

66254

**BOARD OF CANVASSERS CERTIFICATE OF ELECTION RESULTS
FOR THE SPECIAL ELECTION
HELD NOVEMBER 2, 2010
§§1-11-103 and 32-1-104(1), C.R.S.**

Heritage Resource Metropolitan District

Each of the undersigned members of the board of canvassers of the District certifies that the following is a true and correct statement of the results of the November 2, 2010 Election for the above-named District, at which time the eligible electors of the 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:

For each candidate elected to office:

| Name | Address | Term |
|--------------------------------|---|------------------|
| 1. <u>Timothy Ray Buchanan</u> | <u>7205 Nile Street, Arvada, CO 80007</u> | <u>May, 2014</u> |
| 2. <u>Greg Stevinson</u> | <u>17 Tamarade Drive, Littleton, CO 80127</u> | <u>May, 2014</u> |
| 3. <u>Gary R. White</u> | <u>2195 Cherryville Road, Greenwood Village, CO 80121</u> | <u>May, 2014</u> |

Ballots counted for and against each ballot issue and question as follows:

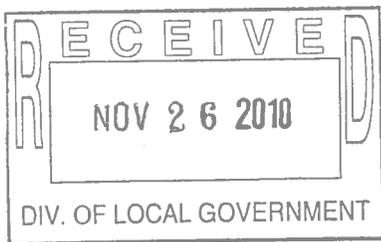
| | YES | NO |
|-------------|----------|----------|
| Issue A: | <u>4</u> | <u>0</u> |
| Issue B: | <u>4</u> | <u>0</u> |
| Issue C: | <u>4</u> | <u>0</u> |
| Issue D: | <u>4</u> | <u>0</u> |
| Question 2: | <u>4</u> | <u>0</u> |
| Question 3: | <u>4</u> | <u>0</u> |

(Signed) [Signature]
Designated Election Official

(Signed) [Signature]
Canvasser

(Signed) [Signature]
Canvasser

CONTACT PERSON FOR THE DISTRICT:



Jennifer G. Tanaka
2154 East Commons Avenue
Suite 2000
Centennial, CO 80122
(303) 858-1800

66254

Prepare and deliver a Certificate of Election to those candidates receiving the highest number of votes. Deposit one copy with the Clerk and Recorder of each county in which the special district is located. This must be available for public inspection in the office of the Designated Election Official.

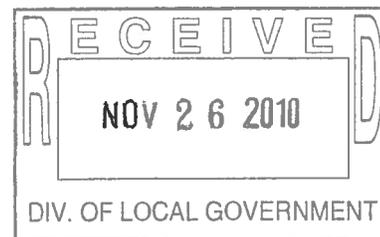
Send one copy of this certificate to:

**Division of Local Government
1313 Sherman Street, Room 521
Denver, CO 80203**

Provide a list of all current directors to the division, including addresses, within 45 days after the election.

(Attach copy of Judges' Certificate of Election Returns)

**CANVASSERS
ABSTRACT OF RETURNS**
§1-10-203, C.R.S.



For an election held for **Heritage Resource Metropolitan District** on November 2, 2010.

Ballots counted for the following candidates:

| | |
|-----------------------------|-----------------|
| <u>Timothy Ray Buchanan</u> | <u>(4) Four</u> |
| <u>Greg Stevinson</u> | <u>(4) Four</u> |
| <u>Gary R. White</u> | <u>(4) Four</u> |

Ballots counted for and against each ballot issue and question as follows:

BALLOT ISSUE A (De-TABOR)

SHALL HERITAGE RESOURCE METROPOLITAN DISTRICT BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND THE FULL AMOUNT OF ANY AND ALL AMOUNTS ANNUALLY FROM ANY REVENUE SOURCES WHATSOEVER INCLUDING BUT NOT LIMITED TO ALL TAXES, TAX INCREMENT REVENUES, TAP FEES, PARK 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 OR CONTRACT DURING 2010 AND EACH FISCAL YEAR THEREAFTER, SUCH AMOUNTS TO CONSTITUTE A VOTER-APPROVED REVENUE CHANGE AND BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN 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 SUBSEQUENT 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, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

