03053

Grimshaw & Harring
Wells Fargo Center
1700 Lincoln Street, Suite 3800
Denver, Colorado 80203-4538
303.839.3800 | 303.839.3838 (FAX)

MERITAS
LAW FIRMS WORLDWIDE

Susan J. Schledorn
303-839-3912

sjs@grimshawharring.com
www.grimshawharring.com

November 17, 2009

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED
7006 0100 0006 7681 2879

Casey Laycock
Division of Local Government
1313 Sherman Street, Room 521
Denver, Colorado 80203

Re: Heritage Greens Metropolitan District
Results of November 3, 2009 Special Election

Dear Ms. Laycock:

Pursuant to Section 1-11-103(3), C.R.S., I am enclosing a copy of the Certificate of Canvass as prepared by Arapahoe County certifying the results of the November 3, 2009 special election of Heritage Greens Metropolitan District. Attached to the Certificate is a copy of the District's ballot issues. Please place the enclosed document in the District's file.

✓ KK 12/8/09

The business address, daytime telephone number and contact person for the District are as follows:

Russell W. Dykstra
c/o Grimshaw & Harring, P.C.
1700 Lincoln Street, Suite 3800
Denver, Colorado 80203
303-839-3800

Thank you.

Sincerely,

GRIMSHAW & HARRING,
A Professional Corporation

Susan J. Schledorn

Susan J. Schledorn
Paralegal

Enclosure

NANCY A. DOTY
Arapahoe County Clerk & Recorder
5334 South Prince Street
Littleton, CO 80166-0211
303/795-4511 (phone)
303/794-4625 (fax)
www.co.arapahoe.co.us

Arapahoe County
Colorado's First

STATE OF COLORADO

COUNTY OF ARAPAHOE

CERTIFICATE OF CANVASS

We, the undersigned Board of Canvassers of the Election Returns for the County of Arapahoe in the State of Colorado, do hereby certify that the attached print-outs are a true, full and correct copy of the Official Abstract of all votes cast at the Coordinated Election, held in said County on the 16th day of November, 2009 for all candidates, ballot issues, and ballot questions now on file in the office of the Arapahoe County Clerk and Recorder.

Witness our hands and seal the 16th day of November, 2009.

Arvin H. Michel
Member of Canvassing Board

Michael Hamrick
Member of Canvassing Board

Nancy A. Doty
Member of Canvassing Board

Attest:

By: Alan H. Davidson
Deputy of Elections

November 3, 2009
Summary Report
Arapahoe County
Official Results

Registration & Turnout		247,297	Voters
Admin Hava Edge Turnout		0	0.00%
Mail Ballot Turnout		76,790	31.05%
	Total ...	**76,790**	**31.05%**
AURORA COUNCIL MBR AT-LG (Vote For Two)		165/165	100.00%
- Pamela "Pam" Bennett		9,935	16.62%
- Barbara Cleland		**11,170**	**18.69%**
- Bob FitzGerald		**13,764**	**23.03%**
- Bob LeGare		11,102	18.58%
- Alfonso Nuñez		8,135	13.61%
- Bob Roth		5,656	9.46%
	Total ...	**59,762**	**100.00%**
AURORA-COUNCIL MBR WARD I (Vote For One)		11/11	100.00%
- Kimberly "Kim" Harrell		372	21.69%
- Francis Peter Maks, Jr.		212	12.36%
- Melissa E. Miller		**680**	**39.65%**
- Deborah Wallace		451	26.30%
	Total ...	**1,715**	**100.00%**
AURORA-COUNCIL MBR WARD II (Vote For One)		19/19	100.00%
- Renie Roberta Peterson		**1,753**	**53.77%**
- Randy Reamey		1,507	46.23%
	Total ...	**3,260**	**100.00%**
AURORA-COUNCIL MBR WARD III (Vote For One)		30/30	100.00%
- Larry Beer		2,530	47.40%
- Marsha Berzins		**2,807**	**52.60%**
	Total ...	**5,337**	**100.00%**
CENTENNIAL MAYOR (Vote For One)		88/88	100.00%
- Todd Miller		8,161	41.29%
- Cathy Noon		**9,569**	**48.41%**
- Mike Weber		1,149	5.81%
- Greg A. Schoenfeld		886	4.48%
	Total ...	**19,765**	**100.00%**
CENTENNIAL-Cty Council DIST.1-4yr (Vote For One)		19/19	100.00%
- Rick Dindinger		**3,453**	**100.00%**
	Total ...	**3,453**	**100.00%**
CENTENNIAL-City Council DIST.1-2yr (Vote For One)		19/19	100.00%
- Michael C.Hall		158	3.18%
- Pete Cooney		296	5.96%
- Sharon C.West		551	11.09%
- Gary Furnee		77	1.55%
- Vorry Moon		1,464	29.47%
- Ron Phelps		**1,505**	**30.29%**
- Sonni Marbury		917	18.46%
	Total ...	**4,968**	**100.00%**
CENTENNIAL - City Council DIST.2 (Vote For One)		19/19	100.00%
- Scott Watters		1,672	35.16%

