

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Financial Statements

Year Ended December 31, 2021

with

Independent Auditor's Report

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Board of Directors
Anthology West Metropolitan District No. 4
Douglas County, Colorado

Independent Auditor's Report

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Anthology West Metropolitan District No. 4 (the "District"), as of and for the year ended December 31, 2021, 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 Anthology West Metropolitan District No. 4 as of December 31, 2021, 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 (GAAP), 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.

Other Matters

Required Supplemental 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.

Supplemental Information

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



Wipfli LLP
Lakewood, Colorado

September 30, 2022

Anthology West Metropolitan District No. 4

BALANCE SHEET/STATEMENT OF NET POSITION
GOVERNMENTAL FUNDS
December 31, 2021

	<u>General</u>	<u>Debt Service</u>	<u>Capital Projects</u>
ASSETS			
Cash and investments - restricted	\$ -	\$ 7,728	\$ -
Receivable from County Treasurer	352	810	-
Property Tax Receivable	78,768	384,418	-
Receivable District #6	212,876	6,500	80,720
Due from other funds	-	213,189	39,000
Capital assets not being depreciated	-	-	-
Total Assets	<u>291,996</u>	<u>612,645</u>	<u>80,759</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred loss on refunding	-	-	-
Total Deferred Outflows of Resources	-	-	-
Total Assets and Deferred Outflows of Resources	<u>\$ 291,996</u>	<u>\$ 612,645</u>	<u>\$ 80,759</u>
LIABILITIES			
Accounts payable	\$ -	\$ 750	\$ -
Payable District #2	-	120,952	-
Due to other funds	213,228	-	-
Accrued interest payable	-	-	-
Long-term liabilities:			
Due within one year	-	-	-
Due in more than one year	-	-	-
Total Liabilities	<u>213,228</u>	<u>121,702</u>	<u>-</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred property taxes	<u>78,768</u>	<u>384,418</u>	<u>-</u>
Total Deferred Inflows of Resources	<u>78,768</u>	<u>384,418</u>	<u>-</u>

Anthology West Metropolitan District No. 4

STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE/STATEMENT OF ACTIVITIES - GOVERNMENTAL

For the Year Ended December 31, 2021

	<u>General</u>	<u>Debt Service</u>	<u>Capital Projects</u>	<u>Total</u>	<u>Adj</u>
EXPENDITURES					
Treasurer's Fees	\$ 776	\$ 1,785	\$ -	\$ 2,561	\$
Transfer to District #2	-	1,655,056	-	1,655,056	
Transfer to District #6	55,921	-	-	55,921	
Planning and engineering	-	-	384,267	384,267	
Capital improvements	-	-	637,725	637,725	
Cost of issuance	-	211,750	-	211,750	
Bond Interest	-	-	-	-	
Trustee fees	-	3,500	-	3,500	
Total Expenditures	<u>56,697</u>	<u>1,872,091</u>	<u>1,021,992</u>	<u>2,950,780</u>	<u>0</u>
GENERAL REVENUES					
Property Taxes	51,697	118,984	-	170,681	
Specific Ownership Taxes	4,986	11,475	-	16,461	
Transfer from District #6	-	10,000	-	10,000	
Transfer from District #2	-	305,211	-	305,211	
Interest Income	14	32	260	306	
Total Revenues	<u>56,697</u>	<u>445,702</u>	<u>260</u>	<u>502,659</u>	<u>0</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	<u>-</u>	<u>(1,426,389)</u>	<u>(1,021,732)</u>	<u>(2,448,121)</u>	<u>0</u>
OTHER FINANCING SOURCES (USES)					
Bond proceeds	-	8,900,000	-	8,900,000	(8,900,000)
Payment to refunding agent	-	(7,473,601)	-	(7,473,601)	7,473,601
Total Other Financing Sources (Uses)	<u>-</u>	<u>1,426,399</u>	<u>-</u>	<u>1,426,399</u>	<u>(1,426,399)</u>
CHANGE IN FUND BALANCE	-	10	(1,021,732)	(1,021,722)	1,021,722
CHANGE IN NET POSITION					(1,021,722)
FUND BALANCE/NET POSITION					(1,021,722)

