

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 5
PUBLIC DISCLOSURE STATEMENT
§ 32-1-104.8, C.R.S.

NAME OF DISTRICT: North Vista Highlands Metropolitan District No. 5 (as more particularly depicted in Exhibit A attached hereto) (the “District”).

POWERS OF THE DISTRICT:

The District, together with North Vista Highlands Metropolitan District No. 1 (the “Service District”), North Vista Highlands Metropolitan District No. 2 (“District No. 2”), North Vista Highlands Metropolitan District No. 3 (“District No. 3”), and North Vista Highlands Metropolitan District No. 4 (“District No. 4”), is authorized to provide improvements and services for the North Vista Highlands (“Development”) located within the City of Pueblo, Colorado. As provided in the Service Plan for North Vista Highlands Metropolitan District No. 5, the Service District will be responsible for managing the construction and operation of the public improvements throughout the Development, and the District, together with District No. 2, District No. 3, and District No. 4, will serve as the “Financing Districts” organized to coordinate their efforts in order to provide public services to the Development in the most efficient manner possible. Each Financing District will be responsible for financing its respective share of the improvements and associated operations and maintenance costs, as described in the respective service plan for each Financing District. The property within the boundaries of the District (the “District Boundaries”) is intended to be developed for residential uses.

Pursuant to Section 32-1-1004, C.R.S. and the District’s Service Plan, the District has the authority and power to provide the following public improvements and services for the Development:

1. Sanitation. The District has the power to provide for the design, acquisition, construction, financing, completion, and installation of a local sanitary sewage collection and transmission system, which may include, but is not limited to, collection mains and laterals, lift stations, transmission lines, and/or storm sewer, flood and surface drainage facilities and systems, including detention/retention ponds and associated irrigation facilities, and all necessary, incidental, and appurtenant facilities, land and easements, together with extensions of and improvements to said system within and without the District Boundaries. The District may provide for sanitary sewage collection and transmission through the purchase of capacity in existing collection mains and transmission lines.

2. Water. The District has the power to provide for the design, acquisition, construction, financing, completion, and installation of a complete potable and nonpotable local water, transmission, and distribution system, which may include, but is not limited to, transmission lines, distribution mains and laterals, pressure reducing stations, irrigation facilities, storage facilities, water supply, water rights, land and easements, and all necessary, incidental, and appurtenant facilities, together with extensions of and improvements to said system within and without the District Boundaries.

3. Streets. The District has the power to provide for the design, acquisition, construction, financing, completion, and installation of street improvements, including curbs, gutters, culverts, and other drainage facilities, acceleration and deceleration lanes, sidewalks, bike paths and pedestrian ways, median islands, paving, lighting, parking lots, grading, landscaping and irrigation, together with

all necessary, incidental, and appurtenant facilities, land and easements, together with extensions of and improvements to said facilities within and without the District Boundaries.

4. Safety Protection. The District has the power to provide for the design, acquisition, construction, financing, completion, and installation of facilities and/or services for a system of traffic and safety controls and devices on streets and highways and at railroad crossings, including, but not limited to, signalization, signing and striping, together with all necessary, incidental, and appurtenant facilities, land and easements, together with extensions of and improvements to said facilities within and without the District Boundaries.

5. Park and Recreation. The District has the power to provide for the design, acquisition, construction, financing, completion, and installation of parks and recreational facilities and programs including, but not limited to, parks, bike paths and pedestrian ways, open space, landscaping, cultural activities, water bodies, irrigation facilities, and other active and passive recreational facilities, programs, and events, and all necessary, incidental and appurtenant facilities, land and easements, together with extensions of and improvements to said facilities within and without the District Boundaries.

6. Transportation. The District has the power to provide for the design, acquisition, construction, financing, completion, and installation of a system to transport the public by bus, rail, or any other means of conveyance, or combination thereof, or pursuant to contract, including park and ride facilities and parking lots, structures and facilities; together with all necessary, incidental and appurtenant facilities, land and easements, and all necessary extensions of and improvements to said facilities or systems within and without the District Boundaries.

