

**POUDRE TECH METROPOLITAN DISTRICT
WATER VALLEY METROPOLITAN DISTRICT NOS. 1 & 2**
www.poudretechmetro.org

| PTMD | WVMD NO. 1 | WVMD NO. 2 |
|--|---|--|
| Martin Lind, President May 2025 | John Jensen, President May 2025 | Martin Lind, President May 2025 |
| Jerry Helgeson, Vice President May 2027 | Duane Sullivan, Secretary/Treasurer May 2025 | Jerry Helgeson, Vice President May 2027 |
| John Jensen, Secretary/Treasurer May 2025 | Austin Lind, Assistant Secretary May 2027 | John Jensen, Secretary/Treasurer May 2025 |
| Marissa Donahoo, Asst. Secretary May 2025 | Justin Donahoo, Asst. Secretary May 2027 | Marissa Donahoo, Asst. Secretary May 2025 |
| Justin Donahoo, Asst. Secretary May 2027 | James Porth, Jr., Asst. Secretary May 2025 | Justin Donahoo, Asst. Secretary May 2027 |

NOTICE OF JOINT MEETING

Thursday, March 21, 2024, at 9:00 a.m.
1625 Pelican Lakes Point, Suite 201, Windsor, Colorado 80550

This meeting may also be attended via teleconferencing through the directions below:
<https://us06web.zoom.us/j/82876007365?pwd=WEVSYU56Nlk0S0ZzN2cxa0lXbHB0Zz09>
Meeting ID: 828 7600 7365; Passcode: 513443; or by calling 720-707-2699

JOINT MEETING AGENDA

1. Call to Order
2. Declaration of Quorum/Director Conflict of Interest Disclosures
3. Approval of Agenda
4. Public Comment – Members of the public may express their views to the Boards on matters that affect the Districts that are not otherwise on the agenda. Comments will be limited to three (3) minutes per person.
5. Consent Agenda – The items listed below are a group of items to be acted on with a single motion and vote by the Board. An item may be removed from the consent agenda to the regular agenda by any Board member. Items on the consent agenda are then voted on by a single motion, second, and vote by the Board.
 - a. Approval of November 16, 2023, Joint Special Meeting and December 18, 2023 Joint Annual Meeting Minutes (**enclosures**)
 - b. Approval of Independent Contractor Agreements (**enclosure**)
6. Operations Matters
 - a. General District Operations
 - i. Consider Adoption of Resolution Amending and Restating a Recreation Amenities Use Policy (**enclosure**)

- ii. Consider Adoption of 2024 Recreation Fee Schedule (**enclosure**)
 - iii. Consider Continued Maintenance of Fountain in Rock Bridge Lake Cove (North of Water Valley Parkway)
 - b. W-Club / WaterDance Operations
 - i. Approval of Fitness Equipment Lease for W-Club with Advanced Exercise (**enclosure**)
 - ii. Consider Commercial Employee/Affiliate Memberships
 - c. Water System Operations
 - i. Consider Adoption of 2024 Water Rate Fee Schedule (**enclosure**)
- 7. Capital Matters
 - a. Capital Report – Update on Status of Raindance Reservoir #2 Construction Project
- 8. Legal Matters
 - a. Legal Matters (*if any*)
- 9. Financial Matters
 - a. Review of Payables/Financials (*if any*)
- 10. Other Business
- 11. Adjourn

2024 Regular Meeting Schedule

| | | |
|-------------------------------------|------------------------------------|---------------------------------------|
| April 18 th at 9:00 a.m. | July 18 th at 9:00 a.m. | October 17 th at 9:00 a.m. |
|-------------------------------------|------------------------------------|---------------------------------------|

MINUTES OF A JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

POUDRE TECH METROPOLITAN DISTRICT, WATER
VALLEY METROPOLITAN DISTRICT NOS. 1 & 2

Held: Thursday, November 16, 2023 at 9:30 a.m.

*This meeting was held via teleconference and at 1625 Pelican
Lakes Point, Suite 201, Windsor, Colorado 80550.*

Attendance

The joint special meeting of the Boards of Directors of the Poudre Tech Metropolitan District, Water Valley Metropolitan District Nos. 1 & 2, was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Martin Lind, President (PTMD/WVMD No. 2)
Jerry Helgeson, Vice President (PTMD/WVMD No. 2)
Duane Sullivan, Secretary/Treasurer (WVMD No. 1)
Justin Donahoo, Asst. Secretary (PTMD/WVMD No. 1 & 2)
John Jensen, Secretary/Treasurer (PTMD/WVMD No. 2),
President (WVMD No. 1)
James Porth, Jr., Asst. Secretary (WVMD No. 1)

The following directors were absent and excused:

Austin Lind, Asst. Secretary (WVMD No. 1)
Marissa Donahoo, Asst. Secretary, (PTMD/WVMD No. 2)

Also present were William P. Ankele, Jr., Esq., Zachary P. White, Esq., Nelson G. Dunford, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law (District Counsel); Gary Kerr, Lara Wynn, Water Valley Companies (District General Manager); Steve Southard, Melissa Ehrlich, and Hannah Barker, Advance HOA (District Manager); and members of the public.

Call to Order/Declaration of
Quorum

It was noted that a quorum of the Boards was present, and Director Martin Lind called the meeting to order.

Conflict of Interest
Disclosures

Mr. White advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White reported that disclosures for those directors that provided White Bear White Tanaka & Waldron with notice of 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. Mr. White 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 participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Combined Meetings

The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of action taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes is the action of each of the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Approval of Agenda

Mr. White presented the proposed agenda to the Boards for consideration. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as presented.

Public Comment

None.

Consent Agenda

Mr. White reviewed the items on the consent agenda with the Boards. Mr. White advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved, adopted, and ratified:

- October 11, 2023 Joint Special Meeting Minutes with Raindance Metropolitan District Nos. 1-3
- 2024 Joint Annual Administrative Resolution
- 2022 Consolidated Annual Report
- Independent Contractor Agreement with Zak George Landscaping for 2023-2024 Snow Removal Services
- Independent Contractor Agreement with DNR Construction, LLC for Sidewalk and Drain Installation Services

District Manager Matters

Mr. Kerr discussed the expanded water system and other projects with the Boards.

Operations Matters

Operations Report

None.

Capital Matters

Capital Report

None.

Legal Matters

Discuss Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District

Mr. White discussed the Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District with the Boards. Mr. White reviewed The Americans with Disabilities Act website requirements and noted that Advance HOA manages the District website.

Insurance Matters

Consider Approval of Proposals for Renewal of General Liability Schedule and Limits, and Consider Approval and Authorization to Bind Coverage, Renewal of Special District Association of Colorado Membership, Payment of Agency Fees

Mr. White reviewed the General Liability Schedule and Limits with the Boards and discussed Binding Coverage, Renewal of the Special District Association of Colorado Memberships, Payment of Agency Fees, and Inclusion of Workers' Compensation Coverage. Following discussion, upon a motion duly made and seconded, the Boards approved binding insurance coverage, renewal of SDA Colorado membership, and payment of agency fees.

Review Property Schedule

Mr. White reviewed the Property Schedule with the Board. The District General Manager and District Manager will also review the property schedule to confirm accuracy. Following discussion, upon a motion duly made and seconded, the Board approved the schedule.

Consider Ratification of Exclusion from Workers' Compensation Coverage with Colorado Special Districts Property and Liability Pool

Mr. White discussed the Exclusions from Workers' Compensation Coverage with Colorado Special Districts Property and Liability Pool with the Boards. Following discussion, upon a motion duly made and seconded, the Board ratified the exclusions.

Financial Matters

Review of Payables/Financials

Mr. Kerr presented the Payables and Financials to the Boards. Following discussion, upon a motion duly made and seconded, the Board approved the financials and payables.

Members of the asked questions regarding an increase in water rates, and the disparity of rates between the residents and golf course.

Conduct Public Hearing on 2023 Budget Amendment and Consider Adoption of Resolution Amending 2023 Budget

Not needed.

Conduct Public Hearings on 2024 Budgets and Consider Adoption of Resolutions Adopting 2024 Budgets, Imposing Mill Levy, and Appropriating Funds

Director Lind opened the public hearing on the proposed 2024 Budget. Mr. White noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.

Mr. Kerr reviewed the 2024 Budget Resolution with the Board of Poudre Tech Metropolitan District. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying 0.000 mills for the General fund, 0.000 mills for the Debt Service fund, 0.000 mills for the Capital Projects Fund, and 0.000 mills for the Contractual Obligation fund.

Mr. Kerr reviewed the 2024 Budget Resolution with the Board of Water Valley Metropolitan District No. 1. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying 20.340 mills for the General fund, 10.879 mills for the Debt Service fund, 0.000 mills for the Capital Projects Fund, and 6.231 mills for the Contractual Obligation fund.