Anthology West Metropolitan District No. 4

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

For the Year Ended December 31, 2021

	Original <u>Budget</u>	Final <u>Budget</u>	<u>Actual</u>	Var Fav (Unfa
REVENUES				
Property Taxes	\$ 51,697	\$ 51,697	\$ 51,697	\$
Specific Ownership	3,102	12,303	4,986	
Interest Income	-	-	14	
Total Revenues	<u>54,799</u>	<u>64,000</u>	<u>56,697</u>	
EXPENDITURES				
Treasurer's Fees	775	775	776	
Transfer to District #6	<u>54,024</u>	<u>63,225</u>	<u>55,921</u>	
Total Expenditures	<u>54,799</u>	<u>64,000</u>	<u>56,697</u>	
CHANGE IN FUND BALANCE	-	-	-	
FUND BALANCE - BEGINNING OF YEAR	<u>-</u>	<u>-</u>	<u>-</u>	
FUND BALANCE - END OF YEAR	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$</u>

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements December 31, 2021

Note 1: Summary of Significant Accounting Policies

The accounting policies of the Anthology West Metropolitan District No. 4 (“the District”), located in Douglas 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 is a quasi-municipal corporation and political subdivision of the State of Colorado established under the State of Colorado Special District Act to provide, in coordination with the other Districts (as defined below), Public Improvements to the District’s service area, to be dedicated to the Town of Castle Rock (“Town”) or other appropriate jurisdiction or owner association. The Cherry Creek South Metropolitan District Nos 2-11 were subject to a consolidated service plan as approved by the Town in September 2004. On April 4, 2016 the Town of Parker approved the Amended and Restated Service Plan for Cherry Creek South Metropolitan District No. 2 and Cherry Creek South Metropolitan District No. 3 and Consolidated Service Plan for Cherry Creek South Metropolitan District No. 2 and Cherry Creek South Metropolitan District No. 3 and the District, Anthology West Metropolitan District No. 5 (“District No. 5”) and Anthology West Metropolitan District No. 6 (“District No. 6”) (collectively, “the Districts”). The District was organized pursuant to an Order and Decree recorded in the real property records of the Clerk and Recorder of Douglas County, Colorado on June 30, 2016. 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.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements December 31, 2021

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 statement of governmental fund 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.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements December 31, 2021

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.

On November 10, 2021, the District amended its total appropriations in the General Fund from \$54,799 to \$64,000 primarily due to the increase in Specific Ownership Taxes received and Transferred to District No. 6, in the Capital Projects Fund from \$100,000 to \$1,205,000 primarily due to the increase in engineering expense over the amount budgeted and in the Debt Service Fund from \$251,768 to \$9,311,000 primarily due to the issuance of new debt which refunded the outstanding debt of the District. On September 2, 2022, the District further amended its total appropriations in the Debt Service Fund from \$9,311,000 to \$9,342,192 primary due to the increase in the amount required to refund the District's current debt.

The District's Debt Service Fund over-expended its appropriations by \$3,500, which may be a violation of State Budget Law.

Assets, Liabilities and Net Position:

Fair Value of Financial Instruments

The District's financial instruments include cash and investments and accounts receivable. The District estimates that the fair value of all financial instruments as of December 31, 2021, 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.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements December 31, 2021

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.

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 only has one item that qualifies for reporting in this category. It is the deferred loss on refunding reported in the government-wide statement of net position. A deferred loss on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

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 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.

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 three years. Such assets are recorded at historical or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair value at the date of donation.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements December 31, 2021

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 fixed 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. No depreciation expense was recognized during 2021.

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.

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.

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.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements December 31, 2021

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 \$23 of the General Fund balance has been restricted in compliance with this requirement.

The restricted fund balance in the Debt Service Fund in the amount of \$106,525 is restricted for the payment of the debt service costs associated with the Series 2021 Loan (see Note 4).

The restricted fund balance in the Capital Projects Fund in the amount of \$80,759 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.

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 up to 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.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements
December 31, 2021

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.

The District has a deficit in unrestricted net position as of December 31, 2021. This deficit amount is the result of the District being responsible for the payment of debt issued for public improvements that were conveyed to other governmental entities and which costs were removed from the District’s financial records.

