

JAY GROVE METROPOLITAN DISTRICT

Financial Statements

Year Ended December 31, 2022

with

Independent Auditor's Report

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HIRATSUKA & ASSOCIATES, L.L.P.

CERTIFIED PUBLIC ACCOUNTANTS & BUSINESS ADVISORS

INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
Jay Grove Metropolitan District
Boulder County, Colorado

Opinion

We have audited the accompanying financial statements of the governmental activities and each major fund of the Jay Grove Metropolitan District (the District) 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 the District, 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 Opinion

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 the District, 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 the financial statements in accordance with accounting principles generally accepted in the United States of America, and for 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 the District'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 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 the District'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 the District'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 not presented Management's Discussion and Analysis. Such missing information, although not a part of the basic financial statements, is required by GASB, 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 the missing information.

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The Supplemental Information as listed in the table of contents is presented for the purpose of additional analysis and was not a required part of the financial statements.

The Supplemental Information is the responsibility of management and is derived from and related directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or the 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 financial statements as a whole.

Hiratsuka & Associates, LLP

September 26, 2023
Wheat Ridge, Colorado

JAY GROVE METROPOLITAN DISTRICT

BALANCE SHEET/STATEMENT OF NET POSITION
GOVERNMENTAL FUNDS
December 31, 2022

	<u>General</u>	<u>Debt Service</u>	<u>Capital Projects</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
ASSETS						
Cash and investments	\$ 28,899	\$ -	\$ -	\$ 28,899	\$ -	\$ 28,899
Cash and investments - restricted	945	11,712	14,952	27,609	-	27,609
Taxes due from County	112	407	-	519	-	519
Prepaid expenses	2,571	-	-	2,571	-	2,571
Property taxes receivable	34,158	153,561	-	187,719	-	187,719
Capital assets, net of accumulated depreciation	-	-	-	-	8,586,726	8,586,726
Total Assets	<u>\$ 66,685</u>	<u>\$ 165,680</u>	<u>\$ 14,952</u>	<u>\$ 247,317</u>	<u>8,586,726</u>	<u>8,834,043</u>
LIABILITIES						
Accounts payable	\$ 9,632	\$ -	\$ -	\$ 9,632	-	9,632
Accrued interest on bonds	-	-	-	-	377,083	377,083
Long-term liabilities:						
Due in more than one year	-	-	-	-	9,060,076	9,060,076
Total Liabilities	<u>9,632</u>	<u>-</u>	<u>-</u>	<u>9,632</u>	<u>9,437,159</u>	<u>9,446,791</u>
DEFERRED INFLOWS OF RESOURCES						
Deferred property taxes	<u>34,158</u>	<u>153,561</u>	<u>-</u>	<u>187,719</u>	<u>-</u>	<u>187,719</u>
Total Deferred Inflows of Resources	<u>34,158</u>	<u>153,561</u>	<u>-</u>	<u>187,719</u>	<u>-</u>	<u>187,719</u>
FUND BALANCES/NET POSITION						
Fund balances:						
Nonspendable:						
Prepays	2,571	-	-	2,571	(2,571)	-
Restricted:						
Emergencies	945	-	-	945	(945)	-
Debt service	-	12,119	-	12,119	(12,119)	-
Capital	-	-	14,952	14,952	(14,952)	-
Unassigned	<u>19,379</u>	<u>-</u>	<u>-</u>	<u>19,379</u>	<u>(19,379)</u>	<u>-</u>
Total Fund Balances	<u>22,895</u>	<u>12,119</u>	<u>14,952</u>	<u>49,966</u>	<u>(49,966)</u>	<u>-</u>
Total Liabilities and Fund Balances	<u>\$ 66,685</u>	<u>\$ 165,680</u>	<u>\$ 14,952</u>	<u>\$ 247,317</u>		
Net Position:						
Restricted for:						
Emergencies					945	945
Capital projects					14,952	14,952
Unrestricted					<u>(828,483)</u>	<u>(828,483)</u>
Total Net Position (Deficit)					<u>\$ (800,467)</u>	<u>\$ (800,467)</u>

The notes to the financial statements are an integral part of these statements.