Mr. Kerr reviewed the 2024 Budget Resolution with the Board of Water Valley Metropolitan District No. 2. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying 21.960 mills for the General fund, 6.058 mills for the Debt Service fund, 0.000 mills for the Capital Projects Fund, and 10.126 mills for the Contractual Obligation fund.

Consider Authorization to Approve Auditor Engagement Letter for 2023 Audits

Mr. White discussed the need for 2023 Audits and the Authorization to Approve Auditor Engagement Letter. Following discussion, upon a motion duly made and seconded, the Boards authorized Director Lind to approve engagement letters.

Other Business
Next Meeting

Mr. Kerr reviewed a “Dirt to Done” presentation.
January 18, 2024.

Adjourn

There being no further business to come before the Boards, and

following discussion and upon a motion duly made, seconded, and unanimously carried, the Boards determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Secretary for the Meeting

The foregoing minutes were approved on the 21st day of March, 2024.

MINUTES OF A JOINT ANNUAL MEETING OF THE BOARD OF DIRECTORS

OF

POUDRE TECH METROPOLITAN DISTRICT, WATER VALLEY METROPOLITAN DISTRICT NOS. 1 & 2

Held: Monday, December 18, 2023 at 10:00 a.m.

This meeting was held via teleconference and at 1625 Pelican Lakes Point, Suite 201, Windsor, Colorado 80550.

Attendance

The annual meeting of the Board of Directors of the Poudre Tech Metropolitan District, Water Valley Metropolitan District Nos. 1 & 2 was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Martin Lind, President (PTMD/WVMD No. 2)
Austin Lind, Asst. Secretary (WVMD No. 1)
Jerry Helgeson, Vice President (PTMD/WVMD No. 2)
Justin Donahoo, Asst. Secretary (PTMD/WVMD No. 1 & 2)
John Jensen, Secretary/Treasurer (PTMD/WVMD No. 2),
President (WVMD No. 1)

The following directors were absent and excused:
James Porth, Jr., Asst. Secretary (WVMD No. 1)
Marissa Donahoo, Asst. Secretary, (PTMD/WVMD No. 2)
Duane Sullivan, Secretary/Treasurer (WVMD No. 1)

Also present were Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law (District Counsel); Gary Kerr, Lara Wynn, Water Valley Companies (District General Manager); Steve Southard, and Hannah Barker, Advance HOA (District Manager).

Call to Order/Declaration of Quorum

It was noted that a quorum of the Board was present, and the meeting was called to order.

Presentation Regarding the Status of Public Infrastructure Projects within the Districts

Mr. Kerr presented the Status of Public Infrastructure Projects with the Districts.

Presentation Regarding

Mr. Kerr presented the Outstanding Bonds to the Boards.

Outstanding Bonds
Review of Unaudited
Financial Statements

Mr. Kerr presented the Unaudited Financial Statements to the Boards.

Open Floor for Questions

None.

Adjourn

There being no further business to come before the Board, and following discussion and upon a motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Secretary for the Meeting

The foregoing minutes were approved on the 21st day of March, 2024.

BOARD MEETING COMMUNICATION

TO: Board of Directors, Poudre Tech Metropolitan District, Water Valley
Metropolitan District Nos. 1 & 2

DATE: March 21, 2024

RE: Independent Contractor Agreements for Approval / Ratification

Historically, Water Valley Companies engaged for several services under the management agreement with Poudre Tech Metropolitan District to provide services for the District and Water Valley Metropolitan District Nos. 1 & 2 (collectively, the “Districts”). Over the last several months, Advance HOA and legal counsel have worked to move those engagements to direct contracts between the District and the service providers.

This communication consolidates and describes the various independent contractor agreements proposed for approval or ratification by the Board of Directors of the District. Each of these agreements are presented on the District’s standard form of independent contractor agreement. If you would like to see a copy of any individual agreement, please feel free to let us know.

1. Aquatics Associates, Inc. – Water Sampling and Lake Treatment Services
2. Back 40 Land Management, LLC - Farm and Open Space Management
3. Conduct All Electric – On Call Electrical
4. Confidential Utility Solutions, Inc. – Billing Software
5. Integrity Pool Builders, LLC – Pool Maintenance and Service
6. Pelican Lakes, LLC - WaterDance Membership Management Services (50% split with Raindance)
7. Pelican Lakes, LLC – W Club Management Services
8. Walker Plumbing, LLC – On Call Plumbing services
9. Zak George Landscaping, LLC – 2024 Landscape Maintenance Services

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
POUDRE TECH METROPOLITAN DISTRICT**

**RESOLUTION AMENDING AND RESTATING A RECREATION AMENITIES USE
POLICY FOR WATER VALLEY**

WHEREAS, Poudre Tech Metropolitan District (the “**District**”) is a duly organized and validly existing special district, quasi-municipal corporation and political subdivision of the State of Colorado pursuant to Title 32, Colorado Revised Statutes (“C.R.S.”); and

WHEREAS, pursuant to Section 32-1-1001(l)(m), C.R.S., the District has the power to adopt, amend and enforce bylaws and rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the board and of the special district”; and

WHEREAS, pursuant to § 32-1-1001(n), C.R.S., the Board is authorized to have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted to the District by Article 1, Title 32, C.R.S.; and

WHEREAS, pursuant to § 32-1-1001(1)(j), C.R.S., the District is authorized to fix and impose fees, rates, tolls, charges and penalties for services or facilities provided by the District; and

WHEREAS, the District owns, operates, and maintains certain amenities including lakes, beaches, pavilions, gazebos, trails, paths, tennis courts, pickleball courts, open space, landscape tracts and turf fields (the “**Recreation Amenities**”) for the benefit of the residents, property owners, and taxpayers of the District, Water Valley Metropolitan District No. 1, and Water Valley Metropolitan District No. 2 (“**Water Valley**”), and the general public; and

WHEREAS, in Board of Directors of the District (the “**Board**”) previously adopted an Second Amended and Restated Recreation Amenities Use Policy (the “**Prior Policy**”) and desires to amend and restate the Prior Policy to update the policies and incorporate current practices for the use of the Recreation Amenities; and

WHEREAS, the Board finds that the adoption of this Amenities Use Policy is in the best interest of the public health, safety, and welfare of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF POUUDRE TECH METROPOLITAN DISTRICT:

1. Adoption. The Board hereby adopts the Restated Recreation Amenities Use Policy (the “**Policy**”), attached hereto and incorporated herein as **Exhibit A**.

2. Authorization. The Board hereby directs the District Manager, as may be necessary, to implement and otherwise oversee compliance with the Policy.

3. Amendments. The District expressly reserves the right to amend, revise, redact, and/or repeal this Resolution and the Policy in whole or in part, from time to time, in order to further the purpose of carrying on the business, objects, and affairs of the District.

4. Effective Date. This Resolution and the Policy shall be effective immediately and shall remain in full force and effect until such time as such processes is repealed by the Board.

5. Severability. If any term or provision of the Policy are found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable term or provision shall not affect the validity of the Policy as a whole but shall be severed from the Policy, leaving the remaining terms or provisions in full force and effect.

[Remainder of Page Intentionally Blank – Signature Page to Follow]

APPROVED AND ADOPTED this 21st day of March, 2024.

**POUDRE TECH METROPOLITAN
DISTRICT**, a quasi-municipal corporation and
political subdivision of the State of Colorado

Officer of the District

ATTEST:

APPROVED AS TO FORM

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

EXHIBIT A

POUDRE TECH METROPOLITAN DISTRICT RECREATION AMENITIES USE POLICY

(March 2024 Update)

- Preamble:** The Board of Directors of Poudre Tech Metropolitan District (the "**District**") has adopted the following Third Amended and Restated Recreation Amenities Use Policy (the "**Policy**") pursuant to Section 32-1-1001(1)(m), C.R.S., to provide for the orderly and efficient conduct of management, operation and control of the public facilities and services of the District. The District, pursuant to the provisions of its Service Plan approved by the Town of Windsor (the "**Service Plan**") has financed certain recreation amenities to serve the community commonly known as Water Valley (the "**Community**") including lakes, beaches, pavilions, gazebos, trails, paths, tennis courts, pickle ball courts, orchards, open space, landscape tracts, turf fields, and W Club (collectively, the "**Recreation Amenities**").

Unless otherwise specified, all references to the "District" made herein shall refer to Poudre Tech Metropolitan District, as well its respective Board of Directors. All references herein to "District Manager" shall refer to an independent contractor engaged by the District to perform such services, with and to the extent authorized by the District, by contract or other valid allocation of authority.

