

# LORETTO HEIGHTS METROPOLITAN DISTRICT NOS. 1-5 LORETTO HEIGHTS PROGRAMMING METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150  
Lakewood, Colorado 80228-1898  
Tel: 303-987-0835 • 800-741-3254  
Fax: 303-987-2032  
<https://lorettoheightsdistricts.com/>

## NOTICE OF REGULAR MEETING AND AGENDA

| <u>Board of Directors:</u> | <u>Office:</u>      | <u>Term/Expiration:</u> |
|----------------------------|---------------------|-------------------------|
| Mark J. Witkiewicz         | President           | 2025/May 2025           |
| Otis C. Moore, III         | Treasurer           | 2027/May 2027           |
| Andrew R. Klein            | Assistant Secretary | 2025/May 2025           |
| Paige C. Langley           | Assistant Secretary | 2027/May 2027           |
| Megan Waldschmidt          | Assistant Secretary | 2025/May 2025           |
| Ann Finn                   | Secretary           |                         |

DATE: May 22, 2023

TIME: 2:00 p.m.

PLACE: **Zoom Meeting: This meeting will be held via Zoom without any individuals (neither District representatives nor the general public) attending in person. The meeting can be joined through the directions below:**

Zoom information:

<https://us02web.zoom.us/j/84634589517?pwd=c3NYZzJnaFdXcFFxR1cwYjcwbFdKUT09>

Meeting ID: 846 3458 9517

Passcode: 992435

Dial in: 1-253-215-8782

### I. ADMINISTRATIVE MATTERS

- A. Present disclosures of potential conflicts of interest.  
\_\_\_\_\_
- B. Confirm quorum; confirm location of meeting and posting of meeting notice; approve agenda.  
\_\_\_\_\_
- C. Discuss results of May 2, 2023 Regular Election (enclosures).  
\_\_\_\_\_

D. Consider appointment of Officers:

President \_\_\_\_\_  
Treasurer \_\_\_\_\_  
Secretary \_\_\_\_\_  
Asst. Secretary \_\_\_\_\_  
Asst. Secretary \_\_\_\_\_  
Asst. Secretary \_\_\_\_\_

II. CONSENT AGENDA – These items are considered to be routine and will be approved and/or ratified by one motion. There will be no separate discussion of these items unless a Board Member so requests, in which event, the item will be removed from the Consent Agenda and considered on the Regular Agenda.

- Review and consider approval of the March 20, 2023 and April 25, 2023 special meeting minutes (enclosures – **LHMD 1-5, LHPD**).
- 

III. PUBLIC COMMENTS

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

IV. FINANCIAL MATTERS

- A. Review and ratify approval of the payment of claims for the periods beginning March 21, 2023 through May 17, 2023, in the amount of \$169,390.58 (enclosure – **LHMD 1**).
- 
- B. Review and accept the Schedule of Cash Position for the period beginning March 31, 2023, updated as of May 10, 2023 (enclosure– **LHMD 1**).
- 
- C. Ratify approval of the preparation, execution and filing of the Application for Exemption from Audit for 2022 (enclosures – **LHMD 2-5 and LHPD**).
-

- D. Review and consider approval of draft 2022 Audit and authorize execution of Representations Letter (to be distributed – **LHMD 1**).
- 

V. CAPITAL/CONSTRUCTION MATTERS

- A. Review and consider approval of Engineer’s Report and Verification of Costs Associated with Public Improvements Report No. 14, dated May 19, 2023, prepared by Schedio Group LLC, for the amount of \$188,692.27 (“Report No. 14”) (enclosure).
- 

- B. Consider acceptance of verified public improvement costs pursuant to Report No. 14 (**LHMD 1-4**).
- 

- C. Consider approval of reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 14 (**LHMD 1**).
- 

- D. Discuss status of the Loretto Heights Infrastructure Project (the “Project”) (**LHMD1**).
- 

- E. Review and ratify approval of Service Agreement for DSST Sign Storage between the District and Davinci Sign Systems, Inc. (enclosure).
- 

VI. LEGAL MATTERS

- A. Discuss and consider approval of Intergovernmental Agreement Regarding PILOT by and among the Loretto Heights Community Authority, Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4, ACM Loretto VI LLC, and the City and County of Denver (to be distributed – LHMD 1-4).
- 

VII. OTHER BUSINESS

- A. \_\_\_\_\_

Loretto Heights Metropolitan District Nos. 1-5  
Loretto Heights Programming Metropolitan District  
May 22, 2023 Agenda  
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VIII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR JUNE 26, 2023.**

**CANCELLATION OF ELECTION AND  
DECLARATION DEEMING CANDIDATES  
ELECTED FOR  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 1**

The Designated Election Official of the Loretto Heights Metropolitan District No. 1 has been duly authorized by the Board of Directors to cancel and declare candidates elected if, at the close of business on the sixty-third (63<sup>rd</sup>) day before the election, there are not more candidates than offices to be filled at the election to be conducted on May 2, 2023; and

As of the close of business on March 1, 2023, there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

Pursuant to Section 1-13.5-513(1), C.R.S., the Designated Election Official hereby cancels the regular election to be conducted on May 2, 2023.

**THE ELECTION IS CANCELLED AND THE FOLLOWING CANDIDATES ARE DECLARED ELECTED FOR THE FOLLOWING TERMS:**

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

Ann E. Finn  
Designated Election Official

Contact Person for District:  
Ann E. Finn

Telephone Number of District:  
303-987-0835

Address of District:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**CANCELACIÓN DE ELECCIONES Y  
DECLARACIÓN DE CONSIDERACIÓN DE LOS  
CANDIDATOS ELEGIDOS PARA  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 1**

El Funcionario Electoral Designado del Loretto Heights Metropolitan District No. 1 District ha sido debidamente autorizado por la Junta Directiva para cancelar y declarar candidatos electos si, al cierre de actividades del sexagésimo tercer (63) día antes de la elección, no hay más candidatos que cargos por cubrir. llenarse en la elección que se llevará a cabo el 2 de mayo de 2023; y

Al cierre de operaciones del 1 de marzo de 2023, no había más candidatos para Director que cargos por cubrir, incluidos los candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito.

De conformidad con la Sección 1-13.5-513(1), C.R.S., el Oficial Electoral Designado cancela por la presente la elección regular que se llevará a cabo el 2 de mayo de 2023.

**SE ANULA LA ELECCIÓN Y SE DECLARAN ELEGIDOS LOS SIGUIENTES CANDIDATOS PARA LOS SIGUIENTES TÉRMINOS:**

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

Ann E. Finn  
Oficial Electoral Designado

Número de teléfono del distrito:  
303-987-0835

Dirección del Distrito:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**NOTICE OF CANCELLATION OF  
REGULAR ELECTION  
BY THE DESIGNATED ELECTION  
OFFICIAL FOR THE  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NOS. 1-5 AND PROGRAMMING**

NOTICE IS HEREBY GIVEN by the Loretto Heights Metropolitan District Nos. 1-5 and Programming, City and County of Denver, Colorado, that at the close of business on the sixty-third (63rd) day before the election there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 2, 2023, is hereby cancelled.

The following candidates are declared elected:

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

**LORETTO HEIGHTS METROPOLITAN  
DISTRICT NOS. 1-5 AND PROGRAMMING**

Ann E. Finn  
Designated Election Official

Published on: March 13, 2023  
Published in: The Daily Journal

**AVISO DE CANCELACIÓN DE ELECCIÓN  
REGULAR  
POR EL FUNCIONARIO ELECTORAL  
DESIGNADO PARA EL  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NOS. 1-5 AND PROGRAMMING**

POR ESTE MEDIO SE DA AVISO por parte del Loretto Heights Metropolitan District Nos. 1-5 y Programming, City and County of Denver, Colorado, que al cierre de operaciones del día sesenta y tres (63) antes de la elección no había más candidatos para Director que cargos por cubrir, incluidos candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito; por lo tanto, se cancela la elección a celebrarse el 2 de mayo de 2023.

Se declaran elegidos los siguientes candidatos:

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

**LORETTO HEIGHTS METROPOLITAN DISTRICT  
NOS. 1-5 Y PROGRAMMING**

Ann E. Finn  
Oficial Electoral Designado

Publicado el: March 13, 2023  
Publicado en: The Daily Journal

**RESOLUTION NO. 2022-11-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 1  
CALLING A REGULAR ELECTION FOR DIRECTORS  
MAY 2, 2023**

A. The term of the office of Director Moore shall expire upon the election of his successor at the regular election, to be held on May 2, 2023 (“**Election**”), and upon such successor taking office.

B. The term of the office to which Director Langley has previously been appointed expires upon her re-election, or the election of her successor at the Election, and upon such successor taking office.

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 two (2) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Loretto Heights Metropolitan District No. 1 (the “**District**”) of the City and County of Denver, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, 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, two (2) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

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 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 Ann Finn, the Designated Election Official of the District, 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 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from Ann Finn, the Designated Election Official for the District, Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, (303) 592-4380.

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 February 28, 2023, 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 2, 2023]**

RESOLUTION APPROVED AND ADOPTED on November 28, 2022.

**LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 1**

By: Mark J Witkiewicz

President

Attest:

Ann Finn

Secretary

**CANCELLATION OF ELECTION AND  
DECLARATION DEEMING CANDIDATES  
ELECTED FOR  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 2**

The Designated Election Official of the Loretto Heights Metropolitan District No. 2 has been duly authorized by the Board of Directors to cancel and declare candidates elected if, at the close of business on the sixty-third (63<sup>rd</sup>) day before the election, there are not more candidates than offices to be filled at the election to be conducted on May 2, 2023; and

As of the close of business on March 1, 2023, there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

Pursuant to Section 1-13.5-513(1), C.R.S., the Designated Election Official hereby cancels the regular election to be conducted on May 2, 2023.

**THE ELECTION IS CANCELLED AND THE FOLLOWING CANDIDATES ARE DECLARED ELECTED FOR THE FOLLOWING TERMS:**

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

Ann E. Finn  
Designated Election Official

Contact Person for District:  
Ann E. Finn

Telephone Number of District:  
303-987-0835

Address of District:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**CANCELACIÓN DE ELECCIONES Y  
DECLARACIÓN DE CONSIDERACIÓN DE LOS  
CANDIDATOS ELEGIDOS PARA  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 2**

El Funcionario Electoral Designado del Loretto Heights Metropolitan District No. 2 District ha sido debidamente autorizado por la Junta Directiva para cancelar y declarar candidatos electos si, al cierre de actividades del sexagésimo tercer (63) día antes de la elección, no hay más candidatos que cargos por cubrir. llenarse en la elección que se llevará a cabo el 2 de mayo de 2023; y

Al cierre de operaciones del 1 de marzo de 2023, no había más candidatos para Director que cargos por cubrir, incluidos los candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito.

De conformidad con la Sección 1-13.5-513(1), C.R.S., el Oficial Electoral Designado cancela por la presente la elección regular que se llevará a cabo el 2 de mayo de 2023.

**SE ANULA LA ELECCIÓN Y SE DECLARAN ELEGIDOS LOS SIGUIENTES CANDIDATOS PARA LOS SIGUIENTES TÉRMINOS:**

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

Ann E. Finn  
Oficial Electoral Designado

Número de teléfono del distrito:  
303-987-0835

Dirección del Distrito:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**NOTICE OF CANCELLATION OF  
REGULAR ELECTION  
BY THE DESIGNATED ELECTION  
OFFICIAL FOR THE  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 2**

NOTICE IS HEREBY GIVEN by the Loretto Heights Metropolitan District No. 2, City and County of Denver, Colorado, that at the close of business on the sixty-third (63rd) day before the election there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 2, 2023, is hereby cancelled.

The following candidates are declared elected:

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 2

Ann E. Finn  
Designated Election Official

Published on: March 13, 2023  
Published in: The Daily Journal

**AVISO DE CANCELACIÓN DE ELECCIÓN  
REGULAR  
POR EL FUNCIONARIO ELECTORAL  
DESIGNADO PARA EL  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 2**

POR ESTE MEDIO SE DA AVISO por parte del Loretto Heights Metropolitan District No. 2, City and County of Denver, Colorado, que al cierre de operaciones del día sesenta y tres (63) antes de la elección no había más candidatos para Director que cargos por cubrir, incluidos candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito; por lo tanto, se cancela la elección a celebrarse el 2 de mayo de 2023.

Se declaran elegidos los siguientes candidatos:

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

LORETTO HEIGHTS METROPOLITAN DISTRICT  
NO. 2

Ann E. Finn  
Oficial Electoral Designado

Publicado el: March 16, 2023  
Publicado en: The Daily Journal

**RESOLUTION NO. 2022-11-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 2  
CALLING A REGULAR ELECTION FOR DIRECTORS  
MAY 2, 2023**

A. The term of the office of Director Moore shall expire upon the election of his successor at the regular election, to be held on May 2, 2023 (“**Election**”), and upon such successor taking office.

B. The term of the office to which Director Langley has previously been appointed expires upon her re-election, or the election of her successor at the Election, and upon such successor taking office.

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 two (2) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Loretto Heights Metropolitan District No. 2 (the “**District**”) of the City and County of Denver, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, 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, two (2) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

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 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 Ann Finn, the Designated Election Official of the District, 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 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from Ann Finn, the Designated Election Official for the District, Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, (303) 592-4380.

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 February 28, 2023, 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 2, 2023]**

RESOLUTION APPROVED AND ADOPTED on November 28, 2022.

**LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 2**

By: Mark J Witkiewicz

President

Attest:

Ann Finn

Secretary

**CANCELLATION OF ELECTION AND  
DECLARATION DEEMING CANDIDATES  
ELECTED FOR  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 3**

The Designated Election Official of the Loretto Heights Metropolitan District No. 3 has been duly authorized by the Board of Directors to cancel and declare candidates elected if, at the close of business on the sixty-third (63<sup>rd</sup>) day before the election, there are not more candidates than offices to be filled at the election to be conducted on May 2, 2023; and

As of the close of business on March 1, 2023, there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

Pursuant to Section 1-13.5-513(1), C.R.S., the Designated Election Official hereby cancels the regular election to be conducted on May 2, 2023.

**THE ELECTION IS CANCELLED AND THE FOLLOWING CANDIDATES ARE DECLARED ELECTED FOR THE FOLLOWING TERMS:**

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

Ann E. Finn  
Designated Election Official

Contact Person for District:  
Ann E. Finn

Telephone Number of District:  
303-987-0835

Address of District:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**CANCELACIÓN DE ELECCIONES Y  
DECLARACIÓN DE CONSIDERACIÓN DE LOS  
CANDIDATOS ELEGIDOS PARA  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 3**

El Funcionario Electoral Designado del Loretto Heights Metropolitan District No. 3 District ha sido debidamente autorizado por la Junta Directiva para cancelar y declarar candidatos electos si, al cierre de actividades del sexagésimo tercer (63) día antes de la elección, no hay más candidatos que cargos por cubrir. llenarse en la elección que se llevará a cabo el 2 de mayo de 2023; y

Al cierre de operaciones del 1 de marzo de 2023, no había más candidatos para Director que cargos por cubrir, incluidos los candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito.

De conformidad con la Sección 1-13.5-513(1), C.R.S., el Oficial Electoral Designado cancela por la presente la elección regular que se llevará a cabo el 2 de mayo de 2023.

**SE ANULA LA ELECCIÓN Y SE DECLARAN ELEGIDOS LOS SIGUIENTES CANDIDATOS PARA LOS SIGUIENTES TÉRMINOS:**

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

Ann E. Finn  
Oficial Electoral Designado

Número de teléfono del distrito:  
303-987-0835

Dirección del Distrito:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**NOTICE OF CANCELLATION OF  
REGULAR ELECTION  
BY THE DESIGNATED ELECTION  
OFFICIAL FOR THE  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 3**

NOTICE IS HEREBY GIVEN by the Loretto Heights Metropolitan District No. 3, City and County of Denver, Colorado, that at the close of business on the sixty-third (63rd) day before the election there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 2, 2023, is hereby cancelled.

The following candidates are declared elected:

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 3

Ann E. Finn  
Designated Election Official

Published on: March 13, 2023  
Published in: The Daily Journal

**AVISO DE CANCELACIÓN DE ELECCIÓN  
REGULAR  
POR EL FUNCIONARIO ELECTORAL  
DESIGNADO PARA EL  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 3**

POR ESTE MEDIO SE DA AVISO por parte del Loretto Heights Metropolitan District No. 3, City and County of Denver, Colorado, que al cierre de operaciones del día sesenta y tres (63) antes de la elección no había más candidatos para Director que cargos por cubrir, incluidos candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito; por lo tanto, se cancela la elección a celebrarse el 2 de mayo de 2023.

Se declaran elegidos los siguientes candidatos:

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

LORETTO HEIGHTS METROPOLITAN DISTRICT  
NO. 3

Ann E. Finn  
Oficial Electoral Designado

Publicado el: March 13, 2023  
Publicado en: The Daily Journal



**RESOLUTION NO. 2022-11-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 3  
CALLING A REGULAR ELECTION FOR DIRECTORS  
MAY 2, 2023**

A. The term of the office of Director Moore shall expire upon the election of his successor at the regular election, to be held on May 2, 2023 (“**Election**”), and upon such successor taking office.

B. The term of the office to which Director Langley has previously been appointed expires upon her re-election, or the election of her successor at the Election, and upon such successor taking office.

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 two (2) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Loretto Heights Metropolitan District No. 3 (the “**District**”) of the City and County of Denver, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, 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, two (2) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

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 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 Ann Finn, the Designated Election Official of the District, 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 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from Ann Finn, the Designated Election Official for the District, Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, (303) 592-4380.

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 February 28, 2023, 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 2, 2023]**

RESOLUTION APPROVED AND ADOPTED on November 28, 2022.

**LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 3**

By: Mark J Witkiewicz

President

Attest:

Ann Finn

Secretary

**CANCELLATION OF ELECTION AND  
DECLARATION DEEMING CANDIDATES  
ELECTED FOR  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 4**

The Designated Election Official of the Loretto Heights Metropolitan District No. 4 has been duly authorized by the Board of Directors to cancel and declare candidates elected if, at the close of business on the sixty-third (63<sup>rd</sup>) day before the election, there are not more candidates than offices to be filled at the election to be conducted on May 2, 2023; and

As of the close of business on March 1, 2023, there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

Pursuant to Section 1-13.5-513(1), C.R.S., the Designated Election Official hereby cancels the regular election to be conducted on May 2, 2023.

**THE ELECTION IS CANCELLED AND THE FOLLOWING CANDIDATES ARE DECLARED ELECTED FOR THE FOLLOWING TERMS:**

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

Ann E. Finn  
Designated Election Official

Contact Person for District:  
Ann E. Finn

Telephone Number of District:  
303-987-0835

Address of District:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**CANCELACIÓN DE ELECCIONES Y  
DECLARACIÓN DE CONSIDERACIÓN DE LOS  
CANDIDATOS ELEGIDOS PARA  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 4**

El Funcionario Electoral Designado del Loretto Heights Metropolitan District No. 4 District ha sido debidamente autorizado por la Junta Directiva para cancelar y declarar candidatos electos si, al cierre de actividades del sexagésimo tercer (63) día antes de la elección, no hay más candidatos que cargos por cubrir. llenarse en la elección que se llevará a cabo el 2 de mayo de 2023; y

Al cierre de operaciones del 1 de marzo de 2023, no había más candidatos para Director que cargos por cubrir, incluidos los candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito.

De conformidad con la Sección 1-13.5-513(1), C.R.S., el Oficial Electoral Designado cancela por la presente la elección regular que se llevará a cabo el 2 de mayo de 2023.

**SE ANULA LA ELECCIÓN Y SE DECLARAN ELEGIDOS LOS SIGUIENTES CANDIDATOS PARA LOS SIGUIENTES TÉRMINOS:**

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

Ann E. Finn  
Oficial Electoral Designado

Número de teléfono del distrito:  
303-987-0835

Dirección del Distrito:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**NOTICE OF CANCELLATION OF  
REGULAR ELECTION  
BY THE DESIGNATED ELECTION  
OFFICIAL FOR THE  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 4**

NOTICE IS HEREBY GIVEN by the Loretto Heights Metropolitan District No. 4, City and County of Denver, Colorado, that at the close of business on the sixty-third (63rd) day before the election there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 2, 2023, is hereby cancelled.

The following candidates are declared elected:

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 4

Ann E. Finn  
Designated Election Official

Published on: March 13, 2023  
Published in: The Daily Journal

**AVISO DE CANCELACIÓN DE ELECCIÓN  
REGULAR  
POR EL FUNCIONARIO ELECTORAL  
DESIGNADO PARA EL  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 4**

POR ESTE MEDIO SE DA AVISO por parte del Loretto Heights Metropolitan District No. 4, City and County of Denver, Colorado, que al cierre de operaciones del día sesenta y tres (63) antes de la elección no había más candidatos para Director que cargos por cubrir, incluidos candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito; por lo tanto, se cancela la elección a celebrarse el 2 de mayo de 2023.

Se declaran elegidos los siguientes candidatos:

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

LORETTO HEIGHTS METROPOLITAN DISTRICT  
NO. 4

Ann E. Finn  
Oficial Electoral Designado

Publicado el: March 13, 2023  
Publicado en: The Daily Journal

**RESOLUTION NO. 2022-11-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 4  
CALLING A REGULAR ELECTION FOR DIRECTORS  
MAY 2, 2023**

A. The term of the office of Director Moore shall expire upon the election of his successor at the regular election, to be held on May 2, 2023 (“**Election**”), and upon such successor taking office.

B. The term of the office to which Director Langley has previously been appointed expires upon her re-election, or the election of her successor at the Election, and upon such successor taking office.

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 two (2) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Loretto Heights Metropolitan District No. 4 (the “**District**”) of the City and County of Denver, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, 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, two (2) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

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 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 Ann Finn, the Designated Election Official of the District, 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 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from Ann Finn, the Designated Election Official for the District, Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, (303) 592-4380.

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 February 28, 2023, 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 2, 2023]**

RESOLUTION APPROVED AND ADOPTED on November 28, 2022.

**LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 4**

By: Mark J Witkiewicz

President

Attest:

Ann Finn

Secretary



**CANCELLATION OF ELECTION AND  
DECLARATION DEEMING CANDIDATES  
ELECTED FOR  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 5**

The Designated Election Official of the Loretto Heights Metropolitan District No. 5 has been duly authorized by the Board of Directors to cancel and declare candidates elected if, at the close of business on the sixty-third (63<sup>rd</sup>) day before the election, there are not more candidates than offices to be filled at the election to be conducted on May 2, 2023; and

As of the close of business on March 1, 2023, there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

Pursuant to Section 1-13.5-513(1), C.R.S., the Designated Election Official hereby cancels the regular election to be conducted on May 2, 2023.

**THE ELECTION IS CANCELLED AND THE FOLLOWING CANDIDATES ARE DECLARED ELECTED FOR THE FOLLOWING TERMS:**

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

Ann E. Finn  
Designated Election Official

Contact Person for District:  
Ann E. Finn

Telephone Number of District:  
303-987-0835

Address of District:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**CANCELACIÓN DE ELECCIONES Y  
DECLARACIÓN DE CONSIDERACIÓN DE LOS  
CANDIDATOS ELEGIDOS PARA  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 5**

El Funcionario Electoral Designado del Loretto Heights Metropolitan District No. 5 District ha sido debidamente autorizado por la Junta Directiva para cancelar y declarar candidatos electos si, al cierre de actividades del sexagésimo tercer (63) día antes de la elección, no hay más candidatos que cargos por cubrir. llenarse en la elección que se llevará a cabo el 2 de mayo de 2023; y

Al cierre de operaciones del 1 de marzo de 2023, no había más candidatos para Director que cargos por cubrir, incluidos los candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito.

De conformidad con la Sección 1-13.5-513(1), C.R.S., el Oficial Electoral Designado cancela por la presente la elección regular que se llevará a cabo el 2 de mayo de 2023.

**SE ANULA LA ELECCIÓN Y SE DECLARAN ELEGIDOS LOS SIGUIENTES CANDIDATOS PARA LOS SIGUIENTES TÉRMINOS:**

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

Ann E. Finn  
Oficial Electoral Designado

Número de teléfono del distrito:  
303-987-0835

Dirección del Distrito:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**NOTICE OF CANCELLATION OF  
REGULAR ELECTION  
BY THE DESIGNATED ELECTION  
OFFICIAL FOR THE  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 5**

NOTICE IS HEREBY GIVEN by the Loretto Heights Metropolitan District No. 5, City and County of Denver, Colorado, that at the close of business on the sixty-third (63rd) day before the election there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 2, 2023, is hereby cancelled.

The following candidates are declared elected:

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 5

Ann E. Finn  
Designated Election Official

Published on: March 13, 2023  
Published in: The Daily Journal

**AVISO DE CANCELACIÓN DE ELECCIÓN  
REGULAR  
POR EL FUNCIONARIO ELECTORAL  
DESIGNADO PARA EL  
LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 5**

POR ESTE MEDIO SE DA AVISO por parte del Loretto Heights Metropolitan District No. 5, City and County of Denver, Colorado, que al cierre de operaciones del día sesenta y tres (63) antes de la elección no había más candidatos para Director que cargos por cubrir, incluidos candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito; por lo tanto, se cancela la elección a celebrarse el 2 de mayo de 2023.

Se declaran elegidos los siguientes candidatos:

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

LORETTO HEIGHTS METROPOLITAN DISTRICT  
NO. 5

Ann E. Finn  
Oficial Electoral Designado

Publicado el: March 13, 2023  
Publicado en: The Daily Journal

**RESOLUTION NO. 2022-11-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 5  
CALLING A REGULAR ELECTION FOR DIRECTORS  
MAY 2, 2023**

A. The term of the office of Director Moore shall expire upon the election of his successor at the regular election, to be held on May 2, 2023 (“**Election**”), and upon such successor taking office.

B. The term of the office to which Director Langley has previously been appointed expires upon her re-election, or the election of her successor at the Election, and upon such successor taking office.

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 two (2) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Loretto Heights Metropolitan District No. 5 (the “**District**”) of the City and County of Denver, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, 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, two (2) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

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 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 Ann Finn, the Designated Election Official of the District, 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 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from Ann Finn, the Designated Election Official for the District, Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, (303) 592-4380.

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 February 28, 2023, 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 2, 2023]**

RESOLUTION APPROVED AND ADOPTED on November 28, 2022.

**LORETTO HEIGHTS METROPOLITAN  
DISTRICT NO. 5**

By: Mark J Witkiewicz

President

Attest:

Ann Finn

Secretary

**CANCELLATION OF ELECTION AND  
DECLARATION DEEMING CANDIDATES  
ELECTED FOR  
LORETTO HEIGHTS PROGRAMING  
METROPOLITAN DISTRICT**

The Designated Election Official of the Loretto Heights Programing Metropolitan District has been duly authorized by the Board of Directors to cancel and declare candidates elected if, at the close of business on the sixty-third (63<sup>rd</sup>) day before the election, there are not more candidates than offices to be filled at the election to be conducted on May 2, 2023; and

As of the close of business on March 1, 2023, there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

Pursuant to Section 1-13.5-513(1), C.R.S., the Designated Election Official hereby cancels the regular election to be conducted on May 2, 2023.

**THE ELECTION IS CANCELLED AND THE FOLLOWING CANDIDATES ARE DECLARED ELECTED FOR THE FOLLOWING TERMS:**

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

Ann E. Finn  
Designated Election Official

Contact Person for District:  
Ann E. Finn

Telephone Number of District:  
303-987-0835

Address of District:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**CANCELACIÓN DE ELECCIONES Y  
DECLARACIÓN DE CONSIDERACIÓN DE LOS  
CANDIDATOS ELEGIDOS PARA  
LORETTO HEIGHTS PROGRAMING  
METROPOLITAN DISTRICT**

El Funcionario Electoral Designado del Loretto Heights Programing Metropolitan District ha sido debidamente autorizado por la Junta Directiva para cancelar y declarar candidatos electos si, al cierre de actividades del sexagésimo tercer (63) día antes de la elección, no hay más candidatos que cargos por cubrir. llenarse en la elección que se llevará a cabo el 2 de mayo de 2023; y

Al cierre de operaciones del 1 de marzo de 2023, no había más candidatos para Director que cargos por cubrir, incluidos los candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito.