Note 2: Cash and Investments

As of December 31, 2021, cash and investments are classified in the accompanying financial statements as follows:

Statement of Net Position:

Cash and investments – Restricted	\$ 7,728
Total	\$ <u>7,728</u>

Cash and investments as of December 31, 2021 consist of the following:

Deposits with financial institutions	\$ 7,728
Total	\$ <u>7,728</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.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements
December 31, 2021

Investments:

Investment Valuation

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. Investments not measured at fair value and not categorized include governmental money market funds (PFM Funds Governmental Select series); money market funds (generally held by Bank Trust Departments in their role as paying agent or trustee); and COLOTRUST which record their investments at net asset value.

The District did not have any investments as of December 31, 2021.

Credit Risk

The District 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.

Note 3: Capital Assets

An analysis of the changes in capital assets for the year ended December 31, 2021, follows:

<u>Governmental Type Activities:</u>	<u>Balance</u> <u>1/1/2021</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance</u> <u>12/31/2021</u>
<u>Capital assets not being depreciated:</u>				
Construction in progress	<u>\$ 5,186,885</u>	<u>\$ 1,021,992</u>	<u>\$ -</u>	<u>\$ 6,208,877</u>
Total capital assets not being depreciated	<u>5,186,885</u>	<u>1,021,992</u>	<u>-</u>	<u>6,208,877</u>
Government type assets, net	<u>\$ 5,186,885</u>	<u>\$ 1,021,992</u>	<u>\$ -</u>	<u>\$ 6,208,877</u>

Pursuant to the Service Plan, all public improvements are to be owned and maintained by the Town or other appropriate jurisdiction or owner association.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements
December 31, 2021

Note 4: Long-Term Debt

A description of the long-term obligations as of December 31, 2021, is as follows:

\$6,440,000 General Obligation Limited Tax Bonds Series 2018

On January 19, 2018 the District issued \$6,440,000 General Obligation Limited Tax Bonds Series 2018 (“Series 2018 Bonds”) to provide funding and reimbursing a portion of the costs of certain public infrastructure and paying the costs of the Series 2018 Bonds. The Series 2018 Bonds bore interest at the rate of 6.0%, payable annually on December 15, commencing on December 15, 2018, to the extent that Pledged Revenue was available. The Series 2018 Bonds were secured by the Required Mill Levy, the Capital Fee Revenue, the portion of the Specific Ownership Tax which is collected as a result of the Required Mill Levy, and District No. 2 tax revenue as part of the Tax Pledge Agreement (see Note 7) and any other legally available moneys as determined by the District. The Series 2018 Bonds were subject to a Mandatory Excess Funds Redemption on December 15, 2018 and each December 15 thereafter, to the extent of any Pledged Revenue on deposit in the Bond Fund on October 15 of each year in excess of the amount necessary to pay interest on December 15 of that year. The 2018 Bonds were 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 December 15, 2020, upon payment of par, accrued interest, and a redemption premium that ranges between 0% and 3%.

The Series 2018 Bonds were “cash flow” bonds meaning that no regularly scheduled principal payments were due prior to the maturity date, and interest not paid would accrue and compound until there is sufficient Pledged Revenue for payment. On November 30, 2021, the Series 2018 Bonds were currently refunded in full by the Series 2021 Loan (as described below).

\$8,900,000 General Obligation (Limited Tax Convertible to Unlimited Tax) Refunding Loan Series 2021

On November 30, 2021, the District issued an \$8,900,000 General Obligation (Limited Tax Convertible to Unlimited Tax) Refunding Loan Series 2021 (“Series 2021 Loan”) to refund the District’s Series 2018 Bonds, refund District No. 2’s Series 2014 Bonds and to pay the costs of the issuing the Series 2021 Loan. The Series 2021 Loan bears interest at the rate of 3.25%, payable on June 1 and December 1 of each year, commencing on June 1, 2022 and matures December 1, 2041. The Series 2021 Loan is secured by the Required Mill Levy, the portion of the Specific Ownership Tax which is collected as a result of the Required Mill Levy and District No. 2 tax revenue as part of the Tax Pledge Agreement (see Note 7) and any other legally available moneys as determined by the District. The Series 2021 Loan is subject to prepayment, in whole or in part, on the date which is the 7th anniversary date of the Closing Date and on any date thereafter at a prepayment price equal to the principal amount so prepaid plus accrued and unpaid interest thereon to the date of prepayment, without penalty or premium. Principal payments on the Series 2021 Loan are payable on December 1 each year, commencing December 1, 2022.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements
December 31, 2021

