

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
Adams County, Colorado**

**FINANCIAL STATEMENTS AND  
SUPPLEMENTARY INFORMATION**

**YEAR ENDED DECEMBER 31, 2022**

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
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## Independent Auditor's Report

Members of the Board of Directors  
Nexus North at DIA Metropolitan District

### Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Nexus North at DIA Metropolitan District (the District) as of and for the year ended December 31, 2022, 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 financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Nexus North at DIA Metropolitan District, as of December 31, 2022, 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 audits in accordance with auditing standards generally accepted in the United States of America. 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 Nexus North at DIA Metropolitan District and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audits. 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 these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes 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 Nexus North at DIA Metropolitan 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 opinion. 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 generally accepted auditing standards 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, including omissions, 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 generally accepted auditing standards, 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 Nexus North at DIA Metropolitan 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 Nexus North at DIA Metropolitan 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**

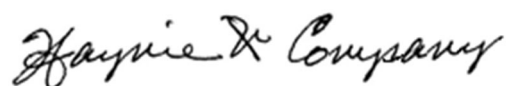
##### *Required Supplementary Information*

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States of America 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 opinion on the basic financial statements is not affected by this missing information.

##### *Other Information*

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise Nexus North at DIA Metropolitan District's financial statements as a whole. The supplementary information section is presented for purposes of additional analysis and is not a required part of the financial statements.

The supplementary information as listed in the table of contents 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. Such information has been subjected to the auditing procedures applied in the audit of the 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 information is fairly stated in all material respects in relation to the financial statements as a whole.



Littleton, Colorado  
September 21, 2023

## **BASIC FINANCIAL STATEMENTS**

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
STATEMENT OF NET POSITION  
DECEMBER 31, 2022**

	<u>Governmental Activities</u>
<b>ASSETS</b>	
Cash and Investments	\$ 32,231
Cash and Investments - Restricted	6,676,049
Receivable - County Treasurer	37
Prepaid Expenses	12,728
Property Taxes Receivable	690,734
Capital Assets, Not Being Depreciated	<u>1,006,762</u>
Total Assets	<u>8,418,541</u>
<b>LIABILITIES</b>	
Accounts Payable	34,486
Accrued Interest Payable	34,021
Noncurrent Liabilities:	
Due Within One Year	20,000
Due in More Than One Year	<u>8,776,932</u>
Total Liabilities	<u>8,865,439</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Property Tax Revenues	<u>690,734</u>
Total Deferred Inflows of Resources	<u>690,734</u>
<b>NET POSITION</b>	
Restricted for:	
Emergency Reserves	100
Capital Projects	58,050
Unrestricted	<u>(1,195,782)</u>
Total Net Position	<u><u>\$ (1,137,632)</u></u>

See accompanying Notes to Basic Financial Statements.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2022**

	Charges for Services	Program Revenues Operating Grants and Contributions	Capital Grants and Contributions	Net Revenues (Expenses) and Change in Net Position
FUNCTIONS/PROGRAMS	Expenses			Governmental Activities
Primary Government:				
Governmental Activities:				
General Government	\$ 98,939	\$ -	-	\$ (98,939)
Interest and Related Costs on Long-Term Debt	394,652	-	-	(394,652)
Total Governmental Activities	\$ 493,591	\$ -	-	(493,591)
<b>GENERAL REVENUES</b>				
Property Taxes				6,296
Specific Ownership Taxes				426
Interest Income				88,717
Total General Revenues				95,439
<b>CHANGE IN NET POSITION</b>				(398,152)
Net Position - Beginning of Year				(739,480)
<b>NET POSITION - END OF YEAR</b>				\$ (1,137,632)

See accompanying Notes to Basic Financial Statements.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
DECEMBER 31, 2022**

