

# SUNSET PARKS METROPOLITAN DISTRICT

## 2024 ANNUAL REPORT TO THE TOWN OF ERIE

Pursuant to § 32-1-207(3)(c), C.R.S., and Section VII. of the Third Amended and Restated Service Plan for Sunset Parks Metropolitan District (the “**District**”), the District is required to provide an annual report to the Town of Erie (the “**Town**”) with regard to the following matters:

For the year ending December 31, 2024, the District make the following report:

### C.R.S. § 32-1-207(3) Statutory Requirements

**1. Boundary changes made.**

*There were no boundary changes made to the District’s boundaries in 2024.*

**2. Intergovernmental agreements entered into or terminated with other governmental entities.**

*The District did not enter into or terminate any intergovernmental agreements with other governmental entities in 2024.*

**3. Access information to obtain a copy of rules and regulations adopted by the board.**

*As of December 31, 2024, the District had not yet adopted any rules and regulations.*

**4. A summary of litigation involving public improvements owned by the District.**

*To our actual knowledge, based on review of the court records in Weld County, Colorado and the Public Access to Court Electronic Records (PACER), there is no litigation involving the District’ public improvements as of December 31, 2024.*

**5. The status of the construction of public improvements by the District.**

*The District did not construct any public improvements in 2024. However, the District anticipates accepting certain landscaping improvements in 2025. Lennar Colorado, LLC (the “Developer”), completed construction of landscape, fencing, and irrigation improvements for tracts A, B, H, and R. Tracts D, E, J, L, C, F, and G are partially complete with landscape, fencing, and irrigation improvements was completed for Phase 1, 1A, and 2 in 2024.*

- 6. A list of facilities or improvements constructed by the District that were conveyed or dedicated to the county or municipality.**

*No public improvements constructed by the District were dedicated or conveyed to the Town in 2024.*

- 7. The final assessed valuation of the District as of December 31<sup>st</sup> of the reporting year.**

*The 2024 final assessed valuation as certified by the Weld County Assessor for the District is \$1,559,590.*

- 8. A copy of the current year's budget.**

*A copy of the 2025 Budget is attached hereto as **Exhibit A**.*

- 9. A copy of the audited financial statements, if required by the "Colorado Local Government Audit Law", part 6 of article 1 of title 29, or the application for exemption from audit, as applicable.**

*A copy of the 2024 Audit will be provided as a supplement to this report upon completion.*

- 10. Notice of any uncured defaults existing for more than ninety (90) days under any debt instrument of the District.**

*To the best of our knowledge, there were no uncured events of default that continued beyond a ninety (90) day period, under any Debt instrument.*

- 11. Any inability of the District to pay their obligations as they come due under any obligation which continues beyond a ninety (90) day period.**

*To the best of our knowledge, the District did not experience any inability to pay their obligations as they came due, in accordance with the terms of such obligations, which continue beyond a ninety (90) day period.*

## Service Plan Requirements

**1. A narrative summary of the progress of the District in Implementing the Service Plan.**

*In accordance with the Service Plan, the District has financed street, parks and recreation, water, and sanitation/sewer improvements in 2024.*

**2. Except when an exemption from audit has been granted for the fiscal year under the Local Government Audit Law, the audited financial statements of the District for the fiscal year including a statement of financial condition (i.e. balance sheet) as of December 31 of the fiscal year and the statement of operations (i.e. revenues and expenditures) for the fiscal year.**

*A copy of the 2024 Audit will be provided as a supplement to this report upon completion.*

**3. Unless disclosed within a separate schedule to the financial statements, a summary of the capital expenditures incurred by the District in development of public facilities in the fiscal year, as well as any capital improvements or projects proposed to be undertaken in the five (5) years following the fiscal year.**

*A copy of the 2024 Audit will be provided as a supplement to this report upon completion.*

*In the next five (5) years, the public improvements contemplated in the Service Plan are projected to be completed as development progresses.*

**4. Unless disclosed within a separate schedule to the financial statements, a summary of the financial obligations of the District at the end of the fiscal year, including the amount of outstanding indebtedness, the amount and terms of any new District indebtedness or long-term obligations issued in the fiscal year, the amount of payment or retirement of existing indebtedness of the District in the fiscal year, the total assessed valuation of all taxable properties within the District as of January 1 of the fiscal year, and the current mill levy of the District pledged to debt retirement in the fiscal year.**

*A copy of the 2024 Audit will be provided as a supplement to this report upon completion.*

