

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE PARK 70 METROPOLITAN DISTRICT HELD APRIL 28, 2023

A Special Meeting of the Board of Directors (referred to hereafter as the “**Board**”) of the Park 70 Metropolitan District (referred to hereafter as the “**District**”) was duly held on Friday, the 28th day of April, 2023, at 9:00 a.m. This District Board meeting was held via Zoom. The meeting was open to the public via Zoom.

ATTENDANCE

Directors In Attendance Were:

Keiffer Garton, President

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Paula Williams, Esq. and Tim O’Connor, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

Katie Kier and Ann LaPlace; ProLogis

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney Williams that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

ADMINISTRATIVE MATTERS

Confirm Quorum/Meeting Location/Manner and Posting of Meeting Notice:

Ms. Finn confirmed the presence of a quorum.

The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. Ms. Finn noted the meeting would be conducted via Zoom. Ms. Finn reported that notice was duly posted and that no objections to the telephonic manner of the meeting or

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any requests that the telephonic manner of the meeting be changed by taxpaying electors within the District boundaries have been received

Agenda: Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made and seconded by Director Garton and, upon vote, unanimously carried, the Agenda was approved, as amended.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made and seconded by Director Garton and, upon vote, unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted on the District's website at least 24 hours prior to each meeting. If the District website is unavailable, notices of meetings will be posted within the boundaries of the District at the following location: the corner of Smith Way and 19th Avenue, Aurora, Colorado.

CONSENT AGENDA: The Board considered the following actions:

- Approve Minutes of the November 11, 2022 Special Meeting.

Following discussion, upon motion duly made and seconded by Director Garton and, upon vote, unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions.

**PUBLIC
COMMENT**

There was no public comment.

LEGAL MATTERS

Platte Energy LLC regarding proposed Oil, Gas and Mineral Lease ("Lease"): The Board discussed the offer from Platte Energy LLC regarding a proposed Oil, Gas and Mineral Lease.

Following discussion, upon motion duly made and seconded by Director Garton, and upon vote, unanimously carried, the Board authorized Ms. LaPlace to verify ownership of the mineral rights and if determined the rights are owned by the District, the Board declined entering into the Lease. The Board acknowledged that if it is determined that the District does not own the mineral rights, then there is no further action required by the Board in regard to the proposed Lease.

Amendment to Long Term Agreement to Restrict Mineral Development Agreement No. 3451: The Board reviewed the Amendment to Long Term Agreement to Restrict Mineral Development Agreement No. 3451 and Addendum.

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Following discussion, upon motion duly made and seconded by Director Garton, and upon vote, unanimously carried, the Board ratified approval of the Amendment to Long Term Agreement to Restrict Mineral Development Agreement No. 3451 and authorized execution of the Addendum.

OTHER BUSINESS

No other business was discussed.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made and seconded by Director Garton, and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: 

Secretary for the Meeting