

**2022 ANNUAL REPORT TO THE
CITY OF COLORADO SPRINGS**

Pursuant to the Service Plan for Silver Hawk Metropolitan District (the “District”), the District is required to submit an annual report to the Director of the City’s Budget Department, as follows:

Current Year:	2023 (for 2022 reporting year)
Name of District:	Silver Hawk Metropolitan District
Business Address of District:	c/o Spencer Fane LLP 1700 Lincoln Street, Suite 2000 Denver, CO 80203
District’s Telephone Number:	(303)-839-3800
Contact Person:	David O’Leary, General Counsel

Please provide the following additional information:

1. Boundary changes made or proposed to the Districts’ boundaries as of December 31 of the prior year.

None.

2. Intergovernmental Agreements with other governmental entities, either entered into or proposed, as of December 31 of the prior year.

None.

3. Copies of the Districts’ Rules and Regulations, if any, as of December 31 of the prior year.

There are no Rules and Regulations in existence for the District.

4. A summary of any litigation which involves the Public Improvements as of December 31 of the prior year.

There is no litigation, notices of claim, pending or threatened, against the District of which we are aware.

5. Status of the District’s construction of the Public Improvements as of December 31 of the prior year.

No additional significant public improvements have been constructed by the District during the reporting period. All subdivision improvements were constructed and completed prior to the end of 2018.

6. A list of all facilities and improvements constructed by the Districts that have been dedicated to and accepted by the City as of December 31 of the prior year.

No facilities or improvements were dedicated to the City during the reporting year.

7. The assessed valuation of the District for the current year. \$1,874,160

8. Current year budget including a description of the Public Improvements to be constructed in such year.

The 2023 budget is attached hereto as **Exhibit A**.

9. Audit of the Districts, and any entity formed by one or more of the Districts, and financial statements for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles or audit exemption, if applicable.

Revenues and expenditures for the District were less than \$750,000 in 2022, and an exemption from audit for the report year was filed and granted in accordance with state law.

10. Notice of any uncured events of default by any of the Districts, which continue beyond a ninety (90) day period, under any Debt instrument.

None.

11. Any inability of a District to pay its obligations as they come due, in accordance with the terms of such obligations, which continue beyond a ninety (90) day period.

None.

12. Copies of any Certifications of an External Financial Advisor provided as required by the Privately Placed Debt Limitation provision.

See **Exhibit B** attached hereto.

Dated: July 28, 2023

/s/ David S. O'Leary
David S. O'Leary, Counsel for the District

EXHIBIT A
2023 BUDGET

LETTER OF BUDGET TRANSMITTAL

Date: January 14, 2023

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

Attached are the 2023 budget and budget message for SILVER HAWK METROPOLITAN DISTRICT in El Paso County, Colorado, submitted pursuant to Section 29-1-113, C.R.S. This budget was adopted on October 28, 2022. If there are any questions on the budget, please contact:

Carrie Bartow
CliftonLarsonAllen LLP
8390 East Crescent Parkway, Suite 500
Greenwood Village, CO 80111
Tel.: 303-779-5710

I, S. Alan Vancil, as Secretary of the Silver Hawk Metropolitan District, hereby certify that the attached is a true and correct copy of the 2023 budget.

By: S. Alan Vancil

**RESOLUTION
TO ADOPT 2023 BUDGET, APPROPRIATE SUMS OF MONEY,
AND AUTHORIZE THE CERTIFICATION OF THE TAX LEVY
SILVER HAWK METROPOLITAN DISTRICT**

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 SILVER HAWK METROPOLITAN DISTRICT, 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 Silver Hawk Metropolitan District 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 October 28, 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 \$ 10,731 ; 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 \$ 64,391 ; 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 \$ 1,874,160; and

WHEREAS, at an election held on November 8, 2016, 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 SILVER HAWK METROPOLITAN DISTRICT OF EL PASO COUNTY, COLORADO:

Section 1. Adoption of Budget. 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 Silver Hawk Metropolitan District for calendar year 2023.

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

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

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

A. Levy for General Operating and Other Expenses. 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 5.726 mills upon each dollar of the total valuation of assessment of all taxable property within the District for the year 2022.

