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Dept. of Local Affairs

**CANVASS BOARD'S
CERTIFICATE OF OFFICIAL ABSTRACT OF VOTES CAST
(CERTIFICATE OF RESULTS)
FOR THE REGULAR ELECTION HELD ON MAY 6, 2008
PURGATORY METROPOLITAN DISTRICT
LA PLATA COUNTY, COLORADO**

1-10-203, 1-11-103, and 32-1-104(1), CRS

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

- Doug G. Simonson 4-Year Term 10631 C R 250, Durango CO 81301
- John E Ogier 4-Year Term 2909 Cedar Avenue, Durango, CO 81301
- Robert Ptolemy 2-Year Term P O Box 197. Durango, CO 81301

The votes cast for and against each ballot issue and ballot question submitted were as follows:

1. IGA Authorization

Number of YES votes cast: 56

Number of NO votes cast: 24

2. Master Payment Agreement Authorization

Number of YES votes cast: 50

Number of NO votes cast: 30

3. Use of Revenue Authorization

Number of YES votes cast: 56

Number of NO votes cast: 34

CERTIFIED this 17th day of May, 2008.

Michael Redding
Designated Election Official

Harvey F. Furphy
Canvasser

John Reiter
Canvasser

John Reiter
570 Turner Dr. Suite 13
Durango, CO 81303
970-799-4722

Contact Person for the District:
Business Address of the District:

Telephone Number:

**CANVASS BOARD'S
CERTIFICATE OF OFFICIAL ABSTRACT OF VOTES CAST
(CERTIFICATE OF RESULTS)**

**FOR THE REGULAR ELECTION HELD ON MAY 6, 2008
PURGATORY METROPOLITAN DISTRICT
LA PLATA / SAN JUAN SUB DISTRICT
LA PLATA / SAN JUAN COUNTY, COLORADO**

1-10-203, 1-11-103, and 32-1-104(1), CRS

Each of the undersigned members of the Canvass Board of the Purgatory Metropolitan District certifies that the following is a true and correct abstract of the votes cast at the regular election Of the Purgatory Metropolitan District, at which time the eligible electors of the Purgatory Metropolitan District voted as indicated on the attached Judges' Certificate of Election Returns, and as a result of which the eligible electors votes cast for and against each ballot issue and ballot question submitted were as follows:

1. Tax increase:

Yes	No
<u>32</u>	<u>7</u>

2. TABOR exemption for non-ad valorem tax revenues:

Yes	No
<u>32</u>	<u>7</u>

3. Bonded debt for water purposes:

Yes	No
<u>38</u>	<u>1</u>

4. Bonded debt for sanitation purposes:

Yes	No
<u>32</u>	<u>1</u>

5. Bonded debt for street purposes:

Yes	No
<u>33</u>	<u>0</u>

6. Bonded debt for park and recreation purposes

Yes	No
<u>38</u>	<u>1</u>

7. Bonded debt for refunding purposes:

Yes	No
<u>36</u>	<u>3</u>

8. IGA authorization:

Yes

No

37

2

9. Master Payment Agreement authorization:

Yes

No

33

6

CERTIFIED this 7th day of May, 2008.

Michael Reddy

Designated Election Official

Nancy L. Ferry

Canvasser

Julia Ann Thomas

Canvasser

Contact Person for the District:
Business Address of the District:

John Reiter

570 Turner Dr. Ste B
Puniso, Ca 94303

Telephone Number:

970-799-4722

PROCEDURAL INSTRUCTIONS: The canvassers meet to certify the returns. They do not recount the ballots. No later than seven days after the election, the canvass board shall certify the official abstract of votes cast which the DEO uses to certify the election (results). This form must be filed with the Division of Local Government within 30 days after the election and must be posted in the office of the DEO. The DEO shall notify the candidates of their election; after the oath and bond are filed, the DEO shall make and deliver a formal certificate to the elected directors.

TUESDAY, MAY 6, 2008

Michele Redding

Michele Redding, Designated Election Official
Purgatory Metropolitan District

The Elector shall vote for his or her choice by placing a cross (x) opposite their choice.