De conformidad con la Sección 1-13.5-513(1), C.R.S., el Oficial Electoral Designado cancela por la presente la elección regular que se llevará a cabo el 2 de mayo de 2023.

**SE ANULA LA ELECCIÓN Y SE DECLARAN ELEGIDOS LOS SIGUIENTES CANDIDATOS PARA LOS SIGUIENTES TÉRMINOS:**

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

Ann E. Finn  
Oficial Electoral Designado

Número de teléfono del distrito:  
303-987-0835

Dirección del Distrito:  
141 Union Boulevard, Suite 150  
Lakewood, CO 80228

**NOTICE OF CANCELLATION OF  
REGULAR ELECTION  
BY THE DESIGNATED ELECTION  
OFFICIAL FOR THE  
LORETTO HEIGHTS PROGRAMING  
METROPOLITAN DISTRICT**

NOTICE IS HEREBY GIVEN by the Loretto Heights Programing Metropolitan District, City and County of Denver, Colorado, that at the close of business on the sixty-third (63rd) day before the election there were not more candidates for Director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 2, 2023, is hereby cancelled.

The following candidates are declared elected:

Otis Moore III  
4 Year Term

Megan Waldschmidt  
2 Year Term

Paige Langley  
4 Year Term

DATED this 1st day of March, 2023.

LORETTO HEIGHTS PROGRAMING  
METROPOLITAN DISTRICT

Ann E. Finn  
Designated Election Official

Published on: March 13, 2023  
Published in: The Daily Journal

**AVISO DE CANCELACIÓN DE ELECCIÓN  
REGULAR  
POR EL FUNCIONARIO ELECTORAL  
DESIGNADO PARA EL  
LORETTO HEIGHTS PROGRAMING  
METROPOLITAN DISTRICT**

POR ESTE MEDIO SE DA AVISO por parte del Loretto Heights Programing Metropolitan District, City and County of Denver, Colorado, que al cierre de operaciones del día sesenta y tres (63) antes de la elección no había más candidatos para Director que cargos por cubrir, incluidos candidatos que presentaron declaraciones juradas de intención de ser candidatos por escrito; por lo tanto, se cancela la elección a celebrarse el 2 de mayo de 2023.

Se declaran elegidos los siguientes candidatos:

Otis Moore III  
Término de cuatro años [4]

Megan Waldschmidt  
Término de dos años [2]

Paige Langley  
Término de cuatro años [4]

FECHADO este 1st día de marzo de 2023.

LORETTO HEIGHTS PROGRAMING  
METROPOLITAN DISTRICT

Ann E. Finn  
Oficial Electoral Designado

Publicado el: March 13, 2023  
Publicado en: The Daily Journal

**RESOLUTION NO. 2022-11-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
LORETTO HEIGHTS PROGRAMMING METROPOLITAN DISTRICT  
CALLING A REGULAR ELECTION FOR DIRECTORS  
MAY 2, 2023**

A. The term of the office of Director Moore shall expire upon the election of his successor at the regular election, to be held on May 2, 2023 (“**Election**”), and upon such successor taking office.

B. The term of the office to which Director Langley has previously been appointed expires upon her re-election, or the election of her successor at the Election, and upon such successor taking office.

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 two (2) Directors to serve until the second regular election, to occur May 4, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Loretto Heights Programming Metropolitan District (the “**District**”) of the City and County of Denver, Colorado:

1. Date and Time of Election. The Election shall be held on May 2, 2023, 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, two (2) Directors shall be elected to serve until the second regular election, to occur May 4, 2027.

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 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 Ann Finn, the Designated Election Official of the District, 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 25, 2023).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from Ann Finn, the Designated Election Official for the District, Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado 80228, (303) 592-4380.

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 February 28, 2023, 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 2, 2023]**

RESOLUTION APPROVED AND ADOPTED on November 28, 2022.

**LORETTO HEIGHTS PROGRAMMING  
METROPOLITAN DISTRICT**

By: Mark J Witkiewicz

President

Attest:

Ann Finn

Secretary

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 1 HELD MARCH 20, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 1 (referred to hereafter as the "Board") was convened on Monday, March 20, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Mark J. Witkiewicz  
Otis C. Moore, III  
Paige C. Langley

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the absences of Directors Andrew R. Klein and Megan Waldschmidt were excused.

#### Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

#### 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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

## RECORD OF PROCEEDINGS

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**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 Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxing electors within the District's boundaries.

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**CONSENT AGENDA** The Board considered the following actions:

- Review and consider approval of the February 27, 2023 regular meeting minutes.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the above Consent Agenda items/actions.

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**PUBLIC COMMENT** There were no public comments.

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**FINANCIAL MATTERS** **Claims:** Ms. Ross reviewed with the Board the payment of claims for the periods beginning November 28, 2022 through March 20, 2023, in the amount of \$966,522.40.

Following review, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

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**CAPITAL/ CONSTRUCTION MATTERS** **Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12

## RECORD OF PROCEEDINGS

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(“Report No. 12”), dated March 14, 2023, prepared by Schedio Group LLC, for the amount of \$887,584.55.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 12.

**Verified Public Improvement Costs Pursuant to Report No. 12:** The Board discussed the verified public improvement costs pursuant to Report No. 12.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 12.

**Reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC:** The Board discussed the reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 12.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved the reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 12.

**Loretto Heights Infrastructure Project (the “Project”):** The Board deferred discussion at this time.

*Status of landscape design work:* The Board deferred discussion at this time.

*Necessary actions required in connection with the Project:* The Board deferred discussion at this time.

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**LEGAL MATTERS**

None.

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**OTHER BUSINESS**

The Board discussed cancelling the March 27, 2023 regular meeting.

Following review and discussion, upon motion duly made by Director Moore,

## RECORD OF PROCEEDINGS

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seconded by Director Witkiewicz, and upon vote, unanimously carried, the Board cancelled the March 27, 2023 regular meeting

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### **ADJOURNMENT**

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 2 HELD MARCH 20, 2023

A Regular Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 2 (referred to hereafter as the "Board") was convened on Monday, March 20, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

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#### **ATTENDANCE**

#### **Directors In Attendance Were:**

Mark J. Witkiewicz  
Otis C. Moore, III  
Paige C. Langley

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the absences of Directors Andrew R. Klein and Megan Waldschmidt were excused.

#### **Also In Attendance Were:**

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

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#### **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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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## RECORD OF PROCEEDINGS

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**ADMINISTRATIVE MATTERS** **Agenda:** Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District's boundaries.

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**CONSENT AGENDA** The Board considered the following actions:

- Review and consider approval of the February 27, 2023 regular meeting minutes.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the above Consent Agenda items/actions.

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**PUBLIC COMMENT** There were no public comments.

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**FINANCIAL MATTERS** **Schedule of Cash Position:** The Board reviewed a schedule of cash position for the period ending March 17, 2023.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried the Board accepted the schedule of cash position for the period ending March 17, 2023.

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**CAPITAL/ CONSTRUCTION MATTERS** **Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12



## RECORD OF PROCEEDINGS

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("Report No. 12"), dated March 14, 2023, prepared by Schedio Group LLC, for the amount of \$887,584.55.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 12.

**Verified Public Improvement Costs Pursuant to Report No. 12:** The Board discussed the verified public improvement costs pursuant to Report No. 12.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 12.

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**LEGAL MATTERS**

None.

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**OTHER BUSINESS**

The Board discussed cancelling the March 27, 2023 regular meeting.

Following review and discussion, upon motion duly made by Director Moore, seconded by Director Witkiewicz, and upon vote, unanimously carried, the Board cancelled the March 27, 2023 regular meeting

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**ADJOURNMENT**

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 3 HELD MARCH 20, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 3 (referred to hereafter as the "Board") was convened on Monday, March 20, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Mark J. Witkiewicz  
Otis C. Moore, III  
Paige C. Langley

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the absences of Directors Andrew R. Klein and Megan Waldschmidt were excused.

#### Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

#### 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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

## RECORD OF PROCEEDINGS

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**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 Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District's boundaries.

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**CONSENT AGENDA** The Board considered the following actions:

- Review and consider approval of the February 27, 2023 regular meeting minutes.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the above Consent Agenda items/actions.

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**PUBLIC COMMENT** There were no public comments.

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**FINANCIAL MATTERS** **Financial Statements and Property Tax Schedule for 2022:** The Board reviewed the Financial Statements for the period ending December 31, 2022 and the Property Tax Schedule for 2022.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried the Board accepted the Financial Statements for the period ending December 31, 2022 and the Property Tax Schedule for 2022.

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**CAPITAL/ CONSTRUCTION** **Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12:** The Board discussed the Engineer's Report and

## RECORD OF PROCEEDINGS

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**MATTERS**

Verification of Costs Associated with Public Improvements Report No. 12

("Report No. 12"), dated March 14, 2023, prepared by Schedio Group LLC, for the amount of \$887,584.55.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 12.

**Verified Public Improvement Costs Pursuant to Report No. 12:** The Board discussed the verified public improvement costs pursuant to Report No. 12.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 12.

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**LEGAL MATTERS**

None.

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**OTHER BUSINESS**

The Board discussed cancelling the March 27, 2023 regular meeting.

Following review and discussion, upon motion duly made by Director Moore, seconded by Director Witkiewicz, and upon vote, unanimously carried, the Board cancelled the March 27, 2023 regular meeting

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**ADJOURNMENT**

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 4 HELD MARCH 20, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 4 (referred to hereafter as the "Board") was convened on Monday, March 20, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

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#### **ATTENDANCE**

#### **Directors In Attendance Were:**

Mark J. Witkiewicz  
Otis C. Moore, III  
Paige C. Langley

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the absences of Directors Andrew R. Klein and Megan Waldschmidt were excused.

#### **Also In Attendance Were:**

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

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#### **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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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## RECORD OF PROCEEDINGS

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**ADMINISTRATIVE MATTERS** **Agenda:** Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxing electors within the District's boundaries.

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**CONSENT AGENDA** The Board considered the following actions:

- Review and consider approval of the February 27, 2023 regular meeting minutes.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the above Consent Agenda items/actions.

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**PUBLIC COMMENT** There were no public comments.

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**FINANCIAL MATTERS** **Financial Statements and Property Tax Schedule for 2022:** The Board reviewed the Financial Statements for the period ending December 31, 2022 and the Property Tax Schedule for 2022.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried the Board accepted the Financial Statements for the period ending December 31, 2022 and the Property Tax Schedule for 2022.

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**CAPITAL/ CONSTRUCTION** **Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12:** The Board discussed the Engineer's Report and

## RECORD OF PROCEEDINGS

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### MATTERS

Verification of Costs Associated with Public Improvements Report No. 12

("Report No. 12"), dated March 14, 2023, prepared by Schedio Group LLC, for the amount of \$887,584.55.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 12.

**Verified Public Improvement Costs Pursuant to Report No. 12:** The Board discussed the verified public improvement costs pursuant to Report No. 12.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 12.

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### LEGAL MATTERS

**Operation Funding Agreement by and between Loretto Heights Metropolitan District No. 4 and THB Loretto Land LLC:** The Board deferred discussion at this time.

**Resolution Acknowledging and Adopting the Declaration of Covenants, Community Improvements, and Community Landscaping:** Attorney Hoistad reviewed with the Board the Resolution Acknowledging and Adopting the Declaration of Covenants, Community Improvements, and Community Landscaping.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore, and upon vote, unanimously carried, the Board adopted the Resolution Acknowledging and Adopting the Declaration of Covenants, Community Improvements, and Community Landscaping.

**Resolution Acknowledging and Adopting the Protective Covenants and Easements of Loretto Heights:** Attorney Hoistad reviewed with the Board the Resolution Acknowledging and Adopting the Protective Covenants and Easements of Loretto Heights.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore, and upon vote, unanimously carried, the Board adopted the Resolution Acknowledging and Adopting the Protective Covenants and Easements of Loretto Heights.

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## RECORD OF PROCEEDINGS

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**OTHER BUSINESS**    The Board discussed cancelling the March 27, 2023 regular meeting.

Following review and discussion, upon motion duly made by Director Moore, seconded by Director Witkiewicz, and upon vote, unanimously carried, the Board cancelled the March 27, 2023 regular meeting

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting



## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 5 HELD MARCH 20, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 5 (referred to hereafter as the "Board") was convened on Monday, March 20, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

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#### **ATTENDANCE**

#### **Directors In Attendance Were:**

Mark J. Witkiewicz  
Otis C. Moore, III  
Paige C. Langley

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the absences of Directors Andrew R. Klein and Megan Waldschmidt were excused.

#### **Also In Attendance Were:**

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

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#### **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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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## RECORD OF PROCEEDINGS

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**ADMINISTRATIVE MATTERS** **Agenda:** Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District's boundaries.

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**CONSENT AGENDA** The Board considered the following actions:

- Review and consider approval of the February 27, 2023 regular meeting minutes.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the above Consent Agenda items/actions.

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**PUBLIC COMMENT** There were no public comments.

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**FINANCIAL MATTERS** None.

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**CAPITAL/ CONSTRUCTION MATTERS** **Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12 ("Report No. 12"), dated March 14, 2023, prepared by Schedio Group LLC, for the amount of \$887,584.55.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 12.

## RECORD OF PROCEEDINGS

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**LEGAL MATTERS**

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None.

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**OTHER BUSINESS**

The Board discussed cancelling the March 27, 2023 regular meeting.

Following review and discussion, upon motion duly made by Director Moore, seconded by Director Witkiewicz, and upon vote, unanimously carried, the Board cancelled the March 27, 2023 regular meeting

\_\_\_\_\_

**ADJOURNMENT**

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS PROGRAMMING METROPOLITAN DISTRICT HELD MARCH 20, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Programming Metropolitan District No. (referred to hereafter as the "Board") was convened on Monday, March 20, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Mark J. Witkiewicz  
Otis C. Moore, III  
Paige C. Langley

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the absences of Directors Andrew R. Klein and Megan Waldschmidt were excused.

#### Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

#### 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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

## RECORD OF PROCEEDINGS

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**ADMINISTRATIVE MATTERS** **Agenda:** Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxing electors within the District's boundaries.

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**CONSENT AGENDA** The Board considered the following actions:

- Review and consider approval of the February 27, 2023 regular meeting minutes.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the above Consent Agenda items/actions.

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**PUBLIC COMMENT** There were no public comments.

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**FINANCIAL MATTERS** None.

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**CAPITAL/ CONSTRUCTION MATTERS** **Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 12 ("Report No. 12"), dated March 14, 2023, prepared by Schedio Group LLC, for the amount of \$887,584.55.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 12.

## RECORD OF PROCEEDINGS

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**LEGAL MATTERS**

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None.

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**OTHER BUSINESS**

The Board discussed cancelling the March 27, 2023 regular meeting.

Following review and discussion, upon motion duly made by Director Moore, seconded by Director Witkiewicz, and upon vote, unanimously carried, the Board cancelled the March 27, 2023 regular meeting

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**ADJOURNMENT**

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 1 HELD APRIL 12, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 1 (referred to hereafter as the "Board") was convened on Wednesday, April 12, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

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#### **ATTENDANCE**

#### **Directors In Attendance Were:**

Mark J. Witkiewicz  
Andrew R. Klein  
Paige Langley  
Megan Waldschmidt

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the absence of Director Otis C. Moore, III was excused.

#### **Also In Attendance Were:**

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

Ted Laudick; Silverbluff Companies, Inc.

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#### **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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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## RECORD OF PROCEEDINGS

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### **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 Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District's boundaries.

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**PUBLIC COMMENT** There were no public comments.

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### **CAPITAL/ CONSTRUCTION MATTERS**

**Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13 ("Report No. 13"), dated April 11, 2023, prepared by Schedio Group LLC, for the amount of \$339,779.56.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 13.

**Verified Public Improvement Costs Pursuant to Report No. 13:** The Board discussed the verified public improvement costs pursuant to Report No. 13.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 13.

**Reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC:** The Board discussed the reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding



## RECORD OF PROCEEDINGS

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and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 13.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and upon vote, unanimously carried, the Board acknowledged the reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding an Acquisition Agreement, pursuant to Report No. 13.

**Letter of Direction for reimbursement to be made to THB Loretto Land LLC:** The Board reviewed the Letter of Direction for reimbursement to be made to THB Loretto Land LLC.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board acknowledged and approved the Letter of Direction for reimbursement to be made to THB Loretto Land LLC.

**Special Construction Proposal with CenturyLink Inc.:** The Board reviewed the Special Construction Proposal with CenturyLink Inc.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved the Special Construction Proposal with CenturyLink Inc., subject to receipt of final costs, and noted that payment was being made under protest due to increased costs. Director Witkiewicz and Attorney Becher noted they would continue working towards a favorable resolution to the costs with CenturyLink Inc.

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### **LEGAL MATTERS**

**Amended and Restated Facilities Acquisition Agreement by and among Loretto Heights Metropolitan District No. 1, ACM Loretto VI LLC, and THB Loretto Land LLC:** The Board reviewed the Amended and Restated Facilities Acquisition Agreement by and among Loretto Heights Metropolitan District No. 1, ACM Loretto VI LLC, and THB Loretto Land LLC.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board ratified and approved the Amended and Restated Facilities Acquisition Agreement by and among Loretto Heights Metropolitan District No. 1, ACM Loretto VI LLC, and THB Loretto Land LLC.

## RECORD OF PROCEEDINGS

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**First Amendment to Facilities Funding and Acquisition Agreement by and between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC:** The Board reviewed the First Amendment to Facilities Funding and Acquisition Agreement by and between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved the First Amendment to Facilities Funding and Acquisition Agreement by and between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC.

**Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4:** The Board reviewed the Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved the Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4.

**Facilities Acquisition Agreement by and between Loretto Heights Metropolitan District No. 1 and MCMP 20 Loretto LLLP, effective March 16, 2023:** The Board reviewed the Facilities Acquisition Agreement by and between Loretto Heights Metropolitan District No. 1 and MCMP 20 Loretto LLLP, effective March 16, 2023 (differentiated from the below).

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board ratified approval of the Facilities Acquisition Agreement by and between Loretto Heights Metropolitan District No. 1 and MCMP 20 Loretto LLLP, effective March 16, 2023.

**Facilities Acquisition Agreement by and between Loretto Heights Metropolitan District No. 1 and MCMP 20 Loretto LLLP, effective March 16, 2023:** The Board reviewed the Facilities Acquisition Agreement by and between Loretto Heights Metropolitan District No. 1 and MCMP 20 Loretto LLLP, effective March 16, 2023 (differentiated from the above).

## RECORD OF PROCEEDINGS

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Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board ratified approval of the Facilities Acquisition Agreement by and between Loretto Heights Metropolitan District No. 1 and MCMP 20 Loretto LLLP, effective March 16, 2023.

**Assignment Agreement by and between MHMP 20 Loretto LLLP and ACM Loretto VI LLC, effective March 16, 2023:** The Board reviewed the Assignment Agreement by and between MHMP 20 Loretto LLLP and ACM Loretto VI LLC, effective March 16, 2023.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board acknowledged the Assignment Agreement by and between MHMP 20 Loretto LLLP and ACM Loretto VI LLC, effective March 16, 2023.

**Agreement and Assignment Regarding Metropolitan District Payment by and between MHMP 20 Loretto LLLP and ACM Loretto VI LLC, effective March 16, 2023:** The Board reviewed the Agreement and Assignment Regarding Metropolitan District Payment by and between MHMP 20 Loretto LLLP and ACM Loretto VI LLC, effective March 16, 2023.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board acknowledged the Agreement and Assignment Regarding Metropolitan District Payment by and between MHMP 20 Loretto LLLP and ACM Loretto VI LLC, effective March 16, 2023.

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### **OTHER BUSINESS**

There was no other business at this time.

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### **ADJOURNMENT**

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 2 HELD APRIL 12, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 2 (referred to hereafter as the "Board") was convened on Wednesday, April 12, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

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#### **ATTENDANCE**

##### **Directors In Attendance Were:**

Mark J. Witkiewicz  
Andrew R. Klein  
Paige Langley  
Megan Waldschmidt

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the absence of Director Otis C. Moore, III was excused.

##### **Also In Attendance Were:**

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

Ted Laudick; Silverbluff Companies, Inc.

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#### **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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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## RECORD OF PROCEEDINGS

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### 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 Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District's boundaries.

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**PUBLIC COMMENT** There were no public comments.

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### CAPITAL/ CONSTRUCTION MATTERS

**Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13 ("Report No. 13"), dated April 11, 2023, prepared by Schedio Group LLC, for the amount of \$339,779.56.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 13.

**Verified Public Improvement Costs Pursuant to Report No. 13:** The Board discussed the verified public improvement costs pursuant to Report No. 13.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 13.

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### LEGAL MATTERS

**Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto**

## RECORD OF PROCEEDINGS

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**Heights Metropolitan District Nos. 1, 2, 3, and 4:** The Board reviewed the Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved the Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4.

**OTHER BUSINESS**

There was no other business at this time.

**ADJOURNMENT**

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 3 HELD APRIL 12, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 3 (referred to hereafter as the "Board") was convened on Wednesday, April 12, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

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#### **ATTENDANCE**

##### **Directors In Attendance Were:**

Mark J. Witkiewicz  
Andrew R. Klein  
Paige Langley  
Megan Waldschmidt

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the absence of Director Otis C. Moore, III was excused.

##### **Also In Attendance Were:**

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

Ted Laudick; Silverbluff Companies, Inc.

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#### **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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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## RECORD OF PROCEEDINGS

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### **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 Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District's boundaries.

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**PUBLIC COMMENT** There were no public comments.

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### **CAPITAL/ CONSTRUCTION MATTERS**

**Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13 ("Report No. 13"), dated April 11, 2023, prepared by Schedio Group LLC, for the amount of \$339,779.56.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 13.

**Verified Public Improvement Costs Pursuant to Report No. 13:** The Board discussed the verified public improvement costs pursuant to Report No. 13.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 13.

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### **LEGAL MATTERS**

**Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto**



## RECORD OF PROCEEDINGS

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**Heights Metropolitan District Nos. 1, 2, 3, and 4:** The Board reviewed the Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved the Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4.

**OTHER BUSINESS**

There was no other business at this time.

**ADJOURNMENT**

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 4 HELD APRIL 12, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 4 (referred to hereafter as the "Board") was convened on Wednesday, April 12, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

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#### **ATTENDANCE**

#### **Directors In Attendance Were:**

Mark J. Witkiewicz  
Andrew R. Klein  
Paige Langley  
Megan Waldschmidt

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the absence of Director Otis C. Moore, III was excused.

#### **Also In Attendance Were:**

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

Ted Laudick; Silverbluff Companies, Inc.

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#### **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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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## RECORD OF PROCEEDINGS

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### **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 Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District's boundaries.

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**PUBLIC COMMENT** There were no public comments.

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### **CAPITAL/ CONSTRUCTION MATTERS**

**Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13 ("Report No. 13"), dated April 11, 2023, prepared by Schedio Group LLC, for the amount of \$339,779.56.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 13.

**Verified Public Improvement Costs Pursuant to Report No. 13:** The Board discussed the verified public improvement costs pursuant to Report No. 13.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board accepted the verified public improvement costs pursuant to Report No. 13.

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### **LEGAL MATTERS**

**Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto**

## RECORD OF PROCEEDINGS

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**Heights Metropolitan District Nos. 1, 2, 3, and 4:** The Board reviewed the Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved the Purchase and Sale Agreement by and among City and County of Denver, ACM Loretto VI LLC, Loretto Heights Community Authority, and Loretto Heights Metropolitan District Nos. 1, 2, 3, and 4.

**OTHER BUSINESS**

There was no other business at this time.

**ADJOURNMENT**

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 5 HELD APRIL 12, 2023

A Special Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 5 (referred to hereafter as the "Board") was convened on Wednesday, April 12, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Mark J. Witkiewicz  
Andrew R. Klein  
Paige Langley  
Megan Waldschmidt

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the absence of Director Otis C. Moore, III was excused.

#### Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

Ted Laudick; Silverbluff Companies, Inc.

#### 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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

## RECORD OF PROCEEDINGS

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**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 Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District's boundaries.

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**PUBLIC COMMENT** There were no public comments.

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**CAPITAL/ CONSTRUCTION MATTERS**

**Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13 ("Report No. 13"), dated April 11, 2023, prepared by Schedio Group LLC, for the amount of \$339,779.56.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 13.

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**LEGAL MATTERS** There were no legal matters at this time.

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**OTHER BUSINESS** There was no other business at this time.

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## RECORD OF PROCEEDINGS

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### ADJOURNMENT

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

## RECORD OF PROCEEDINGS

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**MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
LORETTO HEIGHTS PROGRAMMING METROPOLITAN DISTRICT  
HELD  
APRIL 12, 2023**

A Special Meeting of the Board of Directors of the Loretto Heights Programming Metropolitan District (referred to hereafter as the "Board") was convened on Wednesday, April 12, 2023, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

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### **ATTENDANCE**

#### **Directors In Attendance Were:**

Mark J. Witkiewicz  
Andrew R. Klein  
Paige Langley  
Megan Waldschmidt

Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the absence of Director Otis C. Moore, III was excused.

#### **Also In Attendance Were:**

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

Lindsay Ross; CliftonLarsonAllen LLP

Ted Laudick; Silverbluff Companies, Inc.

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### **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. It was noted that a quorum was present, and Attorney Hoistad requested members of the Board disclose any potential conflicts of interest regarding 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 the statute. Attorney Hoistad noted that Directors' Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

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## RECORD OF PROCEEDINGS

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**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 Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Agenda was approved, as presented.

**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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District's boundaries.

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**PUBLIC COMMENT** There were no public comments.

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**CAPITAL/ CONSTRUCTION MATTERS** **Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13:** The Board discussed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 13 ("Report No. 13"), dated April 11, 2023, prepared by Schedio Group LLC, for the amount of \$339,779.56.

Following review and discussion, upon motion duly made by Director Witkiewicz, seconded by Director Langley, and upon vote, unanimously carried, the Board approved Report No. 13.

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**LEGAL MATTERS** There were no legal matters at this time.

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**OTHER BUSINESS** There was no other business at this time.

