FLYING HORSE METROPOLITAN DISTRICT NO. 1 ANNUAL REPORT FOR REPORT YEAR 2023 COLORADO SPRINGS, EL PASO COUNTY, COLORADO

This annual report is submitted to El Paso County and the City of Colorado Springs consistent with Section G(1) of the Service Plan for the Flying Horse Metropolitan District No. 1 (the "District").

A. Boundary changes made or proposed.

During the report year of 2023, the District included property into its boundaries. An Order for Inclusion was entered by the El Paso County Clerk on May 2, 2023 and recorded with the Clerk and Recorder on May 3, 2023 at reception no. 223036069

B. Intergovernmental Agreements with other governmental bodies entered into or proposed.

During the report year of 2023, the District entered into a First Amendment to the Intergovernmental Agreement with Flying Horse Metropolitan District Nos. 2 and 3.

C. Changes or proposed changes in the District's policies.

During the report year of 2023, the District did not change its policies.

D. Changes or proposed changes in the District's operations.

During the report year of 2023, the District did not make or propose any changes to its operations.

E. Any changes in the financial status of the District including revenue projections, or operating costs.

See attached <u>Exhibit A</u>, which includes the District's estimated revenues and expenditures for the years 2023 and 2024.

F. A summary of any litigation which involves the District.

During the report year of 2023, the District was involved in litigation with Flying Horse Metropolitan District Nos. 2 and 3 related to boundary adjustments.

G. Proposed plans for the year immediately following the year summarized in the annual report.

In 2024, the District will continue to operate and maintain certain public improvements and provide services as set forth in the District's Service Plan.

H. Status of Public Improvement Construction Schedule.

The District did not construct additional public improvements in 2023.

I. A list of all facilities and improvements that have been dedicated to and accepted by the City.

The District did not dedicate any facilities or improvements to the City in 2023.

J. Assessed valuation:

	2023 Assessed Valuation	Projected Assessed Valuation from Service Plan
District No. 1	\$60	\$154,476,000 (for Flying Horse Metropolitan District Nos. 1-3
		combined)

K. Budget of the District for the year 2023.

See attached Exhibit B.

L. Most recent audited financial statements of the District.

The 2023 audited financial statement was not available at the time this report was submitted. The audit can be found at <u>https://apps.leg.co.gov/osa/lg</u> once available.

M. Access information to obtain a copy of rules and regulations adopted by the Board.

The District has not adopted rules and regulations at the time of this report. The district District website is: <u>https://www.flyinghorsemd.com/</u>

N. Notice of any uncured defaults existing for more than ninety days under any debt instrument of the District.

None.

O. Any inability of the District to pay its obligations as they come due under any obligation which continues beyond a ninety-day period.

None.

The foregoing Annual Report and accompanying exhibits are submitted this 1st day of August, 2024.

<u>/s/ Nicole R. Peykov</u> Nicole R. Peykov, Counsel for the District

Summary

- A. Assessed valuation: \$60
- B. Acreage: 67.737 acres in 2023
- C. Indebtedness stated by class or issue: \$0.00
- D. Debt service stated by class or issue: 0 mills
- E. Tax revenue
 - i. Property Taxes: \$0
 - ii. Specific Ownership Tax: \$0
- F. Other revenue
 - i. Intergovernmental Revenues from District 2: \$921,618
 - ii. Intergovernmental Revenues from District 3: \$261,025
- G. Infrastructure expenditures
 - i. Capital outlay: \$11,020,000
- H. Other expenditures (General Fund): \$1,225,000

Exhibit A 2024 Budget

LETTER OF BUDGET TRANSMITTAL

Date: January <u>30</u>, 2024

To: Division of Local Government 1313 Sherman Street, Room 521 Denver, Colorado 80203

Attached are the 2024 budget and budget message for FLYING HORSE METROPOLITAN DISTRICT NO. 1 in El Paso County, Colorado, submitted pursuant to Section 29-1-113, C.R.S. This budget was adopted on November 28, 2023. If there are any questions on the budget, please contact:

CliftonLarsonAllen LLP Attn: Carrie Bartow 121 South Tejon Street, Suite 1100 Colorado Springs, CO 80903 Tel.: 719-473-3630

I, George Lenz, as President of the Flying Horse Metropolitan District No. 1, hereby certify that the attached is a true and correct copy of the 2024 budget.

By:

George lenz

DE 8244847.1

RESOLUTION TO ADOPT 2024 BUDGET, APPROPRIATE SUMS OF MONEY, AND AUTHORIZE THE CERTIFICATION OF THE TAX LEVY FLYING HORSE METROPOLITAN DISTRICT NO. 1

A RESOLUTION SUMMARIZING REVENUES AND EXPENDITURES FOR EACH FUND, ADOPTING A BUDGET, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2024 TO HELP DEFRAY THE COSTS OF GOVERNMENT, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE FLYING HORSE METROPOLITAN DISTRICT NO. 1, EL PASO COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2024, AND ENDING ON THE LAST DAY OF DECEMBER, 2024,

WHEREAS, the Board of Directors of the Flying Horse Metropolitan District No. 1 has authorized its consultants to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget has been submitted to the Board of Directors of the District for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was available for inspection by the public at a designated public office, a public hearing was held on November 28, 2023, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from reserves or fund balances so that the budget remains in balance, as required by law; and