	General	Debt Service	Capital Projects	Total Governmental Fund
<b>ASSETS</b>				
Cash and Investments	\$ 32,231	\$ -	\$ -	\$ 32,231
Cash and Investments - Restricted	100	656,831	6,019,118	6,676,049
Receivable from County Treasurer	15	22	-	37
Prepaid Insurance	2,728	-	-	2,728
Prepaid Expense	10,000	-	-	10,000
Property Taxes Receivable	242,363	448,371	-	690,734
Total Assets	<u>\$ 287,437</u>	<u>\$ 1,105,224</u>	<u>\$ 6,019,118</u>	<u>\$ 7,411,779</u>
<b>LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES</b>				
<b>LIABILITIES</b>				
Accounts Payable	\$ 22,950	\$ -	\$ 11,536	\$ 34,486
Total Liabilities	22,950	-	11,536	34,486
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred Property Taxes	242,363	448,371	-	690,734
Total Deferred Inflows of Resources	242,363	448,371	-	690,734
<b>FUND BALANCES</b>				
Nonspendable:				
Prepaid Insurance	2,728	-	-	2,728
Prepaid Expense	10,000	-	-	10,000
Restricted for:				
Emergency Reserves	100	-	-	100
Debt Service	-	656,853	-	656,853
Capital Projects	-	-	6,007,582	6,007,582
Unassigned	9,296	-	-	9,296
Total Fund Balances	<u>22,124</u>	<u>656,853</u>	<u>6,007,582</u>	<u>6,686,559</u>
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	<u>\$ 287,437</u>	<u>\$ 1,105,224</u>	<u>\$ 6,019,118</u>	

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.

Capital Assets, Not Being Depreciated	1,006,762
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Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported in the funds.

Bonds Payable	(8,165,000)
Bonds Premium	(488,967)
Accrued Interest on 2021 Bonds	(34,021)
Developer Advance Payable	(134,654)
Accrued Interest on Developer Advance	(8,311)
	(8,820,953)

Net Position of Governmental Activities	<u>\$ (1,137,632)</u>
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See accompanying Notes to Basic Financial Statements.



**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES  
IN FUND BALANCES  
GOVERNMENTAL FUNDS  
YEAR ENDED DECEMBER 31, 2022**

	General	Debt Service	Capital Projects	Total Governmental Fund
<b>REVENUES</b>				
Property Taxes	\$ 2,560	\$ 3,736	\$ -	\$ 6,296
Specific Ownership Taxes	173	253	-	426
Interest Income	-	10,602	78,115	88,717
Total Revenues	<u>2,733</u>	<u>14,591</u>	<u>78,115</u>	<u>95,439</u>
<b>EXPENDITURES</b>				
General				
Accounting	28,746	-	-	28,746
Auditing	6,000	-	-	6,000
Banking Fees	15	-	-	15
Dues and Membership	328	-	-	328
Election	2,644	-	-	2,644
Insurance and Bonds	3,398	-	-	3,398
Legal Services	15,267	-	-	15,267
Website	450	-	-	450
Debt Service				
Bond Interest - Series 2021	-	408,250	-	408,250
Paying Agent Fees	-	4,000	-	4,000
Capital Projects				
Engineering - Cost Verification	-	-	7,362	7,362
Legal Services	-	-	11,442	11,442
Engineering	-	-	23,287	23,287
Total Expenditures	<u>56,848</u>	<u>412,250</u>	<u>42,091</u>	<u>511,189</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	(54,115)	(397,659)	36,024	(415,750)
<b>OTHER FINANCING SOURCES (USES)</b>				
Developer Advance	80,796	-	-	80,796
Total Other Financing Sources (Uses)	<u>80,796</u>	<u>-</u>	<u>-</u>	<u>80,796</u>
<b>NET CHANGE IN FUND BALANCES</b>	26,681	(397,659)	36,024	(334,954)
Fund Balances - Beginning of Year	<u>(4,557)</u>	<u>1,054,512</u>	<u>5,971,558</u>	<u>7,021,513</u>
<b>FUND BALANCES - END OF YEAR</b>	<u>\$ 22,124</u>	<u>\$ 656,853</u>	<u>\$ 6,007,582</u>	<u>\$ 6,686,559</u>

See accompanying Notes to Basic Financial Statements.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES  
IN FUND BALANCES OF THE GOVERNMENTAL FUNDS  
TO THE STATEMENT OF ACTIVITIES  
YEAR ENDED DECEMBER 31, 2022**

