RESOLUTION WAIVING WORKERS' COMPENSATION INSURANCE FOR 2023 LUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

At the meeting of the Board of Directors of Lupton Village Residential Metropolitan District, (the "District"), County of Weld, Colorado, held at 1:00 PM on Thursday, September 22, 2022, by videoconference at https://us06web.zoom.us/j/84079720509, by teleconference at +1 669 900 6833, Meeting ID: 840 7972 0509, there were present:

William J. Johanningmeier Fred Croci Josef Guetlein Andrew Gerk

Also present was Michael Davis, Hilary Adams and Marisa Davis of the Law Office of Michael E. Davis, LLC ("District Counsel").

When the following proceedings, were had and done, to wit:

It was moved by Director Guetlein to adopt the following Resolution:

WHEREAS, in accordance with the Workers' Compensation Act of Colorado, §§ 8-40-101 - 8-47-101, et seq., C.R.S., the District is required to carry workers' compensation coverage for its employees, but the Board members may opt out of such coverage by the methods prescribed in the Workers' Compensation Act of Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF LUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT, AS FOLLOWS:

In accordance with § 8-40-202(1)(a)(I)(B), C.R.S., the Board hereby waives workers' compensation coverage for individual Board members by opting that the individual Board members not be deemed employees as that term is defined in the Workers' Compensation Act of Colorado, and directs legal counsel to file statements with the Division of Workers' Compensation in the Department of Labor and Employment for the State of Colorado at least forty-five (45) days before the start of the 2023 policy year in order to effect such waiver of coverage.

Whereupon, the motion was seconded by Director Croci, and upon vote, unanimously carried.

ADOPTED AND APPROVED SEPTEMBER 22, 2022.

LUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT

William John (ngmeie/Oct 18, 2022 22:05 MDT)

William J. Johanningmeier, President

ATTEST:

Fred Croci (Nov 15, 2022 17:45 CST)

Fred Croci, Secretary/Treasurer

APPROVED AS TO FORM:

LAW OFFICE OF MICHAEL E. DAVIS, LLC

As General Counsel to the District