

## MIDCITIES METROPOLITAN DISTRICT NO. 2

### RESOLUTION DESIGNATING THE OFFICIAL CUSTODIAN OF RECORDS

WHEREAS, pursuant to §32-1-1001(1)(h), C.R.S., the Board of Directors of the MidCities Metropolitan District No. 2 ("District") is responsible for the management, control and supervision of all of the business and affairs of the District; and

WHEREAS, pursuant to §32-1-1001(1)(i), C.R.S., the Board of Directors of the District has the authority to appoint an agent; and

WHEREAS, the Board of Directors of the District has determined that it is appropriate to designate an official custodian of the District's records for the protection of such records and in order to permit their inspection by persons entitled to examine and copy such records in an orderly fashion.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the MidCities Metropolitan District No. 2 that:

1. Official Custodians.

(a) Special District Management Services, Inc., the District Manager of the District, is hereby designated as the Primary Official Custodian responsible for the maintenance, care and keeping of all records of the District, except as provided herein.

(b) The construction manager for any District construction project, if so engaged, is hereby designated as the Official Custodian responsible for the maintenance, care and keeping of all records associated with the District's construction projects, subject to the control, supervision and direction of the Primary Official Custodian.

2. Agents of the Official Custodian. The Official Custodians shall have the authority to designate such agents as they shall determine appropriate to perform any and all acts necessary to enforce and execute the provisions of this Resolution.

3. Inspection of Public Records. All public records of the District shall be open for inspection at the times designated herein, unless prohibited by the provisions of Part 2 of Title 24, Article 72 ("Open Records Act") or policies adopted by the Board of Directors in conformance with the Open Records Act.

4. Request for Inspection. Request for inspection and copying of any public records of the District shall be made to the office of the appropriate Official Custodian in writing and shall set forth the particular documents or record desired to be inspected or copied. If such document or record is available for inspection and copying, the

appropriate Official Custodian will notify the applicant of the date, time and location where the material can be inspected or copied. If such public record is not available in such Official Custodian's office, the applicant shall be notified of this fact.


5. Times for Inspection. Inspection of the District's public records shall be made, where permitted by law, during normal business hours, Monday through Friday, except on holidays, at an hour specifically set by the appropriate Official Custodian for each particular request for inspection.

6. Copies, Print-Outs or Photographs of Public Records. In a case where a person has a right to inspect a public record under the control of the Official Custodian and requests in writing that the District furnish copies, print-outs or photographs thereof, the Official Custodian shall notify the applicant if such record is available for copying, and may furnish such copies, print-outs or photographs for a reasonable fee to be set by the Official Custodian, which shall not exceed twenty-five cents (\$.25) per page, unless the actual cost exceeds that amount, in which case the actual cost may be charged.

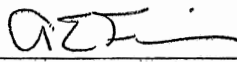
7. Exemptions. No person shall be permitted to inspect or copy any records of the District if, in the opinion of the Official Custodian after consultation with the District's general counsel, such inspection or copying would come within the prohibition of one or more exemptions set forth in the Open Records Act.

The foregoing Resolution was approved and adopted this 18<sup>th</sup> day of November, 2013.

MIDCITIES  
METROPOLITAN DISTRICT NO. 2

By:   
Acting Chairman

ATTEST:

By:   
Secretary