

**THIRD AMENDMENT TO
AMENDED AND RESTATED SERVICE PLAN FOR
THE CANYONS METROPOLITAN DISTRICT NO. 4**

CITY OF CASTLE PINES, COLORADO

Prepared by:

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As approved by the City of Castle Pines
on

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I. INTRODUCTION

The Amended and Restated Service Plan for The Canyons Metropolitan District Nos. 2-4 and Consolidated Service Plan for The Canyons Metropolitan District Nos. 5-11 (the “**Original Service Plan**”) was approved by the City Council for the City of Castle Pines, Colorado (the “**City**”) on October 22, 2009.

The First Amendment to the Amended and Restated Service Plan for The Canyons Metropolitan District Nos. 2-4 and Consolidated Service Plan for The Canyons Metropolitan District Nos. 5-11 (the “**First Amendment**”) was approved by the City Council for the City on December 8, 2015.

The Second Amendment to the Amended and Restated Service Plan for The Canyons Metropolitan District No. 4 and Consolidated Service Plan for The Canyons Metropolitan District Nos. 5-7 (the “**Second Amendment**”) was approved by the City Council for the City on December 10, 2019.

The Second Amendment requires each of the Districts to impose, collect and remit the City Operations Mill Levy in accordance with the City Operations Mill Levy IGA.

This Third Amendment to the Amended and Restated Service Plan for The Canyons Metropolitan District No. 4 (the “**Third Amendment**,” and together with the Original Service Plan, the First Amendment, and Second Amendment, the “**Service Plan**”), clarifies that (i) the City Operations Mill Levy IGA does not constitute Bond, Bonds or Debt under the Service Plan, and (ii) the City Operations Mill Levy constitutes a mill levy imposed for operational or administrative purposes and does not constitute a mill levy imposed for Debt under the Service Plan.

II. AMENDMENTS

1. The definition of “Bond, Bonds or Debt” in Section II. Definitions of the Service Plan is hereby amended and restated as follows:

Bond, Bonds or Debt: means bonds or other obligations for the payment of which any District has promised to impose an ad valorem property tax mill levy, and/or collect Fee revenue, excluding the City Operations Mill Levy IGA, which City Operations Mill Levy IGA shall not constitute a Bond, Bonds or Debt under this Service Plan.

2. The definition of “City Operations Mill Levy” in Section XII City Operations Mill Levy of the Service Plan is hereby amended and restated as follows:

“City Operations Mill Levy” means a mill levy to be levied by the Districts and remitted to the City to be used by the City for the upkeep, operation, maintenance, repair and replacement of, and the provision of services related to, City Maintained Improvements, as set forth in one or more intergovernmental agreement(s) entered into between the City and one or more of the Districts (the “City Operations Mill Levy IGA”). The City Operations Mill Levy constitutes a mill levy imposed for operational or administrative purposes, and

does not constitute a mill levy imposed for Debt under this Service Plan. The City Operations Mill Levy shall be subject to the Maximum Mill Levy.

3. Except as specifically amended as set forth above, all other provisions of the Service Plan, First Amendment, and Second Amendment shall remain in full force and effect.