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$4,569; and

WHEREAS, the Board of Directors finds that it is required to temporarily lower the operating mill levy to render a refund for \$0; and

WHEREAS, the amount of money necessary to balance the budget for voter-approved bonds and interest is \$0; and

WHEREAS, the amount of money necessary to balance the budget for contractual obligation purposes from property tax revenue as approved by voters from property tax revenue is \$0; and

WHEREAS, the amount of money necessary to balance the budget for capital expenditure purposes from property tax revenue as approved by voters or at public hearing is \$0; and

WHEREAS, the amount of money necessary to balance the budget for refunds/abatements is \$0; and

WHEREAS, the 2023 valuation for assessment for the District as certified by the County Assessor of El Paso is \$439,560; and

WHEREAS, at an election held on November 4, 2004, the District has eliminated the revenue and expenditure limitations imposed on governmental entities by Article X, Section 20 of the Colorado Constitution and Section 29-1-301, C.R.S., as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FLYING HORSE METROPOLITAN DISTRICT NO. 1 OF EL PASO COUNTY, COLORADO:

Section 1. <u>Adoption of Budget</u>. That the budget as submitted, and attached hereto and incorporated herein by this reference, and if amended, then as amended, is hereby approved and adopted as the budget of the Flying Horse Metropolitan District No. 1 for calendar year 2024.

Section 2. <u>Budget Revenues</u>. That the estimated revenues for each fund as more specifically set out in the budget attached hereto are accepted and approved.

Section 3. <u>Budget Expenditures</u>. That the estimated expenditures for each fund as more specifically set out in the budget attached hereto are accepted and approved.

Section 4. <u>Levy of General Property Taxes</u>. That the Board of Directors does hereby certify the levy of general property taxes for collection in 2024 as follows:

A. <u>Levy for General Operating and Other Expenses</u>. That for the purposes of meeting all general operating expense of the District during the 2024 budget year, there is hereby levied a tax of 10.394 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2023.

B. <u>Temporary Tax Credit or Rate Reduction</u>. That pursuant to Section 39-1-111.5, C.R.S. for the purposes of effect of a refund for the purposes set forth in Section 20 of Article X of the Colorado Constitution, there is hereby certified a temporary property tax credit or temporary mill levy rate reduction of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2023.

C. <u>Levy for General Obligation Bonds and Interest</u>. That for the purposes of meeting all debt retirement expense of the District during the 2024 budget year, as the funding requirements of the current outstanding general obligation indebtedness is detailed in the

following "Certification of Tax Levies," there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2023.

D. <u>Levy for Contractual Obligations</u>. That for the purposes of meeting the contractual obligation expense of the District during the 2024 budget year, as detailed in the following "Certification of Tax Levies," there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2023.

E. <u>Levy for Capital Expenditures</u>. That for the purposes of meeting all capital expenditures of the District during the 2024 budget year pursuant to Section 29-1-301(1.2) or 29-1-302(1.5), C.R.S., there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2023.

F. <u>Levy for Refunds/Abatements</u>. That for the purposes of recoupment of refunds/abatements of taxes pursuant to Section 39-10-114(1)(a)(I)(B), C.R.S., there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2023.

Section 5. <u>Property Tax and Fiscal Year Spending Limits</u>. That, being fully informed, the Board finds that the foregoing budget and mill levies do not result in a violation of any applicable property tax or fiscal year spending limitation.

Section 6. <u>Certification</u>. That the appropriate officers of the District are hereby authorized and directed to certify to the Board of County Commissioners of El Paso County, Colorado, the mill levies for the District herein above determined and set, or be authorized and directed to certify to the Board of County Commissioners of El Paso County, Colorado, as herein above determined and set, but as recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits or to implement the intent of the District. That said certification shall be in substantially the form set out and attached hereto and incorporated herein by this reference.

Section 7. <u>Appropriations</u>. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

[remainder of page intentionally left blank; signature page follows]

ADOPTED this 28th day of November 2023.

FLYING HORSE METROPOLITAN DISTRICT NO. 1

George lenz

President

ATTEST:

Jerald Richardson

Secretary

Signature Page to 2024 Budget Resolution

ATTACH COPY OF THE ADOPTED BUDGET AND THE CERTIFICATION OF TAX LEVIES

FLYING HORSE METROPOLITAN DISTRICT NO. 1

ANNUAL BUDGET

FOR THE YEAR ENDING DECEMBER 31, 2024

FLYING HORSE METROPOLITAN DISTRICT NO. 1 SUMMARY 2024 BUDGET WITH 2022 ACTUAL AND 2023 ESTIMATED For the Years Ended and Ending December 31,

1/25/24

	ACTUAL 2022	E	STIMATED 2023	BUDGET 2024
BEGINNING FUND BALANCES	\$ 142,663	\$	177,272	\$ 12,839
REVENUES Property taxes Specific ownership taxes Developer advance Other revenue Intergovernmental revenues - District 2 Intergovernmental revenues - Due From District 2 Intergovernmental revenues - Due From District 3 Intergovernmental revenues - Due From District 3 Intergovernmental revenues - Due From District 3	 - - 900 905,474 - 261,704 - 1,168,078		- 11,297,632 1 921,618 (125,486) 261,025 (69,295) 12,285,495	4,569 457 - - 1,207,365 - 362,284 - 1,574,675
TRANSFERS IN	 -		39,350	-
Total funds available	 1,310,741		12,502,117	1,587,514
EXPENDITURES General Fund Capital Projects Fund Total expenditures	 1,133,469 - 1,133,469		1,112,946 11,336,982 12,449,928	1,530,569 - 1,530,569
TRANSFERS OUT	 -		39,350	-
Total expenditures and transfers out requiring appropriation	 1,133,469		12,489,278	1,530,569
ENDING FUND BALANCES	\$ 177,272	\$	12,839	\$ 56,945
EMERGENCY RESERVE OPERATIONAL RESERVE	\$ 35,100 142,172	\$	12,839 -	\$ 47,300 9,645
TOTAL RESERVE	\$ 177,272	\$	12,839	\$ 56,945

