

EASTPARK70 METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 · 800-741-3254
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<https://eastpark70md.colorado.gov>

NOTICE OF SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expires:</u>
Brett Ellen	President	2022/May 2022
Tim Bertoch	Treasurer	2022/May 2022
Nathan J. Miles	Assistant Secretary	2023/May 2023
Lisa Crew	Assistant Secretary	2023/May 2023
VACANT		2023/May 2022
Ann E. Finn	Secretary	

DATE: November 5, 2021

TIME: 10:00 a.m.

LOCATION: This meeting will be held via teleconferencing/Zoom and can be joined through the directions below. If you experience technical difficulties, please email Ann Finn at afinn@sdmsi.com.

Join Zoom Meeting

<https://us02web.zoom.us/j/85018129139?pwd=eWZVcVJXZFd3K2hTUGh2NEJqWnNCdz09>

Phone: 1 (346) 248-7799 or 1 (669) 900-6833

Meeting ID: 850 1812 9139

Password: 886373

I. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

B. Approve Agenda, confirm location of the meeting and posting of meeting notices and designate 24-hour posting location.

C. Review and approve the Minutes of the November 6, 2020 Special Meeting (enclosure).

- D. Discuss business to be conducted in 2022 and location (**virtual and/or physical**) of meetings. Schedule regular meeting date (recommendation: November 4, 2022 at 10:00 a.m.) and consider adoption of Resolution Establishing Regular Meeting Dates, Time and Location and Designating Location for Posting of 24-Hour Notices (enclosure).
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- E. Discuss §32-1-809, C.R.S., Transparency Notice reporting requirements and mode of eligible elector notification (2021 SDA Website).
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II. PUBLIC COMMENTS

- A. Members of the public may express their views to the Board on matters that affect the District. Comments will be limited to three (3) minutes.
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III. FINANCIAL MATTERS

- A. Review and ratify the approval of the payment of claims for the periods ending as follows (enclosures):

Fund	Period ending Jan. 14, 2021	Period ending April 15, 2021	Period ending July 8, 2021	Period ending Oct. 15, 2021
General	\$ 10,220.71	\$ 3,938.87	\$ 2,812.98	\$ 2,068.11
Debt	\$ 150.00	\$ -0-	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 10,370.71	\$ 3,938.87	\$ 2,812.98	\$ 2,068.11

- B. Review and accept unaudited financial statements for the period ending September 30, 2021 and the schedule of cash position updated as of September 30, 2021 (enclosure).
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- C. Discuss the District's inability to make a scheduled bond payment pursuant to Section 32-1-903(3) C.R.S.
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- D. Ratify approval of the preparation, execution and filing of the Application for Exemption from Audit for 2020 (enclosure).
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- E. Conduct Public Hearing to consider Amendment to 2021 Budget and (if necessary) consider adoption of Resolution to Amend the 2021 Budget and appropriate expenditures.
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- F. Conduct Public Hearing on the proposed 2022 Budget and consider adoption of Resolutions to Adopt the 2022 Budget and Appropriate Sums of Money and to Set Mill Levies (for General Fund _____, Debt Service Fund _____ and Other Fund(s) _____ for a total mill levy of _____) (enclosures – preliminary AV, draft 2022 Budget and Budget Resolutions).
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- G. Authorize the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.
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- H. Consider appointment of District Accountant to prepare the 2023 budget.
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- I. Discuss statutory requirements for an audit. Consider appointment of District Accountant to prepare and file a 2021 Application for Exemption from Audit, or authorize the District Manager to obtain proposals for performance of a 2021 Audit, if necessary.
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IV. LEGAL MATTERS

- A. Consider approval of Agreement Regarding Required Mill Levy for 2022 between the District and Cambridge Capital LLC (enclosure).
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- B. Discuss 2021 new legislation.
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- C. Review and consider adoption of Resolution Calling May 3, 2022 Election for Directors, appointing Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. Self-Nomination Forms are due by February 25, 2022 (enclosure). Discuss the need for ballot issues and/or questions.
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V. OTHER BUSINESS

- A. Discuss status of development.
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VI. ADJOURNMENT **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2021.**

Additional Enclosure:

Notice of rate increase from Special District Management Services, Inc

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE EASTPARK70 METROPOLITAN DISTRICT HELD NOVEMBER 6, 2020

A Special Meeting of the Board of Directors (“Board”) of the Eastpark70 Metropolitan District (“District”) was convened on Friday, the 6th day of November, 2020, at 10:00 A.M. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, this District Board meeting was held by conference call. The meeting was open to the public via conference call.

ATTENDANCE

Directors In Attendance Were:

Nathan J. Miles
Lisa Crew

Following discussion, upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, the absence of Director Bertoch was excused.

Also In Attendance Were:

Ann Finn and Steve Beck; Special District Management Services, Inc.

Elisabeth Cortese, Esq.; McGeady Becher P.C.

Brett Ellen; Board Candidate

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Ms. Finn noted that a quorum was present and requested members of the Board to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting, and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with State statute. It was further noted that all Directors’ Disclosure Statements have been filed.

RECORD OF PROCEEDINGS

ADMINISTRATIVE MATTERS

Agenda: Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

Following discussion, upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, the Agenda was approved, as amended.

Meeting Location/Manner and Posting of Meeting Notice: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. It was noted that due to concerns regarding the spread of the COVID-19 and the benefits to the control of the spread of the virus by limiting in-person contact, the District meeting was held and properly noticed to be held via conference call, without any individuals (neither District representatives nor the general public) attending in person. The Board further noted that notice providing the telephone conference information was duly posted and that they have not received any objections or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Miles, seconded by Director Crew, and upon vote, unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District as least 24 hours prior to each meeting at the following location: on a light pole located on the Southeast corner of Smith Road and Ensenada Street, Aurora, Colorado.

May 5, 2020 Election: Ms. Finn advised the Board that the May 5, 2020 election was cancelled, as allowed under Colorado law, by the Designated Election Official because there were no more candidates than positions available on the Board of Directors. It was noted that Directors Crew and Miles were each deemed elected to 3-year terms ending in May, 2023.

Appointment of Director: The Board considered the appointment of Mr. Brett Ellen to fill a vacant seat on the Board of Directors.

Following discussion, upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, the Board appointed Mr. Brett Ellen to fill a vacant position on the Board of Directors. The Oath of Office was administered.

Appointment of Officers: The Board entered into discussion regarding appointment of officers.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Crew, seconded by Director Miles and, upon vote, unanimously carried, the following slate of officers were appointed:

President	Brett Ellen
Treasurer	Tim Bertoch
Secretary	Ann Finn
Assistant Secretary	Lisa Crew
Assistant Secretary	Nathan J. Miles

Appointment of Interim Acting President: The Board discussed the appointment of an Interim Acting President.

Following discussion, upon motion duly made by Director Crew, seconded by Director Miles and, upon vote, unanimously carried, the Board appointed Director Miles as Interim Acting President.

Minutes: The Board reviewed the Minutes of the November 1, 2019 Regular Meeting.

Following discussion, upon motion duly made by Director Crew, seconded by Director Miles and, upon vote, unanimously carried, the Minutes of the November 1, 2019 Regular Meeting were approved, as amended.

Resolution Establishing Regular Meeting Dates, Times and Location, and Designating Location for Posting 24-Hour Notices: The Board discussed Resolution No. 2020-11-01; Establishing Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 24-Hour Notices.

Ms. Finn reviewed the business to be conducted in 2021 to meet statutory compliance requirements. The Board determined to schedule a regular meeting on November 5, 2021, at 10:00 a.m., at the offices of Consolidated Investment Group, 18 Inverness Place East, Englewood, Colorado.

Following discussion, upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, the Board adopted Resolution No. 2020-11-01; Establishing Regular Meeting Dates, Times and Location, and Designating Locations for Posting of 24-Hour Notices. A copy of the Resolution is attached hereto and incorporated herein by this reference.

RECORD OF PROCEEDINGS

Section 32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification: The Board discussed Section 32-1-809, C.R.S. reporting requirements and mode of eligible elector notification.

Following discussion, upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, the Board determined to post the required transparency notice information on the Special District Association's website and the District website, upon its creation.

McGeady Becher P.C. District Records Retention Policy: Attorney Cortese presented to the Board an update to the McGeady Becher P.C. Records Retention Policy.

Following discussion, the Board acknowledged the update and directed a copy of the approved the McGeady Becher P.C. Records Retention Policy be attached to the Minutes. Accordingly, a copy of the updated McGeady Becher P.C. Records Retention Policy is attached hereto and incorporated herein by reference.

**PUBLIC
COMMENT**

Public Comment: There were no public comments.

**FINANCIAL
MATTERS**

Claims: The Board considered ratifying the approval of the payment of claims through the periods ending:

Fund	Period ending Jan. 17, 2020	Period ending April 15, 2020	Period ending July 10, 2020	Period ending October 12, 2020
General	\$ 14,339.74	\$ 5,684.16	\$ 3,490.17	\$ 2,730.28
Debt	\$ -0-	\$ 11,078.72	\$ 11,078.72	\$ 12,653.31
Capital	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Total	\$ 14,339.74	\$ 16,762.88	\$ 14,568.89	\$ 15,383.59

Following discussion, upon motion duly made by Director Crew, seconded by Director Miles and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

Unaudited Financial Statements: Mr. Beck reviewed with the Board the unaudited financial statements of the District setting forth the cash deposits, investments, budget analysis, and accounts payable vouchers for the period ending September 30, 2020 and the schedule of cash position statement updated as of September 30, 2020.

RECORD OF PROCEEDINGS

Following review, upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending September 30, 2020 and the schedule of cash position statement updated as of September 30, 2020, as presented.

District's Inability to Make a Scheduled Bond Payment Pursuant to Section 32-1-903(3), C.R.S.: Attorney Cortese discussed the requirements of Section 32-1-903(3), C.R.S. requiring that the Board provide notice of its determination not to make a scheduled bond payment. The Board noted that there are insufficient funds available to make a full scheduled debt service payment.

Following discussion, upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, the Board acknowledged its compliance with the requirements of Section 32-1-903(3), C.R.S.

2019 Application for Exemption from Audit: Mr. Beck reviewed with the Board the Application for Exemption from Audit for 2019.

Following review and discussion, upon motion duly made by Director Crew, seconded by Director Miles and, upon vote, unanimously carried, the Board ratified approval of the preparation, execution and filing of the Application for Exemption from Audit for 2019.

2020 Application for Exemption from Audit: The Board discussed the requirements for an audit.

Following discussion, upon motion duly made by Director Crew, seconded by Director Miles and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and file the Application for Exemption from Audit for 2020 with the State Auditor by the statutory deadline.

