

NORTH VISTA HIGHLANDS METROPOLITAN
DISTRICT NO. 3

Financial Statements

Year Ended December 31, 2023

with

Independent Auditors' Report

CONTENTS

<u>Independent Auditors' Report</u>	I
<u>Basic Financial Statements</u>	
Balance Sheet/Statement of Net Position - Governmental Funds	1
Statement of Revenues, Expenditures and Changes in Fund Balances/Statement of Activities - Governmental Funds	2
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund	3
Notes to Financial Statements	4
<u>Supplementary Information</u>	
Schedule of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - Debt Service Fund	16

Independent Auditors' Report

Board of Directors
North Vista Highlands Metropolitan District No. 3
Pueblo, Colorado

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund, of the North Vista Highlands Metropolitan District No. 3 (the "District") as of and for the year ended December 31, 2023, 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 accompanying 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, 2023, and the respective changes in financial position and the respective 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 ("GAAS"). 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 opinions.

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 opinions. 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 GAAS 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 GAAS, 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 omitted the management's discussion and analysis that accounting principles generally accepted in the United States 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 opinions on the basic financial statements are not affected by this missing information.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's financial statements as a whole. The supplementary information listed in the accompanying table of contents is presented for purposes of additional analysis and is not a required part of the basic financial statements. The supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The supplementary 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 financial statements or to 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 supplementary information is fairly stated in all material respects in relation to the financial statements as a whole.

Tatton and Company, LLC

Englewood, CO
August 25, 2024

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

BALANCE SHEET/STATEMENT OF NET POSITION
GOVERNMENTAL FUNDS
December 31, 2023

	<u>General</u>	Debt <u>Service</u>	<u>Total</u>	<u>Adjustments</u>	Statement of <u>Net Position</u>
ASSETS					
Cash and investments	\$ 90,854	\$ -	\$ 90,854	\$ -	\$ 90,854
Cash and investments - restricted	1,900	1,990,312	1,992,212	-	1,992,212
Receivable - County Treasurer	192	575	767	-	767
Property taxes receivable	14,928	47,484	62,412	-	62,412
Due from District No. 1	<u>800</u>	<u>-</u>	<u>800</u>	<u>-</u>	<u>800</u>
 Total Assets	 <u>\$ 108,674</u>	 <u>\$ 2,038,371</u>	 <u>\$ 2,147,045</u>	 <u>-</u>	 <u>2,147,045</u>
LIABILITIES					
Accounts payable	\$ 12,342	\$ -	\$ 12,342	\$ -	\$ 12,342
Prepaid fees & assessments	150	-	150	-	150
Due to District No. 1	-	1,139,980	1,139,980	-	1,139,980
Accrued interest on bonds/long-term debt	-	-	-	1,071,417	1,071,417
Long-term liabilities:					
Due in more than one year	<u>-</u>	<u>-</u>	<u>-</u>	<u>16,863,512</u>	<u>16,863,512</u>
 Total Liabilities	 <u>12,492</u>	 <u>1,139,980</u>	 <u>1,152,472</u>	 <u>17,934,929</u>	 <u>19,087,401</u>
DEFERRED INFLOW OF RESOURCES					
Deferred property taxes	<u>14,928</u>	<u>47,484</u>	<u>62,412</u>	<u>-</u>	<u>62,412</u>
 Total Deferred Inflows of Resources	 <u>14,928</u>	 <u>47,484</u>	 <u>62,412</u>	 <u>-</u>	 <u>62,412</u>
FUND BALANCES/NET POSITION					
Fund Balances:					
Restricted:					
Emergencies	1,900	-	1,900	(1,900)	-
Debt Service	-	850,907	850,907	(850,907)	-
Assigned:					
Subsequent years' expenditures	1,435	-	1,435	(1,435)	-
Unassigned	<u>77,919</u>	<u>-</u>	<u>77,919</u>	<u>(77,919)</u>	<u>-</u>
 Total Fund Balances	 <u>81,254</u>	 <u>850,907</u>	 <u>932,161</u>	 <u>(932,161)</u>	 <u>-</u>
 Total Liabilities, Deferred Inflows of of Resources and Fund Balances	 <u>\$ 108,674</u>	 <u>\$ 2,038,371</u>	 <u>\$ 2,147,045</u>		
Net Position:					
Restricted for:					
Emergencies				1,900	1,900
Unrestricted				<u>(17,004,668)</u>	<u>(17,004,668)</u>
 Total Net Position				 <u>\$ (17,002,768)</u>	 <u>\$ (17,002,768)</u>