JAY GROVE METROPOLITAN DISTRICT

STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES/STATEMENT OF ACTIVITIES
GOVERNMENTAL FUNDS
For the Year Ended December 31, 2022

	<u>General</u>	<u>Debt Service</u>	<u>Capital Project</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Activities</u>
EXPENDITURES						
Accounting and audit	\$ 10,804	\$ -	\$ -	\$ 10,804	\$ -	\$ 10,804
Insurance	3,349	-	-	3,349	-	3,349
Legal	6,473	-	-	6,473	-	6,473
Miscellaneous	50	-	-	50	-	50
Treasurer fees	502	1,875	-	2,377	-	2,377
Bond interest	-	113,145	-	113,145	251,755	364,900
Paying agent fees	-	3,500	-	3,500	-	3,500
Capital expenditures	-	-	-	-	-	-
Interest on developer advances	-	-	-	-	42,186	42,186
Total Expenditures	<u>21,178</u>	<u>118,520</u>	<u>-</u>	<u>139,698</u>	<u>293,941</u>	<u>433,639</u>
GENERAL REVENUES						
Property taxes	33,490	124,975	-	158,465	-	158,465
Specific ownership taxes	1,495	5,578	-	7,073	-	7,073
Interest income	1	86	154	241	-	241
Total General Revenues	<u>34,986</u>	<u>130,639</u>	<u>154</u>	<u>165,779</u>	<u>-</u>	<u>165,779</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES						
	13,808	12,119	154	26,081	(293,941)	(267,860)
OTHER FINANCING SOURCES (USES)						
Developer advances	<u>7,777</u>	<u>-</u>	<u>-</u>	<u>7,777</u>	<u>(7,777)</u>	<u>-</u>
Total Other Financing Sources (Uses)	<u>7,777</u>	<u>-</u>	<u>-</u>	<u>7,777</u>	<u>(7,777)</u>	<u>-</u>
NET CHANGES IN FUND BALANCES						
	21,585	12,119	154	33,858	(33,858)	
CHANGES IN NET POSITION						
					(267,860)	(267,860)
FUND BALANCES/NET POSITION						
BEGINNING OF YEAR	<u>1,310</u>	<u>-</u>	<u>14,798</u>	<u>16,108</u>	<u>(548,715)</u>	<u>(532,607)</u>
END OF YEAR	<u>\$ 22,895</u>	<u>\$ 12,119</u>	<u>\$ 14,952</u>	<u>\$ 49,966</u>	<u>\$ (850,433)</u>	<u>\$ (800,467)</u>

The notes to the financial statements are an integral part of these statements.

JAY GROVE METROPOLITAN DISTRICT

STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE - BUDGET AND ACTUAL -
GENERAL FUND

For the Year Ended December 31, 2022

	Original & Final <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
REVENUES			
Property taxes	\$ 33,493	\$ 33,490	\$ (3)
Specific ownership taxes	2,009	1,495	(514)
Interest income	<u>-</u>	<u>1</u>	<u>1</u>
Total Revenues	<u>35,502</u>	<u>34,986</u>	<u>(516)</u>
EXPENDITURES			
Accounting and audit	12,000	10,804	1,196
Insurance	3,500	3,349	151
Legal	12,000	6,473	5,527
Directors fees	400	-	400
Miscellaneous	500	50	450
Treasurer fees	502	502	-
Contingency	5,760	-	5,760
Emergency Reserve	<u>840</u>	<u>-</u>	<u>840</u>
Total Expenditures	<u>35,502</u>	<u>21,178</u>	<u>14,324</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES			
	-	13,808	13,808
OTHER FINANCING SOURCES			
Developer advances	<u>-</u>	<u>7,777</u>	<u>7,777</u>
Total Other Financing Sources	<u>-</u>	<u>7,777</u>	<u>7,777</u>
NET CHANGE IN FUND BALANCE			
	-	21,585	21,585
FUND BALANCE:			
BEGINNING OF YEAR	<u>1,609</u>	<u>1,310</u>	<u>(299)</u>
END OF YEAR	<u>\$ 1,609</u>	<u>\$ 22,895</u>	<u>\$ 21,286</u>

The notes to the financial statements are an integral part of these statements.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Note 1: Summary of Significant Accounting Policies

The accounting policies of Jay Grove Metropolitan District, (“the District”), located in the Town of Erie, Boulder County, Colorado, conform to the accounting principles generally accepted in the United States of America (“GAAP”) as applicable to governmental units. The Governmental Accounting Standards Board (“GASB”) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The following is a summary of the more significant policies consistently applied in the preparation of financial statements.