*The 2024 Assessed Value for the District was \$1,559,590.*

**5. The District's budget for the calendar year in which the annual report is submitted.**

*A copy of the 2025 Budget is attached hereto as **Exhibit A**.*

**6. A summary of residential development which has occurred within the District for the fiscal year.**

*As of December 31, 2024, the Developer constructed approximately 96 residential homes.*

**7. A summary of all taxes, fees, charges and assessments imposed by the District as of January 1 of the fiscal year.**

*In 2024, the District imposed a total of 62.365 mills in 2024 for collection in 2025. There were no fees, charges or assessments imposed in 2024.*

**8. The name, business address and telephone number of each member of the Board and the chief administrative officer and general counsel, together with the date, place and time of the regular meetings of the Board.**

<i>Debra Hessler</i>	<i>Secretary/Treasurer</i>	<i>9193 Jamaica St 4th Floor, Englewood, CO 80112</i>
<i>Jennifer Thornbloom</i>	<i>Assistant Secretary</i>	<i>9193 Jamaica St 4th Floor, Englewood, CO 80112</i>
<i>Alex Ray</i>	<i>Assistant Secretary</i>	<i>9193 Jamaica St 4th Floor, Englewood, CO 80112</i>
<i>Jack Beckwitt</i>	<i>Assistant Secretary</i>	<i>9193 Jamaica St 4th Floor, Englewood, CO 80112</i>
<i>Vacancy</i>		

*Regular meetings are scheduled for the 1st Thursday of May and November, 2025 at 1:00 p.m. via Zoom Teleconference.*

*Chief Admin. Officer – Clint C. Waldron, Esq., District General Counsel*

*General Legal Counsel – WBA, PC; Attn: Clint C. Waldron, Esq., 2154 E. Commons Avenue, Suite 2000, Centennial, CO 80122; 303-858-1800*

**EXHIBIT A**  
**2025 Budget**

**SUNSET PARKS METRO DISTRICT**  
**ANNUAL BUDGET**  
**FOR THE YEAR ENDING DECEMBER 31, 2025**

**SUNSET PARKS METROPOLITAN DISTRICTS  
SUMMARY  
2025 BUDGET  
WITH 2023 ACTUAL AND 2024 ESTIMATED  
For the Years Ended and Ending December 31,**

12/6/24

	ACTUAL 2023	ESTIMATED 2024	BUDGET 2025
BEGINNING FUND BALANCES	\$ (1,325)	\$ 412	\$ 2,232,507
REVENUES			
Property taxes	7,564	7,782	97,263
Specific ownership taxes	385	250	3,890
Interest Income	-	-	90,000
Developer advance	13,932	25,000	40,000
Other Revenue	1	1,000,831	-
Bond proceeds - Series 2024A	-	10,835,000	-
Bond proceeds - Series 2024B	-	1,910,000	-
Bond proceeds - Series 2024C	-	2,354,000	-
Total revenues	<u>21,882</u>	<u>16,132,863</u>	<u>231,153</u>
TRANSFERS IN	<u>-</u>	<u>2,272,945</u>	<u>-</u>
Total funds available	<u>20,557</u>	<u>18,406,220</u>	<u>2,463,660</u>
EXPENDITURES			
General Fund	20,145	31,674	55,000
Debt Service Fund	-	43,039	625,000
Capital Projects Fund	-	13,826,055	-
Total expenditures	<u>20,145</u>	<u>13,900,768</u>	<u>680,000</u>
TRANSFERS OUT	<u>-</u>	<u>2,272,945</u>	<u>-</u>
Total expenditures and transfers out requiring appropriation	<u>20,145</u>	<u>16,173,713</u>	<u>680,000</u>
ENDING FUND BALANCES	<u>\$ 412</u>	<u>\$ 2,232,507</u>	<u>\$ 1,783,660</u>
EMERGENCY RESERVE	\$ 300	\$ 300	\$ 600
AVAILABLE FOR OPERATIONS	112	2,301	3,859
DEBT SERVICE RESERVE FUND	-	886,956	886,956
TOTAL RESERVE	<u>\$ 412</u>	<u>\$ 889,557</u>	<u>\$ 891,415</u>

No assurance provided. See summary of significant assumptions.