2020 Budget Amendment Hearing: The Board opened the public hearing to consider the Resolution to Amend the 2020 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of a Resolution to Amend the 2020 Budget and the date, time and place of the public hearing was made in a newspaper having general

RECORD OF PROCEEDINGS

circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, upon motion duly made by Director Miles, seconded by Director Crew, and upon vote unanimously carried, the Board adopted Resolution No. 2020-11-02 to Amend the 2020 Budget. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

2021 Budget Hearing: The Board opened the public hearing to consider the proposed 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider adoption of the 2021 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Mr. Beck reviewed the estimated 2020 expenditures and the proposed 2021 expenditures.

Following discussion, the Board considered the adoption of Resolution No. 2020-11-03 to Adopt the 2021 Budget and Appropriate Sums of Money and Resolution No. 2020-11-04 Set Mill Levies (for the General Fund at 2.000, the Debt Service Fund at 35.000 mills and the Contractual Obligations Fund at 1.000 mill, for a total mill levy of 38.000 mills). Upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, Resolution Nos. 2020-11-03 and 2020-11-04 were adopted, as discussed, and execution of the Certification of Budget and Certification of Mill Levies was authorized, subject to receipt of final Certification of Assessed Valuation from the County on or before December 10, 2020. Ms. Finn was authorized to transmit the Certification of Mill Levies to the Board of County Commissioners of Adams County, not later than December 15, 2020. Ms. Finn was also authorized to transmit the Certification of Budget to the Division of Local Government not later than January 30, 2021. Copies of the adopted Resolutions are attached to these minutes and incorporated herein by this reference.

DLG-70 Mill Levy Certification Form: The Board considered authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.

Preparation of the 2022 Budget: The Board discussed preparation of the 2022 Budget.

Following discussion, upon motion duly made by Director Miles, seconded by Director Crew, and upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2022 Budget.

LEGAL MATTERS

Agreement Regarding Required Mill Levy for 2021 by and between the District and Cambridge Capital LLC: Attorney Cortese reviewed with the Board an Agreement Regarding Required Mill Levy for 2021 by and between the District and Cambridge Capital LLC.

Following review and discussion, upon motion duly made by Director Miles seconded by Director Crew and, upon vote, unanimously carried, the Board approved the Agreement Regarding Required Mill Levy for 2021 by and between the District and Cambridge Capital LLC.

OTHER BUSINESS

Status of Construction: Director Miles updated the Board with regard to the status of development within the District, noting that Building No. 3 has been completed and construction of Building No. 5 is anticipated to begin in 2021.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Miles, seconded by Director Crew and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: _____
Secretary for the Meeting

RESOLUTION NO. 2021 – 11 - ____

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE EASTPARK70 METROPOLITAN DISTRICT
ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, AND
DESIGNATING LOCATION FOR POSTING OF 24-HOUR NOTICES**

A. Pursuant to Section 32-1-903(1.5), C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.

B. Pursuant to Section 32-1-903(5), C.R.S., “location” means the physical, telephonic, electronic, or virtual place, or a combination of such means where a meeting can be attended. “Meeting” has the same meaning as set forth in Section 24-6-402(1)(b), C.R.S., and means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.

C. Pursuant to Section 24-6-402(2)(c)(I), C.R.S., special districts are required to designate annually at the board of directors of the district’s first regular meeting of each calendar year, the public place at which notice of the date, time and location of regular and special meetings (“**Notice of Meeting**”) will be physically posted at least 24 hours prior to each meeting (“**Designated Public Place**”). A special district is deemed to have given full and timely notice of a regular or special meeting if it posts its Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

D. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., special districts are relieved of the requirement to post the Notice of Meeting at the Designated Public Place, and are deemed to have given full and timely notice of a public meeting if a special district posts the Notice of Meeting online on a public website of the special district (“**District Website**”) at least 24 hours prior to each regular and special meeting.

E. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., if a special district is unable to post a Notice of Meeting on the District Website at least 24 hours prior to the meeting due to exigent or emergency circumstances, then it must physically post the Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

F. Pursuant to Section 32-1-903(1.5), C.R.S., all meetings of the board that are held solely at physical locations must be held at physical locations that are within the boundaries of the district or that are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the physical location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.

G. The provisions of Section 32-1-903(1.5), C.R.S., may be waived if: (1) the proposed change of the physical location of a meeting of the board appears on the agenda of a meeting; and (2) a resolution is adopted by the board stating the reason for which meetings of the board are to be held in a physical location other than under Section 32-1-903(1.5), C.R.S., and further stating the date, time and physical location of such meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Eastpark70 Metropolitan District (the “**District**”), Adams County, Colorado:

1. That the provisions of Section 32-1-903(1.5), C.R.S., be waived pursuant to the adoption of this Resolution.

2. That the Board of Directors (the “**District Board**”) has determined that conducting meetings at a physical location pursuant to Section 32-1-903(1.5), C.R.S., would be inconvenient and costly for the directors and consultants of the District in that they live and/or work outside of the twenty (20) mile radius requirement.

3. That regular meetings of the District Board for the year 2022 shall be held on November 4, 2022 at 10:00 a.m., at Consolidated Investment Group, 18 Inverness Place East, Englewood, Colorado 80112.

4. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each director.

5. That, until circumstances change, and a future resolution of the District Board so designates, the physical location and/or method or procedure for attending meetings of the District Board virtually (including the conference number or link) shall appear on the agenda(s) of said meetings.

6. That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s) physical location(s), and any such objections shall be considered by the District Board in setting future meetings.

7. That the District has established the following District Website, <https://eastpark70md.colorado.gov>, and the Notice of Meeting of the District Board shall be posted on the District Website at least 24 hours prior to meetings pursuant to Section 24-6-402(2)(c)(III), C.R.S. and Section 32-1-903(2), C.R.S.

8. That, if the District is unable to post the Notice of Meeting on the District Website at least 24 hours prior to each meeting due to exigent or emergency circumstances, the Notice of Meeting shall be posted within the boundaries of the District at least 24 hours prior to each meeting, pursuant to Section 24-6-402(2)(c)(I) and (III), C.R.S., at the following Designated Public Place:

a. On a light pole located on the Southeast corner of Smith Road and Ensenada Street.

9. Special District Management Services, Inc., or his/her designee, is hereby appointed to post the above-referenced notices.

**[SIGNATURE PAGE TO RESOLUTION ESTABLISHING REGULAR MEETING
DATES, TIME, AND LOCATION, AND DESIGNATING LOCATION FOR 24-HOUR
NOTICES]**

RESOLUTION APPROVED AND ADOPTED on November 5, 2021.

EASTPARK70 METROPOLITAN DISTRICT

By: _____
President

Attest:

Secretary

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
1596						
01/14/2021	Aurora Media Group	99423	Miscellaneous	1-685	37.55	37.55
01/14/2021	Aurora Media Group	99462	Miscellaneous	1-685	30.75	30.75
Total 1596:						<u>68.30</u>
1597						
01/14/2021	Colorado Special Districts P&L	POL-0004685	Prepaid Expenses	1-141	2,021.00	2,021.00
Total 1597:						<u>2,021.00</u>
1598						
01/14/2021	McGeady Becher P.C.	718C 10/2020	Legal	1-675	1,337.50	1,337.50
01/14/2021	McGeady Becher P.C.	718C 11/2020	Legal	1-675	1,526.00	1,526.00
01/14/2021	McGeady Becher P.C.	718C 9/2020	Legal	1-675	40.00	40.00
Total 1598:						<u>2,903.50</u>
1599						
01/14/2021	Special Dist Management Servic	10/2020	Accounting	1-612	840.00	840.00
01/14/2021	Special Dist Management Servic	10/2020	Management	1-680	1,527.70	1,527.70
01/14/2021	Special Dist Management Servic	11/2020	Accounting	1-612	154.00	154.00
01/14/2021	Special Dist Management Servic	11/2020	Management	1-680	1,513.60	1,513.60
01/14/2021	Special Dist Management Servic	12/2020	Accounting	1-612	196.00	196.00
01/14/2021	Special Dist Management Servic	12/2020	Management	1-680	501.61	501.61
Total 1599:						<u>4,732.91</u>
1600						
01/14/2021	T Charles Wilson Insurance	9185	Prepaid Expenses	1-141	495.00	495.00
Total 1600:						<u>495.00</u>
1601						
01/14/2021	UMB Bank, N.A.	805910	Paying Agent Fees	2-668	150.00	150.00
Total 1601:						<u>150.00</u>
Grand Totals:						<u><u>10,370.71</u></u>

Eastpark 70 Metropolitan District
January-21

	General	Debt	Capital	Totals
Disbursements	\$ 10,220.71	\$ 150.00	\$ -	\$ 10,370.71
Payroll	\$ -	\$ -	\$ -	\$ -
Total Disbursements from Checking Acct	\$ 10,220.71	\$ 150.00	\$ -	\$ 10,370.71

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
1602						
04/15/2021	McGeady Becher P.C.	718C 01/2021	Legal	1-675	252.00	252.00
04/15/2021	McGeady Becher P.C.	718C 02/2021	Legal	1-675	100.00	100.00
04/15/2021	McGeady Becher P.C.	718C 12/2020	Legal	1-675	190.00	190.00
Total 1602:						542.00
1603						
04/15/2021	Special Dist Management Servic	01/2021	Accounting	1-612	742.00	742.00
04/15/2021	Special Dist Management Servic	01/2021	Management	1-680	657.19	657.19
04/15/2021	Special Dist Management Servic	02/2021	Accounting	1-612	420.00	420.00
04/15/2021	Special Dist Management Servic	02/2021	Management	1-680	288.15	288.15
04/15/2021	Special Dist Management Servic	03/2021	Accounting	1-612	658.00	658.00
04/15/2021	Special Dist Management Servic	03/2021	Management	1-680	302.20	302.20
Total 1603:						3,067.54
1604						
04/15/2021	Special District Association of C	SDA 2021	Insurance/SDA Dues	1-670	329.33	329.33
Total 1604:						329.33
Grand Totals:						3,938.87

Eastpark 70 Metropolitan District
April-21

	General	Debt	Capital	Totals
Disbursements	\$ 3,938.87		\$ -	\$ 3,938.87
Payroll	\$ -	\$ -		\$ -
Total Disbursements from Checking Acct	\$ 3,938.87	\$ -	\$ -	\$ 3,938.87