7. Television Relay and Translation. The District has the power to provide for the design, acquisition, construction, financing, completion, and installation of television relay and translator facilities including, but not limited to, cable television and communication facilities, satellite television facilities, Internet and other telecommunication facilities, together with all necessary, incidental and appurtenant facilities, land and easements, and all necessary extensions of and improvements made thereto within and without the District Boundaries.

8. Mosquito Control. The District has the power to provide for the eradication and control of mosquitoes, including, but not limited to, elimination, or treatment of breeding grounds and purchase, lease, contracting or other use of equipment or supplies for mosquito control within and without the District Boundaries.

9. Fire Protection. The District has limited power to provide for the financing of and design, acquisition, construction, completion, installation, operation and maintenance of facilities and equipment for fire protection, including fire stations, ambulance and emergency medical response and rescue services, hazardous material services, diving and grappling stations and all necessary, incidental and appurtenant facilities, land and easements, together with extensions of and improvements to said systems within and without the District Boundaries. The District's authority to provide limited fire protection services and facilities is to be exercised cooperatively with the Pueblo Fire Department as described in the Service Plan.

10. Security. The District has the power to furnish security services for any area within the District Boundaries. Prior to furnishing any security services, the District must provide written notification to, consult with, and obtain the prior written consent of the Pueblo Chief of Police and any

applicable master association or similar body having authority in its charter or declaration to furnish security services within the District Boundaries.

11. Covenant Enforcement. The District has the power to provide covenant enforcement and design review services within the District Boundaries if the District and the governing body of a master association or similar body contract for such services, or if the declaration, rules and regulations, or any similar document containing the covenants to be enforced for the area within the District name the District as the enforcement or design review entity. The District has the power to provide covenant enforcement and design review services only if revenues used to provide such services are derived from the area in which the service is furnished.

In addition to the above powers for the provision of improvements, the Board of Directors of the District also has the following authority:

(a) Plan Modifications. To modify the Service Plan in accordance with the statutory procedures set forth in Section 32-1-207, C.R.S.

(b) Phasing, Deferral. Without modifying the Service Plan, to defer, forego, reschedule, or restructure the financing and construction of certain improvements and facilities, to better accommodate the pace of growth, resource availability, and potential inclusions of property within the District.

(c) Additional Services. Except as otherwise provided in the Service Plan, to provide such additional services and exercise such powers as are expressly or impliedly granted to special districts by Colorado law, including, but not limited to, those powers delineated in Section 32-1-1004, C.R.S., as the same may be amended from time to time.

(d) Subdistricts. With the prior consent of the Pueblo City Council, to divide the District into one or more areas consistent with the services, programs and facilities to be furnished therein pursuant to Section 32-1-1101(1)(f)(I), C.R.S. and Section 32-1-1101(1.5)(a) through (1.5)(e), C.R.S.

(e) Special Improvement Districts. With the prior consent of the Pueblo City Council, to establish special improvement districts within the Service Area as provided in Section 32-1-1001(1)(g), C.R.S., and to exercise all powers necessary and related to such special improvement districts as permitted by Section 32-1-1001(1)(g), C.R.S.

(f) Enterprises. To form enterprises to manage, fund, and operate such facilities, services, and programs as may qualify for enterprise status using the procedures and criteria provided in Article X, Section 20, Colorado State Constitution.

The provision of facilities by the District will be primarily financed by the issuance of bonds by the Service District, secured by, among other sources of revenue, the ad valorem taxing authority of the Financing Districts. Alternatively, the District may finance the provision of facilities and improvements by issuing its own general obligation bonds or other legally permitted forms of indebtedness. Prior to the issuance of any debt, the construction costs for necessary improvements may be paid by the developer, subject to subsequent acquisition by the Service District or the District of the completed improvements and payment to the developer of such construction costs, or dedication of said improvements to Pueblo or other appropriate entity and reimbursement by the Service District or the District to the developer for such construction costs.