CENTENNIAL - City Council DIST.2 (Vote For One) (continued...)		19/19	100.00%
- Sue Bosier		3,084	64.84%
	Total ...	4,756	100.00%
CENTENNIAL - City Council DIST.3 (Vote For One)		26/26	100.00%
- Cindy Combs		2,230	40.84%
- Rebecca McClellan		3,230	59.16%
	Total ...	5,460	100.00%
CENTENNIAL - City Council DIST.4 (Vote For One)		25/25	100.00%
- Ron Weidmann		2,718	100.00%
	Total ...	2,718	100.00%
ENGLEWD MUNICIPAL JUDGE (Vote For One)		25/25	100.00%
- Vincent R. Atencio		3,559	100.00%
	Total ...	3,559	100.00%
ENGLEWD-COUNCIL MBR-AT-LG (Vote For One)		25/25	100.00%
- Jim Woodward		2,453	55.81%
- Matthew Crabtree		1,942	44.19%
	Total ...	4,395	100.00%
ENGLEWD-COUNCIL MBR-DIST.2 (Vote For One)		6/6	100.00%
- Linda Olson		572	60.15%
- Douglas Cohn		379	39.85%
	Total ...	951	100.00%
ENGLEWD-COUNCIL MBR-DIST.4 (Vote For One)		7/7	100.00%
- Wayne Oakley		649	45.54%
- Rick Gillit		776	54.46%
	Total ...	1,425	100.00%
GRNWD-City Councilmbr Dist 1 (Vote For Two)		4/4	100.00%
- Jerry Presley		340	48.99%
- Denise Rose		354	51.01%
	Total ...	694	100.00%
GRNWD-City Councilmbr Dist 2 (Vote For Two)		4/4	100.00%
- Jeff Roemer		435	49.32%
- Dave Kerber		447	50.68%
	Total ...	882	100.00%
GRNWD-City Councilmbr Dist 3 (Vote For Two)		5/5	100.00%
- Gary Kramer		436	48.44%
- Bette Todd		464	51.56%
	Total ...	900	100.00%
GRNWD-City Councilmbr Dist 4 (Vote For Two)		4/4	100.00%
- Lindy Scialla		137	8.15%
- Steve Frankel		277	16.47%
- Ron Rakowsky		671	39.89%
- Gary Kleeman		597	35.49%
	Total ...	1,682	100.00%