The following is an analysis of changes in long-term debt for the year ending December 31, 2021:

	Balance 12/31/2020	Additions	Deletions	Balance 12/31/2021	Current Portion
<u>General Obligation Bonds</u>					
General Obligation Limited Tax Bonds - Series					
2018	\$ 6,440,000	\$ -	\$(6,440,000)	\$ -	\$ -
Total	6,440,000	-	(6,440,000)	-	-
<u>Direct Placements</u>					
General Obligation Refunding Loan - Series 2021					
Total	-	8,900,000	-	8,900,000	150,000
	<u>\$ 6,440,000</u>	<u>\$ 8,900,000</u>	<u>\$(6,440,000)</u>	<u>\$ 8,900,000</u>	<u>\$ 150,000</u>

The following is a summary of the annual long-term debt principal and interest requirements for the Series 2021 Loan:

	Principal	Interest	Total
2022	\$ 150,000	\$ 290,053	\$ 440,053
2023	180,000	284,375	464,375
2024	200,000	278,525	478,525
2025	205,000	272,025	477,025
2026	220,000	265,363	485,363
2027-2031	1,270,000	1,212,900	2,482,900
2032-2036	1,640,000	982,963	2,622,963
2037-2041	5,035,000	690,950	5,725,950
	<u>\$ 8,900,000</u>	<u>\$4,277,153</u>	<u>\$ 13,177,153</u>

Debt Authorization

As of December 31, 2021, the District had remaining voted debt authorization of approximately \$93,560,000 for public infrastructure. The District has budgeted to issue \$1,400,000 of new debt in 2022. See Note 10, regarding the issuance of the Subordinate Limited Tax General Obligation Bonds Series 2022B(3).

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements
December 31, 2021

Note 5: 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.

On May 3, 2016, 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.

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.

Note 6: 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 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.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements December 31, 2021

Note 7: Agreements

District Operating Services Agreement

On January 1, 2017, the Districts entered into the District Operating Services Agreement whereby District No. 6 is designated as the entity that will coordinate the operations, administrative, capital construction and financing activities on behalf of the Districts, and pursuant to which the District, District No. 2, District No. 3, and District No. 5 are designated as the Taxing Districts. The Taxing Districts are responsible for all costs fees charges, and expenses incurred by District No. 6 through the imposition of a General Fund Mill Levy. District No. 6 is responsible for all administrative and operational services. The Taxing Districts may terminate the Operating Service Agreement upon 90 days written notice to District No. 6.

Mill Levy Equalization Agreement

On January 1, 2017, as amended September 25, 2019, the Districts entered into a Mill Levy Equalization and Pledge Agreement for the purpose of providing for the imposition of a uniform mill levy throughout the Districts for the purpose of paying the Series 2018 Bonds and any parity bonds or obligations issued by any of the Taxing Districts for the purpose of financing public improvements, reimbursing the Developer and paying the administrative, operations and maintenance costs of the District and the public improvements.

Construction Funding and Reimbursement Agreement

On July 12, 2016, District No. 6 entered into a Construction Funding and Reimbursement Agreement with the Developer whereby the Developer agreed to advance funds to District No. 6 for the construction and installation of public infrastructure within the boundaries of the Districts through December 31, 2020. The Districts state their intention to repay the advances and the advances made by the Developer will bear simple interest at a rate of 8.0% per annum. The Districts' obligation terminates at the earlier of repayment in full or 40 years from the date of the agreement.