- District Recreation Amenities Use Generally:** The Recreation Amenities are available for use by the general public during the hours of operation set forth below, subject to this Recreation Amenities Use Policy ("**Policy**") on a first come, first serve basis, except as set forth in Section 3 below.

HOURS OF OPERATION:

Parks, gazebos, pavilions: 5:00 a.m. – 10:00 p.m.

Tennis courts and Pickle Ball courts: 8:00 a.m. – 9:00 p.m.

Beaches and Lakes: 5:00 a.m. – 10:00 p.m.

The parks in the Community, and the parks within the Raindance community which are also open to the public, are depicted in the map attached hereto and the classification and intended use of each of the parks is set forth in **Attachment A**.

- No Reservations/Commercial Activity/Organized Sports:** The Recreation Amenities are available for the general, informal use of the general public - no reservations are allowed without the prior written approval of the District. Any group event with over 25 people requires a notice to be sent to the District at least one week prior to the event. Commercial use of the Recreation Amenities is prohibited without the prior written approval of the District. For purposes of this policy "commercial use" shall mean use of the Recreation Amenities for promotion of any business or sale of any product or service, including but not limited to entrance fees or ticket sales. Recreation Amenities may not be reserved for organized sports

without prior written approval of the District. For purposes of this policy “organized sports” shall mean any organized team which a coach or referee is present, or any team that is part of any organized league or organization, or as otherwise determined by the Board.

4. **Recreation Pass Required:** All members of the public are required to have a current and valid “Recreation Pass” issued by the District in their possession while using the Recreation Amenities, with exception of the paths and trails, parks, and playgrounds. Users may be asked to present their Recreation Pass to the District Manager, or its designee, including patrol staff. If a Recreation Pass is not in the person’s possession, they and their guests will be asked to leave the area until a Recreation Pass is presented and may be subject to a fine. Recreation Passes are revocable by the District Manager, or their designee, as set forth in Section 7 of this Policy, if the Recreation Pass holder violates any regulation in this Policy, commits any act of vandalism, engages in unruly conduct or behavior that endangers the Recreation Pass holder, others, or District owned property or adjacent property. Parents or legal guardians of minor children will be held responsible for the actions of their minor children and may have their Recreation Passes revoked as a result of the actions of their minor children. Non-residents are required to pay reasonable fees as may be established by the District from time to time in order to obtain a Recreation Pass. All Residents and Non-residents wishing to obtain a Recreation Pass are required to complete a “Recreation Pass Application and Agreement” which may be obtained from the District Manager at the address below or from the District’s website www.poudretechmetro.org:

Advance HOA
1601 Pelican Lakes Point, Suite 100
Windsor, CO 80550

To review the rules for Raindance Metropolitan District, please visit <https://www.raindancemetrodistrict.org/>.

5. **Prohibited Activities:** Unless specifically authorized in writing by the District Manager, the activities described in this Section 4 are prohibited within the Recreation Amenities.
 - a. Enter or remain in or refuse to leave during those times when the Recreation Amenities are not open for public use.
 - b. Hold organized sports team practices or games.
 - c. Except as set forth in this Policy, allow personal property to remain on the Recreation Amenities at the end of the hours of operation, including golf carts, watercraft, trailers and parking motor vehicles overnight.
 - d. Operate private or commercial drones, or other recreational aircraft without approval of the District Manager.
 - e. Deposit, leave or bury refuse, trash, pet waste, or litter except in designated trash receptacles.

- f.** Place or post signs, or stick or place any handbill, poster, placard, sticker, or painted or printed matter, including political signs, garage sale signs, for sale or for rent signs, on any public building, fence, power or light or telephone pole, or any other public structure or other District owned property.
- g.** Permit pets to be off leash. Domestic animals must be under the owner's or handler's control at all times, and on a leash. Owner or handler will be responsible for any damages caused by their animal.
- h.** Camp overnight. Any property left within Recreation Amenities shall be presumed abandoned after twenty-four (24) hours and shall be disposed of properly.
- i.** Install any structure, including but not limited to, tents, booths, stands, awnings, tree houses, rope swings, inflatable amusements or canopies, except that temporary awnings and umbrellas or other temporary portable structures for shade are permitted as long as such structures are not left unattended and are removed when user leaves. No stakes may be driven into the ground unless authorized by the District. Portable toilets are prohibited unless authorized by the District.
- j.** Destroy, vandalize, deface or damage any property, buildings, structures, signs, equipment, fences, gates or locks regulating access.
- k.** Use any amplified sound system that produces audible sound beyond twenty-five (25) feet.
- l.** Play or practice golf or archery.
- m.** Sell, serve, or dispense any alcoholic beverages unless a special event permit is obtained pursuant to the District Amenities Reservation Policy. The private, personal consumption of alcohol is permitted for persons 21 years of age or older and in compliance with all applicable State and local laws and regulations.
- n.** Smoke, including vaping and electronic cigarettes.
- o.** Consume or possess any illegal drugs.
- p.** Consume or possess marijuana.
- q.** Bring into, possess, or have any glass bottles, or container, plates, or any other object made of glass.
- r.** Engage in disorderly conduct or abusive language.
- s.** Discharge explosives or fireworks or operate launch model rockets or other devices which may have an explosive charge.
- t.** Conduct any commercial activity without prior written approval of the District Manager.

- u. Block, close off, or impair access to any trails or facilities.
- v. Hunt, shoot, kill, injure, trap or maim any animal, except for fishing as provided for in this Policy.
- w. Enter, without authorization, those areas and facilities posted or otherwise designated as closed to the general public, if any.
- x. Remove, sand, cut down, disfigure rocks, trees, shrubs or other features of the natural environment. Picking fruit and vegetables in the orchards and farm fields during District approved picking seasons is permitted. Resale of these fruit and vegetables is strictly prohibited.
- y. Plant any trees, shrubs or other vegetation anywhere within the Recreation Amenities or any other property owned by the District. Install or place any sand foreign to the District.
- z. Build a fire. Unless prohibited by the Town of Windsor, manufactured, portable outdoor fire pits and charcoal grills are permitted solely on a daily basis and must be broken down and removed at the end of the day, and site returned to previous condition. All wood burning devices must include a screen or spark arrester design feature to contain fire. No dumping of ash or charcoal is allowed. Fires are not permitted in parks, trails, or open spaces.
- aa. Operate unauthorized motor vehicles, including all off-road vehicles such as ATVs, dirt bikes, and other recreational vehicles. Golf carts are permitted pursuant to Section 7. Electric scooters and bicycles are permitted.
- bb. Possess a weapon, unless authorized pursuant to C.R.S. 18-12-214, or any air rifle, spring-gun, sling, paintball gun, air soft gun or any other weapon.
- cc. Enter or use a private dock or watercraft without the express written consent of the owner of the dock or watercraft.
- dd. Fish, swim or recreate near a docked watercraft or private dock.

6. District Lakes and Beaches:

- a. **Generally:** The following regulations apply to all lakes (the “**Lakes**”) and beaches (the “**Beaches**”) operated by the District, except Lake Water Valley and its beaches, which are not available for use by the public (the Lakes and Beaches are collectively referred to as the “**Lake Facilities**”), as depicted in **Attachment B**, attached hereto and incorporated herein by this reference. Unauthorized use of Lake Water Valley and its beaches may result in escalated disciplinary measures and local law enforcement involvement.

b. Passes/Permit Required: No watercraft shall be permitted on the surface of any Lake without obtaining a Watercraft Registration Permit from the District Manager. Watercraft Registration Permits are provided to Recreation Pass holders only. Watercraft Registration Permits must be adhered to each registered watercraft on the starboard side (back, right side), above the waterline. Recreation Passes are required to be on your person at all times while using the Lake Facilities and must be presented to a District Manager, or its designee, including District security patrol staff, upon request. Individuals using the Lake Facilities without a Watercraft Registration Permit or Recreation Pass may be asked to leave and may be subject to a penalty.

- i. In order to verify that watercraft is in compliance with this Policy, inspections may be done routinely along the Beaches. Any watercraft missing a Watercraft Registration Permit may be removed and impounded and subject to fees or fines pursuant this Policy.
- ii. The District Manager shall have the authority to move, remove, or relocate all watercraft and any other personal property stored in or on the Beaches. The District is not responsible for damages to impounded watercraft.

c. Lake Use and Watercraft Regulations:

- i. Upon review and approval by the District, and upon such terms as the District determines are reasonable, the District allows for private dock installation on Eagle Lake and on Rock Bridge Lake at the locations indicated on Attachment C only. Dock installation will be considered on a case-by-case basis and is available only to owners of lots that abut the Beaches. Written approval by the District is required prior to the commencement of private dock installation or modification. In general, private docks cannot exceed 20 feet in length or width, there must be twenty (20) feet between each neighboring private dock to allow for adequate spacing, and private dock owners are solely responsible for the maintenance of the sand underneath and around the private dock and gangway. Property owners desiring to install a private dock should submit such request to the District Manager in writing. Any such request should include the property owners' name, address and contact information along with a description and depiction of the proposed dock, distances from adjacent docks, and any other relevant information that may aid the District in its decision to approve or disapprove the installation of the private dock.
- ii. Due to limited storage space at designated Boat Storage Locations (defined below) on the Beaches, Non-resident watercraft storage is prohibited.
- iii. Use of watercraft after sunset must have running lights for nighttime operation. Noise, voices, and music after dark to be kept at a volume so as not to create a disturbance, or that carries further than twenty-five (25) feet from the watercraft.