Definition of Reporting Entity

The District was organized on November 23, 2018, as a quasi-municipal corporation established under the State of Colorado Special District Act. The District operates pursuant to a service plan approved by the Town of Erie (the “Town”) on September 11, 2018 (the “Service Plan”). The District is authorized to provide for the financing, design, construction, acquisition, installation, maintenance, and provision of streets, parks and recreation, water, storm sewer, sanitation, traffic and safety, TV relay and translation, and mosquito control improvements, within and without the boundaries of the District, to serve the future taxpayers and inhabitants of the District, All Public Improvements are to be dedicated to the Town or other appropriate jurisdiction or owners’ association in a manner consistent with the development plan approved by the Town and other rules and regulations of the Town and applicable provisions of the Town’s development code. The District is not authorized to operate and maintain any part or all of the Public Improvements, except for storm detention facilities, common area landscape, park landscape, and street parkway landscape, as provided in the Service Plan. The District expects that such improvements are to be provided pursuant to contract with a homeowner’s association. The District is governed by an elected Board of Directors.

As required by GAAP, these financial statements present the activities of the District, which is legally separate and financially independent of other state and local governments. The District follows the GASB pronouncements, which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB sets 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 pronouncements also require including a possible component unit if it would be misleading to exclude it.

The District is not financially accountable for any other organization. The District has no component units as defined by the GASB.

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

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Basis of Presentation

The accompanying financial statements are presented per GASB Statement No. 34 - Special Purpose Governments.

The government-wide financial statements (i.e. the governmental funds balance sheet/statement of net position and the governmental funds statement of revenues, expenditures, and changes in fund balances/statement of activities) report information on all of the governmental activities of the District. The statement of net position reports all financial and capital resources of the District. The difference between the (a) assets and deferred outflows of resources and the (b) liabilities and deferred inflows of resources of the District is reported as net position. The statement of activities demonstrates the degree to which expenditures/expenses of the governmental funds are supported by general revenues. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct and indirect 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*.

Major individual governmental funds are reported as separate columns in the fund 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 the related cash flows. Property taxes are recognized as revenues in the year in which they are collected.

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 District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The material sources of revenue subject to accrual are property taxes and interest. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation is paid.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

The District reports the following major governmental funds:

General Fund - The General Fund is the general operating fund of the District. It is used to account for all financial resources not accounted for and reported in another fund.

Debt Service Fund – The Debt Service Fund is used to account for all financial resources that are restricted, committed or assigned to expenditures for principal, interest and other debt related costs.

Capital Projects Fund – The Capital Projects Fund is used to account for all financial resources that are restricted, committed or assigned to expenditures for capital outlays, including the acquisition or construction of capital facilities and other assets.

Budgetary Accounting

Budgets are adopted on a non-GAAP basis for the governmental funds. In accordance with the State Budget Law of Colorado, the District's Board of Directors holds public hearings in the fall of each year to approve the budget and appropriate the funds for the ensuing year. 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 on its basis of accounting unless otherwise indicated. The appropriation is at the total fund expenditures level and lapses at year end.

Assets, Liabilities and Net Position

Fair Value of Financial Instruments

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

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a minimum number of bank accounts. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility. Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash.

Estimates

The preparation of these financial statements in conformity with GAAP requires the District management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The District has no items that qualify for reporting in this category.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District has one type of item that qualifies for reporting in this category. This item is deferred property taxes. Deferred property taxes are deferred and recognized as an inflow of resources in the period that the amounts become available.

Capital Assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g. roads, bridges, sidewalks, and similar items), are reported in the applicable governmental activities columns 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 and an estimated useful life in excess of two years. Such assets are recorded at historical or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. The costs of normal maintenance and repairs that do not add to the value of the assets or materially extend the life of the asset are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related capital assets, as applicable using the straight-line method.