November 3, 2009
Summary Report
Arapahoe County
Official Results

CTY OF LTN - Council Mbr- At-Lg (Vote For Two)		32/32	100.00%
- Yoon Joo Mager		1,906	14.87%
- Bruce Stahlman		5,548	43.28%
- Peggy Cole		5,366	41.86%
	Total ...	12,820	100.00%
LITTLETON -COUNCIL MBR DIST I (Vote For One)		12/12	100.00%
- James A. (Jim) Taylor		1,636	100.00%
	Total ...	1,636	100.00%
LITTLETON -COUNCIL MBR DIST III (Vote For One)		8/8	100.00%
- Phil Cernanec		1,506	61.65%
- Travis Nicks		937	38.35%
	Total ...	2,443	100.00%
SHERIDAN MAYOR (Vote For One)		3/3	100.00%
- Dallas Hall		504	59.22%
- Jose Tafoya		347	40.78%
	Total ...	851	100.00%
SHERID - COUNCIL MBR-Ward 1 (Vote For One)		2/2	100.00%
- Clifford Mueller		226	100.00%
	Total ...	226	100.00%
SHERID - COUNCIL MBR-Ward 2 (Vote For One)		1/1	100.00%
- Charles West		153	54.26%
- Chanele Beacham		129	45.74%
	Total ...	282	100.00%
SHERID - COUNCIL MBR-Ward 3 (Vote For Two)		2/2	100.00%
- Ernie Camacho		133	34.55%
- Tara Beiter-Fluhr		131	34.03%
- Steven Koenig		121	31.43%
	Total ...	385	100.00%
BENNETT School Dir At-Large (Vote For Two)		1/1	100.00%
- Alana K. Benner		108	17.85%
- Robert V. Scoby		136	22.48%
- Troy Karsten		146	24.13%
- Amy M. Kirkwood		215	35.54%
	Total ...	605	100.00%
BYERS School Bd Dir 4yr. (Vote For Three)		1/1	100.00%
- Bobbi Smith		164	14.13%
- Becca Pope		231	19.90%
- Mike Pugh		247	21.27%
- Shannon Roth		317	27.30%
- Lori Pelton		202	17.40%
	Total ...	1,161	100.00%
BYERS School Bd Dir 2yr. (Vote For One)		1/1	100.00%
- Woodie West		327	100.00%
	Total ...	327	100.00%

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DEERTRAIL SCH Dir Dist 2 (Vote For Two)		1/1	100.00%
- Sandra Turecek		106	20.00%
- Gary Klassen		86	16.23%
- William A. Pisel		163	30.75%
- Patti Owens		89	16.79%
- Thomas A. Cox Jr.		86	16.23%
	Total ...	530	100.00%
SHERIDAN Sch Bd Dir.A (Vote For One)		7/7	100.00%
- Ronald L. Carter		790	100.00%
	Total ...	790	100.00%
SHERIDAN Sch Bd Dir.B (Vote For One)		7/7	100.00%
- There are no candidates for this office.		0	0.00%
	Total ...	0	0.00%
SHERIDAN Sch Bd Dir.C (Vote For One)		7/7	100.00%
- Doreen Christian		429	46.99%
- Sally J. Daigle		484	53.01%
	Total ...	913	100.00%
SHERIDAN Sch Bd Dir.D (Vote For One)		7/7	100.00%
- Diana Haip		784	100.00%
	Total ...	784	100.00%
SHERIDAN Sch Bd Dir.E (Vote For One)		7/7	100.00%
- Bernadette Saleh		772	100.00%
	Total ...	772	100.00%
STRASBURG DIST 31J Sch Bd Director (Vote For Two)		1/1	100.00%
- Barney Blagg		133	27.14%
- Christopher L. Losh		159	32.45%
- Rebecca "Becca" L. Faulkner		148	30.20%
- Scott Havener		50	10.20%
	Total ...	490	100.00%
CITY OF AURORA ISSUE 2A		165/165	100.00%
- YES		22,320	59.86%
- NO		14,965	40.14%
	Total ...	37,285	100.00%
AURORA PUBLIC LIBRARY ISSUE 4A		161/161	100.00%
- YES		16,821	46.61%
- NO		19,267	53.39%
	Total ...	36,088	100.00%
CARRIAGE PLACE ISSUE 5B		3/3	100.00%
- YES		71	15.92%
- NO		375	84.08%
	Total ...	446	100.00%
CHERRY HILLS HEIGHTS BALLOT ISSUE 5C		2/2	100.00%
- YES		62	89.86%

