



## ICENOGLE SEAVER POGUE

July 12, 2017

***VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED***

Board of County Commissioners  
Douglas County Colorado  
100 Third Street  
Castle Rock, Colorado 80104

Office of the State Auditor  
State Services Building  
1525 Sherman Street, 7<sup>th</sup> Floor  
Denver, Colorado 80203-1700

Douglas County Treasurer  
100 Third Street  
Castle Rock, Colorado 80104

Douglas County Assessor  
301 Wilcox Street  
Castle Rock, CO 80104

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

**Re: Remuda Ranch Metropolitan District: Notice of Return to Active Status**

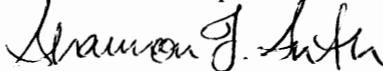
To Whom It May Concern:

Please find enclosed for your records a Notice of Return to Active Status, pursuant to Section 32-1-104(3)(b), C.R.S., for the Remuda Ranch Metropolitan District. A copy of the resolution of the Board of Directors directing the District's return to active status is also enclosed herewith.

If you have any questions or require further information, please do not hesitate to contact our office.

Sincerely,

ICENOGLE SEAVER POGUE  
A Professional Corporation

  
Shannon F. Smith

Enclosure

cc: Division of Local Government (*via e-filing portal*)  
Tamara K. Seaver  
Jennifer L. Ivey

Shannon F. Smith | SSmith@isp-law.com | Direct 303.867.3012

4725 S. Monaco St., Suite 225 | Denver, CO 80237 | 303.292.9100 | fax 303.292.9101 | www.isp-law.com



# COLORADO

Department of Local Affairs

Division of Local Government

## Title 32, Article 1 Special District Notice of Return to Active Status

### NOTICE IS HEREBY GIVEN by the Board of Directors

of the Remuda Ranch Metropolitan District 66070 (LGID)  
in Douglas County, Colorado

pursuant to subsection 32-1-104(3)(b) C.R.S., the District is no longer an Inactive Special District. The District's Board of Directors adopted a resolution (attached) declaring the return to Active Status at a public meeting held: July 10, 2017

**NOTICE IS FURTHER GIVEN**, pursuant to subsection 32-1-104(3)(b) C.R.S., the Board of Directors shall cause the District to be brought into compliance for the remainder of the fiscal year in which the District returns to Active Status with all legal requirements for which the District has otherwise been exempt while on Inactive Status. The District as of the signing of this statement and the attached resolution is in compliance with the provision of 32-1-104 (3)(d) and the District shall be in compliance with the exempted requirements specified under 32-1-104(5) C.R.S. within ninety days of delivery of this notice.

District Contact Person : Tamara K. Seaver Phone: (303) 867-3004

Contact Signature: [Signature]

Date: 7/11/17

Contact Email Address: tseaver@isp-law.com

District Address: 4725 S. Monaco Street

Address (cont.): Suite 360

Address City/State/Zip: Denver, CO 80237

#### Directors

|                 |                    | Elected or Appointed                        | Term Exp. Yr.                            |
|-----------------|--------------------|---|--|
| 1. Board Chair: | Thomas J. Wiens    | Elected <input checked="" type="checkbox"/> | 2020 <input checked="" type="checkbox"/> |
| 2. Director:    | Diana H. Wiens     | Elected <input checked="" type="checkbox"/> | 2020 <input checked="" type="checkbox"/> |
| 3. Director:    | Timothy D. Wiens   | Elected <input checked="" type="checkbox"/> | 2020 <input checked="" type="checkbox"/> |
| 4. Director:    | Travis H. Wiens    | Elected <input checked="" type="checkbox"/> | 2018 <input checked="" type="checkbox"/> |
| 5. Director :   | Lauren Wiens Bocci | Elected <input checked="" type="checkbox"/> | 2018 <input checked="" type="checkbox"/> |
| 6. Director:    |                    |   |  |
| 7. Director:    |                    |   |  |

Generally, per C.R.S. 32-1-103(5), Inactive Special Districts shall be exempt from compliance with the provisions of:

- 32-1-104(2) - Annual January 15<sup>th</sup> Contact Filing;
- 32-1-306 - Annual January 1st Map Filing
- 32-1-809 - Annual January 15th Notice to Electors
- 32-1-903 - Meetings
- Title 29, Art 1, Part 1 - Budget Law
- Title 29, Art 1, Part 1 - List of Contracts
- Title 29, Art 1, Part 1 - Audit Law
- Title 39, Art 1, Part 1 - Notices of Boundary Change, Intent to Levy
- Title 39, Art 5, Part 1 - Annual Mill Levy Certification

#### PROCEDURAL INSTRUCTIONS

As directed in 32-1-104(3)(b) C.R.S., by *Certified Mail, Return Receipt Requested* except where electronic filing is required by the receiving entity, file this Notice of Return to Active Status and a copy of the resolution adopted pursuant to 32-1-104(3)(a) C.R.S. with:

- the Board of County Commissioners and the City Council/Town Board of each county and municipality that approved the District's service plan pursuant to section 32-1-204 or 32-1-204.5 C.R.S.;
- the Treasurer, Assessor, and the Clerk and Recorder of the county(ies) in which the District is located;
- the district court having jurisdiction over the formation of the special district;
- the Office of the State Auditor; and
- the Division of Local Government (ELECTRONIC FILING REQUIRED – [www.dola.colorado.gov/e-filing](http://www.dola.colorado.gov/e-filing) – )



**RESOLUTION OF  
THE BOARD OF DIRECTORS OF  
REMUDA RANCH METROPOLITAN DISTRICT  
CONCERNING RETURNING TO ACTIVE STATUS**

At a special meeting of the Board of Directors of Remuda Ranch Metropolitan District, Douglas County, Colorado, held at 10:00 a.m. Monday, the 10<sup>th</sup> day of July, 2017, at the Wiens Ranch Company, Inc., 5567 South Perry Park Road, Sedalia, Colorado 80135, a quorum was present and the following resolution was adopted by the Board of Directors (the "Board") for Remuda Ranch Metropolitan District (the "District"):

**WHEREAS**, the District was organized as a special district by order of the District Court for Douglas County, Colorado, on November 13, 2008, and after approval of the eligible electors of the District at an election held on November 4, 2008; and

**WHEREAS**, in accordance with Section 32-1-104(3)(a), C.R.S., the Board adopted a resolution, dated December 7, 2010, describing and affirming the District's qualifications for inactive status and further describing the District's current compliance with each of the requirements specified in Section 32-1-104(5), C.R.S.; and

**WHEREAS**, on December 14, 2010, the Board submitted a Notice of Inactive Status to the Colorado Division of Local Government ("Division") and each of the entities required by Section 32-1-104(3)(a), C.R.S. declaring the District to be inactive effective December 7, 2010; and

**WHEREAS**, the Board has determined that it would be in the best interest of the District for the District to return to active status.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF REMUDA RANCH METROPOLITAN DISTRICT HEREBY RESOLVES AS FOLLOWS:**

1. The Board hereby declares that the District shall be returned to active status pursuant to Section 32-1-104(3)(b), C.R.S., effective July 10, 2017.
2. The Board hereby authorizes legal counsel to record, on behalf of the District, a special district public disclosure document and map of the District's boundaries with the Douglas County Clerk and Recorder, such disclosure document to contain certain information about the District as set forth in Section 32-1-104.8(1), C.R.S.
3. The Board hereby authorizes legal counsel to file, on behalf of the District, a "Notice of Return to Active Status" with the Douglas County Board of County Commissioners; the Douglas County Treasurer, Assessor, and Clerk and Recorder; the District Court in and for the County of Douglas, Colorado; the State Auditor; and the Division.