- iv. No boating, fishing or swimming shall be permitted in close proximity to or along the Pelican Lakes Golf Course fairways on Habitat Lake, Rock Bridge Lake, Eagle Lake, or entrance ponds.
- v. Watercraft must be no longer than twenty-four (24) feet using the U.S. Coast Guard Simplified Measurement System. Jet skis and other similar personal motorized watercraft are prohibited by non-authorized personnel.
- vi. The speed limit on all Lakes is five (5) mph. All watercraft shall operate at wakeless speeds at all times.
- vii. All residents who store watercraft at Boat Storage Locations will be required to obtain a storage permit from the District Manager and pay a storage fee. Residents who plan to store watercraft on or near beaches overnight must store watercraft in designated areas only (the “**Boat Storage Locations**”) as depicted in **Attachment D**, attached hereto. Boat Storage Locations may be used between April 15th and October 15th only. If storage racks are provided, they will be available on a first come, first served basis and should be used before storing watercraft on the ground. The District is not responsible for damage or theft of watercraft stored at the Boat Storage Locations, or anywhere else on the Beaches. Any watercraft stored on the Beaches or at Boat Storage Locations without a storage permit may be subject to removal and impounded by the District Manager.
- viii. Grandpa’s Pond watercraft storage from shoreline is permitted on a first come first serve basis. A limited number of watercraft can be stored here due to lack of space. All other watercraft must be stored within the approved Boat Storage Locations. Grandpa’s Pond is a channel and the level of water moves up and down. The District is not responsible to dredge the pond or channel to allow for clear access from Grandpa’s Pond into Eagle Lake. Transition of watercraft to Eagle Lake is an owner responsibility.
- ix. Beaches are subject to routine maintenance. During these times, watercraft must be removed or relocated from the designated area being maintained. Notification will be provided to Watercraft Registration Permit holders informing of maintenance locations.
- x. If any “loose” or unattended watercraft are located on any of the Lakes, the owner will be notified according to the Watercraft Registration Permit affixed to the watercraft. If the watercraft is not recovered by the owner within 24-hours of notification, the watercraft will be impounded and subject to a storage and retrieval fee and possible disposal of the watercraft. If watercraft are not removed by the Watercraft Registration Permit holder the District may remove and impound the watercraft. The District will store impounded watercraft bearing a valid Watercraft Registration Permit for at least fourteen (14) days, after which it may dispose of the impounded watercraft at the discretion of the District Manager. Watercraft not bearing a Watercraft Registration Permit will be impounded and

may be disposed of at the discretion of the District Manager. Impounded watercraft will be subject to a storage and retrieval fee, which fee may be reduced by at the discretion of the District Manager by up to \$250.

- xi.** Watercraft may be launched on Eagle Lake and Rock Bridge Lake only at locations designated by the District Manager. Any person with a Watercraft Registration Permit desiring to launch their watercraft on Eagle Lake or Rock Bridge Lake should contact the District Manager at least 24-hours prior to launching to obtain access to the launch areas.
- xii.** Water Trampolines/Slides/Water Toys - The following rules apply to all water toys intended to be placed in the Lakes by a property owner, including but not limited to trampolines, slides, water toys or any other similar apparatus, as determined by the District Manager (“Water Toys”):

 - Owners must obtain prior approval from the District Manager before placing the Water Toys on a Lake each year.
 - The District reserves the right to deny requests for Water Toys placed on the Lakes.
 - If approved by the District Manager, owners must fill out a registration form and obtain a registration sticker to adhere to the Water Toy.
 - Owners of Water Toys must provide the District Manager adequate proof of liability insurance as determined by the District Manager. The District must be added as an additional insured on the liability insurance policy. Any Water Toys placed on the Lakes must remain open for use by Recreation Pass holders when not in use by the Owner.
 - Participants must wear a life jacket at all times.
 - Participants are not permitted on Water Toys after 9 p.m. or before 9 a.m.
 - Water Toys are permitted on the Lakes from Memorial Day to Labor Day, subject to the above conditions and restrictions.
 - Water Toys not approved by the District or not used in a manner consistent with this Policy will be subject to removal and or fines.

d. Fishing Regulations:

The District takes great pride in its Lakes and permits fishing on Pelican Lake, Habitat Lake, Rock Bridge Lake and Eagle Lake as depicted on the map attached hereto as **Attachment B**. A depiction of the fish that may be found in the Lakes is attached hereto as **Attachment E**. No fishing license necessary, but a Recreation Pass must be carried at

all times. Fishing is not allowed on any of the entrance ponds, fountains, Shadow Pond, Bass Pond or Rock Bridge Pond. The following restrictions apply:

- i. No fishing is allowed along the Pelican Lakes Golf Course fairways on Habitat Lake, Rock Bridge Lake or Eagle Lake.
- ii. Except as otherwise indicated on **Attachment E**, only catch and release fishing shall be permitted and only in accordance with Department of Wildlife fishing regulations applicable to similar catch and release lakes. Fish should be unhooked and returned to the water immediately.
- iii. Only barbless hooks are permitted.
- iv. No unattended fishing poles or fishing lines.
- v. Absolutely no ice fishing is ever allowed.
- vi. Worms, minnows, crayfish and other live bait that comply with the State and local regulations can be used as well as artificial lures and manufactured baits.
- vii. No fishing allowed from private backyards, private docks or vacant lots except by the owner thereof.
- viii. All fisherman and watercraft users from both shore and from watercraft shall respect a five (5) yard radius setback from any boats or private docks when casting lines or operating watercraft.
- ix. Cast netting fishing is not permitted in any of the Lakes.
- x. Spearfishing and bow fishing is subject to State and local regulations.
- xi. The District maintains a catch-and-release policy. Any fish caught must be released, alive and on the same day, back into the body of water in which it is caught.

7. **Private Golf Carts:**

- a. **Use Generally:** Pursuant to C.R.S. § 42-1-111(1)(bb), all golf cart drivers must be at least sixteen (16) years of age and possess a valid driver's license. Golf carts may only be operated within designated areas within the Water Valley and Raindance area as depicted in **Attachment F**, attached hereto. Golf carts shall not be driven or parked outside the designated areas, including open space, parks, and turf fields. Golf carts shall not be operated with more passengers than are seats on the golf cart. All passengers must remain seated while the golf cart is moving.
- b. **Registration Required:** All golf carts used or intended for use within Water Valley are required to be registered with the District. Golf Cart Registration Forms may be obtained from the District Manager. Any person found operating an unregistered golf cart may be subject to fines, at the discretion of the Board.

- c. **Golf Carts on Public Streets:** Use of private golf carts on designated public streets in Water Valley is permitted under the jurisdiction of the Town of Windsor pursuant to Resolution 2018-18. All golf cart users must comply with all applicable ordinances of the Town of Windsor and laws of the State of Colorado regarding motor vehicles.
- d. **Lights:** Golf carts must be equipped and illuminated with head, tail and stop lamps and turn signals when used at night or low visibility.

8. Compliance/Enforcement:

- a. **Disorderly or Offensive Conduct.** The District Manager and its authorized representatives, including security patrols may request any individual to cease conduct that is:
 - i. In violation of any of the District's rules and regulations, including this Policy.
 - ii. Interferes with, or is abusive, toward any of the District's representatives in the normal operation of the Recreation Amenities.
 - iii. Interferes with any user or guest’s use or enjoyment of the Recreation Amenities, or is abusive to any such person.
- b. **Disciplinary Actions for Disorderly or Offensive Conduct.** In the event that the offending party fails to cease such conduct after being requested and warned to do so, the District Manager, or its designee, are authorized to use any and all reasonable means they deem necessary to stop such conduct. This includes, but is not limited to, having the offender removed from the Recreation Amenities, the imposition of fines, or the revocation of further privileges at the Recreation Amenities. Any individual may be suspended in either Water Valley, Raindance, or both.
- c. **Violations.** If anyone is found to violate the District's rules and regulations, including this Policy, disciplinary measures may be administered by the District Manager as follows without the necessity of any action of the District's Board of Directors:

| | |
|---|-----------------|
| First offense: | Advisory Letter |
| Second offense within 90 days of the Advisory Letter: | \$100 |
| Third offense within 90 days of the Advisory Letter: | \$200 |

Users may also be restricted from use of the Recreation Amenities at the discretion of the District Manager and must apply for reinstatement. The District Manager shall determine whether the reinstatement is approved.