Funding and Reimbursement Agreement (Operations and Maintenance)

On July 12, 2016, District No. 6 entered into Funding and Reimbursement Agreement (Operations and Maintenance) with the Developer whereby the Developer agreed to advance funds to District No. 6 for the payment of O&M costs incurred by the Districts through December 31, 2020. The Districts state their intention to repay the advances and the advances made by the Developer will bear simple interest at a rate of 8.0% per annum. The Districts' obligation terminates at the earlier of repayment in full or 40 years from the date of the agreement.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements December 31, 2021

Infrastructure Acquisition and Reimbursement Agreement

On August 16, 2018, the District entered into an Infrastructure Acquisition and Reimbursement Agreement with the Developer and Century at Anthology, LLC, (“Century”) whereas Century has agreed to construct and complete certain public infrastructure. The District agrees to acquire and reimburse Century for the public infrastructure. Once the balance of the 2018 Construction Fund is \$2,000,000 or less, no draws shall be made thereon by the Trustee or at the direction of any party until Century receives full reimbursement for all District Eligible Costs in connection with, arising from and/or related to, the Century Public Infrastructure. During 2020 and 2021, the District reimbursed Century \$997,025 and \$637,725, respectively, for capital improvements constructed on behalf of the District.

Tax Revenue Pledge Agreement

On January 19, 2018, the District entered into a Tax Revenue Pledge Agreement(the “2018 Tax Revenue Pledge Agreement”) with District No. 2 pursuant to which property excluded from District No. 2 and included into the District remains subject to the debt obligation under the Series 2014 Bonds on District No. 2. In return, District No. 2 pledges all other Debt Service mill levy to the District for the payments on the Series 2018 Bonds.

On November 30, 2021, the District entered into a Tax Revenue Pledge Agreement (the “2021 Tax Revenue Pledge Agreement”) with District No. 2, which replaced and superseded the 2018 Tax Revenue Agreement in its entirety. Pursuant to the 2021 Tax Revenue Pledge Agreement, District No. 2 pledged its Debt Service Mill Levy to the District for the payments on the Series 2021 Loan and 2022 Subordinate Bonds (as described below).

Operations Funding Agreement

On July 12, 2016, District No. 6 entered into a District Operations Funding Agreement with the Developer whereby the Developer agreed to advance funds to District No. 6 for the payment of O&M costs incurred by the Districts through December 31, 2020. The Districts state their intention to repay the advances and the advances made by the Developer will bear simple interest at a rate of 8.0% per annum. The Districts’ obligation terminates at the earlier of repayment in full or 40 years from the date of the agreement.

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements December 31, 2021

Capital Fee Pledge Agreement

Capital Fee revenue consists of fees imposed by the Operating District (“District No. 6”) within the boundaries of the District pursuant to the Capital Facilities Fee Resolution in an amount initially equal to \$1,500 for each single family attached or multi-family residential unit and in the amount of \$2,000 for each single family detached residential unit, payable on or before the date of issuance of a certificate of occupancy for such residential unit. The funds are collected by District No. 6 and transferred to the District for payment on the Series 2018 Bonds. In 2021, \$10,000 in fees were collected by District No. 6 and remitted to the District.

Note 8: Related Party

Anthology Recovery Acquisition, LLC, a subsidiary of RainTree Investment Corporation (“RainTree”), acquired significant ownership and/or investment interests in the property within the District. One member of the Board of Directors is an employee of RainTree. One other director is a consultant, directly or indirectly, to RainTree. Management believes that all potential conflicts, if any, have been disclosed to the Board and filed with the State as required by Title 32, Colorado Revised Statutes. One member of the Board of Directors is an employee of JR Engineering, LLC, which is contracted as project manager for the construction of capital infrastructure.

Note 9: 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 payable and accrued bond 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 progress pending transfer to other governmental entities or depreciated over their useful lives;

ANTHOLOGY WEST METROPOLITAN DISTRICT NO. 4

Notes to Financial Statements
December 31, 2021

- 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; 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.

Note 10: Subsequent Events

On March 22, 2022, the District issued its Subordinate Limited Tax General Obligation Bonds, Series 2022B(3) (Series 2022B(3) Bonds”) in the principal amount of \$1,100,000. The proceeds from the Series 2022B(3) Bonds will be used for the purposes of funding and reimbursing a portion of the costs of acquiring, constructing and installing certain public improvements and to pay the costs of issuing the Series 2022B(3) Bonds.