B. Temporary Tax Credit or Rate Reduction. 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. Levy for General Obligation Bonds and Interest. 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 34.357 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2022.

D. Levy for Contractual Obligations. 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. Levy for Capital Expenditures. 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. Levy for Refunds/Abatements. 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. Property Tax and Fiscal Year Spending Limits. 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. Certification. 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. Appropriations. 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.

ADOPTED this 28th day of October, 2022.

SILVER HAWK METROPOLITAN DISTRICT

Jeff Mark

President

ATTEST:

S. Alan Vancil

Secretary

Silver Hawk Metropolitan District			
Colorado Springs, El Paso County, Colorado			
General Fund Budget			
Year Ended 12/31/2023			
Modified Accrual Basis			
	2021	2022	2023
	Actual 12/31/21	Estimate 12/31/2022	Proposed Budget
BEGINNING FUND BALANCE	\$ (14,738)	\$ 55	\$ 10,422
REVENUES			
Homeowner Fees	30,316	28,000	28,000
Property Taxes	9,330	10,728	10,731
Interest on Delinquent Tax	8	6	-
Specific Ownership Tax	1,096	1,113	1,073
Setup Fee	450	100	100
Status letter Fee	900	150	150
Covenant Violation	1,908	100	-
Total Revenues	44,007	40,197	40,054
EXPENDITURES			
General Management			
Accounting	3,592	5,000	5,250
Legal	4,160	4,500	4,500
Elections	-	-	3,000
District Management	5,400	5,400	6,720
Status Letter Fee	900	150	150
Setup Fee	450	100	100
Insurance	3,013	2,023	2,200
Dues	267	372	400
Contingency	-	-	1,000
County Collection Fee	140	161	161
Total General Management	17,922	17,706	23,481
Maintenance			
Landscape maintenance	4,480	6,000	6,000
Landscape Repairs	1,643	144	1,800
Landscape water	4,237	5,460	6,000
Snow Removal	931	520	500
Total Maintenance	11,291	12,124	14,300
Total Expenses	29,214	29,830	37,781
Excess of Revenues over Expenditures	14,793	10,367	2,273
Transfer to Capital Fund			
ENDING FUND BALANCE	\$ 55	\$ 10,422	\$ 12,695
Emergency Reserve - 3% of Revenues	\$ 1,320	\$ 1,206	\$ 1,202
Unrestricted Fund Balance	(1,265)	9,216	11,493

Silver Hawk Metropolitan District			
Colorado Springs, El Paso County, Colorado			
Debt Service Fund Budget			
Year Ended 12/31/2023			
Modified Accrual Basis			
	2021	2022	2023
	Actual	Estimated	Proposed
		12/31/2022	Budget
BEGINNING FUND BALANCE	\$ 26,386	\$ 5,153	\$ 1,043
REVENUES			
Property Taxes	55,984	64,373	64,391
Interest on Delinquent Tax	48	38	-
Specific Ownership Tax	6,575	6,677	6,439
Total Revenues	62,607	71,088	70,830
EXPENDITURES			
Debt Service - Interest	83,000	74,231	68,769
El Paso County Tax collection Fee	841	966	970
Total Expenditures	83,841	75,197	69,739
Excess of Revenues over Expenditures	(21,233)	(4,110)	1,091
Transfer to Capital Fund			
ENDING FUND BALANCE	\$ 5,153	\$ 1,043	\$ 2,134

Silver Hawk Metropolitan District	
Colorado Springs, El Paso County, Colorado	
Property Taxes	
2022 Valuations for 2023 Taxes	356
	Total
	Adopted
Vacant Residential Land - Market Value	3,000
Percentage	29%
Assessed Value	870
Residential Land & Improvements - Market Value	26,950,128
Assessed Value Percentage	6.95%
Assessed Value	1,873,050
Commercial	
Market Value	856
percentage	28%
Assessed Value	240
Total Assessed Value - Final AV as of 11/25/22	1,874,160
Property Tax	
Operations & Maintenance	\$ 10,731.00
Debt Service	\$ 64,391.00
Total	\$ 75,122.00
Mill Levy Charged	
Operations & Maintenance	5.726
Debt Service	34.357
Total	40.083

