

# EAST CREEK METROPOLITAN DISTRICT NO. 1

141 Union Boulevard, Suite 150  
Lakewood, Colorado 80228-1898  
Tel: 303-987-0835 • 800-741-3254  
Fax: 303-987-2032  
<https://eastcreekmd1.colorado.gov>

## NOTICE OF A REGULAR MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Greg Wright	President	2025/May 2025
Martin Corley	Treasurer	2025/May 2025
Cameron Nelson	Assistant Secretary	2027/May 2027
<i>VACANT</i>		2025/May 2025
<i>VACANT</i>		2027/May 2025
Peggy Ripko	Secretary	

DATE: October 23, 2023

TIME: 5:00 P.M.

PLACE: VIA ZOOM If you experience technical difficulties, email Peggy Ripko at [pripko@sdmsi.com](mailto:pripko@sdmsi.com).

Join Zoom Meeting:

<https://us02web.zoom.us/j/86267550643?pwd=V3RnRGRtWkRyUIZZc1VMWTJFZjFHdz09>

Meeting ID: 862 6755 0643

Passcode: 987572

Call In Number: 1-719-359-4580

### I. ADMINISTRATIVE MATTERS

A. Confirm Quorum and Present Conflict Disclosures.

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B. Approve Agenda, confirm location of the meeting and posting of meeting notice.

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C. Review and approve Minutes of the September 26, 2023 special meeting (enclosure).

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E. Discuss business to be conducted in 2024 and location (**virtual and/or physical**) of meetings. Review and consider approval of Resolution No. 2023-10-01; Resolution Establishing 2024 Regular Meeting Dates, Times and Location, and Designating Location for Posting of 24-Hour Notice (enclosure).

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- F. Discuss §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2024.
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- G. Insurance Discussion

1. Cyber Security and Increased Crime Coverage.
  2. Establish Insurance Committee to make final determinations regarding insurance, if necessary.
  3. Authorize renewal of District’s insurance and Special District Association (SDA) membership for 2024.
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- II. PUBLIC COMMENTS (Items Not on the Agenda. As a courtesy to others, public comments limited to three minutes per person. Please state and spell your name before speaking and wait for confirmation before proceeding in order to facilitate notes).

- A. \_\_\_\_\_
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- III. FINANCIAL MATTERS

- A. Review and ratify the approval of the payment of claims as follows (enclosures):

<b>Fund</b>	Period Ending July 31, 2023	Period Ending Aug. 31, 2023	Period Ending Sept. 30, 2023
General	\$ 37,521.46	\$ 26,859.58	\$ 22,053.45
Debt Service	\$ -0-	\$ -0-	\$ -0-
Capital Projects	\$ -0-	\$ -0-	\$ -0-
<b>Total Claims</b>	<b>\$ 37,521.46</b>	<b>\$ 26,859.58</b>	<b>\$ 22,053.45</b>

<b>Fund</b>	Period Ending Oct. 31, 2023
General	\$ 26,508.09
Debt Service	\$ -0-
Capital Projects	\$ -0-
<b>Total Claims</b>	<b>\$ 26,508.09</b>

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- B. Review and accept unaudited financial statements for the period ending September 30, 2023 and the cash position statement for the period ending September 30, 2023 (to be distributed).
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- C. Consider engagement of Schilling & Company, Inc. to prepare the 2023 Audit for an amount not to exceed \$\_\_\_\_\_.  

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- E. Conduct Public Hearing to consider Amendment to 2023 Budget and if necessary, consider adoption of Resolution to Amend the 2023 Budget and Appropriate Expenditures, if necessary.  

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- F. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution to Adopt the 2024 Budget and Appropriate Sums of Money and Set Mill Levies for General Fund \_\_\_\_\_, Debt Service Fund \_\_\_\_\_, and Other Fund(s) \_\_\_\_\_ for a total mill levy of \_\_\_\_\_ (enclosures – Preliminary Assessed Valuation, draft 2024 Budget, and Resolutions).  

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- G. Consider authorizing the District Accountant to prepare and sign the DLG-70 Mill Levy Certification form for certification to the Board of County Commissioners and other interested parties.  

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- H. Consider adoption of Resolution No. 2023-10-\_\_; Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan (enclosure).  

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IV. LEGAL MATTERS

- A. Review and consider adopted of Resolution No. 2023-10-\_\_ Amending Policy on Colorado Open Records Act Requests (enclosure).  

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- B. Update on Consolidation with East Creek Metropolitan District No. 2.  

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- C. Update on transition of General Counsel Service to Erb Law, LLC.  

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V. OPERATIONS AND MAINTENENACE / COVENANT ENFORCEMENT

- A. Discuss District services for 2024 and consider approval of necessary service agreements for related services.  

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VI. OTHER BUSINESS

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

VII. ADJOURNMENT **THERE ARE NO MORE REGULAR MEETINGS SCHEDULED FOR 2023.**

Informational Enclosure:

- Memo regarding New Rate Structure from Special District Management Services, Inc.
- 2023 Notice of Legal Services and Fee Summary from Altitude Community Law

# RECORD OF PROCEEDINGS

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## MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE EAST CREEK METROPOLITAN DISTRICT NO. 1 HELD SEPTEMBER 26, 2023

A special meeting of the Board of Directors of the East Creek Metropolitan District No. 1 (the “**District**”) was convened on Tuesday, September 26, 2023 at 5:00 p.m. This District Board Meeting was held via Zoom video/telephone conference. The meeting was open to the public via Zoom.

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

Greg Wright  
Martin Corley  
Cameron Nelson

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

Peggy Ripko; Special District Management Services, Inc.

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### **DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

The Board noted a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting. No disclosures were made, and it was noted that all Directors are residents of the District.

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### **ADMINISTRATIVE MATTERS**

**Agenda:** The Board reviewed the proposed Agenda for the District’s special meeting.

Following discussion, upon motion duly made by Director Wright, seconded by Director Nelson and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

**Approval of Meeting Location:** 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. Following discussion, the Board noted this meeting was held by Zoom. The Board further noted that notice of this meeting and the conference/video access was duly posted and it had not received any objections to the format of the meeting or any requests that the meeting format be changed by taxing electors within the District’s boundaries.

## RECORD OF PROCEEDINGS

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**Minutes:** The Board reviewed the minutes of the July 27, 2023 special meeting.

Following discussion, upon motion duly made by Director Wright, seconded by Director Nelson and, upon vote, unanimously carried, the Board approved the minutes of the July 27, 2023 special meeting.

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**PUBLIC COMMENT** None.

\_\_\_\_\_

**LEGAL MATTERS** **Potential Change in General Counsel Services:** The Board discussed the status of cost-saving measures and potential change in General Counsel Services. The Board reviewed the proposal from Erb Law, LLC for legal services.

Following discussion, upon motion duly made by Director Wright, seconded by Director Nelson and, upon vote, unanimously carried, the Board approved the change in General Counsel Services to Erb Law, LLC for legal services.

\_\_\_\_\_

**OPERATIONS AND MAINTENANCE** There were no operations and maintenance matters at this time

\_\_\_\_\_

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

\_\_\_\_\_

**ADJOURNMENT** Upon motion duly made by Director Nelson, seconded by Director Wright and, upon vote unanimously carried, the meeting was adjourned.

Respectfully submitted,

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

## RESOLUTION NO. 2023-10-01

### RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST CREEK METROPOLITAN DISTRICT NO. 1 ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, AND DESIGNATING LOCATION FOR POSTING OF 24-HOUR NOTICES

A. Pursuant to Section 32-1-903(1.5), C.R.S., special districts are required to designate a schedule for regular meetings, indicating the dates, time and location of said meetings.

B. Pursuant to Section 32-1-903(5), C.R.S., “location” means the physical, telephonic, electronic, or virtual place, or a combination of such means where a meeting can be attended. “Meeting” has the same meaning as set forth in Section 24-6-402(1)(b), C.R.S., and means any kind of gathering, convened to discuss public business, in person, by telephone, electronically, or by other means of communication.

C. Pursuant to Section 24-6-402(2)(c)(I), C.R.S., special districts are required to designate annually at the board of directors of the district’s first regular meeting of each calendar year, the public place at which notice of the date, time and location of regular and special meetings (“**Notice of Meeting**”) will be physically posted at least 24 hours prior to each meeting (“**Designated Public Place**”). A special district is deemed to have given full and timely notice of a regular or special meeting if it posts its Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

D. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., special districts are relieved of the requirement to post the Notice of Meeting at the Designated Public Place, and are deemed to have given full and timely notice of a public meeting, if a special district posts the Notice of Meeting online at a public website of the special district (“**District Website**”) at least 24 hours prior to each regular and special meeting.