Depreciation on property that will remain assets of the District is reported on the Statement of Activities as a current charge. Improvements that will be conveyed to other governmental entities are classified as construction in progress and are not depreciated. Land and certain landscaping improvements are not depreciated.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Property Taxes

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 30 or if in equal installments, at the taxpayers' election, in February and June. Delinquent taxpayers are notified in July or August and the sales of the resultant tax liens on delinquent properties are generally 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 inflows in the year they are levied and measurable since they are not normally available nor are they budgeted as a resource until the subsequent year. The deferred property taxes are recorded as revenue in the subsequent year when they are available or collected.

Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities.

Fund Equity

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications make the nature and extent of the constraints placed on a government's fund balance more transparent:

Nonspendable Fund Balance

Nonspendable fund balance includes amounts that cannot be spent because they are either not spendable in form (such as inventory or prepaids) or are legally or contractually required to be maintained intact. The nonspendable fund balance in the General Fund represents prepaid expenditures.

Restricted Fund Balance

The restricted fund balance includes amounts restricted for a specific purpose by external parties such as grantors, bondholders, constitutional provisions or enabling legislation.

The restricted fund balance in the General Fund represents Emergency Reserves that have been provided as required by Article X, Section 20 of the Constitution of the State of Colorado. A total of \$945 of the General Fund balance has been reserved in compliance with this requirement.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

The restricted fund balance in the Debt Service Fund in the amount of \$12,119 is restricted for the payment of the debt service costs (see Note 4).

The restricted fund balance in the Capital Projects Fund in the amount of \$14,952 is restricted for the payment of the costs for capital improvements within the District.

Committed Fund Balance

The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by a 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

Assigned fund balance includes amounts the District intends to use for a specific purpose. Intent can be expressed by the District's Board of Directors or by an official or body to which the Board of Directors delegates the authority.

Unassigned Fund Balance

Unassigned fund balance includes amounts that are available for any purpose. Positive amounts are reported only in the General Fund, all funds can report negative amounts.

Net Position

Net Position represents the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. The District can report three categories of net position, as follows:

Net investment in capital assets – consists of net capital assets, reduced by outstanding balances of any related debt obligations and deferred inflows of resources attributable to the acquisition, construction, or improvement of those assets and increased by balances of deferred outflows of resources related to those assets.

Restricted net position – net position is considered restricted if their use is constrained to a particular purpose. Restrictions are imposed by external organizations such as federal or state laws. Restricted net position is reduced by liabilities and deferred inflows of resources related to the restricted assets.

Unrestricted net position – consists of all other net position that does not meet the definition of the above two components and is available for general use by the District.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, the District will use the most restrictive net position first.

Note 2: Cash and Investments

As of December 31, 2022, cash and investments is classified in the accompanying financial statements as follows:

Statement of Net Position:	
Cash and investments	\$ 28,899
Cash and investments - restricted	<u>27,609</u>
Total	<u>\$ 56,508</u>

Cash and cash equivalents as of December 31, 2022, consist of the following:

Deposits with financial institutions	\$ 41,471
Investments – Federated Hermes Treas Oblg	<u>15,037</u>
	<u>\$ 56,508</u>

Deposits

Custodial Credit Risk

The Colorado Public Deposit Protection Act, (“PDPA”) requires that all units of local government deposit cash in eligible public depositories. State regulators determine eligibility. 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 is to be maintained by another institution or held in trust for all the uninsured public deposits as a group. 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.

The District follows state statutes for deposits. None of the District’s deposits were exposed to custodial credit risk.

Investments

Credit Risk

The District has elected to follow state statutes for investments. Colorado statutes specify the types of investments meeting defined rating and risk criteria in which local governments may invest. These investments include obligations of the United States and certain U.S. Government agency entities, certain money market funds, guaranteed investment contracts, and local government investment pools.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Custodial and Concentration of Credit Risk

None of the District’s investments are subject to custodial or concentration of credit risk.

Interest Rate Risk

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors.

Investment Valuation

Certain investments are measured at fair value within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs.