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## RECORD OF PROCEEDINGS

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### ADJOURNMENT

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

Respectfully submitted,

By: \_\_\_\_\_  
Secretary for the Meeting

**Loretto Heights Metropolitan District No. 1**

Claims Paid March 21 - May 17, 2023

| <b>Process Date</b> | <b>Vendor</b>                             | <b>Invoice Number</b>     | <b>Payment Method</b> | <b>Amount</b>               |
|---------------------|---|---------------------------|-----------------------|-----------------------------|
| 4/4/2023            | CliftonLarsonAllen                        | 3563958                   | BILL EFT              | \$ 6,665.83                 |
| 4/4/2023            | Consolidated Divisions Inc                | 2008435                   | BILL Check            | 2,412.78                    |
| 4/4/2023            | Diversified Underground, Inc.             | 27054                     | BILL EFT              | 425.00                      |
| 4/4/2023            | McGeady Becher P.C.                       | Multiple                  | BILL Check            | 10,249.44                   |
| 4/4/2023            | Special District Association Of Colorado  | Multiple                  | BILL EFT              | 1,882.20                    |
| 4/4/2023            | Special District Management Services, Inc | Multiple                  | BILL EFT              | 6,454.60                    |
| 4/26/2023           | Consolidated Divisions Inc                | Multiple                  | BILL Check            | 486.64                      |
| 4/26/2023           | Hydro Systems                             | 23323                     | BILL Check            | 14,220.00                   |
| 4/26/2023           | Manager of Finance                        | 2021-ENCROACHMENT-0000063 | BILL Check            | 400.00                      |
| 4/26/2023           | McGeady Becher P.C.                       | 1416BDec22                | BILL Check            | 1,576.19                    |
| 4/26/2023           | Mile High Tree Care Inc.                  | 3770                      | Vendor Direct         | 240.00                      |
| 4/26/2023           | Schedio Group LLC                         | 200402-1804               | BILL EFT              | 8,148.00                    |
| 4/26/2023           | Silverbluff Companies, Inc                | 210518                    | BILL EFT              | 36,458.00                   |
| 4/26/2023           | Silverbluff Companies, Inc                | 210519                    | BILL EFT              | 36,458.00                   |
| 4/26/2023           | United Site Services                      | 114-13540758              | Vendor Direct         | 727.38                      |
| 4/26/2023           | Utility Notification Center of Colorad    | 223030809                 | BILL Check            | 54.18                       |
| 5/5/2023            | CliftonLarsonAllen                        | 3601043                   | BILL EFT              | 6,016.20                    |
| 5/5/2023            | DaVinci Sign Systems                      | P16124                    | BILL EFT              | 13,013.37                   |
| 5/5/2023            | KPS Electric, Inc                         | 533                       | BILL Check            | 732.00                      |
| 5/5/2023            | SMH West LLC                              | Pay App 20                | BILL EFT              | 1,795.50                    |
| 5/5/2023            | United Site Services                      | 114-13543016              | Vendor Direct         | 145.38                      |
| 5/9/2023            | Diversified Underground, Inc.             | Multiple                  | BILL EFT              | 2,460.00                    |
| 5/9/2023            | McGeady Becher P.C.                       | Multiple                  | BILL Check            | 18,369.89                   |
|                     |   |                           | Total Claims Paid     | <u><u>\$ 169,390.58</u></u> |

**LORETTO HEIGHTS METROPOLITAN DISTRICT No. 1**

**Schedule of Cash Position**

**March 31, 2023**

**Updated as of May 10, 2023**

|  | <u>General<br/>Fund</u>   | <u>Capital<br/>Project<br/>Fund</u> | <u>Total</u>               |
|--|---------------------------|-------------------------------------|----------------------------|
| <b>FirstBank - Checking</b>            |                           |                                     |                            |
| Balance as of 03/31/2023               | \$ 21,405.38              | \$ 54,243.15                        | \$ 75,648.53               |
| Subsequent activities:                 |                           |                                     |                            |
| 04/04/23 Bill.com - Requisition No. 63 | (7,615.88)                | (10,971.59)                         | (18,587.47)                |
| 04/04/23 Bill.com                      | (9,502.38)                | -                                   | (9,502.38)                 |
| 04/20/23 Requisition No. 66            | -                         | 87,282.92                           | 87,282.92                  |
| 04/26/23 Bill.com - Requisition No. 63 | (1,571.30)                | (37,403.71)                         | (38,975.01)                |
| 04/26/23 Bill.com - Requisition No. 66 | -                         | (59,793.38)                         | (59,793.38)                |
| 05/04/23 Bill.com - Req No. 66 (CP)    | -                         | (15,686.25)                         | (18,092.74)                |
| 05/04/23 Bill.com - Req No. 66 (GF)    | (2,406.49)                | (3,609.72)                          | (3,609.72)                 |
| 05/04/23 Transfer from CSAFE           | 15,000.00                 | -                                   | 15,000.00                  |
| <i>Anticipated activities:</i>         |                           |                                     |                            |
| Req.66 McGeady 1416 Feb23              | (9,746.32)                | (7,548.56)                          | (17,294.88)                |
| Req.66 McGeady 1458 Feb23              | (430.00)                  | (645.01)                            | (1,075.01)                 |
| Replace McGeady check                  | (472.50)                  | -                                   | (472.50)                   |
| Diversified Underground 2/2/23         | (360.00)                  | -                                   | (360.00)                   |
| Diversified Underground 3/20/23        | (1,260.00)                | -                                   | (1,260.00)                 |
| Diversified Underground 4/7/23         | (840.00)                  | -                                   | (840.00)                   |
| <i>Anticipated Balance</i>             | <u>2,200.51</u>           | <u>5,867.85</u>                     | <u>8,068.36</u>            |
| <br><b>CSafe</b>                       |                           |                                     |                            |
| Balance as of 03/31/2023               | 272,750.87                | -                                   | 272,750.87                 |
| Subsequent activities:                 |                           |                                     |                            |
| 04/10/23 Property Tax - March D3       | 42,214.45                 | -                                   | 42,214.45                  |
| 04/10/23 Property Tax - March D4       | 4,914.81                  | -                                   | 4,914.81                   |
| 05/04/23 Transfer to 1st Bank          | (15,000.00)               | -                                   | (15,000.00)                |
| <i>Anticipated activities:</i>         |                           |                                     |                            |
| Property Tax - error deposit           | (251,619.09)              | -                                   | (251,619.09)               |
| D3 Transfer to Authority - DS          | (43,050.40)               | -                                   | (43,050.40)                |
| D4 Transfer to Authority - DS          | (5,363.46)                | -                                   | (5,363.46)                 |
| <i>Anticipated Balance</i>             | <u>4,847.18</u>           | <u>-</u>                            | <u>4,847.18</u>            |
| <b>Anticipated Balances</b>            | <u><u>\$ 7,047.69</u></u> | <u><u>\$ 5,867.85</u></u>           | <u><u>\$ 12,915.54</u></u> |

# APPLICATION FOR EXEMPTION FROM AUDIT

## SHORT FORM

|                                   |  |
|-----------------------------------|--|
| <b>NAME OF GOVERNMENT ADDRESS</b> | Loretto Heights Metropolitan District No. 2<br>8390 E Crescent Parkway<br>Suite 300<br>Greenwood Village, CO 80111 |
| <b>CONTACT PERSON</b>             | Jason Carroll  |
| <b>PHONE</b>                      | 303-779-5710   |
| <b>EMAIL</b>                      | <a href="mailto:Jason.Carroll@claconnect.com">Jason.Carroll@claconnect.com</a>                                     |

For the Year Ended  
12/31/22  
or fiscal year ended:

### PART 1 - CERTIFICATION OF PREPARER

I certify that I am skilled in governmental accounting and that the information in the application is complete and accurate, to the best of my knowledge.

|                                  |   |
|----------------------------------|---|
| <b>NAME:</b>                     | Jason Carroll   |
| <b>TITLE</b>                     | Accountant for the District                                     |
| <b>FIRM NAME (if applicable)</b> | CliftonLarsonAllen LLP  |
| <b>ADDRESS</b>                   | 8390 E Crescent Parkway, Suite 300, Greenwood Village, CO 80111 |
| <b>PHONE</b>                     | 303-779-5710  |
| <b>DATE PREPARED</b>             | 2/27/2023   |

### PREPARER (SIGNATURE REQUIRED)

See attached Accountant's Compilation Report.

|  |  |  |
|--|--|--|
| Please indicate whether the following financial information is recorded using Governmental or Proprietary fund types | <b>GOVERNMENTAL</b><br><small>(MODIFIED ACCRUAL BASIS)</small> | <b>PROPRIETARY</b><br><small>(CASH OR BUDGETARY BASIS)</small> |
|  | <input checked="" type="checkbox"/>                            | <input type="checkbox"/>                                       |

## PART 2 - REVENUE

REVENUE: All revenues for all funds must be reflected in this section, including proceeds from the sale of the government's land, building, and equipment, and proceeds from debt or lease transactions. Financial information will not include fund equity information.

| Line# | Description  | Round to nearest Dollar | Please use this space to provide any necessary explanations |
|-------|--|-------------------------|---|
| 2-1   | Taxes: Property (report mills levied in Question 10-6)   | \$ 31,684               |   |
| 2-2   | Specific ownership                                       | \$ 166                  |   |
| 2-3   | Sales and use  |                         |   |
| 2-4   | Other (specify):   | \$ -                    |   |
| 2-5   | Licenses and permits                                     | \$ -                    |   |
| 2-6   | Intergovernmental: Grants                                | \$ -                    |   |
| 2-7   | Conservation Trust Funds (Lottery)                       | \$ -                    |   |
| 2-8   | Highway Users Tax Funds (HUTF)                           | \$ -                    |   |
| 2-9   | Other (specify):   | \$ -                    |   |
| 2-10  | Charges for services                                     | \$ -                    |   |
| 2-11  | Fines and forfeits                                       | \$ -                    |   |
| 2-12  | Special assessments                                      | \$ -                    |   |
| 2-13  | Investment income  | \$ 287                  |   |
| 2-14  | Charges for utility services                             | \$ -                    |   |
| 2-15  | Debt proceeds (should agree with line 4-4, column 2)     | \$ -                    |   |
| 2-16  | Lease proceeds   | \$ -                    |   |
| 2-17  | Developer Advances received (should agree with line 4-4) | \$ -                    |   |
| 2-18  | Proceeds from sale of capital assets                     | \$ -                    |   |
| 2-19  | Fire and police pension                                  | \$ -                    |   |
| 2-20  | Donations  | \$ -                    |   |
| 2-21  | Other (specify):   | \$ -                    |   |
| 2-22  |  | \$ -                    |   |
| 2-23  |  | \$ -                    |   |
| 2-24  | (add lines 2-1 through 2-23) <b>TOTAL REVENUE</b>        | \$ 32,137               |   |

## PART 3 - EXPENDITURES/EXPENSES

EXPENDITURES: All expenditures for all funds must be reflected in this section, including the purchase of capital assets and principal and interest payments on long-term debt. Financial information will not include fund equity information.

| Line# | Description   | Round to nearest Dollar | Please use this space to provide any necessary explanations |
|-------|---|-------------------------|---|
| 3-1   | Administrative  | \$ -                    |   |
| 3-2   | Salaries  | \$ -                    |   |
| 3-3   | Payroll taxes   | \$ -                    |   |
| 3-4   | Contract services   | \$ -                    |   |
| 3-5   | Employee benefits   | \$ -                    |   |
| 3-6   | Insurance   | \$ -                    |   |
| 3-7   | Accounting and legal fees   | \$ -                    |   |
| 3-8   | Repair and maintenance  | \$ -                    |   |
| 3-9   | Supplies  | \$ -                    |   |
| 3-10  | Utilities and telephone   | \$ -                    |   |
| 3-11  | Fire/Police   | \$ -                    |   |
| 3-12  | Streets and highways  | \$ -                    |   |
| 3-13  | Public health   | \$ -                    |   |
| 3-14  | Capital outlay  | \$ -                    |   |
| 3-15  | Utility operations  | \$ -                    |   |
| 3-16  | Culture and recreation  | \$ -                    |   |
| 3-17  | Debt service principal (should agree with Part 4)                       | \$ -                    |   |
| 3-18  | Debt service interest   | \$ -                    |   |
| 3-19  | Repayment of Developer Advance Principal (should agree with line 4-4)   | \$ -                    |   |
| 3-20  | Repayment of Developer Advance Interest                                 | \$ -                    |   |
| 3-21  | Contribution to pension plan (should agree to line 7-2)                 | \$ -                    |   |
| 3-22  | Contribution to Fire & Police Pension Assoc. (should agree to line 7-2) | \$ -                    |   |
| 3-23  | Other (specify): County Treasurer's Fees                                | \$ 320                  |   |
| 3-24  | Other (specify): Transfers to other Districts                           | \$ 31,817               |   |
| 3-25  |   | \$ -                    |   |
| 3-26  | (add lines 3-1 through 3-24) <b>TOTAL EXPENDITURES/EXPENSES</b>         | \$ 32,137               |   |

If TOTAL REVENUE (Line 2-24) or TOTAL EXPENDITURES (Line 3-26) are GREATER than \$100,000 - **STOP**. You may not use this form. Please use the "Application for Exemption from Audit - LONG FORM".

## PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

Please answer the following questions by marking the appropriate boxes.

Yes                      No

|     |  |                          |                                     |                            |
|-----|--|--------------------------|-------------------------------------|----------------------------|
| 4-1 | Does the entity have outstanding debt?<br>If Yes, please attach a copy of the entity's Debt Repayment Schedule.  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                            |
| 4-2 | Is the debt repayment schedule attached? If no, MUST explain:<br><div style="border: 1px solid black; padding: 2px; min-height: 20px;">N/A - The District has no debt</div>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                            |
| 4-3 | Is the entity current in its debt service payments? If no, MUST explain:<br><div style="border: 1px solid black; padding: 2px; min-height: 20px;">N/A - The District has no debt</div> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                            |
| 4-4 | Please complete the following debt schedule, if applicable:<br>(please only include principal amounts)(enter all amount as positive numbers)   |                          |                                     |                            |
|     | Outstanding at<br>end of prior year*   | Issued during<br>year    | Retired during<br>year              | Outstanding at<br>year-end |
|     | General obligation bonds   | \$ -                     | \$ -                                | \$ -                       |
|     | Revenue bonds  | \$ -                     | \$ -                                | \$ -                       |
|     | Notes/Loans  | \$ -                     | \$ -                                | \$ -                       |
|     | Lease Liabilities  | \$ -                     | \$ -                                | \$ -                       |
|     | Developer Advances   | \$ -                     | \$ -                                | \$ -                       |
|     | Other (specify):   | \$ -                     | \$ -                                | \$ -                       |
|     | <b>TOTAL</b>   | <b>\$ -</b>              | <b>\$ -</b>                         | <b>\$ -</b>                |

\*must tie 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?                             | <input checked="" type="checkbox"/>  | <input type="checkbox"/>            |  |
| If yes: | How much?  | <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$ 1,259,700,000.00</div> |                                     |  |
|         | Date the debt was authorized:  | <div style="border: 1px solid black; padding: 2px; display: inline-block;">11/5/2019</div>           |                                     |  |
| 4-6     | Does the entity intend to issue debt within the next calendar year?                  | <input type="checkbox"/>   | <input checked="" type="checkbox"/> |  |
| If yes: | How much?  | <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$ -</div>                |                                     |  |
| 4-7     | Does the entity have debt that has been refinanced that it is still responsible for? | <input type="checkbox"/>   | <input checked="" type="checkbox"/> |  |
| If yes: | What is the amount outstanding?  | <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$ -</div>                |                                     |  |
| 4-8     | Does the entity have any lease agreements?   | <input type="checkbox"/>   | <input checked="" type="checkbox"/> |  |
| 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?  | <input type="checkbox"/>   | <input type="checkbox"/>            |  |
|         | What are the annual lease payments?  | <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$ -</div>                |                                     |  |

Please use this space to provide any explanations or comments:

## PART 5 - CASH AND INVESTMENTS

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

Amount                      Total

|     |   |      |      |
|-----|---|------|------|
| 5-1 | YEAR-END Total of ALL Checking and Savings Accounts                               | \$ - |      |
| 5-2 | Certificates of deposit   | \$ - |      |
|     | <b>Total Cash Deposits</b>  |      | \$ - |
|     | Investments (if investment is a mutual fund, please list underlying investments): |      |      |
|     |   | \$ - |      |
|     |   | \$ - |      |
| 5-3 |   | \$ - |      |
|     |   | \$ - |      |
|     | <b>Total Investments</b>  |      | \$ - |
|     | <b>Total Cash and Investments</b>   |      | \$ - |

Please answer the following questions by marking in the appropriate boxes

Yes                      No                      N/A

|     |   |                          |                          |                                     |
|-----|---|--------------------------|--------------------------|-------------------------------------|
| 5-4 | Are the entity's Investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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.)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If no, MUST use this space to provide any explanations:

## PART 6 - CAPITAL AND RIGHT-TO-USE ASSETS

Please answer the following questions by marking in the appropriate boxes.

Yes                      No

- 6-1 Does the entity have capital 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

N/A The District has no capital assets.

| Complete the following capital & right-to-use assets table:                            | Balance - beginning of the year* | Additions (Must be included in Part 3) | Deletions   | Year-End Balance |
|--|----------------------------------|--|-------------|------------------|
| Land   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Buildings  | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Machinery and equipment  | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Furniture and fixtures   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Infrastructure   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Construction In Progress (CIP)   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Leased Right-to-Use Assets   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Other (explain):   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Accumulated Depreciation/Amortization<br>(Please enter a negative, or credit, balance) | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| <b>TOTAL</b>   | <b>\$ -</b>                      | <b>\$ -</b>                            | <b>\$ -</b> | <b>\$ -</b>      |

Please use this space to provide any explanations or comments:

## PART 7 - PENSION INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes                      No

- 7-1 Does the entity have an "old hire" firefighters' pension plan?  Yes       No
- 7-2 Does the entity have a volunteer firefighters' pension plan?  Yes       No

If yes: Who administers the plan?

Indicate the contributions from:

|                                  |             |
|----------------------------------|-------------|
| Tax (property, SO, sales, etc.): | \$ -        |
| State contribution amount:       | \$ -        |
| Other (gifts, donations, etc.):  | \$ -        |
| <b>TOTAL</b>                     | <b>\$ -</b> |

What is the monthly benefit paid for 20 years of service per retiree as of Jan 1? \$ -

Please use this space to provide any explanations or comments:

## PART 8 - BUDGET INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes                      No                      N/A

- 8-1 Did the entity file a budget with the Department of Local Affairs for the current year in accordance with Section 29-1-113 C.R.S.?  Yes       No       N/A

- 8-2 Did the entity pass an appropriations resolution, in accordance with Section 29-1-108 C.R.S.? If no, MUST explain:  Yes       No       N/A

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

| Governmental/Proprietary Fund Name | Total Appropriations By Fund |
|------------------------------------|------------------------------|
| General Fund                       | \$ 7,700                     |
| Debt Service Fund                  | \$ 25,800                    |
|                                    |                              |
|                                    |                              |



## PART 9 - TAXPAYER'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)]?



Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.

If no, MUST explain:

## PART 10 - GENERAL INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes

No

**10-1** Is this application for a newly formed governmental entity?



If yes: Date of formation:

**10-2** Has the entity changed its name in the past or current year?



If yes: Please list the NEW name & PRIOR name:

**10-3** Is the entity a metropolitan district?



Please indicate what services the entity provides:

**10-4** 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:

**10-5** Has the district filed a *Title 32, Article 1 Special District Notice of Inactive Status* during the



If yes: Date Filed:

**10-6** Does the entity have a certified Mill Levy?



If yes:

Please provide the following mills levied for the year reported (do not report \$ amounts):

|                       |               |
|-----------------------|---------------|
| Bond Redemption mills | 50.000        |
| General/Other mills   | 15.000        |
| <b>Total mills</b>    | <b>65.000</b> |

Please use this space to provide any explanations or comments:

10-3 Public improvements for streets, paks and recreation, water, sanitary/storm sewer, transportation, mosquito control, safety protection, fire protection, television and relay translation, security, and opearation and maintenance.

10-4 Loretto Heights Metro Districts No. 1 through 5 and Loretto Heights Programming District work together to provide services to the Loretto Heights Community.

## PART 11 - 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

#### 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.

| Print the names of ALL members of current governing body below. |  | A <u>MAJORITY</u> of the members of the governing body must complete and sign in the column below.   |
|---|--|--|
| Board Member 1  | Print Board Member's Name<br>Mark Witkiewicz   | I, <u>Mark Witkiewicz</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2025   |
| Board Member 2  | Print Board Member's Name<br>Paige Langley     | I, <u>Paige Langley</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2023     |
| Board Member 3  | Print Board Member's Name<br>Andrew Klein      | I, <u>Andrew Klein</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2025      |
| Board Member 4  | Print Board Member's Name<br>Otis Moore        | I, <u>Otis Moore</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2023        |
| Board Member 5  | Print Board Member's Name<br>Megan Waldschmidt | I, <u>Megan Waldschmidt</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2023 |
| Board Member 6  | Print Board Member's Name                      | I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: _____                         |
| Board Member 7  | Print Board Member's Name                      | I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: _____                         |



CliftonLarsonAllen LLP  
8390 East Crescent Pkwy., Suite 300  
Greenwood Village, CO 80111

phone 303-779-5710 fax 303-779-0348  
CLAconnect.com

## Accountant's Compilation Report

Board of Directors  
Loretto Heights Metropolitan District No. 2  
City and County of Denver, Colorado

Management is responsible for the accompanying Application for Exemption from Audit of Loretto Heights Metropolitan District No. 2 as of and for the year ended December 31, 2022, included in the accompanying prescribed form. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not audit or review the financial statements included in the accompanying prescribed form nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the financial statements included in the accompanying prescribed form.

The Application for Exemption from Audit is presented in accordance with the requirements of the Colorado Office of the State Auditor, which differ from accounting principles generally accepted in the United States of America.

This report is intended solely for the information and use of the Colorado Office of the State Auditor and is not intended to be and should not be used by anyone other than this specified party.

We are not independent with respect to Loretto Heights Metropolitan District No. 2.

A handwritten signature in black ink that reads "CliftonLarsonAllen LLP". The signature is written in a cursive, flowing style.

Greenwood Village, Colorado  
February 21, 2023

# APPLICATION FOR EXEMPTION FROM AUDIT

## LONG FORM

|                    |   |
|--------------------|---|
| NAME OF GOVERNMENT | Loretto Heights Metropolitan District No. 3                         |
| ADDRESS            | 8390 E Crescent Parkway<br>Suite 300<br>Greenwood Village, CO 80111 |
| CONTACT PERSON     | Jason Carroll   |
| PHONE              | 303-779-5710  |
| EMAIL              | Jason.Carroll@claconnect.com  |

For the Year Ended  
12/31/2022  
or fiscal year ended:

## 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:                     | Jason Carroll   |
| TITLE                     | Accountant for the District                                     |
| FIRM NAME (if applicable) | CliftonLarsonAllen LLP  |
| ADDRESS                   | 8390 E Crescent Parkway, Suite 300, Greenwood Village, CO 80111 |
| PHONE                     | 303-779-5710  |
| DATE PREPARED             | 2/27/2023   |
| RELATIONSHIP TO ENTITY    | CPA Firm providing accounting services to the District          |

### PREPARER (SIGNATURE REQUIRED)

See attached Accountant's Compilation Report.

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 checked="" type="checkbox"/> | <input 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*       |
| <b>Assets</b>                          |   |                    |                  | <b>Assets</b>   |                             |             |
| 1-1                                    | Cash & Cash Equivalents   | \$ -               | \$ -             | Cash & Cash Equivalents   | \$ -                        | \$ -        |
| 1-2                                    | Investments   | \$ -               | \$ -             | Investments   | \$ -                        | \$ -        |
| 1-3                                    | Receivables   | \$ -               | \$ -             | Receivables   | \$ -                        | \$ -        |
| 1-4                                    | Due from Other Entities or Funds  | \$ -               | \$ -             | Due from Other Entities or Funds  | \$ -                        | \$ -        |
| 1-5                                    | Property Tax Receivable   | \$ 234,576         | \$ 81,920        | Other Current Assets [specify...]   | \$ -                        | \$ -        |
|  | All Other Assets [specify...]   |                    |                  |   | \$ -                        | \$ -        |
| 1-6                                    | Lease Receivable (as Lessor)  | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-7                                    | Receivable from County Treasurer's  | \$ 109             | \$ 363           | <b>Total Current Assets</b>   | \$ -                        | \$ -        |
| 1-8                                    |   | \$ -               | \$ -             | Capital & Right to Use Assets, net (from Part 6-4)  | \$ -                        | \$ -        |
| 1-9                                    |   | \$ -               | \$ -             | Other Long Term Assets [specify...]   | \$ -                        | \$ -        |
| 1-10                                   |   | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-11                                   | <b>(add lines 1-1 through 1-10) TOTAL ASSETS</b>  | <b>\$ 234,685</b>  | <b>\$ 82,283</b> | <b>(add lines 1-1 through 1-10) TOTAL ASSETS</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| <b>Deferred Outflows of Resources:</b> |   |                    |                  | <b>Deferred Outflows of Resources</b>   |                             |             |
| 1-12                                   | [specify...]  | \$ -               | \$ -             | [specify...]  | \$ -                        | \$ -        |
| 1-13                                   | [specify...]  | \$ -               | \$ -             | [specify...]  | \$ -                        | \$ -        |
| 1-14                                   | <b>(add lines 1-12 through 1-13) TOTAL DEFERRED OUTFLOWS</b>  | <b>\$ -</b>        | <b>\$ -</b>      | <b>(add lines 1-12 through 1-13) TOTAL DEFERRED OUTFLOWS</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| 1-15                                   | <b>TOTAL ASSETS AND DEFERRED OUTFLOWS</b>   | <b>\$ 234,685</b>  | <b>\$ 82,283</b> | <b>TOTAL ASSETS AND DEFERRED OUTFLOWS</b>   | <b>\$ -</b>                 | <b>\$ -</b> |
| <b>Liabilities</b>                     |   |                    |                  | <b>Liabilities</b>  |                             |             |
| 1-16                                   | Accounts Payable  | \$ -               | \$ -             | Accounts Payable  | \$ -                        | \$ -        |
| 1-17                                   | Accrued Payroll and Related Liabilities   | \$ -               | \$ -             | Accrued Payroll and Related Liabilities   | \$ -                        | \$ -        |
| 1-18                                   | Unearned Property Tax Revenue   | \$ -               | \$ -             | Accrued Interest Payable  | \$ -                        | \$ -        |
| 1-19                                   | Due to Other Entities or Funds  | \$ 109             | \$ 363           | Due to Other Entities or Funds  | \$ -                        | \$ -        |
| 1-20                                   | All Other Current Liabilities   | \$ -               | \$ -             | All Other Current Liabilities   | \$ -                        | \$ -        |
| 1-21                                   | <b>(add lines 1-16 through 1-20) TOTAL CURRENT LIABILITIES</b>  | <b>\$ 109</b>      | <b>\$ 363</b>    | <b>(add lines 1-16 through 1-20) TOTAL CURRENT LIABILITIES</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| 1-22                                   | All Other Liabilities [specify...]  | \$ -               | \$ -             | Proprietary Debt Outstanding (from Part 4-4)  | \$ -                        | \$ -        |
| 1-23                                   |   | \$ -               | \$ -             | Other Liabilities [specify...]:   | \$ -                        | \$ -        |
| 1-24                                   |   | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-25                                   |   | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-26                                   |   | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-27                                   | <b>(add lines 1-21 through 1-26) TOTAL LIABILITIES</b>  | <b>\$ 109</b>      | <b>\$ 363</b>    | <b>(add lines 1-21 through 1-26) TOTAL LIABILITIES</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| <b>Deferred Inflows of Resources:</b>  |   |                    |                  | <b>Deferred Inflows of Resources</b>  |                             |             |
| 1-28                                   | Deferred Property Taxes   | \$ 234,576         | \$ 81,920        | Pension/OPEB Related  | \$ -                        | \$ -        |
| 1-29                                   | Lease related (as lessor)   | \$ -               | \$ -             | Other [specify...]  | \$ -                        | \$ -        |
| 1-30                                   | <b>(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS</b>   | <b>\$ 234,576</b>  | <b>\$ 81,920</b> | <b>(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS</b>   | <b>\$ -</b>                 | <b>\$ -</b> |
| <b>Fund Balance</b>                    |   |                    |                  | <b>Net Position</b>   |                             |             |
| 1-31                                   | Nonspendable Prepaid  | \$ -               | \$ -             | Net Investment in Capital Assets  | \$ -                        | \$ -        |
| 1-32                                   | Nonspendable Inventory  | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-33                                   | Restricted [specify...]   | \$ -               | \$ -             | Emergency Reserves  | \$ -                        | \$ -        |
| 1-34                                   | Committed [specify...]  | \$ -               | \$ -             | Other Designations/Reserves   | \$ -                        | \$ -        |
| 1-35                                   | Assigned [specify...]   | \$ -               | \$ -             | Restricted  | \$ -                        | \$ -        |
| 1-36                                   | Unassigned:   | \$ -               | \$ -             | Undesignated/Unreserved/Unrestricted  | \$ -                        | \$ -        |
| 1-37                                   | <b>Add lines 1-31 through 1-36<br/>This total should be the same as line 3-33<br/>TOTAL FUND BALANCE</b>  | <b>\$ -</b>        | <b>\$ -</b>      | <b>Add lines 1-31 through 1-36<br/>This total should be the same as line 3-33<br/>TOTAL NET POSITION</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| 1-38                                   | <b>Add lines 1-27, 1-30 and 1-37<br/>This total should be the same as line 1-15<br/>TOTAL LIABILITIES, DEFERRED INFLOWS, AND FUND<br/>BALANCE</b> | <b>\$ 234,685</b>  | <b>\$ 82,283</b> | <b>Add lines 1-27, 1-30 and 1-37<br/>This total should be the same as line 1-15<br/>TOTAL LIABILITIES, DEFERRED INFLOWS, AND NET<br/>POSITION</b> | <b>\$ -</b>                 | <b>\$ -</b> |