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
1605						
07/08/2021	McGeady Becher P.C.	718C 03/2021	Legal	1-675	177.00	177.00
07/08/2021	McGeady Becher P.C.	718C 04/2021	Legal	1-675	32.50	32.50
07/08/2021	McGeady Becher P.C.	718C 05/2021	Legal	1-675	197.50	197.50
Total 1605:						407.00
1606						
07/08/2021	Special Dist Management Servic	04/2021	Accounting	1-612	686.00	686.00
07/08/2021	Special Dist Management Servic	04/2021	Management	1-680	885.94	885.94
07/08/2021	Special Dist Management Servic	05/2021	Accounting	1-612	322.00	322.00
07/08/2021	Special Dist Management Servic	05/2021	Management	1-680	118.02	118.02
07/08/2021	Special Dist Management Servic	06/2021	Accounting	1-612	238.00	238.00
07/08/2021	Special Dist Management Servic	06/2021	Management	1-680	156.02	156.02
Total 1606:						2,405.98
Grand Totals:						2,812.98

Eastpark 70 Metropolitan District
July-21

	General	Debt	Capital	Totals
Disbursements	\$ 2,812.98		\$ -	\$ 2,812.98
Payroll	\$ -	\$ -		\$ -
Total Disbursements from Checking Acct	\$ 2,812.98	\$ -	\$ -	\$ 2,812.98

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
1607						
10/15/2021	Colorado Special Districts P&L	POL-0007268	Prepaid Expenses	1-141	450.00	450.00
Total 1607:						450.00
1608						
10/15/2021	McGeady Becher P.C.	718C 07/2021	Legal	1-675	270.00	270.00
10/15/2021	McGeady Becher P.C.	718C 08/2021	Legal	1-675	22.50	22.50
Total 1608:						292.50
1609						
10/15/2021	Special Dist Management Servic	07/2021	Accounting	1-612	476.00	476.00
10/15/2021	Special Dist Management Servic	07/2021	Management	1-680	277.90	277.90
10/15/2021	Special Dist Management Servic	08/2021	Accounting	1-612	168.00	168.00
10/15/2021	Special Dist Management Servic	08/2021	Management	1-680	87.91	87.91
10/15/2021	Special Dist Management Servic	09/2021	Accounting	1-612	154.00	154.00
10/15/2021	Special Dist Management Servic	09/2021	Management	1-680	161.80	161.80
Total 1609:						1,325.61
Grand Totals:						2,068.11

Eastpark 70 Metropolitan District
October-21

	General	Debt	Capital	Totals
Disbursements	\$ 2,068.11		\$ -	\$ 2,068.11
Payroll	\$ -	\$ -		\$ -
Total Disbursements from Checking Acct	\$ 2,068.11	\$ -	\$ -	\$ 2,068.11

EASTPARK 70 METROPOLITAN DISTRICT
Schedule of Cash Position
September 30, 2021

	<u>Rate</u>	<u>Operating</u>	<u>Debt Service</u>	<u>Total</u>
Checking:				
Cash in Bank-First Bank		\$ 14,025.14	\$ (12,803.31)	\$ 1,221.83
Investments:				
Cash in Bank-CSafe	0.01%	56,838.80	763,839.57	820,678.37
Cash in Bank-CSafe Restricted	0.01%	-	52,967.08	52,967.08
TOTAL FUNDS:		<u>\$ 70,863.94</u>	<u>\$ 804,003.34</u>	<u>\$ 874,867.28</u>

2021 Mill Levy Information

Certified General Fund Mill Levy	2.000
Certified Debt Service Fund Mill Levy	35.000
Certified Aurora Regional Transportation	1.000
Total Certified Mill Levy	<u>38.000</u>

Board of Directors

- Brett Ellen
- * Tim Bertoch
- * Nathan James Miles
- * Lisa Crew

*authorized signer on checking account

EASTPARK 70 METROPOLITAN DISTRICT

FINANCIAL STATEMENTS

September 30, 2021

EASTPARK 70 METROPOLITAN DISTRICT
COMBINED BALANCE SHEET - ALL FUND TYPES AND ACCOUNT GROUPS
September 30, 2021

	<u>GENERAL</u>	<u>DEBT SERVICE</u>	<u>LONG-TERM DEBT</u>	<u>TOTAL MEMO ONLY</u>
Assets				
Cash in Bank-First Bank	\$ 14,025	\$ (12,803)	\$ -	\$ 1,222
Cash in Bank-CSafe	56,839	763,840	-	820,678
Cash in Bank-CSafe Restricted	-	52,967	-	52,967
Property Taxes Receivable	341	10	-	351
Total Current Assets	<u>71,205</u>	<u>804,013</u>	<u>-</u>	<u>875,218</u>
Other Debits				
Amount in Debt Service Fund	-	-	804,003	804,003
Amount to be Provided for Debt	-	-	17,064,731	17,064,731
Total Other Debits	<u>-</u>	<u>-</u>	<u>17,868,735</u>	<u>17,868,735</u>
Total Assets	<u>\$ 71,205</u>	<u>\$ 804,013</u>	<u>\$ 17,868,735</u>	<u>\$ 18,743,953</u>
Liabilities				
G.O. Bonds 2005 Payable	\$ -	\$ -	\$ 8,380,000	\$ 8,380,000
G.O. Bonds 2005 Accrued Int.	-	-	8,710,507	8,710,507
Developer Advance Payable	-	-	373,723	373,723
Developer Adv-Interest Payable	-	-	332,870	332,870
Developer Adv-Capital	-	-	34,975	34,975
Dev Adv-Cap Int Payable	-	-	36,659	36,659
Total Liabilities	<u>-</u>	<u>-</u>	<u>17,868,735</u>	<u>17,868,735</u>
Deferred Inflows of Resources				
Deferred Property Taxes	341	10	-	351
Total Deferred Inflows of Resources	<u>341</u>	<u>10</u>	<u>-</u>	<u>351</u>
Fund Balance				
Fund Balance	19,768	15,722	-	35,490
Current Year Earnings	51,096	788,281	-	839,377
Total Fund Balances	<u>70,864</u>	<u>804,003</u>	<u>-</u>	<u>874,867</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balance	<u>\$ 71,205</u>	<u>\$ 804,013</u>	<u>\$ 17,868,735</u>	<u>\$ 18,743,953</u>

EASTPARK 70 METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
For the 9 Months Ending
September 30, 2021
General Fund

Account Description	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
Revenues					
Property Tax Revenue	\$ 465	\$ 61,846	\$ 61,865	\$ (19)	100.0%
Interest Income	2	6	10	(4)	58.6%
Total Revenues	<u>468</u>	<u>61,852</u>	<u>61,875</u>	<u>(23)</u>	<u>100.0%</u>
Expenditures					
Accounting	1,246	3,066	8,000	4,934	38.3%
Audit	-	-	500	500	0.0%
Insurance/SDA Dues	-	3,295	3,500	205	94.2%
Legal	407	949	8,000	7,051	11.9%
Management	1,160	2,408	8,000	5,592	30.1%
Miscellaneous	30	110	500	390	22.0%
Treasurer's Fees	7	928	928	0	100.0%
Emergency Reserve	-	-	1,856	1,856	0.0%
Total Expenditures	<u>2,850</u>	<u>10,756</u>	<u>31,284</u>	<u>20,528</u>	<u>34.4%</u>
Excess (Deficiency) of Revenues Over Expenditures	(2,382)	51,096	30,591	20,505	
Transfers and Other Sources (Uses)					
Transfer to Debt Service Fund	-	-	(50,000)	50,000	
Total Transfers and Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>(50,000)</u>	<u>50,000</u>	
Change in Fund Balance	(2,382)	51,096	(19,409)	70,505	
Beginning Fund Balance	73,246	19,768	85,932	(66,164)	
Ending Fund Balance	<u>\$ 70,864</u>	<u>\$ 70,864</u>	<u>\$ 66,523</u>	<u>\$ 4,341</u>	

EASTPARK 70 METROPOLITAN DISTRICT
Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
For the 9 Months Ending
September 30, 2021
Debt Service Fund

Account Description	Period Actual	YTD Actual	Budget	Favorable (Unfavorable) Variance	% of Budget
Revenues					
Property Tax Revenue	\$ 8,143	\$ 1,082,301	\$ 1,082,642	\$ (341)	100.0%
Property Tax Revenue-ARTA	233	30,923	30,933	(10)	100.0%
Specific Ownership Tax	9,684	26,865	14,067	12,798	191.0%
Interest Income	33	91	600	(509)	15.1%
Total Revenues	<u>18,092</u>	<u>1,140,180</u>	<u>1,128,242</u>	<u>11,938</u>	<u>101.1%</u>
Expenditures					
Bond Interest	-	335,200	1,130,000	794,800	29.7%
Paying Agent Fees	-	-	150	150	0.0%
Treasurer's Fees	126	16,698	16,240	(458)	102.8%
ARTA Expense	-	-	30,469	30,469	0.0%
Total Expenditures	<u>126</u>	<u>351,898</u>	<u>1,176,860</u>	<u>824,961</u>	<u>29.9%</u>
Excess (Deficiency) of Revenues Over Expenditures	17,967	788,281	(48,618)	836,898	
Transfers and Other Sources (Uses)					
Transfer from General Fund	-	-	50,000	(50,000)	
Total Transfers and Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>50,000</u>	<u>(50,000)</u>	
Change in Fund Balance	17,967	788,281	1,382	786,898	
Beginning Fund Balance	786,037	15,722	26,703	(10,981)	
Ending Fund Balance	<u>\$ 804,003</u>	<u>\$ 804,003</u>	<u>\$ 28,085</u>	<u>\$ 775,917</u>	

APPLICATION FOR EXEMPTION FROM AUDIT

LONG FORM

FOR LOCAL GOVERNMENTS WITH EITHER REVENUES OR EXPENDITURES **MORE THAN \$100,000 BUT NOT MORE THAN \$750,000**

Under the Local Government Audit Law (Section 29-1-601, et seq., C.R.S.) any local government may apply for an exemption from audit if neither revenues nor expenditures exceed \$750,000 for the year.

If your local government has either revenues or expenditures of LESS than \$100,000, use the [SHORT FORM](#).

EXEMPTIONS FROM AUDIT ARE NOT AUTOMATIC

To qualify for exemption from audit, a local government must complete an Application for Exemption from Audit EACH YEAR and submit it to the Office of the State Auditor (OSA) for approval.

Any preparer of an Application for Exemption from Audit must be an independent accountant with knowledge of governmental accounting.

Approval for an exemption from audit is granted only upon the review by the OSA.

READ ALL INSTRUCTIONS BEFORE COMPLETING AND SUBMITTING THIS FORM

ALL APPLICATIONS MUST BE FILED WITH THE OSA WITHIN 3 MONTHS AFTER THE ACCOUNTING YEAR-END. FOR EXAMPLE, APPLICATIONS MUST BE RECEIVED BY THE OSA ON OR BEFORE MARCH 31 FOR GOVERNMENTS WITH A DECEMBER 31 YEAR-END.

