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SENTER GOLDFARB & RICE LLC | ATTORNEYS AT LAW | EST 1974
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S G R

Received
MAY 27 2010
Dept. of Local Affairs

May 25, 2010

Department of Local Affairs
1313 Sherman Street, Room 521
Denver, CO 80203

RE: *Heather Gardens Metropolitan District*
Filing of Oaths of Office and Final Ballot Count

To Whom It May Concern:

Enclosed please find the Oaths of Office for Sandra Knight, Mavis Richardson and Allen Lindeman who were recently appointed Directors of the Heather Gardens Metropolitan District. Also enclosed please find the Canvass Board's Certificate of Official Abstract of Votes Cast with Exhibit A, Judges Certificate of Mail Ballot Election Returns for Heather Gardens Metropolitan District.

If you have any further questions and/or concerns regarding this matter, please contact me directly.

Thank you,
SENTER GOLDFARB & RICE, L.L.C.

Caitlin Utter
Designated Election Official
cutter@sgrllc.com

:cu
enclosures

CANVASS BOARD'S
CERTIFICATE OF OFFICIAL ABSTRACT OF VOTES CAST
FOR THE REGULAR ELECTION HELD MAY 4, 2010

HEATHER GARDENS METROPOLITAN DISTRICT
ARAPAHOE COUNTY, COLORADO

Each of the undersigned members of the Canvass Board of the Heather Gardens Metropolitan District certifies that the following is a true and correct abstract of the votes cast, including provisional ballots, if any, at the regular election of the Heather Gardens Metropolitan District, at which time the eligible electors of the Heather Gardens Metropolitan District voted as indicated on the attached Judges' Certificate of Election Returns, and as a result of which the eligible electors elected to office the following Directors:

Name: Sandra Knight	Address: 13785 E. Marina Drive, #A, Aurora, CO 80014	4-Year Term
Name: Mavis Richardson	Address: 13781 A East Marina Drive, Aurora, CO 80014	4-Year Term
Name: Allen Lindemann	Address: 14287 East Marina Drive, Aurora, CO 80014	4-Year Term

The votes cast (including provisional ballots, if any) for and against each ballot issue and ballot question submitted were as follows:

BALLOT ISSUE A:
SHALL HEATHER GARDENS METROPOLITAN DISTRICT DEBT BE INCREASED $9,800,000 WITH A REPAYMENT COST OF $21,891,567, AND SHALL HEATHER GARDENS METROPOLITAN DISTRICT TAXES BE INCREASED $723,325 ANNUALLY OR SUCH LESSER AMOUNT AS MAY BE NECESSARY FOR THE PAYMENT OF SUCH DEBT FOR THE PURPOSE OF PAYING, LEASING, FINANCING OR REIMBURSING ALL OR ANY PART OF THE COSTS OF DESIGNING, CONSTRUCTING, INSTALLING AND OTHERWISE PROVIDING WITHIN THE BOUNDARIES OF THE DISTRICT A NEW COMMUNITY RECREATIONAL CENTER, TOGETHER WITH ALL NECESSARY, INCIDENTAL, AND APPURTENANT FACILITIES, EQUIPMENT, LAND, EASEMENTS AND EXTENSIONS OF AND IMPROVEMENTS TO SUCH FACILITIES, SUCH DEBT TO BEAR INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE NOT TO EXCEED 6.125% PER ANNUM, SUCH INTEREST TO BE PAYABLE AT SUCH TIME OR TIMES, AND WHICH MAY COMPOUND ANNUALLY OR SEMIANNUALLY, AND SUCH DEBT TO MATURE, BE SUBJECT TO REDEMPTION WITH OR WITHOUT PREMIUM, AND BE ISSUED AND SOLD AT, ABOVE OR BELOW PAR, SUCH DEBT TO BE ISSUED OR INCURRED AT ONE TIME OR FROM TIME TO TIME, TO BE PAID FROM ANY LEGALLY AVAILABLE REVENUES OF THE DISTRICT, INCLUDING THE PROCEEDS OF AD VALOREM PROPERTY TAXES; SUCH TAXES TO CONSIST OF AN AD VALOREM MILL LEVY IMPOSED ON ALL TAXABLE PROPERTY OF THE DISTRICT, WITHOUT LIMITATION OF RATE OR WITH SUCH LIMITATIONS AS MAY BE