SILVER HAWK METROPOLITAN DISTRICT

2023 BUDGET MESSAGE

Silver Hawk Metropolitan District (the “District”) is a quasi-municipal corporation organized and operated pursuant to provisions set forth in the Colorado Special District Act, and was formed in November 2016. The District was established for the Silver Hawk community and is generally located east of Silver Hawk Avenue, south of Hancock Expressway, west of Powers Boulevard, and north of Milton E Proby Parkway, entirely within the City of Colorado Springs, El Paso County, State of Colorado and contains approximately 14.75 acres, more or less. The District was organized to provide financing for the design, acquisition, construction and installation of public improvements, facilities and services. The public improvements provided by the District include streets and roadways, street landscaping, lighting, safety protection, park and recreation, sanitation and storm drainage, water improvements and other related improvements and their operation and maintenance.

The District has no employees at this time and all operations and administrative functions are contracted.

The following budget is prepared on the modified accrual basis of accounting, which is consistent with the basis of accounting used in presenting the District’s financial statements.

2023 BUDGET GENERAL FUND REVENUES

1. The primary sources of revenue for the District General Fund in 2023 will be Homeowner Fees.
2. The homeowners will be assessed a \$400 annual fee to cover the shortfall of revenue over expenses in 2023.
3. Property Taxes are based on the assessed value of property within the District as established by El Paso County. Mill levies are budgeted for Operations and Maintenance at 5.726 Mills.
4. Specific ownership taxes are budgeted at 10% of property taxes collected. These taxes are set by the state and collected by the county treasurer primarily on vehicle licensing within the county as a whole. They are allocated by the county treasurer to all taxing entities within the county.

GENERAL FUND EXPENDITURES

1. Accounting fees include the costs of the accounting firm to review the financial statements, review and file the budget and to prepare annual financial statements.
2. Legal fees are estimated based on the annual requirements of the District.
3. District Management costs are estimated based on costs to manage the District.

SILVER HAWK METROPOLITAN DISTRICT

2023 BUDGET MESSAGE

GENERAL FUND - CONTINUED EXPENDITURES – continued

4. Dues & subscriptions are the estimated SDA dues and office expenses.
5. Insurance is the estimated charges from the Colorado Special Districts Property and Liability Pool insurance.
6. A property tax collection fee is payable to the County at the rate of 1.5% of the property taxes collected, excluding specific ownership tax.
7. Landscape Maintenance and Water is the cost to maintain and water the landscaping, common areas and drainage systems.

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of revenues, excluding Developer Loan Proceeds.

CAPITAL FUND

1. No revenues or expenditures are budgeted in the Capital Fund for 2023.

DEBT SERVICE FUND REVENUES

1. Property Taxes are based on the assessed value of property within the District as established by El Paso County. Mill levies are budgeted for Debt Service at 34.357 Mills.
2. Specific ownership taxes re budgeted at 10% of property taxes collected. These taxes are set by the state and collected by the county treasurer primarily on vehicle licensing within the county as a whole. They are allocated by the county treasurer to all taxing entities within the county.

DEBT SERVICE FUND EXPENDITURES

1. Interest on the District Bonds issued is budgeted at \$68,769. This pays a portion of the unpaid interest carryover from 2023.
2. A property tax collection fee is payable to the County at the rate of 1.5% of the property taxes collected, excluding specific ownership tax.

ADDITIONAL INFORMATION

1. The basis of accounting for the District is the Modified Accrual Basis.
2. There are no operating or capital lease obligations of the District.

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of EL PASO COUNTY, Colorado.