The District Manager may also be suspended for violating the District’s rules and regulations. Any violation by the District Manager may result in a suspension of up to 30-day for the manager, the approval of which shall be done by the District’s Board of Directors and the District’s attorney.

The District's Board of Directors shall be notified of all disciplinary measures by the District Manager and shall, in its discretion, have the ability to impose other disciplinary measures it deems appropriate at any point in time, which may include revocation of Recreation Amenities privileges for a user and/or user's family members. Any violations and disciplinary measures taken will be recorded in writing and kept on file by the District Manager. All violations may be reported to local law enforcement authorities as deemed necessary by the District Manager or the District's Boards of Directors.

- d. Restitution for Violation.** If any user or guest commits an act or omission that constitutes a violation of this Policy, and the violation causes the District to incur expenses, the user who commits the violation, or who is responsible for the guest who commits the violation, shall be liable to the District for all such expenses and shall repay the same to the District upon request. Such expenses may include, but shall not be limited to, reasonable attorneys' fees incurred as a result of the violation, as well as reasonable costs and/or attorneys' fees incurred in obtaining and collecting a judgment against a user who commits a violation or is responsible for a guest who commits a violation.

ATTACHMENT A
PARKS CLASSIFICATION

Mini Parks

Mini Parks are specialized facilities that serve a concentrated or limited population area, or that serve a specific function or age group. Examples of amenities found in mini parks include playground/tot lot equipment, benches, picnic tables, and gazebos.



Service Area and Park Size

Mini Parks could have amenities that draw people from a greater area, but typically serve an area within a ¼ mile radius. Because of the specialized nature of these parks, they usually range in size from only 2,500 square feet up to 1 acre.

Amenities

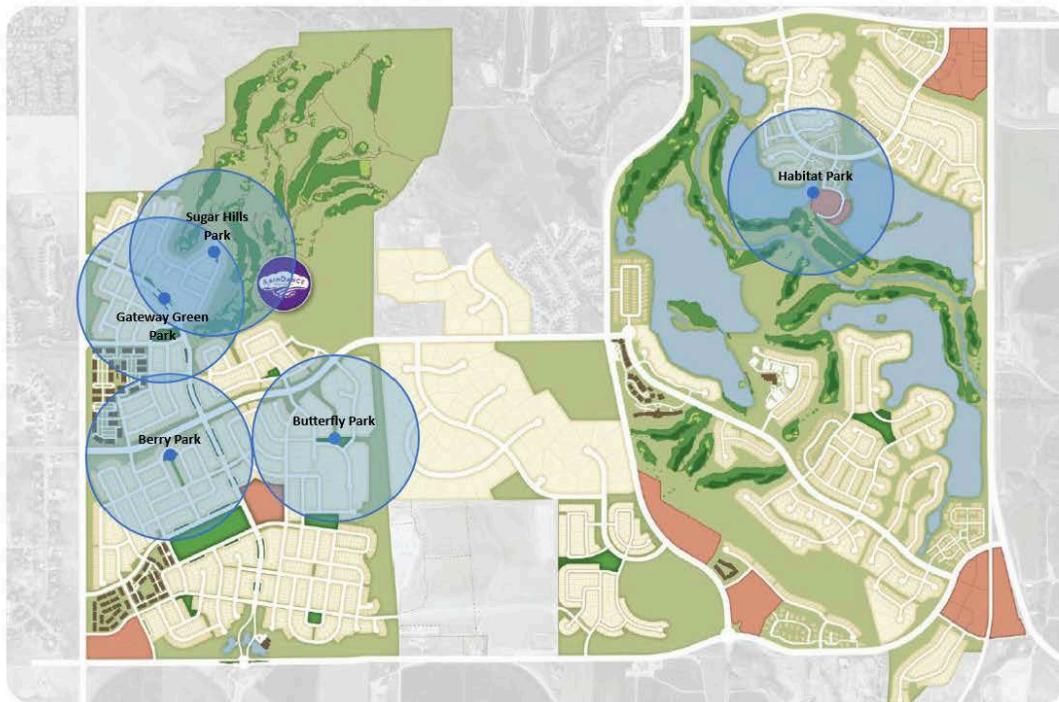
Mini Parks will typically have a small turf area, benches, and a small shade structure. Because Mini Parks serve as a place to rest, parking and bathrooms are not provided.

Water Valley Mini Park

- Habitat Park (Gazebo) – 0.018 acres

RainDance Mini Parks

- Berry Park – 0.67 acres
- Butterfly Park – 0.48 acres
- Gateway Green Park – 1.27 acres
- Sugar Hills Park – 0.37 acres



Neighborhood Parks

Neighborhood Parks remain the basic unit of the park system and serve as the recreational and social focus of the neighborhood. These parks provide opportunities for activities such as field games, court games, picnicking, and playground areas.



Service Area and Park Size

Neighborhood Parks serve an area within a ¼ to ½ mile radius uninterrupted by major roads or other barriers. One to two acres is standard for every 1000 residents served.

Amenities

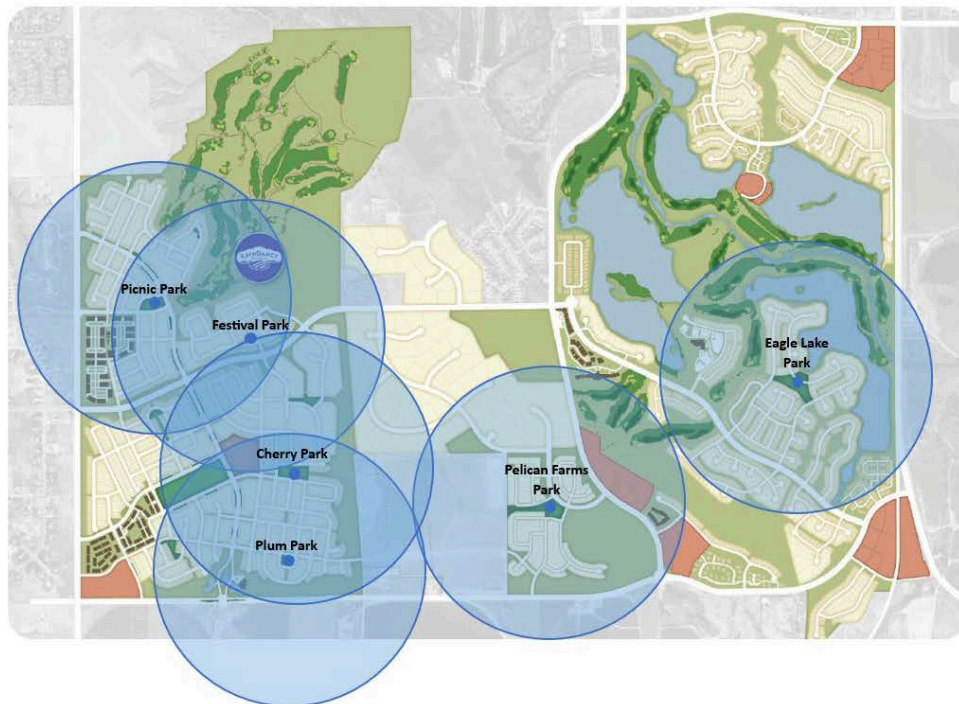
Neighborhood Parks will typically have a medium sized turf area, benches, a shade structure, and playgrounds. Because Neighborhood Parks serve the immediately adjacent homes, parking and bathrooms are not provided by the Metro District unless sports courts are present in the park (Picnic Park and the PTMD pickleball courts). The District Board of Directors will consider private funding for additional amenities on a case by case basis.

Water Valley Neighborhood Parks

- Eagle Lake Park – 0.85 acres
- Pelican Farms Park – 3.41 acres

RainDance Neighborhood Parks

- Cherry Park – 3.12 acres
- Festival Park – 1 acre
- Picnic Park – 2 acres
- Plum Park – 1.15 acres



Community Parks

Community Parks are diverse in nature, serving a broader purpose than the Neighborhood or Mini Parks. While Community Parks may include neighborhood park amenities, the focus of these parks is on meeting community-based recreation, athletics, and open space needs.



