



REGULAR BOARD MEETING AGENDA AND NOTICE

WEDNESDAY, February 21, 2024 – 5:30 PM

Please join my meeting from your computer, tablet, or smartphone.

<https://video.cloudoffice.avaya.com/join/590205827>

You can also dial in using your phone.

United States: +1 (213) 463-4500

Access Code: 590-205-827

Board of Director	Title	Term
Elizabeth Douglass	President	May 2027
Lanny Hoel	Secretary	May 2027
Martin Lempecki	Treasurer	May 2025
Edith Coffman	Assistant Secretary	May 2027
Jennifer Shepard	Assistant Secretary	May 2025

NOTICE IS HEREBY GIVEN that a Meeting of the Board of Directors of ARABIAN ACRES METROPOLITAN DISTRICT, Teller County, Colorado has been scheduled pursuant to emergency rules and regulations for Wednesday, February 21, 2024, at 5:30 p.m. via tele/videoconference for the purpose of addressing those matters in the agenda set forth below.

Management Team

Lynn Willow, ORC

WSDM – District Managers

1) ADMINISTRATIVE MATTERS

- a) Call to Order & Declaration of Quorum
- b) Confirm any Potential Conflicts of Interest
- c) Discussion and Approval of the Agenda
- d) Consider Approval of Meeting Minutes from November 15, 2023, and January 17, 2024, (enclosed)

2) FINANCIAL MATTERS

- a) Review of Billing and Collection Status
- b) Review and accept January 31, 2024, Unaudited Financial Status (enclosed)
- c) Discuss repayment of Exclusions from 2023
- d) Review and Approve the Payment of Claims (enclosed)

3) MANAGEMENT MATTERS

- a) Discuss Pond Maintenance matters
- b) Discuss exclusion concerns

4) LEGAL MATTERS

- a) Discuss Lot 16, Block 1 Tax lien

5) OPERATIONS

- a) ORC Report
- b) Water Loss Data Report

6) PUBLIC COMMENT - Comments will be limited to 3 minutes. Please remain respectful of the Board of Directors as well as of your fellow residents.

7) ADJOURNMENT

- a) THE NEXT REGULARLY SCHEDULED MEETING IS SCHEDULED FOR MARCH 20,
AT 5:30 PM





**MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING
ARABIAN ACRES METROPOLITAN DISTRICT**

November 15, 2023, at 5:30 P.M.

Via Telephone and Video Conference Call

In attendance were Directors:

Edith Coffman
Elizabeth Douglass
Lanny Hoel
Martin Lempecki
Jennifer Shepard

Also in attendance were:

Rebecca Harris, WSDM District Managers
Jason Downie, Susemihl, McDermott, and Downie, P.C.
Lynn Willow, ORC
Bryan Johnson, Resident
Andrea, Resident
Elric Winterer, Resident

1. ADMINISTRATIVE MATTERS

- a. Call to Order & Declaration of Quorum: President Douglass called the meeting to order at 5:30 p.m. and confirmed a quorum was present.
- b. Confirm any Potential Conflicts of Interest: The Directors each confirmed there were no potential conflicts of interest.
- c. Discussion and Approval of the Agenda: Director Shepard moved to approve the Agenda as presented; seconded by Director Lempecki. Motion passed unanimously.
- d. Consider Approval of Meeting Minutes from October 18, 2023: Director Lempecki moved to approve the October 18, 2023 Minutes as written; seconded by Director Shepard. Motion passed unanimously.

2. FINANCIAL MATTERS

- a. Review of Billing and Collection Status: Ms. Harris presented a review of the current billing and collection status.
- b. Review and accept the October 31, 2023 Unaudited Financial Status: Ms. Harris presented the October 31, 2023 Unaudited Financial Statements. After review, Director Lempecki moved to accept the October 31, 2023 Unaudited Financial Statements as presented; seconded by Director Shepard. Motion passed unanimously.
- c. Review and Approve the Payment of Claims: Ms. Harris presented the payment of claims. The Board discussed the shallow main service line issue on Donzi and Ms. Harris noted that she has not heard back from Native Sun. After review, Director Lempecki moved to approve the payment of claims; seconded by President Douglass. Motion passed unanimously.

- d. Discuss and Review Financial Analysis: Ms. Harris discussed the financial analysis and noted she would like additional time to review the cash in the account and how much the District can use for operations and maintenance versus debt. Ms. Harris recommended the Board consider reducing the capital improvement fee in 2025 by \$5 to \$60 monthly for three years and reducing it by an additional \$5 to \$55 in 2028 for another three years, and eventually reducing it to \$45 by 2050. Ms. Harris discussed legislation that could reduce tax revenue for the District.
- e. Public Hearing on 2023 Amended Budget and 2024 Proposed Budget: President Douglass opened the public hearing on the 2023 Amended Budget and 2024 Budget; seconded by Director Lempecki. Motion passed unanimously. Ms. Harris presented the 2023 Amended Budget and 2024 Budget. Ms. Harris recommended lowering the debt service mill levy from 24 to 21 mills. After public forum, the public hearing was closed.
 - i. Review and Consider Adoption for Resolution 2023 Amended Budget and 2024 Budget: The Board reviewed the 2023 Amended Budget and 2024 proposed Budget. The Board discussed a billing error where the fee breakout was not included. Ms. Harris will get this issue resolved. The Board discussed the option of lowering the debt service mill levy and potential legislation that could lower property tax revenues. The Board discussed and agreed to authorize WSDM to modify the debt service mill levy to reflect only a 13% increase for residents. After review, President Douglass moved to adopt the Resolution approving the 2023 Amended Budget and 2024 Budget as discussed; seconded by Director Lempecki. Motion passed unanimously.