FLYING HORSE METROPOLITAN DISTRICT NO. 1 PROPERTY TAX SUMMARY INFORMATION 2024 BUDGET WITH 2022 ACTUAL AND 2023 ESTIMATED For the Years Ended and Ending December 31,

1/25/24

		ACTUAL ESTIMATED 2022 2023		E	SUDGET 2024	
ASSESSED VALUATION						
Vacant land		60		60		439,560
Certified Assessed Value	\$	60 60	\$	60 60	\$	439,560 439,560
	Ψ	00	Ψ	00	Ψ	+00,000
MILL LEVY						
General		0.000		0.000		10.394
Debt Service		0.000		0.000		0.000
Total mill levy		0.000		0.000		10.394
PROPERTY TAXES						
General	\$	-	\$	-	\$	4,569
Levied property taxes		-		-		4,569
Budgeted property taxes	\$	-	\$	-	\$	4,569
BUDGETED PROPERTY TAXES General	\$		\$		\$	4,569
Debt Service	Ψ	-	Ψ	-	Ψ	
	\$	-	\$	-	\$	4,569

FLYING HORSE METROPOLITAN DISTRICT NO. 1 **GENERAL FUND** 2024 BUDGET WITH 2022 ACTUAL AND 2023 ESTIMATED For the Years Ended and Ending December 31,

1/25/24

	ACTUAL 2022	ESTIMATED 2023	BUDGET 2024
BEGINNING FUND BALANCES	\$ 142,663	\$ 177,272	\$ 12,839
REVENUES			
Property taxes	-	-	4,569
Specific ownership taxes	-	-	457
Intergovernmental revenues - District 2	905,474	921,618	1,207,365
Intergovernmental revenues - Due From District 2	-	(125,486)	-
Intergovernmental revenues - District 3	261,704	261,025	362,284
Intergovernmental revenues - Due From District 3	-	(69,295)	-
Other revenue	900	1	-
Total revenues	1,168,078	987,863	1,574,675
Total funds available	1,310,741	1,165,135	1,587,514
EXPENDITURES			
General and administrative			
Accounting	41,576	65,000	45,500
Auditing	13,875	17,475	16,000
County Treasurer's fee	-	-	69
Dues and membership	2,409	2,558	2,750
Insurance	18,650	20,577	22,000
District management	6,921	10,000	10,000
Legal	32,263	100,000	50,000
CORA Expense	474	-	-
Litigation	-	140,000	100,000
Banking fees	130	62	-
Trash Collection Election	420	-	-
Repay developer advance	49,661	52,774	- 400,000
Contingency	-	-	23,750
Website	2,610	4,500	5,500
Accounting/Management paid by Districts 2 & 3	2,010	-,000	44,000
Legal and other paid by Districts 2 & 3	-	-	16,000
Operations and maintenance			
Repairs and maintenance	377,545	345,000	315,000
Engineering	518	-	-
Landscape improvements	216,919	-	-
Snow removal	14,078	15,000	35,000
Utilities	311,748	300,000	400,000
Stormwater fees	43,672	40,000	45,000
Total expenditures	1,133,469	1,112,946	1,530,569
TRANSFERS OUT			
Transfers to other fund	-	39,350	-
Total expenditures and transfers out			
requiring appropriation	1,133,469	1,152,296	1,530,569
ENDING FUND BALANCES	\$ 177,272	\$ 12,839	\$ 56,945
EMERGENCY RESERVE	\$ 35,100	\$ 12,839	\$ 47,300
OPERATIONAL RESERVE	\$ 142,172		\$ 9,645
TOTAL RESERVE	\$ 177,272	\$ 12,839	\$ 56,945

FLYING HORSE METROPOLITAN DISTRICT NO. 1 CAPITAL PROJECTS FUND 2024 BUDGET WITH 2022 ACTUAL AND 2023 ESTIMATED For the Years Ended and Ending December 31,

1/25/24

	ACTUAL 2022		ESTIMATED 2023	BUDGET 2024	
BEGINNING FUND BALANCES	\$ -		6 -	\$	-
REVENUES Developer advance	-		11,297,632		-
Total revenues	 -		11,297,632		-
TRANSFERS IN					
Transfers from other funds	 -		39,350		-
Total funds available	 -		11,336,982		-
EXPENDITURES General and Administrative					
Accounting Capital Projects	-		1,809		-
Engineering	-		37,541		-
Capital outlay	-		11,297,632		-
Total expenditures	 -	•	11,336,982		-
Total expenditures and transfers out requiring appropriation	-		11,336,982		_
ENDING FUND BALANCES	\$ -		6 -	\$	-

FLYING HORSE METROPOLITAN DISTRICT NO.1 2024 BUDGET SUMMARY OF SIGNIFICANT ASSUMPTIONS

Services Provided

The Flying Horse Metropolitan District No.1 ("District No. 1"), a quasi-municipal corporation and a political subdivision of the State of Colorado, was organized by order and decree of the District Court for the City of Colorado Springs, El Paso County, Colorado on November 8, 2004, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The Consolidated Service Plan, approved by the City of Colorado Springs on August 24, 2004, formed the Flying Horse Metropolitan Districts Nos 1 - 3 ("The Districts").