Net Change in Fund Balances - Total Governmental Funds		\$ (334,954)
<p>Amounts reported for governmental activities in the statement of activities are different because:</p> <p>The issuance of long-term debt (e.g., Loans, Developer advances) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds record the effect of premiums, discounts, and similar items when debt is first issued as expenditures, whereas these amounts are deferred and amortized in the statement of activities.</p>		
Developer Advance - Operations		(80,796)
<p>Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.</p>		
Amortization of Bond Premium	\$ 23,745	
Accrued Interest on Developer Advance - Change in Liability	<u>(6,147)</u>	<u>17,598</u>
Change in Net Position of Governmental Activities		<u><u>\$ (398,152)</u></u>

See accompanying Notes to Basic Financial Statements.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2022**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Property Taxes	\$ 2,563	\$ 2,560	\$ (3)
Specific Ownership Taxes	179	173	(6)
Total Revenues	<u>2,742</u>	<u>2,733</u>	<u>(9)</u>
<b>EXPENDITURES</b>			
General and Administrative:			
Accounting	25,000	28,746	(3,746)
Auditing	6,000	6,000	-
Banking Fees	-	15	(15)
County Treasurer's Fee	38	-	38
Dues and Membership	500	328	172
Election	2,000	2,644	(644)
Insurance and Bonds	3,500	3,398	102
Legal	30,000	15,267	14,733
Maintenance	10,000	-	10,000
Contingency	2,962	-	2,962
Website	-	450	(450)
Total Expenditures	<u>80,000</u>	<u>56,848</u>	<u>23,152</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	(77,258)	(54,115)	23,143
<b>OTHER FINANCING SOURCES (USES)</b>			
Developer Advance	<u>78,000</u>	<u>80,796</u>	<u>2,796</u>
Total Other Financing Sources (Uses)	<u>78,000</u>	<u>80,796</u>	<u>2,796</u>
<b>NET CHANGE IN FUND BALANCE</b>	742	26,681	25,939
Fund Balance - Beginning of Year	<u>-</u>	<u>(4,557)</u>	<u>(4,557)</u>
<b>FUND BALANCE - END OF YEAR</b>	<u>\$ 742</u>	<u>\$ 22,124</u>	<u>\$ 21,382</u>

See accompanying Notes to Basic Financial Statements.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 1 DEFINITION OF REPORTING ENTITY**

Nexus North at DIA Metropolitan District (the District), a quasi-municipal corporation, was approved by eligible electors of the District at an election held on May 7, 2019. The District was organized by order of the District Court in and for Adams County on July 12, 2019. The formation of the District was approved by the City of Commerce City, Colorado in conjunction with the approval by the City Council of the Service Plan for the District on April 1, 2019. The District exists as a quasi-municipal corporation and political subdivision of the State of Colorado under Title 32, Article 1 of the Colorado Revised Statutes, as amended (C.R.S.)

At a special election of the eligible electors of the District on November 5, 2019, a majority of those qualified to vote voted in favor of certain ballot questions authorizing the issuance of indebtedness and imposition of taxes for the payment thereof, for the purpose of providing financing for the acquisition, construction, installation, and completion of certain streets, park and recreation, water, sanitation, transportation, mosquito control, safety protection, fire protection, and television relay and translation improvements.

The District is not financially accountable for any other organization, nor is the District a component unit of any other primary governmental entity.

The District has no employees, and all operations and administrative functions are contracted.

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The more significant accounting policies of the District are described as follows:

**Government-Wide and Fund Financial Statements**

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all the activities of the District. The effect of interfund activity has been removed from these statements. Governmental activities are normally supported by taxes and intergovernmental revenues.

The statement of net position reports all financial and capital resources of the District. The difference between the sum of assets and deferred outflows and the sum of liabilities and deferred inflows is reported as net position.

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 as general revenues.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Government-Wide and Fund Financial Statements (Continued)**

Separate financial statements are provided for the governmental funds. 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 related cash flows.

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 major sources of revenue susceptible to accrual are property and specific ownership taxes. All other revenue items are considered to be measurable and available only when cash is received by the District. The District has determined that Developer advances are not considered as revenue susceptible to accrual. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation due.