As of December 31, 2022, the District had the following investments:

Federated Hermes Treasury Obligation Fund

The District’s funds that were included in the trust accounts at UMB Bank were invested in the Federated Hermes Treasury Obligation Fund (“Portfolio”). This Portfolio is a money market fund and each share is equal in value to \$1.00. All investments within the Portfolio are recorded at fair value and the District records its investment in the Portfolio at NAV. The Portfolio is AAAM rated and invests exclusively in U.S. Treasury securities and repurchase agreements collateralized by U.S. Treasury securities. The maturity of the underlying securities is 9 days or less. As of December 31, 2022, the District has \$15,037 invested in the Portfolio.

Note 3: Capital Assets

An analysis of the changes in capital assets for the year ended December 31, 2022, follows:

Governmental Type Activities:	Balance 1/1/2022	Additions	Deletions	Balance 12/31/2022
<u>Capital assets not being depreciated:</u>				
Construction in progress	\$ 8,586,726	\$ -	\$ -	\$ 8,586,726
Total capital assets not being depreciated:	<u>8,586,726</u>	<u>-</u>	<u>-</u>	<u>8,586,726</u>
Government type assets, net	<u>\$ 8,586,726</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 8,586,726</u>

It is anticipated that the District will not own or maintain any improvements upon completion.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Note 4: Long-Term Debt

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

	Balance 1/1/2022	Additions	Reductions	Balance 12/31/2022	Current Portion
<u>General Obligation Bonds:</u>					
Series 2021 Bonds	\$ 8,470,000	\$ -	\$ -	\$ 8,470,000	\$ -
	<u>8,470,000</u>	<u>-</u>	<u>-</u>	<u>8,470,000</u>	<u>-</u>
<u>Other:</u>					
Developer advances - principal -Capital	474,121	-	-	474,121	-
Developer advances - interest - Capital	15,079	37,930	-	53,009	-
Developer advances - principal -Operations	47,372	7,959	-	55,331	-
Developer advances - interest - Operations	3,359	4,256	-	7,615	-
	<u>539,931</u>	<u>50,145</u>	<u>-</u>	<u>590,076</u>	<u>-</u>
	<u>\$ 9,009,931</u>	<u>\$ 50,145</u>	<u>\$ -</u>	<u>\$ 9,060,076</u>	<u>\$ -</u>

A description of the long-term obligations as of December 31, 2022, is as follows:

\$8,470,000 General Obligation Limited Tax Bonds, Series 2021⁽³⁾

On August 26, 2021, the District issued \$8,470,000 of General Obligation Limited Tax Bonds, Series 2021⁽³⁾ (“Series 2021 Bonds”) for the purpose of financing or reimbursing a portion of the costs of acquiring, constructing, and/or installing certain public infrastructure to serve the District and paying for the costs of issuance of the Series 2021 Bonds. The Series 2021 Bonds bear interest at 4.250% payable annually on December 1 commencing on December 1, 2021, and mature on December 1, 2051. The Series 2021 Bonds are subject to early redemption at the option of the District commencing September 1, 2026, with a redemption premium of 1% to 3% until September 1, 2029. Interest compounds annually on December 1 at the rate then borne by the Series 2021 Bonds. The Series 2021 Bonds are limited tax “cash flow” general obligations of the District secured by and payable solely from the Pledged Revenue, consisting of moneys derived by the District from the following sources: the Required Mill Levy, Capital Fees, if any, the portion of Specific Ownership Tax related to the Required Mill Levy, and any other moneys determined by the District. Any remaining principal and accrued interest outstanding on the Series 2021 Bonds at December 1, 2061 after the application of all Pledged Revenue available will be discharged.

Events of Default as defined in the Series 2021 Bond Indenture are 1) the failure of the District to impose or apply the Required Mill levy as per the Indenture, 2) the default by the District in the performance or observance of any other of the covenants, agreements, or conditions of the Indenture and fails to remedy this after notice is given, and 3) the filing of a petition under the federal bankruptcy laws or other applicable laws seeking to adjust the obligations represented by the Bonds.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Failure to pay the principal of or interest on the Series 2021 Bonds when due shall not, of itself, constitute an Event of Default under the Indenture. Remedies available in the Event of Default include 1) receivership, 2) suit for judgment, and 3) other suits. Acceleration of the Series 2021 Bonds is not an available remedy for an Event of Default. Because of the uncertainty of timing of payments under the Series 2021 Bonds no related schedule of expected principal and interest payments is presented.