YES

NO

(4) Four

(0) Zero

BALLOT ISSUE B (Mortgage)

SHALL HERITAGE RESOURCE METROPOLITAN DISTRICT BE AUTHORIZED TO ISSUE, CREATE, EXECUTE, AND DELIVER MORTGAGES, LIENS, AND OTHER ENCUMBRANCES ON DISTRICT REAL AND PERSONAL PROPERTY, WHETHER NOW OWNED OR HEREAFTER ACQUIRED, AND INCLUDING WATER AND WATER RIGHTS, SUCH ENCUMBRANCES TO BE IN THE TOTAL PRINCIPAL AMOUNT OF NOT MORE THAN \$1,000,000,000.00, PLUS INTEREST THEREON AT A NET EFFECTIVE INTEREST RATE NOT IN EXCESS OF 18% PER ANNUM, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS TO BE NECESSARY OR APPROPRIATE IN CONNECTION WITH THE ISSUANCE OF BONDS, NOTES, CONTRACTS, OR OTHER FINANCIAL OBLIGATIONS OF THE DISTRICT; SUCH ENCUMBRANCES TO BE CREATED FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY FOR DISTRICT FINANCIAL OBLIGATIONS, AND TO BE CREATED AT ONE TIME OR FROM TIME TO TIME; SUCH MORTGAGES, LIENS, OR OTHER ENCUMBRANCES TO ENTITLE THE OWNER OR BENEFICIARY THEREOF TO FORECLOSE UPON AND TAKE TITLE TO AND POSSESSION OF THE

DISTRICT PROPERTY SO ENCUMBERED, AND IN CONNECTION THEREWITH SHALL THE DISTRICT BE AUTHORIZED TO MAKE SUCH COVENANTS REGARDING THE USE OF THE ENCUMBERED PROPERTY AND OTHER MATTERS ARISING UNDER THE ENCUMBRANCES, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF THE DISTRICT?

YES NO
(4) Four (0) Zero

BALLOT ISSUE C (Multiple Fiscal Year IGA)

SHALL HERITAGE RESOURCE METROPOLITAN DISTRICT BE AUTHORIZED TO ENTER INTO ONE OR MORE INTERGOVERNMENTAL AGREEMENTS WITH THE STATE OR ONE OR MORE POLITICAL SUBDIVISIONS OF THE STATE FOR THE PURPOSE OF FINANCING THE COSTS OF ANY 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 THE DISTRICT AND ITS FACILITIES AND PROPERTIES, WHICH AGREEMENT MAY CONSTITUTE 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 MAKE COVENANTS REGARDING THE ESTABLISHMENT AND USE OF AD VALOREM TAXES, RATES, FEES, TOLLS, PENALTIES, AND OTHER CHARGES OR REVENUES OF THE DISTRICT, AND COVENANTS, REPRESENTATIONS, AND WARRANTIES AS TO OTHER MATTERS ARISING UNDER THE AGREEMENTS, ALL AS MAY BE DETERMINED BY THE DISTRICT BOARD OF DIRECTORS?

YES NO
(4) Four (0) Zero

BALLOT ISSUE D (Multiple Fiscal Year Private Agreement)

SHALL HERITAGE RESOURCE METROPOLITAN DISTRICT BE AUTHORIZED TO ENTER INTO ONE OR MORE AGREEMENTS WITH PRIVATE PARTIES FOR THE PURPOSE OF FINANCING THE COSTS OF ANY 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 THE DISTRICT AND ITS FACILITIES AND PROPERTIES, WHICH AGREEMENT MAY CONSTITUTE 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 MAKE COVENANTS REGARDING THE ESTABLISHMENT AND USE OF AD VALOREM TAXES, RATES, FEES, TOLLS, PENALTIES, AND OTHER CHARGES OR REVENUES OF THE DISTRICT, AND COVENANTS, REPRESENTATIONS, AND WARRANTIES AS TO OTHER MATTERS ARISING UNDER THE AGREEMENTS, ALL AS MAY BE DETERMINED BY THE DISTRICT BOARD OF DIRECTORS?