The District reports the following major governmental funds:

The General Fund is the District's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The Debt Service Fund accounts for the resources accumulated and payments made for principal and interest on long-term general obligation debt of the governmental funds.

The Capital Projects Fund is used to account for financial resources to be used for the acquisition and construction of capital equipment and facilities.

**Budgets**

In accordance with the State Budget Law, the District's Board of Directors holds public hearings in the fall each year to approve the budget and appropriate the funds for the ensuing year. The appropriation is at the total fund expenditures and other financing uses level and lapses at year-end. 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.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Pooled Cash and Investments**

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 single bank account. 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.

**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 30 or if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and, generally, sale of the tax liens on delinquent properties are 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 inflow of resources in the year they are levied and measurable. The unearned property tax revenues are recorded as revenue in the year they are available or collected.

**Deferred Inflows of Resources**

In addition to liabilities, the statement of net position reports 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 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. Accordingly, the item, *deferred property tax revenue* is deferred and recognized as an inflow of resources in the period that the amount becomes 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 or business-type 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. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset 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.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Capital Assets (Continued)**

Capital assets being constructed and/or capital assets anticipated to be conveyed to other governmental entities are recorded as construction in progress and are not included in the calculation of the net investment in capital assets component of the net position.

**Equity**

**Net Position**

For government-wide presentation purposes, when both restricted and unrestricted resources are available for use, it is the District's practice to use restricted resources first, then unrestricted resources as they are needed.

**Fund Balance**

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: nonspendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications describe the relative strength of the spending constraints:

*Nonspendable Fund Balance* – The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts or inventory) or legally or contractually required to be maintained intact.

*Restricted Fund Balance* – The portion of fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.

*Committed Fund Balance* – The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by 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* – The portion of fund balance that is constrained by the government's intent to be used for specific purposes but is neither restricted nor committed. Intent is expressed by the board of directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.

*Unassigned Fund Balance* – The residual portion of fund balance that does not meet any of the criteria described above.

If more than one classification of fund balance is available for use when an expenditure is incurred, it is the District's practice to use the most restrictive classification first.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS**

Cash and investments as of December 31, 2022 are classified in the accompanying financial statements as follows:

Statement of Net Position:	
Cash and Investments	\$ 32,231
Cash and Investments - Restricted	<u>6,676,049</u>
Total Cash and Investments	<u><u>\$ 6,708,280</u></u>

Cash and investments as of December 31, 2022 consist of the following:

Deposits with Financial Institutions	\$ 38,021
Investments	<u>6,670,259</u>
Total Cash and Investments	<u><u>\$ 6,708,280</u></u>

**Cash Deposits**

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. 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 for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least 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.

On December 31, 2022, the District's cash deposits had a bank balance of \$39,137 and a carrying balance of \$38,021.

**Investments**

The District follows state statutes regarding investments.

The District generally limits its concentration of investments to those noted with an asterisk (\*) below, which are believed to have minimal credit risk, minimal interest rate risk and no foreign currency risk. Additionally, the District is not subject to concentration risk or investment custodial risk disclosure requirements for investments that are in the possession of another party.

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the board of directors. Such actions are generally associated with a debt service reserve or sinking fund requirements.



**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS (CONTINUED)**

**Investments (Continued)**

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest which include:

- . Obligations of the United States, certain U.S. government agency securities of the World Bank
- . Certain international agency securities
- . General obligation and revenue bonds of U.S. local government entities
- . Certain certificates of participation
- . Certain securities lending agreements
- . Bankers' acceptances of certain banks
- . Commercial paper
- . Written repurchase agreements collateralized by certain authorized securities
- . Certain money market funds
- . Guaranteed investment contracts
- \* Local government investment pools

As of December 31, 2022, the District had the following investments:

<u>Investment</u>	<u>Maturity</u>	<u>Amount</u>
Colorado Local Government Liquid Asset Trust (COLOTRUST)	Weighted-Average Under 60 Days	\$ 6,670,259

**COLOTRUST**

The District invested in the Colorado Local Government Liquid Asset Trust (COLOTRUST) (the Trust), an investment vehicle established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all State statutes governing the Trust. The Trust currently offers three portfolios – COLOTRUST PRIME, COLOTRUST PLUS+, and COLOTRUST EDGE.