SUPPLEMENTAL INFORMATION

Anthology West Metropolitan District No. 4

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

For the Year Ended December 31, 2021

	Original <u>Budget</u>	Final <u>Budget</u>	<u>Actual</u>	Va Fav (Unfa
REVENUES				
Property taxes	\$ 118,984	\$ 118,984	\$ 118,984	\$
Specific ownership taxes	7,142	7,142	11,475	
Transfer from District #6	150,000	-	10,000	
Transfer from District #2	42,735	305,211	305,211	
Interest income	-	-	32	
Total Revenues	<u>318,861</u>	<u>431,337</u>	<u>445,702</u>	
EXPENDITURES				
Bond Interest	248,983	-	-	
Treasurer's Fees	1,785	1,785	1,785	
Transfer to District #2		1,655,056	1,655,056	
Cost of issuance		211,750	211,750	
Trustee Fee	1,000	-	3,500	
Total Expenditures	<u>251,768</u>	<u>1,868,591</u>	<u>1,872,091</u>	
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES				
	67,093	(1,437,254)	(1,426,389)	
OTHER FINANCING SOURCES (USES)				
Bond proceeds	-	8,900,000	8,900,000	
Payment to refunding agent	-	(7,473,601)	(7,473,601)	
Total Other Financing Sources (Uses)	<u>-</u>	<u>1,426,399</u>	<u>1,426,399</u>	
CHANGE IN FUND BALANCE	67,093	(10,855)	10	
FUND BALANCE - BEGINNING OF YEAR	<u>-</u>	<u>106,515</u>	<u>106,515</u>	
FUND BALANCE - END OF YEAR	\$ 67,093	\$ 95,660	\$ 106,525	\$

Anthology West Metropolitan District No. 4

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

For the Year Ended December 31, 2021

	Original Budget	Final <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
REVENUES				
Interest income	<u>100,000</u>	<u>\$ 102,509</u>	<u>\$ 260</u>	<u>\$ (102,249)</u>
Total Revenues	<u>100,000</u>	<u>102,509</u>	<u>260</u>	<u>(102,249)</u>
EXPENDITURES				
Planning and engineering	-	385,000	384,267	733
Capital improvements	60,000	600,000	637,725	(37,725)
Project management	<u>40,000</u>	<u>220,000</u>	<u>-</u>	<u>220,000</u>
Total Expenditures	<u>100,000</u>	<u>1,205,000</u>	<u>1,021,992</u>	<u>183,008</u>
NET CHANGE IN FUND BALANCE	-	(1,102,491)	(1,021,732)	80,759
FUND BALANCE:				
BEGINNING OF YEAR	<u>1,150,330</u>	<u>1,102,491</u>	<u>1,102,491</u>	<u>-</u>
END OF YEAR	<u>\$ 1,150,330</u>	<u>\$ -</u>	<u>\$ 80,759</u>	<u>\$ 80,759</u>

SUMMARY OF ASSESSED VALUATION, MILL LEVY
AND PROPERTY TAXES COLLECTED
For the Year Ended December 31, 2021

Year Ended <u>December 31,</u>	Prior Year Assessed Valuation for Current Year Property	Prior Year Assessed Valuation for Current Year Property	Mills Levied			Total Property Tax	
	<u>Tax Levy</u>	<u>Excluded Property</u>	<u>Genera l Fund</u>	<u>Debt Service</u>	<u>Excluded Debt Service</u>	<u>Levied</u>	<u>Collected</u>
2016	\$ 3,027,900	N/A	12.500	22.500	0.000	\$ 105,977	\$ 105,983
2017	\$ 3,510,960	N/A	12.500	22.500	0.000	\$ 122,883	\$ 122,884
2018	\$ 2,466,950	\$ 2,399,150	19.800	27.547	24.875	\$ 176,482	\$ 54,490
2019	\$ 2,467,750	\$ 3,439,100	10.764	36.583	24.875	\$ 202,389	\$ 77,702
2020	\$ 5,864,080	\$ 5,786,040	10.172	12.457	25.049	\$ 277,633	\$ 132,698
2021	\$ 7,542,560	\$ 7,464,420	6.854	15.775	25.049	\$ 357,657	\$ 170,681
Estimated for year ending December 31, 2022	\$ 9,714,870	\$ -	8.108	39.570	0.000	\$ 463,186	

NOTE

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

- 1) The collected amount does not include the excluded property taxes, as those are collected by District No. 2.