Service Area and Park Size

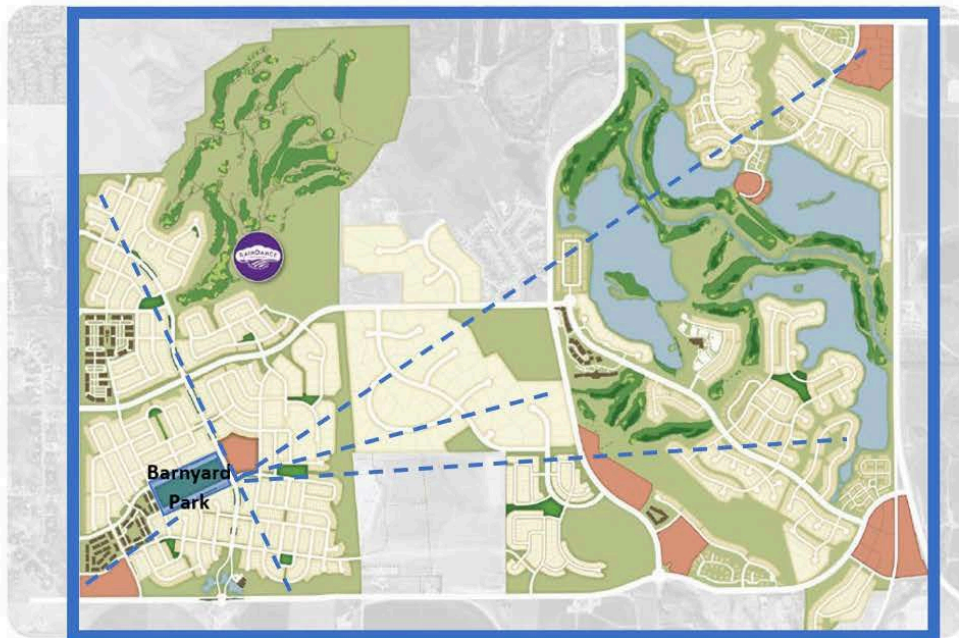
Community Parks typically serve an area within a ½ mile to a 3-mile radius or more. The traditional Community Park contains five to eight acres for every 1000 residents served.

Amenities

Community Parks provide aquatic amenities, large game sized turf areas, playgrounds, rentable pavilions, walking paths, picnic areas. Because Community Parks serve a broad radius, they will provide dedicated parking and bathrooms.

RainDance Community Park

Barnyard Park (13 acres) is the only Community Park, meant to service both the Water Valley and RainDance communities. This park includes the RainDance River Resort.



Open Lands

Open Land sites are properties designated as parks that have few or no built amenities but provide natural areas or open space that can be utilized for passive recreation. These parks may have a trail, picnic tables and benches, but are dominated by open areas for the enjoyment of nature, fishing, or other similar activities.



Service Area and Size

Open Lands do not have a defined service area as they do not serve a population but are a resource. Open lands can be of any size, though larger sites fit the open space intent of these areas.

Water Valley Open Lands

- Glass Bead Open Space – 27.12 acres
- Farmers Corner Open Space – 37.73 acres
- Rancho Open Space – 6.45 acres
- Redtail Hawk Open Space – 39.89 acres

RainDance Open Land

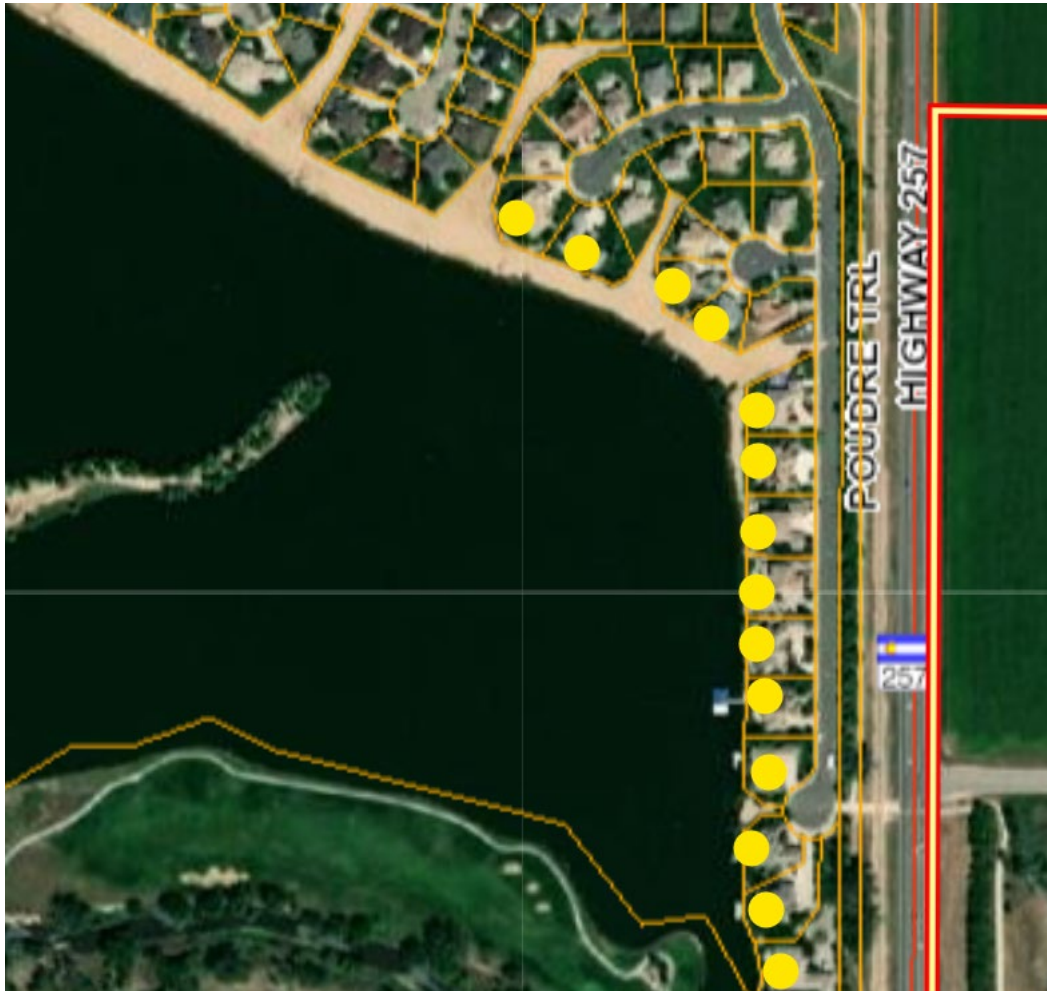
- Milkshake Mound Open Space – 11.85 acres



ATTACHMENT B
DISTRICT LAKES



ATTACHMENT C
PERMITTED DOCK LOCATION



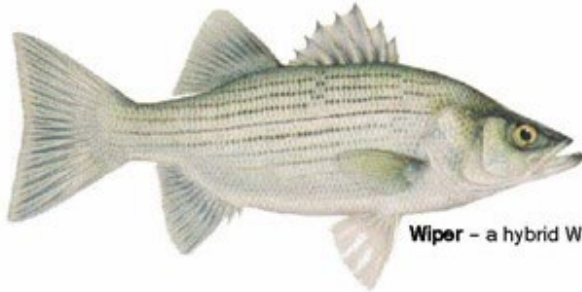
ATTACHMENT D
PERMITTED BOAT STORAGE LOCATION

ATTACHMENT E
WATER VALLEY FISH GUIDE

Water Valley Fish Identification Guide

Here are the approximate 14 species of fish that inhabit our Water Valley Lakes

Bluegill/Sunfish - may be caught and used for bait but cannot be taken off the premises



Wiper - a hybrid White Bass/Stripe Bass, catch and release only

Bullhead Catfish - catch and release only



Gizzard Shad - may be caught or used as bait and cannot be taken off the premises



Channel Catfish - catch and release only



White Sucker - may be caught or used as bait and cannot be taken off the premises

Common and Mirror Carp - may be caught residents are encouraged to take them



EXHIBIT E
DESIGNATED GOLF CART AREAS

Community Golf Cart Map



January 2018

- Per state law, no golf cart can drive along roads marked 35 mph or faster. New Liberty Rd., Crossroads & 7th St. are marked as at least 35 mph.
- Carts must be operated as close to the right side of the road as possible.



