

**SECOND AMENDMENT TO RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
HAWTHORN METROPOLITAN DISTRICT NO. 2**

CONCERNING THE IMPOSITION OF AN OPERATIONS FEE

WHEREAS, the Hawthorn Metropolitan District No. 2 (the “District”) was formed pursuant to §§ 32-1-101, *et seq.*, C.R.S., as amended (the “Special District Act”), by orders of the District Court for Jefferson County, Colorado, and after approval of the District’s eligible electors at an election; and

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

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., the District is authorized to fix and impose fees, rates, tolls, penalties and charges for services or facilities furnished by the District which, until such fees, rates, tolls, penalties and charges are paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, on December 7, 2015, the Board adopted the Resolution of the Board of Directors of the Hawthorn Metropolitan District No. 2 Concerning the Imposition of an Operations Fee recorded at Reception No. 2015133232 on December 16, 2015 in Jefferson County, Colorado (the “2015 Fee Resolution”); and

WHEREAS, on December 4, 2017, the Board adopted the Amendment to Resolution of the Board of Directors of the Hawthorn Metropolitan District No. 2 Concerning the Imposition of an Operations Fee recorded at Reception No. 2018026898 on March 26, 2018 in Jefferson County, Colorado (the “First Amendment to Fee Resolution” and together with the 2015 Fee Resolution, the “Fee Resolutions”); and

WHEREAS, the Board desires to adopt this Second Amendment to Resolution of the Board of Directors of the Hawthorn Metropolitan District No. 2 Concerning the Imposition of an Operations Fee (the “Second Amendment to Fee Resolution”) to amend the Schedule of Fees in the Fee Resolutions as set forth herein.

NOW, THEREFORE, be it resolved by the Board as follows:

1. AMENDMENT. The Schedule of Fees set forth in **Exhibit I** of the First Amendment to Fee Resolution and **Exhibit A** of the 2015 Fee Resolution are replaced in their entirety by the Schedule of Fees set forth in **Exhibit A** attached hereto and incorporated herein by this reference.

2. PRIOR PROVISIONS EFFECTIVE. Except as specifically amended hereby, all the terms and provisions of the Fee Resolution shall remain in full force and effect.

3. EFFECTIVE DATE. This Resolution shall become effective June 10, 2021.

[Signature Page to Follow].

ADOPTED this 7th day of June, 2021.

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



Krystal L. Bigley (Jun 9, 2021 15:03 MDT)

Officer of the District

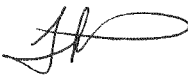
ATTEST:



Carly Fenton (Jun 11, 2021 08:00 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys At Law



General Counsel to the District

EXHIBIT A

HAWTHORN METROPOLITAN DISTRICT NO. 2

Schedule of Fees

Effective June 10, 2021

Schedule of Fees		
Fee Type	Classifications	Rate
Operations Fee – Recurring Payment	Residential Unit	\$468 collected annually* on the Due Date of January 1 st
* Owners may opt to pay the Operations Fee on a quarterly basis. In such an event, the Due Date for first quarterly installment shall be January 1 st , and thereafter each quarter on April 1 st , July 1 st , and October 1 st of each year.		
Operations Fee – Payment Due Upon a Transfer	Residential Unit	\$500 per Transfer if consideration is less than \$500 \$600 per Transfer if consideration is greater than \$500
Payment Due Upon Transfer is the date upon which the Transfer occurs.		

PAYMENTS: Payment for each fee shall be made payable to the Hawthorn Metropolitan District No. 2 and sent to the following address for receipt by the Due Date:

Hawthorn Metropolitan District No. 2
c/o Special District Management Services, Inc.
141 Union Boulevard, Suite 150
Lakewood, CO 80228
Attn: Peggy Ripko