The District was organized to provide planning, acquisition, construction, installation and financing of public improvements, including streets, water, wastewater, traffic and safety, park and recreation, mosquito control, television relay and transportation facilities, primarily for residential and commercial development. The District was organized in conjunction with Flying Horse Metropolitan District No. 2 ("District No. 2") and Flying Horse Metropolitan District No. 3 ("District No. 3") to serve the needs of the Flying Horse development for the purpose of financing, construction and operation of improvements and infrastructure serving the three districts. District No. 1 is responsible for managing the construction, operation and maintenance of all improvements not transferred to the City of Colorado Springs. District No. 2 and District No. 3 are responsible for providing the funding and tax base needed to support the financing plan for capital improvements and to fund ongoing operations.

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

The District prepares its budget on the modified accrual basis of accounting in accordance with the requirements of Colorado Revised Statutes C.R.S. 29-1-105 using its best estimates as of the date of the budget hearing. These estimates are based on expected conditions and its expected course of actions. The assumptions between the budget and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material.

Revenues

Property Tax

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.

Pursuant to the Service Plan, the District is required to adjust its maximum Required Mill Levy for changes in the ratio of actual to assessed value of property within the District. Required Mill Levy means an ad valorem mill levy imposed upon all taxable property of the District each year in a amount sufficient to pay the principal, premium if any, and interest on the Bonds as the same become due and payable.

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.

FLYING HORSE METROPOLITAN DISTRICT NO.1 2024 BUDGET SUMMARY OF SIGNIFICANT ASSUMPTIONS

Revenues (Continued)

Property Tax (Continued)

For property tax collection year 2024, SB22-238 and SB23B-001 set the assessment rates and actual value reductions as follows:

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

Intergovernmental Revenue

The intergovernmental revenue represents transfers from Flying Horse Metropolitan District Nos. 2 and 3 to provide funding for the overall administrative and operating costs for the Districts.

Specific Ownership Taxes

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District's share will be equal to approximately 10% of the property taxes collected.

Expenditures

Administrative and Operations and Maintenance Expenditures

Administrative and operating expenditures include the estimated services necessary to maintain the District's administrative viability such as legal, management, accounting, insurance, landscaping, utilities, and other administrative expenses.

County Treasurer's Fees

County Treasurer's collection fees have been computed at 1.5% property taxes.

FLYING HORSE METROPOLITAN DISTRICT NO.1 2024 BUDGET SUMMARY OF SIGNIFICANT ASSUMPTIONS

Debt and Leases

Developer Advances

The District, along with Flying Horse Metropolitan District No. 2 and Flying Horse Metropolitan District No. 3, entered into a Reimbursement Agreement (Agreement) with the Developer. The District agrees to repay the Developer along with accrued interest, at a rate of 8.00% beginning on the date the advance were made to the date of repayment. The Agreement does not constitute a multiple-fiscal year obligation.

	E	Balance at				I	Balance at
	Dece	mber 31, 2022	Additions*	Re	payments*	Dece	mber 31, 2023*
Developer Advances - Operating	\$	3,193,375	\$ -	\$	-	\$	3,193,375
Accrued Interest - Operating		2,403,053	255,470		-		2,658,523
Developer Advances - Capital		173,401	11,297,632		-		11,471,033
Accrued Interest - Capital		30,131	 625,492		-		655,623
	\$	5,799,960	\$ 12,178,594	\$	-	\$	17,978,554
	E	Balance at				I	Balance at
	Decer	mber 31, 2023*	Additions*	Re	payments*	Dece	mber 31, 2024*
Developer Advances - Operating	\$	3,193,375	\$ -	\$	-	\$	3,193,375
Accrued Interest - Operating		2,658,523	255,470		400,000		2,513,993
Developer Advances - Capital		11,471,033	-		-		11,471,033
Accrued Interest - Capital		655,623	 917,683		-		1,573,305
	\$	17,978,554	\$ 1,173,153	\$	400,000	\$	18,751,706

Flying Horse Metropolitan District No. 1 Schedule of Long Term Obligations

*Estimate

The District has no operating or capital leases.

Reserves

Emergency Reserves

The District has provided for an Emergency Reserve fund equal to at least 3% of fiscal year spending for 2024, as defined under TABOR.

Operational Reserves

The District has adopted an operational reserve policy equivalent to a minimum of ninety (90) days of annually budgeted District expenditures.

This information is an integral part of the accompanying budget.