Vote for not more than (2) Two Directors, Four Year Terms:

DOUG G. SIMONSON 57 JOHN E. OGIER 53

Vote for not more than (1) One Director, Two Year Terms:

ROBERT PTOLEMY 55

Ballot Questions:

1. IGA authorization:

SHALL PURGATORY METROPOLITAN DISTRICT BE AUTHORIZED TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE PURGATORY METROPOLITAN DISTRICT LA PLATA/SAN JUAN SUBDISTRICT FOR THE PURPOSE OF JOINTLY FINANCING THE COSTS OF PUBLIC IMPROVEMENTS, FACILITIES, SYSTEMS, PROGRAMS, OR PROJECTS WHICH THE DISTRICT MAY LAWFULLY PROVIDE, OR FOR THE PURPOSE OF PROVIDING FOR THE OPERATIONS AND MAINTENANCE OF SUCH PUBLIC IMPROVEMENTS, FACILITIES, SYSTEMS, PROGRAMS, OR PROJECTS, WHICH AGREEMENT MAY CONSTITUTE A DEBT OR INDEBTEDNESS AND A MULTIPLE-FISCAL YEAR FINANCIAL OBLIGATION OF THE DISTRICT TO THE EXTENT PROVIDED THEREIN AND OTHERWISE AUTHORIZED BY LAW, AND IN CONNECTION THEREWITH SHALL THE DISTRICT BE AUTHORIZED TO AGREE TO PAY SPECIFIED REVENUES (INCLUDING BUT NOT LIMITED TO THE DISTRICT'S MILL LEVY OF 21.325 MILLS APPROVED FOR GENERAL OPERATING PURPOSES AT THE NOVEMBER 6, 2001 ELECTION) OF THE DISTRICT TO THE SUBDISTRICT, TO MAKE COVENANTS REGARDING THE REVENUES OF THE DISTRICT, AND TO MAKE COVENANTS, REPRESENTATIONS, AND WARRANTIES AS TO OTHER MATTERS ARISING UNDER THE AGREEMENTS, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF THE DISTRICT?

YES 56 NO 24

2. Master Payment Agreement authorization:

SHALL PURGATORY METROPOLITAN DISTRICT BE AUTHORIZED TO ENTER INTO THE MASTER PAYMENT AGREEMENT FOR DEDICATED AND ACCEPTED INFRASTRUCTURE COSTS, DATED MARCH 4, 2008 IN THE FORM ON FILE AT THE DISTRICT'S OFFICES WITH DEVELOPERS OF PROPERTY IN THE DISTRICT FOR THE PURPOSE OF FINANCING THE COSTS OF PUBLIC IMPROVEMENTS, FACILITIES, SYSTEMS, OR PROJECTS WHICH THE DISTRICT MAY LAWFULLY PROVIDE, WHICH AGREEMENT MAY CONSTITUTE A DEBT OR INDEBTEDNESS AND A MULTIPLE-FISCAL YEAR FINANCIAL OBLIGATION OF THE DISTRICT TO THE EXTENT PROVIDED THEREIN AND OTHERWISE AUTHORIZED BY LAW?

YES 50 NO 30

3. Use of revenue authorization:

SHALL THE PURGATORY METROPOLITAN DISTRICT BE AUTHORIZED TO USE THE DISTRICT'S EXISTING MILL LEVY OF 21.325 MILLS APPROVED AT THE NOVEMBER 6, 2001 ELECTION FOR REPAYMENT OF INDEBTEDNESS OR MULTIPLE FISCAL YEAR FINANCIAL OBLIGATIONS APPROVED BY THE ELECTORS OF THE DISTRICT?