Operating Reimbursement Agreement

On December 12, 2018, the District entered into an Operating Reimbursement Agreement with TI Residential LLC (the “Developer”) which sets forth the terms and conditions upon which the Developer may advance funds to the District subject to reimbursement by the District. The District has agreed to reimburse the Developer for prior advances as well as additional funds advanced by the Developer for the purpose of paying the District’s operating, maintenance and/or administrative expenses. The Developer, in its sole discretion, may agree to provide advances for any fiscal year to the District in the amount of any funding shortfall, as determined by the District. To the extent that the District has legally available revenue which is not otherwise appropriated, obligated, pledged, or reserved for any current or future purpose in any fiscal year, the District will reimburse the Developer for such advances together with interest at 8%. As of December 31, 2022, \$62,946 of principal and interest is owed under this agreement.

Infrastructure Acquisition Agreement

On December 12, 2018, the District and the Developer entered into an Infrastructure Acquisition Agreement (the “IAA”) which sets forth the terms and conditions upon which the Developer may construct, install, and complete certain public improvements, subject to acquisition thereof by the District, or may advance funds to the District to construct, install, and complete certain public improvements, subject to reimbursement by the District. Upon completion, the Developer is to convey, transfer or dedicate the public improvements to the District or other governmental entity and the District agrees to pay the Developer for the cost of the improvements together with interest at 8%. The amount of principal and interest due under this agreement at December 31, 2022, was \$527,130.

Infrastructure Acquisition and Funding Agreement

On December 21, 2019, the District and Lennar Colorado LLC (“Lennar”) entered into an Infrastructure Acquisition and Funding Agreement (the “IAFA”) which sets forth the terms and conditions upon which Lennar may construct, install, and complete certain public improvements, subject to acquisition thereof and reimbursement by the District. Upon completion, Lennar is to convey, transfer or dedicate the public improvements to the District or other governmental entity and the District agrees to pay Lennar for the cost of the improvements together with interest at 7%. Pursuant to a separate Agreement and Assignment Regarding Metropolitan District Payments, Lennar and the Developer have agreed that to the extent Lennar constructs any Public Infrastructure, the Developer shall retain any and all right in and to reimbursements, credits, payments, or other amounts payable by the District under this agreement. No amount is due under this agreement at December 31, 2022.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements
December 31, 2022

Debt Authorization

On November 6, 2018, a majority of the qualified electors of the District authorized the issuance of indebtedness in an amount not to exceed \$95,000,000. After the issuance of the Series 2021 Bonds, the remaining authorization is \$86,530,000. Per the District's Service Plan, the District cannot issue debt in excess of \$9,500,000. \$1,030,000 of the Service Plan authorization remains as of December 31, 2022. The District did not budget to issue any additional debt in 2023.

Note 5: Related Parties

All of the Board members are owners or members of or are otherwise associated with the Developer. Management believes that all potential conflicts, if any, have been disclosed to the Board.

Note 6: Tax, Spending and Debt Limitations

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

Spending and revenue limits are determined based on the prior year's Fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

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.

On November 6, 2018, a majority of the District's electors authorized the District to collect and spend or retain in a reserve all currently levied taxes and fees of the District without regard to any limitations under Article X, Section 20 of the Colorado Constitution.

JAY GROVE METROPOLITAN DISTRICT

Notes to Financial Statements December 31, 2022

Note 7: Risk Management

Except as provided in the Colorado Governmental Immunity Act, 24-10-101, et seq., CRS, the District may be exposed to various risks of loss related to torts, theft of, damage to, or destruction of assets; errors or omissions; injuries to agents; and natural disasters. The District has elected to participate in the Colorado Special Districts Property and Liability Pool (“Pool”) which is an organization created by intergovernmental agreement to provide common liability and casualty insurance coverage to its members at a cost that is considered economically appropriate. Settled claims have not exceeded this commercial coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for auto, public officials’ liability, and property and general liability coverage. In the event aggregated losses incurred by the Pool exceed its amounts recoverable from reinsurance contracts and its accumulated reserves, the District may be called upon to make additional contributions to the Pool on the basis proportionate to other 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.