COLOTRUST PRIME and COLOTRUST PLUS+, which operate similarly to a money market fund and each share is equal in value to \$1.00, offer daily liquidity. Both portfolios may invest in U.S. Treasury securities and repurchase agreements collateralized by U.S. Treasury securities. COLOTRUST PLUS+ may also invest in certain obligations of U.S. government agencies, highest rated commercial paper, and any security allowed under CRS 24-75-601.

COLOTRUST EDGE, a variable Net Asset Value (NAV) Local Government Investment Pool, offers weekly liquidity and is managed to approximate a \$10.00 transactional share price. COLOTRUST EDGE may invest in securities authorized by Section 24-75-601.1, C.R.S., including U.S. Treasury securities, repurchase agreements collateralized by U.S. Treasury securities, certain obligations of U.S. government agencies, and highest rated commercial paper.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 3 CASH AND INVESTMENTS (CONTINUED)**

**COLOTRUST (Continued)**

A designated custodial bank serves as custodian for the Trust's portfolios pursuant to a custodian agreement. The custodian acts as safekeeping agent for the Trust's investment portfolios and provides services as the depository in connection with direct investments and withdrawals. The custodian's internal records segregate investments owned by the Trust. COLOTRUST PRIME and COLOTRUST PLUS+ are rated AAAM by Standard & Poor's. COLOTRUST EDGE is rated AAAs/S1 by Fitch Ratings. COLOTRUST records its investments at fair value and the District records its investment in COLOTRUST at net asset value as determined by fair value. There are no unfunded commitments, the redemption frequency is daily or weekly, and there is no redemption notice period.

**NOTE 4 CAPITAL ASSETS**

An analysis of the changes in capital assets for the year ended December 31, 2022 are as follows:

	Balance - December 31, 2021	Additions	Reductions	Balance - December 31, 2022
Capital Assets, Not Being Depreciated:				
Construction in Progress	\$ 1,006,762	\$ -	\$ -	\$ 1,006,762
Total Capital Assets, not Being Depreciated	<u>\$ 1,006,762</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,006,762</u>

**NOTE 5 LONG-TERM OBLIGATIONS**

The following is an analysis of changes in the District's long-term obligations for the year ended December 31, 2022:

	Balance - December 31, 2021	Additions	Reductions	Balance - December 31, 2022	Due Within One Year
Bonds Payable					
Series 2021 - Bonds	\$ 8,165,000	\$ -	\$ -	\$ 8,165,000	\$ 20,000
Series 2021 - Bond Premium	512,712	-	23,745	488,967	-
Subtotal of Bonds Payable	8,677,712	-	23,745	8,653,967	20,000
Other Debts					
Developer Advances:					
Operating	53,858	80,796	-	134,654	-
Accrued Interest on Developer Advances:					
Operating	2,164	6,147	-	8,311	-
Subtotal of Other Debts	56,022	86,943	-	142,965	-
Total Long-Term Obligations	<u>\$ 8,733,734</u>	<u>\$ 86,943</u>	<u>\$ 23,745</u>	<u>\$ 8,796,932</u>	<u>\$ 20,000</u>

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 5 LONG-TERM OBLIGATIONS (CONTINUED)**

The details of the District's general obligation bonds outstanding are as follows:

**Limited Tax General Obligation Bonds, Series 2021 (the Bonds)**

**Bond Proceeds**

The District issued the Bonds on April 1, 2021 in the par amount of \$8,165,000. Proceeds from the sale of the Bonds were used to fund: (i) the costs of public improvements for the benefit of the District; (ii) capitalized interest on the Bonds; (iii) the Reserve Fund; and (iv) costs of issuing the Bonds.

**Details of the Bonds**

The Bonds were issued as two term bonds that bear interest at the rate of 5.0% (yield 4.0385%), payable semiannually on June 1 and December 1, beginning on June 1, 2021. Annual mandatory sinking fund principal payments are due on December 1 of each year, beginning on December 1, 2023. The Bonds have a final maturity on December 1, 2051.

