

**CERTIFICATION CONCERNING RECORD OF EXECUTIVE SESSION HELD
DURING THE SPECIAL MEETING OF THE EBERT METROPOLITAN
DISTRICT ON OCTOBER 23, 2025**

I hereby certify that it is my opinion that the discussion held during the executive session convened near the end of the special meeting of the Board of Directors of Ebert Metropolitan District held October 23, 2025, was properly noticed and constituted privileged attorney-client communication, and therefore no record or electronic recording was required to be kept for such executive session pursuant to Section 24-6-402, C.R.S. I further certify that I was in attendance by Zoom tele-video conference and participated in the discussions for the entire executive session. The privileged discussions during executive session concerned specific questions of legal counsel regarding the request for consent to a transfer of the golf course Concessionaire Agreement to EPR Properties, a real estate investment trust (REIT), acceptance of certain parcels from Oakwood, reimbursement of Bluebird Club for \$133,506.02 per Capital Reimbursement Agreement, as amended, and age variance request regarding property located at 20162 E. 53rd Pl., all in accordance with Section 24-6-402(4)(b), C.R.S.

Dated this 13th day of October, 2025.

By: _____


Glory S. Schmidt, General Counsel
Ebert Metropolitan District