3. MANAGEMENT MATTERS

- a. Discuss the Arabian Logo: The Board discussed the Arabian logo that is being used by both the District and the POA with Mr. Downie. The Board discussed coordinating with the POA and educating residents and providing information about the difference between the District and the POA in the Welcome Letter.

4. LEGAL MATTERS

- a. The Board discussed the shallow main service line issue on Donzi with Mr. Downie. The Board agreed that the issue needs to be fixed and repair costs determined and directed the ORC to proceed with the repairs.
- b. Review and Consider the Adoption of WSDM 2024 Annual Engagement Letter: Ms. Harris presented the WSDM 2024 Annual Engagement Letter. Director Coffman expressed concerns with the exclusion process. After review, Director Lempecki moved to approve the WSDM 2024 Annual Engagement Letter; seconded by President Douglass. Motion passed unanimously. Ms. Harris will get written confirmation from the County that the excluded properties are still obligated to pay the bond.
- c. Review and Consider approval of BiggsKofford 2023 Audit Engagement Letter: Ms. Harris presented the BiggsKofford 2023 Audit Engagement Letter. After review, President Douglass moved to approve the BiggsKofford 2023 Audit Engagement Letter; seconded by Director Lempecki. Motion passed unanimously.
- d. Consider Adoption of Annual Administrative Resolution: Ms. Harris presented the Annual Administrative Resolution. After review, Director Lempecki moved to approve

the Annual Administrative Resolution; seconded by Director Shepard. Motion passed unanimously.

- e. Discuss July 1, 2024, Website ADA Compliance: Ms. Harris discussed the ADA website compliance requirements that go into effect July 1, 2024 and noted that WSDM has been working on this item.

6. OPERATIONS

- a. ORC Report: Mr. Willow presented the Operator’s Report.
- b. Water Loss Data Report: Ms. Harris presented the Water Loss Data Report.

7. PUBLIC COMMENT: The meeting was opened for public comment. Andrea asked about who owns the property around the pond. The Board discussed that this issue needs to be brought to the POA.

8. ADJOURNMENT: Director Shepard moved to adjourn the meeting at 7:45 p.m.; seconded by Director Lempecki. Motion passed unanimously.
a. The Board canceled the December 20, 2023 Board meeting.

Respectfully Submitted,
WSDM District Managers

By: Recording Secretary

THESE MINUTES ARE APPROVED AS THE OFFICIAL NOVEMBER 15, 2023 REGULAR MEETING MINUTES OF THE ARABIAN ACRES METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

Edith Coffman

Elizabeth Douglass

Lanny Hoel

Martin Lempecki

Jennifer Shepard



**MINUTES OF THE BOARD OF DIRECTORS REGULAR MEETING
ARABIAN ACRES METROPOLITAN DISTRICT**

January 17, 2024, at 5:30 P.M.

Via Telephone and Video Conference Call

In attendance were Directors:

Edith Coffman
Elizabeth Douglass
Lanny Hoel
Martin Lempecki
Jennifer Shepard

Also in attendance were:

Kevin Walker, WSDM District Managers
Lynn Willow, ORC
Andrea, Resident
Elric Winterer, Resident

1. ADMINISTRATIVE MATTERS

- a. Call to Order & Declaration of Quorum: President Douglass called the meeting to order at 5:30 p.m. and confirmed a quorum was present.
- b. Confirm any Potential Conflicts of Interest: The Directors each confirmed there were no potential conflicts of interest.
- c. Discussion and Approval of the Agenda: The Board discussed the November 15, 2023 Board Meeting Minutes. Director Shepard moved to approve the Agenda as presented; seconded by Director Lempecki. Motion passed unanimously.
- d. Consider Approval of Meeting Minutes from November 15, 2023: Director Coffman clarified the discussion regarding the exclusion process and the specific concerns with exclusions out of Arabian Acres. The Board discussed that the properties would still be responsible for the debt and Ms. Harris was going to get confirmation of that from the County. Director Lempecki moved to table the approval of the November Minutes until the next meeting; seconded by Director Shepard. Motion passed unanimously.

2. FINANCIAL MATTERS

- a. Review of Billing and Collection Status: Mr. Walker presented a review of the current billing status and there was not update for the collection status.
- b. Review and accept the December 31, 2023 Unaudited Financial Status: Mr. Walker presented the December 31, 2023 Unaudited Financial Statements. President Douglass questioned the water usage fee compared with water service fee and capital fees. Mr. Walker will follow up with the accountant and review this item.
- c. Review and Approve the Payment of Claims: Mr. Walker presented the payment of claims. After review, Director Lempecki moved to approve the Payment Request for January 17, 2024; seconded by Director Shepard. Motion passed unanimously.

3. MANAGEMENT MATTERS

- a. Update on Assessed Valuation and Mill levy Certificates Filing: Mr. Walker provided an update and noted the mill levy certificates were filed and the Budget Resolution will be filed next month. The Board discussed that the mill levy was lowered from 24 mills to 21 mills.