E. Pursuant to Section 24-6-402(2)(c)(III), C.R.S., if a special district is unable to post a Notice of Meeting on the District Website at least 24 hours prior to the meeting due to exigent or emergency circumstances, then it must physically post the Notice of Meeting at the Designated Public Place at least 24 hours prior to the meeting.

F. Pursuant to Section 32-1-903(1.5), C.R.S., all meetings of the board that are held solely at physical locations must be held at physical locations that are within the boundaries of the district or that are within the boundaries of any county in which the district is located, in whole or in part, or in any county so long as the physical location does not exceed twenty (20) miles from the district boundaries unless such provision is waived.

G. The provisions of Section 32-1-903(1.5), C.R.S., may be waived if: (1) the proposed change of the physical location of a meeting of the board appears on the agenda of a meeting; and (2) a resolution is adopted by the board stating the reason for which meetings of the board are to be held in a physical location other than under Section 32-1-903(1.5), C.R.S., and further stating the date, time and physical location of such meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Creek Metropolitan District No. 1 (the “District”), Arapahoe County, Colorado:

1. That the provisions of Section 32-1-903(1.5), C.R.S., be waived pursuant to the adoption of this Resolution.

2. That the Board of Directors (the “**District Board**”) has determined that conducting meetings at a physical location pursuant to Section 32-1-903(1.5), C.R.S., would be inconvenient and costly for the directors and consultants of the District in that they live and/or work outside of the twenty (20) mile radius requirement.

3. That regular meetings of the District Board for the year 2024 shall be held on March \_\_, 2024, June \_\_, 2024, and October \_\_, 2024 at 5:00 p.m. via Zoom.

4. That special meetings of the District Board shall be held as often as the needs of the District require, upon notice to each director.

5. That, until circumstances change, and a future resolution of the District Board so designates, the physical location and/or method or procedure for attending meetings of the District Board virtually (including the conference number or link) shall appear on the agenda(s) of said meetings.

6. That the residents and taxpaying electors of the District shall be given an opportunity to object to the meeting(s) physical location(s), and any such objections shall be considered by the District Board in setting future meetings.

7. That, the District has established a District website, <https://eastcreekmd1.colorado.gov>, and the Notice of Meeting of the District Board shall be posted on the District Website at least 24 hours prior to each meeting pursuant to Section 24-6-402(2)(c)(III), C.R.S. and Section 32-1-903(2), C.R.S.

8. That, if the District is unable to post the Notice of Meeting on the District Website at least 24 hours prior to each meeting due to exigent or emergency circumstances, the Notice of Meeting shall be posted within the boundaries of the District at least 24 hours prior to each meeting, pursuant to Section 24-6-402(2)(c)(I) and (III), C.R.S., at the following Designated Public Place:

(a) On a sign along E. Alameda Avenue.

9. Special District Management Services, Inc., or his/her designee, is hereby appointed to post the above-referenced notices.

[SIGNATURE PAGE FOLLOWS]



**[SIGNATURE PAGE TO RESOLUTION ESTABLISHING REGULAR MEETING DATES, TIME, AND LOCATION, ESTABLISHING DISTRICT WEBSITE AND DESIGNATING LOCATION FOR 24-HOUR NOTICES]**

RESOLUTION APPROVED AND ADOPTED on October 23, 2023.

**EAST CREEK METROPOLITAN DISTRICT NO. 1**

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

East Creek Metropolitan District No.1  
July-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Altitude Community Law P.C.	1834E6-2023	6/30/2023	6/30/2023	\$ 1,928.00	Legal	1675
Animal & Pest Control Specialist, Inc	90363	6/14/2023	6/14/2023	\$ 135.00	Miscellaneous	1685
Aurora Water	A124166June2023	6/20/2023	7/10/2023	\$ 6,656.72	Utilites	1750
Aurora Water	A124167June2023	6/20/2023	7/10/2023	\$ 2,092.10	Utilites	1750
Aurora Water	A124168June2023	6/20/2023	7/10/2023	\$ 355.96	Utilites	1750
CDI Consolidated Division, Inc.	2009690	6/10/2023	6/25/2023	\$ 254.13	Landscaping	1730
CDI Consolidated Division, Inc.	2009750	6/30/2023	7/15/2023	\$ 3,661.51	Landscaping	1730
CDI Consolidated Division, Inc.	2009837	6/17/2023	7/2/2023	\$ 1,560.50	Landscaping	1730
CDI Consolidated Division, Inc.	200902	3/21/2023	3/21/2023	\$ 5,045.85	Landscaping	1730
Diversified Underground, Inc.	27912	6/30/2023	7/30/2023	\$ 125.00	Miscellaneous	1685
McGeady Becher P.C.	1346W 05-2023	5/31/2023	5/31/2023	\$ 1,126.55	Legal	1675
Pet Scoop	483615	6/30/2023	7/15/2023	\$ 447.75	Covenant Control/Comm Mgmt	1710
Schilling & Company, Inc	13700	6/14/2023	6/14/2023	\$ 5,000.00	Audit	1615
Special Dist Management Srvs	Jun-23	6/30/2023	6/30/2023	\$ 86.63	Miscellaneous	1685
Special Dist Management Srvs	Jun-23	6/30/2023	6/30/2023	\$ 1,620.00	Covenant Control/Comm Mgmt	1710
Special Dist Management Srvs	Jun-23	6/30/2023	6/30/2023	\$ 2,457.20	Management	1680
Special Dist Management Srvs	Jun-23	6/30/2023	6/30/2023	\$ 2,256.00	Accounting	1612
Special Dist Management Srvs	Jun-23	6/30/2023	6/30/2023	\$ 326.80	Billing & Collection	1721
Utility Notification Center of Colorado	223060509	6/30/2023	6/30/2023	\$ 12.90	Miscellaneous	1685
Waste Management of Denver	8253216-2514-7	7/3/2023	8/2/2023	\$ 2,342.24	Trash and Recycling	1736
Xcel Energy	833465716	6/21/2023	7/12/2023	\$ 15.16	Utilites	1750
Xpress Bill Pay	INV-XPR001388	6/30/2023	7/5/2023	\$ 15.46	Billing & Collection	1721
				\$ 37,521.46		

**East Creek Metropolitan District No.1**  
**July-23**

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
<b>Disbursements</b>	\$ 37,521.46		\$ -	\$ 37,521.46
<b>Total Disbursements from Checking Acct</b>	<b>\$ 37,521.46</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$ 37,521.46</b>

**East Creek Metropolitan District No.1**

**August-23**

<b>Vendor</b>	<b>Invoice #</b>	<b>Date</b>	<b>Due Date</b>	<b>Amount in USD</b>	<b>Expense Account</b>	<b>Account Number</b>
Altitude Community Law P.C.	1834 7-2023	7/31/2023	7/31/2023	\$ 791.50	Legal	1675
Animal & Pest Control Specialist, Inc	90365	7/20/2023	7/20/2023	\$ 135.00	Miscellaneous	1685
Aurora Water	A124168 07-2023	7/20/2023	8/9/2023	\$ 326.11	Utilites	1750
Aurora Water	A124167 7-2023	7/20/2023	8/9/2023	\$ 939.47	Utilites	1750
Aurora Water	A124166 7-2023	7/20/2023	8/9/2023	\$ 2,114.51	Utilites	1750
CDI Consolidated Division, Inc.	2010082	7/8/2023	7/23/2023	\$ 770.65	Landscaping	1730
CDI Consolidated Division, Inc.	2010163	7/15/2023	7/30/2023	\$ 193.55	Landscaping	1730
CDI Consolidated Division, Inc.	2010217	7/31/2023	8/15/2023	\$ 3,661.51	Landscaping	1730
CDI Consolidated Division, Inc.	2010326	7/22/2023	8/6/2023	\$ 301.15	Landscaping	1730
McGeady Becher P.C.	1346W 6-2023	6/30/2023	6/30/2023	\$ 6,742.75	Legal	1675
Pet Scoop	489572	7/31/2023	8/15/2023	\$ 447.75	Covenant Control/Comm Mgmt	1710
Special Dist Management Srvs	Jul-23	7/31/2023	7/31/2023	\$ 444.82	Miscellaneous	1685
Special Dist Management Srvs	Jul-23	7/31/2023	7/31/2023	\$ 2,732.40	Covenant Control/Comm Mgmt	1710
Special Dist Management Srvs	Jul-23	7/31/2023	7/31/2023	\$ 2,134.50	Management	1680
Special Dist Management Srvs	Jul-23	7/31/2023	7/31/2023	\$ 1,792.00	Accounting	1612
Special Dist Management Srvs	Jul-23	7/31/2023	7/31/2023	\$ 798.00	Billing & Collection	1721
Utility Notification Center of Colorado	223070508	7/31/2023	7/31/2023	\$ 7.74	Miscellaneous	1685
Waste Management of Denver	8299568-2514-7	8/1/2023	8/31/2023	\$ 2,435.49	Trash and Recycling	1736
Xcel Energy	837185250	7/19/2023	8/8/2023	\$ 15.07	Utilites	1750
Xpress Bill Pay	INV-XPR003769	7/31/2023	8/5/2023	\$ 75.61	Billing & Collection	1721
				\$ 26,859.58		