DETERMINED BY THE DISTRICT BOARD OF DIRECTORS, AND IN AMOUNTS SUFFICIENT TO PRODUCE THE ANNUAL INCREASE SET FORTH ABOVE OR SUCH LESSER AMOUNT AS MAY BE NECESSARY, TO BE USED FOR THE PURPOSE OF PAYING THE PRINCIPAL OF, PREMIUM IF ANY, AND INTEREST ON SUCH DEBT; ALL OF THE ABOVE AS MAY BE DETERMINED BY THE DISTRICT BOARD OF DIRECTORS; AND SHALL THE PROCEEDS OF ANY SUCH DEBT AND THE REVENUE FROM SUCH TAXES, ANY OTHER REVENUE USED TO PAY SUCH DEBT, AND INVESTMENT EARNINGS THEREON, BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT THE DISTRICT'S REVENUES OR EXPENDITURES AS IT CURRENTLY EXISTS OR AS IT MAY BE AMENDED IN THE FUTURE, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

Number of **YES** votes cast: 1537

Number of **NO** votes cast: 451

At such election, the total number of provisional ballots counted and rejected were as follows:

Total Provisional Ballots Cast	-0-
Provisional Ballots Counted	-0-
Provisional Ballots Rejected:	-0-
Provisional Ballot Affidavit not signed	-0-
Unable to confirm elector's eligibility	-0-
Provisional ballot envelope is empty	-0-
Elector did not register by the deadline	-0-
Elector voted a mail-in ballot	N/A
Elector not registered in the State	-0-

TOTAL REJECTED: NOT AVAILABLE

CERTIFIED THIS 11TH DAY OF MAY, 2010.

Cathy Hiller
Designated Election Official

Ronald E. Rissetto
Canvasser

Winifred H. Jennings
Canvasser

Contact Person for District: Keith Schmaus
Business Address: 2888 S. Heather gardens Way, Aurora, Co 80014
Telephone Number: 303·755·0652

Exhibit A

JUDGES' CERTIFICATE OF MAIL BALLOT ELECTION RETURNS FOR HEATHER GARDENS METROPOLITAN DISTRICT

IT IS HEREBY CERTIFIED by the undersigned, who conducted the mail ballot election held in the Heather Gardens Metropolitan District in Arapahoe County, Colorado on the 4th day of May, 2010, that after qualifying by swearing and subscribing their Oaths of Office, they opened the polls at 7:00 a.m. and that they kept the polls open continuously until the hour of 7:00 p.m. on such date, after which they counted the ballots cast for Dreictors of the District and for any ballot issue or ballot question submitted in accordance with the Uniform Election Code.

That the votes case for Director of the District for a 4-year term were as follows:

CANDIDATES FOR DIRECTOR	NUMBER OF VOTES CAST
Sandra Knight	1619
Mavis Richardson	1622
Allen Lindemann	1630

That the votes cast for and against the ballot issue or ballot question submitted were as follows:

DISTRICT BALLOT ISSUE A:

BALLOT ISSUE 5A: (recreation center)

SHALL HEATHER GARDENS METROPOLITAN DISTRICT DEBT BE INCREASED $9,800,000 WITH A REPAYMENT COST OF $21,891,567, AND SHALL HEATHER GARDENS METROPOLITAN DISTRICT TAXES BE INCREASED $723,325 ANNUALLY OR SUCH LESSER AMOUNT AS MAY BE NECESSARY FOR THE PAYMENT OF SUCH DEBT FOR THE PURPOSE OF PAYING, LEASING, FINANCING OR REIMBURSING ALL OR ANY PART OF THE COSTS OF DESIGNING, CONSTRUCTING, INSTALLING AND OTHERWISE PROVIDING WITHIN THE BOUNDARIES OF THE DISTRICT A NEW COMMUNITY RECREATIONAL CENTER, TOGETHER WITH ALL NECESSARY, INCIDENTAL, AND APPURTENANT FACILITIES, EQUIPMENT, LAND, EASEMENTS AND EXTENSIONS OF AND IMPROVEMENTS TO SUCH FACILITIES, SUCH DEBT TO BEAR INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE NOT TO EXCEED 6.125% PER ANNUM, SUCH