4. LEGAL MATTERS: There were no legal matters.

5. OPERATIONS

- a. ORC Report: Mr. Willow presented the Operator’s Report. The Board and Mr. Walker discussed an issue at a property on Kutsu Ridge where over 30,000 gallons of water was used due to their damaged line. The owner representative is aware that their service line is damaged, and they will be responsible for their usage.
 - i. CRWA Mapping data
- b. Water Loss Data Report: There was no discussion.

6. PUBLIC COMMENT: The meeting was opened for public comment.

7. ADJOURNMENT: Director Lempecki moved to adjourn the meeting at 7:30 p.m.; seconded by President Douglass. Motion passed unanimously.

- a. THE NEXT REGULARLY SCHEDULED MEETING IS SCHEDULED FOR FEBRUARY 21, AT 5:30 PM

Respectfully Submitted,
WSDM District Managers

By: Recording Secretary

THESE MINUTES ARE APPROVED AS THE OFFICIAL JANUARY 17, 2024 REGULAR MEETING MINUTES OF THE ARABIAN ACRES METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING BELOW:

Edith Coffman

Elizabeth Douglass

Lanny Hoel

Martin Lempecki

Jennifer Shepard



Arabian Acres Metropolitan District
Balance Sheet
As of January 31, 2024

	<u>Jan 31, 24</u>
ASSETS	
Current Assets	
Checking/Savings	
ECB Checking	557,663.17
2-1000 · COLOTRUST 4001	114,343.62
2-1020 · COLOTRUST Reserve 8002	34,444.59
3-1000 · COLOTRUST-Capital Reserve 8003	<u>255,802.99</u>
Total Checking/Savings	962,254.37
Accounts Receivable	
1-1200 · Accounts Receivable	<u>11,313.15</u>
Total Accounts Receivable	11,313.15
Other Current Assets	
1-1300 · Property Tax Receivable	<u>158,977.00</u>
Total Other Current Assets	<u>158,977.00</u>
Total Current Assets	1,132,544.52
Fixed Assets	
1-1850 · Construction in Progress	<u>2,515,552.23</u>
Total Fixed Assets	2,515,552.23
Other Assets	
3-1500 · Capital Assets	1,263,742.90
3-1520 · Equipment	702,724.49
3-1540 · Land	101,000.00
3-1560 · Water Rights	172,588.00
3-1590 · Accumulated Depreciation	<u>-613,015.00</u>
Total Other Assets	<u>1,627,040.39</u>
TOTAL ASSETS	<u><u>5,275,137.14</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
1-2000 · Accounts Payable	<u>9,990.96</u>
Total Accounts Payable	9,990.96
Other Current Liabilities	
1-2020 · Accrued Interest	7,427.30
2-2200 · Deferred Revenue-Property Taxes	<u>158,977.00</u>
Total Other Current Liabilities	<u>166,404.30</u>
Total Current Liabilities	176,395.26
Long Term Liabilities	
DWRP 1.5 Million Loan	1,010,323.76
2-2400 · 2007 Bonds Payable	815,000.00
2-2440 · Natural Rural Water	17,075.38
3-4090 · CWCB Meter Loan 400K	<u>154,568.42</u>
Total Long Term Liabilities	<u>1,996,967.56</u>
Total Liabilities	2,173,362.82
Equity	
30000 · Opening Balance Equity	215,933.51
32000 · Retained Earnings	2,870,550.91
Net Income	<u>15,289.90</u>
Total Equity	<u>3,101,774.32</u>
TOTAL LIABILITIES & EQUITY	<u><u>5,275,137.14</u></u>

Arabian Acres Metropolitan District Profit & Loss Budget vs. Actual

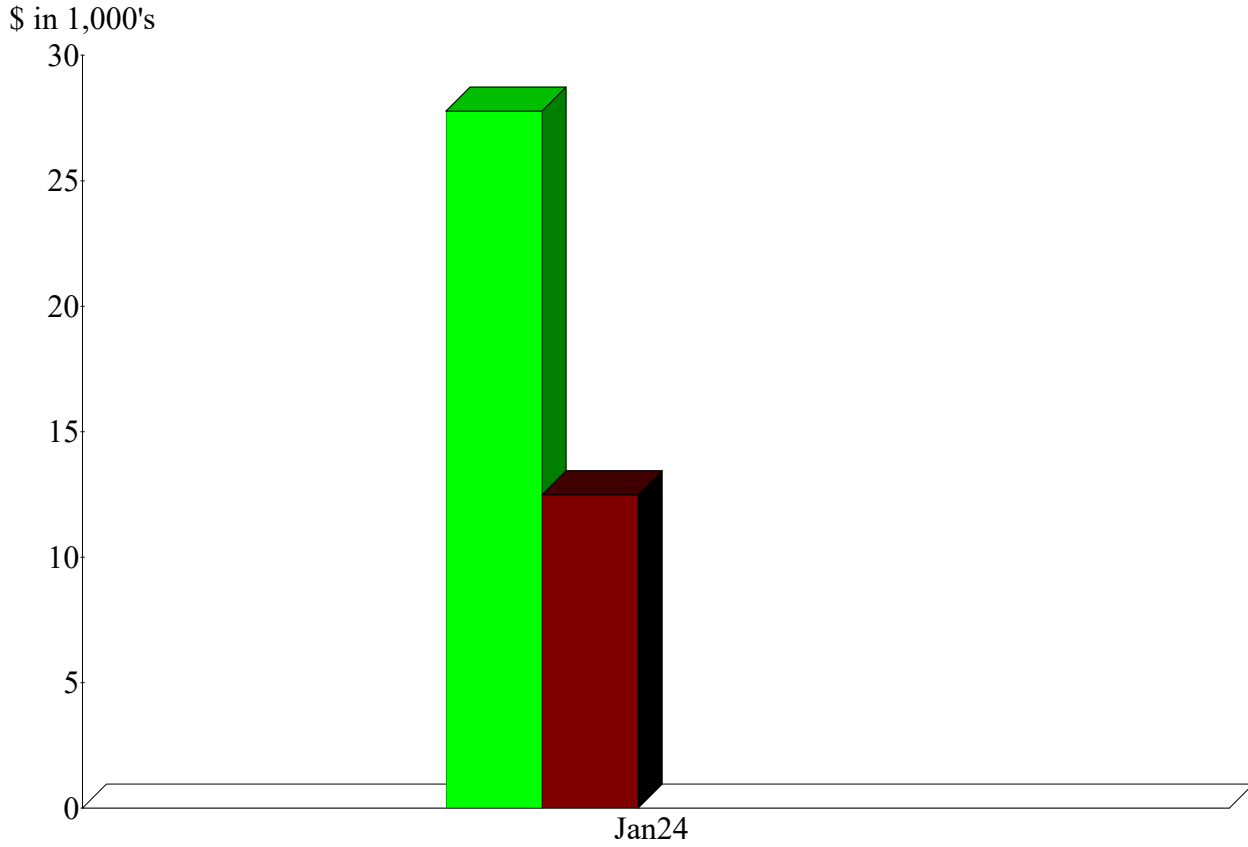
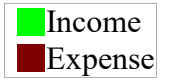
02/15/24