**East Creek Metropolitan District No.1**  
**August-23**

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
<b>Disbursements</b>	<b>\$ 26,859.58</b>		<b>\$ -</b>	<b>\$ 26,859.58</b>
<b>Total Disbursements from Checking Acct</b>	<b>\$ 26,859.58</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$ 26,859.58</b>

East Creek Metropolitan District No.1

September-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Altitude Community Law P.C.	1834E 8-2023	8/31/2023	8/31/2023	\$ 1,572.50	Legal	1675
Animal & Pest Control Specialist, Inc	90366	8/15/2023	8/15/2023	\$ 135.00	Miscellaneous	1685
Aurora Water	A124168 8-2023	8/21/2023	9/11/2023	\$ 279.97	Utilites	1750
Aurora Water	A124167 8-2023	8/21/2023	9/11/2023	\$ 670.67	Utilites	1750
Aurora Water	A124166 8-2023	8/21/2023	9/11/2023	\$ 1,669.07	Utilites	1750
CDI Consolidated Division, Inc.	2010444	7/31/2023	8/15/2023	\$ 640.00	Landscaping	1730
CDI Consolidated Division, Inc.	2010768	8/26/2023	9/10/2023	\$ 522.90	Landscaping	1730
CDI Consolidated Division, Inc.	2010569	8/12/2023	8/27/2023	\$ 1,909.00	Landscaping	1730
CDI Consolidated Division, Inc.	2010501	8/5/2023	8/20/2023	\$ 674.76	Landscaping	1730
CDI Consolidated Division, Inc.	2010652	8/31/2023	9/15/2023	\$ 3,661.51	Landscaping	1730
Diversified Underground, Inc.	28092	7/31/2023	8/30/2023	\$ 25.00	Miscellaneous	1685
Diversified Underground, Inc.	28275	8/31/2023	9/30/2023	\$ 70.00	Miscellaneous	1685
McGeady Becher P.C.	1346W 07-2023	7/31/2023	7/31/2023	\$ 2,443.70	Legal	1675
Pet Scoop	496956	8/31/2023	9/15/2023	\$ 447.75	Covenant Control/Comm Mgmt	1710
Special Dist Management Srvs	Aug-23	8/31/2023	8/31/2023	\$ 165.24	Miscellaneous	1685
Special Dist Management Srvs	Aug-23	8/31/2023	8/31/2023	\$ 2,073.60	Covenant Control/Comm Mgmt	1710
Special Dist Management Srvs	Aug-23	8/31/2023	8/31/2023	\$ 865.60	Management	1680
Special Dist Management Srvs	Aug-23	8/31/2023	8/31/2023	\$ 935.00	Accounting	1612
Special Dist Management Srvs	Aug-23	8/31/2023	8/31/2023	\$ 760.00	Billing & Collection	1721
Utility Notification Center of Colorado	223080504	8/31/2023	8/31/2023	\$ 18.06	Miscellaneous	1685
Waste Management of Denver	8345954-2514-3	9/1/2023	10/1/2023	\$ 2,477.79	Trash and Recycling	1736
Xcel Energy	841272585	8/17/2023	9/7/2023	\$ 14.91	Utilites	1750
Xpress Bill Pay	INV-XPR004562	8/31/2023	9/5/2023	\$ 21.42	Billing & Collection	1721
				\$ 22,053.45		

**East Creek Metropolitan District No.1**  
**September-23**

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
<b>Disbursements</b>	<b>\$ 22,053.45</b>		<b>\$ -</b>	<b>\$ 22,053.45</b>
<b>Total Disbursements from Checking Acct</b>	<b>\$ 22,053.45</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$ 22,053.45</b>

East Creek Metropolitan District No.1

October-23

Vendor	Invoice #	Date	Due Date	Amount in USD	Expense Account	Account Number
Altitude Community Law P.C.	1834	9/30/2023	9/30/2023	\$ 982.64	Legal	1675
Animal & Pest Control Specialist, Inc	90367	9/13/2023	9/13/2023	\$ 135.00	Miscellaneous	1685
Aurora Media Group	106556	10/5/2023	10/20/2023	\$ 134.95	Miscellaneous	1685
Aurora Water	A124168 9-2023	9/20/2023	10/10/2023	\$ 306.55	Utilites	1750
Aurora Water	A124166 9-2023	9/20/2023	10/10/2023	\$ 6,261.50	Utilites	1750
CDI Consolidated Division, Inc.	2010956	9/30/2023	10/15/2023	\$ 3,661.51	Landscaping	1730
CDI Consolidated Division, Inc.	2011157	9/23/2023	10/8/2023	\$ 2,162.00	Landscaping	1730
CDI Consolidated Division, Inc.	2011209	9/16/2023	10/1/2023	\$ 963.67	Landscaping	1730
Colorado Special Districts P&L Pool	24WC-61626-0121	8/14/2023	8/14/2023	\$ 450.00	Prepaid Expenses	1143
Colorado Special Districts P&L Pool	24PL-61626-1667	9/5/2023	9/5/2023	\$ 2,587.00	Prepaid Expenses	1143
Diversified Underground, Inc.	28442	9/30/2023	10/30/2023	\$ 150.00	Miscellaneous	1685
McGeady Becher P.C.	1346W	8/31/2023	8/31/2023	\$ -	Legal	1675
Pet Scoop	501198	9/30/2023	10/15/2023	\$ 398.00	Covenant Control/Comm Mgmt	1710
Special Dist Management Svcs	Sep-23	9/30/2023	9/30/2023	\$ 97.17	Miscellaneous	1685
Special Dist Management Svcs	Sep-23	9/30/2023	9/30/2023	\$ 1,188.00	Covenant Control/Comm Mgmt	1710
Special Dist Management Svcs	Sep-23	9/30/2023	9/30/2023	\$ 1,625.40	Management	1680
Special Dist Management Svcs	Sep-23	9/30/2023	9/30/2023	\$ 1,808.00	Accounting	1612
Special Dist Management Svcs	Sep-23	9/30/2023	9/30/2023	\$ 463.60	Billing & Collection	1721
T Charles Wilson Insurance Service	13320	9/18/2023	9/18/2023	\$ 595.00	Prepaid Expenses	1143
Utility Notification Center of Colorado	223090505	9/30/2023	9/30/2023	\$ 33.54	Miscellaneous	1685
Waste Management of Denver	8395384-2514-2	10/2/2023	11/1/2023	\$ 2,489.42	Trash and Recycling	1736
Xpress Bill Pay	INV-XPR005367	9/30/2023	10/5/2023	\$ 15.14	Billing & Collection	1721
				\$ 26,508.09		



**East Creek Metropolitan District No.1**  
**October-23**

	<u>General</u>	<u>Debt</u>	<u>Capital</u>	<u>Totals</u>
<b>Disbursements</b>	\$ 26,508.09		\$ -	\$ 26,508.09
<b>Total Disbursements from Checking Acct</b>	<b>\$ 26,508.09</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$ 26,508.09</b>



PK Kaiser, MBA, MS

Assessor

August 24, 2023

**AUG 29 2023**

OFFICE OF THE ASSESSOR

5334 S. Prince Street

Littleton, CO 80120-1136

Phone: 303-795-4600

TDD: Relay-711

Fax: 303-797-1295

[www.arapahoegov.com/assessor](http://www.arapahoegov.com/assessor)

[assessor@arapahoegov.com](mailto:assessor@arapahoegov.com)

AUTH 4262 EAST CREEK METRO DIST #1  
SPECIAL DISTRICT MANAGEMENT  
SERVICES INC  
C/O PEGGY RIPKO  
141 UNION BLVD SUITE 150  
LAKEWOOD CO 80228

Code # 4262

### CERTIFICATION OF VALUATION

The Arapahoe County Assessor reports a taxable assessed valuation for your taxing entity for 2023 of:

\$6,282,081

The breakdown of the taxable valuation of your property is enclosed.

As further required by CRS 39-5-128(1), you are hereby notified to officially certify your levy to the Board of County Commissioners no later than December 15.

CRS 39-1-111(5) requires that this office transmit a notification by December 10 of any changes to valuation made after the original certification.

