

**RESOLUTION NO 2011-06 OF THE BOARD OF DIRECTORS OF THE
BATTLEMENT MESA METROPOLITAN DISTRICT
CONCERNING SYSTEM DEVELOPMENT FEES**

WHEREAS, the Battlement Mesa Metropolitan District (f/k/a Consolidated Metropolitan District), County of Garfield, is a quasi-municipal corporation and political subdivision of the State of Colorado (the "District"); and

WHEREAS, the District was established to provide, among other services, potable water, sanitary sewer and irrigation services ("Services") to improvements within the boundaries of the District and currently operates and maintains a system of water and sanitation improvements to enable it to provide the Services (the "System"); and

WHEREAS, pursuant to that certain Resolution of the Board of Directors of the Consolidated Metropolitan District (n/k/a Battlement Mesa Metropolitan District) Concerning System Development Fees, dated October 17, 2008 (the "Resolution"), as amended, the Board of Directors of the District adopted a System Development Fee (the "SDF") to provide for, in part, the construction, replacement and maintenance of the System; and

WHEREAS, the District has entered into certain agreements whereby various parties have acquired the right to utilize certain capacity in the System ("System Capacity"); and

WHEREAS, the District desires to clarify its current policy regarding the SDF as it relates to those parties who have previously acquired System Capacity.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District, that:

1. Those parties that have previously acquired System Capacity are to remain exempt from future increases in the SDF to the extent such increases relate to potable water, sanitary sewer and irrigation services improvements.

RESOLVED this 22 day of September, 2011.

BATTLEMENT MESA METROPOLITAN DISTRICT



President



ATTEST:


Secretary