

**Cottonwood Greens Metropolitan District #2  
Weld County, Colorado**

**Financial Statements and Independent  
Auditor's Report  
December 31, 2022**



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## INDEPENDENT AUDITOR'S REPORT

To the Board of Directors  
Cottonwood Greens Metropolitan District #2  
Weld County, Colorado

### Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Cottonwood Greens Metropolitan District #2 as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Cottonwood Greens Metropolitan District #2, as of December 31, 2022, and the respective changes in financial position and the budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Cottonwood Greens Metropolitan District #2 and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Cottonwood Greens Metropolitan District #2's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions, are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Cottonwood Greens Metropolitan District #2's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Cottonwood Greens Metropolitan District #2's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

### **Required Supplementary Information**

Management has omitted management discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

### **Supplementary Information**

Our audit was made for the purpose of forming an opinion on the financial statements that collectively comprise the District's basic financial statements taken as a whole. The accompanying supplemental information as listed in the table of contents is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statements as a whole.

*Haynie & Company*

Littleton, Colorado  
July 24, 2023

## **BASIC FINANCIAL STATEMENTS**

**Cottonwood Greens Metropolitan District #2**  
**Statement of Net Position (Deficit)**  
**December 31, 2022**

<b>Assets</b>	<u><b>Governmental Activities</b></u>
Cash and investments	\$ 13,917
Due from County Treasurer	30
Due from Developer	7,777
Dues and Fees Receivable	250
Property Tax Receivable	50,743
Non-current assets:	
Capital assets, not being depreciated	9,398,359
Total assets	<u>\$ 9,471,076</u>
<b>Liabilities</b>	
Accounts payable	\$ 8,395
Accrued interest	22,907
Non-current liabilities - Due in more than one year	9,740,243
Total liabilities	<u>9,771,545</u>
<b>Deferred Inflows of Resources</b>	
Deferred property tax revenue	50,743
Total deferred inflows of resources	<u>50,743</u>
<b>Net Position (Deficit)</b>	
Restricted for:	
Emergency	1,125
Unrestricted	(352,337)
Total Net Position (Deficit)	<u>(351,212)</u>
Total Liabilities, deferred inflows of resources and Net Position (Deficit)	<u>\$ 9,471,076</u>

The accompanying notes are an integral part of these financial statements.

**Cottonwood Greens Metropolitan District #2**  
**Statement of Activities**  
**For the Year Ended December 31, 2022**

<u>Functions/Programs</u>	<u>Expenses</u>	<u>Program Revenues</u>			<u>Net (Expense)</u> <u>Revenue and</u> <u>Changes in Net</u> <u>Position (Deficit)</u> <u>Primary Government</u>
		<u>Charges for</u> <u>Services and</u> <u>other fees</u>	<u>Operating</u> <u>Grants and</u> <u>Contributions</u>	<u>Capital</u> <u>Grants and</u> <u>Contributions</u>	<u>Governmental</u> <u>Activities</u>
Primary government:					
Governmental activities:					
General government	\$ 349,148	\$ -	\$ -	\$ -	\$ (349,148)
Interest and related costs on long term debt	3,271	-	-	-	(3,271)
	<u>\$ 352,419</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (352,419)</u>
General revenues:					
Property taxes					7,096
Specific ownership taxes					420
Other revenues					716
Total general revenues					<u>8,232</u>
Change in net position					(344,187)
Net position (deficit)- beginning of year					(7,025)
Net position (deficit) - end of year					<u>\$ (351,212)</u>

The accompanying notes are an integral part of these financial statements.

