

**RESOLUTION AND ORDER FOR INCLUSION OF PROPERTY
BY THE
BOARD OF DIRECTORS
OF THE
COTTONWOOD CREEK METROPOLITAN DISTRICT NO. 3**

(District No. 3 – 469.481 Acres)

WHEREAS, BOAC Cottonwood Property LLC, a Delaware limited liability company, whose address is 4100 E, Mississippi Ave., Suite 5000, Glendale, Colorado 80246 (the “Petitioner”), filed with the Cottonwood Creek Metropolitan District No. 3 (the “District”) a Petition for Inclusion of Real Property (the “Petition”), a copy of which is attached hereto as **Exhibit A**, and incorporated herein by this reference; and

WHEREAS, the Petitioner represents that it is the one hundred percent (100%) fee owner of the real property described in the Petition (the “Property”); and

WHEREAS, the Petition requests that the Board of Directors of the District (the “Board”) include the Property into the District, in accordance with § 32-1-401(1)(a), C.R.S.; and

WHEREAS, pursuant to the provisions of § 32-1-401(1)(b), C.R.S., publication of notice of the filing of the Petition and the place, time and date of the public meeting at which the Petition would be considered, the name and address of the Petitioner and notice that all persons interested shall appear at such time and place and show cause in writing why the Petition should not be granted, was made in the *Aurora Sentinel* on May 8th, 2025. The Affidavit of Publication is attached hereto as **Exhibit B** and incorporated herein by this reference (the “Affidavit of Publication”); and

WHEREAS, no written objection to the inclusion was filed by any person; and

WHEREAS, the Petition was heard at a public meeting of the Board the District held on May 12th, 2025, at the hour of 2:00 p.m.; and

WHEREAS, the Board has reviewed the Petition and all relevant information related thereto; and

WHEREAS, the Board of the District desires to grant the Petition and approve the inclusion of the Property into the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. Grant of Petition. The Board hereby grants the Petition and orders the inclusion of the Property into the District.

2. Effective Date of Resolution. This Resolution shall become effective as of the date hereof.

3. Motion and Order for Inclusion. The Board hereby directs its legal counsel to file a motion with the District Court in and for Arapahoe County seeking an Order for Inclusion.

Remainder of page intentionally left blank. Signature page follows.

ADOPTED this 12th day of MAY, 2025.

COTTONWOOD CREEK METROPOLITAN DISTRICT
NO. 3

DocuSigned by:
Mike Sandene
2383659DBD894F4...
Officer of the District

ATTEST:

Signed by:
Alex Adams
2383659DBD894F4...

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

Signed by:
Kristin J. Bowers
8867B2164B2E489
General Counsel to the District

CERTIFICATION OF RESOLUTION

I hereby certify that the foregoing constitutes a true and correct copy of the Resolution and Order for Inclusion of Real Property adopted by the Board at a meeting held on Monday, May 12th, 2025, via teleconference.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 20th day of May, 2025.

Signed by:
Alex Adams
2383659DBD894F4...
Signature

EXHIBIT A
TO RESOLUTION AND ORDER FOR INCLUSION OF PROPERTY
(Petition for Inclusion)

PETITION FOR INCLUSION OF PROPERTY
(District No. 3 – 469.481 Acres)

TO: THE BOARD OF DIRECTORS OF THE
COTTONWOOD CREEK METROPOLITAN DISTRICT NO. 3,
CITY OF AURORA, ARAPAHOE COUNTY, COLORADO

Pursuant to the provisions of §§ 32-1-401, *et seq.*, C.R.S., **BOAC COTTONWOOD PROPERTY, LLC**, a Delaware limited liability company, (the “Petitioner”) hereby respectfully requests that the **COTTONWOOD CREEK METROPOLITAN DISTRICT NO. 3** (the “District”), by and through its Board of Directors, include the real property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the “Property”), into the boundaries of the District.

The Petitioner hereby represents and warrants to the District that it is the one hundred percent (100%) fee owner of the Property and that no other person, persons, entity or entities own an interest therein except as beneficial holders of encumbrances, if any. The Petitioner hereby assents to the inclusion of the Property into the boundaries of the District and to the entry of an Order by the District Court in and for Arapahoe County, including the Property into the boundaries of the District.

The Petitioner hereby acknowledges that, without the consent of the Board of Directors of the District, it cannot withdraw its Petition once the notice of the public hearing on the Petition has been published.

The name and address of the Petitioner is as follows:

BOAC Cottonwood Property LLC
4100 E. Mississippi Ave., Suite 5000
Glendale, CO 80246

Remainder of page intentionally left blank. Signature page follows.

PETITIONER:

BOAC COTTONWOOD PROPERTY LLC,
a Delaware limited liability company

By: **BOAC COTTONWOOD CREEK JV LLC,**
a Delaware limited liability company,
Its Sole Member

By: Andrew R. Klein, Authorized Signatory

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 2nd day of May 2025 by Andrew R. Klein, as Authorized Signatory of BOAC Cottonwood Creek JV LLC, a Delaware limited liability company, as the Sole Member of BOAC Cottonwood Property LLC, a Delaware limited liability company.

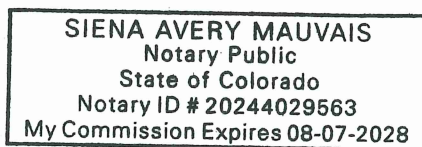
WITNESS my hand and official seal.

(SEAL)



Notary Public

My commission expires: 08-07-2028



***Signature Page to Petition for Inclusion of Real Property
(District No. 3)***

EXHIBIT A
(The Property)

EXHIBIT B
TO RESOLUTION AND ORDER FOR INCLUSION OF PROPERTY
(Affidavit of Publication)