181

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Gover	rnments
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TO: County Commissioners ¹ of El Paso C	ounty	, Colorado.
On behalf of the Flying Horse Metropolitan District	No. 1	
	(taxing entity) ^A	
the Board of Directors	(governing body) ^B	
of the Flying Horse Metropolitan District No. 1		
Hereby officially certifies the following mills	local government) ^C	
to be levied against the taxing entity's GROSS $\frac{439,560}{5}$		
assessed valuation of: (GROSS Note: If the assessor certified a NET assessed valuation	D assessed valuation, Line 2 of the Certific	ation of Valuation Form DLG 57 ^E)
(AV) different than the GROSS AV due to a Tax)	
calculated using the NET AV. The taxing entity's total (NET^G)	assessed valuation, Line 4 of the Certifica	,
property tax revenue will be derived from the mill levy USE VAI multiplied against the NET assessed valuation of:	LUE FROM FINAL CERTIFICATION BY ASSESSOR NO LATER THA	
	r budget/fiscal year 2024	
(no rater than Dec. 15) (min/dd/yyyy)		(уууу)
PURPOSE (see end notes for definitions and examples)	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	10.394 _{mills}	<u>\$</u> 4,569
2. <minus></minus> Temporary General Property Tax Credit/		* -
Temporary Mill Levy Rate Reduction ^I	\leq $>$ mills	<u>\$< ></u>
SUBTOTAL FOR GENERAL OPERATING:	10.394 mills	\$ 4,569
3. General Obligation Bonds and Interest ^J	mills	<u>\$</u>
4. Contractual Obligations ^K	mills	\$
5. Capital Expenditures ^L	mills	\$
6. Refunds/Abatements ^M	mills	\$
7. Other ^N (specify):	mills	\$
	mills	<u>\$</u>
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	^{10.394} mills	\$ 4,569
I O I ALL . [Subtotal and Lines 3 to 7]		\$
Contact person: Seef Le Roux	Phone: 719)635-033	
Signed: Seef Le Rour	Title: Accountant for	r District
Survey Question: Does the taxing entity have voter approx	oval to adjust the general	□Yes □No

operating levy to account for changes to assessment rates?

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

¹ If the *taxing entity's* boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution. ² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

1.	Purpose of Issue:	 _
	Series:	_
	Date of Issue:	 _
	Coupon Rate:	 _
	Maturity Date:	_
	Levy:	
	Revenue:	_
2.	Purpose of Issue:	
۷.	Series:	
	Date of Issue:	
	Coupon Rate:	
	Maturity Date:	
	Levy:	
	Revenue:	
~ ~ ~ ~		
	TRACTS ^k :	
3.	Purpose of Contract:	 _
	Title:	 _
	Date:	_
	Principal Amount:	_
	Maturity Date:	
	Levy:	
	Revenue:	 _
4.	Purpose of Contract:	
т.	Title:	
	Date:	
	Principal Amount: Maturity Date:	
	-	
	Levy:	
	Revenue:	

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

Exhibit B 2023 Budget

LETTER OF BUDGET TRANSMITTAL

Date: January <u>27</u>, 2023

To: Division of Local Government 1313 Sherman Street, Room 521 Denver, Colorado 80203

Attached are the 2023 budget and budget message for FLYING HORSE METROPOLITAN DISTRICT NO. 1 in El Paso County, Colorado, submitted pursuant to Section 29-1-113, C.R.S. This budget was adopted on November 18, 2022. If there are any questions on the budget, please contact:

CliftonLarsonAllen LLP Attn: Carrie Bartow 121 South Tejon Street, #1100 Colorado Springs, CO 80903 Tel.: 719-473-3630

I, George Lenz, as President of the Flying Horse Metropolitan District No. 1, hereby certify that the attached is a true and correct copy of the 2023 budget.

George a Lenz By:

RESOLUTION TO ADOPT 2023 BUDGET, APPROPRIATE SUMS OF MONEY, AND AUTHORIZE THE CERTIFICATION OF THE TAX LEVY FLYING HORSE METROPOLITAN DISTRICT NO. 1

A RESOLUTION SUMMARIZING REVENUES AND EXPENDITURES FOR EACH FUND, ADOPTING A BUDGET, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2023 TO HELP DEFRAY THE COSTS OF GOVERNMENT, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE FLYING HORSE METROPOLITAN DISTRICT NO. 1, EL PASO COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2023, AND ENDING ON THE LAST DAY OF DECEMBER, 2023,

WHEREAS, the Board of Directors of the Flying Horse Metropolitan District No. 1 has authorized its consultants to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget has been submitted to the Board of Directors of the District for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was available for inspection by the public at a designated public office, a public hearing was held on November 18, 2022 and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from reserves or fund balances so that the budget remains in balance, as required by law; and

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$0; and

WHEREAS, the Board of Directors finds that it is required to temporarily lower the operating mill levy to render a refund for \$0; and

WHEREAS, the amount of money necessary to balance the budget for voter-approved bonds and interest is \$0; and

WHEREAS, the amount of money necessary to balance the budget for contractual obligation purposes from property tax revenue as approved by voters from property tax revenue is \$0; and

WHEREAS, the amount of money necessary to balance the budget for capital expenditure purposes from property tax revenue as approved by voters or at public hearing is \$0; and

WHEREAS, the amount of money necessary to balance the budget for refunds/abatements is \$0; and

WHEREAS, the 2022 valuation for assessment for the District as certified by the County Assessor of El Paso County is \$60; and

WHEREAS, at an election held on November 4, 2004 the District has eliminated the revenue and expenditure limitations imposed on governmental entities by Article X, Section 20 of the Colorado Constitution and Section 29-1-301, C.R.S., as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FLYING HORSE METROPOLITAN DISTRICT NO. 1 OF EL PASO COUNTY, COLORADO:

Section 1. <u>Adoption of Budget</u>. That the budget as submitted, and attached hereto and incorporated herein by this reference, and if amended, then as amended, is hereby approved and adopted as the budget of the Flying Horse Metropolitan District No. 1 for calendar year 2023.