GOVERNMENTAL ACTIVITY SHOULD BE REPORTED ON THE **MODIFIED ACCRUAL BASIS**

PROPRIETARY ACTIVITY SHOULD BE REPORTED ON A **BUDGETARY BASIS**

POSTMARK DATES WILL NOT BE ACCEPTED AS PROOF OF SUBMISSION ON OR BEFORE THE STATUTORY DEADLINE

PRIOR YEAR FORMS ARE OBSOLETE AND WILL NOT BE ACCEPTED.

FOR YOUR REFERENCE, COLORADO REVISED STATUTES CAN BE FOUND AT THIS ADDRESS:

APPLICATIONS SUBMITTED ON FORMS OTHER THAN THOSE PRESCRIBED BY THE OSA WILL NOT BE ACCEPTED.

<http://www.lexisnexis.com/hottopics/Colorado/>

APPLICATIONS MUST BE FULLY AND ACCURATELY COMPLETED.

CHECKLIST

- Has the preparer signed the application?
- Has the entity corrected all Prior Year Deficiencies as communicated by the OSA?
- Has the application been **PERSONALLY** reviewed and approved by the governing body?
- Are all sections of the form complete, including responses to all of the questions?
- Did you include any relevant explanations for unusual items in the appropriate spaces at the end of each section?
- Will this application be submitted via Fax or Email?
 - If yes, have you read and understand the new Electronic Signature Policy? See [here](#) new policy
 - or--
 - Have you included a resolution?
 - Does the resolution state that the governing body **PERSONALLY** reviewed and approved the resolution in an open public meeting?
 - Has the resolution been signed by a **MAJORITY** of the governing body? (See sample resolution.)
- Will this application be submitted via a mail service? (e.g. US Post Office, FedEx, UPS, courier.)
 - If yes, does the application include **ORIGINAL INK SIGNATURES** from the **MAJORITY** of the governing body?

Checkout our new [web portal](#). Register your account and submit electronic Applications for Exemption From Audit, Extension of Time to File requests, Audited Financial Statements, and more! See the link below.

[OSA LG Web Portal](#)

FILING METHODS

NEW METHOD!

WEB PORTAL: Register and submit your Applications at our new portal: <https://apps.leg.co.gov/osalq>

MAIL: Office of the State Auditor
Local Government Audit Division
1525 Sherman St., 7th Floor
Denver, CO 80203

FAX: 303-869-3061

EMAIL: osa.lg@state.co.us

QUESTIONS? 303-869-3000

IMPORTANT!

All Applications for Exemption from Audit are subject to review and approval by the Office of the State Auditor. Governmental Activity should be reported on the Modified Accrual Basis. Proprietary Activity should be reported on the Cash or Budgetary Basis. A Budget to GAAP reconciliation is provided in Part 3. Failure to file an application or denial of the request could cause the local government to lose its exemption from audit for that year and the ensuing year. In that event, AN AUDIT SHALL BE REQUIRED.

**APPLICATION FOR EXEMPTION FROM AUDIT
LONG FORM**

NAME OF GOVERNMENT
ADDRESS

Eastpark 70 Metropolitan District
c/o Special District Management Services, Inc.
141 Union Blvd., Suite 150
Lakewood, CO 80228-1898
Ann Finn
303-987-0835
afinn@sdmsl.com

For the Year Ended
12/31/2020
or fiscal year ended:

CONTACT PERSON
PHONE
EMAIL
FAX

CERTIFICATION OF PREPARER

I certify that I am an independent accountant with knowledge of governmental accounting and that the information in the Application is complete and accurate to the best of my knowledge. I am aware that the Audit Law requires that a person independent of the entity complete the application if revenues or expenditure are at least \$100,000 but not more than \$750,000, and that independent means someone who is separate from the entity.

NAME:	James H. Ruthven
TITLE	Director of Finance
FIRM NAME (if applicable)	Special District Management Services, Inc.
ADDRESS	141 Union Blvd., Suite 150, Lakewood, CO 80228-1898
PHONE	303-987-0835
DATE PREPARED	3/8/2021
RELATIONSHIP TO ENTITY	accountant

PREPARER SIGNATURE REQUIRED:


Has the entity filed for, or has the district filed, a Title 32, Article 1 Special District Notice of Inactive Status during the year? [Applicable to Title 32 special districts only, pursuant to Sections 32-1-103 (9.3) and 32-1-104 (3), C.R.S.]

YES	NO	If Yes, date filed:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	

PART 1 - FINANCIAL STATEMENTS - BALANCE SHEET

* Indicate Name of Fund

NOTE: Attach additional sheets as necessary.

Line #	Description	Governmental Funds		Description	Proprietary/Fiduciary Funds	
		General	Debt Service		Fund*	Fund*
Assets				Assets		
1-1	Cash & Cash Equivalents	\$ 3,055	\$ -	Cash & Cash Equivalents	\$ -	\$ -
1-2	Investments	\$ 11,315	\$ 25,853	Investments	\$ -	\$ -
1-3	Receivables	\$ 61,865	\$ 1,113,575	Receivables	\$ -	\$ -
1-4	Due from Other Entities or Funds	\$ 12,653	\$ -	Due from Other Entities or Funds	\$ -	\$ -
	All Other Assets [specify...]			Other Current Assets	\$ -	\$ -
1-5	Prepaid insurance	\$ 450	\$ -			
1-6	Cash with County Treasurer	\$ -	\$ 2,672	Total Current Assets	\$ -	\$ -
1-7		\$ -	\$ -	Capital Assets, net (from Part 6-4)	\$ -	\$ -
1-8		\$ -	\$ -	Other Long Term Assets [specify...]	\$ -	\$ -
1-9		\$ -	\$ -		\$ -	\$ -
1-10		\$ -	\$ -		\$ -	\$ -
1-11	(add lines 1-1 through 1-10) TOTAL ASSETS	\$ 89,338	\$ 1,142,100	(add lines 1-1 through 1-10) TOTAL ASSETS	\$ -	\$ -
1-12	TOTAL DEFERRED OUTFLOWS OF RESOURCES	\$ -	\$ -	TOTAL DEFERRED OUTFLOWS OF RESOURCES	\$ -	\$ -
1-13	TOTAL ASSETS AND DEFERRED OUTFLOWS	\$ 89,338	\$ 1,142,100	TOTAL ASSETS AND DEFERRED OUTFLOWS	\$ -	\$ -
Liabilities				Liabilities		
1-14	Accounts Payable	\$ 7,705	\$ 150	Accounts Payable	\$ -	\$ -
1-15	Accrued Payroll and Related Liabilities	\$ -	\$ -	Accrued Payroll and Related Liabilities	\$ -	\$ -
1-16	Accrued Interest Payable	\$ -	\$ -	Accrued Interest Payable	\$ -	\$ -
1-17	Due to Other Entities or Funds	\$ -	\$ 12,653	Due to Other Entities or Funds	\$ -	\$ -
1-18	All Other Current Liabilities	\$ -	\$ -	All Other Current Liabilities	\$ -	\$ -
1-19	TOTAL CURRENT LIABILITIES	\$ 7,705	\$ 12,803	TOTAL CURRENT LIABILITIES	\$ -	\$ -
1-20	All Other Liabilities [specify...]	\$ -	\$ -	Proprietary Debt Outstanding (from Part 4-4)	\$ -	\$ -
1-21		\$ -	\$ -	Other Liabilities [specify...]:	\$ -	\$ -
1-22		\$ -	\$ -		\$ -	\$ -
1-23		\$ -	\$ -		\$ -	\$ -
1-24		\$ -	\$ -		\$ -	\$ -
1-25		\$ -	\$ -		\$ -	\$ -
1-26		\$ -	\$ -		\$ -	\$ -
1-27		\$ -	\$ -		\$ -	\$ -
1-28	(add lines 1-19 through 1-27) TOTAL LIABILITIES	\$ 7,705	\$ 12,803	(add lines 1-19 through 1-27) TOTAL LIABILITIES	\$ -	\$ -
1-29	TOTAL DEFERRED INFLOWS OF RESOURCES	\$ 61,865	\$ 1,113,575	TOTAL DEFERRED INFLOWS OF RESOURCES	\$ -	\$ -
Fund Balance				Net Position		
1-30	Nonspendable Prepaid	\$ -	\$ -	Net Investment in Capital Assets	\$ -	\$ -
1-31	Nonspendable Inventory	\$ -	\$ -			
1-32	Restricted [specify...]	\$ -	\$ -	Emergency Reserves	\$ -	\$ -
1-33	Committed [specify...]	\$ -	\$ -	Other Designations/Reserves	\$ -	\$ -
1-34	Assigned [specify...]	\$ -	\$ -	Restricted	\$ -	\$ -
1-35	Unassigned:	\$ 19,768	\$ 15,722	Undesignated/Unreserved/Unrestricted	\$ -	\$ -
1-36	Add lines 1-30 through 1-35 This total should be the same as line 3-33 TOTAL FUND BALANCE	\$ 19,768	\$ 15,722	Add lines 1-30 through 1-35 This total should be the same as line 3-33 TOTAL NET POSITION	\$ -	\$ -
1-37	Add lines 1-28, 1-29 and 1-36 This total should be the same as line 1-13 TOTAL LIABILITIES, DEFERRED INFLOWS, AND FUND BALANCE	\$ 89,338	\$ 1,142,100	Add lines 1-28, 1-29 and 1-36 This total should be the same as line 1-13 TOTAL LIABILITIES, DEFERRED INFLOWS, AND NET POSITION	\$ -	\$ -