To the extent principal of any Bond is not paid when due, such principal shall remain outstanding until paid, subject to discharge on December 2, 2061, and shall continue to bear interest at the rate borne by the Bond. To the extent interest on any Bond is not paid when due, such interest shall compound semiannually on each interest payment date, at the rate then borne by the Bond.

In the event that any amount of principal or interest on the Bonds remains unpaid after the application of all Pledged Revenue available therefor on December 2, 2061, the Bonds shall be deemed discharged. The District shall not be obligated to pay more than the amount permitted by law and its electoral authorization in repayment of the Bonds, including all payments of principal, premium if any, and interest.

**Optional Redemption**

The Bonds are subject to redemption prior to maturity, at the option of the District, on March 1, 2026, and on any date thereafter, upon payment of par, accrued interest, and a redemption premium equal to a percentage of the principal amount so redeemed as follows:

<u>Date of Redemption</u>	<u>Redemption Premium</u>
March 1, 2026, to February 28, 2027	3.00%
March 1, 2027, to February 29, 2028	2.00
March 1, 2028, to February 28, 2029	1.00
March 1, 2029, and thereafter	0.00

**Pledged Revenue**

The Bonds are secured by and payable from moneys derived by the District from the following sources: (a) the Required Mill Levy; (b) the portion of the Specific Ownership Tax which is collected as a result of imposition of the Required Mill Levy; and (c) any other legally available moneys which the District determines, in its absolute discretion, to transfer to the Trustee for application as Pledged Revenue.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 5 LONG-TERM OBLIGATIONS (CONTINUED)**

**Limited Tax General Obligation Bonds, Series 2021 (the Bonds) (Continued)**

**Required Mill Levy**

The District has covenanted to impose a Required Mill Levy on all taxable property of the District each year in an amount sufficient to pay the Bonds when due and, if necessary, an amount sufficient to replenish the Reserve Fund to the amount of the Reserve Requirement, but not in excess of 50.00 mills (subject to adjustment for changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut, or abatement after April 1, 2019).

**Additional Security for the Bonds**

The Bonds are additionally secured by capitalized interest which was funded from proceeds of the Bonds in the amount of \$680,417, and by the Reserve Fund which was funded from proceeds of the Bonds in the amount of the Reserve Requirement of \$632,250. The balance in the capitalized interest account at December 31, 2022 is \$2,174.

Subject to the receipt of sufficient Pledged Revenue, the Reserve Fund shall be maintained in the amount of the Required Reserve for so long as any Bonds are outstanding. The balance in the Reserve Fund at December 31, 2022 is \$632,992.

**Bonds Debt Service**

The outstanding principal and interest of the Bonds are due as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ 20,000	\$ 408,250	\$ 428,250
2024	35,000	407,250	442,250
2025	80,000	405,500	485,500
2026	95,000	401,500	496,500
2027	100,000	396,750	496,750
2028-2032	675,000	1,897,000	2,572,000
2033-2037	1,005,000	1,697,000	2,702,000
2038-2042	1,440,000	1,404,750	2,844,750
2043-2047	1,985,000	992,750	2,977,750
2048-2051	2,730,000	396,250	3,126,250
Total	<u>\$ 8,165,000</u>	<u>\$ 8,407,000</u>	<u>\$ 16,572,000</u>

**NOTE 6 NET POSITION**

The District has net position consisting of two components – restricted and unrestricted.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 6 NET POSITION (CONTINUED)**

The restricted net position includes assets that are restricted for use either externally imposed by creditors, grantors, contributors, or laws and regulations of other governments or imposed by law through constitutional provisions or enabling legislation. The District had a restricted net position as of December 31, 2022 as follows:

	Governmental Activities
Restricted Net Position:	
Emergency Reserves	\$ 100
Capital Projects	58,050
Total Restricted Net Position	\$ 58,150

The District has a deficit in unrestricted net position. This deficit is primarily due to the costs of issuing the bonds, and operating expenses paid by advances from Developer.