YES 56 NO 24

4. Bonded debt for sanitation purposes:

SHALL PURGATORY METROPOLITAN DISTRICT LA PLATA/SAN JUAN SUBDISTRICT DEBT BE INCREASED \$14,000,000; WITH A REPAYMENT COST OF \$44,553,000; SUCH DEBT TO CONSIST OF GENERAL OBLIGATION BONDS OR OTHER OBLIGATIONS, INCLUDING CONTRACTS, ISSUED OR INCURRED FOR THE PURPOSE OF PAYING, REIMBURSING, OR FINANCING ALL OR ANY PART OF THE COSTS OF ACQUIRING, CONSTRUCTING, RELOCATING, INSTALLING, COMPLETING, AND OTHERWISE PROVIDING, WITHIN OR WITHOUT THE BOUNDARIES OF THE SUBDISTRICT, A COMPLETE LOCAL SANITARY SEWAGE COLLECTION AND TRANSMISSION SYSTEM, INCLUDING COLLECTION MAINS AND LATERALS, TRANSMISSION LINES, TREATMENT FACILITIES, STORM SEWER, FLOOD, AND SURFACE DRAINAGE FACILITIES AND SYSTEMS, AND DETENTION AND RETENTION PONDS, TOGETHER WITH ALL NECESSARY, INCIDENTAL, AND APPURTENANT FACILITIES, EQUIPMENT, LAND, AND EASEMENTS, AND EXTENSIONS OF AND IMPROVEMENTS TO SAID FACILITIES; SUCH DEBT TO BEAR INTEREST AT A NET EFFECTIVE INTEREST RATE NOT IN EXCESS OF 10%, WHICH MAY BE PAYABLE AT SUCH TIME OR TIMES AND WHICH MAY COMPOUND PERIODICALLY AS MAY BE DETERMINED BY THE SUBDISTRICT BOARD; SUCH DEBT TO BE SOLD IN ONE SERIES OR MORE AT A PRICE ABOVE, BELOW, OR EQUAL TO THE PRINCIPAL AMOUNT OF SUCH DEBT AND ON SUCH TERMS AND CONDITIONS AS THE SUBDISTRICT MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE DEBT PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF PREMIUM IN AN AMOUNT NOT IN EXCESS OF 3% OF THE PRINCIPAL AMOUNT BEING REDEEMED; SUCH DEBT TO BE PAID FROM ANY LEGALLY AVAILABLE MONEYS OF THE SUBDISTRICT, INCLUDING THE PROCEEDS OF AD VALOREM PROPERTY TAXES; AND SHALL THE PROCEEDS OF ANY SUCH DEBT AND THE PROCEEDS OF ANY REVENUE USED TO PAY SUCH DEBT, AND INVESTMENT INCOME THEREON, BE COLLECTED AND SPENT BY THE SUBDISTRICT 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, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE SUBDISTRICT?

YES 33 NO 1

5. Bonded debt for street purposes:

SHALL PURGATORY METROPOLITAN DISTRICT LA PLATA/SAN JUAN SUBDISTRICT DEBT BE INCREASED \$5,750,000, WITH A REPAYMENT COST OF \$18,299,000; SUCH DEBT TO CONSIST OF GENERAL OBLIGATION BONDS OR OTHER OBLIGATIONS, INCLUDING CONTRACTS, ISSUED OR INCURRED FOR THE PURPOSE OF PAYING, REIMBURSING, OR FINANCING ALL OR ANY PART OF THE COSTS OF ACQUIRING, CONSTRUCTING, RELOCATING, INSTALLING, COMPLETING, AND OTHERWISE PROVIDING, WITHIN OR WITHOUT THE BOUNDARIES OF THE SUBDISTRICT, STREET IMPROVEMENTS INCLUDING CURBS, GUTTERS, CULVERTS, OTHER DRAINAGE FACILITIES, SIDEWALKS, BRIDGES, PARKING FACILITIES, PAVING, LIGHTING, GRADING, LANDSCAPING, AND OTHER STREET IMPROVEMENTS, TOGETHER WITH ALL NECESSARY, INCIDENTAL, AND APPURTENANT FACILITIES, EQUIPMENT, LAND, AND EASEMENTS, AND EXTENSIONS OF AND IMPROVEMENTS TO SAID FACILITIES; SUCH DEBT TO BEAR INTEREST AT A NET EFFECTIVE INTEREST RATE NOT IN EXCESS OF 10%, WHICH MAY BE PAYABLE AT SUCH TIME OR TIMES AND WHICH MAY COMPOUND PERIODICALLY AS MAY BE DETERMINED BY THE SUBDISTRICT BOARD; SUCH DEBT TO BE SOLD IN ONE SERIES OR MORE AT A PRICE ABOVE, BELOW, OR EQUAL TO THE PRINCIPAL AMOUNT OF SUCH DEBT AND ON SUCH TERMS AND CONDITIONS AS THE SUBDISTRICT MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE DEBT PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF PREMIUM IN AN AMOUNT NOT IN EXCESS OF 3% OF THE PRINCIPAL AMOUNT BEING REDEEMED; SUCH DEBT TO BE PAID FROM ANY LEGALLY AVAILABLE MONEYS OF THE SUBDISTRICT, INCLUDING THE PROCEEDS OF AD VALOREM PROPERTY TAXES; AND SHALL THE PROCEEDS OF ANY SUCH DEBT AND THE PROCEEDS OF ANY REVENUE USED TO PAY SUCH DEBT, AND INVESTMENT INCOME THEREON, BE COLLECTED AND SPENT BY THE SUBDISTRICT 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, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE SUBDISTRICT?

