

MINUTES OF A JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

MURPHY CREEK METROPOLITAN DISTRICT NOS. 1, 2, 4
& 5

Held: September 28, 2021, at 10:00 A.M.

ATTENDANCE

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

District No. 1

Michael Alpert
Harvey Alpert
Brian Alpert

District No. 2

Michael Alpert
Harvey Alpert
Brian Alpert

District No. 4

Michael Alpert
Harvey Alpert
Barry Talley
Brian Alpert

District No. 5

Michael Alpert
Harvey Alpert
Brian Alpert

Also present were: Jennifer Gruber Tanaka, Esq., and Audrey G. Johnson, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, Attorneys at Law, District general counsel; and Kimberly Johanns, Simmons & Wheeler, District accountant.

**ADMINISTRATIVE
MATTERS**

Call to Order

The meeting was called to order.

Declaration of Quorum and
Confirmation of Director
Qualifications

Ms. Tanaka noted that a quorum for each of the Boards was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures
of Potential or Existing
Conflicts of Interest

Ms. Tanaka advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Tanaka reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Ms. Tanaka noted that a quorum was present and inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters

scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Combined Meetings The Districts are meeting in a combined Board meeting. Unless otherwise noted below, the matters set forth below shall be deemed to be the actions of the Murphy Creek Metropolitan District Nos. 1, 2, 4 and 5, collectively.

Excusal of Absences The Boards noted the absences of Mr. R. Alpert and Ms. Alpert. Upon motion of Mr. Talley, seconded by Mr. B. Alpert, the Boards unanimously excused their absences.

Agenda Ms. Tanaka presented the Boards with the agenda for the meeting. Upon motion of Mr. Talley, seconded by Mr. B. Alpert, the Boards unanimously approved the agenda as presented.

PUBLIC COMMENT None.

CONSENT AGENDA The Boards were presented with the consent agenda items. Upon motion of Mr. Talley, seconded by Mr. B. Alpert, the Boards unanimously took the following actions:

- a. Approved the Board Meeting Minutes from September 9, 2021 Joint Special Meeting (District Nos. 1, 2, 4, and 5)
- b. Ratified the Payment of Claims as of September 20, 2021 (\$12,846.83)
- c. Accepted the Financial Statement from July 31, 2021
- d. Approved the Funding and Reimbursement Agreement for Operations and Maintenance with Murphy Creek Development, Inc. (District No. 4)

FINANCIAL MATTERS

2021 Bonds (District No. 4) Ms. Tanaka reported that disclosure counsel is in the process of updating the PLOM and noted that the Bonds are currently scheduled to close on November 9, 2021. Ms. Tanaka also reported that information regarding the uses of the funds captured under the 2006 Note are in process with the accountants providing additional information on these uses.

LEGAL MATTERS None.

OTHER BUSINESS

Next Meeting The next regular meeting is scheduled for November 10, 2021, at 1:00 P.M.

ADJOURNMENT

There being no further business to be conducted, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes for the above-referenced meeting.

Michael Alpert

Michael Alpert (Oct 21, 2021 12:01 MDT)

Secretary for the Meeting