PK Kaiser, MBA, MS  
Arapahoe County Assessor

enc

## CERTIFICATION OF VALUATION BY ARAPAHOE COUNTY ASSESSOR

New Tax Entity  YES  NO

Date: August 24, 2023

**NAME OF TAX ENTITY:** EAST CREEK METRO DIST #1

### USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("5.5%" LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2023:

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	1.	\$	4,721,534
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: ‡	2.	\$	6,282,081
3. LESS TOTAL TIF AREA INCREMENTS, IF ANY:	3.	\$	0
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	4.	\$	6,282,081
5. NEW CONSTRUCTION: *	5.	\$	0
6. INCREASED PRODUCTION OF PRODUCING MINE: ≈	6.	\$	0
7. ANNEXATIONS/INCLUSIONS:	7.	\$	0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈	8.	\$	0
9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b), C.R.S.): ☐	9.	\$	0
10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(A), C.R.S.). Includes all revenue collected on valuation not previously certified:	10.	\$	0
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a), C.R.S.) and (39-10-114(1)(a)(I)(B), C.R.S.):	11.	\$	0

‡ This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec 20(8)(b), Colo. Constitution

\* New construction is defined as: Taxable real property structures and the personal property connected with the structure.

≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.

☐ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

### USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART X, SEC.20, COLO. CONSTITUTION AND 39-5-121(2)(b), C.R.S., THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2023:

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶	1.	\$	91,356,877
--	----	----	------------

**ADDITIONS TO TAXABLE REAL PROPERTY**

2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	2.	\$	0
3. ANNEXATIONS/INCLUSIONS:	3.	\$	0
4. INCREASED MINING PRODUCTION: §	4.	\$	0
5. PREVIOUSLY EXEMPT PROPERTY:	5.	\$	0
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	6.	\$	0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: (If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.):	7.	\$	0

**DELETIONS FROM TAXABLE REAL PROPERTY**

8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	8.	\$	0
9. DISCONNECTIONS/EXCLUSIONS:	9.	\$	0
10. PREVIOUSLY TAXABLE PROPERTY:	10.	\$	0

¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, and charitable real property.

\* Construction is defined as newly constructed taxable real property structures.

§ Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS:

1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY	1.	\$	0
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IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES:

HB21-1312 VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): **		\$	0
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\*\* The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

NOTE: ALL LEVIES MUST BE CERTIFIED TO THE COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.

# CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners<sup>1</sup> of \_\_\_\_\_, Colorado.

On behalf of the \_\_\_\_\_  
(taxing entity)<sup>A</sup>

the \_\_\_\_\_  
(governing body)<sup>B</sup>

of the \_\_\_\_\_  
(local government)<sup>C</sup>

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ \_\_\_\_\_ assessed valuation of: (GROSS<sup>D</sup> assessed valuation, Line 2 of the Certification of Valuation Form DLG 57<sup>E</sup>)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area<sup>F</sup> the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ \_\_\_\_\_ (NET<sup>G</sup> assessed valuation, Line 4 of the Certification of Valuation Form DLG 57) USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: \_\_\_\_\_ for budget/fiscal year \_\_\_\_\_ (no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY <sup>2</sup>	REVENUE <sup>2</sup>
1. General Operating Expenses <sup>H</sup>	_____ mills	\$ _____
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction <sup>I</sup>	< _____ > mills	\$ < _____ >
<b>SUBTOTAL FOR GENERAL OPERATING:</b>	<input type="text"/> mills	\$ <input type="text"/>
3. General Obligation Bonds and Interest <sup>J</sup>	_____ mills	\$ _____
4. Contractual Obligations <sup>K</sup>	_____ mills	\$ _____
5. Capital Expenditures <sup>L</sup>	_____ mills	\$ _____
6. Refunds/Abatements <sup>M</sup>	_____ mills	\$ _____
7. Other <sup>N</sup> (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____
<b>TOTAL:</b> [ Sum of General Operating Subtotal and Lines 3 to 7 ]	<input type="text"/> mills	\$ <input type="text"/>

Contact person: \_\_\_\_\_ Daytime phone: ( ) \_\_\_\_\_  
(print)  
Signed: \_\_\_\_\_ Title: \_\_\_\_\_

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

<sup>1</sup> If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.  
<sup>2</sup> Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's FINAL certification of valuation).

**CERTIFICATION OF TAX LEVIES, continued**

**THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.).** Taxing entities that are Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

**CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:**

**BONDS<sup>J</sup>:**

1. Purpose of Issue: \_\_\_\_\_  
Series: \_\_\_\_\_  
Date of Issue: \_\_\_\_\_  
Coupon Rate: \_\_\_\_\_  
Maturity Date: \_\_\_\_\_  
Levy: \_\_\_\_\_  
Revenue: \_\_\_\_\_
  
2. Purpose of Issue: \_\_\_\_\_  
Series: \_\_\_\_\_  
Date of Issue: \_\_\_\_\_  
Coupon Rate: \_\_\_\_\_  
Maturity Date: \_\_\_\_\_  
Levy: \_\_\_\_\_  
Revenue: \_\_\_\_\_

**CONTRACTS<sup>K</sup>:**

3. Purpose of Contract: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_  
Principal Amount: \_\_\_\_\_  
Maturity Date: \_\_\_\_\_  
Levy: \_\_\_\_\_  
Revenue: \_\_\_\_\_
  
4. Purpose of Contract: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_  
Principal Amount: \_\_\_\_\_  
Maturity Date: \_\_\_\_\_  
Levy: \_\_\_\_\_  
Revenue: \_\_\_\_\_

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

**East Creek Metropolitan District No. 1**  
**Assessed Value, Property Tax and Mill Levy Information**

	<b>2022 Actual</b>	<b>2023 Adopted Budget</b>	<b>2024 Preliminary Budget</b>
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Assessed Valuation	\$	4,933,411	\$	4,721,534	\$	6,282,081
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**Mill Levy**

General Fund		11.132		11.132		11.132
Debt Service Fund		55.664		55.664		55.664
Aurora Regional Improvement		1.113		1.145		1.145

<b>Total Mill Levy</b>		67.909		67.941		67.941
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**Property Taxes**

General Fund	\$	54,919	\$	52,560	\$	69,932
Debt Service Fund		274,613		262,819		349,686
Aurora Regional Improvement		5,491		5,406		7,193

<b>Actual/Budgeted Property Taxes</b>	\$	335,023	\$	320,786	\$	426,811
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**EAST CREEK METROPOLITAN DISTRICT NO. 1**

**GENERAL FUND**

**2024 Preliminary Budget**

with 2022 actual, 2023 adopted, and 2023 estimated

	<b>2022 Actual</b>	<b>01/23-06/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
<b>Fund Balance</b>	\$ 27,229	\$ (139,992)	\$ 30,175	\$ (139,992)	\$ (197,521)
<b>REVENUE</b>					
Property Tax Revenue	54,881	29,533	52,560	52,560	\$ 69,932
Specific Ownership Taxes	3,467	1,445	3,154	3,154	4,196
O & M Fees	110,580	56,160	112,560	112,560	112,560
ARI Fees	5,834	3,187	5,406	5,406	7,193
Working Capital	2,400	2,130	-	-	-
Interest Income	59	-	-	-	-
Miscellaneous Income	3,275	1,010	-	-	-
<b>Total Revenue</b>	<b>180,496</b>	<b>93,464</b>	<b>173,680</b>	<b>173,680</b>	<b>193,881</b>
<b>Total Funds Available</b>	<b>207,725</b>	<b>(46,528)</b>	<b>203,855</b>	<b>33,688</b>	<b>(3,640)</b>
<b>EXPENDITURES</b>					
Accounting	15,303	7,503	15,100	15,100	15,100
Audit	5,000	-	5,500	5,500	5,500
Election	410	1,280	5,000	1,280	-
Insurance/SDA Dues	4,168	3,945	4,800	3,945	4,800
Legal	22,124	14,224	12,000	16,000	15,000
Management	16,088	8,001	13,000	13,000	15,000
Miscellaneous	7,391	9,649	2,000	8,000	8,000
Treasurer's Fees	1,137	443	788	788	1,049
Covenant Control/Comm Mgmt	28,397	12,518	16,500	16,500	16,500
Drainage	-	-	2,000	2,000	2,000
Billing & Collection	6,903	3,662	6,000	6,000	6,000
Landscaping	57,660	18,420	27,600	27,600	27,600
Snow Removal	94,985	38,949	30,000	55,000	55,000
Fencing	-	-	1,500	1,500	1,500
Trash and Recycling	27,867	14,466	28,900	28,900	28,900
Park	-	3,620	5,000	5,000	5,000
Utilities	64,827	-	7,500	7,500	7,500
Monuments	-	-	1,000	1,000	1,000
Mailboxes	-	-	750	750	750
Contingency	-	-	8,000	8,000	8,000
IGA Expense- East Creek Metro District No. 2	1,791	-	-	-	-
Covenant Enforcement - Legal	-	-	2,500	2,500	2,500
<b>Total Expenditures</b>	<b>354,051</b>	<b>136,679</b>	<b>195,438</b>	<b>225,863</b>	<b>226,699</b>
<b>Transfers and Other Sources (Uses)</b>					
Emergency Reserve	-	-	(1,577)	(1,577)	(2,098)
ARI Fees	6,696	(46)	(5,406)	(5,406)	(7,193)
Transfer to Capital Proj. Fund	-	-	-	-	-
Transfer to District 2	-	-	-	-	-
Transfer from District No. 2	13,030	58	-	60	100
<b>Total Expenditures Requiring Appropriation</b>	<b>360,747</b>	<b>136,725</b>	<b>202,421</b>	<b>231,269</b>	<b>235,990</b>
<b>Ending Funds Available</b>	<b>\$ (139,992)</b>	<b>\$ (183,195)</b>	<b>\$ 1,434</b>	<b>\$ (197,521)</b>	<b>\$ (239,630)</b>