CHERRY HILLS HEIGHTS BALLOT ISSUE 5C (continued...)		2/2	100.00%
- NO		7	10.14%
	Total ...	69	100.00%
CHERRY HILLS HEIGHTS ISSUE 5D		2/2	100.00%
- YES		51	76.12%
- NO		16	23.88%
	Total ...	67	100.00%
CHERRY HILLS HEIGHTS ISSUE 5E		2/2	100.00%
- YES		53	79.10%
- NO		14	20.90%
	Total ...	67	100.00%
CITY OF LITTLETON REFERENDUM 2B		32/32	100.00%
- YES		4,329	53.37%
- NO		3,783	46.63%
	Total ...	8,112	100.00%
CITY OF BOW MAR ISSUE 2F		1/1	100.00%
- YES		147	52.69%
- NO		132	47.31%
	Total ...	279	100.00%
CITY OF BOW MAR ISSUE 2G		1/1	100.00%
- YES		187	67.03%
- NO		92	32.97%
	Total ...	279	100.00%
CITY OF ENGLEWOOD QUESTION 2C		25/25	100.00%
- YES		2,433	55.83%
- NO		1,925	44.17%
	Total ...	4,358	100.00%
HERITAGE GREENS ISSUE 5F		3/3	100.00%
- YES		473	65.79%
- NO		246	34.21%
	Total ...	719	100.00%
HERITAGE GREENS ISSUE 5G		3/3	100.00%
- YES		522	72.30%
- NO		200	27.70%
	Total ...	722	100.00%
HERITAGE GREENS ISSUE 5H		3/3	100.00%
- YES		519	71.69%
- NO		205	28.31%
	Total ...	724	100.00%
HERITAGE GREENS ISSUE 5I		3/3	100.00%
- YES		386	54.06%
- NO		328	45.94%
	Total ...	714	100.00%

November 3, 2009
Summary Report
Arapahoe County
Official Results

PIER POINT 7 ISSUE 5A		2/2	100.00%
- YES		232	93.17%
- NO		17	6.83%
	Total ...	249	100.00%
SHERIDAN QUESTION 2D		3/3	100.00%
- YES		364	41.98%
- NO		503	58.02%
	Total ...	867	100.00%
SHERIDAN QUESTION 2E		3/3	100.00%
- YES		159	18.09%
- NO		720	81.91%
	Total ...	879	100.00%

We, the undersigned, certify that the above results are true and correct.
Signed:

HERITAGE GREENS METROPOLITAN DISTRICT BALLOT ISSUE NO. 5F:
(Operations and Maintenance Mill Levy - Ad Valorem Taxes)

SHALL HERITAGE GREENS METROPOLITAN DISTRICT TAXES BE INCREASED $150,000 ANNUALLY OR SUCH LESSER AMOUNT AS NECESSARY TO PAY THE DISTRICT'S ADMINISTRATION AND OPERATIONS AND MAINTENANCE EXPENSES, BY THE IMPOSITION OF AD VALOREM PROPERTY TAXES LEVIED IN ANY YEAR, WITHOUT LIMITATION AS TO RATE OR AMOUNT OR ANY OTHER CONDITION TO PAY SUCH EXPENSES AND SHALL THE PROCEEDS OF SUCH TAXES AND ANY INVESTMENT INCOME THEREON BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT IN FISCAL YEAR 2010 AND IN EACH FISCAL YEAR THEREAFTER FOR AS LONG AS THE DISTRICT CONTINUES IN EXISTENCE, SUCH AUTHORIZATION TO CONSTITUTE A VOTER-APPROVED REVENUE CHANGE WHICH MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, THE LIMITS IMPOSED ON INCREASES IN PROPERTY TAXATION BY SECTION 29-1-301, C.R.S. IN ANY YEAR, 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, ALL WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

HERITAGE GREENS METROPOLITAN DISTRICT BALLOT ISSUE NO. 5G:
(Operations and Maintenance Mill Levy – Non-Resident Usage Fees)

SHALL HERITAGE GREENS METROPOLITAN DISTRICT TAXES BE INCREASED $50,000 ANNUALLY OR SUCH LESSER AMOUNT AS NECESSARY TO PAY THE DISTRICT'S ADMINISTRATION AND OPERATIONS AND MAINTENANCE EXPENSES, BY THE IMPOSITION OF A FEE OR FEES FOR NON-RESIDENT USE OF DISTRICT FACILITIES WITHOUT LIMITATION AS TO RATE OR AMOUNT OR ANY OTHER CONDITION TO PAY SUCH EXPENSES AND SHALL THE PROCEEDS OF SUCH FEES AND ANY INVESTMENT INCOME THEREON BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT IN FISCAL YEAR 2009 AND IN EACH FISCAL YEAR THEREAFTER FOR AS LONG AS THE DISTRICT CONTINUES IN EXISTENCE, SUCH AUTHORIZATION TO CONSTITUTE A VOTER-APPROVED REVENUE CHANGE WHICH MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, THE LIMITS IMPOSED ON INCREASES IN PROPERTY TAXATION BY SECTION 29-1-301, C.R.S. IN ANY YEAR, 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, ALL WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

