

**INSTRUCTIONS FOR COMPLETING  
THE PETITION FOR INCLUSION OF PROPERTY  
INTO FOSSIL RIDGE METROPOLITAN DISTRICT NO. 1**

**PLEASE READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE PETITION FOR  
INCLUSION OF PROPERTY INTO FOSSIL RIDGE METROPOLITAN DISTRICT NO. 1.**

The requirements for completing a Petition for Inclusion of Property are established by the Colorado Special District Act, C.R.S. § 32-1-401, *et seq.*, and must be carefully followed. Due to strict deadlines applicable to District 1's processing of the Petitions, there will not be an opportunity to correct insufficient Petitions. **Any Petition that does not fully conform to these Instructions and/or the Colorado Special District Act will not be considered.**

- 1. Carefully read the entire Petition.
- 2. Identify all owners of the property, as shown on the deed to the property. Print enough signature pages to the Petition so that there is one signature block for every owner.
- 3. Every owner of the property must fully complete a separate Petition signature block and sign the Petition before a notary. The signature must match the name on the deed, except that maiden names may be stated as follows: "Jane A. Married Name, n<sup>è</sup>e Maiden Name". Every signature on the Petition must be notarized.
  - 3(a). If the property is held completely or partly by a trust, the trustee or all co-trustees must complete separate Petition signature blocks and sign the Petition before a notary, in addition to any individual owners.
  - 3(b). If the property is held completely or partly by an LLC or other corporate entity, a person or persons with authority to sign contracts on behalf of the LLC or entity must complete separate Petition signature blocks and sign the Petition before a notary, in addition to any individual owners.

NOTE: Under Colorado law, a property that does not have any individual (*i.e.*, human) owners and is held entirely by a trust, LLC, or other entities is eligible for inclusion into District 1's jurisdiction; **however, only those individuals who reside at the property as their primary residence may be eligible electors for purposes of becoming a candidate for Director and to vote in District 1's elections.** Such individuals may be the persons who purchased the property as their own primary residence, or they may be renters or other adults occupying such property as their primary residence, such as adult children or other family members.

- 4. Attach a complete COPY of the deed to the property to the Petition. Do not attach the original deed!
- 5. If the property is held completely or partly by a trust, attach a statement of authority of the trustee or all co-trustees to act on behalf of the trust, and to petition for inclusion of the property into District 1's jurisdiction.
- 6. If the property is held completely or partly by an LLC or other corporate entity, attach a statement of authority of the persons signing the Petition to act on behalf of the LLC or other corporate entity, and to petition for inclusion of the property into District 1's jurisdiction.
- 7. Mail a complete copy of the Petition, attached copy of the deed, and attached statement(s) of authority (if required) to: **Ireland Stapleton Pryor & Pascoe, PC; Attn: Emily Powell; 717 17<sup>th</sup> Street, Suite 2800; Denver, CO 80202**, or deliver in-person at the public signing event held from 10:00 a.m. to 9:00 p.m. on January 16, 2018 at The Retreat, 15260 W. Evans Avenue, Lakewood 80228.

**All completed Petitions must be received in hand no later than 9:00 p.m. on January 16, 2018.**

**PETITION FOR INCLUSION OF PROPERTY  
INTO FOSSIL RIDGE METROPOLITAN DISTRICT NO. 1**

WHEREAS, the undersigned Petitioners are the 100% fee owners of certain real properties, the legal descriptions of which are included on the attached real property deeds (each individually a "**Property**", and collectively, the "**Properties**");

WHEREAS, each of the Properties currently is located within the jurisdiction of either Fossil Ridge Metropolitan District No. 2 ("**District 2**") or Fossil Ridge Metropolitan District No. 3 ("**District 3**");

WHEREAS, together, Fossil Ridge Metropolitan District No. 1 ("**District 1**"), District 2, and District 3 (collectively, the "**Districts**") comprise the residential community located in Lakewood, Colorado known as "Solterra". The Districts are commonly governed by that certain Second Amended and Restated Service Plan approved on August 27, 2007, and the Master Intergovernmental District Facilities and Construction and Service Agreement entered into by and between the Districts as of January 8, 2008, for the purpose of providing construction improvements, financing, and ongoing facility and improvement maintenance, repair, and residential services (collectively, "**Services**") to the Solterra community;

WHEREAS, District 1 currently has no electors within its jurisdiction eligible to become candidates for the District 1 Board of Directors or to vote in District 1 elections;

WHEREAS, each of the Petitioners believes it is in his/her best interests, as well as the best interests of his/her Property, to include his/her Property into District 1's jurisdiction for the purpose of qualifying the Petitioners as eligible electors of District 1;

WHEREAS, the Petitioners understand and agree that, pursuant to C.R.S. § 32-1-401(1)(c)(I), District 1 may grant or deny this Petition in whole or in part, and with any conditions District 1 deems necessary and appropriate;

WHEREAS, District 1 currently does not assess a mill levy or collect property taxes. However, the Petitioners understand and agree that, pursuant to C.R.S. § 32-1-402(1)(b), upon including the Properties into District 1's jurisdiction, the Properties shall be subject to all of the taxes and charges that may be imposed by District 1 in the future, and shall be liable for the proportionate share of any bonded indebtedness that may be issued by District 1. Pursuant to C.R.S. § 32-1-402(1)(b), the Properties shall not be liable for any taxes or charges levied or assessed prior to their inclusion into District 1, and the inclusion of the Properties shall not be made subject to or contingent upon the payment or assumption of any tax, rate, fee, toll, or charge, other than the taxes, rates, fees, tolls, and charges which are uniformly made, assessed, or levied for the entirety of District 1, without the prior consent of the Petitioners. The Petitioners understand and agree that, pursuant to C.R.S. § 32-1-402(1)(c), the Properties shall be liable for their proportionate share of annual operation and maintenance charges and the cost of facilities of District 1, and any taxes, rates, fees, tolls, or charges that shall be certified and levied or assessed therefor; and

WHEREAS, each of the Petitioners understands and agrees that, pursuant to C.R.S. § 32-1-401, he/she cannot withdraw this Petition without the consent of the District 1 Board of Directors after District 1 has published notice of a public meeting on the Petition.

NOW THEREFORE, pursuant to C.R.S. §§ 32-1-401(1) and 32-1-107(3), the Petitioners petition and request that, with the consent of the District 2 and District 3 Boards of Directors, the Fossil Ridge Metropolitan District No. 1 include the real properties identified by the attached legal descriptions into the jurisdiction of the Fossil Ridge Metropolitan District No. 1.