INTEREST TO BE PAYABLE AT SUCH TIME OR TIMES, AND WHICH MAY COMPOUND ANNUALLY OR SEMIANNUALLY, AND SUCH DEBT TO MATURE, BE SUBJECT TO REDEMPTION WITH OR WITHOUT PREMIUM, AND BE ISSUED AND SOLD AT, ABOVE OR BELOW PAR, SUCH DEBT TO BE ISSUED OR INCURRED AT ONE TIME OR FROM TIME TO TIME, TO BE PAID FROM ANY LEGALLY AVAILABLE REVENUES OF THE DISTRICT, INCLUDING THE PROCEEDS OF AD VALOREM PROPERTY TAXES; SUCH TAXES TO CONSIST OF AN AD VALOREM MILL LEVY IMPOSED ON ALL TAXABLE PROPERTY OF THE DISTRICT, WITHOUT LIMITATION OF RATE OR WITH SUCH LIMITATIONS AS MAY BE DETERMINED BY THE DISTRICT BOARD OF DIRECTORS, AND IN AMOUNTS SUFFICIENT TO PRODUCE THE ANNUAL INCREASE SET FORTH ABOVE OR SUCH LESSER AMOUNT AS MAY BE NECESSARY, TO BE USED FOR THE PURPOSE OF PAYING THE PRINCIPAL OF, PREMIUM IF ANY, AND INTEREST ON SUCH DEBT; ALL OF THE ABOVE AS MAY BE DETERMINED BY THE DISTRICT BOARD OF DIRECTORS; AND SHALL THE PROCEEDS OF ANY SUCH DEBT AND THE REVENUE FROM SUCH TAXES, ANY OTHER REVENUE USED TO PAY SUCH DEBT, AND INVESTMENT EARNINGS THEREON, BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT THE DISTRICT'S REVENUES OR EXPENDITURES AS IT CURRENTLY EXISTS OR AS IT MAY BE AMENDED IN THE FUTURE, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

YES: 1530

NO: 459

It is hereby certified and specified that:

	NUMERIC
Total Number of Ballots Issued to Electors	2910
Total Number of Ballots Voted	2001
Ballots Returned Undeliverable	318
Spoiled Ballots	63

Rejected Ballots	152
Defective Ballots	
Challenged Ballots	
Provisional Ballots	

Certified this 4th day of May, 2010.

Election Judge

Martha Grundemann
Election Judge

Dorothea A Urban
Election Judge

DISTRICT COURT, ARAPAHOE COUNTY, STATE OF COLORADO Court Address: 7325 S. Potomac Street Centennial, CO 80112	
IN RE THE MATTER OF HEATHER GARDENS METROPOLITAN DISTRICT	▲ COURT USE ONLY ▲
Attorney: Sonja S. McKenzie Senter Goldfarb & Rice, LLC 1700 Broadway, Suite 1700 Denver, CO 80290 Phone Number: (303) 320-0509 Fax Number: (303) 320-0210 E-mail: smckenzie@sgrllc.com Attorney No. 23356	Case Number: Div.: No. Ctrm.:

OATH OF OFFICE

I, Sandra Knight, will faithfully support the Constitution of the United States and of the State of Colorado, and the laws made pursuant thereto, and will faithfully perform the duties of the office of Director of the Heather Gardens Metropolitan District upon which I am about to enter.

Sandra K Knight
Signature

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

Subscribed and sworn to before me this 13th day of May, 2010, by Sandra K. Knight

Jean Marie Medina
Title: Notary Public

My commission expires: July 17, 2010

JEAN MARIE MEDINA NOTARY PUBLIC STATE OF COLORADO
My Commission Expires July 17, 2010

DISTRICT COURT, ARAPAHOE COUNTY, STATE OF COLORADO Court Address: 7325 S. Potomac Street Centennial, CO 80112	
IN RE THE MATTER OF HEATHER GARDENS METROPOLITAN DISTRICT	▲ COURT USE ONLY ▲
Attorney: Sonja S. McKenzie Senter Goldfarb & Rice, LLC 1700 Broadway, Suite 1700 Denver, CO 80290 Phone Number: (303) 320-0509 Fax Number: (303) 320-0210 E-mail: smckenzie@sgrllc.com Attorney No. 23356	Case Number: Div.: No. Ctrm.:

OATH OF OFFICE

I, Mavis Richardson, will faithfully support the Constitution of the United States and of the State of Colorado, and the laws made pursuant thereto, and will faithfully perform the duties of the office of Director of the Heather Gardens Metropolitan District upon which I am about to enter.