**Cottonwood Greens Metropolitan District #2**  
**Governmental Funds Balance Sheet and**  
**Reconciliation of Fund Balances to Net Position (Deficit)**  
**December 31, 2022**

<b>Assets</b>	<b>General Fund</b>	<b>Debt Service Fund</b>	<b>Capital Projects Fund</b>	<b>Total</b>
Cash and investments	\$ 3,856	\$ -	\$ 10,061	\$ 13,917
Due from County Treasurer	30	-	-	30
Due from Developer	7,777	-	-	7,777
Dues and Fees Receivable	250	-	-	250
Property taxes receivable	10,673	40,070	-	50,743
Total assets	\$ 22,586	\$ 40,070	\$ 10,061	\$ 72,717
<b>Liabilities</b>				
Accounts payable	\$ 8,395	\$ -	\$ -	\$ 8,395
Total liabilities	8,395	-	-	8,395
<b>Deferred Inflows of Resources</b>				
Deferred property tax revenue	10,673	40,070	-	50,743
Total deferred inflows of resources	10,673	40,070	-	50,743
<b>Fund Balances</b>				
Restricted:				
Emergency	1,125	-	-	1,125
Unassigned	2,393	-	10,061	12,454
Total Fund Balances	3,518	-	10,061	13,579
<b>Total Liabilities, Deferred Inflows of Resources and Fund Balances</b>	\$ 22,586	\$ 40,070	\$ 10,061	\$ 72,717
Total governmental fund balance per above				\$ 13,579
Amounts reported for governmental activities in the statement of net assets excluded from the governmental fund balance because:				
Capital assets, net of accumulated depreciation, used in governmental activities are not financial resources and are excluded from the funds				9,398,359
Long term liabilities not payable in the current year are excluded as liabilities in the governmental funds. Interest on long-term debt is recognized as an expenditure in governmental funds when due. These liabilities consist of:				
Developer advances				(20,243)
Bond proceeds				(9,720,000)
Accrued interest				(22,907)
Net position (deficit) of governmental activities				\$ (351,212)

The accompanying notes are an integral part of these financial statements.

**Cottonwood Greens Metropolitan District #2**  
**Governmental Fund Revenues, Expenditures**  
**and Changes in Fund Balances**  
**For the Year Ended December 31, 2022**

	<u>General</u>	<u>Debt Service</u>	<u>Capital Projects Fund</u>	<u>Total</u>
<b>Revenues</b>				
Property Taxes	\$ 7,096	\$ -	\$ -	\$ 7,096
Specific Ownership Taxes	420	-	-	420
Design Review Fees	650	-	-	650
Interest	<u>5</u>	<u>-</u>	<u>61</u>	<u>66</u>
Total Revenues	<u>8,171</u>	<u>-</u>	<u>61</u>	<u>8,232</u>
<b>Expenditures</b>				
Management and Accounting Services	5,299	-	-	5,299
Legal	23,642	-	-	23,642
Insurance	1,420	-	-	1,420
Engineers	650	-	-	650
Treasurer Fees	103	-	-	103
Election	358	-	-	358
Printing, Postage & Website	224	-	-	224
Contingency	2,050	-	-	2,050
SDA Dues	195	-	-	195
Water	3,566	-	1,589,489	1,593,055
Parks and Rec	-	-	1,470,210	1,470,210
Street Sidewalks	-	-	3,419,284	3,419,284
Costs of Issuance	-	-	316,455	316,455
Sanitary & Storm Sewer	<u>-</u>	<u>-</u>	<u>2,914,562</u>	<u>2,914,562</u>
Total Expenditures	<u>37,507</u>	<u>-</u>	<u>9,710,000</u>	<u>9,747,507</u>
<b>Excess of revenues over (under) expenditures</b>	(29,336)	-	(9,709,939)	(9,739,275)
<b>Other financing sources (uses)</b>				
Developer advances	28,019	-	-	28,019
Bond proceeds	<u>-</u>	<u>-</u>	<u>9,720,000</u>	<u>9,720,000</u>
Total other financing sources (uses)	<u>28,019</u>	<u>-</u>	<u>9,720,000</u>	<u>9,748,019</u>
<b>Net change in fund balances</b>	(1,317)	-	10,061	8,744
<b>Fund balances:</b>				
<b>Beginning of the year</b>	<u>4,835</u>	<u>-</u>	<u>-</u>	<u>4,835</u>
<b>End of the year</b>	<u>\$ 3,518</u>	<u>\$ -</u>	<u>\$ 10,061</u>	<u>\$ 13,579</u>

The accompanying notes are an integral part of these financial statements.