Accrual Basis

January 2024

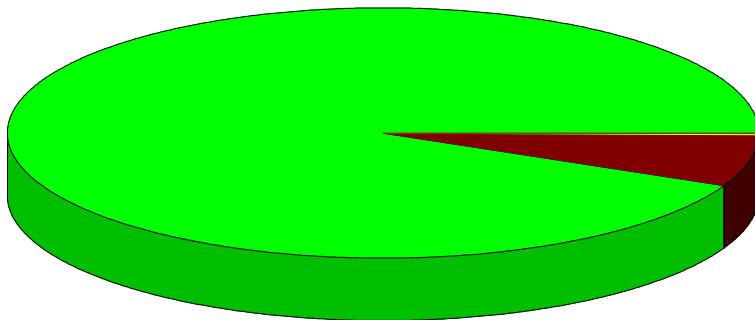
	Jan 24	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
1-4000 · Capital Improvement Fees	10,049.70	110,000.00	-99,950.30	9.1%
1-4030 · Late Fee Revenue	409.05			
1-4050 · Water Service Fee	9,571.85			
1-4070 · Water Tap Fees	0.00	100,000.00	-100,000.00	0.0%
1-4080 · Water Usage	5,859.65	80,000.00	-74,140.35	7.3%
2-4400 · Property Tax Revenue	0.00	157,184.00	-157,184.00	0.0%
2-4450 · Specific Ownership Tax	0.00	11,003.00	-11,003.00	0.0%
2-4460 · Restitution	16.77			
Total Income	25,907.02	458,187.00	-432,279.98	5.7%
Gross Profit	25,907.02	458,187.00	-432,279.98	5.7%
Expense				
1-6110 · Audit	0.00	8,625.00	-8,625.00	0.0%
1-6020 · Bank Service Charges	0.00	100.00	-100.00	0.0%
1-6120 · Directors Fees	400.00	6,000.00	-5,600.00	6.7%
1-6050 · District Management-Operating	5,179.16	56,000.00	-50,820.84	9.2%
1-6060 · Dues Fees and Subscriptions	2,310.00	3,000.00	-690.00	77.0%
1-6065 · Engineering O&M	0.00	1,000.00	-1,000.00	0.0%
1-6080 · Insurance Expense-Operating	0.00	14,000.00	-14,000.00	0.0%
1-6130 · Legal	0.00	10,000.00	-10,000.00	0.0%
Locates	0.00	1,000.00	-1,000.00	0.0%
1-6180 · ORC Fees-Operating	3,472.87	48,000.00	-44,527.13	7.2%
1-6100 · Postage and Copies-Operating	220.65	2,000.00	-1,779.35	11.0%
1-6170 · Chemicals and Supplies	0.00	2,000.00	-2,000.00	0.0%
1-6190 · Repairs and Maintenance	17.06	40,000.00	-39,982.94	0.0%
1-6210 · Utilities	811.85	12,000.00	-11,188.15	6.8%
1-6150 · Water Billing	0.00	10,000.00	-10,000.00	0.0%
1-6220 · Water Distribution Purchases	0.00	10,000.00	-10,000.00	0.0%
Water Shares	0.00	600.00	-600.00	0.0%
1-6230 · Water Testing	21.00	4,000.00	-3,979.00	0.5%
2-6240 · Treasurer Collection Fee	0.00	4,716.00	-4,716.00	0.0%
63500 · Bond Principal Payment	0.00	85,000.00	-85,000.00	0.0%
Total Expense	12,432.59	318,041.00	-305,608.41	3.9%
Net Ordinary Income	13,474.43	140,146.00	-126,671.57	9.6%
Other Income/Expense				
Other Income				
2-7000 · Interest Income	1,867.69			
Total Other Income	1,867.69			
Other Expense				
2-8000 · Bond Interest	0.00	40,750.00	-40,750.00	0.0%
2-8050 · National Rural Water Interest	42.82	367.00	-324.18	11.7%
2-8080 · Trustee Fees	0.00	500.00	-500.00	0.0%
Total Other Expense	42.82	41,617.00	-41,574.18	0.1%
Net Other Income	1,824.87	-41,617.00	43,441.87	-4.4%
Net Income	15,299.30	98,529.00	-83,229.70	15.5%