Note 8: Reconciliation of Government-Wide Financial Statements and Fund Financial Statements

The Governmental Funds Balance Sheet/Statement of Net Position includes an adjustments column. The adjustments have the following elements:

- 1) capital improvements used in government activities are not financial resources and, therefore are not reported in the funds; and
- 2) long-term liabilities such as bonds and developer advances payable and accrued interest payable are not due and payable in the current period and, therefore, are not in the funds.

The Governmental Funds Statement of Revenues, Expenditures, and Changes in Fund Balances/Statement of Activities includes an adjustments column. The adjustments have the following elements:

- 1) governmental funds report capital outlays as expenditures, however, in the statement of activities, the costs of those assets are held as construction in process pending transfer to other governmental entities or depreciated over their useful lives;
- 2) governmental funds report interest expense on the modified accrual basis; however, interest expense is reported on the full accrual method on the Statement of Activities;
- 3) governmental funds report developer advances and/or bond proceeds as revenue; and,
- 4) governmental funds report long-term debt payments as expenditures, however, in the statement of activities, the payment of long-term debt is recorded as a decrease of long-term liabilities.

SUPPLEMENTAL INFORMATION

JAY GROVE METROPOLITAN DISTRICT

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - DEBT SERVICE FUND

For the Year Ended December 31, 2022

	Original & Final <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
REVENUES			
Property taxes	\$ 124,984	\$ 124,975	\$ (9)
Specific ownership taxes	7,497	5,578	(1,919)
Interest income	<u>-</u>	<u>86</u>	<u>86</u>
Total Revenues	<u>132,481</u>	<u>130,639</u>	<u>(1,842)</u>
EXPENDITURES			
Bond interest	126,606	113,145	13,461
Paying agent fees	4,000	3,500	500
Treasurer fees	<u>1,875</u>	<u>1,875</u>	<u>-</u>
Total Expenditures	<u>132,481</u>	<u>118,520</u>	<u>13,961</u>
NET CHANGE IN FUND BALANCE	-	12,119	12,119
FUND BALANCE:			
BEGINNING OF YEAR	<u>-</u>	<u>-</u>	<u>-</u>
END OF YEAR	<u>\$ -</u>	<u>\$ 12,119</u>	<u>\$ 12,119</u>

The notes to the financial statements are an integral part of these statements.

JAY GROVE METROPOLITAN DISTRICT

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - CAPITAL PROJECTS FUND

For the Year Ended December 31, 2022

	Original & Final <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
REVENUES			
Interest income	\$ -	\$ 154	\$ 154
Total Revenues	-	154	154
EXPENDITURES			
Capital expenditures	-	-	-
Total Expenditures	-	-	-
NET CHANGE IN FUND BALANCE	-	154	154
FUND BALANCE:			
BEGINNING OF YEAR	-	14,798	14,798
END OF YEAR	\$ -	\$ 14,952	\$ 14,952

The notes to the financial statements are an integral part of these statements.

JAY GROVE METROPOLITAN DISTRICT

SUMMARY OF ASSESSED VALUATION, MILL LEVY
AND PROPERTY TAXES COLLECTED

December 31, 2022

Year Ended December 31,	Prior Year Assessed Valuation for Current Year Property Tax Levy	Mills Levied			Total Property Tax		Percent Collected to Levied
		General	Debt Service	Total	Levied	Collected	
2020	\$ 51,495	55.664	-	55.664	\$ 2,866	\$ 2,866	100.00%
2021	\$ 51,065	55.664	-	55.664	\$ 2,842	\$ 2,842	100.00%
2022	\$ 2,847,023	11.764	43.900	55.664	\$ 158,477	\$ 158,465	99.99%
Estimated for year ending December 31, 2023	\$ 3,291,765	10.377	46.650	57.027	\$ 187,719		

NOTE

Property taxes collected in any one year include collection of delinquent property taxes levied and/or abatements or valuations in prior years. Information received from the County Treasurer does not permit identification of specific year assessment.