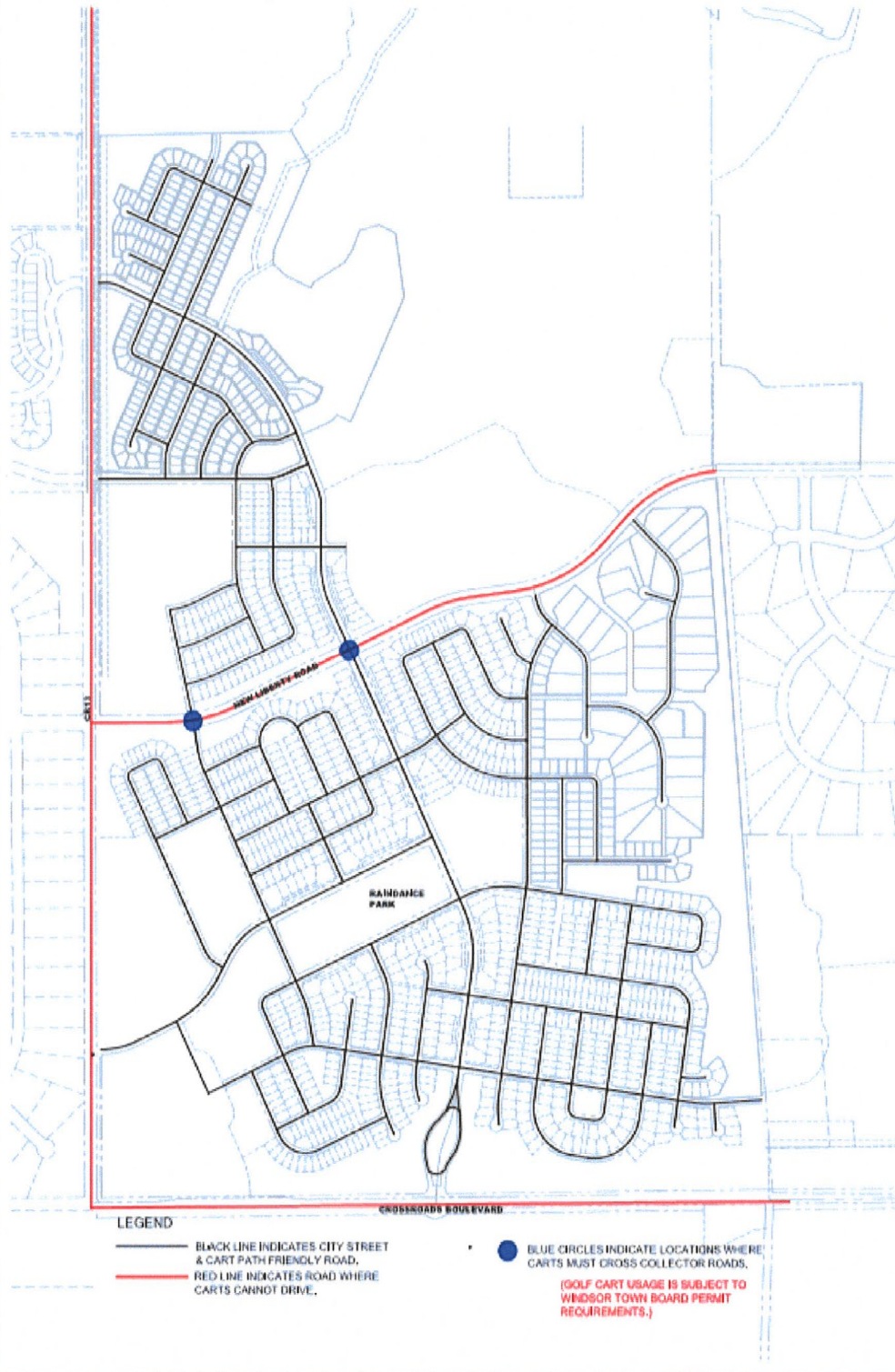
Future golf cart paths over 7th St. to & from Pelican Hills/Farms under review.

- Black line indicates city street & cart path friendly road.
- Gray line indicates cart path friendly trail.
- Red line indicates roads where carts cannot drive.
- Orange line indicates Poudre River Trail. (Carts cannot drive on this trail.)
- Blue circles indicate roads where carts must cross New Liberty Rd.
- White circles indicate roundabout.

(Golf cart usage is subject to Windsor Town Board permit requirements.)

RAINANCE: COMMUNITY GOLF CART MAP

- Per State law, no golf cart can drive along roads marked 35 mph or faster.
- Carts must be operated as close to the right side of the road as possible.



**POUDRE TECH METROPOLITAN DISTRICT
WATER VALLEY METROPOLITAN DISTRICT NOS. 1 & 2
RAINDANCE METROPOLITAN DISTRICT NOS. 1-3**

Schedule of Fees and Charges

Effective April 1, 2024

RECREATION AMENITIES - GENERAL

| | 2023 Fee | 2024 Fee |
|--|------------------|---------------------------------------|
| Boat Storage | \$100 | \$100 |
| Watercraft Confiscation / Retrieval Fee | \$100 - \$500 | \$100 - \$500 |
| Catch & Keep | \$200/year | Board Decision – Low Use |
| Non-Resident Drop In (WClub) | \$10 /person/day | Board Decision on Access for Drop Ins |
| Non-Resident Drop-In (RRR) | \$10/person/day | Board Decision on Access for Drop Ins |
| Non-Resident All-Day Pass | \$95/person/day | \$99/person/day |
| Non-Resident Recreation Pass | \$1900/year | \$1900/year |
| Non-Resident Recreation Pass w/Catch & Keep | \$2900/year | Board Decision – No Use |
| Rule Violation – 2nd Offense | \$100 | \$100 |
| Rule Violation – 3rd Offense | \$200 | \$200 |
| Barnyard Park Pavilion Rental – Playground and Park Stays Open to Public | N/A | \$60 |
| Event Space Rental ½ day • For Fee Event | N/A | \$150 |
| Event Space Rental ½ day • No Fee Event | N/A | \$100 |
| Event Space Clean-up Deposit | N/A | Assess in 2024 |
| Pickle Ball Courts in Water Valley (4 courts) Clubs & Leagues Fee | N/A | \$15/hr |

W-CLUB AND RAINDANCE RIVER RESORT (WATERDANCE)

| | | |
|---|------------------|---------------------------------------|
| WaterDance (Individual) | \$50/month | \$52/month |
| WaterDance (Household) | \$60/month | \$63/month |
| WaterDance (Senior Household) | \$50/month | \$52/month |
| WaterDance Family Add-On | \$0.00 | ?? |
| RainDance River Resort Season Pass | \$480/year | \$499/season |
| Member Guest (WClub & RRR) | \$5/person/day | \$5/person/day |
| Non-Member Resident Drop-In (WClub and RRR – with Rec Pass) | \$10/person/day | \$10/person/day |
| Non-Resident Drop In (WClub) | \$10 /person/day | Board Decision on Access for Drop Ins |
| Non-Resident Drop-In (RRR) | \$10/person/day | Board Decision on Access for Drop Ins |
| Non-Resident All-Day Pass | \$95/person/day | \$99/person/day |
| Non-Resident Recreation Pass | \$1900/year | \$1900/year |
| Family Annual First Responder | \$160.00/month | \$166.00/month |
| Family Annual Honorably Discharged Military Veteran | \$160.00/month | \$166.00/month |
| Family Annual RainDance Resident | \$145.00/month | \$150.00/month |
| Family Annual Season Ticket Holder | \$145.00/month | \$150.00/month |
| Family Annual Water Valley Resident | \$145.00/month | \$150.00/month |
| Family Monthly | \$175.00/month | \$182.00/month |
| Individual Annual | \$95.00/month | \$99.00/month |
| Individual Annual First Responder | \$80.00/month | \$84.00/month |
| Individual Annual Honorably Discharged Military Veteran | \$80.00/month | \$84.00/month |
| Individual Annual Pelican Lakes Golf | \$65.00/month | \$68.00/month |

| | | |
|--|---------------|---------------|
| Individual Annual RainDance Resident | \$65.00/month | \$68.00/month |
| Individual Annual Senior (60+) | \$80.00/month | \$84.00/month |
| Individual Annual Water Valley Resident | \$65.00/month | \$68.00/month |
| Individual Monthly | \$95.00/month | \$99.00/month |
| One – Week Complimentary Pass | \$0.00/month | \$0.00/month |
| Retired Military Resident (20+ years of service) | \$0.00/month | \$0.00/month |
| Water Valley Employee Individual Monthly | \$47.50/month | \$50.00 |
| Water Valley Employee Couple - Monthly | \$67.50/month | \$70.00 |
| Builder Membership | \$0.00/month | ?? |
| Family Membership Add-On | \$30.00/month | \$32.00 |
| VIP Guest Pass | \$0.00/month | \$0.00/month |
| WClub Employee Membership | \$0.00/month | \$0.00/month |
| RainDance River Resort Only - Annual | \$480.00/year | \$499.00/year |
| Premium Class Add-On | \$80.00/month | \$83.00 |
| Complimentary Locker Rental | \$0.00/month | \$0.00/month |
| Monthly Locker Rental | \$10.00/month | \$10.00/month |
| Colorado Eagles Chicks | \$0.00/month | \$0.00/month |
| Colorado Eagles Players | \$0.00/month | \$0.00/month |

| | | |
|-------------------------------------|----------------|----------------|
| Colorado Eagles – Spouse | \$30.00/month | ?? |
| Corporate Membership | \$700.00/month | ?? |
| Couple Annual | \$135.00/month | \$140.00/month |
| Couple Annual First Responder | \$120.00/month | \$125.00/month |
| Couple Annual Senior (60+) | \$120.00/month | \$125.00/month |
| Couple Annual Water Valley Resident | \$105.00/month | \$110.00/month |
| Couple Monthly | \$135.00/month | \$140.00/month |
| Family Annual | \$175.00/month | \$180.00/month |