Income and Expense by Month
January 2024



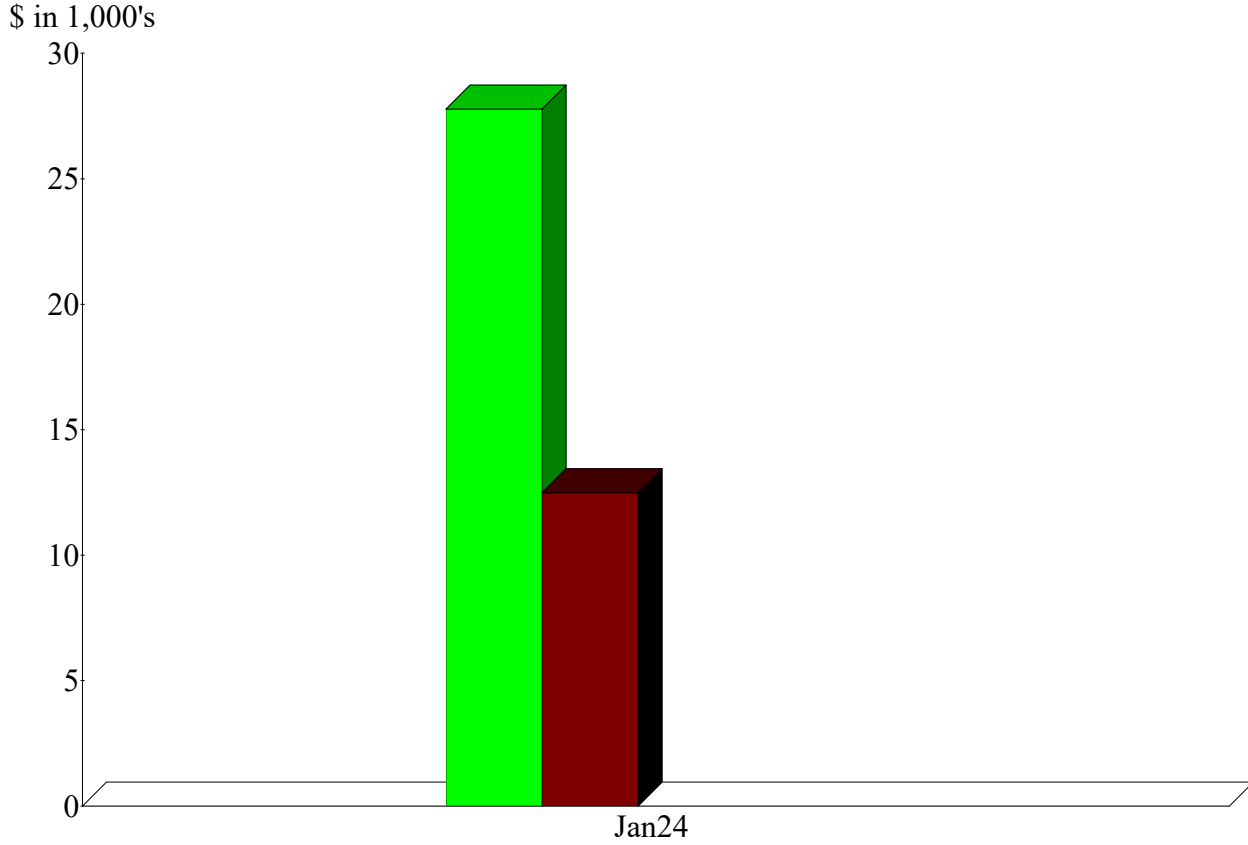
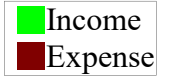
Income Summary
January 2024

■ 1-4080 · Water Usage	93.22%
■ 2-7000 · Interest Income	6.72
■ 2-4460 · Restitution	0.06
Total	\$27,774.71



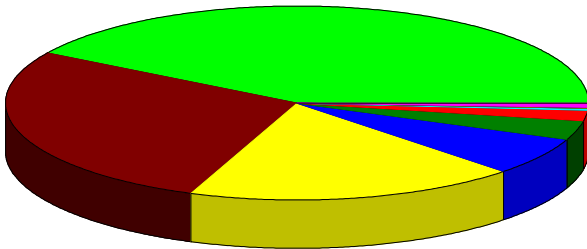
By Account

Income and Expense by Month
January 2024



Expense Summary
January 2024

1-6050 · District Management-Operating	41.48%
1-6180 · ORC Fees-Operating	27.82
1-6060 · Dues Fees and Subscriptions	18.50
1-6210 · Utilities	6.50
1-6120 · Directors Fees	3.20
1-6100 · Postage and Copies-Operating	1.77
2-8050 · National Rural Water Interest	0.34
1-6230 · Water Testing	0.17
1-6190 · Repairs and Maintenance	0.14
1-6150 · Water Billing	0.08
Total	\$12,484.81



