

**CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 5
RESOLUTION TO AMEND 2022 BUDGET**

WHEREAS, the Board of Directors of Cherry Creek South Metropolitan District No. 5 (the “**District**”) certifies that at a regular meeting of the Board of Directors of the District held September 22, 2022, a public hearing was held regarding the 2022 amended budget, and, subsequent thereto, the following Resolution was adopted by affirmative vote of a majority of the Board of Directors:

WHEREAS, the Board of Directors of the District adopted a budget and appropriated funds for fiscal year 2022 as follows:

Capital Project Fund	\$32,299,000
Debt Service Fund	\$4,015
and;	

WHEREAS, the necessity has arisen for additional expenditures by the District due to additional costs which could not have been reasonably anticipated at the time of adoption of the budget, requiring the expenditure of funds in excess of those appropriated for fiscal year 2022; and

WHEREAS, funds are available for such expenditure.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the District does hereby amend the adopted budget for fiscal year 2022 as follows:

Capital Project Fund	\$66,645,643
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BE IT FURTHER RESOLVED, that such sums are hereby appropriated from the revenues of the District to the funds named above for the purpose stated, and that any ending fund balances shall be reserved for purposes of complying with Article X, Section 20 of the Colorado Constitution.

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ADOPTED this 22ND day of SEPTEMBER, 2022.

**CHERRY CREEK SOUTH METROPOLITAN
DISTRICT NO. 5**

Kurt Wolter

Officer of the District

ATTEST:

Kurt Wolter

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

Megan G. Myphy

General Counsel to the District

STATE OF COLORADO
COUNTY OF DOUGLAS
CHERRY CREEK SOUTH METROPOLITAN DISTRICT NO. 5

I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the Board adopted at a meeting held via teleconference, on Thursday, September 22, 2022, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 27 day of September 2022.

Kurt Wolter