On behalf of the SILVER HAWK METROPOLITAN DISTRICT,
(taxing entity)^A

the BOARD OF DIRECTORS
(governing body)^B

of the SILVER HAWK METROPOLITAN DISTRICT
(local government)^C


Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 1,874,160 assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 1,874,160 (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)
USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: 12/09/22 for budget/fiscal year 2023.
(no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE <small>(see end notes for definitions and examples)</small>	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	<u>5.726</u> mills	<u>\$ 10,731</u>
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< > mills	\$ < >
SUBTOTAL FOR GENERAL OPERATING:	<u>5.726</u> mills	<u>\$10,731</u>
3. General Obligation Bonds and Interest ^J	<u>34.357</u> mills	<u>\$ 64,391</u>
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____
TOTAL: <small>[Sum of General Operating Subtotal and Lines 3 to 7]</small>	<u>40.083</u> mills	<u>\$75,122</u>

Contact person: Seef Le Roux Daytime phone: (719) 635-0330

Signed:  Title: Accountant for the District

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:	Limited Tax General Obligation Bonds
	Series:	Series 2019
	Date of Issue:	February 15, 2019
	Coupon Rate:	5.75%
	Maturity Date:	December 1, 2057
	Levy:	34.357
	Revenue:	\$64,391

2.	Purpose of Issue:	
	Series:	
	Date of Issue:	
	Coupon Rate:	
	Maturity Date:	
	Levy:	
	Revenue:	

CONTRACTS^K:

3.	Purpose of Contract:	
	Title:	
	Date:	
	Principal Amount:	
	Maturity Date:	
	Levy:	
	Revenue:	

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 B
CERTIFICATION OF EXTERNAL FINANCIAL ADVISOR

*Silver Hawk Metropolitan District
In the City of Colorado Springs, El Paso County, Colorado*

*\$1,030,000
Limited Tax General Obligation Bonds
Series 2019*

CERTIFICATE OF EXTERNAL FINANCIAL ADVISOR

This Certificate of External Financial Advisor (this “Certificate”) is furnished by George K. Baum & Company (“GKB”) in connection with the issuance by Silver Hawk Metropolitan District, in the City of Colorado Springs, El Paso County, Colorado (the “District”), of its Limited Tax General Obligation Bonds, Series 2019, in the aggregate principal amount of \$2,430,000 (the “Bonds”), pursuant to a resolution adopted by the Board of Directors of the District on February 5, 2019 (the “Authorizing Resolution”). In connection with the issuance of the Bonds, the undersigned hereby certifies on behalf of GKB as follows (capitalized terms used herein and not defined shall have the meanings ascribed thereto in the Authorizing Resolution):

1. The undersigned is duly authorized by all applicable laws, rules, regulations and corporate documents to make the representations contained herein on behalf of GKB.

2. GKB has provided certain services to the District in connection with the structuring and issuance of the Bonds.

3. GKB is a consultant that (i) advises Colorado governmental entities on matters relating to the issuance of securities by Colorado governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (ii) is an underwriter, investment banker or individual listed as a public finance advisor in the Bond Buyer’s Municipal Market Place; and (iii) is not an officer or employee of the District and, other than as set forth in paragraph 2 above, has not been otherwise engaged to provide services in connection with the issuance of the Bonds.

4. GKB is an External Financial Advisor within the meaning of the District’s Service Plan.

5. GKB is of the opinion that the net effective interest rate (calculated as defined in Section 32-1-103(12), C.R.S.) to be borne by the Bonds does not exceed a reasonable current tax-exempt interest rate using criteria deemed appropriate by us and based upon our analysis of comparable high yield securities.

6. GKB is of the opinion that the structure of the Bonds, including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

7. GKB understands that this Certificate forms a part of the basis for the opinion, dated the date hereof, of Kline Alvarado Veio, P.C., as bond counsel, to the effect that the interest on the Bonds is excluded from the gross income of the recipients thereof for purposes of

federal income taxation under existing laws, regulations, rulings and judicial decisions; provided, however, that (a) nothing herein represents GKB's interpretation of any laws, including, without limitation, any provisions of Section 148 of the Code or the regulations thereunder, (b) GKB makes no representation as to the legal sufficiency of the representations of fact set forth herein, (c) GKB makes no representation as to any conclusions of law made by bond counsel; and (d) this Certificate may be relied upon by bond counsel for the purposes stated above.

[Signature page follows]

IN WITNESS WHEREOF, GKB has caused this Certificate of External Financial Advisor to be executed in its name and on its behalf by its authorized officer as of the 15th day of February, 2019.

GEORGE K. BAUM & COMPANY

By: 
Authorized Officer