YES NO
(4) Four (0) Zero

BALLOT QUESTION 2 (Organize District)

SHALL HERITAGE RESOURCE METROPOLITAN DISTRICT BE ORGANIZED AS A SPECIAL DISTRICT PURSUANT TO ARTICLE 1 OF TITLE 32, C.R.S.?

YES

NO

(4) Four

(0) Zero

BALLOT QUESTION 3 (Term Limit Elimination)

SHALL MEMBERS OF THE BOARD OF DIRECTORS OF HERITAGE RESOURCE 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?

YES

NO

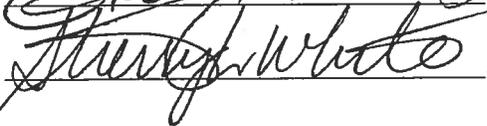
(4) Four

(0) Zero

By:


 _____, Designated Election Official


 _____, Canvasser


 _____, Canvasser

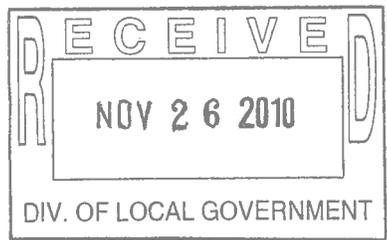
No later than seven days after the election, the canvassers shall survey the returns, issue a certified statement of results, and make out this abstract of votes for each office. The purpose of this canvass is to verify the returns. **DO NOT RECOUNT THE BALLOTS.**

JUDGES' CERTIFICATE OF ELECTION RETURNS
FOR HERITAGE RESOURCE METROPOLITAN DISTRICT
§1-7-601, C.R.S.

IT IS HEREBY CERTIFIED by the undersigned, who conducted a mail ballot election for the above named District, on the 2nd day of November, 2010, that after qualifying by swearing and subscribing to their Oaths of Office, they opened the approved mail ballot walk-in site at 7:00 a.m., and that they kept the site open continuously until the hour of 7:00 p.m. on said date, after which they counted the ballots.

That the votes cast for Director of said District, including write-in candidates, for initial term November, 2010 to the second next regular special district election in May, 2014:

| Candidate for Director | Number of Votes Cast |
|-----------------------------|--|
| <u>Timothy Ray Buchanan</u> | (4) Four _____ (Numeric & Spelled Out) |
| <u>Greg Stevinson</u> | (4) Four _____ (Numeric & Spelled Out) |
| <u>Gary R. White</u> | (4) Four _____ (Numeric & Spelled Out) |



**JUDGES CERTIFICATE OF ELECTION RETURNS
HERITAGE RESOURECE METROPOLITAN DISTRICT**

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

| | YES | NO |
|-------------------|-------------------------|-----------------|
| Ballot Issue A | <u>(4) four</u> | <u>(0) zero</u> |
| | (Numeric & Spelled Out) | |
| Ballot Issue B | <u>(4) four</u> | <u>(0) zero</u> |
| | (Numeric & Spelled Out) | |
| Ballot Issue C | <u>(4) four</u> | <u>(0) zero</u> |
| | (Numeric & Spelled Out) | |
| Ballot Issue D | <u>(4) four</u> | <u>(0) zero</u> |
| | (Numeric & Spelled Out) | |
| Ballot Question 2 | <u>(4) four</u> | <u>(0) zero</u> |
| | (Numeric & Spelled Out) | |
| Ballot Question 3 | <u>(4) four</u> | <u>(0) zero</u> |
| | (Numeric & Spelled Out) | |

JUDGES' CERTIFICATE OF ELECTION RETURNS
HERITAGE RESOURCE METROPOLITAN DISTRICT
(CONTINUED)
§1-7-601(2),C.R.S.