Mavis R. Richardson
Signature

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

Subscribed and sworn to before me this 13th day of May, 2010, by Mavis Richardson

Title: Jean Marie Medina
Notary Public

NOTARY PUBLIC STATE OF COLORADO JEAN MARIE MEDINA My Commission Expires July 17, 2010

My commission expires: July 17, 2010

DISTRICT COURT, ARAPAHOE COUNTY, STATE OF COLORADO Court Address: 7325 S. Potomac Street Centennial, CO 80112	
IN RE THE MATTER OF HEATHER GARDENS METROPOLITAN DISTRICT	▲ COURT USE ONLY ▲
Attorney: Sonja S. McKenzie Senter Goldfarb & Rice, LLC 1700 Broadway, Suite 1700 Denver, CO 80290 Phone Number: (303) 320-0509 Fax Number: (303) 320-0210 E-mail: smckenzie@sgrllc.com Attorney No. 23356	Case Number: Div.: No. Ctrm.:

OATH OF OFFICE

I, Allen Lindemann, will faithfully support the Constitution of the United States and of the State of Colorado, and the laws made pursuant thereto, and will faithfully perform the duties of the office of Director of the Heather Gardens Metropolitan District upon which I am about to enter.

Allen Lindemann
Signature

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

Subscribed and sworn to before me this 13th day of May, 2010, by Allen Lindeman.

Jean Marie Medina
Title: Notary Public

My commission expires: July 17, 2010

Colorado Special Districts Property and Liability Pool

Public Entity Liability Certificate Holder Declarations

Certificate Number: 23C60700-1323

Coverage Period: 1/1/2010 to 1/1/2011

Named Member:
Heather Gardens Metropolitan District
2888 South Heather Gardens Way
Aurora, CO 80014

Agent of Record:
Van Gilder Insurance Corporation
1515 Wynkoop
Denver, CO 80202

Coverage is provided for only those coverages indicated below for which a contribution is shown.

Coverage	Per Occurrence Limit	Annual Aggregate	Deductible / SIR	Contribution
Public Entity Liability Coverage including:	$1,000,000	None	$2,500	$5,278.63
General Liability	Included	None	$2,500	Included
Medical Payments - Premises	$10,000	$10,000	N/A	Included
Employee Benefits Admin. Liability	Included	None	$2,500	Included
Public Officials Liability	Included	None	$1,000	$468.00
Employment Practices Liability	Included	None	* See Below	Included
Pre Loss Legal Assistance	$2,000	$4,000	None	Included
No-Fault Water & Sewer Backup	$10,000	$30,000	$000	Included
Cyber Liability	$200,000	**$1,000,000	None	Included
Fiduciary Liability	$200,000	**$1,000,000	None	Included
Excess Liability	$5,000,000	None	N/A	$1,528.44
Auto Liability	No Coverage	No Coverage	None	No Coverage
Medical Payments - Auto	No Coverage	No Coverage	N/A	No Coverage
Non-Owned/Hired Auto Liability	Included	None	None	$132.00
Uninsured Motorist	No Coverage	No Coverage	None	No Coverage
Auto Physical Damage	No Coverage	No Coverage	N/A	No Coverage
Hired Auto Physical Damage	$50,000	N/A	$500/$500	$65.00
Auto Physical Damage - Employee Deductible Reimbursement	$2,500	N/A	N/A	Included
			Total Contribution:	$7,472.07

* Employment Practices Liability Deductible: 50% of loss, subject to a maximum deductible of $100,000 each occurrence, unless a lower deductible limit is shown.

**Cyber Liability and Fiduciary Liablity each have a $1,000,000 Program Aggregate Limit.

Additional forms that may be applicable to Member:

Public Entity Liability Coverage Document
Liability Deductible Endorsement

These Certificate Holder Declarations are made and are mutually accepted by the Pool and the Named Member subject to all terms which are made a part of the Public Entity Liability Coverage Document. These Declarations represent only a brief summary of coverages. Please refer to the Master Coverage Document for actual coverage terms that may apply to any specific situation.

Countersigned by: _____
Authorized Representative

Thursday, November 12, 2009

Entity ID#: 60700