**DEBT SERVICE FUND**  
**2024 Preliminary Budget**  
with 2022 actual, 2023 adopted, and 2023 estimated

	<b>2022 Actual</b>	<b>01/23-06/23 YTD Actual</b>	<b>2023 Adopted Budget</b>	<b>2023 Estimated</b>	<b>2024 Preliminary Budget</b>
<b>Fund Balance</b>	\$ 534,232	\$ 638,026	\$ 656,393	\$ 638,026	\$ 727,232
<b>Revenue</b>					
Property Tax Revenue	274,427	147,673	262,819	262,819	\$ 349,686
Specific Ownership Taxes	17,337	7,227	15,769	15,769	20,981
Interest Income	6,203	5,320	2,500	6,000	3,000
<b>Total Revenue</b>	<b>297,967</b>	<b>160,220</b>	<b>281,089</b>	<b>284,588</b>	<b>373,667</b>
<b>Total Funds Available</b>	<b>832,199</b>	<b>798,246</b>	<b>937,482</b>	<b>922,614</b>	<b>1,100,899</b>
<b>Expenditures</b>					
Bond Interest	218,689	-	209,738	-	-
Bond Principal	294,000	-	40,000	-	-
Zions Bank 2023 Loan Principal	-	-	-	70,000	20,000
Zions Bank 2023 Loan Interest	-	-	-	161,266	225,211
Loan Issuance Cost	-	177,500	-	-	-
Payment to Escrow Agent	-	4,743,535	-	-	-
Paying Agent Fees	7,279	3,355	7,500	7,500	7,500
Treasurer's Fees	3,885	2,215	3,942	3,942	5,245
<b>Total Expenditures</b>	<b>523,853</b>	<b>4,926,605</b>	<b>261,180</b>	<b>242,708</b>	<b>257,956</b>
<b>Transfers and Other Sources (Uses)</b>					
Loan Proceeds	-	4,577,000	-	4,577,000	-
Transfer From District No. 2	35,282	45,357	47,170	47,326	62,302
Transfer from Capital Projects	294,398	-	-	-	-
<b>Total Expenditures Requiring Appropriation</b>	<b>523,853</b>	<b>4,926,605</b>	<b>261,180</b>	<b>242,708</b>	<b>257,956</b>
<b>Ending Funds Available</b>	<b>\$ 638,026</b>	<b>\$ 493,998</b>	<b>\$ 723,472</b>	<b>\$ 727,232</b>	<b>\$ 905,245</b>



RESOLUTION NO. 2023 - 10 - 02  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EAST CREEK METROPOLITAN DISTRICT NO. 1  
TO ADOPT THE 2024 BUDGET AND APPROPRIATE SUMS OF MONEY

WHEREAS, the Board of Directors of the East Creek Metropolitan District No. 1 (“District”) has appointed the District Accountant to prepare and submit a proposed 2024 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted a proposed budget to this Board on or before October 15, 2023, for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on October 23, 2023, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Creek Metropolitan District No. 1:

1. That the budget as submitted, amended, and summarized by fund, hereby is approved and adopted as the budget of the East Creek Metropolitan District No. 1 for the 2024 fiscal year.
2. That the budget, as hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. That the sums set forth as the total expenditures of each fund in the budget attached hereto as **EXHIBIT A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

ADOPTED this 23rd day of October, 2023.

---

Secretary

EXHIBIT A  
(Budget)

I, Peggy Ripko, hereby certify that I am the duly appointed Secretary of the East Creek Metropolitan District No. 1, and that the foregoing is a true and correct copy of the budget for the budget year 2024, duly adopted at a meeting of the Board of Directors of the East Creek Metropolitan District No. 1 held on October 23, 2023.

By: \_\_\_\_\_  
Secretary

RESOLUTION NO. 2023 - 10 - 03  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE EAST CREEK METROPOLITAN DISTRICT NO. 1  
TO SET MILL LEVIES

WHEREAS, the Board of Directors of the East Creek Metropolitan District No. 1 (“District”) has adopted the 2024 annual budget in accordance with the Local Government Budget Law on October 23, 2023; and

WHEREAS, the adopted budget is attached to the Resolution of the Board of Directors to Adopt the 2024 Budget and Appropriate Sums of Money, and such budget is incorporated herein by this reference; and

WHEREAS, the amount of money necessary to balance the budget for general fund expenses from property tax revenue is identified in the budget; and

WHEREAS, the amount of money necessary to balance the budget for debt service fund expenses from property tax revenue is identified in the budget; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Creek Metropolitan District No. 1:

1. That for the purposes of meeting all general fund expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

2. That for the purposes of meeting all debt service fund expenses of the District during the 2024 budget year, the District determined to levy mills upon each dollar of the total valuation for assessment of all taxable property within the District, as set forth in the budget, to raise the required revenue.

3. That the District Accountant of the District is hereby authorized and directed to immediately certify to the County Commissioners of Arapahoe County, Colorado, the mill levies for the District as set forth in the District’s Certification of Tax Levies (attached hereto as **EXHIBIT A** and incorporated herein by reference), recalculated as needed upon receipt of the final certification of valuation from the County Assessor in order to comply with any applicable revenue and other budgetary limits.

ADOPTED this 23<sup>rd</sup> day of October, 2023.

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Secretary

**EXHIBIT A**  
(Certification of Tax Levies)

I, Peggy Ripko, hereby certify that I am the duly appointed Secretary of the East Creek Metropolitan District 1, and that the foregoing is a true and correct copy of the Certification of Mill Levies for the budget year 2024, duly adopted at a meeting of the Board of Directors of the East Creek Metropolitan District 1 held on October 23, 2023.

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Secretary

**RESOLUTION NO. 2023-10-\_\_\_\_**

**RESOLUTION OF THE BOARD OF DIRECTORS OF EAST CREEK  
METROPOLITAN DISTRICT NO. 1 AUTHORIZING ADJUSTMENT OF THE  
DISTRICT MILL LEVY IN ACCORDANCE WITH THE SERVICE PLAN**

A. East Creek Metropolitan District No. 1 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado pursuant to Title 32, Colorado Revised Statutes.

B. The District operates pursuant to its Service Plan approved by the City Council of the City of Aurora, Colorado, on March 5, 2018 (the “**Service Plan**”), which provides the District with the authority to impose mill levies on taxable property. Such mill levies will be the primary source of revenue for repayment of debt service, public improvements, and operations and maintenance costs of the District.

C. The Service Plan authorizes a maximum debt service mill levy of 50 mills (“**Maximum Debt Service Mill Levy**”) and requires the District to impose the ARI Mill Levy (as defined in the Service Plan) upon taxable property within the District pursuant to the provisions of the Service Plan (the ARI Mill Levy with the Maximum Debt Service Mill Levy are collectively referred to herein as the “**Maximum Mill Levies**”).

D. The Service Plan authorizes adjustment of both the Maximum Debt Service Mill Levy and the ARI Mill Levy in the event that the method of calculating assessed valuation is changed after 2004 (the “**Baseline Year**”), by any change in law, change in method of calculation, or in the event of any legislation or constitutionally mandated tax credit, cut, or abatement. The Maximum Debt Service Mill Levy and the ARI Mill Levy may be increased or decreased to reflect such changes. Such increases or decreases shall be determined by the Board of Directors (the “**Board**”) in good faith (such determination to be binding and final) so that, to the extent possible, the actual tax revenues generated by the Maximum Mill Levies, as adjusted, are neither diminished nor enhanced as a result of such changes.

E. The Service Plan provides that, for purposes of the foregoing, a change in the ratio of actual valuation to assessed valuation shall be deemed to be a change in the method of calculating assessed valuation.