4. The Board shall cause the District to be brought into compliance with the following legal requirements within ninety (90) days of delivery of the District's Notice of Return to Active Status to those entities set forth in Paragraph 3 of this Resolution:
  - a. The Board directs legal counsel to (1) provide notice to the eligible electors of the District in a manner as described in Section 32-1-809(2), C.R.S., such notice to contain certain information about the District as set forth in Section 32-1-809(1), C.R.S; and (2) pursuant to Section 32-1-104(2), C.R.S., provide copies of that notice to the Douglas County Board of County Commissioners; the Douglas County Assessor, Treasurer, and Clerk and Recorder; and the Division. A copy of the notice shall be also made available for public inspection at the principal business office of the District.
  - b. Pursuant to Section 32-1-306, C.R.S., the Board directs legal counsel to file an accurate map of the District's boundaries with the Douglas County Clerk and Recorder and Assessor, and with the Division.
  - c. The Board hereby directs the District's accountant, in coordination with legal counsel if necessary, to submit a proposed budget for fiscal year 2017 to the Board; to schedule a public hearing on the proposed budget; to prepare a final budget, budget resolutions, and amendments to the budget if necessary; and to file the approved budgets and amendments thereto with the proper governmental entities in accordance with Sections 29-1-101 *et seq.*, C.R.S. ("Local Government Budget Law of Colorado").
  - d. The Board hereby directs the District's legal counsel to submit notice of the District's intent to levy a tax in fiscal year 2017 to the Douglas County Board of County Commissioners and the Douglas County Assessor, including therewith a legal description and map of the District's boundaries in accordance with Section 39-1-110(1), C.R.S.
  - e. The Board hereby directs the District's legal counsel to prepare an annual resolution designating the time and location of regular meetings of the Board and establishing posting locations for notice of regular and special meetings in accordance with Section 32-1-903, C.R.S.
5. If a written request is received from the Division, the Board directs legal counsel to prepare and file with the Division a current list of all contracts in effect with other political subdivisions in accordance with Section 29-1-205(1), C.R.S.
6. Pursuant to the Local Government Budget Law of Colorado, the District is required to hold a public hearing on a proposed budget for the subsequent fiscal year, certify a mill levy, and file the approved budget and any amendments with the proper governmental entities in accordance with the Local Government

Budget Law of Colorado. The Board hereby directs the District's accountant to submit a proposed budget for fiscal year 2018 to the Board by October 15; to schedule a public hearing on the proposed budget; to prepare a final budget, budget resolutions, including certification of mill levies, and amendments to the budget if necessary; to certify the mill levies approved by the Board on or before December 15 pursuant to Section 39-5-128(1), C.R.S.; and to file the approved budgets and amendments thereto with the proper governmental entities in accordance with the Local Government Budget Law of Colorado.

7. Pursuant to Section 29-1-604, C.R.S., the District may submit for approval to the State Auditor, by March 31 of each year, an Audit Exemption for the District's prior fiscal year, unless an annual audit of the financial statements of the District for the prior fiscal year is conducted. The Board shall ensure that an audit exemption is filed with the State Auditor for fiscal year 2017 prior to March 31, 2018, unless an annual audit of the District's financial statements for fiscal year 2017 is conducted. A copy of any such audit shall be submitted to the State Auditor no later than June 30, 2018, in accordance with Section 29-1-606(1)(a), C.R.S.
8. Pursuant to Section 39-1-110(1.5) & (1.8), C.R.S., the Board shall not levy a tax in 2017 against any property included or excluded in the District during calendar year 2017.
9. This Resolution shall take effect on the date and at the time of its adoption.

**[The remainder of this page is intentionally left blank.]**

ADOPTED AND APPROVED THIS 10<sup>TH</sup> DAY OF JULY, 2017.

REMUDA RANCH METROPOLITAN  
DISTRICT



Thomas J. Wiens  
By: Thomas J. Wiens  
Its: President

Diana H. Wiens  
By: Diana H. Wiens  
Its: Secretary

I, DIANA H. WIENS, Secretary of the Board of Directors of Remuda Ranch Metropolitan District, do hereby certify that the annexed and foregoing Resolution is a true copy from the Records of the proceedings of the Board of said District, on file with the law firm of Icenogle Seaver Pogue, P.C., general counsel to the District.

IN WITNESS WHEREOF, I have hereunto set my hand at DOUGLAS County, Colorado, this 16 day of JULY, 2017.

Diana H. Wiens  
By: Diana H. Wiens  
Its: Secretary