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*             |  |
| <b>Tax Revenue</b>             |   |                    |                   | <b>Tax Revenue</b>  |                             |                   |  |
| 2-1                            | Property [include mills levied in Question 10-6]                              | \$ 32,036          | \$ 106,786        | Property [include mills levied in Question 10-6]                              | \$ -                        | \$ -              | Please use this space to provide explanation of any items on this page |
| 2-2                            | Specific Ownership  | \$ 1,730           | \$ 5,764          | 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                            | <b>Add lines 2-1 through 2-7<br/>TOTAL TAX REVENUE</b>                        | <b>\$ 33,766</b>   | <b>\$ 112,550</b> | <b>Add lines 2-1 through 2-7<br/>TOTAL TAX REVENUE</b>                        | <b>\$ -</b>                 | <b>\$ -</b>       |  |
| 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  | \$ -               | \$ -              | 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                           | <b>Add lines 2-8 through 2-23<br/>TOTAL REVENUES</b>                          | <b>\$ 33,766</b>   | <b>\$ 112,550</b> | <b>Add lines 2-8 through 2-23<br/>TOTAL REVENUES</b>                          | <b>\$ -</b>                 | <b>\$ -</b>       |  |
| <b>Other Financing Sources</b> |   |                    |                   | <b>Other Financing Sources</b>  |                             |                   |  |
| 2-25                           | Debt Proceeds   | \$ -               | \$ -              | Debt Proceeds   | \$ -                        | \$ -              |  |
| 2-26                           | Lease Proceeds  | \$ -               | \$ -              | Lease Proceeds  | \$ -                        | \$ -              |  |
| 2-27                           | Developer Advances  | \$ -               | \$ -              | Developer Advances  | \$ -                        | \$ -              |  |
| 2-28                           | Other [specify...]:   | \$ -               | \$ -              | Other [specify...]:   | \$ -                        | \$ -              |  |
| 2-29                           | <b>Add lines 2-25 through 2-28<br/>TOTAL OTHER FINANCING SOURCES</b>          | <b>\$ -</b>        | <b>\$ -</b>       | <b>Add lines 2-25 through 2-28<br/>TOTAL OTHER FINANCING SOURCES</b>          | <b>\$ -</b>                 | <b>\$ -</b>       |  |
| 2-30                           | <b>Add lines 2-24 and 2-29<br/>TOTAL REVENUES AND OTHER FINANCING SOURCES</b> | <b>\$ 33,766</b>   | <b>\$ 112,550</b> | <b>Add lines 2-24 and 2-29<br/>TOTAL REVENUES AND OTHER FINANCING SOURCES</b> | <b>\$ -</b>                 | <b>\$ -</b>       |  |
|                                |   |                    |                   |   |                             | <b>\$ 146,316</b> | <b>GRAND TOTALS</b>  |

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) 869-3000 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* |  |
|        | <b>Expenditures</b>  |                    |              | <b>Expenses</b>   |                             |       |  |
| 3-1    | General Government   | \$ -               | \$ -         | 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   | \$ 33,766          | \$ 112,550   | 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 (should match amount in 4-4)   | \$ -               | \$ -         | Principal (should match amount in 4-4)  | \$ -                        | \$ -  |  |
| 3-16   | Interest   | \$ -               | \$ -         | 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   | <b>Add lines 3-1 through 3-21</b>  | \$ 33,766          | \$ 112,550   | <b>Add lines 3-1 through 3-21</b>   | \$ -                        | \$ -  | <b>GRAND TOTAL</b>   |
|        | <b>TOTAL EXPENDITURES</b>  |                    |              | <b>TOTAL EXPENSES</b>   |                             |       | <b>\$ 146,316</b>  |
| 3-23   | Interfund Transfers (In)   | \$ -               | \$ -         | Net Interfund Transfers (In) Out  | \$ -                        | \$ -  |  |
| 3-24   | Interfund Transfers Out  | \$ -               | \$ -         | Other [specify...][enter negative for expense]  | \$ -                        | \$ -  |  |
| 3-25   | Other Expenditures (Revenues):   | \$ -               | \$ -         | Depreciation/Amortization   | \$ -                        | \$ -  |  |
| 3-26   |  | \$ -               | \$ -         | Other Financing Sources (Uses) (from line 2-28)   | \$ -                        | \$ -  |  |
| 3-27   |  | \$ -               | \$ -         | Capital Outlay (from line 3-14)   | \$ -                        | \$ -  |  |
| 3-28   |  | \$ -               | \$ -         | Debt Principal (from line 3-15, 3-18)   | \$ -                        | \$ -  |  |
| 3-29   | <b>(Add lines 3-23 through 3-28)</b>   |                    |              | <b>(Line 3-27, plus line 3-28, less line 3-26, less line 3-25, plus line 3-24) TOTAL GAAP RECONCILING ITEMS</b> | \$ -                        | \$ -  |  |
|        | <b>TOTAL TRANSFERS AND OTHER EXPENDITURES</b>  | \$ -               | \$ -         |   | \$ -                        | \$ -  |  |
| 3-30   | Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures<br>Line 2-29, less line 3-22, less line 3-29 | \$ -               | \$ -         | Net Increase (Decrease) in Net Position<br>Line 2-29, less line 3-22, plus line 3-29, less line 3-23            | \$ -                        | \$ -  |  |
| 3-31   | Fund Balance, January 1 from December 31 prior year report   | \$ -               | \$ -         | Net Position, January 1 from December 31 prior year report  | \$ -                        | \$ -  |  |
| 3-32   | Prior Period Adjustment (MUST explain)   | \$ -               | \$ -         | Prior Period Adjustment (MUST explain)  | \$ -                        | \$ -  |  |
| 3-33   | Fund Balance, December 31  |                    |              | Net Position, December 31   |                             |       |  |
|        | Sum of Lines 3-30, 3-31, and 3-32  |                    |              | Sum of Lines 3-30, 3-31, and 3-32   |                             |       |  |
|        | This total should be the same as line 1-37.  | \$ -               | \$ -         | This total should be the same as line 1-37.   | \$ -                        | \$ -  |  |

**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?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                         |
| 4-2 | Is the debt repayment schedule attached? If no, MUST explain:<br><span style="border: 1px solid black; padding: 2px;">N/A - The District has no debt</span>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                         |
| 4-3 | Is the entity current in its debt service payments? If no, MUST explain:<br><span style="border: 1px solid black; padding: 2px;">N/A - The District has no debt</span> | <input type="checkbox"/> | <input type="checkbox"/>            |                         |
| 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   | \$ -                     | \$ -                                | \$ -                    |
|     | Revenue bonds  | \$ -                     | \$ -                                | \$ -                    |
|     | Notes/Loans  | \$ -                     | \$ -                                | \$ -                    |
|     | Lease Liabilities  | \$ -                     | \$ -                                | \$ -                    |
|     | Developer Advances   | \$ -                     | \$ -                                | \$ -                    |
|     | Other (specify):   | \$ -                     | \$ -                                | \$ -                    |
|     | <b>TOTAL</b>   | <b>\$ -</b>              | <b>\$ -</b>                         | <b>\$ -</b>             |

\*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 [Section 29-1-605(2) C.R.S.]? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |      |
| If yes: | How much?<br>Date the debt was authorized:  | <input type="checkbox"/>            | <input type="checkbox"/>            |      |
|         | \$ 1,259,700,000<br>11/5/2019   |                                     |                                     |      |
| 4-6     | Does the entity intend to issue debt within the next calendar year?                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |      |
| If yes: | How much?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |      |
|         | \$ -  |                                     |                                     |      |
| 4-7     | Does the entity have debt that has been refinanced that it is still responsible for?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |      |
| If yes: | What is the amount outstanding?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |      |
|         | \$ -  |                                     |                                     |      |
| 4-8     | Does the entity have any lease agreements?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |      |
| 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?   | <input type="checkbox"/>            | <input type="checkbox"/>            |      |
|         | What are the annual lease payments?   | <input type="checkbox"/>            | <input type="checkbox"/>            | \$ - |

## 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                               | \$ -        |  |  |
| 5-2 | Certificates of deposit   | \$ -        |  |  |
|     | <b>TOTAL CASH DEPOSITS</b>  | <b>\$ -</b> |  |  |
|     | Investments (if investment is a mutual fund, please list underlying investments): |             |  |  |
| 5-3 |   | \$ -        |  |  |
|     |   | \$ -        |  |  |
|     |   | \$ -        |  |  |
|     |   | \$ -        |  |  |
|     | <b>TOTAL INVESTMENTS</b>  | <b>\$ -</b> |  |  |
|     | <b>TOTAL CASH AND INVESTMENTS</b>   | <b>\$ -</b> |  |  |

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.?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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:<br><span style="border: 1px solid black; padding: 2px;">N/A - The District has no investments.</span> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

## PART 6 - CAPITAL AND RIGHT-TO-USE 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

N/A The District has no capital assets.

| 6-3 Complete the following Capital & Right-To-Use Assets table for GOVERNMENTAL FUNDS:     | Balance - beginning of the year <sup>1</sup> | Additions <sup>2</sup> | Deletions   | Year-End Balance |
|--|--|------------------------|-------------|------------------|
| Land   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Buildings  | \$ -   | \$ -                   | \$ -        | \$ -             |
| Machinery and equipment  | \$ -   | \$ -                   | \$ -        | \$ -             |
| Furniture and fixtures   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Infrastructure   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Construction In Progress (CIP)   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Leased Right-to-Use Assets   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Intangible Assets  | \$ -   | \$ -                   | \$ -        | \$ -             |
| Other (explain):   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Accumulated Amortization Right to Use Leased Assets (Enter a negative, or credit, balance) | \$ -   | \$ -                   | \$ -        | \$ -             |
| Accumulated Depreciation (Enter a negative, or credit, balance)                            | \$ -   | \$ -                   | \$ -        | \$ -             |
| <b>TOTAL</b>   | <b>\$ -</b>                                  | <b>\$ -</b>            | <b>\$ -</b> | <b>\$ -</b>      |

| 6-4 Complete the following Capital & Right-To-Use 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)   | \$ -                             | \$ -        | \$ -        | \$ -             |
| Leased Right-to-Use Assets   | \$ -                             | \$ -        | \$ -        | \$ -             |
| Intangible Assets  | \$ -                             | \$ -        | \$ -        | \$ -             |
| Other (explain):   | \$ -                             | \$ -        | \$ -        | \$ -             |
| Accumulated Amortization Right to Use Leased Assets (Enter a negative, or credit, balance) | \$ -                             | \$ -        | \$ -        | \$ -             |
| Accumulated Depreciation (Enter a negative, or credit, balance)                            | \$ -                             | \$ -        | \$ -        | \$ -             |
| <b>TOTAL</b>   | <b>\$ -</b>                      | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b>      |

\* Must agree to prior year-end balance  
 - Generally capital asset additions should be reported at capital outlay on line 3-14 and capitalized in accordance with the government's capitalization policy. Please explain any discrepancy

## PART 7 - PENSION INFORMATION

\* YES NO Please use this space to provide any explanations or comments:

- 7-1 Does the entity have an "old hire" firefighters' pension plan?  YES  NO
- 7-2 Does the entity have a volunteer firefighters' pension plan?  YES  NO
- If yes: Who administers the plan?  YES  NO

Indicate the contributions from:

|                                  |           |          |
|----------------------------------|-----------|----------|
| Tax (property, SO, sales, etc.): | \$        | -        |
| State contribution amount:       | \$        | -        |
| Other (gifts, donations, etc.):  | \$        | -        |
| <b>TOTAL</b>                     | <b>\$</b> | <b>-</b> |

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               | Please use this space to provide any explanations or comments: |  |      |  |      |  |  |  |  |  |  |
|--|--|-------------------------------------|------------------------------|--------------------------|-----------|-------------------|--|--|------|--|------|--|--|--|--|--|--|
| 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"/> |           |                   |  |  |      |  |      |  |  |  |  |  |  |
| 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 appropriated for each fund separately for the year reported   |  |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #cccccc;"> <th style="text-align: left; padding: 5px;">Governmental/Proprietary Fund Name</th> <th style="text-align: right; padding: 5px;">Total Appropriations By Fund</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">General Fund</td> <td style="text-align: right; padding: 5px;">\$ 33,800</td> </tr> <tr> <td style="padding: 5px;">Debt Service Fund</td> <td style="text-align: right; padding: 5px;">\$ 112,700</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="text-align: right; padding: 5px;">\$ -</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="text-align: right; padding: 5px;">\$ -</td> </tr> </tbody> </table> |  | Governmental/Proprietary Fund Name  | Total Appropriations By Fund | General Fund             | \$ 33,800 | Debt Service Fund | \$ 112,700   |  | \$ - |  | \$ - |  |  |  |  |  |  |
| Governmental/Proprietary Fund Name   | Total Appropriations By Fund   |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
| General Fund   | \$ 33,800  |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
| Debt Service Fund  | \$ 112,700   |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
|  | \$ -   |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
|  | \$ -   |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |

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

| Please answer the following question by marking in the appropriate box  |  |                                     |                          | YES | NO | Please use this space to provide any explanations or comments: |
|---|--|-------------------------------------|--------------------------|-----|----|--|
| 9-1   | Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |     |    |  |
| Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR. |  |                                     |                          |     |    |  |

## PART 10 - GENERAL INFORMATION

| Please answer the following question by marking in the appropriate box                                    |  |   |                                     | YES   | NO | Please use this space to provide any explanations or comments: |                     |        |                    |
|---|--|---|-------------------------------------|---|----|--|---------------------|--------|--------------------|
| 10-1  | Is this application for a newly formed governmental entity?  | <input type="checkbox"/>  | <input checked="" type="checkbox"/> | 10-3 Public improvements for streets, paks and recreation, water, sanitary/storm sewer, transportation, mosquito control, safety protection, fire protection, television and relay translation, security, and opearation and maintenance. 10-4 Loretto Heights Metro Districts No. 1 through 5 and Loretto Heights Programming District work together to provide services to the Loretto Heights Community. |    |  |                     |        |                    |
| If yes: Date of formation: <input style="width: 150px; height: 30px;" type="text"/>                       |  |   |                                     |   |    |  |                     |        |                    |
| 10-2  | Has the entity changed its name in the past or current year?   | <input type="checkbox"/>  | <input checked="" type="checkbox"/> |   |    |  |                     |        |                    |
| If Yes: NEW name <input style="width: 400px; height: 20px;" type="text"/>                                 | PRIOR name <input style="width: 400px; height: 20px;" type="text"/>  |   |                                     |   |    |  |                     |        |                    |
| 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: 450px; height: 20px;" type="text" value="See explanation."/> |                                     |   |    |  |                     |        |                    |
| 10-5  | Does the entity have an agreement with another government to provide services?   | <input checked="" type="checkbox"/>   | <input type="checkbox"/>            |   |    |  |                     |        |                    |
| If yes: List the name of the other governmental entity and the services provided:                         | <input style="width: 450px; height: 20px;" type="text" value="See explanation."/>  |   |                                     |   |    |  |                     |        |                    |
| 10-6  | Does the entity have a certified mill levy?  | <input checked="" type="checkbox"/>   | <input type="checkbox"/>            |   |    |  |                     |        |                    |
| If yes: Please provide the number of <u>mills</u> levied for the year reported (do not enter \$ amounts): | <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="padding: 5px;">Bond Redemption mills</td> <td style="text-align: right; padding: 5px;">50.000</td> </tr> <tr> <td style="padding: 5px;">General/Other mills</td> <td style="text-align: right; padding: 5px;">15.000</td> </tr> <tr style="background-color: #cccccc;"> <td style="padding: 5px;"><b>Total mills</b></td> <td style="text-align: right; padding: 5px;"><b>65.000</b></td> </tr> </tbody> </table> | Bond Redemption mills   | 50.000                              |   |    |  | General/Other mills | 15.000 | <b>Total mills</b> |
| Bond Redemption mills   | 50.000   |   |                                     |   |    |  |                     |        |                    |
| General/Other mills   | 15.000   |   |                                     |   |    |  |                     |        |                    |
| <b>Total mills</b>  | <b>65.000</b>  |   |                                     |   |    |  |                     |        |                    |

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

**OSA USE ONLY**

| <b>Entity Wide:</b>             |    | <b>General Fund</b> |                         | <b>Governmental Funds</b> |         | <b>Notes</b>                 |    |               |  |
|---------------------------------|----|---------------------|-------------------------|---------------------------|---------|------------------------------|----|---------------|--|
| Unrestricted Cash & Investments | \$ | -                   | Unrestricted Fund Balan | \$                        | -       | Total Tax Revenue            | \$ | 146,316       |  |
| Current Liabilities             | \$ | 472                 | Total Fund Balance      | \$                        | -       | Revenue Paying Debt Service  | \$ | -             |  |
| Deferred Inflow                 | \$ | 106,496             | PY Fund Balance         | \$                        | -       | Total Revenue                | \$ | 146,316       |  |
|                                 |    |                     | Total Revenue           | \$                        | 33,766  | Total Debt Service Principal | \$ | -             |  |
|                                 |    |                     | Total Expenditures      | \$                        | 33,766  | Total Debt Service Interest  | \$ | -             |  |
|                                 |    |                     | Interfund In            | \$                        | -       |                              |    |               |  |
|                                 |    |                     | Interfund Out           | \$                        | -       |                              |    |               |  |
| <b>Governmental</b>             |    |                     | <b>Proprietary</b>      |                           |         | <b>Enterprise Funds</b>      |    |               |  |
| Total Cash & Investments        | \$ | -                   | Current Assets          | \$                        | -       | Net Position                 | \$ | -             |  |
| Transfers In                    | \$ | -                   | Deferred Outflow        | \$                        | 138,822 | PY Net Position              | \$ | -             |  |
| Transfers Out                   | \$ | -                   | Current Liabilities     | \$                        | -       | <b>Government-Wide</b>       |    |               |  |
| Property Tax                    | \$ | 138,822             | Deferred Inflow         | \$                        | 146,316 | Total Outstanding Debt       | \$ | -             |  |
| Debt Service Principal          | \$ | -                   | Cash & Investments      | \$                        | -       | Authorized but Unissued      | \$ | 1,259,700,000 |  |
| Total Expenditures              | \$ | 146,316             | Principal Expense       | \$                        | -       | Year Authorized              |    | 11/5/2019     |  |
| Total Developer Advances        | \$ | -                   |                         |                           |         |                              |    |               |  |
| 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          |   |
|---|--------------------|---|
| 1 | Witkiewicz, Mark   | I, Witkiewicz, Mark, 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.<br>Signed _____ Date: _____<br>My term Expires: May 2025   |
| 2 | Langley, Paige     | I, Langley, Paige, 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.<br>Signed _____ Date: _____<br>My term Expires: : May 2023   |
| 3 | Klein, Andrew      | I, Klein, Andrew, 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.<br>Signed _____ Date: _____<br>My term Expires::May 2025      |
| 4 | Moore, Otis        | I, Moore, Otis, 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.<br>Signed _____ Date: _____<br>My term Expires: May 2023        |
| 5 | Waldschmidt, Megan | I, Waldschmidt, Megan, 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.<br>Signed _____ Date: _____<br>My term Expires: May 2023 |
| 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.<br>Signed _____ Date: _____<br>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.<br>Signed _____ Date: _____<br>My term Expires: _____                 |



CliftonLarsonAllen LLP  
8390 East Crescent Pkwy., Suite 300  
Greenwood Village, CO 80111

phone 303-779-5710 fax 303-779-0348  
CLAconnect.com

## Accountant's Compilation Report

Board of Directors  
Loretto Heights Metropolitan District No. 3  
City and County of Denver, Colorado

Management is responsible for the accompanying Application for Exemption from Audit of Loretto Heights Metropolitan District No. 3 as of and for the year ended December 31, 2022, included in the accompanying prescribed form. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not audit or review the financial statements included in the accompanying prescribed form nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the financial statements included in the accompanying prescribed form.

The Application for Exemption from Audit is presented in accordance with the requirements of the Colorado Office of the State Auditor, which differ from accounting principles generally accepted in the United States of America.

This report is intended solely for the information and use of the Colorado Office of the State Auditor and is not intended to be and should not be used by anyone other than this specified party.

We are not independent with respect to Loretto Heights Metropolitan District No. 3.

A handwritten signature in black ink that reads "CliftonLarsonAllen LLP". The signature is written in a cursive, flowing style.

Greenwood Village, Colorado  
February 21, 2023

# APPLICATION FOR EXEMPTION FROM AUDIT

## LONG FORM

|                    |   |
|--------------------|---|
| NAME OF GOVERNMENT | Loretto Heights Metropolitan District No. 4                         |
| ADDRESS            | 8390 E Crescent Parkway<br>Suite 300<br>Greenwood Village, CO 80111 |
| CONTACT PERSON     | Jason Carroll   |
| PHONE              | 303-779-5710  |
| EMAIL              | Jason.Carroll@claconnect.com  |

For the Year Ended  
12/31/2022  
or fiscal year ended:

## 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:                     | Jason Carroll   |
| TITLE                     | Accountant for the District                                     |
| FIRM NAME (if applicable) | CliftonLarsonAllen LLP  |
| ADDRESS                   | 8390 E Crescent Parkway, Suite 300, Greenwood Village, CO 80111 |
| PHONE                     | 303-779-5710  |
| DATE PREPARED             | 2/27/2023   |
| RELATIONSHIP TO ENTITY    | CPA Firm providing accounting services to the District          |

### PREPARER (SIGNATURE REQUIRED)

See attached Accountant's Compilation Report.

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 checked="" type="checkbox"/> | <input 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*       |
| <b>Assets</b>                          |   |                    |                  | <b>Assets</b>   |                             |             |
| 1-1                                    | Cash & Cash Equivalents   | \$ -               | \$ -             | Cash & Cash Equivalents   | \$ -                        | \$ -        |
| 1-2                                    | Investments   | \$ -               | \$ -             | Investments   | \$ -                        | \$ -        |
| 1-3                                    | Receivables   | \$ -               | \$ -             | Receivables   | \$ -                        | \$ -        |
| 1-4                                    | Due from Other Entities or Funds  | \$ -               | \$ -             | Due from Other Entities or Funds  | \$ -                        | \$ -        |
| 1-5                                    | Property Tax Receivable   | \$ 22,500          | \$ 75,001        | Other Current Assets [specify...]   | \$ -                        | \$ -        |
|  | All Other Assets [specify...]   |                    |                  |   | \$ -                        | \$ -        |
| 1-6                                    | Lease Receivable (as Lessor)  | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-7                                    | Receivable from County Treasurer's  | \$ 95              | \$ 317           | <b>Total Current Assets</b>   | \$ -                        | \$ -        |
| 1-8                                    |   | \$ -               | \$ -             | Capital & Right to Use Assets, net (from Part 6-4)  | \$ -                        | \$ -        |
| 1-9                                    |   | \$ -               | \$ -             | Other Long Term Assets [specify...]   | \$ -                        | \$ -        |
| 1-10                                   |   | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-11                                   | <b>(add lines 1-1 through 1-10) TOTAL ASSETS</b>  | <b>\$ 22,595</b>   | <b>\$ 75,318</b> | <b>(add lines 1-1 through 1-10) TOTAL ASSETS</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| <b>Deferred Outflows of Resources:</b> |   |                    |                  | <b>Deferred Outflows of Resources</b>   |                             |             |
| 1-12                                   | [specify...]  | \$ -               | \$ -             | [specify...]  | \$ -                        | \$ -        |
| 1-13                                   | [specify...]  | \$ -               | \$ -             | [specify...]  | \$ -                        | \$ -        |
| 1-14                                   | <b>(add lines 1-12 through 1-13) TOTAL DEFERRED OUTFLOWS</b>  | <b>\$ -</b>        | <b>\$ -</b>      | <b>(add lines 1-12 through 1-13) TOTAL DEFERRED OUTFLOWS</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| 1-15                                   | <b>TOTAL ASSETS AND DEFERRED OUTFLOWS</b>   | <b>\$ 22,595</b>   | <b>\$ 75,318</b> | <b>TOTAL ASSETS AND DEFERRED OUTFLOWS</b>   | <b>\$ -</b>                 | <b>\$ -</b> |
| <b>Liabilities</b>                     |   |                    |                  | <b>Liabilities</b>  |                             |             |
| 1-16                                   | Accounts Payable  | \$ -               | \$ -             | Accounts Payable  | \$ -                        | \$ -        |
| 1-17                                   | Accrued Payroll and Related Liabilities   | \$ -               | \$ -             | Accrued Payroll and Related Liabilities   | \$ -                        | \$ -        |
| 1-18                                   | Unearned Property Tax Revenue   | \$ -               | \$ -             | Accrued Interest Payable  | \$ -                        | \$ -        |
| 1-19                                   | Due to Other Entities or Funds  | \$ 95              | \$ 317           | Due to Other Entities or Funds  | \$ -                        | \$ -        |
| 1-20                                   | All Other Current Liabilities   | \$ -               | \$ -             | All Other Current Liabilities   | \$ -                        | \$ -        |
| 1-21                                   | <b>(add lines 1-16 through 1-20) TOTAL CURRENT LIABILITIES</b>  | <b>\$ 95</b>       | <b>\$ 317</b>    | <b>(add lines 1-16 through 1-20) TOTAL CURRENT LIABILITIES</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| 1-22                                   | All Other Liabilities [specify...]  | \$ -               | \$ -             | Proprietary Debt Outstanding (from Part 4-4)  | \$ -                        | \$ -        |
| 1-23                                   |   | \$ -               | \$ -             | Other Liabilities [specify...]:   | \$ -                        | \$ -        |
| 1-24                                   |   | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-25                                   |   | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-26                                   |   | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-27                                   | <b>(add lines 1-21 through 1-26) TOTAL LIABILITIES</b>  | <b>\$ 95</b>       | <b>\$ 317</b>    | <b>(add lines 1-21 through 1-26) TOTAL LIABILITIES</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| <b>Deferred Inflows of Resources:</b>  |   |                    |                  | <b>Deferred Inflows of Resources</b>  |                             |             |
| 1-28                                   | Deferred Property Taxes   | \$ 22,500          | \$ 75,001        | Pension/OPEB Related  | \$ -                        | \$ -        |
| 1-29                                   | Lease related (as lessor)   | \$ -               | \$ -             | Other [specify...]  | \$ -                        | \$ -        |
| 1-30                                   | <b>(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS</b>   | <b>\$ 22,500</b>   | <b>\$ 75,001</b> | <b>(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS</b>   | <b>\$ -</b>                 | <b>\$ -</b> |
| <b>Fund Balance</b>                    |   |                    |                  | <b>Net Position</b>   |                             |             |
| 1-31                                   | Nonspendable Prepaid  | \$ -               | \$ -             | Net Investment in Capital Assets  | \$ -                        | \$ -        |
| 1-32                                   | Nonspendable Inventory  | \$ -               | \$ -             |   | \$ -                        | \$ -        |
| 1-33                                   | Restricted [specify...]   | \$ -               | \$ -             | Emergency Reserves  | \$ -                        | \$ -        |
| 1-34                                   | Committed [specify...]  | \$ -               | \$ -             | Other Designations/Reserves   | \$ -                        | \$ -        |
| 1-35                                   | Assigned [specify...]   | \$ -               | \$ -             | Restricted  | \$ -                        | \$ -        |
| 1-36                                   | Unassigned:   | \$ -               | \$ -             | Undesignated/Unreserved/Unrestricted  | \$ -                        | \$ -        |
| 1-37                                   | <b>Add lines 1-31 through 1-36<br/>This total should be the same as line 3-33<br/>TOTAL FUND BALANCE</b>  | <b>\$ -</b>        | <b>\$ -</b>      | <b>Add lines 1-31 through 1-36<br/>This total should be the same as line 3-33<br/>TOTAL NET POSITION</b>  | <b>\$ -</b>                 | <b>\$ -</b> |
| 1-38                                   | <b>Add lines 1-27, 1-30 and 1-37<br/>This total should be the same as line 1-15<br/>TOTAL LIABILITIES, DEFERRED INFLOWS, AND FUND<br/>BALANCE</b> | <b>\$ 22,595</b>   | <b>\$ 75,318</b> | <b>Add lines 1-27, 1-30 and 1-37<br/>This total should be the same as line 1-15<br/>TOTAL LIABILITIES, DEFERRED INFLOWS, AND NET<br/>POSITION</b> | <b>\$ -</b>                 | <b>\$ -</b> |