F. The history of the residential assessment ratio in Colorado since property tax assessment year 1995, as set by the Colorado General Assembly, or as voted by the electors of the State of Colorado, is set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

G. At the time of the Baseline Year, the residential assessment ratio set by the Colorado General Assembly was 7.96%.



H. In 2022, the Colorado General Assembly (the “**General Assembly**”) passed Senate Bill 22-238, which amended Section 39-1-104.2, C.R.S. by setting the ratio of valuation for:

1. Multi-family residential real property at 6.80% for property tax assessment years 2022 and 2024;
2. Multi-family residential real property at 6.765% for property tax assessment year 2023;
3. Residential real property other than multi-family residential real property at 6.95% for property tax assessment year 2022; and
4. Residential real property other than multi-family residential real property at 6.765% for property tax assessment year 2023.

I. In 2023, the General Assembly passed Senate Bill 23-303, which referred a ballot issue, known as Proposition HH, to the electors of the State of Colorado for the November 7, 2023 election. If Proposition HH passes, the residential assessment rate for both multi-family residential real property and residential real property other than multi-family residential real property will be 6.70% for property tax assessment year 2023.

J. Proposition HH **did not pass** at the November 7, 2023 election, and as a result, the residential assessment rate for both multi-family residential real property and residential real property other than multi-family residential real property will be 6.765% for property tax assessment year 2023 as set forth in Senate Bill 22-238.

**[OR]**

Proposition HH **passed** at the November 7, 2023 election, as a result, the residential assessment rate for both multi-family residential real property and residential real property other than multi-family residential real property will be 6.70% for property tax assessment year 2023 as set forth in Proposition HH.

K. In compliance with the Service Plan, in order to mitigate the effect of the reduction in the ratio of valuation for residential real property set by **Senate Bill 22-238 OR Proposition HH** for property tax assessment year 2023, the Board determines it to be in the best interest of the District, its residents, users, property owners, and the public, to adjust the Maximum Mill Levies, so that the actual tax revenues to be received by the District are neither diminished nor enhanced as a result of the change in the ratio of valuation for assessment since the Baseline Year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of East Creek Metropolitan District No. 1, City of Aurora, Arapahoe County, Colorado:

1. The Board hereby authorizes the adjustment of the Maximum Debt Service Mill Levy and the ARI Mill Levy to reflect that **Senate Bill 22-238 OR Proposition HH** set the residential assessment rate for both multi-family residential real property and residential real

property other than multi-family residential real property at \_\_\_\_\_% for property tax assessment year 2023, which is a change from the \_\_\_\_\_% ratio of valuation for assessment of residential property as of the Baseline Year.

2. The Service Plan allows for a total mill levy imposition of \_\_\_\_\_ mills for the Maximum Debt Service Mill Levy (the “**Adjusted Maximum Debt Service Mill Levy**”) and a mill levy imposition of \_\_\_\_ mills for the ARI Mill Levy (the “**Adjusted ARI Mill Levy**,” and together with the Adjusted Debt Service Mill Levy, the “**Adjusted Maximum Mill Levies**”) so that District revenues shall be neither diminished nor enhanced as a result of the ratio of valuation for assessment being set at \_\_\_\_\_ for collection year 2024.

3. The Adjusted Maximum Mill Levies shall be reflected in the District’s Certification of Tax Levies to be submitted to the County Commissioner of Arapahoe County on or before December 15, 2023, for collection in 2024.

**[SIGNATURE PAGE FOLLOWS]**

**[SIGNATURE PAGE TO RESOLUTION AUTHORIZING ADJUSTMENT OF THE  
DISTRICT MILL LEVY IN ACCORDANCE WITH THE SERVICE PLAN]**

RESOLUTION APPROVED AND ADOPTED ON October 23, 2023.

**EAST CREEK METROPOLITAN  
DISTRICT NO. 1**

\_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

**EXHIBIT A**

History of Residential Assessment Ratio

<b><u>Tax Levy/Assessment Year</u></b>	<b><u>Tax Collection Year</u></b>	<b><u>Residential Assessment Ratio</u></b>
1995	1996	10.36%
1996	1997	
1997	1998	9.74%
1998	1999	
1999	2000	
2000	2001	
2001	2002	9.15%
2002	2003	
2003	2004	7.96%
2004	2005	
2005	2006	
2006	2007	
2007	2008	
2008	2009	
2009	2010	
2010	2011	
2011	2012	
2012	2013	
2013	2014	
2014	2015	
2015	2016	

2016	2017	
2017	2018	7.20%
2018	2019	
2019	2020	7.15%
2020	2021	
2021	2022	
2022	2023	6.95% (other than multi-family)  6.80% (multi-family)
2023	2024	6.765% [if Prop HH does NOT pass]  6.70% if Prop HH DOES pass]

**RESOLUTION NO. 2023-10-**

**EAST CREEK METROPOLITAN DISTRICT NO. 1  
AMENDING POLICY ON COLORADO OPEN RECORDS ACT REQUESTS**

A. On June 25, 2018, East Creek Metropolitan District No. 1 (the “**District**”) adopted Resolution No. 2018-06-08 Regarding Colorado Open Records Act Requests, as amended, (the “**Resolution**”), in which the District adopted a policy related to Colorado Open Records Act Requests (the “**Policy**”).

B. In 2023, the Colorado General Assembly enacted Senate Bill 23-286, which provided for certain changes in the law related to Colorado Open Records Act Requests

C. The District desires to amend the Policy due to the legislative changes set forth in Senate Bill 23-286.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of East Creek Metropolitan District No. 1, Arapahoe County, Colorado:

1. Defined Terms. Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Resolution.

2. Amendments to Policy. The Policy is hereby amended as follows:

(a) Amendment to Section 3 of the Resolution. Section 3 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“3. Within the period specified in Section 24-72-203(3)(a), C.R.S., as amended from time to time, the Official Custodian shall notify the record requester that a copy of the record is available, but will only be sent to the requester once the custodian either receives payment or makes arrangements for receiving payment for all costs associated with records transmission and for all other fees lawfully allowed, unless recovery of all or any portion of such costs or fees has been waived by the Official Custodian, or where prohibited or limited by law. Upon either receiving such payment or making arrangements to receive such payment at a later date, the Official Custodian shall provide the record(s) to the requester as soon as practicable, but no more than three (3) business days after receipt of, or making arrangements to receive, such payment.”

(b) Amendment to Section 5 of the Resolution. Section 5 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“5. The Official Custodian shall not charge a per-page fee for providing records in a digital or electronic format.”

(c) Amendment to Section 7 of the Resolution. Section 7 of the Resolution is hereby deleted in its entirety, and substituted in lieu thereof shall be the following:

“7. All requests for copies or inspection of public records of the District shall be submitted to the Official Custodian in writing. Such requests shall be delivered by the Official Custodian to the District’s legal counsel for review and legal advice regarding the lawful availability of records requested and related matters, including without limitation, whether to deny inspection or production of certain records or information for reasons set forth in Sections 24-72-204(2) and (3), C.R.S., as amended from time to time. The District may, from time to time, designate specific records for which written requests are not required and with respect to which review by legal counsel is not required; i.e., service plans, rules and regulations, minutes, etc. Such designations shall occur in the minutes of the meetings of the District.”

3. Except as expressly set forth herein, the Resolution continues to be effective without modification.

**[SIGNATURE PAGE FOLLOWS]**

**[SIGNATURE PAGE TO RESOLUTION NO. 2023-10-\_\_\_\_]**

RESOLUTION APPROVED AND ADOPTED ON October 23, 2023.

**EAST CREEK METROPOLITAN  
DISTRICT NO. 1**

By: \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary





141 Union Boulevard, Suite 150  
Lakewood, CO 80228-1898  
303-987-0835 • Fax: 303-987-2032

## MEMORANDUM

TO: Board of Directors

FROM: Christel Gemski  
Executive Vice-President

DATE: October 12, 2023

RE: Notice of 2024 Rate Increase

A rectangular box containing a handwritten signature in blue ink that reads "Christel Gemski".

In accordance with the Management Agreement (“Agreement”) between the District and Special District Management Services, Inc. (“SDMS”), at the time of the annual renewal of the Agreement, the hourly rate described in Article III for management and all services shall increase by (6.0%) per hour.

We hope you will understand that it is necessary to increase our rates due to increasing gas and operating costs along with new laws and rules implemented by our legislature.

**From:** Altitude Community Law <hoalaw@altitude.law>  
**Sent:** Wednesday, September 27, 2023 10:30 AM  
**To:** Peggy Ripko <pripko@sdmsi.com>  
**Subject:** 2024 Fee Notice for East Creek Metropolitan District No. 1

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## 2024 NOTICE OF LEGAL SERVICES AND FEE SUMMARY

The following is a summary of fees and charges for legal services being offered by Altitude Community Law P.C. for 2024. For more details, contact your Primary Attorney or email us today at [hoalaw@altitude.law](mailto:hoalaw@altitude.law).