YES 33 NO 0

6. Bonded debt for park and recreation purposes:

SHALL PURGATORY METROPOLITAN DISTRICT LA PLATA/SAN JUAN SUBDISTRICT DEBT BE INCREASED \$4,500,000, WITH A REPAYMENT COST OF \$14,321,000; SUCH DEBT TO CONSIST OF GENERAL OBLIGATION BONDS OR OTHER OBLIGATIONS, INCLUDING CONTRACTS, ISSUED OR INCURRED FOR THE PURPOSE OF PAYING, REIMBURSING, OR FINANCING ALL OR ANY PART OF THE COSTS OF ACQUIRING, CONSTRUCTING, RELOCATING, INSTALLING, COMPLETING, AND OTHERWISE PROVIDING, WITHIN OR WITHOUT THE BOUNDARIES OF THE SUBDISTRICT, PARKS AND RECREATIONAL FACILITIES, IMPROVEMENTS, AND PROGRAMS, INCLUDING PARKS, BIKE PATHS AND PEDESTRIAN WAYS, OPEN SPACE, LANDSCAPING, CULTURAL ACTIVITIES, COMMUNITY RECREATION CENTERS, WATER BODIES, IRRIGATION FACILITIES, AND OTHER ACTIVE AND PASSIVE RECREATION FACILITIES AND PROGRAMS, TOGETHER WITH ALL NECESSARY, INCIDENTAL, AND APPURTENANT FACILITIES, EQUIPMENT, LAND, AND EASEMENTS, AND EXTENSIONS OF AND IMPROVEMENTS TO SAID FACILITIES; SUCH DEBT TO BEAR INTEREST AT A NET EFFECTIVE INTEREST RATE NOT IN EXCESS OF 10%, WHICH MAY BE PAYABLE AT SUCH TIME OR TIMES AND WHICH MAY COMPOUND PERIODICALLY AS MAY BE DETERMINED BY THE SUBDISTRICT BOARD; SUCH DEBT TO BE SOLD IN ONE SERIES OR MORE AT A PRICE ABOVE, BELOW, OR EQUAL TO THE PRINCIPAL AMOUNT OF SUCH DEBT AND ON SUCH TERMS AND CONDITIONS AS THE SUBDISTRICT MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE DEBT PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF PREMIUM IN

Michele Redding

Michele Redding, Designated Election Official
Purgatory Metropolitan District

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1. Tax increase:

SHALL PURGATORY METROPOLITAN DISTRICT LA PLATA/SAN JUAN SUBDISTRICT TAXES BE INCREASED \$275,000 ANNUALLY COMMENCING IN TAX COLLECTION YEAR 2009, OR BY SUCH ANNUAL AMOUNT AS MAY BE GENERATED THEREAFTER BY A MILL LEVY OF NOT MORE THAN 15 MILLS (IN ADDITION TO ALL TAXES LEVIED BY PURGATORY METROPOLITAN DISTRICT) TO PAY THE SUBDISTRICT'S EXPENSES, PROVIDED THAT IF THE METHOD OF CALCULATING ASSESSED VALUATION (INCLUDING A CHANGE IN THE RATIO OF ACTUAL VALUATION USED IN CALCULATING ASSESSED VALUATION) IS CHANGED AFTER 2008, THE MILL LEVY MAY BE INCREASED OR DECREASED IN ANY YEAR TO REFLECT SUCH CHANGE, SO THAT TO THE EXTENT POSSIBLE, THE ACTUAL TAX REVENUES GENERATED BY THE MILL LEVY, AS ADJUSTED, ARE NEITHER DIMINISHED NOR ENHANCED AS A RESULT OF SUCH CHANGES; AND SHALL THE PROCEEDS OF SUCH TAXES AND INVESTMENT INCOME THEREON BE COLLECTED AND SPENT BY THE SUBDISTRICT AS A VOTER-APPROVED REVENUE CHANGE IN 2009 AND IN EACH YEAR THEREAFTER, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR SECTION 29-1-301, COLORADO REVISED STATUTES, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE SUBDISTRICT?

