

MINUTES OF THE SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF MULBERRY FRONTAGE  
METROPOLITAN DISTRICT

Held: Tuesday, April 18, 2023, at 9:00 a.m. via  
teleconference.

**Attendance**

The special meeting of the Board of Directors of the Mulberry Frontage Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following Directors, having confirmed their qualification to serve on the Board, were in attendance:

Steve Shoflick  
Mike Smith  
Jim Mokler

Also present was: Robert G. Rogers, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel

**Call to Order**

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

**Conflict of Interest  
Disclosures**

Mr. Rogers advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Rogers reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Rogers inquired into whether members of the Board 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 Board to act.

**Approval of Agenda**

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

**Public Comment**

None.

## **Legal Matters**

Consider Approval of Minutes from October 18, 2022 and December 22, 2022

Mr. Rogers reviewed the Minutes from October 18, 2022 and December 22, 2022 with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Minutes from October 18, 2022 and December 18, 2022.

Consider Approval of Easement for Storm Drainage

Mr. Rogers reviewed the Easement for Storm Drainage with the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Easement for Storm Drainage.

Consider Approval of Second Amendment to Funding and Reimbursement Agreement

Mr. Rogers reviewed the Second Amendment to Funding and Reimbursement Agreement. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Second Amendment to Funding and Reimbursement Agreement as presented.

## **Other Business**

Discuss Next Meeting

The Board confirmed the next meeting date of October 20, 2023 at 9:30 a.m.

## **Adjournment**

There being no further business to come before the Board and following discussion and upon 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

*Michael W Smith*  
Michael W Smith (Oct 17, 2023 14:10 MDT)

---

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 18th day of October, 2023.