

RESOLUTION NO. 2026-05-01

**RESOLUTION OF THE AURORA HIGHLANDS COMMUNITY AUTHORITY BOARD
ESTABLISHING A POLICY FOR IMPOSITION OF OPERATION AND
MAINTENANCE FEES PURSUANT TO SERVICEMEMBERS CIVIL RELIEF ACT**

A. The Aurora Highlands Community Authority Board (the “**CAB**”) is a political subdivision and public corporation of the State of Colorado organized November 21, 2019, pursuant to The Aurora Highlands Community Authority Board Second Amended and Restated Establishment Agreement (the “**CABEA**”) and in conformity with the provisions of Sections 29-1-203 and -203.5, C.R.S., situated in the City of Aurora, County of Adams, State of Colorado.

B. Pursuant to the CABEA and Section 32-1-1001(1)(j), C.R.S., the CAB adopted Resolution No. 2020-10-01, a Resolution of The Aurora Highlands Community Authority Board Regarding the Imposition of an Operation and Maintenance Fee (as it may in the future be amended, the “**O&M Fee Resolution**”), to fix and impose fees, rates, tolls, charges, and penalties for services or facilities provided by the CAB, which, until paid, constitute a perpetual lien on and against the property served (the “**O&M Fee**”).

C. The Servicemembers Civil Relief Act (“**SCRA**”), 50 U.S.C. app. §§ 501, *et seq.*, is a public law of the United States adopted to provide for, strengthen, and expedite the national defense through protection extended to servicemembers of the United States to enable such persons to devote their entire energy to the defense needs of the Nation; and to provide for the temporary suspension of judicial and administrative proceedings and transactions that may adversely affect the civil rights of service members during their military service.

D. SCRA provides for limitations on the maximum rate of interest applicable to debts and certain methods of collection and enforcement during a servicemember’s period of military service and for one year following.

E. The Board of Directors of the CAB (the “**Board**”) desires to facilitate and encourage the purposes of the SCRA by establishing a policy for the imposition of the O&M Fee Resolution during a servicemember’s period of military service.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE AURORA HIGHLANDS COMMUNITY AUTHORITY BOARD, COUNTY OF ADAMS, COLORADO, AS FOLLOWS:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein as if set forth as material terms of this Resolution.

2. Applicability of SCRA. The Board finds that the SCRA is applicable to the CAB as a political subdivision of the State of Colorado and, therefore, the O&M Fee Resolution is an obligation or liability under the meaning of the SCRA.

3. Confirmation of Military Service. The limitations of this Resolution shall be effective as to any residential lot of an affected servicemember from the date indicated in on (a) a copy of the military orders calling the servicemember to military service and any orders further

extending military service; or (b) a written notice and copy of orders calling the effected servicemember to military service.

4. Regular Invoicing. Regular invoices for the O&M Fee shall continue to be generated for the residential lot of an affected servicemember and sent during the servicemember’s period of military service. Such invoices shall not include the addition of any late fees or fines otherwise applicable under the O&M Fee Resolution.

5. Waiver of Late Fees During Military Service. Any and all late fees and fines under the O&M Fee Resolution which would otherwise be applied to the residential lot of an affected servicemember shall be waived during the servicemember’s period of military service and for one year thereafter.

6. Abeyance of Collections and Enforcement. The CAB shall not undertake any actions to collect delinquent O&M Fees or enforce default under the O&M Fee Resolution against the residential lot of an affected servicemembers during the servicemember’s period of military service and for one year thereafter.

7. Invalidation. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, sentence, clause, phrase or work herein, or the application thereof in any given circumstances, shall not affect the validity of the remainder of this Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.

8. Effective Date. This Resolution shall be effective immediately upon its approval by the Board.

9. Information. Inquiries pertaining to the policies herein or written confirmation of military service may be directed to The Aurora Highlands Community Authority Board, c/o CliftonLarsonAllen LLP, 2001 16th Street, Suite 1700, Denver, CO 80202 or by phone at (303)779-5710.

**THE AURORA HIGHLANDS
COMMUNITY AUTHORITY BOARD**

By: 
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Matt Hopper, President

Attest:

By: 
77517AF6E925439
Secretary / Asst. Sec.