**SUNSET PARKS METROPOLITAN DISTRICTS  
PROPERTY TAX SUMMARY INFORMATION  
2025 BUDGET  
WITH 2023 ACTUAL AND 2024 ESTIMATED  
For the Years Ended and Ending December 31,**

12/6/24

ACTUAL	ESTIMATED	BUDGET
2023	2024	2025

**ASSESSED VALUATION**

Oil and Gas - Production	-	78,750	100
Oil and Gas - Pipeline	-	129,940	101,770
Agricultural	3,260	-	-
State assessed	130,300	11,940	11,700
Vacant land	-	482,340	1,446,020
Other	47,730	-	-
Certified Assessed Value	\$ 181,290	\$ 702,970	\$ 1,559,590

**MILL LEVY**

General	50.000	10.350	10.394
Debt Service	0.000	0.000	51.971
Total mill levy	50.000	10.350	62.365

**PROPERTY TAXES**

General	\$ 9,065	\$ 7,276	\$ 16,210
Debt Service	-	-	81,053
Levied property taxes	9,065	7,276	97,263
Adjustments to actual/rounding	(1,501)	506	-
Budgeted property taxes	\$ 7,564	\$ 7,782	\$ 97,263

**BUDGETED PROPERTY TAXES**

General	\$ 7,564	\$ 7,782	\$ 16,210
Debt Service	-	-	81,053
	\$ 7,564	\$ 7,782	\$ 97,263

No assurance provided. See summary of significant assumptions.

**SUNSET PARKS METROPOLITAN DISTRICTS  
GENERAL FUND  
2025 BUDGET  
WITH 2023 ACTUAL AND 2024 ESTIMATED  
For the Years Ended and Ending December 31,**

12/6/24

	ACTUAL 2023	ESTIMATED 2024	BUDGET 2025
BEGINNING FUND BALANCES	\$ (1,325)	\$ 412	\$ 2,601
REVENUES			
Property taxes	7,564	7,782	16,210
Specific ownership taxes	385	250	648
Developer advance	13,932	25,000	40,000
Other Revenue	1	831	-
Total revenues	<u>21,882</u>	<u>33,863</u>	<u>56,858</u>
Total funds available	<u>20,557</u>	<u>34,275</u>	<u>59,459</u>
EXPENDITURES			
General and administrative			
Accounting	9,861	15,000	17,000
County Treasurer's Fee	113	121	243
Dues and Membership	-	-	-
Insurance	-	1,000	5,000
Legal	8,283	15,000	17,000
Election	1,888	-	15,000
Contingency	-	553	757
Total expenditures	<u>20,145</u>	<u>31,674</u>	<u>55,000</u>
Total expenditures and transfers out requiring appropriation	<u>20,145</u>	<u>31,674</u>	<u>55,000</u>
ENDING FUND BALANCES	<u>\$ 412</u>	<u>\$ 2,601</u>	<u>\$ 4,459</u>
EMERGENCY RESERVE	\$ 300	\$ 300	\$ 600
AVAILABLE FOR OPERATIONS	112	2,301	3,859
TOTAL RESERVE	<u>\$ 412</u>	<u>\$ 2,601</u>	<u>\$ 4,459</u>

No assurance provided. See summary of significant assumptions.

**SUNSET PARKS METROPOLITAN DISTRICTS  
DEBT SERVICE FUND  
2025 BUDGET  
WITH 2023 ACTUAL AND 2024 ESTIMATED  
For the Years Ended and Ending December 31,**

12/6/24

	ACTUAL 2023	ESTIMATED 2024	BUDGET 2025
BEGINNING FUND BALANCES	\$ -	\$ -	\$ 2,229,906
REVENUES			
Property taxes	-	-	81,053
Specific ownership taxes	-	-	3,242
Interest Income	-	-	90,000
Total revenues	<u>-</u>	<u>-</u>	<u>174,295</u>
TRANSFERS IN			
Transfers from other funds	<u>-</u>	<u>2,272,945</u>	<u>-</u>
Total funds available	<u>-</u>	<u>2,272,945</u>	<u>2,404,201</u>
EXPENDITURES			
General and administrative			
County Treasurer's Fee	-	-	1,216
Contingency	-	-	27,859
Debt Service			
Bond Interest - 2024A	-	43,039	595,925
Total expenditures	<u>-</u>	<u>43,039</u>	<u>625,000</u>
Total expenditures and transfers out requiring appropriation	<u>-</u>	<u>43,039</u>	<u>625,000</u>
ENDING FUND BALANCES	<u>\$ -</u>	<u>\$ 2,229,906</u>	<u>\$ 1,779,201</u>
DEBT SERVICE RESERVE FUND	<u>\$ -</u>	<u>\$ 886,956</u>	<u>\$ 886,956</u>
TOTAL RESERVE	<u>\$ -</u>	<u>\$ 886,956</u>	<u>\$ 886,956</u>

No assurance provided. See summary of significant assumptions.