Fitness Solutions

Prepared For
**Poudre Tech Metropolitan
District**

By
Katie McGarvey
November 13, 2023





advanced exercise

advancedexercise.com | 861 SouthPark Drive #100, Littleton, CO 80120 | 800.520.1112

CONSULTANT

Katie McGarvey
Katie@advancedexercise.com
Phone: 303-667-1258
Fax: 303-996-0063

Date: November 13, 2023
Quote Expires: 60 day(s)

Proposal # 075268-R0

BILL TO


Poudre Tech Metropolitan District
1625 Pelican Lakes Point 102
Windsor, Colorado 80550

SHIP TO

Poudre Tech Metropolitan District
1625 Pelican Lakes Point 102
Windsor, Colorado 80550



CARDIO EQUIPMENT

| Model | Brand | Description | Specifications | Unit Price | Qty | Total Ext |
|-----------------|--------------|---|--|------------|-----|-------------|
| INT-SE424-XF-13 | Life Fitness | Integrity+ Treadmill with 24in SE4 Console  | <ul style="list-style-type: none"> • LG HD 1080P display with Quad Core Processor • Wireless device charging • LF On-Demand+ with over 500 Fitness Experiences • Multiple streaming apps • Apple watch, Samsung Galaxy Watch compatible • WIFI, Bluetooth & NFC compatible • 22 workouts with 8 custom programs • 0.5-14 mph 0%-15% incline • 4.0 H.P AC peak performance motor • DX3 deck and belt system with Flexdeck • 60" x 22" running surface • 82"L x 36"W x 56"H • 120V dedicated 20 amp NEMA 5-20R required | 12,081.94 | 5 | \$60,409.70 |



TRADE-IN EQUIPMENT

| Model | Brand | Description | Specifications | Unit Price | Qty | Total Ext |
|-------------|-------------------|-----------------|----------------|------------|-----|-------------|
| TRADE-IN NT | Advanced Exercise | Trade-In | | 400.00 | -5 | \$-2,000.00 |

Comments:
Digital connectivity requirements TBD

Subtotal: **\$58,409.70**

Trade In includes extraction of (5) existing Life Fitness treadmills

Install: **1,495.00**
Freight: **540.00**

Taxes As Applicable
Total: \$60,444.70



advanced exercise

Terms & Conditions

Terms: All new customers are required to pay 50% down and balance due prior to install. Residential customers, personal trainers, and orders for resale, require 100% payment before the order can be placed. All other terms and credit lines are subject to credit approval. Invoice will be due and payable, based on the original requested installation date, unless Advanced Exercise is notified in writing 60 days prior to the requested installation date with a change of the installation date. We accept checks, money orders, ACH and credit cards (under \$2000). A late payment fee will be assessed at a rate of 1.5% (18% annual) per month on any unpaid balance remaining 30 days after the due date. Special Orders: A 100% prepayment is required for all customized products including but not limited to custom colors, sports flooring and products with logos such as plates, dumbbells and platforms.

Return Policy: Any returns require approval in writing by Advanced Exercise Project Management. A minimum 25% restocking fee, plus freight, will be incurred for all non-custom products returned. Customized products are nonreturnable. All products with color choices are defined as custom products.

Bolt Down Requirements: Life Fitness recommends that all strength training equipment be secured to the floor in order to prevent tipping, rocking or displacement which might occur in the event of unanticipated use of the equipment. Life Fitness requires that certain strength training equipment (specifically the Synrgy 360 90, T, XS, XM, HD Elite Half Rack/Short Base, Athletic Series Rigs, Athletic Series Racks with Wing option, Cybex PWR Play, Synrgy Outdoor BlueSky and other products to be used for body weight strap training) be secured to the floor. In the case of Synrgy 360S, T, XS, XM and the Elite HD Half Rack Short Base, the customer acknowledges:

- Customer has determined the proper placement of the equipment to be secured. **Customer Initial** _____
- Customer has identified and informed Advanced Exercise of the location of any utility, service lines, including but not limited to post tension cables. It is the customer's responsibility to identify the locations of any cables or lines prior to installation.

- **Customer Initial** _____
- Customer has confirmed that the subfloor consists of no less than 4.75 inches of concrete. (Synrgy Outdoor BlueSky requires a minimum 4.5 inches of concrete **Customer Initial** _____)
- Customer has obtained any and all consents to the drilling of holes in the flooring and subflooring. **Customer Initial** _____

If your order includes any of the equipment requiring bolting to the floor, initials are required above and an additional signed waiver will be required to place the order. Additional products may require bolting to the floor, wall or ceiling. Bolting is not included on these products unless otherwise noted on the quotation. Customer is responsible for bolting these products to meet the manufacturer's requirements. This includes TRX, Core Energy, Boxing mounts and other products that require bolting to the facility structure.

Wall & Ceiling Attached Items: The installation of any items such as TRX Multi Mounts., X Mounts, Wall Mat Racks, etc. that require bolting to walls or ceilings are not included in the proposal unless otherwise noted.

Flooring Installation: Refer to the product specifications to ensure that the sub floor meets the material installation requirements. Freight offloading, inside delivery, adhesive, moisture tests, moisture reducers, base boards, sub floor prep, sub floor cleaning, transition strips and existing floor removal and disposal are not included unless otherwise noted on the quotation.

Storage: We reserve the right to assess storage fees not to exceed 1.5% per month, or fraction thereof and request payment in full on the related customer's invoice, when a customer's original requested delivery date is delayed by circumstances beyond our control.

Taxes: We collect sales or use taxes only in jurisdictions where we are licensed to do so. Customer agrees to accept sole liability and responsibility to pay for any and all uncollected sales or use tax liabilities, related penalties and interest that arise as a result of the purchase of products and/or services from our company.

Security: Until all products are paid in full, customer hereby grants to, and Advanced Exercise shall retain, a security interest in and lien on all products sold to the customer.

I accept the terms and conditions of this quote.

Signature: _____

Name: _____

Date: _____ **Customer Requested Install Date:** _____



December 8, 2023

Poudre Tech Metropolitan District
1625 Pelican Lakes Point
Windsor, CO 80550

Thank you for your interest in American Capital Financial Services, Inc. Based upon final credit approval, we are pleased to provide you with the following requested lease quotation.

Equipment: Equipment from Advanced Exercise Equipment

| <u>Equipment Cost</u> | <u>Lease Term</u> | <u>Lease Type</u> | <u>Lease Payment</u> | <u>Advanced Exercise Quote #</u> |
|-----------------------|-------------------|-------------------|----------------------|----------------------------------|
| \$60,444.70 | 36 Months | True Lease/FMV | \$1,820.19/mo | 075268-R0 |
| \$60,444.70 | 36 Months | \$1 Buyout | \$1,900.33/mo | 075268-R0 |
| \$60,444.70 | 48 Months | True Lease/FMV | \$1,453.21/mo | 075268-R0 |
| \$60,444.70 | 48 Months | \$1 Buyout | \$1,471.18/mo | 075268-R0 |
| \$60,444.70 | 60 Months | True Lease/FMV | \$N/A | 075268-R0 |
| \$60,444.70 | 60 Months | \$1 Buyout | \$1,213.24/mo | 075268-R0 |

Leasing is your best option for acquisitions of this nature for the following reasons:

- A) Your out of pocket costs are limited. This way you can retain your cash flow to invest in higher return items such as marketing and personnel.
- B) Leasing/Financing can help you pay for the equipment over its entire useful life, rather than paying for the project out of 1 year's budget.

Regards,

Jason Marquardt
Executive Vice President

American Capital Financial Services
ATTN Jason Marquardt

Phone: 630-512-0066 ext. 118 Fax: 630-512-0070

Lease Price is subject to credit approval and does not include tax or other fees.

By signing this quote you acknowledge to lease the above mentioned equipment at the above term. In the event in which lease documents have been prepared and you decide not to lease, you will be charged a \$500 processing fee.