

DISTRICT COURT, DOUGLAS COUNTY, COLORADO 4000 Justice Way Ste. 2009 Castle Rock, CO 80109	
IN THE MATTER OF: E-470 POTOMAC METROPOLITAN DISTRICT	▲ COURT USE ONLY ▲
Attorneys for the Division of Local Government: PHILIP J. WEISER, Attorney General LEEANN MORRILL, No. 38742* First Assistant Attorney General 1300 Broadway, 6 th Floor Denver, CO 80203 Telephone: (720) 508-6159 Email: leeann.morrill@coag.gov *Counsel of Record	Case No. 1998CV0572 Division: 3
<p style="text-align: center;">PETITION FOR ORDER AND CERTIFICATION OF DISSOLUTION OF SPECIAL DISTRICT</p>	

COMES NOW the Colorado Department of Local Affairs' Division of Local Government ("the Division"), by and through the Colorado Attorney General and undersigned counsel, and petitions the Court to certify the Division's Declaration of Dissolution of the E-470 Potomac Metropolitan District. As grounds for this petition, the Division states as follows:

1. The E-470 Potomac Metropolitan District ("the District") is a quasi-municipal corporation and political subdivision organized pursuant to the provisions of article 1 of title 32, C.R.S.
2. Colorado law requires that Title 32 special districts file certified copies of their annual budgets with the Office of the Division of Local Government of the Department of Local Affairs and hold or properly cancel elections. *See* C.R.S. §§ 29-1-116; 32-1-801 to -835.
3. The Division has not received a copy of the District's budget for the past two consecutive years, nor has the Division received a certification of the District's election results from the most recent regular election.
4. Pursuant to C.R.S. § 32-1-710(2)(a), the Division is authorized to declare a special district dissolved if the district has failed to demonstrate to the Division that the district has performed its statutory or service responsibilities or will proceed to perform such responsibilities. And pursuant to C.R.S. § 32-1-710(2)(b), there is a presumption of such failure if the district has failed to hold or properly cancel an election, no board has been appointed as required by C.R.S. § 32-1-905(2.5), and there will be no interruption of services being provided by the district.

5. The Division contends that administrative dissolution of the District pursuant to C.R.S. § 32-1-710 was appropriate because the District had failed to hold or properly cancel an election, had not provided or attempted to provide any of the services or facilities for which the District was organized for two consecutive years, and did not respond to the Division's letter notifying the District of the Division's intent to administratively dissolve it.
6. Pursuant to C.R.S. § 32-1-710(1), the Division notified the District by first-class certified mail of the Division's intent to certify the District dissolved. Copies of the Notice and certified mail receipt numbered 7019-2280-0002-0184-2930 are attached hereto as **Exhibit 1**, at pages 4-5. More than thirty days have passed since the Division notified the District of its intent to certify the District dissolved.
7. The Division has declared the District dissolved. The Division's Declaration of Dissolution is filed with this Court contemporaneously with this Petition as **Exhibit 1**, at pages 1-3.
8. In accordance with C.R.S. § 32-1-710(3), the Division has provided notice of its application to this Court for judicial certification of the Division's Declaration of Dissolution by sending true and complete copies of this Petition and Exhibit 1 to the interested parties listed on the attached Certificate of Service by first-class U.S. mail.

The Division respectfully petitions the Court for judicial certification of the dissolution of the E-470 Potomac Metropolitan District and for entry of an Order disposing of any of the assets of the District in accordance with C.R.S. § 32-1-708. Consistent with C.R.S. § 32-1-801(3), the Division respectfully requests that the Court "make a determination on the division's declaration within thirty days after the declaration has been submitted."

Dated this 30th day of May, 2024.