**Cottonwood Greens Metropolitan District #2**  
**Reconciliation of the Statement of Revenues, Expenditures**  
**and Changes in Fund Balances of Governmental Funds**  
**to the Statement of Activities**  
**For the Year Ended December 31, 2022**

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balance—total governmental funds	\$	8,744
Governmental funds report capital outlays as expenditures. In the Statement of Activities, capital outlays are not reported expenditures.		
Capital outlay - capitalized		9,398,359
Long-term debt provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Also, governmental funds do not report new long-term commitments until paid, while the commitment expense is recorded as a change in net position.		
Bond proceeds		(9,720,000)
Increase in developer advances		(8,383)
Accrued interest on developer advances - change in liability		<u>(22,907)</u>
Change in net position (deficit) of governmental activities	\$	<u>(344,187)</u>

The accompanying notes are an integral part of these financial statements.

**Cottonwood Greens Metropolitan District #2**  
**Statement of Revenue, Expenditures**  
**and Changes in Fund Balances—Actual and Budget**  
**Governmental Fund Type—General Fund**  
**For the Year Ended December 31, 2022**

	<u>Original &amp; Final Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>
<b>Revenues</b>			
Property Taxes	\$ 7,096	\$ 7,096	\$ -
Specific Ownership Taxes	355	420	65
Design Review Fees	-	650	650
Refunds/Other	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenues	<u>7,451</u>	<u>8,166</u>	<u>715</u>
<b>Expenditures</b>			
County Treasurer's Collection Fees	566	103	463
Insurance and Bonds	1,000	1,420	(420)
Accounting and Legal	36,800	28,941	7,859
Election Costs	-	-	-
Repayment of Developer Advance	6,400	-	6,400
Miscellaneous	<u>-</u>	<u>7,043</u>	<u>(7,043)</u>
Total Expenditures	<u>44,766</u>	<u>37,507</u>	<u>7,259</u>
<b>Excess Revenue Over (Under)</b>			
<b>Expenditures</b>	<u>(37,315)</u>	<u>(29,341)</u>	<u>7,974</u>
<b>Other financing sources (uses)</b>			
Developer Advances	33,000	28,019	(4,981)
Bond Proceeds	<u>-</u>	<u>-</u>	<u>-</u>
Total other financing sources (uses)	<u>33,000</u>	<u>28,019</u>	<u>(4,981)</u>
<b>Net change in fund balances</b>	(4,315)	(1,322)	2,993
<b>Fund Balances—Beginning of year</b>	<u>6,403</u>	<u>2,524</u>	<u>(3,879)</u>
<b>Fund Balances—End of Year</b>	<u>\$ 2,088</u>	<u>\$ 1,202</u>	<u>\$ (886)</u>

The accompanying notes are an integral part of these financial statements.

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements**  
**December 31, 2022**

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**1. Definition of Reporting Entity**

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Cottonwood Greens Metropolitan District #2 (the District), a quasi-municipal corporation, was organized in 2022. The District is governed pursuant to provisions of the Colorado Special District Act (Title 32). The District's service area is located in the City of Fort Lupton, Weld County, Colorado. The District was established to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment and financing of the public improvements in the most economic manner possible.

The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements, which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organization's governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency.

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

The District is not financially accountable for any other organization, nor is the District a component unit of any other primary governmental entity.

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**2. Summary of Significant Accounting Policies**

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The more significant accounting policies of the District are described as follows:

**Government-wide and Fund Financial Statements**

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all of the activities of the District. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities are normally supported by property taxes.

The statement of net position reports all financial and capital resources of the District. The difference between the assets and liabilities of the District is reported as net position.

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**2. Summary of Significant Accounting Policies (continued)**

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The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for the governmental funds. Major individual governmental funds are reported as separate columns in the financial statements.