**No signature is required at this time, as this is a notice only.**  
**Existing clients will be billed at our new 2024 rates effective with their January billing.**  
**Please note: We do not accept credit card payments for legal services.**  
**Clients remain on their current billing structure (retainer/non-retainer, etc.) until we are notified otherwise.**

Our retainer programs reduce your association's legal expenditures and simplify the budgeting process by establishing a fixed monthly fee. This fee purchases the essential legal services your association requires, making us available to you as needed. We offer three retainer packages to better fit your needs.

### RETAINER SERVICES AND BENEFITS

For a monthly fee of \$250, retainer clients receive the following legal services and benefits without further charges:

Phone Calls. We will engage in unlimited telephone consultations with a designated board member or association manager regarding legal and other questions and status of ongoing work we are performing for you, exclusive of litigation, foreclosure, covenant enforcement, and document amendments. Written consultations/communications such as emails, written correspondence, and calls with multiple board members at the same time will be billed at our reduced hourly rates, as will our time to review governing documents, correspondence, etc., if necessary to answer a question.

Reduced Hourly Rates. For legal services billed hourly beyond what is included in the retainer, we will provide those services at \$20 per hour less than our non-retainer rates for attorneys, \$10 per hour less than our non-retainer rates for paralegals, and \$5 per hour less than our non-retainer rates for legal assistants.

In-Office Consultation. We will meet with a designated board member and/or the association's manager in our office or virtually for 30 minutes on any new matter. If the meeting extends beyond the 30 minutes, you will be billed at our reduced hourly rates.

Attendance at Board Meeting. At your request, we will attend one board meeting per twelve-month period for up to one hour. While our attendance at said board meeting is provided at no charge to retainer clients, we will bill you at our reduced hourly rates for our travel time to and from the attorney's primary office location if in-person attendance is requested instead of virtually. As a retainer client, we will prioritize attending the board meeting of your choosing. If our attendance exceeds one hour, you will be billed at our reduced hourly rates.

Audit Response Letter. We will prepare a letter to your financial auditor in connection with your annual audit indicating pending or threatened litigation. We will also review your annual financial audit upon completion.

Periodic Report. We will prepare and file your periodic report with the Secretary of State if you have designated us as your registered agent.

DORA Renewal. We will prepare and file your renewal report with DORA if requested.

Credit Card Payments. For Retainer clients, we will accept homeowner payments via credit card.

### RETAINER PLUS SERVICES AND BENEFITS

For a monthly fee of \$320, we will provide the following legal services and benefits without further charges:

In addition to the services provided to Retainer clients, Retainer Plus clients will receive the following additional services:

Email Consultations. We will engage in 30 minutes of email consultations every month with a designated board member and the association's manager regarding legal and other questions and the status of ongoing work that

are performing on your behalf, exclusive of litigation, foreclosure, covenant enforcement, and document amendment matters. Additional written consultations and communications will be billed at our reduced hourly rates. If it is necessary to review governing documents, correspondence, etc. to answer a question, you will be billed at our reduced hourly rates.

#### PREMIUM RETAINER SERVICES AND BENEFITS

For a monthly fee of \$570, we will provide the following legal services and benefits without further charges:

In addition to the services provided to Retainer and Retainer Plus clients, Premium Retainer clients will receive the following additional services:

In addition to the services provided to Retainer and Retainer Plus clients, Premium Retainer clients will receive the following additional services:

Email Exchanges. We will communicate with your designated board member and the association's manager via email up to 90 minutes every month which includes minor research at no additional charge exclusive of litigation, foreclosure, covenant enforcement, and document amendment matters.

Attendance at One Additional Board Meeting per Year. At your request, we will attend a total of two board meetings per twelve-month period for up to one hour each. While our attendance at said board meetings is provided at no charge to retainer clients, we will bill you at our reduced hourly rates for our travel time to and from the attorney's primary office location if in-person attendance is requested instead of virtually. If our attendance exceeds one hour, you will be billed at our reduced hourly rates.

#### RETAINER SERVICES GENERALLY

Clients on retainer will remain on their chosen level of retainer until we are notified otherwise in writing.

#### FIXED FEE SERVICES

Altitude Community Law offers fixed fee services. The association will pay Altitude Community Law (the Firm) for performance of the services as outlined in a proposal for services, plus costs. The association understands that it is not entering into an hourly fee agreement for that specified service, except as otherwise set forth. This means the Firm will devote such time to the matter as is necessary, but the Firm's fee will not be increased or decreased based upon the number of hours spent.

#### NON-RETAINER SERVICES AND BILLING TERMS

If you desire representation on a non-retainer basis, you will be billed hourly for all work performed unless a fixed fee (such as collection matters or amendment of documents) has been agreed to in advance. Our hourly rates for 2024 non-retainer clients are \$120 - \$160 for legal assistants/paralegals, \$330 - \$370 for attorneys. Non-retainer clients are billed hourly for all phone calls. Our attendance at meetings will be billed hourly. Our travel time to and from the attorney's primary office location will also be billed hourly if in-person attendance is requested instead of remote or virtual attendance.

#### TERMINATION OF REPRESENTATION

You may terminate our representation at any time by notifying us in writing and we may resign from representation by notifying you in writing. In either case, you understand that court or administrative rules may require us to obtain a judicial or administrative order to permit our withdrawal. We agree that upon receipt of your termination notice, we will take such action as is necessary to withdraw from representing you, including requesting any necessary judicial or administrative order for withdrawal. However, whether you terminate our representation, we cease performing further work and/or withdraw from representing you, as allowed under the Colorado Rules of Professional Conduct or for your failure to comply with the terms of this Agreement, you understand and agree that you continue to be responsible to us for the payment of all fees and expenses due and owing and incurred in withdrawing from representing you, including any fees and expenses we incur to obtain, and/or during the time we are seeking to obtain, any necessary judicial or administrative order to approve our withdrawal.

If you so request, we will send to you your files in an electronic format as soon as a particular matter is concluded. If you do not request your files, the firm will keep the files for a minimum of 10 years, after which it may retain, destroy or otherwise dispose of them.

#### PRIVACY POLICY

Attorneys, like other professionals who provide certain financial services, are now required by federal and state laws to inform their clients of their policies regarding privacy of client information. Attorneys have been and continue to be bound by professional standards of confidentiality that are even more stringent than those required by this new law. Thus, we have always protected the privacy of your confidential information.

In the course of providing legal services, we sometimes receive significant nonpublic personal information from our clients. As a client of Altitude Community Law, you should know that all such information we receive from you is held in confidence. We do not disclose such information to anyone outside the firm except when required or authorized by applicable law or the applicable rules of professional conduct governing lawyers, or when authorized by you in writing.

We retain records relating to professional services that we provide so that we are better able to assist you with your professional needs and, in some cases, to comply with professional guidelines. In order to guard your nonpublic personal information, we maintain, physical, electronic and procedural safeguards that comply with our professional standards.

If you have any questions or would like more information about our privacy policies and practices, please let us know.

#### GENERAL TERMS FOR ALL CLIENTS

We represent the association as a corporate entity. We will take our direction for work as instructed by the board or by the manager on behalf of the board. We do not represent any individual board members or homeowners.

Clients are required to reimburse us for cost advances and other out-of-pocket expenses. Reimbursement is made at actual cost for outside charges such as court recording fees, filing fees, service of process charges, computerized legal research, expert witness fees, title searches, deposition reporting and transcription fees, outside photocopying, etc. Typically, we do not charge for internal photocopies, faxes, postage and long-distance telephone calls unless these charges are extraordinary. We provide monthly statements for services and expenses incurred. Unless other arrangements are made and agreed upon in writing, all charges are due and payable upon your receipt of the statement. A finance charge of 12% per annum may be imposed upon any amount not paid within 30 days of becoming due. Fees may be modified upon 30 days prior written notice. If it becomes necessary to file suit to recover unpaid attorney fees, the prevailing party shall be entitled to receive its attorney fees.

In the event we have not been provided with, or our files do not contain, all of the recorded documents of the association, we retain the right to obtain any such recorded documents to supplement our file without association approval and at the association's cost. The association's cost will include, but not be limited to, hourly charges for procuring the documents and copying or downloading costs. In order to provide you with the most efficient and effective service we will unless otherwise directed, work through your manager if appropriate.

Please see Exhibit A to Legal Services and Fee Summary Agreement for 2024 Legal Collection Services.

Should you have any questions, please do not hesitate to call any of our attorneys. We are happy to answer any of your questions or meet with you at no charge to discuss our services and fees in greater detail.