PHILIP J. WEISER
Attorney General

s/ LeeAnn Morrill

LEEANN MORRILL

First Assistant Attorney General

Public Officials Unit

State Services Section

Attorneys for the Colorado Department of Local

Affairs, Division of Local Governments

*Counsel of Record

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of May, 2024, I served the foregoing ***Petition for Order and Certification of Dissolution of Special District and Declaration of Dissolution*** on each of the interested parties listed below as required by C.R.S. § 32-1-710(3), by causing true and complete copies of the same to be deposited in the U.S. mail, first-class postage prepaid at Denver, Colorado and/or electronically via Colorado Courts E- Filing, addressed as follows:

E-470 Potomac Metropolitan District
8390 E. Crescent Pkwy
Suite 300
Greenwood Village, CO 80111-2814

Douglas County Assessor
301 Wilcox St.
Castle Rock, CO 80104

Douglas County Clerk and Recorder
301 Wilcox St.
Castle Rock, CO 80104

Douglas County Board of
Commissioners
100 Third St.
Castle Rock, CO 80104

Tom George
Spencer Fane LLP
1700 Lincoln Street, Suite 2000
Denver, CO 80203

s/ Xan Serocki

DECLARATION OF DISSOLUTION

Pursuant to § 32-1-710, the Director of the Division of Local Government (the "Division") declares as follows:

1. The E-470 Potomac Metropolitan District (the "District") is a quasi-municipal corporation and political subdivision of the state organized in 1998, pursuant to the provisions of Article 1 of Title 32, C.R.S., the "Special District Act."
2. Colorado law requires the Division to notify a district of the Division's intent to certify a district dissolved if, inter alia, "[t]he district has not provided or attempted to provide any of the services or facilities for which the district was organized for two consecutive years" and "the district has no financial obligations." Subparagraph 32-1- 710(1)(a)(IV) and Paragraph (1)(b), respectively.
3. According to the Division's records and research, the District:
 - The District did not hold or properly cancel the May 3, 2022, regular election
 - The District did not hold or properly cancel the May 2, 2023, regular election
 - The District has not filed a budget since 2020
 - The District has not filed financial statements with the Office of the State Auditor since 2020
 - The District has no outstanding financial obligations
4. The Division notified the District of the Division's intent to certify the District dissolved by certified mail, return receipt number 7019-2280-0002-0184-2930 on October 19, 2023, to the last available address the District supplied to the Division per requirements of § 32-1-104(2) and published in the inventory of local government entities maintained pursuant to § 24-32-116 (see Exhibit A and Exhibit B).
5. More than 30 days have passed since the Division notified the District of its intent to certify the District dissolved.
6. The Division received the certified mail return receipt on October 28, 2023 (see Exhibit A).
7. The District's former attorney has communicated to the Division that the District has not provided any of the services or facilities for which the District was organized for at least two consecutive years (see Exhibit C).
8. Based upon review of the most recent available submission of the District's financial statements to the Office of the State Auditor, the District has been found to have no outstanding financial obligations as recognized by the Division. Additionally, the District did not respond to the Division's request within the notice of intent to dissolve.

9. There has been no evidence provided to the Division which indicates dissolution of the District will result in interruption of services to the area encompassed by the District.

Therefore, according to the authority of the Division of Local Government to dissolve special districts by administrative action pursuant § 32-1-710, C.R.S., the Division hereby declares E-470 Potomac Metropolitan District to be dissolved.

Furthermore, the Division hereby requests that the Colorado Attorney General file a Petition for Order and Certification of Dissolution of E-470 Potomac Metropolitan District with the District Court, Douglas County, Colorado; and if the Court determines the District to be qualified for administrative dissolution as required by law, the Court enter an Order and Certification of Dissolution dissolving the District and direct said Order and Certification of Dissolution be filed by the Clerk of the Court with the county or counties in which the District is located and with the Division in accordance with § 32-1-707(5) C.R.S.

Dated this *Wednesday, March 06, 2024*

A handwritten signature in black ink, appearing to read 'Dave Bowman', is written over a horizontal line.