HERITAGE GREENS METROPOLITAN DISTRICT BALLOT ISSUE NO. 5H:

SHALL HERITAGE GREENS METROPOLITAN DISTRICT DEBT BE INCREASED $2,750,000 WITH A REPAYMENT COST OF $8,250,000 OR SUCH LESSER AMOUNT AS MAY BE NECESSARY, AND SHALL HERITAGE GREENS METROPOLITAN DISTRICT TAXES BE

INCREASED $325,000 ANNUALLY OR SUCH LESSER AMOUNT AS MAY BE NECESSARY FOR THE PAYMENT OF SUCH DEBT AND ANY REFUNDINGS THEREOF FOR THE PURPOSE OF PAYING, LEASING OR FINANCING ALL OR ANY PART OF THE COSTS OF DESIGNING, ACQUIRING, CONSTRUCTING, RELOCATING, INSTALLING, COMPLETING AND OTHERWISE PROVIDING PARKS AND RECREATION FACILITIES AND IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

- REPLACEMENT OF THE COMMUNITY RECREATION CENTER LOCATED AT 4814 EAST LINKS CIRCLE (THE "RECREATION CENTER FACILITY") INCLUDING ASSOCIATED LANDSCAPING ; AND
- REPLACEMENT OF THE SWIMMING POOL AT THE RECREATION CENTER FACILITY INCLUDING INCIDENTAL AND APPURTENANT FACILITIES AND EQUIPMENT IN CONNECTION WITH REPLACEMENT OF THE RECREATION CENTER FACILITY AND SWIMMING POOL INCLUDING BUT NOT LIMITED TO PUMPING SYSTEMS, FILTRATION AND HEATING EQUIPMENT; AND
- REPLACE OR REPAIR ANY RECREATIONAL FACILITIES LOCATED ON THE COMMON AREA OF THE RECREATION CENTER FACILITY INCLUDING, BUT NOT LIMITED TO THE PARKING AREA, THE VOLLEYBALL COURT AND THE TENNIS COURTS

BY THE ISSUANCE AND PAYMENT OF GENERAL OBLIGATION BONDS OR OTHER EVIDENCE OF DEBT, SUCH DEBT TO BEAR INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE NOT TO EXCEED 8.5% PER ANNUM, AND BE ISSUED, DATED AND SOLD AT SUCH TIME OR TIMES, AT SUCH PRICES (AT, ABOVE OR BELOW PAR) AND IN SUCH MANNER, CONTAINING SUCH TERMS AND BE IN SUCH FORM, NOT INCONSISTENT HEREWITH, AS THE BOARD OF DIRECTORS OF THE DISTRICT MAY DETERMINE; SUCH DEBT TO BE PAID FROM ANY LEGALLY AVAILABLE REVENUES OF THE DISTRICT, INCLUDING THE PROCEEDS OF AD VALOREM PROPERTY TAXES TO BE IMPOSED UPON ALL TAXABLE PROPERTY WITHIN THE DISTRICT WITHOUT LIMITATION AS TO RATE; TO BE USED FOR THE PURPOSE OF PAYING THE PRINCIPAL OF, PREMIUM IF ANY, AND INTEREST ON SUCH DEBT; 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?

HERITAGE GREENS METROPOLITAN DISTRICT BALLOT QUESTION NO. 5I:

Shall members of the board of directors of Heritage Greens Metropolitan District be authorized to serve without limitation on their terms of office pursuant to the right granted to the voters of the District in Article XVIII, Section 11 of the Colorado Constitution to lengthen, shorten, or eliminate the limitations on the terms of office imposed by such section?