By Account



Arabian Acres Metropolitan District

PAYMENT REQUEST

2/21/2024

GENERAL FUND

Company	Invoice	Date	Amount	Comments
Edith Coffman	022124EC	2/21/2024	\$ 100.00	
Lanny Hoel	022124LH	2/21/2024	\$ 100.00	
Elizabeth Douglas	022124ED	2/21/2024	\$ 100.00	
Jennifer Shepard	022124JS	2/21/2024	\$ 100.00	
Martin Lempecki	022124ML	2/21/2024	\$ 100.00	
Core Electric Coop	40032202	1/23/2024	\$ 228.37	ACH
Core Electric Coop	40045402	1/23/2024	\$ 114.17	ACH
Core Electric Coop	40299901	1/23/2024	\$ 113.31	ACH
Core Electric Coop	43071702	1/23/2024	\$ 13.50	ACH
Core Electric Coop	43183502	1/23/2024	\$ 329.60	ACH
Dana Kepner Company	1592670-00	2/8/2024	\$ 515.44	
El Paso County Public Health	EHS202117164	1/31/2024	\$ 21.00	
J.A. Excavation & Septic's LLC	13124	1/31/2024	\$ 3,000.00	Paid by the 15th
J.A. Excavation & Septic's LLC	13124-1	12/31/2023	\$ 472.87	Paid by the 15th
Jason M Seabring	20524	2/5/2024	\$ 804.73	
John P Gilmartin	20524	2/5/2024	\$ 804.73	
Jubilee Holding & Trust	20524	2/5/2024	\$ 804.73	
Mailing Services Inc	18943	1/12/2024	\$ 133.20	
Mailing Services Inc	19029	2/9/2024	\$ 133.20	
National Rural Water Association	20124	2/1/2024	\$ 924.10	
SDA	21224	2/12/2024	\$ 571.62	
UNCC	224010047	1/31/2024	\$ 12.90	
WSDM District Manager	7840	1/31/2024	\$ 5,196.22	
TOTAL			\$ 14,693.69	

Director _____

\$ 14,693.69

ECB Checking Before Withdraw	\$ 560,791.95
Payable's	\$ 14,693.69
After Withdraw	\$ 546,098.26



Frascona, Joiner, Goodman and Greenstein, P.C.

Oliver E. Frascona (1947-2014)
Gregg A. Greenstein
Cynthia M. Manzano
Jonathan H. Sargent
Michael A. Smeenk
Jordan C. May
Britney Beall-Eder
Zachary A. Grey
Harmon W. Zuckerman

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January 11, 2024

of Counsel
Gary S. Joiner
Jonathan A. Goodman
G. Roger Boek
Karen J. Radakovich
Jesse H. Witt
Jeffrey M. Glotzer
Jeffrey D. Cohen
John C. Koechel

Arabian Acres Metropolitan District
c/o SUSEMIHL, McDERMOTT & DOWNIE, P.C.
Jason W. Downie
660 Southpointe Court, Suite 210
Colorado Springs, CO 80906

C. Andrew Meyer
Andrew B. Pipes
Caroline W. Young
Blake S. Gabriel
Ryan P. Horace
Brittaney D. McGinnis
Mara B. Peterson
David M. Petrush

Re: Lot 16, Block 1, Arabian Acres, County of Teller, State of Colorado
(referred to herein as the "Property")

To Whom It May Concern,

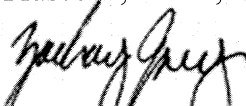
Our office represents Ohad Bukai (the "Client") with respect to the Property. Some time ago, Client acquired a tax lien on the Property. Since no one paid off the tax liens, the Teller County Treasurer issued Client a deed granting him ownership of the Property. Now, Client is taking the last step to formally quiet title to the Property through Teller County District Court, Case Number 2023CV030080 (the "Quiet Title Action").

If you do not want to participate in the Quiet Title Action, you may sign the enclosed *Disclaimer Under Rule 105(c)* of the Colorado Rules of Civil Procedure, which prohibits Client from recouping any related costs from you in the future. If you do sign the Disclaimer, then you will not be obligated to file an answer or otherwise participate in the Quiet Title Action.

If you are agreeable, please sign the attached Disclaimer and utilize the enclosed self-addressed stamped envelope to return to our office at your earliest convenience. **If you have any questions about this process, you should consult your own attorney.**

Thank you for your prompt response and attention to this matter.

Sincerely yours,
Frascona, Joiner, Goodman and Greenstein, P.C.


By: Zachary A. Grey, Esq.
zac@frascona.com

DISTRICT COURT, TELLER COUNTY,
COLORADO
Court Address:
101 West Bennett Ave.
Cripple Creek, CO 80813
(719) 689-7360

Plaintiffs:
OHAD BUKAI

v.