YES 32 NO 7

2. TABOR exemption for non-ad valorem tax revenues:

SHALL PURGATORY METROPOLITAN DISTRICT LA PLATA/SAN JUAN SUBDISTRICT BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND ANY AND ALL AMOUNTS ANNUALLY FROM ANY REVENUE SOURCES WHATSOEVER OTHER THAN AD VALOREM TAXES, INCLUDING BUT NOT LIMITED TO TAP FEES, FACILITY FEES, SERVICE CHARGES, INSPECTION CHARGES, ADMINISTRATIVE CHARGES, GRANTS, OR ANY OTHER FEE, RATE, TOLL, PENALTY, INCOME, OR CHARGE IMPOSED, COLLECTED, OR AUTHORIZED BY LAW TO BE IMPOSED OR COLLECTED BY THE SUBDISTRICT, AND SHALL SUCH REVENUES BE COLLECTED AND SPENT BY THE SUBDISTRICT 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, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE SUBDISTRICT?

YES 32 NO 7

3. Bonded debt for water purposes:

SHALL PURGATORY METROPOLITAN DISTRICT LA PLATA/SAN JUAN SUBDISTRICT DEBT BE INCREASED \$7,500,000, WITH A REPAYMENT COST OF \$23,868,000; SUCH DEBT TO CONSIST OF GENERAL OBLIGATION BONDS OR OTHER OBLIGATIONS, INCLUDING CONTRACTS, ISSUED OR INCURRED FOR THE PURPOSE OF PAYING, REIMBURSING, OR FINANCING ALL OR ANY PART OF THE COSTS OF ACQUIRING, CONSTRUCTING, RELOCATING, INSTALLING, COMPLETING, AND OTHERWISE PROVIDING, WITHIN OR WITHOUT THE BOUNDARIES OF THE SUBDISTRICT, A COMPLETE POTABLE AND NON-POTABLE WATER SUPPLY, STORAGE, TRANSMISSION, AND DISTRIBUTION SYSTEM, INCLUDING TRANSMISSION LINES, DISTRIBUTION MAINS AND LATERALS, IRRIGATION FACILITIES, AND STORAGE FACILITIES, TOGETHER WITH ALL NECESSARY, INCIDENTAL, AND APPURTENANT FACILITIES, EQUIPMENT, LAND, AND EASEMENTS, AND EXTENSIONS OF AND IMPROVEMENTS TO SAID FACILITIES; SUCH DEBT TO BEAR INTEREST AT A NET EFFECTIVE INTEREST RATE NOT IN EXCESS OF 10%, WHICH MAY BE PAYABLE AT SUCH TIME OR TIMES AND WHICH MAY COMPOUND PERIODICALLY AS MAY BE DETERMINED BY THE SUBDISTRICT BOARD; SUCH DEBT TO BE SOLD IN ONE SERIES OR MORE AT A PRICE ABOVE, BELOW, OR EQUAL TO THE PRINCIPAL AMOUNT OF SUCH DEBT AND ON SUCH TERMS AND CONDITIONS AS THE SUBDISTRICT MAY DETERMINE, INCLUDING PROVISIONS FOR REDEMPTION OF THE DEBT PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF PREMIUM IN AN AMOUNT NOT IN EXCESS OF 3% OF THE PRINCIPAL AMOUNT BEING REDEEMED; SUCH DEBT TO BE PAID FROM ANY LEGALLY AVAILABLE MONEYS OF THE SUBDISTRICT, INCLUDING THE PROCEEDS OF AD VALOREM PROPERTY TAXES; AND SHALL THE PROCEEDS OF ANY SUCH DEBT AND THE PROCEEDS OF ANY REVENUE USED TO PAY SUCH DEBT, AND INVESTMENT INCOME THEREON, BE COLLECTED AND SPENT BY THE SUBDISTRICT 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, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED AND SPENT BY THE SUBDISTRICT?

YES 38 NO 1