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

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES/STATEMENT OF ACTIVITIES
GOVERNMENTAL FUNDS

For the Year Ended December 31, 2023

	<u>General</u>	<u>Debt Service</u>	<u>Total</u>	<u>Adjustments</u>	<u>Statement of Activities</u>
EXPENDITURES					
General expenses:					
Accounting & management services	\$ 18,336	\$ -	\$ 18,336	\$ -	\$ 18,336
Audit	5,680	-	5,680	-	5,680
Design review fees	10,100	-	10,100	-	10,100
Election	503	-	503	-	503
Insurance	2,489	-	2,489	-	2,489
Legal	10,214	-	10,214	-	10,214
Miscellaneous expenses	274	-	274	-	274
Treasurer's fees	405	1,214	1,619	-	1,619
Utilities	12,532	-	12,532	-	12,532
Transfers to District No. 1	2,685	2,159,998	2,162,683	-	2,162,683
Debt service:					
Bond/Developer Advance interest expense	-	602,700	602,700	499,460	1,102,160
Paying agent/trustee fees/bank fees	-	15,599	15,599	-	15,599
	<u>63,218</u>	<u>2,779,511</u>	<u>2,842,729</u>	<u>499,460</u>	<u>3,342,189</u>
GENERAL REVENUES					
Property taxes	26,979	80,938	107,917	-	107,917
Specific ownership taxes	2,393	7,178	9,571	-	9,571
ARC/DRC fees	14,150	-	14,150	-	14,150
Interest income	661	152,978	153,639	-	153,639
	<u>44,183</u>	<u>241,094</u>	<u>285,277</u>	<u>-</u>	<u>285,277</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES					
	(19,035)	(2,538,417)	(2,557,452)	(499,460)	(3,056,912)
OTHER FINANCING SOURCES (USES)					
Developer advances	100,000	-	100,000	(100,000)	-
	<u>100,000</u>	<u>-</u>	<u>100,000</u>	<u>(100,000)</u>	<u>-</u>
NET CHANGES IN FUND BALANCES					
	80,965	(2,538,417)	(2,457,452)	2,457,452	
CHANGE IN NET POSITION					
				(3,056,912)	(3,056,912)
FUND BALANCES/NET POSITION:					
BEGINNING OF YEAR	289	3,389,324	3,389,613	(17,335,469)	(13,945,856)
END OF YEAR	<u>\$ 81,254</u>	<u>\$ 850,907</u>	<u>\$ 932,161</u>	<u>\$ (17,934,929)</u>	<u>\$ (17,002,768)</u>

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

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

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

For the Year Ended December 31, 2023

	Original <u>Budget</u>	Final <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
REVENUES				
Property taxes	\$ 26,979	\$ 26,979	\$ 26,979	\$ -
Specific ownership taxes	1,619	2,330	2,393	63
ARC/DRC fees	-	42,350	14,150	(28,200)
Interest income	-	46	661	615
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total Revenues	<u>28,598</u>	<u>71,705</u>	<u>44,183</u>	<u>(27,522)</u>
EXPENDITURES				
Accounting & management services	-	19,200	18,336	864
Audit	-	5,700	5,680	20
Design review fees	-	42,550	10,100	32,450
Election	-	1,000	503	497
Insurance	-	2,500	2,489	11
Legal	-	25,000	10,214	14,786
Miscellaneous expenses	-	277	274	3
Treasurer's fees	405	405	405	-
Utilities	-	15,543	12,532	3,011
Transfers to Disrict No. 1	27,347	2,825	2,685	140
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total Expenditures	<u>27,752</u>	<u>115,000</u>	<u>63,218</u>	<u>51,782</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	846	(43,295)	(19,035)	24,260
OTHER FINANCING SOURCES (USES)				
Developer advances	-	45,270	100,000	54,730
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total Other Financing Sources (Uses)	<u>-</u>	<u>45,270</u>	<u>100,000</u>	<u>54,730</u>
NET CHANGE IN FUND BALANCE	846	1,975	80,965	78,990
FUND BALANCE:				
BEGINNING OF YEAR	57	289	289	-
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
END OF YEAR	<u>\$ 903</u>	<u>\$ 2,264</u>	<u>\$ 81,254</u>	<u>\$ 78,990</u>