**Measurement Focus, Basis of Accounting, and Financial Statement Presentation**

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The major sources of revenue susceptible to accrual are property taxes. All other revenue items are considered to be measurable and available only when cash is received by the District. The District determined that Developer advances are not considered as revenue susceptible to accrual. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation is due.

The District reports the following major governmental funds:

The General Fund is the District's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The Debt Service Fund is used to account for the accumulation of resources for, and the payment of, general long-term debt principal, interest, and related costs.

The Capital Projects Fund accounts for financial resources to be used for the acquisition and construction of capital equipment and facilities.

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**2. Summary of Significant Accounting Policies (continued)**

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Amounts reported as program revenues include 1) charges to customers or applicants for goods, services, or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, then unrestricted resources as they are needed.

**Budgets**

In accordance with the State Budget Law, the District's Board of Directors holds public hearings in the fall each year to approve the budget and appropriate the funds for the ensuing year. The appropriation is at the total fund expenditures level and lapses at year end. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The appropriation can only be modified upon completion of notification and publication requirements. The budget includes each fund presented on the modified accrual basis of accounting unless otherwise indicated.

In 2022, the District amended its budget to allow for additional expenditures and reflect the creation of the Capital Projects Funds.

**Fair Value of Financial Instruments**

The District's financial instruments include cash and cash equivalents, accounts receivable and accounts payable. The District estimates that the fair value of all financial instruments at December 31, 2022 does not differ materially from the aggregate carrying values of its financial instruments recorded in the accompanying balance sheet. The carrying amount of these financial instruments approximates fair value because of the short maturity of these instruments.

**Deposits and Investments**

The District's cash and cash equivalents are considered to be cash on hand and short-term investments with maturities of three months or less from the date of acquisition. Investments are reported at fair value.

**Long-Term Obligations**

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bonds payable are reported net of the applicable bond premium or discount.

**Bond Issue Costs**

In the government-wide and fund financial statements, bond issuance costs are recognized as expenses during the period incurred. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**2. Summary of Significant Accounting Policies (continued)**

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**Deferred Inflows and Outflows of Resources**

In addition to assets, the statement of financial position and balance sheets will sometimes report separate sections for deferred outflows of resources and deferred inflows of resources. A deferred outflow of resources represents a consumption of net assets that applies to future periods, and a deferred inflow of resources represents an acquisition of net assets that applies to future periods. Both deferred outflows and inflows are reported in the Statement of Net Position but are not recognized in the financial statements as revenues and expenses until the period to which they relate.

**Property Taxes**

Property taxes are levied by the District 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 for 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.

Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred revenue in the year they are levied and measurable. The deferred property tax revenue is recorded as revenue in the year it is available or collected.

**Use of Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles requires the use of estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

**Capital Assets**

Capital assets, which include property, plant and equipment and infrastructure (e.g. roads, sidewalks, and similar items), are reported in the applicable governmental activities column in the government-wide financial statements. Capital assets are defined by the District as assets with an initial, individual cost of more than \$5,000. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair value at the date of donation.

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**2. Summary of Significant Accounting Policies (continued)**

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Capital assets, which are anticipated to be conveyed to other governmental entities, are recorded as construction in progress and are not included in the calculation of net investment in capital assets of the District's net position.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend the life of the asset are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related fixed assets, as applicable.

**Fund Equity**

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: nonspendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components.

The following classifications describe the relative strength of the spending constraints:

- *Nonspendable fund balance* - The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts or inventory) or legally or contractually required to be maintained intact.
- *Restricted fund balance* - The portion of fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.
- *Committed fund balance* - The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority, the Board of Directors. The constraint may be removed or changed only through formal action of the Board of Directors.
- *Assigned fund balance* - The portion of fund balance that is constrained by the government's intent to be used for specific purposes but is neither restricted nor committed. Intent is expressed by the Board of Directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.
- *Unassigned fund balance* - The residual portion of fund balance that does not meet any of the criteria described above. If more than one classification of fund balance is available for use when an expenditure is incurred, it is the District's policy to use the most restrictive classification first.