Section 2. <u>Budget Revenues</u>. That the estimated revenues for each fund as more specifically set out in the budget attached hereto are accepted and approved.

Section 3. <u>Budget Expenditures</u>. That the estimated expenditures for each fund as more specifically set out in the budget attached hereto are accepted and approved.

Section 4. <u>Levy of General Property Taxes</u>. That the Board of Directors does hereby certify the levy of general property taxes for collection in 2023 as follows:

A. <u>Levy for General Operating and Other Expenses</u>. That for the purposes of meeting all general operating expense of the District during the 2023 budget year, there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2022.

B. <u>Temporary Tax Credit or Rate Reduction</u>. That pursuant to Section 39-1-111.5, C.R.S. for the purposes of effect of a refund for the purposes set forth in Section 20 of Article X of the Colorado Constitution, there is hereby certified a temporary property tax credit or temporary mill levy rate reduction of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2022.

C. <u>Levy for General Obligation Bonds and Interest</u>. That for the purposes of meeting all debt retirement expense of the District during the 2023 budget year, as the funding requirements of the current outstanding general obligation indebtedness is detailed in the

following "Certification of Tax Levies," there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2022.

D. <u>Levy for Contractual Obligations</u>. That for the purposes of meeting the contractual obligation expense of the District during the 2023 budget year, as detailed in the following "Certification of Tax Levies," there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2022.

E. <u>Levy for Capital Expenditures</u>. That for the purposes of meeting all capital expenditures of the District during the 2023 budget year pursuant to Section 29-1-301(1.2) or 29-1-302(1.5), C.R.S., there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2022.

F. <u>Levy for Refunds/Abatements</u>. That for the purposes of recoupment of refunds/abatements of taxes pursuant to Section 39-10-114(1)(a)(I)(B), C.R.S., there is hereby levied a tax of 0.000 mills upon each dollar of the total valuation of assessment of all taxable property within the boundaries of the District for the year 2022.

Section 5. <u>Property Tax and Fiscal Year Spending Limits</u>. That, being fully informed, the Board finds that the foregoing budget and mill levies do not result in a violation of any applicable property tax or fiscal year spending limitation.

Section 6. <u>Certification</u>. That the appropriate officers of the District are hereby authorized and directed to certify by December 15, 2022, to the Board of County Commissioners of El Paso County, Colorado, the mill levies for the District herein above determined and set, or be authorized and directed to certify to the Board of County Commissioners of El Paso County, Colorado, as herein above determined and set, but as recalculated as needed upon receipt of the final certification of valuation from the County Assessor on or about December 10, 2022 in order to comply with any applicable revenue and other budgetary limits or to implement the intent of the District. That said certification shall be in substantially the form set out and attached hereto and incorporated herein by this reference.

Section 7. <u>Appropriations</u>. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

[remainder of page intentionally left blank; signature page follows]

ADOPTED this 18th day of November 2022.

FLYING HORSE METROPOLTIAN **DISTRICT NO. 1**

George a Lenz

President

ATTEST:

Jerald Richardson
Secretary

ATTACH COPY OF THE ADOPTED BUDGET AND THE CERTIFICATION OF TAX LEVIES

FLYING HORSE METROPOLITAN DISTRICT NO. 1

ANNUAL BUDGET

FOR THE YEAR ENDING DECEMBER 31, 2023

FLYING HORSE METROPOLITAN DISTRICT NO.1 SUMMARY 2023 BUDGET WITH 2021 ACTUAL AND 2022 ESTIMATED For the Years Ended and Ending December 31,

1/18/23

	ACTUAL 2021		ESTIMATED 2022		E	BUDGET 2023
BEGINNING FUND BALANCES	\$	27,442	\$	142,663	\$	135,674
REVENUES Developer Advance Intergovernmental revenues - District 2 Intergovernmental revenues - District 3 Other revenue Total revenues		- 796,000 205,000 1,330 1,002,330		- 903,926 261,453 2,000 1,167,379		11,000,000 921,618 261,025 - 12,182,643
TRANSFERS IN		-		-		20,000
Total funds available		1,029,772		1,310,042	,	12,338,317
EXPENDITURES General Fund Capital Projects Fund Total expenditures		887,109 - 887,109		1,174,368 - 1,174,368		1,225,000 11,020,000 12,245,000
TRANSFERS OUT		-		-		20,000
Total expenditures and transfers out requiring appropriation		887,109		1,174,368	,	12,265,000
ENDING FUND BALANCES	\$	142,663	\$	135,674	\$	73,317
EMERGENCY RESERVE OPERATIONAL RESERVE TOTAL RESERVE	\$ \$	30,100 112,563 142,663	\$ \$	35,100 100,574 135,674	\$ \$	35,500 37,817 73,317

FLYING HORSE METROPOLITAN DISTRICT NO.1 PROPERTY TAX SUMMARY INFORMATION 2023 BUDGET WITH 2021 ACTUAL AND 2022 ESTIMATED For the Years Ended and Ending December 31,