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* |  |
| <b>Tax Revenue</b>             |   |                    |              | <b>Tax Revenue</b>  |                             |       |  |
| 2-1                            | Property [include mills levied in Question 10-6]                              | \$ 26,025          | \$ 86,749    | Property [include mills levied in Question 10-6]                              | \$ -                        | \$ -  | Please use this space to provide explanation of any items on this page |
| 2-2                            | Specific Ownership  | \$ 1,513           | \$ 5,044     | 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                            | <b>Add lines 2-1 through 2-7<br/>TOTAL TAX REVENUE</b>                        | \$ 27,538          | \$ 91,793    | <b>Add lines 2-1 through 2-7<br/>TOTAL TAX REVENUE</b>                        | \$ -                        | \$ -  |  |
| 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  | \$ -               | \$ -         | 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                           | <b>Add lines 2-8 through 2-23<br/>TOTAL REVENUES</b>                          | \$ 27,538          | \$ 91,793    | <b>Add lines 2-8 through 2-23<br/>TOTAL REVENUES</b>                          | \$ -                        | \$ -  |  |
| <b>Other Financing Sources</b> |   |                    |              | <b>Other Financing Sources</b>  |                             |       |  |
| 2-25                           | Debt Proceeds   | \$ -               | \$ -         | Debt Proceeds   | \$ -                        | \$ -  |  |
| 2-26                           | Lease Proceeds  | \$ -               | \$ -         | Lease Proceeds  | \$ -                        | \$ -  |  |
| 2-27                           | Developer Advances  | \$ -               | \$ -         | Developer Advances  | \$ -                        | \$ -  |  |
| 2-28                           | Other [specify...]:   | \$ -               | \$ -         | Other [specify...]:   | \$ -                        | \$ -  |  |
| 2-29                           | <b>Add lines 2-25 through 2-28<br/>TOTAL OTHER FINANCING SOURCES</b>          | \$ -               | \$ -         | <b>Add lines 2-25 through 2-28<br/>TOTAL OTHER FINANCING SOURCES</b>          | \$ -                        | \$ -  |  |
| 2-30                           | <b>Add lines 2-24 and 2-29<br/>TOTAL REVENUES AND OTHER FINANCING SOURCES</b> | \$ 27,538          | \$ 91,793    | <b>Add lines 2-24 and 2-29<br/>TOTAL REVENUES AND OTHER FINANCING SOURCES</b> | \$ -                        | \$ -  | <b>GRAND TOTALS</b>  |
|                                |   |                    |              |   |                             |       | <b>\$ 119,331</b>  |

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) 869-3000 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* |  |
|        | <b>Expenditures</b>  |                    |              | <b>Expenses</b>   |                             |       |  |
| 3-1    | General Government   | \$ -               | \$ -         | 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   | \$ 27,538          | \$ 91,793    | 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 (should match amount in 4-4)   | \$ -               | \$ -         | Principal (should match amount in 4-4)  | \$ -                        | \$ -  |  |
| 3-16   | Interest   | \$ -               | \$ -         | 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   | <b>Add lines 3-1 through 3-21</b>  | \$ 27,538          | \$ 91,793    | <b>Add lines 3-1 through 3-21</b>   | \$ -                        | \$ -  | <b>GRAND TOTAL</b>   |
|        | <b>TOTAL EXPENDITURES</b>  |                    |              | <b>TOTAL EXPENSES</b>   |                             |       | <b>\$ 119,331</b>  |
| 3-23   | Interfund Transfers (In)   | \$ -               | \$ -         | Net Interfund Transfers (In) Out  | \$ -                        | \$ -  |  |
| 3-24   | Interfund Transfers Out  | \$ -               | \$ -         | Other [specify...][enter negative for expense]  | \$ -                        | \$ -  |  |
| 3-25   | Other Expenditures (Revenues):   | \$ -               | \$ -         | Depreciation/Amortization   | \$ -                        | \$ -  |  |
| 3-26   |  | \$ -               | \$ -         | Other Financing Sources (Uses) (from line 2-28)   | \$ -                        | \$ -  |  |
| 3-27   |  | \$ -               | \$ -         | Capital Outlay (from line 3-14)   | \$ -                        | \$ -  |  |
| 3-28   |  | \$ -               | \$ -         | Debt Principal (from line 3-15, 3-18)   | \$ -                        | \$ -  |  |
| 3-29   | <b>(Add lines 3-23 through 3-28)</b>   |                    |              | <b>(Line 3-27, plus line 3-28, less line 3-26, less line 3-25, plus line 3-24) TOTAL GAAP RECONCILING ITEMS</b> | \$ -                        | \$ -  |  |
|        | <b>TOTAL TRANSFERS AND OTHER EXPENDITURES</b>  | \$ -               | \$ -         |   | \$ -                        | \$ -  |  |
| 3-30   | Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures<br>Line 2-29, less line 3-22, less line 3-29 | \$ -               | \$ -         | Net Increase (Decrease) in Net Position<br>Line 2-29, less line 3-22, plus line 3-29, less line 3-23            | \$ -                        | \$ -  |  |
| 3-31   | Fund Balance, January 1 from December 31 prior year report   | \$ -               | \$ -         | Net Position, January 1 from December 31 prior year report  | \$ -                        | \$ -  |  |
| 3-32   | Prior Period Adjustment (MUST explain)   | \$ -               | \$ -         | Prior Period Adjustment (MUST explain)  | \$ -                        | \$ -  |  |
| 3-33   | Fund Balance, December 31  |                    |              | Net Position, December 31   |                             |       |  |
|        | Sum of Lines 3-30, 3-31, and 3-32  |                    |              | Sum of Lines 3-30, 3-31, and 3-32   |                             |       |  |
|        | This total should be the same as line 1-37.  | \$ -               | \$ -         | This total should be the same as line 1-37.   | \$ -                        | \$ -  |  |

**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?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                         |
| 4-2 | Is the debt repayment schedule attached? If no, MUST explain:<br><span style="border: 1px solid black; padding: 2px;">N/A - The District has no debt</span>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                         |
| 4-3 | Is the entity current in its debt service payments? If no, MUST explain:<br><span style="border: 1px solid black; padding: 2px;">N/A - The District has no debt</span> | <input type="checkbox"/> | <input type="checkbox"/>            |                         |
| 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   | \$ -                     | \$ -                                | \$ -                    |
|     | Revenue bonds  | \$ -                     | \$ -                                | \$ -                    |
|     | Notes/Loans  | \$ -                     | \$ -                                | \$ -                    |
|     | Lease Liabilities  | \$ -                     | \$ -                                | \$ -                    |
|     | Developer Advances   | \$ -                     | \$ -                                | \$ -                    |
|     | Other (specify):   | \$ -                     | \$ -                                | \$ -                    |
|     | <b>TOTAL</b>   | <b>\$ -</b>              | <b>\$ -</b>                         | <b>\$ -</b>             |

\*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 [Section 29-1-605(2) C.R.S.]? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |  |
|         | How much?   | \$ 1,259,700,000                    |                                     |  |
| If yes: | Date the debt was authorized:   | 11/5/2019                           |                                     |  |
| 4-6     | Does the entity intend to issue debt within the next calendar year?                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| If yes: | How much?   | \$ -                                |                                     |  |
| 4-7     | Does the entity have debt that has been refinanced that it is still responsible for?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| If yes: | What is the amount outstanding?   | \$ -                                |                                     |  |
| 4-8     | Does the entity have any lease agreements?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 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?   | <input type="checkbox"/>            | <input type="checkbox"/>            |  |
|         | 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                               | \$ - |      |  |
| 5-2 | Certificates of deposit   | \$ - |      |  |
|     | <b>TOTAL CASH DEPOSITS</b>  |      | \$ - |  |
|     | Investments (if investment is a mutual fund, please list underlying investments): |      |      |  |
| 5-3 |   | \$ - |      |  |
|     |   | \$ - |      |  |
|     |   | \$ - |      |  |
|     |   | \$ - |      |  |
|     | <b>TOTAL INVESTMENTS</b>  |      | \$ - |  |
|     | <b>TOTAL CASH AND INVESTMENTS</b>   |      | \$ - |  |

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.?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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:<br><span style="border: 1px solid black; padding: 2px;">N/A - The District has no investments.</span> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

## PART 6 - CAPITAL AND RIGHT-TO-USE 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

N/A The District has no capital assets.

| 6-3 Complete the following Capital & Right-To-Use Assets table for GOVERNMENTAL FUNDS:     | Balance - beginning of the year <sup>1</sup> | Additions <sup>2</sup> | Deletions   | Year-End Balance |
|--|--|------------------------|-------------|------------------|
| Land   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Buildings  | \$ -   | \$ -                   | \$ -        | \$ -             |
| Machinery and equipment  | \$ -   | \$ -                   | \$ -        | \$ -             |
| Furniture and fixtures   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Infrastructure   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Construction In Progress (CIP)   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Leased Right-to-Use Assets   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Intangible Assets  | \$ -   | \$ -                   | \$ -        | \$ -             |
| Other (explain):   | \$ -   | \$ -                   | \$ -        | \$ -             |
| Accumulated Amortization Right to Use Leased Assets (Enter a negative, or credit, balance) | \$ -   | \$ -                   | \$ -        | \$ -             |
| Accumulated Depreciation (Enter a negative, or credit, balance)                            | \$ -   | \$ -                   | \$ -        | \$ -             |
| <b>TOTAL</b>   | <b>\$ -</b>                                  | <b>\$ -</b>            | <b>\$ -</b> | <b>\$ -</b>      |

| 6-4 Complete the following Capital & Right-To-Use 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)   | \$ -                             | \$ -        | \$ -        | \$ -             |
| Leased Right-to-Use Assets   | \$ -                             | \$ -        | \$ -        | \$ -             |
| Intangible Assets  | \$ -                             | \$ -        | \$ -        | \$ -             |
| Other (explain):   | \$ -                             | \$ -        | \$ -        | \$ -             |
| Accumulated Amortization Right to Use Leased Assets (Enter a negative, or credit, balance) | \$ -                             | \$ -        | \$ -        | \$ -             |
| Accumulated Depreciation (Enter a negative, or credit, balance)                            | \$ -                             | \$ -        | \$ -        | \$ -             |
| <b>TOTAL</b>   | <b>\$ -</b>                      | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b>      |

\* Must agree to prior year-end balance  
 - Generally capital asset additions should be reported at capital outlay on line 3-14 and capitalized in accordance with the government's capitalization policy. Please explain any discrepancy

## PART 7 - PENSION INFORMATION

\* YES NO Please use this space to provide any explanations or comments:

- 7-1 Does the entity have an "old hire" firefighters' pension plan?  YES  NO
- 7-2 Does the entity have a volunteer firefighters' pension plan?  YES  NO
- If yes: Who administers the plan?  YES  NO

Indicate the contributions from:

|                                  |           |          |
|----------------------------------|-----------|----------|
| Tax (property, SO, sales, etc.): | \$        | -        |
| State contribution amount:       | \$        | -        |
| Other (gifts, donations, etc.):  | \$        | -        |
| <b>TOTAL</b>                     | <b>\$</b> | <b>-</b> |

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               | Please use this space to provide any explanations or comments: |  |      |  |      |  |  |  |  |  |  |
|---|--|-------------------------------------|------------------------------|--------------------------|-----------|-------------------|--|--|------|--|------|--|--|--|--|--|--|
| 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"/> |           |                   |  |  |      |  |      |  |  |  |  |  |  |
| 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 appropriated for each fund separately for the year reported  |  |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
| <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #cccccc;"> <th style="text-align: left; padding: 5px;">Governmental/Proprietary Fund Name</th> <th style="text-align: right; padding: 5px;">Total Appropriations By Fund</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">General Fund</td> <td style="text-align: right; padding: 5px;">\$ 29,500</td> </tr> <tr> <td style="padding: 5px;">Debt Service Fund</td> <td style="text-align: right; padding: 5px;">\$ 98,500</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="text-align: right; padding: 5px;">\$ -</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="text-align: right; padding: 5px;">\$ -</td> </tr> </tbody> </table> |  | Governmental/Proprietary Fund Name  | Total Appropriations By Fund | General Fund             | \$ 29,500 | Debt Service Fund | \$ 98,500  |  | \$ - |  | \$ - |  |  |  |  |  |  |
| Governmental/Proprietary Fund Name  | Total Appropriations By Fund   |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
| General Fund  | \$ 29,500  |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
| Debt Service Fund   | \$ 98,500  |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
|   | \$ -   |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |
|   | \$ -   |                                     |                              |                          |           |                   |  |  |      |  |      |  |  |  |  |  |  |

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

| Please answer the following question by marking in the appropriate box   |  |                                     |                          | YES | NO | Please use this space to provide any explanations or comments: |
|--|--|-------------------------------------|--------------------------|-----|----|--|
| 9-1  | Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |     |    |  |
| <small>Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.</small> |  |                                     |                          |     |    |  |

## PART 10 - GENERAL INFORMATION

| Please answer the following question by marking in the appropriate box  |  |                                     |                                     | YES   | NO     | Please use this space to provide any explanations or comments: |               |  |  |
|---|--|-------------------------------------|-------------------------------------|---|--------|--|---------------|--|--|
| 10-1  | Is this application for a newly formed governmental entity?                    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 10-3 Public improvements for streets, paks and recreation, water, sanitary/storm sewer, transportation, mosquito control, safety protection, fire protection, television and relay translation, security, and opearation and maintenance. 10-4 Loretto Heights Metro Districts No. 1 through 5 and Loretto Heights Programming District work together to provide services to the Loretto Heights Community. |        |  |               |  |  |
| If yes: Date of formation: <input style="width: 150px; height: 30px;" type="text"/>   |  |                                     |                                     |   |        |  |               |  |  |
| 10-2  | Has the entity changed its name in the past or current year?                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |   |        |  |               |  |  |
| If Yes: NEW name <input style="width: 400px; height: 20px;" type="text"/>   |  |                                     |                                     |   |        |  |               |  |  |
| PRIOR name <input style="width: 400px; height: 20px;" type="text"/>   |  |                                     |                                     |   |        |  |               |  |  |
| 10-3 Is the entity a metropolitan district? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO   |  |                                     |                                     |   |        |  |               |  |  |
| 10-4  | Please indicate what services the entity provides:                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |   |        |  |               |  |  |
| <input style="width: 450px; height: 20px;" type="text" value="See explanation."/>   |  |                                     |                                     |   |        |  |               |  |  |
| 10-5  | Does the entity have an agreement with another government to provide services? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |   |        |  |               |  |  |
| If yes: List the name of the other governmental entity and the services provided: <input style="width: 450px; height: 20px;" type="text" value="See explanation."/>   |  |                                     |                                     |   |        |  |               |  |  |
| 10-6  | Does the entity have a certified mill levy?                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |   |        |  |               |  |  |
| If yes: Please provide the number of <u>mills</u> levied for the year reported (do not enter \$ amounts):   |  |                                     |                                     |   |        |  |               |  |  |
| <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tbody> <tr> <td style="padding: 5px;">Bond Redemption mills</td> <td style="text-align: right; padding: 5px;">50.000</td> </tr> <tr> <td style="padding: 5px;">General/Other mills</td> <td style="text-align: right; padding: 5px;">15.000</td> </tr> <tr> <td style="padding: 5px;"><b>Total mills</b></td> <td style="text-align: right; padding: 5px;"><b>65.000</b></td> </tr> </tbody> </table> |  | Bond Redemption mills               | 50.000                              | General/Other mills   | 15.000 | <b>Total mills</b>   | <b>65.000</b> |  |  |
| Bond Redemption mills   | 50.000   |                                     |                                     |   |        |  |               |  |  |
| General/Other mills   | 15.000   |                                     |                                     |   |        |  |               |  |  |
| <b>Total mills</b>  | <b>65.000</b>  |                                     |                                     |   |        |  |               |  |  |

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

**OSA USE ONLY**

| Entity Wide:                    | General Fund |                         | Governmental Funds |                              | Notes            |
|---------------------------------|--------------|-------------------------|--------------------|------------------------------|------------------|
| Unrestricted Cash & Investments | -            | Unrestricted Fund Balan | -                  | Total Tax Revenue            | \$ 119,331       |
| Current Liabilities             | 412          | Total Fund Balance      | -                  | Revenue Paying Debt Service  | \$ -             |
| Deferred Inflow                 | 97,501       | PY Fund Balance         | -                  | Total Revenue                | \$ 119,331       |
|                                 |              | Total Revenue           | 27,538             | Total Debt Service Principal | \$ -             |
|                                 |              | Total Expenditures      | 27,538             | Total Debt Service Interest  | \$ -             |
|                                 |              | Interfund In            | -                  |                              |                  |
|                                 |              | Interfund Out           | -                  |                              |                  |
| <b>Governmental</b>             |              | <b>Proprietary</b>      |                    | <b>Enterprise Funds</b>      |                  |
| Total Cash & Investments        | -            | Current Assets          | -                  | Net Position                 | \$ -             |
| Transfers In                    | -            | Deferred Outflow        | -                  | PY Net Position              | \$ -             |
| Transfers Out                   | -            | Current Liabilities     | -                  | <b>Government-Wide</b>       |                  |
| Property Tax                    | 112,774      | Deferred Inflow         | -                  | Total Outstanding Debt       | \$ -             |
| Debt Service Principal          | -            | Cash & Investments      | -                  | Authorized but Unissued      | \$ 1,259,700,000 |
| Total Expenditures              | 119,331      | Principal Expense       | -                  | Year Authorized              | 11/5/2019        |
| Total Developer Advances        | -            |                         |                    |                              |                  |
| 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          |   |
|---|--------------------|---|
| 1 | Witkiewicz, Mark   | I, Witkiewicz, Mark, 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.<br>Signed _____ Date: _____<br>My term Expires: May 2025   |
| 2 | Langley, Paige     | I, Langley, Paige, 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.<br>Signed _____ Date: _____<br>My term Expires: : May 2023   |
| 3 | Klein, Andrew      | I, Klein, Andrew, 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.<br>Signed _____ Date: _____<br>My term Expires: May 2025      |
| 4 | Moore, Otis        | I, Moore, Otis, 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.<br>Signed _____ Date: _____<br>My term Expires: May 2023        |
| 5 | Waldschmidt, Megan | I, Waldschmidt, Megan, 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.<br>Signed _____ Date: _____<br>My term Expires: May 2023 |
| 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.<br>Signed _____ Date: _____<br>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.<br>Signed _____ Date: _____<br>My term Expires: _____                 |



CliftonLarsonAllen LLP  
8390 East Crescent Pkwy., Suite 300  
Greenwood Village, CO 80111

phone 303-779-5710 fax 303-779-0348  
CLAconnect.com

## Accountant's Compilation Report

Board of Directors  
Loretto Heights Metropolitan District No. 4  
City and County of Denver, Colorado

Management is responsible for the accompanying Application for Exemption from Audit of Loretto Heights Metropolitan District No. 4 as of and for the year ended December 31, 2022, included in the accompanying prescribed form. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not audit or review the financial statements included in the accompanying prescribed form nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the financial statements included in the accompanying prescribed form.

The Application for Exemption from Audit is presented in accordance with the requirements of the Colorado Office of the State Auditor, which differ from accounting principles generally accepted in the United States of America.

This report is intended solely for the information and use of the Colorado Office of the State Auditor and is not intended to be and should not be used by anyone other than this specified party.

We are not independent with respect to Loretto Heights Metropolitan District No. 4.

A handwritten signature in cursive script that reads "CliftonLarsonAllen LLP".

Greenwood Village, Colorado  
February 21, 2023



# APPLICATION FOR EXEMPTION FROM AUDIT

## SHORT FORM

NAME OF GOVERNMENT  
ADDRESS

|  |
|--|
| Loretto Heights Metropolitan District No. 5                                    |
| 8390 E Crescent Parkway  |
| Suite 300  |
| Greenwood Village, CO 80111  |
| Jason Carroll  |
| 303-779-5710   |
| <a href="mailto:Jason.Carroll@claconnect.com">Jason.Carroll@claconnect.com</a> |

For the Year Ended  
12/31/22  
or fiscal year ended:

CONTACT PERSON  
PHONE  
EMAIL

### PART 1 - CERTIFICATION OF PREPARER

I certify that I am skilled in governmental accounting and that the information in the application is complete and accurate, to the best of my knowledge.

|                           |   |
|---------------------------|---|
| NAME:                     | Jason Carroll   |
| TITLE                     | Accountant for the District                                     |
| FIRM NAME (if applicable) | CliftonLarsonAllen LLP  |
| ADDRESS                   | 8390 E Crescent Parkway, Suite 300, Greenwood Village, CO 80111 |
| PHONE                     | 303-779-5710  |
| DATE PREPARED             | 2/27/2023   |

### PREPARER (SIGNATURE REQUIRED)

See attached Accountant's Compilation Report.

| Please indicate whether the following financial information is recorded using Governmental or Proprietary fund types | GOVERNMENTAL<br><small>(MODIFIED ACCRUAL BASIS)</small> | PROPRIETARY<br><small>(CASH OR BUDGETARY BASIS)</small> |
|--|---|---|
|  | <input checked="" type="checkbox"/>                     | <input type="checkbox"/>                                |

## PART 2 - REVENUE

REVENUE: All revenues for all funds must be reflected in this section, including proceeds from the sale of the government's land, building, and equipment, and proceeds from debt or lease transactions. Financial information will not include fund equity information.

| Line# | Description  | Round to nearest Dollar | Please use this space to provide any necessary explanations |
|-------|--|-------------------------|---|
| 2-1   | Taxes: Property (report mills levied in Question 10-6)   | \$ -                    |   |
| 2-2   | Specific ownership                                       | \$ -                    |   |
| 2-3   | Sales and use  | \$ -                    |   |
| 2-4   | Other (specify):   | \$ -                    |   |
| 2-5   | Licenses and permits                                     | \$ -                    |   |
| 2-6   | Intergovernmental: Grants                                | \$ -                    |   |
| 2-7   | Conservation Trust Funds (Lottery)                       | \$ -                    |   |
| 2-8   | Highway Users Tax Funds (HUTF)                           | \$ -                    |   |
| 2-9   | Other (specify):   | \$ -                    |   |
| 2-10  | Charges for services                                     | \$ -                    |   |
| 2-11  | Fines and forfeits                                       | \$ -                    |   |
| 2-12  | Special assessments                                      | \$ -                    |   |
| 2-13  | Investment income  | \$ -                    |   |
| 2-14  | Charges for utility services                             | \$ -                    |   |
| 2-15  | Debt proceeds (should agree with line 4-4, column 2)     | \$ -                    |   |
| 2-16  | Lease proceeds   | \$ -                    |   |
| 2-17  | Developer Advances received (should agree with line 4-4) | \$ -                    |   |
| 2-18  | Proceeds from sale of capital assets                     | \$ -                    |   |
| 2-19  | Fire and police pension                                  | \$ -                    |   |
| 2-20  | Donations  | \$ -                    |   |
| 2-21  | Other (specify):   | \$ -                    |   |
| 2-22  |  | \$ -                    |   |
| 2-23  |  | \$ -                    |   |
| 2-24  | (add lines 2-1 through 2-23) TOTAL REVENUE               | \$ -                    |   |

## PART 3 - EXPENDITURES/EXPENSES

EXPENDITURES: All expenditures for all funds must be reflected in this section, including the purchase of capital assets and principal and interest payments on long-term debt. Financial information will not include fund equity information.

| Line# | Description   | Round to nearest Dollar | Please use this space to provide any necessary explanations |
|-------|---|-------------------------|---|
| 3-1   | Administrative  | \$ -                    |   |
| 3-2   | Salaries  | \$ -                    |   |
| 3-3   | Payroll taxes   | \$ -                    |   |
| 3-4   | Contract services   | \$ -                    |   |
| 3-5   | Employee benefits   | \$ -                    |   |
| 3-6   | Insurance   | \$ -                    |   |
| 3-7   | Accounting and legal fees   | \$ -                    |   |
| 3-8   | Repair and maintenance  | \$ -                    |   |
| 3-9   | Supplies  | \$ -                    |   |
| 3-10  | Utilities and telephone   | \$ -                    |   |
| 3-11  | Fire/Police   | \$ -                    |   |
| 3-12  | Streets and highways  | \$ -                    |   |
| 3-13  | Public health   | \$ -                    |   |
| 3-14  | Capital outlay  | \$ -                    |   |
| 3-15  | Utility operations  | \$ -                    |   |
| 3-16  | Culture and recreation  | \$ -                    |   |
| 3-17  | Debt service principal (should agree with Part 4)                       | \$ -                    |   |
| 3-18  | Debt service interest   | \$ -                    |   |
| 3-19  | Repayment of Developer Advance Principal (should agree with line 4-4)   | \$ -                    |   |
| 3-20  | Repayment of Developer Advance Interest                                 | \$ -                    |   |
| 3-21  | Contribution to pension plan (should agree to line 7-2)                 | \$ -                    |   |
| 3-22  | Contribution to Fire & Police Pension Assoc. (should agree to line 7-2) | \$ -                    |   |
| 3-23  | Other (specify):  | \$ -                    |   |
| 3-24  |   | \$ -                    |   |
| 3-25  |   | \$ -                    |   |
| 3-26  | (add lines 3-1 through 3-24) TOTAL EXPENDITURES/EXPENSES                | \$ -                    |   |

If TOTAL REVENUE (Line 2-24) or TOTAL EXPENDITURES (Line 3-26) are GREATER than \$100,000 - STOP. You may not use this form. Please use the "Application for Exemption from Audit - LONG FORM".

## PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

Please answer the following questions by marking the appropriate boxes.

Yes                      No

|     |   |                          |                                     |             |
|-----|---|--------------------------|-------------------------------------|-------------|
| 4-1 | Does the entity have outstanding debt?<br>If Yes, please attach a copy of the entity's Debt Repayment Schedule.   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |             |
| 4-2 | Is the debt repayment schedule attached? If no, MUST explain:<br><div style="border: 1px solid black; padding: 2px; margin-top: 5px;">N/A - The District has no debt</div>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |             |
| 4-3 | Is the entity current in its debt service payments? If no, MUST explain:<br><div style="border: 1px solid black; padding: 2px; margin-top: 5px;">N/A - The District has no debt</div> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |             |
| 4-4 | Please complete the following debt schedule, if applicable:<br>(please only include principal amounts)(enter all amount as positive numbers)  |                          |                                     |             |
|     | General obligation bonds  | \$ -                     | \$ -                                | \$ -        |
|     | Revenue bonds   | \$ -                     | \$ -                                | \$ -        |
|     | Notes/Loans   | \$ -                     | \$ -                                | \$ -        |
|     | Lease Liabilities   | \$ -                     | \$ -                                | \$ -        |
|     | Developer Advances  | \$ -                     | \$ -                                | \$ -        |
|     | Other (specify):  | \$ -                     | \$ -                                | \$ -        |
|     | <b>TOTAL</b>  | <b>\$ -</b>              | <b>\$ -</b>                         | <b>\$ -</b> |

\*must tie 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?                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |  |
| If yes: | How much?  | \$ 1,259,700,000.00                 |                                     |  |
|         | Date the debt was authorized:  | 11/5/2019                           |                                     |  |
| 4-6     | Does the entity intend to issue debt within the next calendar year?                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| If yes: | How much?  | \$ -                                |                                     |  |
| 4-7     | Does the entity have debt that has been refinanced that it is still responsible for? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| If yes: | What is the amount outstanding?  | \$ -                                |                                     |  |
| 4-8     | Does the entity have any lease agreements?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |  |
| 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?  | <input type="checkbox"/>            | <input type="checkbox"/>            |  |
|         | What are the annual lease payments?  | \$ -                                |                                     |  |

Please use this space to provide any explanations or comments:

## PART 5 - CASH AND INVESTMENTS

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

Amount                      Total

|     |   |      |      |
|-----|---|------|------|
| 5-1 | YEAR-END Total of ALL Checking and Savings Accounts                               | \$ - |      |
| 5-2 | Certificates of deposit   | \$ - |      |
|     | <b>Total Cash Deposits</b>  |      | \$ - |
|     | Investments (if investment is a mutual fund, please list underlying investments): |      |      |
|     |   | \$ - |      |
|     |   | \$ - |      |
| 5-3 |   | \$ - |      |
|     |   | \$ - |      |
|     | <b>Total Investments</b>  |      | \$ - |
|     | <b>Total Cash and Investments</b>   |      | \$ - |

Please answer the following questions by marking in the appropriate boxes

Yes                      No                      N/A

|     |   |                          |                          |                                     |
|-----|---|--------------------------|--------------------------|-------------------------------------|
| 5-4 | Are the entity's Investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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.)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If no, MUST use this space to provide any explanations:

## PART 6 - CAPITAL AND RIGHT-TO-USE ASSETS

Please answer the following questions by marking in the appropriate boxes.