Please use this space to provide explanation of any items on this page

PART 2 - FINANCIAL STATEMENTS - OPERATING STATEMENT - REVENUES

Line #	Description	Governmental Funds		Description	Proprietary/Fiduciary Funds		
		General	Debt Service		Fund*	Fund*	
Tax Revenue				Tax Revenue			
2-1	Property [include mills levied in Question 10-6]	\$ 25,691	\$ 462,445	Property [include mills levied in Question 10-6]	\$ -	\$ -	
2-2	Specific Ownership	\$ -	\$ 35,823	Specific Ownership	\$ -	\$ -	
2-3	Sales and Use Tax	\$ -	\$ -	Sales and Use Tax	\$ -	\$ -	
2-4	Other Tax Revenue [specify...]:	\$ -	\$ -	Other Tax Revenue [specify...]:	\$ -	\$ -	
2-5		\$ -	\$ -		\$ -	\$ -	
2-6		\$ -	\$ -		\$ -	\$ -	
2-7		\$ -	\$ -		\$ -	\$ -	
2-8	Add lines 2-1 through 2-7 TOTAL TAX REVENUE	\$ 25,691	\$ 498,268	Add lines 2-1 through 2-7 TOTAL TAX REVENUE	\$ -	\$ -	
2-9	Licenses and Permits	\$ -	\$ -	Licenses and Permits	\$ -	\$ -	
2-10	Highway Users Tax Funds (HUTF)	\$ -	\$ -	Highway Users Tax Funds (HUTF)	\$ -	\$ -	
2-11	Conservation Trust Funds (Lottery)	\$ -	\$ -	Conservation Trust Funds (Lottery)	\$ -	\$ -	
2-12	Community Development Block Grant	\$ -	\$ -	Community Development Block Grant	\$ -	\$ -	
2-13	Fire & Police Pension	\$ -	\$ -	Fire & Police Pension	\$ -	\$ -	
2-14	Grants	\$ -	\$ -	Grants	\$ -	\$ -	
2-15	Donations	\$ -	\$ -	Donations	\$ -	\$ -	
2-16	Charges for Sales and Services	\$ -	\$ -	Charges for Sales and Services	\$ -	\$ -	
2-17	Rental Income	\$ -	\$ -	Rental Income	\$ -	\$ -	
2-18	Fines and Forfeits	\$ -	\$ -	Fines and Forfeits	\$ -	\$ -	
2-19	Interest/Investment Income	\$ 116	\$ 513	Interest/Investment Income	\$ -	\$ -	
2-20	Tap Fees	\$ -	\$ -	Tap Fees	\$ -	\$ -	
2-21	Proceeds from Sale of Capital Assets	\$ -	\$ -	Proceeds from Sale of Capital Assets	\$ -	\$ -	
2-22	All Other [specify...]:	\$ -	\$ -	All Other [specify...]:	\$ -	\$ -	
2-23		\$ -	\$ -		\$ -	\$ -	
2-24	Add lines 2-8 through 2-23 TOTAL REVENUES	\$ 25,807	\$ 498,781	Add lines 2-8 through 2-23 TOTAL REVENUES	\$ -	\$ -	
Other Financing Sources				Other Financing Sources			
2-25	Debt Proceeds	\$ -	\$ -	Debt Proceeds	\$ -	\$ -	
2-26	Developer Advances	\$ -	\$ -	Developer Advances	\$ -	\$ -	
2-27	Other [specify...]:	\$ -	\$ -	Other [specify...]:	\$ -	\$ -	
2-28	Add lines 2-25 through 2-27 TOTAL OTHER FINANCING SOURCES	\$ -	\$ -	Add lines 2-25 through 2-27 TOTAL OTHER FINANCING SOURCES	\$ -	\$ -	GRAND TOTALS
2-29	Add lines 2-24 and 2-28 TOTAL REVENUES AND OTHER FINANCING SOURCES	\$ 25,807	\$ 498,781	Add lines 2-24 and 2-28 TOTAL REVENUES AND OTHER FINANCING SOURCES	\$ -	\$ -	\$ 524,588

Please use this space to provide explanation of any items on this page

IF GRAND TOTAL REVENUES AND OTHER FINANCING SOURCES for all funds (Line 2-29) are GREATER than \$750,000 - STOP. You may not use this form. An audit may be required. See Section 29-1-604, C.R.S., or contact the OSA Local Government Division at (303) 669-3000 for assistance.

PART 3 - FINANCIAL STATEMENTS - OPERATING STATEMENT - EXPENDITURES/EXPENSES

Line #	Description	Governmental Funds		Description	Proprietary Fiduciary Funds		Please use this space to provide explanation of any items on this page
		General	Debt Service		Fund*	Fund*	
	Expenditures			Expenses			
3-1	General Government	\$ 34,044	\$ 30,819	General Operating & Administrative	\$ -	\$ -	
3-2	Judicial	\$ -	\$ -	Salaries	\$ -	\$ -	
3-3	Law Enforcement	\$ -	\$ -	Payroll Taxes	\$ -	\$ -	
3-4	Fire	\$ -	\$ -	Contract Services	\$ -	\$ -	
3-5	Highways & Streets	\$ -	\$ -	Employee Benefits	\$ -	\$ -	
3-6	Solid Waste	\$ -	\$ -	Insurance	\$ -	\$ -	
3-7	Contributions to Fire & Police Pension Assoc.	\$ -	\$ -	Accounting and Legal Fees	\$ -	\$ -	
3-8	Health	\$ -	\$ -	Repair and Maintenance	\$ -	\$ -	
3-9	Culture and Recreation	\$ -	\$ -	Supplies	\$ -	\$ -	
3-10	Transfers to other districts	\$ -	\$ -	Utilities	\$ -	\$ -	
3-11	Other [specify...]:	\$ -	\$ -	Contributions to Fire & Police Pension Assoc.	\$ -	\$ -	
3-12		\$ -	\$ -	Other [specify...]	\$ -	\$ -	
3-13		\$ -	\$ -		\$ -	\$ -	
3-14	Capital Outlay	\$ -	\$ -	Capital Outlay	\$ -	\$ -	
	Debt Service			Debt Service			
3-15	Principal	\$ -	\$ -	Principal	\$ -	\$ -	
3-16	Interest	\$ -	\$ 477,272	Interest	\$ -	\$ -	
3-17	Bond Issuance Costs	\$ -	\$ -	Bond Issuance Costs	\$ -	\$ -	
3-18	Developer Principal Repayments	\$ -	\$ -	Developer Principal Repayments	\$ -	\$ -	
3-19	Developer Interest Repayments	\$ -	\$ -	Developer Interest Repayments	\$ -	\$ -	
3-20	All Other [specify...]:	\$ -	\$ -	All Other [specify...]:	\$ -	\$ -	
3-21		\$ -	\$ -		\$ -	\$ -	
3-22	Add lines 3-1 through 3-21 TOTAL EXPENDITURES	\$ 34,044	\$ 508,091	Add lines 3-1 through 3-21 TOTAL EXPENSES	\$ -	\$ -	GRAND TOTAL
							\$ 542,135
3-23	Interfund Transfers (In)	\$ -	\$ -	Net Interfund Transfers (In) Out	\$ -	\$ -	
3-24	Interfund Transfers Out	\$ -	\$ -	Other [specify...][enter negative for expense]	\$ -	\$ -	3-32 - to correct for deposits posted to incorrect fund in 2019
3-25	Other Expenditures (Revenues):	\$ -	\$ -	Depreciation	\$ -	\$ -	
3-26		\$ -	\$ -	Other Financing Sources (Uses) (from line 2-26)	\$ -	\$ -	
3-27		\$ -	\$ -	Capital Outlay (from line 3-14)	\$ -	\$ -	
3-28		\$ -	\$ -	Debt Principal (from line 3-15, 3-18)	\$ -	\$ -	
3-29	(Add lines 3-23 through 3-28) TOTAL TRANSFERS AND OTHER EXPENDITURES	\$ -	\$ -	(Line 3-26, plus line 3-27, less line 3-24, less line 3-25) TOTAL GAAP RECONCILING ITEMS	\$ -	\$ -	
3-30	Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures Line 2-29, less line 3-22, plus line 3-29	\$ (8,237)	\$ (9,310)	Net Increase (Decrease) in Net Position Line 2-29, less line 3-22, plus line 3-29, plus line 3-23, less line 3-24	\$ -	\$ -	
3-31	Fund Balance, January 1 from December 31 prior year report	\$ 36,071	\$ 14,089	Net Position, January 1 from December 31 prior year report	\$ -	\$ -	
3-32	Prior Period Adjustment (MUST explain)	\$ (8,066)	\$ 10,943	Prior Period Adjustment (MUST explain)	\$ -	\$ -	
3-33	Fund Balance, December 31 Sum of Line 3-30, 3-31, and 3-32 This total should be the same as line 1-36.	\$ 19,768	\$ 15,722	Net Position, December 31 Line 3-30 plus line 3-31 This total should be the same as line 1-36.	\$ -	\$ -	

IF GRAND TOTAL EXPENDITURES for all funds (Line 3-22) are GREATER than \$750,000 - STOP. You may not use this form. An audit may be required. See Section 29-1-604, C.R.S. or contact the OSA Local Government Division at (303) 869-3000 for assistance.

PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

Please answer the following questions by marking the appropriate boxes.

YES NO

Please use this space to provide any explanations or comments:

- 4-1 Does the entity have outstanding debt? YES NO
- 4-2 Is the debt repayment schedule attached? If no, MUST explain: YES NO
- 4-3 Is the entity current in its debt service payments? If no, MUST explain: YES NO

4-3 The District does not have sufficient AV and therefore has insufficient property tax revenues to cover the full Debt Service payments.

4-4 Please complete the following debt schedule, if applicable: (please only include principal amounts)

	Outstanding at beginning of year*	Issued during year	Retired during year	Outstanding at year-end
General obligation bonds	\$ 8,380,000	\$ -	\$ -	\$ 8,380,000
Revenue bonds	\$ -	\$ -	\$ -	\$ -
Notes/Loans	\$ -	\$ -	\$ -	\$ -
Leases	\$ -	\$ -	\$ -	\$ -
Developer Advances	\$ 408,698	\$ -	\$ -	\$ 408,698
Other (specify):	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 8,788,698	\$ -	\$ -	\$ 8,788,698

*must agree to prior year ending balance

Please answer the following questions by marking the appropriate boxes. YES NO

- 4-5 Does the entity have any authorized, but unissued, debt? YES NO
 How much? \$ 91,620,000
 If yes: Date the debt was authorized: 11/2/2004
- 4-6 Does the entity intend to issue debt within the next calendar year? YES NO
 If yes: How much? \$ -
- 4-7 Does the entity have debt that has been refinanced that it is still responsible for? YES NO
 If yes: What is the amount outstanding? \$ -
- 4-8 Does the entity have any lease agreements? YES NO
 If yes: What is being leased? _____
 What is the original date of the lease? _____
 Number of years of lease? _____
 Is the lease subject to annual appropriation? YES NO
 What are the annual lease payments? \$ -

PART 5 - CASH AND INVESTMENTS

Please provide the entity's cash deposit and investment balances.