1/18/23

	ACTUAL 2021		ESTIMATED 2022		E	BUDGET 2023
ASSESSED VALUATION Vacant land Adjustments Certified Assessed Value	\$	60 60 - 60	\$	60 60 - 60	\$	60 60 - 60
MILL LEVY Total mill levy		0.000	•	0.000	•	0.000
PROPERTY TAXES Budgeted property taxes	\$	-	\$		\$	
BUDGETED PROPERTY TAXES	\$	-	\$	-	\$	-

FLYING HORSE METROPOLITAN DISTRICT NO.1 GENERAL FUND 2023 BUDGET WITH 2021 ACTUAL AND 2022 ESTIMATED For the Years Ended and Ending December 31,

1/18/23

		ACTUAL		ESTIMATED		BUDGET	
		2021		2022		2023	
BEGINNING FUND BALANCE	\$	27,442	\$	142,663	\$	135,674	
REVENUES							
Other revenue		1,330		2,000		-	
Intergovernmental revenues - District 2		796,000		903,926		921,618	
Intergovernmental revenues - District 3		205,000		261,453		261,025	
Total revenues		1,002,330		1,167,379		1,182,643	
Total funds available		1,029,772		1,310,042		1,318,317	
EXPENDITURES							
General and administrative							
Accounting		24,978		36,000		41,400	
Auditing		13,258		13,650		15,000	
Banking fees		12		250		250	
District management		5,475		6,575		6,875	
Dues and licenses		1,451		2,409		2,500	
Insurance and bonds		16,475		18,650		20,000	
Intergovernmental expenditures		10,500		-		-	
Election expense		-		49,360		50,000	
Legal services		8,463		25,000		32,000	
CORA Expense		-		474		-	
Website		-		2,000		5,000	
Operations and maintenance							
Contingency		-		-		15,258	
Landscape improvements		37,660		250,000		225,000	
Stormwater fees		35,053		40,000		40,000	
Utilities		357,930		375,000		400,000	
Repairs and Maintenance		373,754		325,000		338,592	
Snow removal/Winter watering		2,100		30,000		33,125	
Total expenditures		887,109		1,174,368		1,225,000	
TRANSFERS OUT							
Transfers to Other Funds		-		_		20,000	
						20,000	
Total expenditures and transfers out							
requiring appropriation		887,109		1,174,368		1,245,000	
ENDING FUND BALANCE	\$	142,663	\$	135,674	\$	73,317	
	۴	00 400	۴	25 400	۴		
EMERGENCY RESERVE	\$	30,100	\$	35,100	\$	35,500	
	¢	112,563	¢	100,574	¢	37,817	
TOTAL RESERVE	\$	142,663	\$	135,674	\$	73,317	

FLYING HORSE METROPOLITAN DISTRICT NO.1 CAPITAL PROJECTS FUND 2023 BUDGET WITH 2021 ACTUAL AND 2022 ESTIMATED For the Years Ended and Ending December 31,

1/18/23

	ACTU 202		TIMATED 2022	BUDGET 2023
BEGINNING FUND BALANCE	\$	-	\$ -	\$-
REVENUES Developer advance		-	-	11,000,000
Total revenues		-	-	11,000,000
TRANSFERS IN				
Transfers from Other Funds		-	-	20,000
Total funds available		-	-	11,020,000
EXPENDITURES				
General and Administrative				
Accounting		-	-	5,000
Legal services		-	-	5,000
Capital Projects				10.000
Engineering Capital outlay		-	-	10,000 11,000,000
Total expenditures		-	-	11,020,000
· · · · · · · · · · · · · · · · · · ·				
Total expenditures and transfers out				
requiring appropriation		-	-	11,020,000
ENDING FUND BALANCE	\$	-	\$ -	\$ -

FLYING HORSE METROPOLITAN DISTRICT NO.1 2023 BUDGET SUMMARY OF SIGNIFICANT ASSUMPTIONS

Services Provided

The Flying Horse Metropolitan District No.1 ("District No. 1"), a quasi-municipal corporation and a political subdivision of the State of Colorado, was organized by order and decree of the District Court for the City of Colorado Springs, El Paso County, Colorado on November 8, 2004, and is governed pursuant to provisions of the Colorado Special District Act (Title 32, Article 1, Colorado Revised Statutes). The Consolidated Service Plan, approved by the City of Colorado Springs on August 24, 2004, formed the Flying Horse Metropolitan Districts Nos 1 - 3 ("The Districts")

The District was organized to provide planning, acquisition, construction, installation and financing of public improvements, including streets, water, wastewater, traffic and safety, park and recreation, mosquito control, television relay and transportation facilities, primarily for residential and commercial development. The District was organized in conjunction with Flying Horse Metropolitan District No. 2 ("District No. 2") and Flying Horse Metropolitan District No. 3 ("District No. 3") to serve the needs of the Flying Horse development for the purpose of financing, construction and operation of improvements and infrastructure serving the three districts. District No. 1 is responsible for managing the construction, operation and maintenance of all improvements not transferred to the City of Colorado Springs. District No. 2 and District No. 3 are responsible for providing the funding and tax base needed to support the financing plan for capital improvements and to fund ongoing operations.

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

The District prepares its budget on the modified accrual basis of accounting in accordance with the requirements of Colorado Revised Statutes C.R.S. 29-1-105 using its best estimates as of the date of the budget hearing. These estimates are based on expected conditions and its expected course of actions. The assumptions between the budget and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material.