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

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements December 31, 2023

Note 1: Summary of Significant Accounting Policies

The accounting policies of the North Vista Highlands Metropolitan District No. 3 ("the District"), located in the City of Pueblo, Colorado, (the "County"), 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 in November 2018, as a quasi-municipal organization established under the State of Colorado Special District Act. The District was organized concurrently with North Vista Highlands Metropolitan District Nos. 1, 2, 4 and 5 (District Nos. 1, 2, 4 and 5), collectively referred to as the Districts. The Districts were formed to provide public improvements to be dedicated to the City of Pueblo, Colorado or other governmental entities or retained by the Districts for the use and benefit of the residents and visitors of the Districts. The District's primary revenues are property taxes and specific ownership taxes. The District is governed by an elected Board of Directors.

The District along with District Nos. 2, 4 and 5 were established as the financing districts and District No. 1 was established as the servicing district. As the financing districts, the District along with District Nos. 2, 4 and 5, will be responsible for financing their respective share of the improvements and associated operations and maintenance. District No. 1 was established to organize, finance, construct, own, manage, and operate the public improvements of the North Vista Highlands Development (Development).

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 GASB Statement No. 61, The Financial Reporting Entity: Omnibus, which amended GASB Statement No. 14, The Financial Reporting Entity and GASB Statement No. 39, Determining Whether Certain Organizations are Component Units, which provides 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.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements December 31, 2023

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 for 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.

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.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements
December 31, 2023

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.

Budgetary Accounting

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.

On December 19, 2023, the District amended its total appropriations in the General Fund from \$27,752 to \$115,000 primarily due to the increase in expenses over the amount budgeted and in the Debt Service Fund from \$1,614,009 to \$3,300,000 primarily due to the increase in the transfers to District No. 1 over the amount budgeted.

Assets, Liabilities, Deferred Outflows/Inflows of Resources and Net Position
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, 2023, 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 for the government are reported at fair value.

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.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements
December 31, 2023

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 assets that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. As of December 31, 2023, 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 assets 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 item that qualifies for reporting in this category. Deferred property taxes are deferred and recognized as an inflow of resources in the period that the amounts become available.

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.

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 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.

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.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements
December 31, 2023

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 \$1,900 of the General Fund balance has been restricted in compliance with this requirement.

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.

The assigned fund balance in the General Fund represents the amount appropriated for use in the budget for the year ending December 1, 2024.

Unassigned Fund Balance

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

For the classification of Governmental Fund balances, the District considers an expenditure to be made from the most restrictive first when more than one classification is available.

Net Position

Net Position represents the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. The District may 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.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements
December 31, 2023

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.

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, 2023, cash and investments are classified in the accompanying financial statements as follows:

Statement of net position:	
Cash and investments	\$ 90,854
Cash and investments – restricted	<u>1,992,212</u>
	<u>\$ 2,083,066</u>

Cash and investments as of December 31, 2023 consist of the following:

Deposits with financial institutions	\$ 100,055
Investments - COLOTRUST	<u>1,983,011</u>
	<u>\$ 2,083,066</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 does not have a formal policy for deposits. None of the District's deposits were exposed to custodial credit risk.