AMOUNT TOTAL

Please use this space to provide any explanations or comments:

5-1 YEAR-END Total of ALL Checking and Savings accounts	\$ 3,055		
5-2 Certificates of deposit	\$ -		
TOTAL CASH DEPOSITS:		\$ 3,055	

Investments (if investment is a mutual fund, please list underlying investments):

5-3 Csafe	\$ 37,168		
	\$ -		
	\$ -		
	\$ -		
TOTAL INVESTMENTS		\$ 37,168	
TOTAL CASH AND INVESTMENTS		\$ 40,223	

Please answer the following question by marking in the appropriate box

YES NO N/A

- 5-4 Are the entity's investments legal in accordance with Section 24-75-601, et. seq., C.R.S.? YES NO N/A
- 5-5 Are the entity's deposits in an eligible (Public Deposit Protection Act) public depository (Section 11-10.5-101, et seq. C.R.S.)? If no, MUST explain: YES NO N/A

PART 6 - CAPITAL ASSETS

Please answer the following question by marking in the appropriate box

YES

NO

Please use this space to provide any explanations or comments:

- 6-1 Does the entity have capitalized assets? YES NO
- 6-2 Has the entity performed an annual inventory of capital assets in accordance with Section 29-1-506, C.R.S.? If no, MUST explain: YES NO

6-3 Complete the following Capital Assets table for GOVERNMENTAL FUNDS:

	Balance - beginning of the year*	Additions	Deletions	Year-End Balance
Land	\$ -	\$ -	\$ -	\$ -
Buildings	\$ -	\$ -	\$ -	\$ -
Machinery and equipment	\$ -	\$ -	\$ -	\$ -
Furniture and fixtures	\$ -	\$ -	\$ -	\$ -
Infrastructure	\$ -	\$ -	\$ -	\$ -
Construction In Progress (CIP)	\$ -	\$ -	\$ -	\$ -
Other (explain):	\$ 752,955	\$ -	\$ -	\$ 752,955
Accumulated Depreciation (Enter a negative, or credit, balance)	\$ (752,955)	\$ -	\$ -	\$ (752,955)
TOTAL	\$ -	\$ -	\$ -	\$ -

6-4 Complete the following Capital Assets table for PROPRIETARY FUNDS:

	Balance - beginning of the year*	Additions	Deletions	Year-End Balance
Land	\$ -	\$ -	\$ -	\$ -
Buildings	\$ -	\$ -	\$ -	\$ -
Machinery and equipment	\$ -	\$ -	\$ -	\$ -
Furniture and fixtures	\$ -	\$ -	\$ -	\$ -
Infrastructure	\$ -	\$ -	\$ -	\$ -
Construction In Progress (CIP)	\$ -	\$ -	\$ -	\$ -
Other (explain):	\$ -	\$ -	\$ -	\$ -
Accumulated Depreciation (Enter a negative, or credit, balance)	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ -	\$ -	\$ -	\$ -

*must agree to prior year ending balance

PART 7 - PENSION INFORMATION

Please answer the following question by marking in the appropriate box

YES

NO

Please use this space to provide any explanations or comments:

- 7-1 Does the entity have an "old hire" firemen's pension plan? YES NO
- 7-2 Does the entity have a volunteer firemen's pension plan? YES NO

If yes: Who administers the plan?

Indicate the contributions from:

Tax (property, SD, sales, etc.):	\$ -
State contribution amount:	\$ -
Other (gifts, donations, etc.):	\$ -
TOTAL	\$ -
What is the monthly benefit paid for 20 years of service per retiree as of Jan 1?	\$ -

PART 8 - BUDGET INFORMATION

Please answer the following question by marking in the appropriate box

	YES	NO	N/A	
8-1 Did the entity file a current year budget with the Department of Local Affairs, in accordance with Section 29-1-113 C.R.S.? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Please use this space to provide any explanations or comments:
8-2 Did the entity pass an appropriations resolution in accordance with Section 29-1-108 C.R.S.? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

If yes: Please indicate the amount budgeted for each fund for the year reported

Fund Name	Budgeted Expenditures/Expenses
General	\$ 26,656
Debt Service	\$ 482,201
	\$ -
	\$ -

PART 9 - TAX PAYER'S BILL OF RIGHTS (TABOR)

Please answer the following question by marking in the appropriate box

	YES	NO	
9-1 Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]? <small>Note: An election to exempt the government from the spending limitations of TABOR does not exempt the</small>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Please use this space to provide any explanations or comments:

PART 10 - GENERAL INFORMATION

Please answer the following question by marking in the appropriate box

	YES	NO	
10-1 Is this application for a newly formed governmental entity? If yes: Date of formation: <input style="width: 150px; height: 30px;" type="text"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Please use this space to provide any explanations or comments: 10-4 Financing the construction of certain infrastructure including street and drainage improvements, safety protection, water, sanitary sewer and landscaping improvements.
10-2 Has the entity changed its name in the past or current year? If Yes: NEW name <input style="width: 350px; height: 20px;" type="text"/> PRIOR name <input style="width: 350px; height: 20px;" type="text"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10-3 Is the entity a metropolitan district?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10-4 Please indicate what services the entity provides: <input style="width: 400px; height: 20px;" type="text" value="see comment space"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10-5 Does the entity have an agreement with another government to provide services? If yes: List the name of the other governmental entity and the services provided: <input style="width: 400px; height: 20px;" type="text"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10-6 Does the entity have a certified mill levy? If yes: Please provide the number of mills levied for the year reported (do not enter \$ amounts):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Please use this space to provide any additional explanations or comments not previously included:

Bond Redemption mills	35.000
General/Other mills	3.000
Total mills	38.000

OSA USE ONLY

Entity Wide:		General Fund		Governmental Funds		Notes
Unrestricted Cash & Investments	\$ 40,223	Unrestricted Fund Balan	\$ 19,768	Total Tax Revenue	\$ 523,959	
Current Liabilities	\$ 20,508	Total Fund Balance	\$ 19,768	Revenue Paying Debt Service	\$ 498,781	
Deferred Inflow	\$ 1,175,440	PY Fund Balance	\$ 36,071	Total Revenue	\$ 524,588	
		Total Revenue	\$ 25,807	Total Debt Service Principal	\$ -	
		Total Expenditures	\$ 34,044	Total Debt Service Interest	\$ 477,272	
		Interfund In	\$ -			
Governmental		Interfund Out	\$ -	Enterprise Funds		
Total Cash & Investments	\$ 40,223	- Proprietary	\$ -	Net Position	\$ -	
Transfers In	\$ -	- Current Assets	\$ -	- PY Net Position	\$ -	
Transfers Out	\$ -	Deferred Outflow	\$ 488,136	Government-Wide		
Property Tax	\$ -	- Current Liabilities	\$ -	- Total Outstanding Debt	\$ 8,788,698	
Debt Service Principal	\$ -	Deferred Inflow	\$ 542,135	- Authorized but Unissued	\$ 91,620,000	
Total Expenditures	\$ -	- Cash & Investments	\$ -	- Year Authorized	11/2/2004	
Total Developer Advances	\$ -	- Principal Expense	\$ -			
Total Developer Repayments	\$ -					

PART 12 - GOVERNING BODY APPROVAL

Please answer the following question by marking in the appropriate box

YES

NO

12-1 If you plan to submit this form electronically, have you read the new Electronic Signature Policy?

Office of the State Auditor — Local Government Division - Exemption Form Electronic Signatures Policy and Procedures

Policy - Requirements

The Office of the State Auditor Local Government Audit Division may accept an electronic submission of an application for exemption from audit that includes governing board signatures obtained through a program such as DocuSign or Echosign. Required elements and safeguards are as follows:

- The preparer of the application is responsible for obtaining board signatures that comply with the requirement in Section 29-1-604 (3), C.R.S., that states the application shall be personally reviewed, approved, and signed by a majority of the members of the governing body.
- The application must be accompanied by the signature history document created by the electronic signature software. The signature history document must show when the document was created and when the document was emailed to the various parties, and include the dates the individual board members signed the document. The signature history must also show the individuals' email addresses and IP address.
- Office of the State Auditor staff will not coordinate obtaining signatures.

The application for exemption from audit form created by our office includes a section for governing body approval. Local governing boards note their approval and submit the application through one of the following three methods:

- 1) Submit the application in hard copy via the US Mail including original signatures.
- 2) Submit the application electronically via email and either,
 - a. Include a copy of an adopted resolution that documents formal approval by the Board, or
 - b. Include electronic signatures obtained through a software program such as DocuSign or Echosign in accordance with the requirements noted above.

Below is the certification and approval of the governing body. By signing, each individual member is certifying they are a duly elected or appointed officer of the local government. Governing members may be verified. Also by signing, the individual member certifies that this Application for Exemption from Audit has been prepared consistent with Section 29-1-604, C.R.S., which states that a governmental agency with revenue and expenditures of \$750,000 or less must have an application prepared by an independent accountant with knowledge of governmental accounting; completed to the best of their knowledge and is accurate and true. Use additional pages if needed.

Print the names of ALL members of the governing body below.

A MAJORITY of the members of the governing body must complete and sign in the column below.

	Full Name	I, _____, attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.
1	Brett Ellen	I, <u>Brett Ellen</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u>Brett Ellen</u> Date: <u>03/23/2021</u> My term Expires: <u>May 2023</u>
2	Tim Bertoch	I, <u>Tim Bertoch</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u>Tim Bertoch</u> Date: <u>03/18/2021</u> My term Expires: <u>May 2022</u>
3	Lisa Crew	I, <u>Lisa Crew</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u>Lisa Crew</u> Date: <u>03/17/2021</u> My term Expires: <u>May 2023</u>
4	Nathan James Miles	I, <u>Nathan James Miles</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u>Nathan James Miles</u> Date: <u>03/23/2021</u> My term Expires: <u>May 2023</u>
5	Full Name	I, _____, attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: _____
6	Full Name	I, _____, attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: _____
7	Full Name	I, _____, attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: _____

EXAMPLE - DO NOT FILL OUT THIS PAGE

This sample resolution/ordinance for exemption from audit is provided as an example of the documentation that is required. The wording may be used as a basis for your own local government document, if needed; however, you MUST draft your own ordinance or resolution making any changes where applicable. Legal counsel should be consulted regarding any questions.

RESOLUTION/ORDINANCE FOR EXEMPTION FROM AUDIT

(Pursuant to Section 29-1-604, C.R.S.)

A RESOLUTION/ORDINANCE APPROVING AN EXEMPTION FROM AUDIT FOR YEAR 20XX FOR THE (name of government), STATE OF COLORADO.

WHEREAS, the (governing body) of (name of government) wishes to claim exemption from the audit requirements of Section 29-1-603, C.R.S.; and

WHEREAS, Section 29-1-604, C.R.S., states that any local government where neither revenues nor expenditures exceed seven hundred and fifty thousand dollars may, with the approval of the State Auditor, be exempt from the provision of Section 29-1-603, C.R.S.; and

[Choose 1 or 2 below, whichever is applicable]

(1) WHEREAS, neither revenue nor expenditures for (name of government) exceeded \$100,000 for Year 20XX; and

WHEREAS, an application for exemption from audit for (name of government) has been prepared by (name of individual), a person skilled in governmental accounting; and

OR

(2) WHEREAS, neither revenues nor expenditures for (name of government) exceeded \$750,000 for Year 20XX; and

WHEREAS, an application for exemption from audit for (name of government) has been prepared by (name of individual or firm), an independent accountant with knowledge of governmental accounting; and

WHEREAS, said application for exemption from audit has been completed in accordance with regulations, issued by the State Auditor.