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**3. Cash and Investments**

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**Cash**

Cash and investments as of December 31, 2022 are classified in the accompanying financial statements as follows:

Statement of net position:

Cash and investments	<u>\$ 13,917</u>
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Cash and investments as of December 31, 2022 consist of the following:

Deposits with financial institutions	<u>\$ 13,917</u>
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The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least equal to 102% of the aggregate uninsured deposits.

The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

As of December 31, 2022, the District's cash deposits had a bank balance of \$15,473 and a carrying balance of \$13,917, all FDIC insured.

**Investments**

The District has not adopted a formal investment policy; however, the District follows state statutes regarding investments.

The District generally limits its concentration of investments to those noted with an asterisk (\*) below, which are believed to have minimal credit risk, minimal interest rate risk and no foreign currency risk. Additionally, the District is not subject to concentration risk disclosure requirements or subject to investment custodial credit risk for investments that are in the possession of another party.

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**3. Cash and Investments (continued)**

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Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors. Such actions are generally associated with a debt service reserve or sinking fund requirements.

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest which include:

- Obligations of the United States, certain U.S. government agency securities and the World Bank
- General obligation and revenue bonds of U.S. local government entities
- Bankers acceptances of certain banks
- Written repurchase agreements and certain reverse repurchase agreements collateralized by certain authorized securities
- Guaranteed investment contracts
- \* Local government investment pools

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**4. Long-Term Liabilities**

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The following is an analysis of changes in the District's long-term debt for the year ended December 31, 2022:

	<b>Balance at December 31, 2021</b>	<b>Additions</b>	<b>Reductions</b>	<b>Balance at December 31, 2022</b>	<b>Due Within One Year</b>
Bonded Debt:					
2022a Bond	\$ -	\$ 7,415,000	\$ -	\$ 7,415,000	\$ -
2022b Bond	-	2,305,000	-	2,305,000	-
Accrued interest	-	30,024	-	30,024	-
	<u>\$ -</u>	<u>\$ 9,750,024</u>	<u>\$ -</u>	<u>\$ 9,750,024</u>	<u>\$ -</u>
Other Obligations:					
Developer Advances	\$ -	\$ 20,243	\$ -	\$ 20,243	\$ -
Accrued interest	-	662	-	662	-
	<u>\$ -</u>	<u>\$ 20,905</u>	<u>\$ -</u>	<u>\$ 20,905</u>	<u>\$ -</u>

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

**5. Long-Term Liabilities (continued)**

**General Obligation Limited Tax Bonds, Series 2022A** On December 1, 2022, the District issued \$7,415,000 of General Obligation Limited Tax Bonds Series 2022A (the “Bonds”) for the purpose of funding additional public improvements in the District and for costs of issuance associated with the Bonds.

The Series 2021 bonds carry interest at the rate of 6.75% per annum, calculated on the basis of a 360-day year of twelve 30-day months, payable to the extent of Pledged Revenue available therefore on each December 1, commencing on December 15, 2022, and shall mature on December 1, 2062. In the event that the Pledged Revenue is insufficient to pay the Bonds when due, the unpaid principal will remain outstanding until the earlier of its payment or the termination date and shall continue to bear interest at the rate then borne by the Bonds. To the extent interest on the Bond is not paid when due, such interest shall compound on each interest payment date, at the rate then borne by the Bond.

The Bonds are subject to redemption prior to maturity at the option of the District, as a whole or in integral multiples of \$1,000, in any order of maturity and in whole or partial maturities, on December 1, 2027, and on any date thereafter, upon payment of par, accrued interest, and a redemption premium of a percentage of the principal amount so redeemed, as follows:

<b>Date of Redemption</b>	<b>Redemption Premium</b>
December 1, 2027, through November 30, 2028	3.00%
December 1, 2028, through November 30, 2029	2.00%
December 1, 2029, through November 30, 2030	1.00%
December 1, 2030, and thereafter	0.00%

The Bonds and interest thereon will be deemed to be paid, satisfied and discharged on December 2, 2062, regardless of the amount of principal and interest paid prior to the Termination Date. Upon such discharge, the owners of the Bonds will have no recourse to the District or any property of the District for the payment of any amount of principal of or interest on the Bonds remaining unpaid.