The District has the authority to incur debt in the total principal amount of One Hundred Twenty Million Dollars (\$120,000,000) (“Debt Authority”) in 2018 dollars as adjusted for inflation. The total Debt Authority of the Service District and the Financing Districts is One Hundred Twenty Million Dollars (\$120,000,000). The District may also issue notes, certificates, debentures, or other evidences of indebtedness, including, but not limited to, contracts that extend beyond one year, on parity with or subordinate to debt issued pursuant to the Debt Authority, subject to the limitations set forth in the Service Plan. The District may also issue refunding bonds, subject to voter authorization, which are not subject to the Debt Authority.

Subject to voter authorization and as provided in the District’s Service Plan, the District may assess a mill levy on all taxable property in the District Boundaries as a source of revenue for repayment of debt service and for operations. The District’s Service Plan sets forth a Mill Levy Cap for the maximum mill levy the District is permitted to impose upon the taxable property within the District for payment of debt. In addition, the District may impose an operations mill levy and rely upon various other revenue sources authorized by law and the District’s Service Plan to offset the expenses of District management, operations, and maintenance. These may include revenues from other governmental entities, developers, and other public or private entities, as well as the power to assess fees, rates, tolls, penalties, or charges as provided in Title 32, Article 1, C.R.S., as amended. The District shall have the authority to repay the developer for amounts advanced for operations expenses together with accrued interest thereon and to seek electorate approval for such obligation to be deemed a multiple-fiscal year obligation, provided such obligation is subordinate to the District’s bonds issued for capital improvements.

STATEMENT REGARDING SERVICE PLAN:

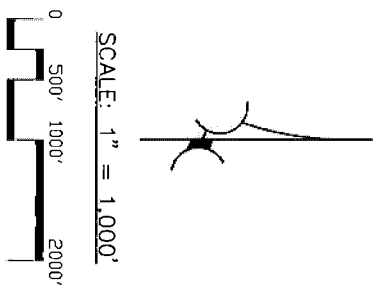
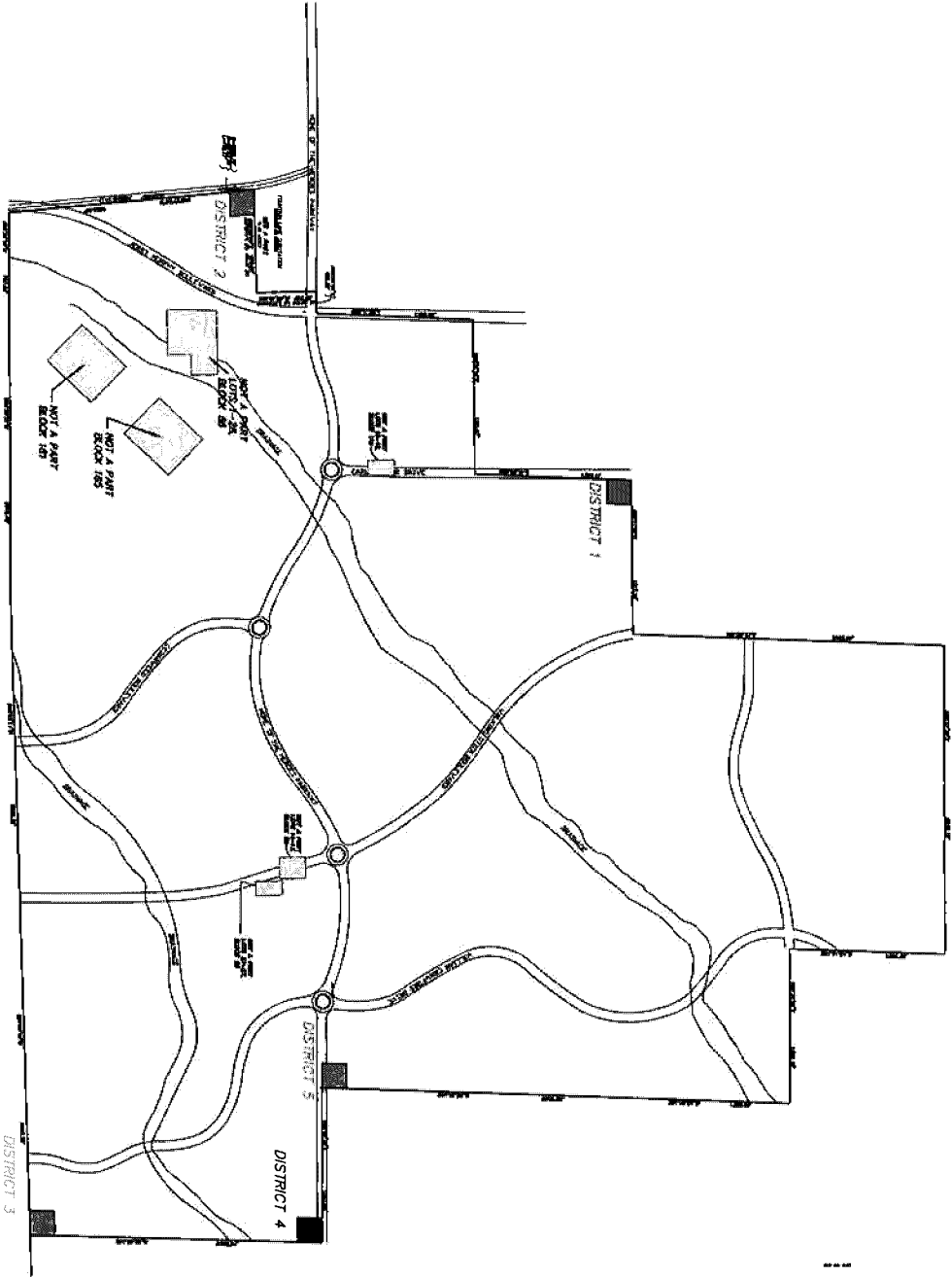
The Service Plan for North Vista Highlands Metropolitan District No. 5, as may be amended from time to time, includes a description of the District’s powers and authority. A copy of the District’s Service Plan is available from the Colorado Division of Local Government in the Department of Local Affairs.

North Vista Highlands Metropolitan District No. 5 is authorized by Title 32 of the Colorado Revised Statutes to use a number of methods to raise revenues for capital needs and general operations costs. These methods, subject to the limitations imposed by Section 20 of Article X of the Colorado Constitution, include issuing debt, levying taxes, and imposing fees and charges. Information concerning directors, management, meetings, elections, and current taxes are provided annually in the Notice to Electors described in Section 32-1-809(1), Colorado Revised Statutes, which can be found at the District office, on the District’s web site, on file at the Division of Local Government in the State Department of Local Affairs, or on file at the office of the clerk and recorder of each county in which the special district is located.

EXHIBIT A

DEPICTION OF NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 5

NORTH VISTA HIGHLANDS
 METROPOLITAN DISTRICT



- LEGEND**
- =DISTRICT 1 (1.00 ACRES)
 - =DISTRICT 2 (1.01 ACRES)
 - =DISTRICT 3 (1.00 ACRES)
 - =DISTRICT 4 (1.01 ACRES)
 - =DISTRICT 5 (1.00 ACRES)
 - =FUTURE INCLUSION AREA (1,054.49 ACRES)

NORTHSTAR ENGINEERING AND SURVEYING, INC.		NC	
111 E. 9TH ST. PUEBLO, CO 81003		(719)544-6825 (719)544-6825 FAX	
NVH-MD DISTRICT DIRECTORS MAP			
TITLE	AS SHOWN	DRAWN BY: KJP	TELEPHONE: 248-2882
SCALE	06-16-18	CHECKED BY: MLC	JOB NO. 1700902
DATE			DATE 1-27-1