

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE AVIATION STATION NORTH METROPOLITAN DISTRICT NO. 3 HELD SEPTEMBER 7, 2022

A Regular Meeting of the Board of Directors (the “Board”) of Aviation Station North Metropolitan District No. 3 (the “District”), City and County of Denver, Colorado, was duly posted and held on Wednesday, September 7, 2022, at 3:02 p.m. This District Board meeting was held by video conference via Microsoft Teams. The meeting was open to the public.

#### ATTENDANCE

##### Directors In Attendance Were:

Mark Throckmorton, Secretary  
Marcia A. Lujan, Treasurer  
Matthew Stewart, Assistant Secretary  
Henry “Rick” Wells, Assistant Secretary

The absence of Director Belz was excused.

##### Also in Attendance:

Paula Williams, Esq. and Erica Montague, Esq.; McGeady Becher P.C.  
Matt Urkoski, Alyssa Ferreira and Shauna D’Amato; CliftonLarsonAllen LLP (“CLA”)  
Blake Fulenwider; L.C. Fulenwider, Inc.

#### ADMINISTRATIVE MATTERS

**Disclosure of Potential Conflicts of Interest:** The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Attorney Williams requested that members of the Board disclose any potential conflicts of interest regarding 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 the statute. No new disclosures were made. Attorney Williams noted that all Directors’ Disclosure Statements were filed.

**Quorum, Location of Meeting, Posting of Meeting Notice:** The presence of a quorum was confirmed.

The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. Following discussion, upon a motion duly made by Director Lujan, seconded by Director Wells and, upon vote unanimously carried, the Board determined to conduct this meeting via video conference and encouraged public participation via Microsoft Teams. The Board further noted that notice of this location was duly posted and that it had not received any objections to

## RECORD OF PROCEEDINGS

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the location or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries. Due to the absence of Director Belz, the Board appointed Director Lujan as the Acting President for the meeting.

**Agenda:** Following review and discussion regarding the Agenda, upon a motion duly made by Director Lujan, seconded by Director Wells and, upon vote unanimously carried, the agenda was approved, as presented.

**Public Comment:** There were no public comments.

**Minutes of June 1, 2022 Regular Meeting:** Following discussion, upon a motion duly made by Director Lujan, seconded by Director Wells and, upon vote unanimously carried, the Board approved the June 1, 2022 Regular Meeting Minutes.

### **FINANCIAL MATTERS**

**July 31, 2022 Unaudited Financial Statements:** Ms. Ferreira reviewed the District's July 31, 2022 Unaudited Financial Statements with the Board. Following discussion, upon a motion duly made by Director Lujan, seconded by Director Stewart and, upon vote unanimously carried, the Board ratified approval of the July 31, 2022 Unaudited Financial Statements.

### **LEGAL MATTERS**

**Supplement Withdrawing Residential Property from PIF Covenant by Rail Stop LLC (Declaration of Covenants Imposing and Implementing the Aviation Station North Public Improvement Fee, recorded June 12, 2015 at Reception No. 2015077733 in the real property records of the City and County of Denver):** Attorney Williams reviewed the Supplement with the Board. Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Wells and, upon vote unanimously carried, the Board acknowledged the Supplement Withdrawing Residential Property from PIF Covenant by Rail Stop LLC (Declaration of Covenants Imposing and Implementing the Aviation Station North Public Improvement Fee, recorded June 12, 2015 at Reception No. 2015077733 in the real property records of the City and County of Denver).

### **MANAGER MATTERS**

**Other:** None.

### **CAPITAL IMPROVEMENTS**

**2022 Development/Construction Outlook:** Director Throckmorton provided a brief update regarding the status of development/construction matters to the Board.

### **OTHER BUSINESS**

None.

## RECORD OF PROCEEDINGS

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### ADJOURNMENT

There being no further business to come before the Board, Director Lujan adjourned the meeting at 3:06 p.m.

Respectfully submitted,

DocuSigned by:  
By Mark Throckmorton  
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Secretary for the Meeting