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**5. Long-Term Liabilities (continued)**

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**General Obligation Limited Tax Bonds, Series 2022B**

On December 1, 2022, the District issued \$2,305,000 of General Obligation Limited Tax Bonds Series 2022B (the “Bonds”) for the purpose of funding additional public improvements in the District and for costs of issuance associated with the Bonds.

The Series 2022B bonds carry interest at the rate of 8.0% per annum, calculated on the basis of a 360-day year of twelve 30-day months, payable to the extent of Pledged Revenue available therefore on each December 1, commencing on December 15, 2022, and shall mature on December 1, 2062. In the event that the Pledged Revenue is insufficient to pay the Bonds when due, the unpaid principal will remain outstanding until the earlier of its payment or the termination date and shall continue to bear interest at the rate then borne by the Bonds. To the extent interest on the Bond is not paid when due, such interest shall compound on each interest payment date, at the rate then borne by the Bond.

The Bonds are subject to redemption prior to maturity at the option of the District, as a whole or in integral multiples of \$1,000, in any order of maturity and in whole or partial maturities, on December 1, 2027, and on any date thereafter, upon payment of par, accrued interest, and a redemption premium of a percentage of the principal amount so redeemed, as follows:

<b>Date of Redemption</b>	<b>Redemption Premium</b>
December 1, 2027, through November 30, 2028	3.00%
December 1, 2028, through November 30, 2029	2.00%
December 1, 2029, through November 30, 2030	1.00%
December 1, 2030, and thereafter	0.00%

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**5. Long-Term Liabilities (continued)**

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The Bonds and interest thereon will be deemed to be paid, satisfied and discharged on December 2, 2062, regardless of the amount of principal and interest paid prior to the Termination Date. Upon such discharge, the owners of the Bonds will have no recourse to the District or any property of the District for the payment of any amount of principal of or interest on the Bonds remaining unpaid.

Events of Default for both 2022A and 2022B include:

- a) Failure or refusal to impose the Required Mill Levy or to apply the Pledged Revenue
- b) Default in the performance or observance of any of the covenants, agreements, or conditions on the part of the District in the Bond Indenture or the Bond Resolution
- c) Filing a petition under the federal bankruptcy laws or other applicable bankruptcy laws seeking to adjust the obligation represented by the Bonds.

In the event of default, the bondholder may appoint a receiver or other custodian, be entitled to the possession and control of any cash, securities, or other instruments at the time held by, or payable or deliverable under the provisions of the Bond Indenture to, the Trustee, or take other legal action according to the agreement deemed appropriate.

The District acknowledges and agrees that the application of any portion of the Pledged Revenue to any purpose other than deposit with the Trustee constitutes a violation and a breach of covenants, resulting in actions against the District in law or in equity.

**Developer Advances**

*Advance and Reimbursement Agreement*

In February 2020, the District entered into an Advance and Reimbursement Agreement with LGI Homes – Colorado, LLC and Cottonwood Development Partners, LLC, both Colorado limited liability partnerships (the Developers), pursuant to which the Developers agreed to advance funds in one or more installments. Under the agreement, the funds are to be used for operation and maintenance costs. Outstanding amounts due under the agreement shall accrue simple interest at a rate of seven percent (7%) per annum. The District shall make payment for the advances, subject to annual appropriation and budget approval, from funds available within any fiscal year and not otherwise required for operations, capital improvements and debt service costs and expenses of the District. The District's obligation to reimburse the Developers under the agreement is not a multiple fiscal year obligation. Payments by the District shall be applied first to interest on, then to principal of the advances in chronological order to their effective date. The reimbursement obligation is subordinate to any bonded indebtedness of the District. The amount owed to the Developer under this agreement at December 31, 2022, includes advances of \$20,243 and accrued interest of \$828. The agreement shall continue until fully performed or terminated by mutual agreement of the Parties