Yes                      No

- 6-1 Does the entity have capital 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

N/A The District has no capital assets.

| Complete the following capital & right-to-use assets table:                            | Balance - beginning of the year* | Additions (Must be included in Part 3) | Deletions   | Year-End Balance |
|--|----------------------------------|--|-------------|------------------|
| Land   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Buildings  | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Machinery and equipment  | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Furniture and fixtures   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Infrastructure   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Construction In Progress (CIP)   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Leased Right-to-Use Assets   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Other (explain):   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Accumulated Depreciation/Amortization<br>(Please enter a negative, or credit, balance) | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| <b>TOTAL</b>   | <b>\$ -</b>                      | <b>\$ -</b>                            | <b>\$ -</b> | <b>\$ -</b>      |

Please use this space to provide any explanations or comments:

## PART 7 - PENSION INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes                      No

- 7-1 Does the entity have an "old hire" firefighters' pension plan?  Yes       No
- 7-2 Does the entity have a volunteer firefighters' pension plan?  Yes       No
- If yes: Who administers the plan?

Indicate the contributions from:

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

Please use this space to provide any explanations or comments:

## PART 8 - BUDGET INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes                      No                      N/A

- 8-1 Did the entity file a budget with the Department of Local Affairs for the current year in accordance with Section 29-1-113 C.R.S.?  Yes       No       N/A
- 
- 8-2 Did the entity pass an appropriations resolution, in accordance with Section 29-1-108 C.R.S.? If no, MUST explain:  Yes       No       N/A

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

| Governmental/Proprietary Fund Name | Total Appropriations By Fund |
|------------------------------------|------------------------------|
| General Fund                       | \$ -                         |
|                                    | \$ -                         |
|                                    |                              |
|                                    |                              |

## PART 9 - TAXPAYER'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)]?



Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.

If no, MUST explain:

## PART 10 - GENERAL INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes

No

**10-1** Is this application for a newly formed governmental entity?



If yes: Date of formation:

**10-2** Has the entity changed its name in the past or current year?



If yes: Please list the NEW name & PRIOR name:

**10-3** Is the entity a metropolitan district?



Please indicate what services the entity provides:

**10-4** 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:

**10-5** Has the district filed a *Title 32, Article 1 Special District Notice of Inactive Status* during the

If yes: Date Filed:




**10-6** Does the entity have a certified Mill Levy?

If yes:

Please provide the following mills levied for the year reported (do not report \$ amounts):

Bond Redemption mills

|                     |   |
|---------------------|---|
|                     | - |
| General/Other mills | - |
| Total mills         | - |

General/Other mills

Total mills

Please use this space to provide any explanations or comments:

10-3 Public improvements for streets, paks and recreation, water, sanitary/storm sewer, transportation, mosquito control, safety protection, fire protection, television and relay translation, security, and opearation and maintenance. 10-4 Loretto Heights Metro Districts No. 1 through 5 and Loretto Heights Programming District work together to provide services to the Loretto Heights Community.

## PART 11 - 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

#### 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.

| Print the names of ALL members of current governing body below. |   | A <u>MAJORITY</u> of the members of the governing body must complete and sign in the column below.   |
|---|---|--|
| Board Member 1  | Print Board Member's Name<br>Witkiewicz, Mark   | I, Witkiewicz, Mark , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2025   |
| Board Member 2  | Print Board Member's Name<br>Langley, Paige     | I, Langley, Paige , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2023     |
| Board Member 3  | Print Board Member's Name<br>Klein, Andrew      | I, Klein, Andrew , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2025      |
| Board Member 4  | Print Board Member's Name<br>Moore, Otis        | I, Moore, Otis , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2023        |
| Board Member 5  | Print Board Member's Name<br>Waldschmidt, Megan | I, Waldschmidt, Megan , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2023 |
| Board Member 6  | Print Board Member's Name                       | I _____ , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: _____                  |
| Board Member 7  | Print Board Member's Name                       | I _____ , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: _____                  |



CliftonLarsonAllen LLP  
8390 East Crescent Pkwy., Suite 300  
Greenwood Village, CO 80111

phone 303-779-5710 fax 303-779-0348  
CLAconnect.com

## Accountant's Compilation Report

Board of Directors  
Loretto Heights Metropolitan District No. 5  
City and County of Denver, Colorado

Management is responsible for the accompanying Application for Exemption from Audit of Loretto Heights Metropolitan District No. 5 as of and for the year ended December 31, 2022, included in the accompanying prescribed form. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not audit or review the financial statements included in the accompanying prescribed form nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the financial statements included in the accompanying prescribed form.

The Application for Exemption from Audit is presented in accordance with the requirements of the Colorado Office of the State Auditor, which differ from accounting principles generally accepted in the United States of America.

This report is intended solely for the information and use of the Colorado Office of the State Auditor and is not intended to be and should not be used by anyone other than this specified party.

We are not independent with respect to Loretto Heights Metropolitan District No. 5.

*CliftonLarsonAllen LLP*

Greenwood Village, Colorado  
February 21, 2023



# APPLICATION FOR EXEMPTION FROM AUDIT

## SHORT FORM

|                                   |  |
|-----------------------------------|--|
| <b>NAME OF GOVERNMENT ADDRESS</b> | Loretto Heights Programming Metropolitan District<br>8390 E Crescent Parkway<br>Suite 300<br>Greenwood Village, CO 80111 |
| <b>CONTACT PERSON</b>             | Jason Carroll  |
| <b>PHONE</b>                      | 303-779-5710   |
| <b>EMAIL</b>                      | <a href="mailto:Jason.Carroll@claconnect.com">Jason.Carroll@claconnect.com</a>   |

For the Year Ended  
12/31/22  
or fiscal year ended:

### PART 1 - CERTIFICATION OF PREPARER

I certify that I am skilled in governmental accounting and that the information in the application is complete and accurate, to the best of my knowledge.

|                                  |   |
|----------------------------------|---|
| <b>NAME:</b>                     | Jason Carroll   |
| <b>TITLE</b>                     | Accountant for the District                                     |
| <b>FIRM NAME (if applicable)</b> | CliftonLarsonAllen LLP  |
| <b>ADDRESS</b>                   | 8390 E Crescent Parkway, Suite 300, Greenwood Village, CO 80111 |
| <b>PHONE</b>                     | 303-779-5710  |
| <b>DATE PREPARED</b>             | 2/27/2023   |

### PREPARER (SIGNATURE REQUIRED)

See attached Accountant's Compilation Report.

|  |  |  |
|--|--|--|
| Please indicate whether the following financial information is recorded using Governmental or Proprietary fund types | <b>GOVERNMENTAL</b><br><small>(MODIFIED ACCRUAL BASIS)</small> | <b>PROPRIETARY</b><br><small>(CASH OR BUDGETARY BASIS)</small> |
|  | <input checked="" type="checkbox"/>                            | <input type="checkbox"/>                                       |

## PART 2 - REVENUE

REVENUE: All revenues for all funds must be reflected in this section, including proceeds from the sale of the government's land, building, and equipment, and proceeds from debt or lease transactions. Financial information will not include fund equity information.

| Line# | Description   | Round to nearest Dollar | Please use this space to provide any necessary explanations |
|-------|---|-------------------------|---|
| 2-1   | Taxes: <b>Property</b> (report mills levied in Question 10-6)   | \$ -                    |   |
| 2-2   | <b>Specific ownership</b>                                       | \$ -                    |   |
| 2-3   | <b>Sales and use</b>  | \$ -                    |   |
| 2-4   | <b>Other (specify):</b>   | \$ -                    |   |
| 2-5   | <b>Licenses and permits</b>                                     | \$ -                    |   |
| 2-6   | <b>Intergovernmental: Grants</b>                                | \$ -                    |   |
| 2-7   | <b>Conservation Trust Funds (Lottery)</b>                       | \$ -                    |   |
| 2-8   | <b>Highway Users Tax Funds (HUTF)</b>                           | \$ -                    |   |
| 2-9   | <b>Other (specify):</b>   | \$ -                    |   |
| 2-10  | <b>Charges for services</b>                                     | \$ -                    |   |
| 2-11  | <b>Fines and forfeits</b>                                       | \$ -                    |   |
| 2-12  | <b>Special assessments</b>                                      | \$ -                    |   |
| 2-13  | <b>Investment income</b>  | \$ -                    |   |
| 2-14  | <b>Charges for utility services</b>                             | \$ -                    |   |
| 2-15  | <b>Debt proceeds</b> (should agree with line 4-4, column 2)     | \$ -                    |   |
| 2-16  | <b>Lease proceeds</b>   | \$ -                    |   |
| 2-17  | <b>Developer Advances received</b> (should agree with line 4-4) | \$ -                    |   |
| 2-18  | <b>Proceeds from sale of capital assets</b>                     | \$ -                    |   |
| 2-19  | <b>Fire and police pension</b>                                  | \$ -                    |   |
| 2-20  | <b>Donations</b>  | \$ -                    |   |
| 2-21  | <b>Other (specify):</b>   | \$ -                    |   |
| 2-22  |   | \$ -                    |   |
| 2-23  |   | \$ -                    |   |
| 2-24  | <b>(add lines 2-1 through 2-23) TOTAL REVENUE</b>               | \$ -                    |   |

## PART 3 - EXPENDITURES/EXPENSES

EXPENDITURES: All expenditures for all funds must be reflected in this section, including the purchase of capital assets and principal and interest payments on long-term debt. Financial information will not include fund equity information.

| Line# | Description  | Round to nearest Dollar | Please use this space to provide any necessary explanations |
|-------|--|-------------------------|---|
| 3-1   | <b>Administrative</b>  | \$ -                    |   |
| 3-2   | <b>Salaries</b>  | \$ -                    |   |
| 3-3   | <b>Payroll taxes</b>   | \$ -                    |   |
| 3-4   | <b>Contract services</b>   | \$ -                    |   |
| 3-5   | <b>Employee benefits</b>   | \$ -                    |   |
| 3-6   | <b>Insurance</b>   | \$ -                    |   |
| 3-7   | <b>Accounting and legal fees</b>   | \$ -                    |   |
| 3-8   | <b>Repair and maintenance</b>  | \$ -                    |   |
| 3-9   | <b>Supplies</b>  | \$ -                    |   |
| 3-10  | <b>Utilities and telephone</b>   | \$ -                    |   |
| 3-11  | <b>Fire/Police</b>   | \$ -                    |   |
| 3-12  | <b>Streets and highways</b>  | \$ -                    |   |
| 3-13  | <b>Public health</b>   | \$ -                    |   |
| 3-14  | <b>Capital outlay</b>  | \$ -                    |   |
| 3-15  | <b>Utility operations</b>  | \$ -                    |   |
| 3-16  | <b>Culture and recreation</b>  | \$ -                    |   |
| 3-17  | <b>Debt service principal</b> (should agree with Part 4)                           | \$ -                    |   |
| 3-18  | <b>Debt service interest</b>   | \$ -                    |   |
| 3-19  | <b>Repayment of Developer Advance Principal</b> (should agree with line 4-4)       | \$ -                    |   |
| 3-20  | <b>Repayment of Developer Advance Interest</b>                                     | \$ -                    |   |
| 3-21  | <b>Contribution to pension plan</b> (should agree to line 7-2)                     | \$ -                    |   |
| 3-22  | <b>Contribution to Fire &amp; Police Pension Assoc.</b> (should agree to line 7-2) | \$ -                    |   |
| 3-23  | <b>Other (specify):</b>  | \$ -                    |   |
| 3-24  |  | \$ -                    |   |
| 3-25  |  | \$ -                    |   |
| 3-26  | <b>(add lines 3-1 through 3-24) TOTAL EXPENDITURES/EXPENSES</b>                    | \$ -                    |   |

If TOTAL REVENUE (Line 2-24) or TOTAL EXPENDITURES (Line 3-26) are GREATER than \$100,000 - **STOP**. You may not use this form. Please use the "Application for Exemption from Audit - LONG FORM".

## PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

Please answer the following questions by marking the appropriate boxes.

Yes                      No

|     |   |                          |                                     |
|-----|---|--------------------------|-------------------------------------|
| 4-1 | Does the entity have outstanding debt?<br>If Yes, please attach a copy of the entity's Debt Repayment Schedule.   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4-2 | Is the debt repayment schedule attached? If no, MUST explain:<br><div style="border: 1px solid black; padding: 2px; margin-top: 5px;">N/A - The District has no debt</div>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4-3 | Is the entity current in its debt service payments? If no, MUST explain:<br><div style="border: 1px solid black; padding: 2px; margin-top: 5px;">N/A - The District has no debt</div> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4-4 | Please complete the following debt schedule, if applicable:<br>(please only include principal amounts)(enter all amount as positive numbers)  |                          |                                     |
|     | General obligation bonds  | \$ -                     | \$ -                                |
|     | Revenue bonds   | \$ -                     | \$ -                                |
|     | Notes/Loans   | \$ -                     | \$ -                                |
|     | Lease Liabilities   | \$ -                     | \$ -                                |
|     | Developer Advances  | \$ -                     | \$ -                                |
|     | Other (specify):  | \$ -                     | \$ -                                |
|     | <b>TOTAL</b>  | <b>\$ -</b>              | <b>\$ -</b>                         |

\*must tie 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?<br>If yes: How much? <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 10px;">\$ 1,259,700,000.00</div><br>Date the debt was authorized: <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 10px;">11/5/2019</div>  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 4-6 | Does the entity intend to issue debt within the next calendar year?<br>If yes: How much? <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 10px;">\$ -</div>   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4-7 | Does the entity have debt that has been refinanced that it is still responsible for?<br>If yes: What is the amount outstanding? <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 10px;">\$ -</div>  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 4-8 | Does the entity have any lease agreements?<br>If yes: What is being leased? <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 10px;"> </div><br>What is the original date of the lease? <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 10px;"> </div><br>Number of years of lease? <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 10px;"> </div><br>Is the lease subject to annual appropriation? <input type="checkbox"/><br>What are the annual lease payments? <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 10px;">\$ -</div> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Please use this space to provide any explanations or comments:

## PART 5 - CASH AND INVESTMENTS

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

Amount                      Total

|     |   |      |      |
|-----|---|------|------|
| 5-1 | YEAR-END Total of ALL Checking and Savings Accounts                               | \$ - |      |
| 5-2 | Certificates of deposit   | \$ - |      |
|     | <b>Total Cash Deposits</b>  |      | \$ - |
|     | Investments (if investment is a mutual fund, please list underlying investments): |      |      |
|     | <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> </div>      | \$ - |      |
|     | <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> </div>      | \$ - |      |
| 5-3 | <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> </div>      | \$ - |      |
|     | <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> </div>      | \$ - |      |
|     | <b>Total Investments</b>  |      | \$ - |
|     | <b>Total Cash and Investments</b>   |      | \$ - |

Please answer the following questions by marking in the appropriate boxes

Yes                      No                      N/A

|     |   |                          |                          |                                     |
|-----|---|--------------------------|--------------------------|-------------------------------------|
| 5-4 | Are the entity's Investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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.)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If no, MUST use this space to provide any explanations:

## PART 6 - CAPITAL AND RIGHT-TO-USE ASSETS

Please answer the following questions by marking in the appropriate boxes.

Yes                      No

- 6-1 Does the entity have capital 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

N/A The District has no capital assets.

| Complete the following capital & right-to-use assets table:                            | Balance - beginning of the year* | Additions (Must be included in Part 3) | Deletions   | Year-End Balance |
|--|----------------------------------|--|-------------|------------------|
| Land   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Buildings  | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Machinery and equipment  | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Furniture and fixtures   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Infrastructure   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Construction In Progress (CIP)   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Leased Right-to-Use Assets   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Other (explain):   | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| Accumulated Depreciation/Amortization<br>(Please enter a negative, or credit, balance) | \$ -                             | \$ -                                   | \$ -        | \$ -             |
| <b>TOTAL</b>   | <b>\$ -</b>                      | <b>\$ -</b>                            | <b>\$ -</b> | <b>\$ -</b>      |

Please use this space to provide any explanations or comments:

## PART 7 - PENSION INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes                      No

- 7-1 Does the entity have an "old hire" firefighters' pension plan?  Yes       No
- 7-2 Does the entity have a volunteer firefighters' pension plan?  Yes       No

If yes: Who administers the plan?

Indicate the contributions from:

|                                  |             |
|----------------------------------|-------------|
| Tax (property, SO, sales, etc.): | \$ -        |
| State contribution amount:       | \$ -        |
| Other (gifts, donations, etc.):  | \$ -        |
| <b>TOTAL</b>                     | <b>\$ -</b> |

What is the monthly benefit paid for 20 years of service per retiree as of Jan 1?  \$ -

Please use this space to provide any explanations or comments:

## PART 8 - BUDGET INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes                      No                      N/A

- 8-1 Did the entity file a budget with the Department of Local Affairs for the current year in accordance with Section 29-1-113 C.R.S.?  Yes       No       N/A

- 8-2 Did the entity pass an appropriations resolution, in accordance with Section 29-1-108 C.R.S.? If no, MUST explain:  Yes       No       N/A

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

| Governmental/Proprietary Fund Name | Total Appropriations By Fund |
|------------------------------------|------------------------------|
| General Fund                       | \$ -                         |
|                                    | \$ -                         |
|                                    |                              |
|                                    |                              |

## PART 9 - TAXPAYER'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)]?



Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.

If no, MUST explain:

## PART 10 - GENERAL INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes

No

**10-1** Is this application for a newly formed governmental entity?



If yes: Date of formation:

**10-2** Has the entity changed its name in the past or current year?



If yes: Please list the NEW name & PRIOR name:

**10-3** Is the entity a metropolitan district?



Please indicate what services the entity provides:

**10-4** 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:

**10-5** Has the district filed a *Title 32, Article 1 Special District Notice of Inactive Status* during the

If yes: Date Filed:




**10-6** Does the entity have a certified Mill Levy?

If yes:

Please provide the following mills levied for the year reported (do not report \$ amounts):

Bond Redemption mills

|                     |   |
|---------------------|---|
|                     | - |
| General/Other mills | - |
| Total mills         | - |

General/Other mills

Total mills

Please use this space to provide any explanations or comments:

10-3 Public improvements for streets, paks and recreation, water, sanitary/storm sewer, transportation, mosquito control, safety protection, fire protection, television and relay translation, security, and opearation and maintenance. 10-4 Loretto Heights Metro Districts No. 1 through 5 and Loretto Heights Programming District work together to provide services to the Loretto Heights Community.

## PART 11 - 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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- 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.

| Print the names of ALL members of current governing body below. |   | A <u>MAJORITY</u> of the members of the governing body must complete and sign in the column below.   |
|---|---|--|
| Board Member 1  | Print Board Member's Name<br>Witkiewicz, Mark   | I, Witkiewicz, Mark , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2025   |
| Board Member 2  | Print Board Member's Name<br>Langley, Paige     | I, Langley, Paige , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2023     |
| Board Member 3  | Print Board Member's Name<br>Klein, Andrew      | I, Klein, Andrew , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2025      |
| Board Member 4  | Print Board Member's Name<br>Moore, Otis        | I, Moore, Otis , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2023        |
| Board Member 5  | Print Board Member's Name<br>Waldschmidt, Megan | I, Waldschmidt, Megan , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: May 2023 |
| Board Member 6  | Print Board Member's Name                       | I _____ , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: _____                  |
| Board Member 7  | Print Board Member's Name                       | I _____ , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit.<br>Signed _____<br>Date: _____<br>My term Expires: _____                  |



CliftonLarsonAllen LLP  
8390 East Crescent Pkwy., Suite 300  
Greenwood Village, CO 80111

phone 303-779-5710 fax 303-779-0348  
CLAAconnect.com

## Accountant's Compilation Report

Board of Directors  
Loretto Heights Programming Metropolitan District  
City and County of Denver, Colorado

Management is responsible for the accompanying Application for Exemption from Audit of Loretto Heights Programming Metropolitan District as of and for the year ended December 31, 2022, included in the accompanying prescribed form. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not audit or review the financial statements included in the accompanying prescribed form nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on the financial statements included in the accompanying prescribed form.

The Application for Exemption from Audit is presented in accordance with the requirements of the Colorado Office of the State Auditor, which differ from accounting principles generally accepted in the United States of America.

This report is intended solely for the information and use of the Colorado Office of the State Auditor and is not intended to be and should not be used by anyone other than this specified party.

We are not independent with respect to Loretto Heights Programming Metropolitan District.

A handwritten signature in cursive script that reads "CliftonLarsonAllen LLP".

Greenwood Village, Colorado  
February 21, 2023



# **LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 1**

## **ENGINEER'S REPORT AND VERIFICATION OF COSTS ASSOCIATED WITH PUBLIC IMPROVEMENTS**

PREPARED BY:

SCHEDIO GROUP LLC  
809 14<sup>TH</sup> STREET, SUITE A  
GOLDEN, COLORADO 80401

LICENSED PROFESSIONAL ENGINEER:

TIMOTHY A. MCCARTHY  
STATE OF COLORADO  
LICENSE NO: 44349

DATE PREPARED: May 19, 2023

CLIENT NO: 200402

PROJECT: Loretto Heights Thrive

Engineer's Report and Verification of Costs No. 14

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## ENGINEER'S REPORT

### INTRODUCTION

Schedio Group LLC ("Schedio Group") and Loretto Heights Metropolitan District No. 1 ("District") entered into a *Service Agreement for Engineering and Cost Verification Services* on April 5, 2020. This *Engineer's Report and Verification of Costs Associated with Public Improvements* ("Report") is the 14th deliverable associated with the Agreement, more specifically *Task 1 – Independent Professional Engineer's Review and Verification of Costs Incurred to Date Associated with Public Improvements*.

Schedio Group has reviewed the *Service Plan for Loretto Heights Metropolitan District No. 1 in the City and County of Denver, Colorado* ("Service Plan"), prepared by McGeady Becher P.C. and approved August 26, 2019. Per the Service Plan, the Project is a mixed use residential and commercial development located southwest of the City's downtown area on the site formerly occupied by the Loretto Heights College and later by the Loretto Heights College and Colorado Heights University. The Planned Development constitutes a redevelopment and repurposing of existing facilities and infrastructure. Development is anticipated to begin in 2020 and be substantially completed in 2025, as development warrants, with an estimated population of approximately two thousand five hundred (2,500) residents and one thousand (1,000) daytime occupants at build out. The total estimated costs of Public Improvements... are approximately \$96,000,000 in 2019 dollars. Of that amount, approximately \$69,135.00 may be attributable to eligible Public Improvements and the remaining \$27,765,000 may be attributable to DURA eligible improvements.

In addition, per the *Facilities Funding and Acquisition Agreement* ("FFAA"), by and between Loretto Heights Metropolitan District No. 1, and ACM Loretto VI LLC ("ACM Loretto") effective February 14, 2020:

Section 3.1 Improvements Acquired by the District. The Parties agree that prior to the Developer requesting that the District acquire any Improvements pursuant to this Agreement, the District shall obtain a certification of an independent engineer retained by the District that the Construction Related Expenses are reasonable and comparable for similar projects as constructed in the local community, and verification from the District's accountant that the Construction Related Expenses are reimbursable ("Verified Costs") based on the copies of the invoices, bills, and requests for payment provided to the District pursuant to Section 3.4. The Developer shall provide the District and/or the independent engineer with written evidence of the date that payment was made by the Developer for all Verified Costs.

Section 4.1 Reimbursement of Developer. Subject to the receipt of funding pursuant to Section 4.3 herein and all other applicable provisions hereof, the District agrees to make payment to the Developer for all Developer Advances and /or Verified Costs, together with interest thereon, unless otherwise agreed to in writing by the Parties.

Per the *Facilities Reimbursement Agreement* ("FRA") by and between Loretto Heights Metropolitan District No. 1, ACM Loretto VI LLC and Hartman Ely Investments LLC ("Hartman Ely") dated June 3, 2021:

Covenants and Agreements 1. Construction of Hartman Ely Improvements. The parties hereby acknowledge that Hartman Ely shall design, construct, and complete the Hartman Ely Improvements

and the District anticipates that the Hartman Ely Improvements will be accepted by the District or other local governing jurisdiction.

Covenants and Agreements 2. Certification of Construction Costs. The parties hereby agree that the District's receipt of a written certification from an independent engineer engaged by the District that the Construction Related Expenses of the Hartman Ely Improvements are reasonable and comparable to the costs of similar public improvements constructed in the Denver Metropolitan Area and the review and approval of the independent engineer and the District's accountant that the Construction Related Expenses are reimbursable ("Certified Construction Costs") based on the copies of the invoices, bills, and requests for payment provided to the District pursuant to this Section ("Engineer's Verification") shall be a condition precedent to the District's reimbursement to Hartman Ely for Construction Related Expenses. The District's independent engineer shall provide such Engineer's Verification within thirty days of the District's receipt of Hartman Ely's provision of a complete set of the information and documentation provided below. Notwithstanding, the actual Construction Related Expenses incurred by Hartman Ely may exceed the Certified Construction Costs. Hartman Ely shall provide the District the following documents to calculate the Certified Construction Costs:

- (a) Lien waivers and indemnifications from each contractor verifying that all amounts due to contractors, subcontractors, material providers or suppliers have been paid in full, in a form acceptable to the District;
- (b) Copies of all contracts, pay requests, change orders, invoices and evidence of payment of same, the final AIA payment form (or similar form approved by the District), canceled checks, and any other requested documentation to verify the amounts of reimbursable Construction Related Expenses requested; and
- (c) Such other documentation, records, and verifications as may be reasonably be required by the District.

Covenants and Agreements 3. Reimbursement. Subject to Hartman Ely's satisfaction of the provision of Section 2 and all other applicable provisions hereof, the District agrees to make payment to Hartman Ely for the Certified Construction Costs, but not in excess of the Reimbursement Amount. Payment shall be made to Hartman Ely within 15 days of the District's approval of any Engineer's Verification, subject to availability of funds as set forth in Section 4 hereof.

Recital K. The District agrees to reimburse Hartman Ely up to a maximum amount of One Hundred Thousand and Zero Dollars (\$100,000.00) for Construction Related Expenses associated with the Hartman Ely Improvements in accordance with and subject to the requirements of this Agreement (the "Reimbursement Amount").

Per the *Facilities Acquisition Agreement* ("FAA"), by and between Loretto Heights Metropolitan District No. 1 and THB Loretto Land LLC (the "Buyer"), dated October 5, 2021:

Covenants and Agreements 7. Verification of Costs. Upon Buyer's completion of any Buyer's District Improvements, Buyer shall cooperate with Seller and the District, at no out-of-pocket cost to the Buyer, to enable the District's engineer or other independent engineer licensed in the State of Colorado to prepare a cost verification of Buyer's District Improvements so that expenses can be verified as qualified Construction Related expenses that may be eligible for reimbursement to Seller as District Reimbursement Rights. Such cost verification shall include, but not necessarily be limited to, a certification by the engineer generally stating that: (i) the Improvement(s) are fit for the intended purpose; (ii) Buyer's District Improvements (including individual components) were constructed in

substantial accordance with their design; and (iii) the costs for the design, construction and completion of said Buyer's Districts Improvements are reasonable.