Investments

Investment Valuation

The District has not adopted a formal investment policy; however, it follows Colorado Revised Statutes (CRS) regarding investments. The District categorizes its fair value measurements 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. The District's investment, is not required to be categorized within the fair value hierarchy. This investment's value is calculated using the net asset value (NAV) per share.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements December 31, 2023

Credit Risk

The District's investment policy requires that the District 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.

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.

Colotrust

The local government investment pool, Colorado Local Government Liquid Asset Trust ("COLOTRUST") is rated AAAM by Standard & Poor's with a weighted average maturity of under 60 days. COLOTRUST is an investment trust/joint venture established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all State statutes governing COLOTRUST. COLOTRUST records its investments at fair value and the District records its investment in COLOTRUST using the net asset value method. COLOTRUST operates similarly to a money market fund with each share maintaining a value of \$1.00. COLOTRUST offers shares in three portfolios, one of which is COLOTRUST PLUS+. COLOTRUST PLUS+ may invest in U.S. Treasuries, government agencies, the highest-rated commercial paper, certain corporate securities, certain money market funds, and certain repurchase agreements, and limits its investments to those allowed by State statutes. Purchases and redemptions are available daily at a net asset value (NAV) of \$1.00. A designated custodial bank provides safekeeping and depository services to COLOTRUST in connection with the direct investment and withdrawal function of COLOTRUST. The custodian's internal records identify the investments owned by participating governments. There are no unfunded commitments and there is no redemption notice period. At December 31, 2023, the District had \$1,983,011 invested in COLOTRUST, which was held in trust accounts with UMB Bank.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements
December 31, 2023

Note 3: Long Term Debt

The following is an analysis of changes in long-term debt for the period ending December 31, 2023:

	<u>Balance</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance</u>	<u>Current</u>
	<u>12/31/22</u>			<u>12/31/23</u>	<u>Portion</u>
<u>General Obligation Bonds</u>					
Series 2020 Bonds	\$ 11,760,000	\$ -	\$ -	\$ 11,760,000	\$ -
Series 2021 Subordinate Bonds	<u>5,003,000</u>	<u>-</u>	<u>-</u>	<u>5,003,000</u>	<u>-</u>
Total	<u>16,763,000</u>	<u>-</u>	<u>-</u>	<u>16,763,000</u>	<u>-</u>
<u>Other</u>					
Developer Advances - O&M	-	100,000	-	100,000	-
Developer Advances - O&M - Accrued Interest	<u>-</u>	<u>512</u>	<u>-</u>	<u>512</u>	<u>-</u>
Total	<u>-</u>	<u>100,512</u>	<u>-</u>	<u>100,512</u>	<u>-</u>
	<u>\$ 16,763,000</u>	<u>\$ 100,512</u>	<u>\$ -</u>	<u>\$ 16,863,512</u>	<u>\$ -</u>

A description of the long-term obligations as of December 31, 2023, is as follows:

Limited Tax General Obligation Bonds, Series 2020

On January 31, 2020, the District issued \$11,760,000 of Limited Tax General Obligation Bonds (the "Series 2020 Bonds"). The Series 2020 Bonds were issued for the purpose of paying project costs, funding the surplus fund in the amount of \$966,000, funding the capitalized interest fund in the amount of \$1,809,774, and paying the costs of issuance. The Series 2020 Bonds mature December 1, 2049 and bear an annual interest rate of 5.125% calculated on the basis of a 360-day year of twelve 30-day months, payable to the extent of pledged revenue available, semiannually on each June 1 and December 1, commencing on June 1, 2020. The Bonds discharge on December 1, 2060.

The Series 2020 Bonds are subject to a mandatory sinking fund redemption commencing on December 1, 2026 and 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, commencing on March 1, 2025 and any date thereafter, upon payment of principal and accrued interest with a redemption premium that ranges between 0% and 3%.