EXHIBIT A TO LEGAL SERVICES AND FEE SUMMARY AGREEMENT  
FOR 2024 LEGAL COLLECTION SERVICES

Fee Structure

This is a flat fee agreement for collection services. The Association will pay Altitude Community Law (the Firm) for performance of the services described below, plus costs. The Association understands that it is not entering into an hourly fee agreement for collection services, except as otherwise set forth below. This means the Firm will devote such time to the representation as is necessary, but the Firm's fee will not be increased or decreased based upon the number of hours spent.

The Association has the right to terminate the representation at any time and for any reason, and the Firm may terminate the representation in accordance with Rule 1.16 of the Colorado Rules of Professional Conduct. In the event that the Association terminates the representation without wrongful conduct by the Firm that would cause the Firm to forfeit any fee, or the Firm justifiably withdraws in accordance with Rule 1.16 from representing the Association, the Association shall pay, and the Firm shall be entitled to, the fee or part of the fee earned by the Firm as described in paragraph 1 above, up to the time of termination. If the representation is terminated between the completion of increments (if any), the Association shall pay a fee based on our standard hourly rate set forth in our standard fee agreement. However, such fees shall not exceed the amount that would have been earned had the representation continued until the completion of the increment, and in any event all fees shall be reasonable. Once the work is performed, the Fee will be deemed earned and is due upon receipt of an invoice.

Case Intake, Review and Assessment - No charge

We do not charge you to review new collection cases and make recommendations. However, if we receive open collection files from another attorney, there will be a \$100 set-up and review fee per file

At the rates set here in, upon receiving a new turnover, we will perform the following work for due diligence and to put the Association in the best possible collection position: Assessment Lien Package (if a lien has not already been recorded), Demand Letter, Public Trustee Search, and Bankruptcy Search. Next steps after this work depends on the homeowner's response, balance due, history, information acquired, and other factors.

Demand Letter - \$195

Preparation of a demand letter includes reviewing the ledger or equivalent record to ascertain the amounts owed including interest, late charges, fines and charge backs, if relevant, and review prior notice given to owner to meet statutory requirements; drafting and mailing the demand letter to the homeowner; follow-up, including telephone calls with the management company and homeowner, negotiation of an acceptable payment plan; follow up letter (as needed) to confirm payment arrangements. All correspondence other than the initial demand and payment plan letter is \$50 per letter (e.g., follow up demand letter, breach of payment plan letter).

Super Lien Demand Letter - \$110

Preparation of a demand letter post foreclosure includes reviewing ledger to ascertain amounts owed; verifying party to whom demand should be sent; drafting and mailing demand letter: or if request is received from a lender for the super lien amount, drafting a response. All discussions with the owner or lender after the letter are billed hourly.

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Assessment Lien Package - \$110

This charge includes preparing both the lien and the lien release. It also includes verification of ownership with either the assessor's office or title company.

Lien Review - \$70

If your management company prepares and files liens, we will, on your behalf, review the lien to verify validity, compliance with law, and handle the recording and release of the lien in order to protect your association from liability.

Lawsuit: - \$455 plus costs

This charge includes preparing the summons and complaint, filing these papers with the court, appearing at the return date and obtaining default judgment. It also includes all negotiations and telephone conferences with the owners prior to an answer being filed with the court.

Lawsuit: Trial - Hourly rates apply

All preparation for trial and appearances in court are billed on an hourly basis. If the association prevails at trial, it can recover its attorney fees and costs from the delinquent owner.

#### Interrogatories - \$130

We prepare and file a motion with the court to request the court to order an owner to answer a series of questions from us about the owner's assets. We will use the answer to help satisfy any judgment obtained by the association. We will also arrange for service of the order on the client and monitor and evaluate answers received from the owner.

#### Contempt Citation - \$155

If an owner fails to answer the interrogatories as ordered by the court, we will prepare and file all the necessary paperwork to require the owner to appear before the judge to explain why the questions were not answered. Appearances at court, including the Contempt Citation hearing and any continuances thereof, as well as bond return hearings will be billed on an hourly basis.

#### Garnishments - \$155 (each)

We will identify entities (usually banks, employers or tenants) which owe or have money of the owner and prepare documentation to be filed with the court to order the entity to release all or a portion of the money they hold for or are obligated to pay the owner to the association. We will arrange for service of the necessary documentation and will monitor for responses. Appearances at Court, including any hearings regarding the garnishment, will be billed on an hourly basis.

#### Payment Plans - \$135 - \$225 (each)

We will charge a fee depending upon the length of the payment plan to prepare the necessary documentation, monitor and process payments and close the file. Unless we are instructed otherwise, we may agree to payment plans of up to 24 months with any homeowner. We request that interest and late fees not be added to the ledger during payment plans, as long as the homeowner pays as agreed. Monthly payments amounts are calculated based on no additional interest or late fees being incurred during the payment plan.

#### Motions and Responses - Hourly rates apply

Occasionally, certain motions may be necessary in a case in order to get the court to issue a ruling without further legal action. These will be prepared, filed, monitored and argued before the court, if necessary.

#### Outbound Phone Calls - \$55

Once we obtain a phone number for an owner, we will make up to 3 outbound calls to an owner to secure payment. All other calls with an owner will be at no charge.

#### Payoff Calculations - \$130

It is important for your management company or treasurer to confirm all payoff amounts with us prior to issuing status letters or advising owners of balances so that all legal costs and fees can be included. We will also insure that all fees necessary to close or dismiss a file are included. Rush charges do apply.

#### Monitoring Lender Foreclosure - \$220 (one-time charge)

It is important to monitor lender foreclosure through the sale and redemption period. We obtain periodic ownership and encumbrance reports, if needed, and routinely verify the status of the foreclosure action. We advise you of the association's rights and options throughout the process. Once a sale is completed, we advise the association of the new owner and the association's rights.

#### Monitoring Bankruptcy - \$230 Chapter 7; \$495 Chapter 13 (one-time charge)

We prepare and file a Proof of Claim, if necessary, monitoring the bankruptcy through discharge. Our services include reviewing the plan (if Chapter 13) to make sure it includes provisions for payment of pre- and post-petition assessments, and checking with the trustee and debtor's attorney to determine if property has been abandoned. If it becomes necessary to file any motion with the court, we charge fixed fees as follows:

Additional Proof of Claim: \$160

Motion to Dismiss: \$595

Motion for Relief from Stay: \$795

Objection to Plan: \$395

Objections to Confirmation: \$205 for Motion, then hourly if we proceed to an evidentiary hearing

Post-Petition Demand Letters to the bankruptcy attorney and owners: \$50

Motion for Late Filed Claim: \$395

Post-Petition Fees Notice: \$395

All preparation for and appearances in court are charged on an hourly basis.

Assessment Increase Notice - \$395

We prepare notice to bankruptcy court of any increase in ongoing debt owed to the association upon receipt of notice from you, including filing proof of claim and letter to bankruptcy attorney or debtor.

Public Trustee/Bankruptcy Search - \$30 (each)

Verifying whether a property is in foreclosure or subject to a bankruptcy before filing a lawsuit can save the association hundreds of dollars. So, we will search both the public trustee and bankruptcy records and then advise the association if different action is necessary.

Receiverships (County Court) - \$450 initial, then hourly. Costs are approximately \$250

We will prepare pleadings and appear in court to obtain appointment of a receiver to collect rents where the property is abandoned or being rented by the owner. Once appointed, we supervise disbursement of the monies collected by the receiver at an hourly rate.

Lien/Judicial Foreclosures (District Court) - Hourly rates apply

We recommend foreclosure be considered a viable collection remedy in all problem cases. Our fee is based on complexity of circumstances and should reflect value you will receive from monetary results of the foreclosure.

Lien Sales - \$1,000

We list all liens that are potentially available for sale on our website at <https://Altitude.Law/general-topics/liens-for-sale/> at no cost. In the event a lien is sold we collect our fee from the purchaser of the lien. In order to handle quickly, within the legal time limits, we reserve the right to sell liens, without prior approval if the purchase price is equal to or more than the balance due.

Intent to Redeem - \$1,500 plus costs

We prepare all documents necessary to file and execute an Intent to Redeem with Public Trustee.

Status Report - \$75/month (if not accessed electronically)

We provide online access to each association's collection status report. For more information please contact us. If your association chooses to have us prepare your status report, there will be a monthly fee.

Asset/Person Locations - \$25 - \$100

From time to time we must locate debtors and/or their assets in order to secure payment for you. We will use various databases for which there is a cost to us, to secure possible leads. This information is then reviewed and analyzed to develop the best strategy for quickly and efficiently securing payments.

Entry of Judgment - \$150 each

We will prepare Motion and Affidavit to obtain judgment on a stipulation if owner fails to complete it successfully.