

MINUTES OF A JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

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

Held: October 12, 2021, at 11:00 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
Rod Alpert
Tanya Alpert

District No. 2

Michael Alpert
Harvey Alpert
Brian Alpert
Rod Alpert
Tanya Alpert

District No. 4

Michael Alpert
Harvey Alpert
Barry Talley
Brian Alpert
Rod Alpert

District No. 5

Michael Alpert
Harvey Alpert
Brian Alpert
Rod Alpert
Tanya 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.

Agenda Ms. Tanaka presented the Boards with the agenda for the meeting. Upon motion of Ms. Alpert, 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 Ms. Alpert, seconded by Mr. M. Alpert, the Boards unanimously took the following actions:

- a. Approved the Meeting Minutes from September 28, 2021 Joint Special Meeting (District Nos. 1, 2, 4, and 5)
- b. Ratified the Engagement of Collins, Cockrel & Cole, P.C. for Special Counsel Services (District No. 1)
- c. Approved the First Amendment to Public Improvements Acquisition and Reimbursement Agreement with Lennar Colorado, LLC, *et al*, subject to finalization of percentages
- d. Approved the Intergovernmental Agreement Regarding Payment of Reimbursements for Capital Expenses (District Nos. 1 and 4)

FINANCIAL MATTERS None.

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 (Nov 11, 2021 09:26 MST)

Secretary for the Meeting