Revenues

Intergovernmental Revenue

The intergovernmental revenue represents transfers from Flying Horse Metropolitan District Nos. 2 and 3 to provide funding for the overall administrative and operating costs for the Districts.

Expenditures

Administrative and Operations and Maintenance Expenditures

Administrative and operating expenditures include the estimated services necessary to maintain the District's administrative viability such as legal, management, accounting, insurance, landscaping, utilities, and other administrative expenses.

Capital Outlay

The District anticipates infrastructure improvements as noted in the Capital Projects fund.

FLYING HORSE METROPOLITAN DISTRICT NO.1 2023 BUDGET SUMMARY OF SIGNIFICANT ASSUMPTIONS

Debt and Leases

Developer Advances

The District entered into a Reimbursement Agreement (Agreement) with the Developer. The District agrees to repay the Developer along with accrued interest, at a rate of 8.00% beginning on the date the advance were made to the date of repayment. The Agreement does not constitute a multiple-fiscal year obligation.

	_	3alance at mber 31, 2021		Additions*	Rena	yments*	_	Balance at mber 31, 2022*
Developer Advances - Operating	\$	3,193,375	\$	-	\$	-	\$	3,193,375
Accrued Interest - Operating	Ŷ	2,147,583	Ψ	255,470	Ŷ	-	Ŷ	2,403,053
Developer Advances - Capital		173,401				-		173.401
Accrued Interest - Capital		16,258		13,872		-		30,130
	\$	5,530,617	\$	269,342	\$	-	\$	5,799,959
	E	Balance at					E	Balance at
	Decer	mber 31, 2022*		Additions*	Repa	yments*	Decer	mber 31, 2023*
Developer Advances - Operating	\$	3,193,375	\$	-	\$	-	\$	3,193,375
Accrued Interest - Operating		2,403,053		255,470		-		2,658,523
Developer Advances - Capital		173,401		11,000,000		-		11,173,401
Accrued Interest - Capital		30,130		453,872		-		484,002
	\$	5,799,959	\$	11,709,342	\$	-	\$	17,509,301

Schedule of Long Term Obligations

*Estimate

The District has no operating or capital leases.

Reserves

Emergency Reserves

The District has provided for an Emergency Reserve fund equal to at least 3% of fiscal year spending for 2023, as defined under TABOR.

Operational Reserves

The District has adopted an operational reserve policy equivalent to a minimum of ninety (90) days of annually budgeted District expenditures.

This information is an integral part of the accompanying budget.

CERTIFICATION OF TAX LEVIES	for NON	-SCHOOL G	fovernments
TO: County Commissioners ¹ of El Paso County			, Colorado.
On behalf of the FLYING HORSE METROPOLIT	TAN DISTF	RICT NO. 1	,
(taxing entity) ^A		
the Board of Directors	F	3	
	governing body) ^E		
of the <u>FLYING HORSE METROPOLI</u>	ocal government)		
Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 60			tion of Valuation Form DLG 57 ^E)
	UE FROM FINA		tion of Valuation Form DLG 57) OF VALUATION PROVIDED N DECEMBER 10
Submitted: 12/08/2022 for	r budget/fisc		2023 .
(no later than Dec. 15) (mm/dd/yyyy)			(уууу)
PURPOSE (see end notes for definitions and examples)	LEV	YY ²	REVENUE²
1. General Operating Expenses ^H	0	mills	\$0
 <minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction^I</minus> 	<	> mills	<u></u> \$< >
SUBTOTAL FOR GENERAL OPERATING:	0	mills	\$ 0
3. General Obligation Bonds and Interest ^J		mills	\$
4. Contractual Obligations ^K	0	mills	\$0
5. Capital Expenditures ^L		mills	\$
6. Refunds/Abatements ^M		mills	\$
7. Other ^N (specify):		mills	\$
		mills	\$
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	0	mills	0
Contact person:	Daytime		
(print) Seef Le Roux	_ phone:	(719) 635-033	0
Signed: Jehour	Title:	Accountant for	r the District
Include one copy of this tax entity's completed form when filing the local go Division of Local Government (DLG), Room 521, 1313 Sherman Street, Der			

¹ If the *taxing entity's* boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.
 ² Levies must be rounded to <u>three</u> decimal places and revenue must be calculated from the total <u>NET assessed valuation</u> (Line 4 of Form DLG57 on the County Assessor's <u>FINAL</u> certification of valuation).

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

1.	Purpose of Issue: Series: Date of Issue: Coupon Rate: Maturity Date: Levy: Revenue:	- - - -
2.	Purpose of Issue: Series:	
	Date of Issue:	
	Coupon Rate:	
	Maturity Date:	
	Levy:	
	Revenue:	
CON	TRACTS ^κ :	
3.		
	Title:	-
	Date:	-
	Principal Amount:	-
	Maturity Date:	-
	Levy:	-
	Revenue:	_
4	December of Constants	
4.	Purpose of Contract: Title:	
	Date:	
	Principal Amount:	
	Maturity Date:	
	Levy:	
	Revenue:	

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

Exhibit C Financial Statements

The District is currently awaiting the Districts' audited financial statement for the year ending December 31, 2023. Once available, the audit can be found at <u>https://apps.leg.co.gov/osa/lg</u>