**SUNSET PARKS METROPOLITAN DISTRICTS  
CAPITAL PROJECTS FUND  
2025 BUDGET  
WITH 2023 ACTUAL AND 2024 ESTIMATED  
For the Years Ended and Ending December 31,**

12/6/24

	ACTUAL 2023	ESTIMATED 2024	BUDGET 2025
BEGINNING FUND BALANCES	\$ -	\$ -	\$ -
REVENUES			
Bond proceeds - Series 2024A	-	10,835,000	-
Bond proceeds - Series 2024B	-	1,910,000	-
Bond proceeds - Series 2024C	-	2,354,000	-
Other Revenue	-	1,000,000	-
Total revenues	-	16,099,000	-
Total funds available	-	16,099,000	-
EXPENDITURES			
General and Administrative			
Capital Projects			
Bond issue costs	-	549,000	-
Capital outlay	-	13,277,055	-
Total expenditures	-	13,826,055	-
TRANSFERS OUT			
Transfers to other fund	-	2,272,945	-
Total expenditures and transfers out requiring appropriation	-	16,099,000	-
ENDING FUND BALANCES	\$ -	\$ -	\$ -

No assurance provided. See summary of significant assumptions.

**SUNSET PARKS METRO DISTRICT  
2025 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Services Provided**

Sunset Parks Metro District (District), a quasi-municipal corporation and a political subdivision of the State of Colorado. It is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The District's service area is located in Weld County, Colorado.

The District was established to provide financing for the design, acquisition, installation, construction and completion of public improvements and services, including water, sanitation, street, safety protection, park and recreation, transportation, television relay and translation and mosquito control improvements and services.

The District has no employees and all administrative functions are contracted.

The District prepares its budget on the modified accrual basis of accounting, in accordance with requirements of Colorado Revised Statutes C.R.S. 29-1-105.

**Revenues**

**Property Taxes**

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or, if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District. The calculation of the taxes levied is displayed on the Property Tax Summary page of the budget using the adopted mill levy imposed by the District.

For property tax collection year 2025, SB 22-238, SB 23B-001, SB 24-233, and HB24B-1001 set the assessment rates and actual value reductions as follows:

<b>Category</b>	<b>Rate</b>		<b>Category</b>	<b>Rate</b>	<b>Actual Value Reduction</b>	<b>Amount</b>
Single-Family Residential	6.70%		Agricultural Land	26.40%	Single-Family Residential	\$55,000
Multi-Family Residential	6.70%		Renewable Energy Land	26.40%	Multi-Family Residential	\$55,000
Commercial	27.90%		Vacant Land	27.90%	Commercial	\$30,000
Industrial	27.90%		Personal Property	27.90%	Industrial	\$30,000
Lodging	27.90%		State Assessed	27.90%	Lodging	\$30,000
			Oil & Gas Production	87.50%		

**SUNSET PARKS METRO DISTRICT  
2025 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

**Revenues (Continued)**

**Developer Advance**

Developer advances are expected to fund a portion of general fund expenditures. Developer advances are to be recorded as revenue for budget purposes with an obligation for future repayment when the District is financially able to issue bonds to reimburse the Developer.

**Expenditures**

**Administrative and Operating Expenditures**

General and administrative expenditures include the estimated services necessary to maintain the District's administrative viability such as legal, management, accounting, engineering, and insurance. Estimated expenditures related to landscaping, irrigation, snow removal, utilities, and other common area maintenance were also included the General Fund budget.

**Debt and Leases**

On November 1, 2024, the District issued its Series 2024A limited Tax, General Obligation Bonds in the amount of \$11,295,000 and the Series 2024B Subordinate Limited Tax General Obligation Bonds in the amount of \$1,943,000.

The 2024A Senior Bonds were being issued for the purpose of: (a) financing Public Improvements necessary to support the Development; (b) funding capitalized interest on the 2024A Senior Bonds; (c) funding the Senior Reserve Fund to the Reserve Requirement; and (d) paying other costs in connection with the issuance of the Bonds and the 2024C Junior Lien Bonds. The 2024B Subordinate Bonds are being issued for the purpose of financing additional Public Improvements necessary to support the Development.