Defendants:
ESTATE OF LUGENE A. DORR; ESTATE OF DORIS A. DORR; KIMBERLY DORR TILLEY A/K/A KIMBERLEE S. DORR; CRIPPLE CREEK MOUNTAIN ESTATES PROPERTY OWNERS' ASSOCIATION, INC.; MOUNTAIN MUTUAL WATER COMPANY; LAWRENCE M. GWINN III A/K/A LAWRENCE MILES GWINN III; ROBERT GLASGOW; MARY WERNER A/K/A MARY F. WERNER; WERNER LIVING TRUST; ARABIAN ACRES PROPERTY OWNERS' ASSOCIATION; ARABIAN ACRES METROPOLITAN DISTRICT; EDWARD J. GRYBOS; RUBY M. GRYBOS; ULISES P. AGUIRRE; ESTATE OF RAYMOND ARLIS RIPPY, SR. A/K/A RAYMOND A. RIPPY; ELIZABETH A. RIPPY A/K/A ANN RIPPY; CASSANDRA RIPPY; RAYMOND A. RIPPY, JR.; and ALL UNKNOWN PERSONS WHO CLAIM UNDER OR THROUGH THE NAMED DEFENDANTS, INCLUDING BUT NOT LIMITED TO THE HEIRS AND DEVISEES OF THE ESTATE OF LUGENE A. DORR AND/OR THE ESTATE OF DORIS A. DORR AND/OR THE ESTATE OF RAYMOND ARLIS RIPPY, SR. A/K/A RAYMOND A. RIPPY, AND ALL UNKNOWN PERSONS WHO CLAIM ANY INTEREST IN THE SUBJECT MATTER OF THIS ACTION

Attorneys for Plaintiffs:
Zachary Grey, Atty Reg. 49269
Frascona, Joiner, Goodman and Greenstein P.C.
4750 Table Mesa Drive
Boulder, CO 80305
Telephone: 303-494-3000
Facsimile: 303-494-6309

COURT USE ONLY

Case Number: 2023CV030080
Div.:

DISCLAIMER UNDER RULE 105(c) C.R.C.P.

Defendant, Arabian Acres Metropolitan District, by and through its attorney, Jason W. Downie of Susemihl, McDermott & Downie, P.C., disclaims any right, title, or interest in the real property described in the Complaint in this action except with respect to any future (i) real property taxes; and (ii) condemnation rights to which Arabian Acres Metropolitan District is legally entitled; and (iii) statutory or recorded easements, if any.

WHEREFORE, this defendant requests that it may go without costs pursuant to C.R.C.P 105(c).

By:

ARABIAN ACRES METROPOLITAN DISTRICT

By: SUSEMIHL, McDERMOTT & DOWNIE, P.C.

By: _____

Jason W. Downie, #27256

660 Southpointe Court, Suite 210

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DISTRICT COURT, TELLER COUNTY,
COLORADO

District Court Teller County, Colorado
101 W. Bennett Avenue
P.O. Box 997
Cripple Creek, CO 80813
719-689-7360

Plaintiff:

OHAD BUKAI

v.

Defendants:

ESTATE OF LUGENE A. DORR; ESTATE OF DORIS A. DORR; KIMBERLY DORR TILLEY A/K/A KIMBERLEE S. DORR; CRIPPLE CREEK MOUNTAIN ESTATES PROPERTY OWNERS' ASSOCIATION, INC.; MOUNTAIN MUTUAL WATER COMPANY; LAWRENCE M. GWINN III A/K/A LAWRENCE MILES GWINN III; ROBERT GLASGOW; MARY WERNER A/K/A MARY F. WERNER; WERNER LIVING TRUST; ARABIAN ACRES PROPERTY OWNERS' ASSOCIATION; ARABIAN ACRES METROPOLITAN DISTRICT; EDWARD J. GRYBOS; RUBY M. GRYBOS; ULISES P. AGUIRRE; ESTATE OF RAYMOND ARLIS RIPPY, SR. A/K/A RAYMOND A. RIPPY; ELIZABETH A. RIPPY A/K/A ANN RIPPY; CASSANDRA RIPPY; RAYMOND A. RIPPY, JR.; and ALL UNKNOWN PERSONS WHO CLAIM UNDER OR THROUGH THE NAMED DEFENDANTS, INCLUDING BUT NOT LIMITED TO THE HEIRS AND DEVISEES OF THE ESTATE OF LUGENE A. DORR AND/OR THE ESTATE OF DORIS A. DORR AND/OR THE ESTATE OF RAYMOND ARLIS RIPPY, SR. A/K/A RAYMOND A. RIPPY, AND ALL UNKNOWN PERSONS WHO CLAIM ANY INTEREST IN THE SUBJECT MATTER OF THIS ACTION

Attorneys for Plaintiff:
Zachary A. Grey, Atty. Reg. 49269

DATE FILED: December 19, 2023 9:00 AM
FILING ID: BCD4E39D0D61A
CASE NUMBER: 2023CV30080

COURT USE ONLY

Case Number:

Div.:

Frascona, Joiner, Goodman and Greenstein P.C. 4750 Table Mesa Drive Boulder, CO 80305 Telephone: 303-494-3000 Facsimile: 303-494-6309 Email: zac@frascona.com	
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VERIFIED COMPLAINT UNDER RULE 105

Ohad Bukai ("Plaintiff") by and through their attorneys, Frasca, Joiner, Goodman and Greenstein, P.C. submits the following Complaint under Rule 105 and states as follows:

PARTIES

1. Plaintiff Ohad Bukai is an individual whose address is 6004 Liebig Avenue Bronx, NY 10471.

2. Defendant the Estate of Lugene A. Dorr is the personal estate of Lugene A. Dorr, a deceased individual, whose last known addresses are 13007 Lemay St. North Hollywood, CA 91606-1031 and 7046 Kester Ave., Van Nuys, CA 91405.

3. Defendant the Estate of Doris A. Dorr is the personal estate of Doris A. Dorr, a deceased individual, whose last known address is 5830 Bellflower Dr. Littleton, CO 80123.

4. Defendant Kimberly Dorr Tilley a/k/a Kimberlee S. Dorr is an individual whose last known address is 13007 Lemay St. North Hollywood, CA 91606-1031.