Per the *Agreement and Assignment Regarding Metropolitan District Payments ("AARMDP")*, by and between THB Loretto Land LLC ("Buyer") and ACM Loretto VI LLC ("Seller") dated October 5, 2021:

Section 3. Seller Reimbursement Rights. Buyer acknowledges that: (i) the construction and conveyance of the District Improvements shall be made without compensation to Buyer; and (ii) any reimbursements, credits, payments, or other amounts payable by the District on account of the District Improvements or any other matters related thereto ("Metro District Payments") shall remain the property of the Seller and shall not be conveyed to Buyer.

This Report does not consider interest. If applicable, interest will be determined by the District's Accountant.

The purpose of this Report is to segregate and to verify costs associated with the design and construction of Public Improvements as authorized by the Service Plan and to recommend an amount to be reimbursed by the District to the Developers per the respective FFAA, FRA, FAA, and AARMDP.

### SUMMARY OF FINDINGS

To date, Schedio Group has reviewed a total of \$8,245,627.72 in soft, indirect, and hard costs associated with the design and construction of improvements. Of the \$8,245,627.72 reviewed, Schedio Group has verified \$6,146,756.67 as Capital Costs associated with the design and construction of Public Improvements which are eligible for reimbursement from the District to the Developers or for payables by the District to Vendors.

Per *Loretto Heights Metropolitan District No. 1 – Engineer's Report and Verification of Costs No. 13 ("ERVC13")*, prepared by Schedio Group LLC and dated April 11, 2023, Schedio Group had reviewed a total of \$7,953,265.21 in soft, indirect, and hard costs associated with the design and construction of improvements. Of the \$7,953,265.21 reviewed, Schedio Group had verified \$5,958,064.40 as Capital Costs associated with the design and construction of Public Improvements, of which \$5,771,670.10 was eligible for District reimbursement to ACM Loretto, \$109,720.34 was eligible for District reimbursement to Hartman Ely, and \$76,673.96 was directly paid by the District to Vendors.

Regarding this Report, Schedio Group has reviewed \$313,222.26 in soft, indirect, and hard costs associated with the design and construction of improvements. Of the \$313,222.26 reviewed, Schedio Group has verified \$188,692.27 as Capital Costs associated with the design and construction of Public Improvements, of which **\$188,692.27** is eligible for reimbursement from the District to ACM Loretto VI LLC. See *Exhibit A – Summary of Verified Soft, Indirect, and Hard Costs Segregated by Service Plan Category*.

### DETERMINATION OF PUBLIC PRORATION PERCENTAGES

*Figure 1 & Figure 2 – Determination of Public Proration Percentages* below summarizes the public and private areas within the District's Service Area. The ratio of Total Public Area to Total Area yields a Public Proration Percentage that can be applied to select costs with both public and private components. Areas were taken directly from, or derived from, the *Loretto Heights Filing No. 1 Plat*, the *Improvement Survey Plat – Thrive Loretto Heights Ph 1A-B Plat*, and *Lot 1, Block 1 & 2 and Lot 2, Block 1 Storm & Sanitary Sewer Plans*. The Public Proration Percentage was calculated and applied as deemed

appropriate by Schedio Group. See *Exhibit B – Summary of Costs Reviewed* for application of the Public Proration Percentage.

| AREA TYPE              |               | SF        | AREA TYPE AS % |
|------------------------|---------------|-----------|----------------|
| Total Area -->         |               | 3,359,251 | 100.00%        |
| PRIVATE LOTS           |               | 2,220,925 |                |
| Total Private Area --> |               |           | 66.11%         |
| ROW                    |               | 647,778   |                |
| TRACTS                 |               |           |                |
| A                      | Drainage      | 50,723    | 1.51%          |
| B                      | Drainage      | 67,720    | 2.02%          |
| BB                     | Public Access | 54,050    | 1.61%          |
| C                      | Drainage      | 4,650     | 0.14%          |
| D                      | Public Access | 30,993    | 0.92%          |
| E                      | Public Access | 50,221    | 1.50%          |
| F                      | Public Access | 33,873    | 1.01%          |
| G                      | Public Access | 5,758     | 0.17%          |
| H                      | Public Access | 95,623    | 2.85%          |
| I                      | Public Access | 21,536    | 0.64%          |
| J                      | Public Access | 47,461    | 1.41%          |
| JA                     | Drainage      | 542       | 0.02%          |
| JB                     | Drainage      | 5,493     | 0.16%          |
| JC                     | Drainage      | 4,650     | 0.14%          |
| K                      | Public Access | 5,678     | 0.17%          |
| N                      | Public Access | 11,577    | 0.34%          |
| Total Public Area -->  |               | 1,138,326 | 33.89%         |
| Private % -->          |               | 2,220,925 | 66.11%         |
| Public % -->           |               |           | 33.89%         |

*Figure 1 – Determination of Public Proration Percentage for Loretto Heights Filing No. 1*

| PHASE 1A - 1D          | SF      | PRI AREA (SF) | % PRI  | PUB AREA (SF) | % PUB  |
|------------------------|---------|---------------|--------|---------------|--------|
| THRIVE PHASE 1A        | 77,571  | 46,215        | 59.58% | 31,356        | 40.42% |
| THRIVE PHASE 1B        | 70,216  | 48,993        | 69.77% | 21,223        | 30.23% |
| THRIVE PHASE 1C        | 72,724  | 49,876        | 68.58% | 22,848        | 31.42% |
| THRIVE PHASE 1D        | 44,934  | 29,127        | 64.82% | 15,807        | 35.18% |
| THRIVE 1A & 1B         | 147,787 | 95,208        | 64.42% | 52,579        | 35.58% |
| THRIVE 1B, 1C & 1D     | 187,874 | 127,995       | 68.13% | 59,878        | 31.87% |
| THRIVE 1A, 1B, 1C & 1D | 265,445 | 174,210       | 65.63% | 91,234        | 34.37% |

*Figure 2 - Determination of Public Proration Percentages for Loretto Heights Thrive Phase 1A-1D*

## VERIFICATION OF COSTS

Schedio Group reviewed soft, indirect, and hard costs associated with the design and construction of Public Improvements. Schedio Group found costs associated with Public Improvements to be reasonable when compared to similar projects, during similar timeframes in similar locales.

**VERIFICATION OF PAYMENTS**

For the current Report, Schedio Group verified payments in the amount of \$313,222.26, of which \$188,692.27 is associated with the design and construction of Public Improvements.

**VERIFICATION OF CONSTRUCTION**

Schedio Group performed a site visit on May 18, 2023. Goodland Construction Pay Application No. 6 reasonably represents the work completed to date on site. The constructed Public Improvements appear to be in general conformance with the approved construction drawings. See *Exhibit C – Summary of Documents Reviewed*. Photos are available from Schedio Group upon request.

**SPECIAL CIRCUMSTANCES AND NOTABLE METHODOLOGIES**

None.

## ENGINEER'S VERIFICATION

Timothy A. McCarthy, P.E. / Schedio Group LLC ("the Independent Consulting Engineer") states as follows:

The Independent Consulting Engineer is an engineer duly qualified and licensed in the State of Colorado with experience in the design, construction, and verification of Public Improvements of similar type and function as those described in the attached Engineer's Report dated May 19, 2023.

The Independent Consulting Engineer has reviewed applicable construction and legal documents related to the Public Improvements under consideration to state the conclusions set forth in this Engineer's Verification.

The Independent Consulting Engineer performed a site visit on May 18, 2023. The Independent Consulting Engineer finds and determines that Public Improvements considered in the attached Engineer's Report were constructed in general accordance with the approved construction drawings.

The Independent Consulting Engineer finds and determines that Public Improvements considered in the attached Engineer's Report, from January 31, 2023 (date of Securitas Invoice No. 11151798) to March 31, 2023 (date of Goodland Construction Pay Application No. 6) are reasonably valued at \$188,692.27.

In the opinion of the Independent Consulting Engineer, the above stated value for soft, indirect, and hard costs associated with the design and construction of the Public Improvements is reasonable and consistent with costs of similar improvements constructed for similar purposes during the same timeframe and similar locales and is eligible for reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC in the amount of **\$188,692.27**.



May 19, 2023

---

Timothy A. McCarthy, P.E. | Colorado License No. 44349



## **EXHIBIT A**

### **SUMMARY OF VERIFIED SOFT, INDIRECT, AND HARD COSTS SEGREGATED BY SERVICE PLAN CATEGORY**

# SUMMARY OF VERIFIED SOFT, INDIRECT, AND HARD COSTS SEGREGATED BY SERVICE PLAN CATEGORY

|  | TOT AMT<br>VER NOS 1-14<br>District + ACM Loretto VI<br>LLC +<br>Hartman Ely Investments<br>LLC | TOT AMT<br>VER NOS 1-14<br>DISTRICT TO VENDORS | TOT AMT<br>VER NOS 1-14<br>ACM Loretto VI LLC | TOT AMT<br>VER NOS 1-14<br>Hartman Ely Investments<br>LLC | TOT PREV AMT<br>VER NOS 1-13<br>District + ACM Loretto VI<br>LLC +<br>Hartman Ely Investments<br>LLC | TOT PREV AMT VER<br>VER NOS 1-13<br>DISTRICT TO VENDORS | TOT PREV AMT VER<br>VER NOS 1-13<br>ACM Loretto VI LLC | TOT PREV AMT VER<br>VER NOS 1-13<br>Hartman Ely Investments<br>LLC | TOT AMT<br>VER NO 14<br>District + ACM Loretto VI<br>LLC +<br>Hartman Ely Investments<br>LLC | TOT CUR AMT VER<br>VER NO 14<br>DISTRICT TO VENDORS | TOT CUR AMT VER<br>VER NO 14<br>ACM Loretto VI LLC | TOT CUR AMT VER<br>VER NO 14<br>Hartman Ely Investments<br>LLC |
|--|---|--|---|---|--|---|--|--|--|---|--|--|
| <b>SOFT AND INDIRECT COSTS</b>                         |   |  |   |   |  |   |  |  |  |   |  |  |
| Operations & Maintenance                               | \$ -  | \$ -   | \$ -  | \$ -  | \$ -   | \$ -  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -   | \$ -   |
| Organizational   | \$ -  | \$ -   | \$ -  | \$ -  | \$ -   | \$ -  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -   | \$ -   |
| Capital  |   |  |   |   |  |   |  |  |  |   |  |  |
| Streets  | \$ 851,155.89   | \$ 28,794.93                                   | \$ 813,483.56                                 | \$ 8,877.40   | \$ 831,559.24  | \$ 28,794.93  | \$ 793,886.92  | \$ 8,877.40  | \$ 19,596.64   | \$ -  | \$ 19,596.65                                       | \$ -   |
| Water  | \$ 413,663.33   | \$ 26,644.00                                   | \$ 387,019.33                                 | \$ -  | \$ 407,317.67  | \$ 26,644.00  | \$ 380,673.67  | \$ -   | \$ 6,345.66  | \$ -  | \$ 6,345.66  | \$ -   |
| Sanitary Sewer   | \$ 405,454.86   | \$ 21,235.03                                   | \$ 384,219.83                                 | \$ -  | \$ 399,109.20  | \$ 21,235.03  | \$ 377,874.17  | \$ -   | \$ 6,345.66  | \$ -  | \$ 6,345.66  | \$ -   |
| Parks and Recreation                                   | \$ 489,882.46   | \$ -   | \$ 481,005.06                                 | \$ 8,877.40   | \$ 483,536.80  | \$ -  | \$ 474,659.40  | \$ 8,877.40  | \$ 6,345.66  | \$ -  | \$ 6,345.66  | \$ -   |
| <b>TOTAL SOFT AND INDIRECT COSTS --&gt;</b>            | <b>\$ 2,160,156.52</b>  | <b>\$ 76,673.96</b>                            | <b>\$ 2,065,727.77</b>                        | <b>\$ 17,754.79</b>                                       | <b>\$ 2,121,522.91</b>   | <b>\$ 76,673.96</b>                                     | <b>\$ 2,027,094.16</b>                                 | <b>\$ 17,754.79</b>  | <b>\$ 38,633.59</b>  | <b>\$ -</b>   | <b>\$ 38,633.60</b>                                | <b>\$ -</b>  |
| <b>HARD COSTS</b>                                      |   |  |   |   |  |   |  |  |  |   |  |  |
| Operations & Maintenance                               | \$ -  | \$ -   | \$ -  | \$ -  | \$ -   | \$ -  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -   | \$ -   |
| Organizational   | \$ -  | \$ -   | \$ -  | \$ -  | \$ -   | \$ -  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -   | \$ -   |
| Capital  |   |  |   |   |  |   |  |  |  |   |  |  |
| Streets  | \$ 3,370,799.98   | \$ -   | \$ 3,324,817.21                               | \$ 45,982.78  | \$ 3,348,137.06  | \$ -  | \$ 3,302,154.29  | \$ 45,982.78   | \$ 22,662.92   | \$ -  | \$ 22,662.92                                       | \$ -   |
| Water  | \$ 182,286.80   | \$ -   | \$ 182,286.80                                 | \$ -  | \$ 87,820.03   | \$ -  | \$ 87,820.03   | \$ -   | \$ 94,466.77   | \$ -  | \$ 94,466.77                                       | \$ -   |
| Sanitary Sewer   | \$ 75,445.71  | \$ -   | \$ 75,445.71                                  | \$ -  | \$ 69,429.64   | \$ -  | \$ 69,429.64   | \$ -   | \$ 6,016.07  | \$ -  | \$ 6,016.07  | \$ -   |
| Parks and Recreation                                   | \$ 337,170.82   | \$ -   | \$ 291,188.05                                 | \$ 45,982.78  | \$ 331,154.75  | \$ -  | \$ 285,171.98  | \$ 45,982.78   | \$ 6,016.08  | \$ -  | \$ 6,016.07  | \$ -   |
| <b>TOTAL HARD COSTS --&gt;</b>                         | <b>\$ 3,965,703.32</b>  | <b>\$ -</b>                                    | <b>\$ 3,873,737.77</b>                        | <b>\$ 91,965.55</b>                                       | <b>\$ 3,836,541.48</b>   | <b>\$ -</b>   | <b>\$ 3,744,575.93</b>                                 | <b>\$ 91,965.55</b>  | <b>\$ 129,161.84</b>   | <b>\$ -</b>   | <b>\$ 129,161.84</b>                               | <b>\$ -</b>  |
| <b>SOFT AND INDIRECT + HARD COSTS</b>                  |   |  |   |   |  |   |  |  |  |   |  |  |
| Operations & Maintenance                               | \$ -  | \$ -   | \$ -  | \$ -  | \$ -   | \$ -  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -   | \$ -   |
| Organizational   | \$ -  | \$ -   | \$ -  | \$ -  | \$ -   | \$ -  | \$ -   | \$ -   | \$ -   | \$ -  | \$ -   | \$ -   |
| Capital  |   |  |   |   |  |   |  |  |  |   |  |  |
| Streets  | \$ 4,221,955.87   | \$ 28,794.93                                   | \$ 4,138,300.77                               | \$ 54,860.17  | \$ 4,179,696.31  | \$ 28,794.93  | \$ 4,096,041.21  | \$ 54,860.17   | \$ 42,259.56   | \$ -  | \$ 42,259.57                                       | \$ -   |
| Water  | \$ 595,950.12   | \$ 26,644.00                                   | \$ 569,306.12                                 | \$ -  | \$ 495,137.70  | \$ 26,644.00  | \$ 468,493.70  | \$ -   | \$ 100,812.43  | \$ -  | \$ 100,812.43                                      | \$ -   |
| Sanitary Sewer   | \$ 480,900.57   | \$ 21,235.03                                   | \$ 459,665.54                                 | \$ -  | \$ 468,538.84  | \$ 21,235.03  | \$ 447,303.81  | \$ -   | \$ 12,361.73   | \$ -  | \$ 12,361.73                                       | \$ -   |
| Parks and Recreation                                   | \$ 827,053.28   | \$ -   | \$ 772,193.11                                 | \$ 54,860.17  | \$ 814,691.55  | \$ -  | \$ 759,831.38  | \$ 54,860.17   | \$ 12,361.74   | \$ -  | \$ 12,361.73                                       | \$ -   |
| <b>TOTAL SOFT AND INDIRECT + HARD COSTS --&gt;</b>     | <b>\$ 6,125,859.85</b>  | <b>\$ 76,673.96</b>                            | <b>\$ 5,939,465.55</b>                        | <b>\$ 109,720.34</b>                                      | <b>\$ 5,958,064.40</b>   | <b>\$ 76,673.96</b>                                     | <b>\$ 5,771,670.10</b>                                 | <b>\$ 109,720.34</b>   | <b>\$ 167,795.45</b>   | <b>\$ -</b>   | <b>\$ 167,795.45</b>                               | <b>\$ -</b>  |
| <b>TOTAL OPERATIONS &amp; MAINTENANCE COSTS --&gt;</b> | <b>\$ -</b>   | <b>\$ -</b>                                    | <b>\$ -</b>                                   | <b>\$ -</b>   | <b>\$ -</b>  | <b>\$ -</b>   | <b>\$ -</b>  | <b>\$ -</b>  | <b>\$ -</b>  | <b>\$ -</b>   | <b>\$ -</b>  | <b>\$ -</b>  |
| <b>TOTAL CAPITAL COSTS --&gt;</b>                      | <b>\$ 6,125,859.85</b>  | <b>\$ 76,673.96</b>                            | <b>\$ 5,939,465.55</b>                        | <b>\$ 109,720.34</b>                                      | <b>\$ 5,958,064.40</b>   | <b>\$ 76,673.96</b>                                     | <b>\$ 5,771,670.10</b>                                 | <b>\$ 109,720.34</b>   | <b>\$ 167,795.45</b>   | <b>\$ -</b>   | <b>\$ 167,795.45</b>                               | <b>\$ -</b>  |

**EXHIBIT B**

**SUMMARY OF COSTS REVIEWED**



SUMMARY OF COSTS REVIEWED

Table with columns: VER NO, REQ NO, COST TYPE, DEVELOPER, VENDOR, DESCRIPTION, INV NO, INV AMT, INV DATE, CHKS NO, PMT DATE, PMT AMT, AID BY/FO PAID I, DATE CLEARED, VER PMT AMT, % PRI, PRI AMT, % PUB, PUB AMT, VER PUB AMT, % O&M, O&M AMT, DISTRICT - VENDORS, DISTRICT - ACH/INVEST/LLC, DISTRICT - PARTITION/INVEST/LLC, % CAP, VER CAP AMT, STREETS, WATER, SANITATION, PARKS & REC. Rows include various construction and engineering projects with detailed cost breakdowns.

## **EXHIBIT C**

### **SUMMARY OF DOCUMENTS REVIEWED**

## SUMMARY OF DOCUMENTS REVIEWED

### SERVICE PLANS

- Service Plan for Loretto Heights Metropolitan District No. 1, prepared by McGeady Becher P.C., dated August 26, 2019

### DISTRICT AGREEMENTS

- Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LL, dated February 18, 2021
- Facilities Reimbursement Agreement between Loretto Heights Metropolitan District No. 1, AMC Loretto VI LLC and Hartman Ely Investments LLC, dated June 3, 2021
- Loretto Heights Rezoning and IMP Development Agreement, by and among the City and County of Denver, ACM Loretto VI LLC, Loretto Heights Metropolitan District Nos. 1, 2, 3, 4, and 5, Loretto Heights Programming Metropolitan District, and Pancratia Hall Partners, LLC, dated April 20, 2021
- Facilities Acquisition Agreement, by and between Loretto Heights Metropolitan District No. 1 and THB Loretto Heights Land LLC, dated October 5, 2021
- Agreement and Assignment Regarding Metropolitan District Payments, by and between THB Loretto Land LLC and ACM Loretto VI LLC, dated October 5, 2021

### PROFESSIONAL REPORTS

- Loretto Heights Southern Drainage Assessment, prepared by IRIS Mitigation and Design, Inc., dated August 27, 2020
- Loretto Heights Field Visit Approved Jurisdictional Determination Request, prepared by IRIS Mitigation and Design, Inc., dated December 2, 2020

### PLANNING DRAWINGS – ACM LORETTO

- Denver Public Schools, ROW & Temporary Construction Easement Exhibit, prepared by Harris Kocher Smith, dated December 23, 2020
- Denver Public Schools, Grading Exhibit, prepared by Harris Kocher Smith, dated March 11, 2021
- Denver Public Schools, Utility Exhibit, prepared by Harris Kocher Smith, dated March 11, 2021

### PLANNING DRAWINGS – THRIVE

- Loretto Heights Thrive – Lot 1, Block 10 Site Development Plan, prepared by Harris Kocher Smith
- Loretto Heights Thrive CAD Site Plan Update, prepared by DTJ Design, dated November 4, 2022
- Loretto Heights Thrive Western Slope Site Plan, prepared by DTJ Design, dated November 16, 2022
- Loretto Heights Thrive Draft Phasing Plan (Subject to Change), prepared by DTJ Design, dated November 16, 2022

**LAND SURVEY DRAWINGS – ACM LORETTO**

- Loretto Heights Filing No. 1 Plat (Unrecorded)

**LAND SURVEY DRAWINGS-THRIVE**

- Loretto Heights Filing No. 1 Plat, prepared by Harris Kocher Smith, dated August 25, 2021, Not Recorded
- Improvement Survey Plat – Thrive Loretto Heights Ph 1A-B, prepared by Harris Kocher Smith, last revised November 11, 2022, Not Recorded
- Improvement Survey Plat-Thrive Loretto Heights, Recorded Parcel Reconfiguration, dated 9/26/22, Reception No. 2022124614

**CONSTRUCTION DRAWINGS – ACM LORETTO**

- Gas Redistribution Exhibit Nos 1, 2, and 3, prepared by Xcel Energy, dated December 4, 2020
- Gas Line Relocation (100% Public Due to Widening of Federal Blvd), prepared by Xcel Energy, dated April 14, 2021
- Electrical Redistribution Exhibit, prepared by Xcel Energy, dated April 15, 2021
- Loretto Heights - Westside Overlot Grading Exhibit (undated)
- Pancratia Hall Irrigation Overflow Reroute Drawing, prepared by Harris Kocher Smith, dated May 6, 2021

**CONSTRUCTION DRAWINGS – THRIVE**

- Loretto Heights Phases 1A, 1B, 1C, & 1D Landscape Construction Drawings, prepared by DTJ Design, dated January 11, 2023, Bid Set-Not for Construction
- Loretto Heights Thrive Phase 1A Storm and Sanitary Sewer Plans, prepared by Harris Kocher Smith, approved April 27, 2022
- Loretto Heights Thrive Phase B-D Storm and Sanitary Sewer Plans, prepared by Harris Kocher Smith, approved November 15, 2022

**RECORD DRAWINGS**

- None

**CONSULTANT CONTRACTS – ACM LORETTO**

- Harris Kocher Engineering Group, INC, Project Consulting Agreement Project Services Preliminary Engineering and Construction Documentation/Drawing Services, dated March 10, 2019
  - o Change Order Nos. 3-4, 6-12, 14, and 17, dated May 26, 2019 through June 20, 2022
- Harris Kocher Engineering Group, Inc., Proposal to prepare an irrigation plan and profile for Irrigation Main Reroute, dated May 21, 2021, Fully Executed
- IRIS Mitigation and Design, Inc., Project Consulting Agreement, dated August 6, 2020
  - o Change Order Nos. 1 and 2, dated August 7, 2020 through October 29, 2020



- Landmark Environmental Inc., Master Services Agreement for Waste Handling, Sub Surface Related Work, Testing and Observation Services, Asbestos Materials, dated November 26, 2019
  - o Change Order Nos. 2 and 3, dated December 18, 2019 through August 21, 2019
- Shears Adkins Rockmore Architects, LLC, Master Services Agreement for Research and Documentation, Framework Planning, City Lead Master Planning Process, Architectural & Planning Services, dated September 30, 2018
  - o Change Order No. 1, dated November 11, 2019
- Wenk Associates, Master Services Agreement for Grading, Stormwater and Open Space Planning, Landscaping, Architectural & Planning Services, dated January 3, 2019
  - o Change Order Nos. 1 and 2, dated April 12, 2019 through February 15, 2020

#### **CONSULTANT CONTRACTS – THRIVE**

- A.G. Wassenaar, Inc., Executed Proposal for Geotechnical Due Diligence Study, dated March 14, 2019
- A.G. Wassenaar, Inc., Executed Proposal for Geotechnical Site Development Study, dated September 1, 2021
- A.G. Wassenaar, Inc., Executed Proposal for Soil and Foundation Studies, dated January 20, 2022
- A.G. Wassenaar, Inc., Proposal for Foundation Recommendation Verification, dated July 20, 2022
- B & J Surveying, Inc., Professional Services Proposal for Land Surveying, dated November 9, 2021
- B & J Surveying, Inc., Executed Proposal for Staking for Boring Locations, dated March 29, 2019
- B & J Surveying, Inc., Executed Proposal for Staking for Boring Locations, dated January 21, 2021
- CTL Thompson, Executed Proposal for Phase 1 Environmental Site Assessment, dated January 10, 2019
- Down to Earth Compliance, Proposal for Erosion Control, dated January 7, 2022
- DTJ Design, Letter of Agreement to Provide Conceptual Product Footprints and Site Plan Refinement, dated May 31, 2019
  - o Change Order Nos. 1- 4, dated November 14, 2019 through August, 17, 2021
- DTJ Design, Proposal for Landscape Construction Documentation + Services During Construction, dated August 27, 2020
- DTJ Design, Agreement for Formal Site Development Plan Submittal, dated March 24, 2021
- DTJ Design, Agreement to Provide Zoning Submittal Preparation Services, dated October 28, 2019
- DTJ Design, Agreement to Provide Landscape Construction Drawings & Services during Construction for Thrive Phase 1A-1D
  - o Work Order No. 1, Water, Sanitary Sewer, and Storm Drainage for Thrive Phase 1A and 1B, dated June 3, 2022

- Harris Kocher Smith, Phase 1 Scope of Services, dated November 23, 2020
  - o Change Order Nos. 1, 2, and 4-7, dated February 5, 2021 through May 16, 2022
- Harris Kocher Smith, Phase 2B Scope of Services, dated January 12, 2023
- Keller North America, Inc., Master Terms & Conditions Agreement, dated June 1, 2022
  - o Keller North America, Inc., Work Order for Water Injection for Buildings, dated July 8, 2022, Executed
- Kimley-Horn & Associates, Letter Agreement to Provide Dry Utility Consulting Services, dated June 3, 2022, Executed
- LT Environmental Inc., Proposal for Construction Stormwater Compliance Services, dated September 30, 2020
- Metrostudy, Proposal for Product Pricing & Positioning Analysis, dated February 17, 2019, Executed
- RG Engineering Consultants, Executed Proposal for Additional Electrical Engineering Services, dated November 2, 2021
- RG Engineering Consultants, Proposal for Additional Electrical Engineering Services, dated December 29, 2022
- Westwood Professional Services, Inc., Proposal for Civil Engineering and Surveying Services, dated January 19, 2023

#### **CONSULTANT INVOICES**

- See *Exhibit A - Summary of Costs Reviewed*

#### **CONTRACTOR CONTRACTS**

- BioTerra Constructors, Inc., Proposal for Pancratia Hall – Irrigation Pipe and Manholes, dated May 4, 2021, Executed
- Colorado Cleanup Corporation, Contract for Loretto Heights Abatement & Demolition, Phase 1, dated August 19, 2020, Executed
- Goodland Construction, Inc., Master Terms & Conditions Agreement, dated April 20, 2022
- Goodland Construction, Inc., Work Order for Loretto Heights – Thrive Home Builders – Phase 1A and 1B for Earthwork, Wet Utilities, and Concrete, dated June 3, 2022, Executed

#### **CONTRACTOR PAY APPLICATIONS**

- Bioterra, Pay Applications 1 and 2, dated May 31, 2021 through June 19, 2021
- Colorado Cleanup Corporation, Pay Application Nos. 1-9, dated August 31, 2020 through March 18, 2021
- Colorado Cleanup Corporation, Loretto Heights Pool, Pay Application Nos. 1-4, dated June 29, 2022 through August 31, 2022
- Goodland Construction, Inc. Pay Application Nos. 1-6, dated November 8, 2022 through March 31, 2023

## SERVICE AGREEMENT FOR DAVINCI SIGNS

THIS SERVICE AGREEMENT FOR DSST Sign Storage (“Agreement”) is entered into and effective as of the 19<sup>th</sup> day of August, 2021, by and between **Loretto Heights Metropolitan District #1**, a quasi-municipal corporation and political subdivision of the State of Colorado (the “District”), and Davinci Sign Systems, Inc., (the “Consultant”) (each a “Party” and, collectively, the “Parties”).

