently provided by the City. The District shall have the power and authority to provide for the acquisition, financing, construction and/or operation and maintenance of facilities and equipment necessary for the eradication and control of mosquitoes, including, but not limited to, elimination or treatment of breeding grounds, and purchase, lease, contracting or other use of equipment or supplies for mosquito control within and without the boundaries of the District. All mosquito control improvements shall be designed and constructed in accordance with the standards and specifications of the City and any other applicable state or federal regulatory agencies. The District shall not transfer the mosquito control improvements or delegate the operation and maintenance thereof to a governmental entity other than the City, unless the District has received the prior written approval of the Manager of Environmental Health.

3. Additional Services. Except as specifically prohibited herein, the District may provide such additional services and exercise such powers and authorities as are expressly or impliedly

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granted by the Special District Act or state law. Before the District assumes any obligations or undertakes the acquisition, construction, operation or maintenance of any infrastructure improvements other than the types described in its Service Plan, the District shall obtain the prior written approval of the Manager of Finance and the Manager of Public Works (or the Manager of Parks and Recreation, if such approval relates to park and recreation improvements) and such other approvals as may be required by the City. Ongoing services of the District shall be restricted to services not provided within the District by the City. The District shall not provide the following services: fire protection and other public safety services, operation of traffic control devices in City streets, or television relay and translation services.

4. Fees to the City. The District shall be responsible for paying fees imposed by statute, ordinance, or by rules and regulations by the City, including but not limited to: (i) an annual fee to the City Treasurer for property taxes collected by the City for the benefit of the District in accordance with State statute; (ii) an annual fee for the costs that the City incurs for the annual review and monitoring of the District, which shall be reasonably related to the City's administrative costs associated with the District (currently \$3,000), invoices for which shall be submitted to the District on January 1st each year, and shall be payable on June 30th of the same year; and (iii) fees related to the issuance of District bonds, which shall be established in accordance with the Rules and Regulations of the City (currently adopted by the Manager of Finance) for each financing transaction undertaken by the District. The District shall comply with the Manager of Finance's Rules and Regulations regarding Special District Fees. The bond issuance fee shall be reasonable and shall be determined by the Manager of Finance prior to each bond issuance. In addition, all reasonable consulting, legal and other costs incurred by the City for the review and monitoring of the District and the review of the associated bond documents shall be paid within thirty (30) days of receipt of the invoice, regardless of whether the transaction closes.