Dave Bowman, Interim Division Director
Division of Local Government
Colorado Department of Local Affairs

CERTIFICATE OF SERVICE

I hereby certify that on the day of March 6, 2024, I served the within *DECLARATION OF DISSOLUTION* to the parties herein by depositing a true and complete copy of same in the United States mail, first-class postage prepaid at Denver, Colorado, addressed to each of the following:

Douglas County Board of
Commissioners
100 Third St.
Castle Rock, CO 80104

Douglas County Assessor
301 Wilcox St.
Castle Rock, CO 80104


Douglas County Clerk and Recorder
301 Wilcox St.
Castle Rock, CO 80104

E-470 Potomac Metropolitan District
8390 E. Crescent Pkwy
Suite 300
Greenwood Village, CO 80111-2814



Digitally signed by Joseph
McConnell
Date: 2024.03.06 11:51:01 -07'00'

Joe McConnell
Local Government Services
Division of Local Government
Department of Local Affairs

SENDER INFORMATION ■ Complete Items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	
1. Article Added to:	
Bob Blodgett 8390 E. Crescent Pkwy, Ste. 300 Greenwood Village, CO 80111-2814	
 5580 9402 5455 9349 9407 47	
2. Article Number (Transfer from barcode label)	
7014 2200 0002 0164 2430	

[illegible]

B

Local Government Omnibus			
LG ID	18114	Status	Active
Type	Metropolitan Districts (32-1-103)		
Name	E-470 Potomac Metropolitan District		Duplicate Name
Basic Boundary Budget Contact County CTF Director Election Finance Service Subdist Tracking Docs			
Sync. Address?	<input type="checkbox"/>		Updated On
Contact Type	Official DLG	Contact Certified	Updated By
Name	Bob	Blodgett	JREED
Title	District Manager		
Mailing Address	8390 E. Crescent Parkway, Suite 300		Copy to Clipboard
Alt. Address	c/o CliftonLaronAllen LLP		
Mailing City State ZIP	Greenwood Village	CO	80111-2814
Work Phone	303-779-5710	Fax	303-773-2050
Email Address	sandy.brandenburger@claconnect.com		User ID
		EF18114A6L	Assign
		Contact #	1 of 4

STATE OF
COLORADO

McConnell - DOLA, Joe <joe.mcconnell@state.co.us>

Fwd: E-470 Potomac - letter from DOLA

1 message

Gonzales - DOLA, Mia <mia.gonzales@state.co.us>

Tue, Apr 11, 2023 at 6:42 AM

To: Joe McConnell - DOLA <joe.mcconnell@state.co.us>

Hi Joe,

For our meeting this morning.

Mia Gonzales
Budget Program Administrator
Local Government Services**COLORADO**
Department of Local Affairs
Division of Local GovernmentP 303.864.7744 | F 303.353.0751
1313 Sherman St., Room 521, Denver, CO 80203
mia.gonzales@state.co.us | www.colorado.gov/dola*Under the Colorado Open Records Act (CORA), all messages sent by or to me on this state-owned e-mail account may be subject to public disclosure.*

----- Forwarded message -----

From: **George, Tom** <tgeorge@spencerfane.com>

Date: Mon, Apr 10, 2023 at 11:11 AM

Subject: RE: E-470 Potomac - letter from DOLA

To: Soendker, Janece <Janece.Soendker@claconnect.com>, mia.gonzales@state.co.us <mia.gonzales@state.co.us>

Hi Mia,

Janece Soendker forwarded me your email. We were the most recent legal counsel to the District.

At the District's February 26, 2019 meeting, the Board voted to cease all District operations, including ending its third party consultant engagements (manager, accountant, legal), so that the District could be administratively dissolved. Thereafter, all of the Board members resigned.

The District has not to our knowledge done anything since that February 26, 2019 meeting and has not had any Board members or consultants since that time. It has not had any revenues or expenditures or other activity whatsoever. Consistent with statute, it is our understanding that the District should be administratively dissolved.

Please let me know if you have any questions.

Exhibit 1

Thanks,
Tom

Tom George Attorney
Spencer Fane LLP

1700 Lincoln Street, Suite 2000 | Denver, CO 80203
O 303.839.3708
TGeorge@spencerfane.com | spencerfane.com

From: Gonzales - DOLA, Mia <mia.gonzales@state.co.us>
Sent: Wednesday, April 5, 2023 12:41 PM
To: Soendker, Janece <Janece.Soendker@claconnect.com>
Cc: Margaret Vigil - DOLA <margaret.vigil@state.co.us>
Subject: [External] Re: Letter regarding E-470 Potomac Metro District

Think Security – This email originated from an external source. Be cautious with any links or attachments.