The Series 2020 Bonds are secured by pledged revenues which include property tax revenue, specific ownership tax revenue, capital fees (if any), and other legally available moneys which the District determines, in its sole discretion, to credit the bond fund. In connection with the Series 2020 Bonds, the District is required to fund a Surplus Fund in the amount of \$966,000 which was funded upon issuance. In addition, the District is required to build a Surplus Fund with a maximum balance of \$2,352,000. As of December 31, 2023, the Surplus Fund has a balance of \$628,490. The required mill levy shall not be more than 60 mills, adjusted for changes in the method of calculating assessed valuations, however, as long as the amount on deposit in the Surplus Fund is less than the maximum surplus amount, the required mill levy shall be 60 mills, adjusted for changes in the method of calculating assessed valuations.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements
December 31, 2023

Events of default as defined in the Series 2020 Bond Indenture are 1) the District fails or refuses to impose the required mill levy or to apply the pledged revenue as required by the Series 2020 Bond Indenture, 2) the default by the District in the performance or observance of any other of the covenants, agreements, or conditions in the Series 2020 Bond Indenture or bond resolution, and fails to remedy the same after notice thereof pursuant to the Series 2020 Bond Indenture, and 3) the filing of a petition under the federal bankruptcy laws or other applicable bankruptcy laws seeking to adjust the obligations represented by the Series 2020 Bonds. The failure to pay the principal and interest on the Series 2020 Bonds when due shall not, of itself, constitute an event of default.

In the event of default, the trustee shall have the following remedies 1) receivership, 2) suit for judgment, and 3) mandamus or other suits. Acceleration of the Series 2020 Bonds is not an available remedy for an event of default.

The following is a summary of the annual long-term debt principal and interest requirement for the Series 2020 Bonds:

Year Ending, December 31,	Principal	Interest	Total
2024	\$ -	\$ 602,700	\$ 602,700
2025	-	602,700	602,700
2026	90,000	602,700	692,700
2027	135,000	598,088	733,088
2028	190,000	591,169	781,169
2029-2033	1,285,000	2,785,695	4,070,695
2034-2038	1,890,000	2,397,731	4,287,731
2039-2043	2,655,000	1,839,364	4,494,364
2044-2048	3,675,000	1,059,594	4,734,594
2049	1,840,000	94,300	1,934,300
	<u>\$ 11,760,000</u>	<u>\$ 11,174,041</u>	<u>\$ 22,934,041</u>

Subordinate Limited Tax General Obligation Bonds, Series 2021B

On November 1, 2021, the District issued \$5,003,000 of Subordinate Limited Tax General Obligation Bonds (the "Series 2021B Bonds"). The Series 2021B Bonds were issued for the purpose of paying project costs and paying the costs of issuance. The Series 2021B Bonds mature on December 15, 2051 and bear an annual interest rate of 9% calculated on the basis of a 360-day year of twelve 30-day months, payable to the extent of subordinate pledged revenue available, annually on each December 15, commencing on December 15, 2021. Accrued unpaid interest will compound annually on each interest payment date. The Series 2021B Bonds discharge on December 15, 2060.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements
December 31, 2023

The Series 2021B Bonds are subject to a mandatory sinking fund redemption commencing on December 15, 2021, from subordinate pledged revenue, if any, on deposit in the subordinate mandatory redemption account as determined by the Trustee 45 days prior to the applicable mandatory redemption date. Amounts shall be applied first to interest and then to principal after accrued interest has been paid.

The Series 2021B Bonds are subject to redemption prior to maturity, on March 1, 2025, and on any other date thereafter, 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, upon payment of principal and accrued interest with a redemption premium that ranges between 0% and 3%.

The Series 2021B Bonds are secured by subordinate pledged revenues which include subordinate property tax revenue, subordinate specific ownership tax revenue, subordinate capital fees (if any), and other legally available moneys which the District determines, in its sole discretion, to credit to the subordinate bond fund. The subordinate mill levy is 60 mills less the senior mill levy or lesser amount to generate sufficient funds to pay the Series 2021B Bonds in full. The combined required mill levy shall not be more than 60 mills, adjusted for changes in the method of calculating assessed valuations.