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**5. Long-Term Liabilities (continued)**

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On December 7, 2022, a majority of qualified electors of the District who voted in the election authorized the issuance of indebtedness. Pursuant to the Amended and Restated Service Plan, dated February 4, 2020, the District is permitted to issue bond indebtedness of up to \$14,178,000. In the future, the District may issue a portion or all of the remaining authorized but unissued general obligation debt for purposes of providing public improvements to support development as it occurs within the District's service area. At December 31, 2022, the District had \$4,458,000 of authorized but unissued debt.

All long-term debt is expected to be repaid by limited taxes imposed and collected for no greater than the maximum debt mill levy imposition term of residential properties and at a mill levy no higher than 55.277 mills.

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**6. Net Position**

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The District has net position consisting of two components – restricted and unrestricted.

Restricted assets include the net position that is restricted for use either externally imposed by creditors, grantors, contributors, or laws and regulations of other governments or imposed by law through constitutional provisions or enabling legislation.

The District had restricted net position as of December 31, 2022 as follows:

Restricted net position:

Emergency Reserves (see Note 8)	\$ <u>1,125</u>
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The District's unrestricted net deficit as of December 31, 2022 is \$352,337. The net deficit is primarily due to capital improvements funded with long-term debt that have been conveyed to other entities, while the long-term debt remains an obligation of the District. The deficit will be reduced as payments are made on the debt obligation.

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**7. Risk Management**

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The District is exposed to various risks of loss related to torts, thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees, or acts of God.

The District is a member of the Colorado Special Districts Property and Liability Pool (Pool) as of December 31, 2022. The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery and workers compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

**Cottonwood Greens Metropolitan District #2**  
**Notes to Financial Statements (continued)**  
**December 31, 2022**

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**7. Risk Management (continued)**

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The District pays annual premiums to the Pool for liability, property and public officials' liability coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

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**8. Tax, Spending and Debt Limitations**

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Article X, Section 20 of the Colorado Constitution, commonly known as the Taxpayer's Bill of Rights (TABOR) contains tax, spending, revenue and debt limitations which apply to the State of Colorado and all local governments.

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). Local governments are not allowed to use the emergency reserves to compensate for economic conditions, revenue shortfalls or salary or benefit increases.

The District's management believes it is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits will require judicial interpretation.

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**9. Related Parties**

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All of the Board of Directors are employees, owners or are otherwise associated with the Developer and may have conflicts of interest in dealing with the District. District management believes that all potential conflicts, if any, have been properly disclosed.

## **Supplementary Information**

**Cottonwood Greens Metropolitan District #2**  
**Schedule of Revenues, Expenditures**  
**and Changes in Fund Balances—Actual and Budget**  
**Governmental Fund Type—Capital Projects Fund**  
**For the Year Ended December 31, 2022**

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>
<b>Revenues</b>				
Developer Advance	\$ -	\$11,000,000	\$11,000,000	\$11,000,000
Total Revenues	<u>-</u>	<u>11,000,000</u>	<u>11,000,000</u>	<u>11,000,000</u>
<b>Expenditures</b>				
Cost of Issuance	-	385,000	385,000	385,000
Capital Projects	-	10,615,000	10,615,000	10,615,000
Total Expenditures	<u>-</u>	<u>11,000,000</u>	<u>11,000,000</u>	<u>(11,000,000)</u>
<b>Excess Revenue Over (Under)</b>				
<b>Expenditures</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b>Other financing sources (uses)</b>				
Interest	-	-	-	-
Bond proceeds	-	-	-	-
Interfund transfer in (out)	-	-	-	-
Total other financing sources (uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b>Net change in fund balances</b>	-	-	-	-
<b>Fund Balances—Beginning of year</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b>Fund Balances—End of Year</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>