### RECITALS

A. The District was organized pursuant to the laws of the State of Colorado in order to construct, operate and maintain certain public facilities and improvements in accordance with its service plan (the “Improvements”).

B. Pursuant to Section 32-1-1001(1)(d)(I), C.R.S., the District is permitted to enter into contracts and agreements affecting the affairs of the District.

C. The Consultant has experience in providing the services, as set forth in **Exhibit A** hereto, attached and incorporated herein (the “Services”), and is willing to provide such Services to the District for reasonable consideration.

D. The Parties desire to enter into this Agreement to establish the terms by which the Consultant will provide the Services to the District.

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

### I. CONSULTANT DUTIES AND AUTHORITY

1.1 Duties of Consultant. The Consultant shall:

(a) Perform the Services, safely and in accordance with the highest standard of care, skill, and diligence provided by a professional consultant in performance of work similar to the Services.

(b) Be properly qualified to perform the Services. The Consultant does hereby warrant that the quality of the Services shall be as specified in this Agreement, shall conform in all respects to the requirements of this Agreement and shall be free of defects and deficiencies.

(c) Take all precautions necessary for safely and prudently conducting the Services required by this Agreement, including maintaining insurance as required under Section 4.2 hereof.

(d) Advise the District of the status of the Services required by this Agreement on a regular basis and work in coordination with the District’s consultants to

assure that the District has the most complete information available for the exercise of the District's powers and discretionary authority.

(e) Refrain from entering into any contract, oral or written, in the name of the District, and from incurring any debt, liability or obligation for or on behalf of the District. All obligations incurred by the Consultant shall be obligations of the Consultant and the Consultant shall hold the District harmless therefrom.

#### 1.2 Limitations on Authority.

(a) The Consultant shall have no right or authority, expressed or implied, to take any action, expend any sum, incur any obligation, or otherwise obligate the District in any manner whatsoever, except to the extent specifically provided in this Agreement or specifically authorized or ratified by the board of directors of the District as reflected in the minutes of the District board meetings. The Consultant shall at all times conform to the stated policies established and approved by the District.

(b) Independent Contractor Status. The Consultant is an independent contractor, as provided in Section 8-40-202(2)(b)(I)-(IV), C.R.S., as amended, and nothing herein contained shall constitute or designate the Consultant or any of its employees, agents, subcontractors or suppliers as employees of the District. The Services to be performed by the Consultant shall be at its sole cost, risk and expense, and no part of the cost thereof shall be charged to the District, except the payments to be made by the District to the Consultant for the Services performed as provided herein. The District shall not be responsible for the Consultant's means, methods, techniques, sequences or procedures of work or for safety precautions incident thereto. **The Consultant is not entitled to workers' compensation benefits and the Consultant is obligated to pay federal and state income taxes on moneys earned pursuant to this Agreement.**

1.3 Compliance with Applicable Law. The Consultant shall provide the Services set forth herein in full compliance with all applicable laws, rules, and regulations of any federal, state, county, or municipal body or agency thereof having jurisdiction over the activities of the District.

1.4 No Right or Interest in District Assets. The Consultant shall have no right or interest in any of the District's assets, nor any claim or lien with respect thereto, arising out of this Agreement or the performance of the Services contemplated herein.

1.5 Certification of Compliance with Illegal Alien Statute. By its execution hereof, the Consultant confirms and ratifies all of the certifications, statements, representations and warranties set forth in **Exhibit C** attached hereto and made a part hereof by this reference.

1.6 Work Product. "**Work Product**" shall consist of all written materials maintained by the Consultant in connection with performance of this Agreement, including, but not limited to, all test results, logs, surveys, maps, plans, drawings, specifications, reports, PDF formatted electronic files and other documents, in whatever form. The Consultant shall maintain reproducible copies of any test results and logs which it obtains and shall make them available for the District's use, and shall provide such copies to the District upon request at reasonable

commercial printing rates. Consultant agrees all right, title and interest in the Work Product is and shall remain the property of the District. If requested by the District, Consultant shall execute and deliver such documents as shall be necessary in the District's sole discretion, to assign, transfer and convey all rights in the Work Product to the District or its assignee. If Consultant fails to execute any documents required under this Section 1.6, then Consultant hereby irrevocably appoints the District its attorney-in-fact for the purpose of executing any required transfers of ownership or interests and any other documents necessary to effectuate this Section 1.6. Further, all Work Product, whether in paper or electronic form, reproductions thereof, or any information or instruments derived therefrom, shall be provided to the District immediately upon termination of this Agreement.

## II. COMPENSATION

2.1 Compensation. The Consultant shall be paid as set forth in **Exhibit B** attached hereto with a total contract amount not to exceed \$15,545.46 on a unit price basis based on units of work performed, unless otherwise approved in advance by the District through a written change order in form substantially as attached hereto as **Exhibit D** ("Change Order").

2.2 Monthly Invoices and Payments. The Consultant shall submit to the District a monthly invoice, in a form acceptable to the District. Invoices shall be submitted and paid no more frequently than once a month.

2.3 Expenses. The Consultant is responsible for all expenses it incurs in performance of this Agreement and shall not be entitled to any reimbursement or compensation except as set forth in **Exhibit B**, unless otherwise approved in advance by the District in writing.

2.4 Subject to Annual Budget and Appropriation; District Debt. The District does not intend hereby to create a multiple-fiscal year direct or indirect debt or other financial obligation whatsoever. The performance of those obligations of the District hereunder requiring budgeting and appropriation of funds is subject to annual budgeting and appropriation. Nothing herein constitutes or creates an indebtedness or debt of the District within the meaning of any Colorado constitutional provision or statutory limitation.

## III. TERM AND TERMINATION

3.1 Term. The term of this Agreement shall begin on the date set forth above, and shall expire on date satisfactory completion of the Services. Extensions of this Agreement must be pursuant to a Change Order executed by both Parties.

3.2 Termination. The District may terminate this Agreement for convenience or for cause, in whole or in part, by written notice of termination given to the Consultant at least Sixty (60) days prior to the effective date of such termination. The Consultant may terminate this Agreement for convenience or for cause, in whole or in part, by written notice of termination given to the District at least Sixty (60) days prior to the effective date of such termination. Any termination notice provided pursuant to this Section 3.2 shall specify the extent of termination and the effective date of the same.

The District shall pay the Consultant for all Services satisfactorily performed through the termination date.

#### IV. INDEMNIFICATION AND INSURANCE

4.1 Indemnification. The Consultant hereby agrees to indemnify, defend and hold the District and its affiliated entities or other persons or entities designated by the District, and their respective directors, trustees, officers, members, managers, agents and employees (collectively, the “**Indemnitees**”), harmless from any and all liability for damage, including, but not limited to, the reimbursement of attorneys’ fees and costs, arising out of death or bodily injury to persons or damage to property, in such amount that is represented by the degree or percentage of negligence or fault attributable to the Consultant and/or its agents, representatives, subcontractors, or suppliers.

4.2 Insurance Requirements. The Consultant shall procure, at its sole cost and expense, the insurance coverages set forth below, which insurance shall be placed with insurance companies rated at least “A:XIII” by A.M. Best Company. The Consultant shall give notice to the District at least thirty (30) days prior to the cancellation or nonrenewal of such policies. The Consultant shall give notice to the District within five (5) business days, or as soon as practicable, of any modification of any such policies. Consultant’s cost of maintaining the insurances required hereunder shall not be considered a reimbursable expense of the Consultant. The Consultant shall, upon request, promptly furnish the District with copies of policies obtained pursuant to this Section 4.2. Prior to commencing the Services, the Consultant shall furnish the District with certificates evidencing such insurance and provided further, however, with respect to the Workers’ Compensation Insurance required below, the Consultant must furnish to the District, prior to the commencement of any Services, duly executed and validated forms as prescribed by the state authority having jurisdiction evidencing that such insurance is in full force and effect. The District shall not pay any invoices until Consultant provides the certificates evidencing such insurance and Workers’ Compensation coverage.

(a) Liability Insurance Coverage.

(i) Workers’ Compensation Insurance. A Workers’ Compensation Insurance Policy in form and substance reasonably acceptable to the District and in an amount not less than the statutory benefits, including Employer’s Liability Insurance with limits of liability of not less than (i) \$500,000 for bodily injury by accident, each accident; (ii) \$500,000 for bodily injury by disease, each employee; and (iii) \$500,000 aggregate liability for disease. The Workers’ Compensation Insurance Policy, or an endorsement to such policy, must include a waiver of subrogation in favor of the District.

(ii) Commercial General Liability Insurance. A Commercial General Liability Insurance Policy written on an occurrence basis, in form and substance reasonably acceptable to the District, which policy shall include, without limitation, the District as an additional insured, a waiver of subrogation endorsement in favor of the District, cross liability and severability of interest endorsements, endorsements providing that the coverage afforded by the

insurance policy or policies is primary and non-contributing with any other insurance maintained by or available to the District, and appropriate language providing the following coverages: Premises and Operations Liability; Personal Injury Liability; Broad Form Property Damage Liability; Contractual Liability supporting the Consultant's indemnification agreements in favor of the District; Completed Operations and Products Liability; and Independent Contractor's Protective Liability. The Commercial General Liability Insurance Policy must be written with a combined single limit of liability of not less than \$1,000,000 for each occurrence of bodily injury and/or property damage and an annual aggregate of liability of not less than \$2,000,000 for bodily injury and/or property damage, and an annual aggregate of liability of not less than \$2,000,000 for Completed Operations and Products Liability.

(iii) Automobile Liability Insurance. An Automobile Liability Insurance Policy written on a per accident basis, in form and substance reasonably acceptable to the District. The Automobile Liability Insurance Policy must provide coverage for all owned, hired, rented and nonowned automobiles, and must include uninsured motorist coverages. The Automobile Liability Insurance Policy must be written with a combined single limit of liability of not less than \$1,000,000 for each accident for bodily injury and/or property damage.

(iv) Excess Liability Insurance. An Excess Liability Insurance Policy written in excess of the coverages provided by the insurance policies described in the preceding Subsections 4.2(a)(i) - (iii), in form and substance reasonably acceptable to the District, which policy will include the District as additional insured. The Excess Liability Insurance Policy must be written with a combined single limit of not less than \$1,000,000 for each occurrence of bodily injury/or property damage and annual aggregate.

(b) Failure to Obtain and Obligation to Maintain Insurance. If the Consultant fails to furnish and maintain insurance as required by this Section 4.2, the District may purchase such insurance on behalf of the Consultant and deduct the cost of such insurance premium(s) from the compensation otherwise owed to the Consultant, and the Consultant shall furnish to the District any information needed to obtain such insurance. Except as otherwise expressly provided herein, all insurance policies required by the terms of this section shall be kept in full force and effect until the date of final payment to the Consultant for the Services specified in this Agreement. Notwithstanding anything to the contrary contained in this Agreement, the foregoing insurance requirements are in no way intended to, and will not in any manner, limit or qualify the liabilities and/or indemnities assumed by the Consultant under or pursuant to this Agreement.

(c) Effect of Approval or Acceptance of Insurance. District acceptance and/or approval of any or all of the insurances required hereunder does not and shall not be construed to relieve Consultant from any obligations, responsibilities or liabilities under this Agreement.

## V. MISCELLANEOUS

### 5.1 M/WBE and Prevailing Wage Compliance.

(a) Not Used

(b) Prevailing Wages. Consultant hereby confirms that in its performance under this Agreement, it shall comply with the wage provisions of the City of Denver's current ordinances applicable to City contracts relating to the payment of prevailing wages for any District contracts relating to the acquisition or construction, operation or maintenance of the Improvements, unless such contract is required to comply with Davis-Bacon or other federal wage requirements. Work performed under any contract that is required to comply with the Davis-Bacon Act or other federal wage requirements is exempt from the City's prevailing wage requirements.

(c) If there is any event of non-compliance with the M/WBE and/or prevailing wage requirements by Consultant, the District shall, following written notification of non-compliance from the City Auditor, withhold payments due to Consultant under this Agreement until such violation is resolved. Any failure on the part of Consultant to comply with the M/WBE and/or prevailing wage requirements constitutes a default under this Agreement, which default shall be subject to the provision of Section 5.10 below.

5.2 Assignment. The Consultant shall not assign any of its rights or delegate any of its duties hereunder to any person or entity. Any purported assignment or delegation in violation of the provisions hereof shall be void and of no effect.

5.3 Modification; Amendment. This Agreement may be amended from time to time by agreement between the Parties hereto; provided, however, that no amendment, modification, or alteration of the terms or provisions hereof shall be binding upon the District or the Consultant unless the same is in writing and duly executed by the Parties.

5.4 Integration. This Agreement constitutes the entire agreement between the Parties with respect to the matters addressed herein. All prior discussions and negotiations regarding the subject matter hereof are merged herein.

5.5 Severability. 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.

5.6 Governing Law and Jurisdiction. This Agreement shall be governed and construed under 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 Denver, Colorado.

5.7 Paragraph Headings. Paragraph headings are inserted for convenience of reference only.



5.8 Parties Interested Herein. Nothing expressed or implied in this Agreement is intended or shall be construed to confer upon, or to give to, any person other than the District and the Consultant any right, remedy, or claim under or by reason of this Agreement or any covenants, terms, conditions, or provisions thereof, and all the covenants, terms, conditions, and provisions in this Agreement by and on behalf of the District and the Consultant shall be for the sole and exclusive benefit of the District and the Consultant.

5.9 Notices. All notices, demands, requests or other communications to be sent by one Party to the other hereunder or required by law shall be in writing and shall be deemed to have been validly given or served by delivery of same in person to the addressee or by courier delivery via Federal Express or other nationally recognized overnight air courier service, by electronically-confirmed email transmission, or by depositing same in the United States mail, postage prepaid, addressed as follows:

To District: Loretto Heights Metropolitan District #1  
4100 E Mississippi Ave #500  
Denver, CO 80246  
Phone: (303) 638-9553  
Email: [tlaudick@silverbluffcompanies.com](mailto:tlaudick@silverbluffcompanies.com)  
Attn: Ted Laudick

With a Copy To: McGeady Becher P.C.  
450 E. 17<sup>th</sup> Avenue, Suite 400  
Denver, Colorado 80203  
Phone: (303) 592-4380  
Email: [legalnotices@specialdistrictlaw.com](mailto:legalnotices@specialdistrictlaw.com)

All notices, demands, requests or other communications shall be effective upon such personal delivery or one (1) business day after being deposited with Federal Express or other nationally recognized overnight air courier service, upon electronic confirmation of facsimile transmission, or three (3) business days after deposit in the United States mail. By giving the other Party hereto at least ten (10) days' written notice thereof in accordance with the provisions hereof, each of the Parties shall have the right from time to time to change its address.

5.10 Default/Remedies. If either Party fails to perform any of its responsibilities, obligations or agreements to be performed in accordance with the provisions of this Agreement, and if such failure of performance continues for a period of thirty (30) days following written notice of default from the other Party (or such additional period of time as may reasonably be required to cure such default; provided that the curative action is commenced within such thirty (30) day period and is diligently and continuously pursued to completion), then the non-defaulting Party, at its option, may elect (i) to treat this Agreement as remaining in full force and effect; or (ii) terminate this Agreement as of any specified date. The non-defaulting Party shall additionally be entitled to exercise all remedies available at law or in equity. In the event of any litigation or other proceeding to enforce the terms, covenants or conditions hereof, the non-

defaulting Party in any such litigation or other proceeding shall obtain as part of its judgment or award its reasonable attorneys' fees.

5.11 Instruments of Further Assurance. Each Party covenants it will do, execute, acknowledge, and deliver or cause to be done, executed, acknowledged, and delivered, such acts, instruments, and transfers as may reasonably be required for the performance of their obligations hereunder.

5.12 Compliance with Law. This Agreement is intended to be performed in accordance with and only to the extent permitted by all applicable laws, ordinances, rules, and regulations of the jurisdiction in which the Agreement is performed. The Consultant declares it has complied and will comply with all federal, state and local laws regarding business permits, certificates and licenses required to perform the Services.

5.13 Non-Waiver. No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other provision of this Agreement, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed to be a waiver of any subsequent default hereunder. Notwithstanding any provision to the contrary in this Agreement, no term or condition of this Agreement shall be construed or interpreted as a waiver, either expressed or implied, of any of the immunities, rights, benefits or protection provided to the District under the Colorado Governmental Immunity Act.

5.14 Inurement. This Agreement shall inure to and be binding on the heirs, executors, administrator, successors, and permitted assigns of the Parties hereto.

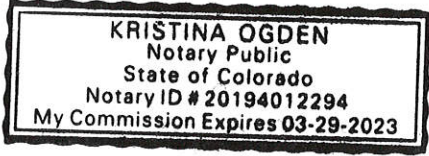
5.15 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document.

5.16 Conflicts. If any term or provision(s) in any Exhibit attached as part of this Agreement conflicts with any term or provision(s) in the body of this Agreement, the term or provision(s) contained in the body of this Agreement shall control.

**[SIGNATURE PAGE FOLLOWS]**

[SIGNATURE PAGE TO SERVICE AGREEMENT]

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



Consultant:

**Davinci Sign Systems, Inc.**

By: Kevin J. Callahan KEVIN J. CALLAHAN

Its: DIRECTOR OF SALES

STATE OF COLORADO )

COUNTY OF Larimer ) ss.  
)

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of August, 2021, by Kevin Callahan as Director of Sales.

Witness my hand and official seal.

My commission expires: 03/29/2023

[Signature]  
\_\_\_\_\_  
Notary Public

District:  
**Loretto Heights Metropolitan District #1**  
By: \_\_\_\_\_  
President

STATE OF COLORADO )

COUNTY OF \_\_\_\_\_ ) ss.  
)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of Loretto Heights Metropolitan District #1.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**EXHIBIT A**  
**SCOPE OF SERVICES**

Services rendered shall be the removal of the existing sign including disconnection of power and communication. The sign shall be stored at an offsite location and upon notice by the Metro District the sign shall be reinstalled with a new concrete foundation, concrete footing, support pipes and necessary incidentals to restore the sign to its original and operable condition. Also attached as a part of exhibit A is Davinci Sales Proposal 71921.



EXHIBIT A

Colorado

4496 Bents Drive, Unit A  
Windsor, CO 80550  
Ph: 970-203-9292

Wyoming

108 W. Lincolnway  
Cheyenne, WY 82001  
Ph: 307-220-4316

Toll Free: 866-DaVinci (328-4624)

[www.davincisign.com](http://www.davincisign.com)

**Sales Proposal / Agreement**

Company Name: Silver Bluff Companies  
Attn: James Kennedy  
Billing Address: 3111 W. Dartmouth Ave.  
City, State, Zip: Denver, CO 80236  
Phone: 630-386-0348  
Cell:  
Email:  
Proposal Date: 07/06/21  
PO #:

Job Name: DSST College View  
Drawing #: N/A  
Site/Street Address: 3111 W. Dartmouth Ave.  
Site/City, State, Zip: Denver, CO 80236  
Job Contact Name: James Kennedy  
Job Contact Phone: 630-386-0348  
Sales Consultant: Casey Easton  
Email: casey@davincisign.com  
Cell: 303-875-3442

*Thank you for the opportunity to serve you!*

**Scope of Work:**

Take down existing sign to grade and relocate to new location. Cost includes new foundation, concrete footing and support pipe. Cost: \$14,645.46 plus tax

Monthly cost to store monument sign: \$75.00 per month

\* All prices are subject to change due to current volatile fluctuations with material cost

*Lease financing is available. Ask your salesperson for more information.*

Payment Terms: Net due within 30 days of completion, open account

Payment Method:  Check  Credit Card\*  Lease/Purchase Financing \_\_\_\_\_ \$  
 Monthly Maintenance Option \_\_\_\_\_ \$

Note: Any applicable sales tax, permit costs or permit acquisition fees are not included in the above proposed amount unless stated otherwise above. These items will be added to the final invoice.

Performance by buyer is personally guaranteed by the undersigned purchaser.

PURCHASER / GUARANTOR  
Date Accepted: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Signature: \_\_\_\_\_ Title: \_\_\_\_\_  
Signature signifies acceptance of general terms and conditions included on page 2.

DAVINCI SIGN SYSTEMS, INC.  
Date Accepted: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Signature: \_\_\_\_\_ Title: \_\_\_\_\_  
Contract not binding until signed by an officer of DaVinci Sign Systems, Inc.

Ask your salesperson for a quote on a planned maintenance program for your new sign.

*Extraordinary Belongs To Those Who Create It!*

## EXHIBIT A

### General Terms and Conditions:

- Monument structure, foundation, excavation, and engineering done by others.
  - Assumes customer will have a designated Windows 98 or newer PC for operation of electronics/EMC displays.
  - Communication lines into the sign from a PC, when required for EMC operation, will be provided by others.
  - Any possible required licensed engineer's review, stamp and/or changes to shop drawing(s) will incur an additional cost to the customer.
  - Permit fees are based on the actual jurisdictional charge plus an acquisition fee for staff time at \$125 per hour, with a \$250 minimum.
  - This contract assumes adequate access to work areas for DaVinci personnel & equipment.
  - Landscaping &/or landscape repair is excluded from scope of work.
  - Final electrical hook-up to sign shall be done by others, with the customer being responsible for the coordination and cost of this work.
  - All signs are 120 volt primary unless otherwise noted. Higher voltage such as 277 is available, but at an additional cost to customer.
  - Davinci Sign will not be held responsible for damage to *unmarked* public or private utilities, sprinkler lines, phone lines, etc. that may occur while installing signs &/or excavating.
  - This contract assumes normal soil conditions for foundations, inadequate soils, high water tables. All other conditions may require additional work at an additional cost to the customer.
  - All work comes with a (1) one year warranty period from the date of substantial completion (if paid within the terms as outlined on this proposal).
- It is the responsibility of the customer to present adequate tax exempt documentation at time of signing and prior to permitting. Without this documentation, any tax paid with permits will be passed along, and reimburseable in full to DaVinci by the customer. Any refund of this tax will be the responsibility of the customer to request directly from the taxing jurisdiction.

Acceptance of Proposal: The prices, specifications and conditions as outlined are satisfactory and hereby accepted. DaVinci is authorized to do the work specified. Once signed & accepted, this proposal becomes a binding contract. Payment will be made as outlined.

*\* A 3.5% convenience fee will be automatically charged on all credit card payments over \$2,500. DaVinci Sign Systems, Inc., only accepts Visa/MC.*

When deposits are given by credit card, any balance due will be automatically processed at the completion of work.

*By signing this agreement, the signer grants permission for DaVinci to use photos and to make reference to the client's project in advertising, on their website, and/or any other media format.*

*For purposes of repair, maintenance and marketing, permission is granted to DaVinci to affix their identification to the completed product.*

*Invoices unpaid after their due date will be assessed a finance charge of 1.5% (18%APR). Collection costs & attorney fees will be added as an outstanding charge. Larimer County, CO is the named legal venue. DaVinci has the right to repossess any product/signage on accounts that become past due.*

*All labor & material is guaranteed as per the outlined warranty period. All work to be completed in a workmanship like-manner according to standard process. Any alterations or deviation from specifications as outlined on the original scope, may incur additional costs and will be executed only upon written & signed order(s). All agreements are contingent upon strikes, accidents or delays beyond our control.*

*The display is a custom manufactured product and has no value other than to the intended party. If for any reason the contract is cancelled, terminated, placed on hold, &/or postponed due to delay(s) not caused by DaVinci, a minimum charge of 50% of the contract &/or work completed to date (whichever is greater), including field surveys, drawings, materials, sales expense, permits, engineering, shop drawings, etc., or any cost with overhead incurred, will become chargeable and shall become due immediately per the terms outlined, &/or deducted from any given deposit.*

*Monthly progress billings will automatically occur and be due and payable under the terms of this agreement for all pro-rata work.*

*All signs removed will be disposed of unless prior written arrangements are made for storage or return.*

*When / if additional costs occur, such as additional trip charges, or change in scope or access, or any other obstacles due to delays not caused by DaVinci, additional charges will be added to this contract and will be due from customer.*

**Applicable sales taxes are accessed on all orders. Orders for customers & organizations who are tax-exempt will not be recognized as exempt until a valid State-executed certificate is received.**

**EXHIBIT B  
COMPENSATION**

# EXHIBIT B

Loretto Heights Metropolitan District #1  
DSST Sign Storage Unit Price Form

August 9, 2021

## General Conditions

| Item No. | Description   | Estimated Quantity | Unit  | Unit Price            | Extension           |
|----------|---|--------------------|-------|-----------------------|---------------------|
| 1        | Removal of existing sign and relocation including New Foundation, | 1                  | LS    | \$ 14,645.46          | \$ 14,645.46        |
| 2        | Monthly Storage of Sign Components to be re-installed             | 12                 | Month | \$ 75.00              | \$ 900.00           |
|          |   |                    |       | <b>Project Amount</b> | <b>\$ 15,545.46</b> |



**EXHIBIT C**  
**CERTIFICATION OF CONSULTANT**

1. Pursuant to the requirements of Section 8-17.5-102(1), C.R.S., the Consultant hereby certifies to the District that the Consultant does not knowingly employ or contract with an illegal alien who will perform work under the Agreement and that it will participate in the E-Verify Program or Department Program (as defined in Sections 8-17.5-101(3.3) and (3.7), C.R.S.) in order to confirm the employment eligibility of all employees of the Consultant who are newly hired to perform work under the Agreement.

2. In accordance with Section 8-17.5-102(2)(a), C.R.S., the Consultant shall not:

(a) Knowingly employ or contract with an illegal alien to perform work under the Agreement; or

(b) Enter into a contract with a subcontractor that fails to certify to the Consultant that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under the Agreement.

3. The Consultant represents and warrants it has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under the Agreement through participation in either the E-Verify Program or the Department Program.

4. The Consultant is prohibited from using either the E-Verify Program or the Department Program procedures to undertake pre-employment screening of job applicants while the Agreement is in effect.

5. If the Consultant obtains actual knowledge that a subcontractor performing work under the Agreement knowingly employs or contracts with an illegal alien, the Consultant shall:

(a) Notify the subcontractor and the District within three (3) days that the Consultant has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and

(b) Terminate the subcontract with the subcontractor if within three (3) days of receiving the notice the subcontractor does not stop employing or contracting with the illegal alien; except that the Consultant shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

6. The Consultant shall comply with any reasonable request by the Colorado Department of Labor and Employment (“**Department**”) made in the course of an investigation that the Department is undertaking, pursuant to the law.

7. If the Consultant violates any provision of Section 8-17.5-102(1), C.R.S., the District may terminate the Agreement immediately and the Consultant shall be liable to the District for actual and consequential damages of the District resulting from such termination, and the District shall report such violation by the Consultant to the Colorado Secretary of State, as required by law.

**EXHIBIT D**  
**FORM OF CHANGE ORDER**

|                             |                     |
|-----------------------------|---------------------|
| <b>Change Order No:</b>     | <b>Date Issued:</b> |
| <b>Name of Agreement:</b>   |                     |
| <b>Date of Agreement:</b>   | <b>District(s):</b> |
| <b>Other Party/Parties:</b> |                     |

|  |
|--|
| <b>CHANGE IN SCOPE OF SERVICES (describe):</b> |
|--|

|  |   |
|--|---|
| <b>CHANGE IN AGREEMENT PRICE:</b>                  | <b>CHANGE IN TERM OF AGREEMENT:</b>             |
| Original Price:<br>\$ _____                        | Original Term:<br>Expires _____, 20____         |
| Increase of this Change Order:<br>\$ _____         | New Term:<br>Expires _____, 20____              |
| Price with all Approved Change Orders:<br>\$ _____ | Agreement Time with all Approved Change Orders: |

|                  |                   |
|------------------|-------------------|
| <b>APPROVED:</b> | <b>APPROVED:</b>  |
| By: _____        | By: _____         |
| <b>District</b>  | <b>Consultant</b> |