NOW THEREFORE, be it resolved/ordained by the (governing body) of the (name of government) that the application for exemption from audit for (name of government) for the year ended _____, 20XX, has been personally reviewed and is hereby approved by a majority of the (governing body) of the (name of government); that those members of the (governing body) have signified their approval by signing below; and that this resolution shall be attached to, and shall become a part of, the application for exemption from audit of the (name of government) for the year ended _____, 20XX.

ADOPTED THIS ____ day of _____, A.D. 20XX.

Mayor/President/Chairman, etc.

ATTEST:

Town Clerk, Secretary, etc.

Type or Print Names of Members of Governing Body	Date Term Expires	Signature
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

East Park 70 Metropolitan District

Bonds Principal and Interest Maturing in the Year Ending December 31,	\$5,762,004 Series 2005 General Obligation Bonds (Limited Tax Convertible to Unlimited Tax) Capital Appreciation Bonds converting 12/1/09 to \$8,380,000			
	Principal	Interest	Accretion	Total
2010*	-	280,060	-	280,060
2011*	37,817	625,500	17,183	680,500
2012*	51,569	700,984	23,431	775,984
2013*	55,007	759,346	24,993	839,346
2014*	72,197	819,930	32,803	924,930
2015*	79,073	888,054	35,927	1,003,054
2016*	96,263	956,873	43,737	1,096,873
2017*	103,139	1,037,579	46,862	1,187,579
2018	123,766	670,400	56,234	850,400
2019	134,080	656,000	60,920	851,000
2020	154,708	640,400	70,292	865,400
2021	165,022	622,400	74,978	862,400
2022	192,525	603,200	87,475	883,200
2023-2027	1,289,231	2,634,000	585,769	4,509,000
2028-2032	2,079,960	1,712,800	945,040	4,737,800
2033-2034	1,127,648	315,200	512,352	1,955,200
Total	5,762,004	13,922,725	2,617,996	22,302,725

*As of 12/31/2017, Unpaid Interest equals \$6,068,325. Due to compounding, actual interest due is subject to review by Bond Counsel. Unpaid Principal is \$495,065 as per Bond Schedule.

TITLE	Application for Exemption from Audit
FILE NAME	2020_long_form - EP70.pdf
DOCUMENT ID	88bd96359ddc9f8860a191ede68529d09009751d
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Completed

Document History



SENT

03 / 17 / 2021

15:35:45 UTC

Sent for signature to Brett Ellen (bellen@ciginvest.com), Tim Bertoch (tbertoch@ciginvest.com), Lisa Crew (lcrew@ciginvest.com) and Nate Miles (nmiles@ciginvest.com) from ksteggs@sdmsi.com
IP: 50.78.200.153



VIEWED

03 / 17 / 2021

15:56:27 UTC

Viewed by Lisa Crew (lcrew@ciginvest.com)
IP: 174.51.57.183



VIEWED

03 / 17 / 2021

16:07:23 UTC

Viewed by Tim Bertoch (tbertoch@ciginvest.com)
IP: 174.16.139.220



SIGNED

03 / 17 / 2021

19:48:34 UTC

Signed by Lisa Crew (lcrew@ciginvest.com)
IP: 174.51.57.183



SIGNED

03 / 18 / 2021

14:47:14 UTC

Signed by Tim Bertoch (tbertoch@ciginvest.com)
IP: 174.16.139.220

TITLE	Application for Exemption from Audit
FILE NAME	2020_long_form - EP70.pdf
DOCUMENT ID	88bd96359ddc9f8860a191ede68529d09009751d
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Completed

Document History



03 / 23 / 2021
21:40:08 UTC

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03 / 23 / 2021
21:40:32 UTC

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03 / 23 / 2021
21:54:19 UTC

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IP: 73.181.120.230



03 / 23 / 2021
21:55:17 UTC

Signed by Nate Miles (nmiles@ciginvest.com)
IP: 73.181.120.230



03 / 23 / 2021
21:55:17 UTC

The document has been completed.

Ken Musso
ASSESSOR



Assessor's Office
4430 South Adams County Parkway
2nd Floor, Suite C2100
Brighton, CO 80601-8201
PHONE 720.523.6038
FAX 720.523.6037
www.adcogov.org

August 25, 2021

EASTPARK 70 METRO DISTRICT
SPECIAL DISTRICT MANAGEMENT SERVICES INC
Attn: ANN E FINN
141 UNION BLVD STE 150
LAKEWOOD CO 80228-1898

AUG 30 2021

To ANN E FINN:

Enclosed is the 2021 preliminary valuation. This valuation along with all other statutory requirements is on the enclosed form. A final certification of value will be sent out on or before December 10, 2021.

This value is subject to change by the County Board of Equalization, Board of Assessment Appeals and the State Board of Equalization as provided by law.

2021 UPDATE: House Bill 21-1312, increase the exemption threshold on personal property accounts from \$7,900 to \$50,000. This means all personal property accounts that have a value of \$7,901 or more, and below \$50,000 that were previously taxable are now exempt. The state will be reimbursing the lost revenue to all taxing entities. The last line of this Certification of Valuation has not been filled in for the preliminary Certification, but the amount will be provided on the December re-Certification.

Sincerely,

A handwritten signature in black ink, appearing to read 'KM', written over a horizontal line.

Ken Musso
Adams County Assessor
KM/rmb

CERTIFICATION OF VALUATION BY ADAMS COUNTY ASSESSOR

Name of Jurisdiction: 266 - EASTPARK 70 METRO DISTRICT

IN ADAMS COUNTY ON 8/24/2021

New Entity: No

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2021 IN ADAMS COUNTY, COLORADO

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$30,932,630
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: *	\$35,558,030
3. LESS TIF DISTRICT INCREMENT, IF ANY:	\$0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	\$35,558,030
5. NEW CONSTRUCTION: **	\$0
6. INCREASED PRODUCTION OF PRODUCING MINES: #	\$0
7. ANNEXATIONS/INCLUSIONS:	\$0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: #	\$0
9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD ## OR LAND (29-1-301(1)(b) C.R.S.):	\$0
10. TAXES COLLECTED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1))(a) C.R.S.):	\$0.00
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a) C.R.S.) and (39-10-114(1)(a)(I)(B) C.R.S.):	\$0.00

* This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec.20(8)(b), Colo.

** New construction is defined as: Taxable real property structures and the personal property connected with the structure.

Jurisdiction must submit respective certifications (Forms DLG 52 AND 52A) to the Division of Local Government in order for the values to be treated as growth in the limit calculation.

Jurisdiction must apply (Forms DLG 52B) to the Division of Local Government before the value can be treated as growth in the limit calculation.

USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY

IN ACCORDANCE WITH THE PROVISION OF ARTICLE X, SECTION 20, COLO CONST, AND 39-5-121(2)(b), C.R.S. THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2021 IN ADAMS COUNTY, COLORADO ON AUGUST 25, 2021

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: @	\$75,705,096
ADDITIONS TO TAXABLE REAL PROPERTY:	
2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: †	\$0
3. ANNEXATIONS/INCLUSIONS:	\$0
4. INCREASED MINING PRODUCTION: %	\$0
5. PREVIOUSLY EXEMPT PROPERTY:	\$0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	\$0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT:	\$0
(If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.)	
DELETIONS FROM TAXABLE REAL PROPERTY:	
8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	\$0
9. DISCONNECTIONS/EXCLUSION:	\$0
10. PREVIOUSLY TAXABLE PROPERTY:	\$0

@ This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.

† Construction is defined as newly constructed taxable real property structures.

% Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS: 1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY: →

\$0

NOTE: All levies must be Certified to the Board of County Commissioners NO LATER THAN DECEMBER 15, 2021

Data Date: 8/24/2021

EASTPARK 70 METROPOLITAN DISTRICT
Assessed Value, Property Tax and Mill Levy Information

	2020 Actual	2021 Adopted Budget	2022 Preliminary Budget
Assessed Valuation	\$ 12,845,690	\$ 30,932,630	\$ 35,558,030
Mill Levy			
General Fund	2.000	2.000	2.000
Debt Service Fund	35.000	35.000	35.000
Aurora Regional Transportation	1.000	1.000	1.000
Total Mill Levy	38.000	38.000	38.000
Property Taxes			
General Fund	\$ 25,691	\$ 61,865	\$ 71,116
Debt Service Fund	449,599	1,082,642	1,244,531
Aurora Regional Transportation	12,846	30,933	35,558
Actual/Budgeted Property Taxes	\$ 488,136	\$ 1,175,440	\$ 1,351,205

EASTPARK 70 METROPOLITAN DISTRICT

GENERAL FUND
2022 Preliminary Budget
with 2020 Actual and 2021 Estimated

	2020 Actual	01/21-09/21 YTD Actual	2021 Adopted Budget	2021 Estimated	2022 Preliminary Budget
1-501 BEGINNING FUND BALANCE	\$ 28,005	\$ 19,767	\$ 85,932	\$ 19,767	\$ 12,869
REVENUE					
1-510 Property Tax Revenue	25,691	61,846	61,865	61,865	71,116
1-550 Developer Advance	-	-	-	-	-
1-560 Interest Income	116	5	10	10	10
Total Revenue	25,807	61,851	61,875	61,875	71,126
Total Funds Available	53,812	81,618	147,807	81,642	83,995
EXPENDITURES					
1-612 Accounting	7,882	2,772	8,000	6,000	8,000
1-615 Audit	-	294	500	294	500
1-635 Election	370	-	-	-	3,000
1-670 Insurance/SDA Dues	3,175	3,295	3,500	3,295	3,700
1-675 Legal	10,873	949	8,000	3,000	6,000
1-680 Management	11,130	2,408	8,000	3,200	8,000
1-685 Miscellaneous	228	100	500	200	500
1-700 Treasurer's Fees	385	928	928	928	1,067
Total Expenditures	34,045	10,746	29,428	16,917	30,767
Transfers and Other Uses					
1-895 Emergency Reserve	-	-	1,856	1,856	2,134
Transfer to Debt Service	-	-	50,000	50,000	50,000
Total Expenditures Requiring Appropriation	34,045	10,746	81,284	68,773	82,901
ENDING FUND BALANCE	\$ 19,767	\$ 70,873	\$ 66,523	\$ 12,869	\$ 1,095