**NOTE 7 AGREEMENTS**

**2021 Operation Funding Agreement with Nexus North Owner, LLC (2021 OFA)**

On March 1, 2021, the District and Nexus North Owner, LLC (Developer) entered into the 2021 Operation Funding Agreement (2021 OFA), as amended on November 8, 2021. The 2021 OFA provides for the Developer to advance funds for ongoing operations expenses incurred by the District through December 31, 2022 in an amount not to exceed \$154,000.

The District agrees to repay any advances received from any funds available after the payment of its annual debt service obligations and annual operations and maintenance expenses, which repayment is subject to annual budget and appropriation. Interest shall accrue at 8% per annum.

The 2021 OFA, as amended, expires on December 31, 2061, unless terminated earlier by the mutual agreement of all parties. Any obligation of the Developer to advance funds expires on December 31, 2023. Any obligation of the District to reimburse the Developer will expire on December 31, 2061. In the event that the District has not reimbursed the Developer for any Developer Advance made pursuant to the 2021 OFA on or before December 31, 2061, any amount of principal and accrued interest outstanding on such date shall be deemed to be forever discharged and satisfied in full.

As of December 31, 2022, outstanding advances for operations totaled \$134,654 and accrued interest totaled \$8,311.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 7 AGREEMENTS (CONTINUED)**

**2021 Facilities Acquisition Agreement with Nexus North Owner, LLC**

The District and Nexus North Owner, LLC (Developer) entered into a facilities and acquisition agreement (2021 FAA) on March 1, 2021. Pursuant to the FAA, the District and the Developer acknowledge that the District will incur construction related expenses in connection with the construction of certain public improvements in reliance upon the Developer's commitment to provide funding. In addition, the Developer has or will design, construct and complete certain improvements for District acquisition upon completion. To the extent that the public improvements are not designed, constructed, and completed by the Developer for the District's acquisition upon completion, the Developer shall advance funds to the District necessary to fund the construction related expenses up to \$30,000,000 including the aggregate amount of verified construction costs incurred by the Developer.

Simple interest accrues on construction related expense at a rate of 8% per annum until paid. For construction related expenses, simple interest shall accrue as follows: 1) on each Developer advance, from the date of deposit into the District's account, 2) on verified costs for amounts expended by the Developer for improvement constructed after the organization date, from the date of verification.

As of December 31, 2022, there are no outstanding advances under this agreement.

**NOTE 8 RELATED PARTIES**

The property within the District is owned by and being developed by Nexus North Owner, LLC. During 2022, members of the board of directors were officers or employees of, or otherwise associated with the Developer, and may have conflicts of interest in matters involving the District. The District has entered into various funding agreements with the Developer as discussed in Note 7.

**NOTE 9 RISK MANAGEMENT**

The District may be exposed to various risks of loss related to torts; thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees; or acts of God.

The District is a member of the Colorado Special Districts Property and Liability Pool (the Pool). The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery, and workers' compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for liability, property, and public officials' liability coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool 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.

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
NOTES TO BASIC FINANCIAL STATEMENTS  
DECEMBER 31, 2022**

**NOTE 10 TAX, SPENDING, AND DEBT LIMITATIONS**

Article X, Section 20 of the Colorado Constitution, commonly known as the Taxpayer's 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.

**SUPPLEMENTARY INFORMATION**



**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
DEBT SERVICE FUND  
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2022**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Property Taxes	\$ 3,741	\$ 3,736	\$ (5)
Specific Ownership Taxes	262	253	(9)
Interest Income	850	10,602	9,752
Total Revenues	<u>4,853</u>	<u>14,591</u>	<u>9,738</u>
<b>EXPENDITURES</b>			
County Treasurer's Fee	56	-	56
Paying Agent Fees	4,000	4,000	-
Bond Interest - Series 2021	408,250	408,250	-
Contingency	694	-	694
Total Expenditures	<u>413,000</u>	<u>412,250</u>	<u>750</u>
<b>NET CHANGE IN FUND BALANCE</b>	(408,147)	(397,659)	10,488
Fund Balance - Beginning of Year	<u>1,054,485</u>	<u>1,054,512</u>	<u>27</u>
<b>FUND BALANCE - END OF YEAR</b>	<u><u>\$ 646,338</u></u>	<u><u>\$ 656,853</u></u>	<u><u>\$ 10,515</u></u>

