

**RESOLUTION NO. 2024-03-03**

**RESOLUTION OF THE PRAIRIESTAR METROPOLITAN DISTRICT NO. 2  
REGARDING THE IMPOSITION OF FEES  
FOR THE GARDENS AT PRAIRIESTAR 2024 GROWING SEASON**

A. PrairieStar Metropolitan District No. 2 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado and is situated in the Town of Berthoud, Larimer County, State of Colorado.

B. The District is authorized to provide for a community garden and related facilities (the “**The Gardens at PrairieStar**”) which is intended to serve the residents of the District as well as the general public.

C. The District is authorized, pursuant to Section 32-1-1001(1)(j), C.R.S. to fix fees and charges for services or facilities provided by the District.

D. The District adopted Resolution No. 2022-03-02, regarding the imposition of fees for the 2022 growing season at The Gardens at PrairieStar.

E. The District has determined that it is in the best interest of the inhabitants and taxpayers of the District and the general public to impose certain fees during the 2024 growing season for use of The Gardens at PrairieStar by those who are inhabitants of the District and those who are non-District residents.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS (the “**BOARD**”) OF THE PRAIRIESTAR METROPOLITAN DISTRICT NO. 2, LARIMER COUNTY, COLORADO:

1. The Board hereby finds, determines and declares the necessity of providing revenue to cover the cost associated with the operation and maintenance of The Gardens at PrairieStar and for any necessary capital reserves for The Gardens at PrairieStar, all to ensure the health, safety and welfare of the inhabitants of the District and the general public.

2. There shall be assessed and charged a non-refundable fee during the 2024 growing season (the “**Community Garden Fee**”) pursuant to Section 32-1-1001(1)(j), C.R.S. by those who use The Gardens at PrairieStar.

3. The Community Garden Fee shall be imposed at the rates set forth in **Exhibit A**, attached hereto and incorporated by reference, which amount can be increased or decreased, in the Board’s discretion.

4. The Board of Directors declares that the Community Garden Fee and Clean Up Deposit shall be effective as of the adoption of this Resolution.

5. Judicial invalidation of any provisions of this Resolution or of any paragraph, sentence, clause, phrase, or word herein, or the application thereof in any given circumstances,

shall not affect the validity of the remainder of this Resolution unless such invalidation would act to destroy the intent or essence of the Resolution.

6. Any inquiries pertaining to the payments of the Community Garden Fee may be directed to the following:

PrairieStar Metropolitan District No. 2  
c/o Kellison, LLC  
201 E. 4<sup>th</sup> Street, #130  
Loveland, CO 80537  
Phone: 970-236-1279  
Email: [connor@kellisoncorp.net](mailto:connor@kellisoncorp.net)  
Attn: Connor DeHart

APPROVED AND ADOPTED THIS 20<sup>th</sup> day of March, 2024.

**PRAIRIESTAR METROPOLITAN  
DISTRICT NO. 2**

By: DocuSigned by:  
*Katie Murrey*  
BCD9645737A44DD...  
\_\_\_\_\_  
President

Attest:

By: DocuSigned by:  
*Bryan DeLuogo*  
FEFF186D70F74A5...  
\_\_\_\_\_  
Secretary

## **EXHIBIT A**

For the 2024 growing season, the following Community Garden Fee are required for the use of the Community Garden:

Non-Refundable Fees:

- Forty Dollars (\$40.00) for a District resident.
- Sixty Dollars (\$60.00) for a non-District resident.