The Series 2024A Senior Bonds bear interest at a rate of 5.125%. The bond interest is payable semi-annually on June 1 and December 1, beginning on December 1, 2024. The 2024A Senior Bonds are also subject to mandatory sinking fund redemption, in part, by lot, on December 1, 2028, and on each December 1 thereafter prior to the maturity date of such 2024A Senior Bonds, upon payment of par and accrued interest, without redemption premium, in the annual amounts set forth in the Final Limited offering Memorandum.

The 2024A Senior Bonds constitute limited tax general obligations of the District payable from Senior Pledged Revenue, defined in the 2024A Senior Indenture as the following: (a) all Senior Property Tax Revenues; (b) all Senior Specific Ownership Tax Revenues; and (c) any other legally available moneys which the District determines, in its absolute discretion, to credit to the Senior Bond Fund. The 2024A Senior Bonds are additionally secured by: (i) the Senior Reserve Fund, funded with proceeds of the 2024A Senior Bonds in the amount of the Reserve Requirement (\$888,487.50); (ii) the Senior Surplus Fund, which will not be funded with proceeds of the 2024A Senior Bonds, but instead will be funded with excess Senior Pledged Revenue, if any, up to the Maximum Surplus Amount (\$1,129,500) (subject to release in accordance with the provisions of the 2024A Senior Indenture); and (iii) capitalized interest which will be funded with proceeds of the 2024A Senior Bonds

**SUNSET PARKS METRO DISTRICT  
2025 BUDGET  
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

in the amount of \$1,344,261.90. In the event any amounts of principal or interest on the 2024A Senior Bonds remain unpaid on December 1, 2064, the 2024A Senior Bonds shall be deemed discharged.

The Series 2024B Subordinate Bonds bear interest at a rate of 7.625%. The 2024B Subordinate Bonds are structured as “cash flow” bonds, meaning that the 2024B Subordinate Indenture contains no scheduled payments of principal or interest on the 2024B Subordinate Bonds other than at maturity. Instead, principal and interest are payable on each December 15 from the available Subordinate Pledged Revenue, payable annually, if any commencing on December 15, 2024, pursuant to a mandatory redemption. Payment of principal of and interest on the 2024B Subordinate Bonds is subordinate to the annual payment of debt service on the 2024A Senior Bonds and any Senior Parity Bonds.

The 2024B Subordinate Bonds constitute limited tax general obligations of the District payable from the Subordinate Pledged Revenue, defined in the 2024B Subordinate Indenture as the following: (a) all Subordinate Property Tax Revenues; (b) all Subordinate Specific Ownership Tax Revenues; (c) any amounts released from the Senior Surplus Fund pursuant to the 2024A Senior Indenture; and (d) any other legally available moneys which the District determines, in its absolute discretion, to credit to the Subordinate Bond Fund. In the event any amounts of principal or interest on the 2024B Subordinate Bonds remain unpaid on December 15, 2064, the 2024B Subordinate Bonds shall be deemed discharged.

On November 5, 2024, the District issued its Series 2024C<sub>(3)</sub> junior Lien limited Tax, General Obligation Bonds in the amount of \$1,390,000 and bear the interest at a rate of 7.625%. Interest payments are payable annually on December 15 each year, commencing on December 15, 2024, until the principal amount is paid at maturity or upon prior redemption. To the extent principal of this Bond is not paid when due, such principal shall remain Outstanding until paid. To the extent interest on this Bond is not paid when due, such interest shall compound annually on each Interest Payment Date, at the rate then borne by the Bond; provided however, that notwithstanding anything herein or in the Indenture to the contrary, the District shall not be obligated to pay more than the amount permitted by law and its electoral authorization in repayment of this Bond, including all payments of principal and interest, and this Bond will be deemed deceased and no longer Outstanding upon the payment by the District of such amount, subject to the immediately succeeding paragraph. Notwithstanding any of the foregoing, in no event shall any principal, interest or Mandatory Redemption Price be paid on the Bonds until such time as there has been paid in full or deceased the 2024B Subordinate Bonds, and, to the extent required by the applicable Senior/Subordinate Obligation Indentures, any other Senior/Subordinate Obligations issued by the District.

The District has outstanding operating and maintenance developer advances in the amount of \$38,755.15 as of December 31, 2024 with an interest rate of 2%. The District has outstanding capital developer advances in the amount of \$4,420,216.66 as of December 31, 2024 with an interest rate of 7.870%.

**Reserve Funds**

**Emergency Reserve**

The District has provided for an Emergency Reserve equal to at least 3% of the fiscal year spending for 2025, as defined under TABOR.

**This information is an integral part of the accompanying budget.**