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
CAPITAL PROJECTS FUND  
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –  
BUDGET AND ACTUAL  
YEAR ENDED DECEMBER 31, 2022**

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
<b>REVENUES</b>			
Interest Income	\$ 2,988	\$ 78,115	\$ 75,127
Total Revenues	<u>2,988</u>	<u>78,115</u>	<u>75,127</u>
<b>EXPENDITURES</b>			
Public Improvements	6,000,000	-	6,000,000
Engineering - Cost Verification	16,000	7,362	8,638
Legal Services	-	11,442	(11,442)
Engineering	-	23,287	(23,287)
Total Expenditures	<u>6,016,000</u>	<u>42,091</u>	<u>5,973,909</u>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	(6,013,012)	36,024	6,049,036
<b>OTHER FINANCING SOURCES (USES)</b>			
Developer Advance	6,000,000	-	(6,000,000)
Developer Advance Repayment - Principal	(5,960,665)	-	5,960,665
Total Other Financing Sources (Uses)	<u>39,335</u>	<u>-</u>	<u>(39,335)</u>
<b>NET CHANGE IN FUND BALANCE</b>	(5,973,677)	36,024	6,009,701
Fund Balance - Beginning of Year	<u>5,973,677</u>	<u>5,971,558</u>	<u>(2,119)</u>
<b>FUND BALANCE - END OF YEAR</b>	<u>\$ -</u>	<u>\$ 6,007,582</u>	<u>\$ 6,007,582</u>

## **OTHER INFORMATION**

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY  
DECEMBER 31, 2022**

Bonds and Interest Maturing in the Year Ending December 31,	\$8,165,000 Limited Tax General Obligation Bonds Dated April 1, 2021 Series 2021 Interest Rate of 5.00% Payable June 1 and December 1 Principal Due December 1		
	Principal	Interest	Total
2023	\$ 20,000	\$ 408,250	\$ 428,250
2024	35,000	407,250	442,250
2025	80,000	405,500	485,500
2026	95,000	401,500	496,500
2027	100,000	396,750	496,750
2028	115,000	391,750	506,750
2029	120,000	386,000	506,000
2030	135,000	380,000	515,000
2031	145,000	373,250	518,250
2032	160,000	366,000	526,000
2033	170,000	358,000	528,000
2034	190,000	349,500	539,500
2035	195,000	340,000	535,000
2036	220,000	330,250	550,250
2037	230,000	319,250	549,250
2038	250,000	307,750	557,750
2039	265,000	295,250	560,250
2040	290,000	282,000	572,000
2041	305,000	267,500	572,500
2042	330,000	252,250	582,250
2043	345,000	235,750	580,750
2044	375,000	218,500	593,500
2045	395,000	199,750	594,750
2046	425,000	180,000	605,000
2047	445,000	158,750	603,750
2048	480,000	136,500	616,500
2049	505,000	112,500	617,500
2050	545,000	87,250	632,250
2051	1,200,000	60,000	1,260,000
Total	<u>\$ 8,165,000</u>	<u>\$ 8,407,000</u>	<u>\$ 16,572,000</u>

**NEXUS NORTH AT DIA METROPOLITAN DISTRICT  
 SCHEDULE OF ASSESSED VALUATION, MILL LEVY, AND PROPERTY TAXES COLLECTED  
 DECEMBER 31, 2022**

Year Ended December 31,	Prior Year Assessed Valuation for Current Year Property Tax Levy	Mills Levied for		Total Property Taxes		Percent Collected to Levied
		General	Debt Service	Levied	Collected	
2020	\$ 6,330	-	-	\$ -	\$ -	- %
2021	12,470	-	-	-	-	-
2022	256,240	10.000	14.600	6,304	6,296	99.88
Estimated for the Year Ending December 31, 2023	\$ 24,236,270	10.000	18.500	\$ 690,734		