Hello Janece,

The Division will need documentation of its dissolution. Would you please forward those documents to my colleague, Maggie Vigil, copied to this email. Maggie will be able to process its dissolution and change the District's (LGID 18114) status in our database so that they do not continue to receive these notices.

Thank you,

Mia Gonzales
Budget Program Administrator
Local Government Services

P 303.864.7744 | F 303.353.0751

1313 Sherman St., Room 521, Denver, CO 80203

mia.gonzales@state.co.us | www.colorado.gov/dola

Exhibit 1

Under the Colorado Open Records Act (CORA), all messages sent by or to me on this state-owned e-mail account may be subject to public disclosure.

On Wed, Apr 5, 2023 at 12:34 PM Soendker, Janece <Janece.Soendker@claconnect.com> wrote:

Hi Mia,

We received the attached letter regarding the budget for E-470 Potomac Metro District.

E-470 Potomac was dissolved in 2019. The last budget filed by the district was 2019.

Janece

Janece Soendker

Controller

Business Operations (BizOps)

CLA (CliftonLarsonAllen LLP)

Direct 303-265-7807

janece.soendker@claconnect.com

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CliftonLarsonAllen LLP



COLORADO
Department of Local Affairs
Division of Local Government

October 19, 2023,

Bob Blodgett
8390 E. Crescent Pkwy
Suite 300
Greenwood Village, CO 80111-2814

Mr. Blodgett/to whom it may concern,

This notice concerns E-470 Potomac Metropolitan District, LGID No. 18114.

In accordance with Colorado Revised Statute 32-1-710, the Division of Local Government (the "Division") is notifying the District of its intent to declare E-470 Potomac Metropolitan District (the "District") dissolved.

Based upon the information available to the Division, it appears:

- The District did not hold or properly cancel the May 3, 2022, regular election
- The District did not hold or properly cancel the May 2, 2023, regular election
- The District has not filed a budget since 2020
- The District has not filed financial statements with the Office of the State Auditor since 2020
- The District has no outstanding financial obligations

If any of the information in this correspondence is incorrect, please contact the Division no later than thirty (30) days from receipt of this certified notice. Following this period, the Division will make a Declaration of Dissolution and move to request an order of dissolution from the applicable district court.

Sincerely,

Joe McConnell
Division of Local Government
joe.mcconnell@state.co.us
(303) 864-7739

Cc: Douglas County BOCC, Todd Leopold (Division)



DISTRICT COURT, DOUGLAS COUNTY, COLORADO 4000 Justice Way Ste. 2009 Castle Rock, CO 80109	▲ COURT USE ONLY ▲
IN THE MATTER OF: E-470 POTOMAC METROPOLITAN DISTRICT	
	Case No. 1998CV0572 Division: 3
ORDER AND CERTIFICATION OF DISSOLUTION OF SPECIAL DISTRICT	

The Court, having received and considered the Division of Local Government's Declaration of Dissolution and Petition for Order and Certification of Dissolution of Special District and, having either received no objection to the Petition, or finding any objections without merit, hereby finds and orders as follows:

The Colorado Department of Local Affairs' Division of Local Government ("the Division") has declared E-470 Potomac Metropolitan District ("the District") administratively dissolved and filed a Declaration of Dissolution and Petition for Order and Certification of Declaration of Dissolution of Special District with this Court pursuant to C.R.S. § 32-1-710(2).

Upon review of the Division's Petition and Declaration of Dissolution, the Court finds that the District has failed to demonstrate that it has performed or will proceed to perform its statutory and/or service responsibilities and is therefore found to be inactive.

Accordingly, the Court **ORDERS** that:

1. The Division's petition is **GRANTED** and the Division's Declaration of Dissolution is hereby certified. The District's assets, if any, shall be disposed of pursuant to C.R.S. § 32-1-708.
2. The Clerk shall file a certified copy of this Order of Dissolution with the Douglas County Clerk and Recorder and with the Division.

DONE this ____ day of _____, 2024.

BY THE COURT:

District Court Judge