Events of default as defined in the Series 2021B Bond Indenture are 1) the District fails or refuses to impose the required subordinate mill levy or to apply the subordinate pledged revenue as required by the Series 2021B Indenture, 2) the default by the District in the performance or observance of any other of the covenants, agreements, or conditions of the Series 2021B Bond Indenture or the bond resolution, and fails to remedy the same after notice thereof pursuant to the Series 2021B Bond Indenture, and 3) the filing of a petition under the federal bankruptcy laws or other applicable bankruptcy laws seeking to adjust the obligations represented by the Series 2021B Bonds. The failure to pay the principal and interest on the Series 2021B Bonds when due shall not, of itself, constitute an event of default.

In the event of default, the trustee shall have the following remedies 1) receivership, 2) suit for judgment, and 3) mandamus or other suits. Acceleration of the Series 2021B Bonds is not an available remedy for an event of default.

Due to the uncertainty of the timing of principal and interest payments on the Series 2021B Bonds, a schedule of the estimated timing of these payments is not available.

Debt Authorization

As of December 31, 2023, the District had voted but unissued debt in the amount of \$1,063,237,000 for public improvements and \$240,000,000 for refunding purposes and \$103,078,963 of additional debt capacity under its current Service Plan limit. 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. The District has not budgeted to issue any debt during 2024.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements
December 31, 2023

Note 4: Agreements

Joint Resolution Regarding Intent to Implement a Common Plan of Finance

On October 9, 2020, the District and District No. 1 approved a Joint Resolution Regarding Intent to Implement a Common Plan of Finance (Finance Plan). Under the Finance Plan, the District hereby declared its intent to transfer all available proceeds to District No. 1 for the payment of capital costs. As a result of this agreement, the District has recorded an intergovernmental payable at December 31, 2023 of \$1,139,980 to reflect capital improvement costs incurred by District No. 1 not yet funded by the District.

Note 5: Related Party

All of the Board of Directors are employees, owners or are otherwise associated with the Developer or Sub-Developers of the District and may have conflicts of interest in dealing with the District. 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.

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

Notes to Financial Statements
December 31, 2023

Note 7: Risk Management

Except as provided in the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S., 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 (the "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) Long-term liabilities such as bonds/developer advances and accrued bond/developer advance 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 interest expense on the modified accrual basis; however, interest expense is reported on the full accrual method on the Statement of Activities;
- 2) governmental funds report developer advances as revenue; and
- 3) 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.

SUPPLEMENTARY INFORMATION

NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NO. 3

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

For the Year Ended December 31, 2023

	Original <u>Budget</u>	Final <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
REVENUES				
Property taxes	\$ 80,938	\$ 80,938	\$ 80,938	\$ -
Specific ownership taxes	4,856	7,139	7,178	39
Interest income	<u>23,889</u>	<u>161,138</u>	<u>152,978</u>	<u>(8,160)</u>
Total Revenues	<u>109,683</u>	<u>249,215</u>	<u>241,094</u>	<u>(8,121)</u>
EXPENDITURES				
Bond/Developer Advance interest expense	602,700	602,700	602,700	-
Paying agent/trustee fees/bank fees	10,095	22,336	15,599	6,737
Transfers to District No. 1	1,000,000	2,673,750	2,159,998	513,752
Treasurer's fees	<u>1,214</u>	<u>1,214</u>	<u>1,214</u>	<u>-</u>
Total Expenditures	<u>1,614,009</u>	<u>3,300,000</u>	<u>2,779,511</u>	<u>520,489</u>
NET CHANGE IN FUND BALANCE	(1,504,326)	(3,050,785)	(2,538,417)	512,368
FUND BALANCE:				
BEGINNING OF YEAR	<u>2,388,856</u>	<u>3,389,324</u>	<u>3,389,324</u>	<u>-</u>
END OF YEAR	<u>\$ 884,530</u>	<u>\$ 338,539</u>	<u>\$ 850,907</u>	<u>\$ 512,368</u>