EASTPARK 70 METROPOLITAN DISTRICT

**DEBT SERVICE FUND
2022 Preliminary Budget
with 2020 Actual and 2021 Estimated**

	2020 Actual	01/21-09/21 YTD Actual	2021 Adopted Budget	2021 Estimated	2022 Preliminary Budget
BEGINNING FUND BALANCE	\$ 25,031	\$ 15,721	\$ 26,703	\$ 15,721	\$ 11,719
REVENUE					
Property Tax Revenue	449,599	1,082,301	1,082,642	449,599	1,244,531
Property Tax Revenue-ARTA	12,846	30,923	30,933	12,846	35,558
Specific Ownership Tax	35,823	23,155	14,067	22,500	22,500
Interest Income	513	82	600	600	600
Transfer from General Fund	-	-	50,000	50,000	50,000
Total Revenue	498,781	1,136,461	1,178,242	535,545	1,353,189
Total Funds Available	523,812	1,152,182	1,204,945	551,266	1,364,908
EXPENDITURES					
Bond Principal	-	-	-	-	-
Bond Interest	477,272	335,200	1,130,000	520,000	1,300,000
Paying Agent Fees	300	-	150	150	150
Treasurer's Fees	6,937	16,698	16,240	6,744	18,668
ARTA Expense	23,582	-	30,469	12,653	35,025
Contingency	-	-	-	-	-
Total Expenditures	508,090	351,898	1,176,859	539,547	1,353,843
Total Expenditures Requiring Appropriation	508,090	351,898	1,176,859	539,547	1,353,843
ENDING FUND BALANCE	\$ 15,721	\$ 800,283	\$ 28,087	\$ 11,719	\$ 11,066

RESOLUTION NO. 2021 – 11 - ____
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EASTPARK70 METROPOLITAN DISTRICT
TO ADOPT THE 2022 BUDGET AND APPROPRIATE SUMS OF MONEY

WHEREAS, the Board of Directors of the Eastpark70 Metropolitan District (“District”) has appointed the District Accountant to prepare and submit a proposed 2022 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted a proposed budget to this Board on or before October 15, 2021, for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 5, 2021, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Eastpark70 Metropolitan District:

1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the Eastpark70 Metropolitan District for the 2022 fiscal year.
2. That the budget, as hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. That the sums set forth as the total expenditures of each fund in the budget attached hereto as **EXHIBIT A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

ADOPTED this 5TH day of NOVEMBER, 2021.

Secretary

(SEAL)

EXHIBIT A
(Budget)

I, Ann Finn, hereby certify that I am the duly appointed Secretary of the Eastpark70 Metropolitan District, and that the foregoing is a true and correct copy of the budget for the budget year 2022, duly adopted at a meeting of the Board of Directors of the Eastpark70 Metropolitan District held on November 5, 2021.

By: _____
Secretary

RESOLUTION NO. 2021 - 11 - ____
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EASTPARK70 METROPOLITAN DISTRICT
TO SET MILL LEVIES

WHEREAS, the Board of Directors of the Eastpark70 Metropolitan District (“District”) has adopted the 2022 annual budget in accordance with the Local Government Budget Law on November 5, 2021; and

WHEREAS, the adopted budget is attached to the Resolution of the Board of Directors to Adopt the 2022 Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference; and

WHEREAS, the amount of money necessary to balance the budget for general fund expenses from property tax revenue is identified in the budget; and

WHEREAS, the amount of money necessary to balance the budget for debt service fund expenses from property tax revenue is identified in the budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Eastpark70 Metropolitan District:

1. That for the purposes of meeting all general fund expenses of the District during the 2022 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

2. That for the purposes of meeting all debt service fund expenses of the District during the 2022 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

3. That the District Accountant of the District is hereby authorized and directed to immediately certify to the County Commissioners of Adams County, Colorado, the mill levies for the District as set forth in the District’s Certification of Tax Levies (attached hereto as **EXHIBIT A** and incorporated herein by reference), recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

ADOPTED this 5th day of November, 2021.

Secretary

(SEAL)

EXHIBIT A
(Certification of Tax Levies)

AGREEMENT REGARDING REQUIRED MILL LEVY FOR 2022

This **Agreement Regarding Required Mill Levy For 2022** (the “**Agreement**”) is dated as of the 5th day of November, 2021, by and between **EASTPARK70 METROPOLITAN DISTRICT**, a quasi-municipal corporation and political subdivision of the State of Colorado (the “**District**”) and **CAMBRIDGE CAPITAL LLC**, a Colorado limited liability company (the “**Bondholder**”).

RECITALS

A. The District has heretofore authorized, issued, and delivered its General Obligation (Limited Tax Convertible to Unlimited Tax) Bonds, Series 2005, dated February 22, 2005, in the aggregate principal amount of \$8,380,000 (the “**Bonds**”), which Bonds are issued pursuant to a Resolution of the District dated February 15, 2005 (the “**Bond Resolution**”).

B. The Bondholder is the registered owner of 100% of the principal amount of the Bonds.

C. For the payment of the Bonds the District has obligated itself in the Bond Resolution to impose the “Required Mill Levy.”

D. Pursuant to the Bond Resolution, the District is required to impose a mill levy in an amount sufficient to pay the principal of, premium if any, and interest on the Bonds (the “**Required Mill Levy**”), but in an amount not to exceed fifty (50) mills (the “**Maximum Required Mill Levy**”), and for so long as the Surplus Fund is in an amount less than the Maximum Surplus, in an amount not less than twenty-five (25) mills (the “**Minimum Required Mill Levy**”).

E. For fiscal years 2010-2021, due to insufficient increases in the District’s assessed valuation, the Bond Resolution required the District to increase its mill levy to comply with the Required Mill Levy provision.

F. For fiscal year 2022 the District’s assessed valuation increased and the Bond Resolution requires the District to increase its mill levy to comply with the Required Mill Levy provision.

G. The parties agree that an increase in mill levy to comply with the Required Mill Levy as currently required by the Bond Resolution is not in the best interests of the District, its taxpayers and residents, or the Bondholders.

H. The parties wish to agree to the reduction in the amount of the Required Mill Levy for the years 2010–2021 and for fiscal year 2022.

NOW, THEREFORE, in consideration of the foregoing and the respective agreements of the Parties contained herein, the Parties agree as follows:

COVENANTS AND AGREEMENTS

1. Notwithstanding the Bond Resolution or any other applicable document or law, for fiscal year 2022, the District shall not have been or be deemed to be in default under the Bond Resolution if it imposes in such tax levy year a debt service mill levy of thirty-five (35.000) mills (the “**Reduced Mill Levy**”). Specifically, it is agreed that imposition of the District’s debt service mill levy in the amount of the Reduced Mill Levy for fiscal years 2022 will not result in an Event of Default under the Bond Resolution, even if the terms of the Bond Resolution would require the imposition of a higher mill levy in such year.

2. This is the entire Agreement between or among the parties with respect to its subject matter. There are no other prior or contemporaneous oral or written agreements that are not set out in this Agreement. Each party acknowledges and represents that, in entering into this Agreement, it is not relying on any oral or written promises or representations made by any other party or such party's representative that are not set forth in this Agreement.

3. This Agreement may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document.

4. This Agreement shall be governed and construed in accordance with the laws of the State of Colorado. Venue for any legal action relating to this Agreement shall be exclusive to the State District Court in and for the County of Adams, Colorado.

5. If any covenant, term, condition, or provision under this Agreement shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such covenant, term, condition, or provision shall not affect any other provision contained herein, the intention being that such provisions are severable.

6. This Agreement may not be modified, amended, changed, or terminated, in whole or in part, except by an agreement in writing duly authorized and executed by all parties.

7. This Agreement shall take effect upon execution by all parties.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO AGREEMENT REGARDING REQUIRED
MILL LEVY FOR 2022]**

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first set forth above.

**EASTPARK 70 METROPOLITAN
DISTRICT**, a quasi-municipal corporation and
political subdivision of the State of Colorado

By: _____
President

Attest:

Secretary

CAMBRIDGE CAPITAL LLC, a Colorado
limited liability company

By: Consolidated Investment Group LLC
Its: Manager

By: _____

Name: Tim Bertoch

Its: Vice President

RESOLUTION NO. 2021-11-____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
EASTPARK70 METROPOLITAN DISTRICT
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 3, 2022**

A. The terms of the offices of Directors Bertoch and Ellen shall expire upon the election of their successors at the regular election, to be held on May 3, 2022 (“**Election**”), and upon such successors taking office.

B. A vacancy currently exists on the Board of Directors of the District.

C. In accordance with the provisions of the Special District Act (“**Act**”) and the Uniform Election Code (“**Code**”), the Election must be conducted to elect one (1) Director to serve until the next regular election, to occur May 2, 2023, and two (2) Directors to serve until the second regular election, to occur May 6, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Eastpark70 Metropolitan District (the “**District**”) of the County of Adams, Colorado:

1. Date and Time of Election. The Election shall be held on May 3, 2022, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, one (1) Director shall be elected to serve until the next regular election, to occur May 2, 2023, and two (2) Directors shall be elected to serve until the second regular election, to occur May 6, 2025.

2. Precinct. The District shall consist of one (1) election precinct for the convenience of the eligible electors of the District.

3. Conduct of Election. The Election shall be conducted as an independent mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.

4. Designated Election Official. Ann E. Finn shall be the Designated Election Official and is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code or other applicable laws. The Election shall be conducted in accordance with the Act, Code and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.

5. Call for Nominations. The Designated Election Official shall provide Call for Nominations as required under Section 1-13.5-501, C.R.S., as applicable.

6. Absentee Ballot Applications. NOTICE IS FURTHER GIVEN, pursuant to Section 1-13.5-1002, C.R.S., that applications for and return of absentee ballots may be filed with the Designated Election Official of the District, c/o: Ann E. Finn, Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, between the hours of 8:00 a.m. and 5:00 p.m., until the close of business on the Tuesday immediately preceding the Election (April 26, 2022).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from Ann E. Finn, the Designated Election Official for the Eastpark70 Metropolitan District, c/o Ann E. Finn at Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, (303) 987-0835.

8. Cancellation of Election. If the only matter before the electors is the election of Directors of the District and if, at 5:00 P.M. on March 1, 2022, the sixty-third day prior to the regular election, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with law.

9. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board of Director's intention that the various provisions hereof are severable.

10. Repealer. All acts, orders and resolutions, or parts thereof, of the Board of Directors which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

11. Effective Date. The provisions of this Resolution shall take effect as of the date adopted and approved by the Board of Directors of the District.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 3, 2022]**

RESOLUTION APPROVED AND ADOPTED ON NOVEMBER 5, 2021.

**EASTPARK70 METROPOLITAN
DISTRICT**

By: _____
President

Attest:

Secretary