It is hereby identified and specified that:

Numeric & Spelled Out

Total Ballots Printed:

(5) Five

Ballots Issued

Original Mailings:

(5) Five

Emergency Ballots:

(0) zero

Replacement Ballots:

(0) zero

Ballots Not Counted

Unused Ballots:

(0) zero

Spoiled Ballots:

(0) zero

Unreturned Ballots:

(1) one

Ballots returned by Post Office:

(0) zero

Challenged Ballots:

(0) zero

Rejected for insufficient information:

(0) zero

Total Not Counted:

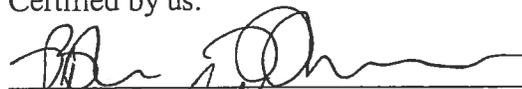
(1) one

Total Counted Ballots:

(4) four

Total Ballots Voted: 4; all unused ballots, spoiled ballots, and stubs of ballots voted shall be returned with the statement.

Certified by us:

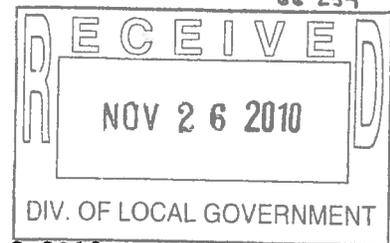
 _____, Election Judge

 _____, Election Judge

November 2, 2010

ATTACH A COPY OF THE JUDGES' ABSTRACT OF RETURNS.

JUDGES' ABSTRACT OF RETURNS
§1-7-602, C.R.S.



For an election held for **Heritage Resource Metropolitan District** on November 2, 2010:

Ballots counted for the following candidates:

| Candidate | Votes Counted |
|-----------------------------|---------------|
| <u>Timothy Ray Buchanan</u> | <u>4</u> |
| <u>Greg Stevinson</u> | <u>4</u> |
| <u>Gary R. White</u> | <u>4</u> |

Ballots counted for and against each ballot issue and question as follows:

BALLOT ISSUE A (De-TABOR)

SHALL HERITAGE RESOURCE METROPOLITAN DISTRICT BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND THE FULL AMOUNT OF ANY AND ALL AMOUNTS ANNUALLY FROM ANY REVENUE SOURCES WHATSOEVER INCLUDING BUT NOT LIMITED TO ALL TAXES, TAX INCREMENT REVENUES, TAP FEES, PARK 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 OR CONTRACT DURING 2010 AND EACH FISCAL YEAR THEREAFTER, SUCH AMOUNTS TO CONSTITUTE A VOTER-APPROVED REVENUE CHANGE AND BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN 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 SUBSEQUENT 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, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

| | |
|----------|----------|
| YES | NO |
| <u>4</u> | <u>0</u> |

BALLOT ISSUE B (Mortgage)

SHALL HERITAGE RESOURCE METROPOLITAN DISTRICT BE AUTHORIZED TO ISSUE, CREATE, EXECUTE, AND DELIVER MORTGAGES, LIENS, AND OTHER ENCUMBRANCES ON DISTRICT REAL AND PERSONAL PROPERTY, WHETHER NOW OWNED OR HEREAFTER ACQUIRED, AND INCLUDING WATER AND WATER RIGHTS, SUCH ENCUMBRANCES TO BE IN THE TOTAL PRINCIPAL AMOUNT OF NOT MORE THAN \$1,000,000,000.00, PLUS INTEREST THEREON AT A NET EFFECTIVE INTEREST RATE NOT IN EXCESS OF 18% PER ANNUM, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS TO BE NECESSARY OR APPROPRIATE IN CONNECTION WITH THE ISSUANCE OF BONDS, NOTES, CONTRACTS, OR OTHER FINANCIAL OBLIGATIONS OF THE DISTRICT; SUCH ENCUMBRANCES TO BE CREATED FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY FOR DISTRICT FINANCIAL OBLIGATIONS, AND TO BE CREATED AT ONE TIME OR FROM TIME TO TIME; SUCH MORTGAGES,

PURSUANT TO ARTICLE 1 OF TITLE 32, C.R.S.?

YES

4

NO

0

BALLOT QUESTION 3 (Term Limit Elimination)

SHALL MEMBERS OF THE BOARD OF DIRECTORS OF HERITAGE RESOURCE 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?

YES

4

NO

0

By:

[Signature], Election Judge

[Signature], Election Judge

This abstract shall be made by the election judges and posted in a conspicuous within the mail ballot walk-in site. This abstract is to be posted immediately upon completion of the counting and may be removed at any time after forty-eight hours following the election.