5. Defendant Cripple Creek Mountain Estates Property Owners' Association, Inc. is a Colorado non-profit corporation, whose last known address is 4453 Teller County Rd. 1 Cripple Creek, CO 80813.

6. Defendant Mountain Mutual Water Company is a Colorado corporation, whose last known address is 4338 CR 1 Cripple Creek, CO 80813.

7. Defendant Lawrence M. Gwinn III a/k/a Lawrence Miles Gwinn III is an individual whose last known address is 2314 E Monument St Colorado Springs, CO 80909-4819.

8. Defendant Robert Glasgow is an individual whose last known address is 4789 Turquoise Cir. Colorado Springs, CO 80917.

9. Defendant Mary Werner a/k/a Mary F. Werner is an individual whose last known address is 16155 D25 Ln Delta, CO 81416.

10. Defendant Werner Living Trust is a trust whose last known address is 16155 D25 Ln Delta, CO 81416.

11. Defendant Arabian Acres Property Owners Association is a Colorado non-profit corporation whose address is 507 Donzi Tr Florissant, CO 80816.

12. Defendant Arabian Acres Metropolitan District is a Colorado non-profit corporation whose address is 614 N Tejon Street Colorado Springs, CO 80903.

13. Defendant Edward J. Grybos is an individual whose last known address is 343 Cheyenne Creek Dr Lake George, CO 80827-9005.

14. Defendant Ruby M. Grybos is an individual whose last known address is 343 Cheyenne Creek Dr Lake George, CO 80827-9005.

15. Defendant Ulises P. Aguirre is an individual whose last known address is 4135 Lacy Lane #27 Colorado Springs, CO 80916-7328.

16. Defendant Estate of Raymond Arlis Rippy, Sr. a/k/a Raymond A. Rippy is the personal estate of Raymond Arlis Rippy, Sr. a/k/a Raymond A. Rippy, deceased, whose last known address is 2403 Webb Ave. Greenville, TX 75402.

17. Defendant Elizabeth A. Rippy a/k/a Ann Rippy is an individual whose last known address is 901 Todd St Apt B Myrtle Beach, SC 29577-5553.

18. Defendant Cassandra Rippy is an individual whose last known address is 2403 Webb Ave. Greenville, TX 75402.

19. Defendant Raymond A. Rippy, Jr. is an individual whose last known address is 4220 Henderson Street Greenville, TX 75401-5799.

JURISDICTION AND VENUE

20. This Court has personal and subject matter jurisdiction over this action pursuant to C.R.S. § 13-1-124(1)(c).

21. Venue is appropriate before this Court pursuant to C.R.C.P. 98(a) because the subject property is located in Teller County.

FACTUAL ALLEGATIONS

22. In this case, Plaintiff seeks to quiet title to certain real property described below:

Lot 6, Cripple Creek Mountain Estates Filing No. 7, County of Teller, State of Colorado (referred to herein as "Lot 6");

Lot 16, Block 1, Arabian Acres, County of Teller, State of Colorado (referred to herein as "Lot 16");

Lot 52, Cripple Creek Mountain Estates, Filing No. 10, County of Teller, State of Colorado (referred to herein as "Lot 52"); and

Lot 158, Cripple Creek Mountain Estates Filing No. 23, and a Replat of Tract "C" Cripple Creek Mountain Estates No. 19, Filing No. 1, County of Teller, State of Colorado (referred to herein as "Lot 158").

Lot 6, Lot 16, Lot 52, and Lot 158 are collectively referred to herein as the "Properties."

23. Plaintiff's title to Lot 6 derives from or through that certain Treasurer's Deed issued to Plaintiff by the Treasurer of Teller County, Colorado, dated and recorded on May 4, 2023 at Reception No. 758585 at the office of the Clerk and Recorder of Teller County, Colorado.

24. Plaintiff's title to Lot 16 derives from or through that certain Treasurer's Deed issued to Plaintiff by the Treasurer of Teller County, Colorado, dated and recorded on May 4, 2023 at Reception No. 758584 at the office of the Clerk and Recorder of Teller County, Colorado.

25. Plaintiff's title to Lot 52 derives from or through that certain Treasurer's Deed issued to Plaintiff by the Treasurer of Teller County, Colorado, dated and recorded on April 27, 2023 at Reception No. 758433 at the office of the Clerk and Recorder of Teller County, Colorado.

26. Plaintiff's title to Lot 158 derives from or through that certain Treasurer's Deed issued to Plaintiff by the Treasurer of Teller County, Colorado, dated and recorded on April 27, 2023 at Reception No. 758434 at the office of the Clerk and Recorder of Teller County, Colorado.

27. Defendants the Estate of Lugene A. Dorr, the Estate of Doris A. Dorr, and Kimberly Dorr Tilley a/k/a Kimberlee S. Dorr, or any combination thereof, may claim an interest in Lot 6 pursuant to a warranty deed recorded on November 3, 1982, Reception #306345 in the office of the Clerk and Recorder of Teller County, Colorado or some other unknown recorded or unrecorded instrument. The claims of Defendant the Estate of Lugene A. Dorr the Estate of Doris A. Dorr, and Kimberly Dorr Tilley a/k/a Kimberlee S. Dorr, or any combination thereof, are without foundation or right.

28. Defendant Cripple Creek Mountain Estates Property Owners Association may claim an interest in Lots 6, 52 and 158 pursuant to various instruments, including without limitation, those instruments recorded at Reception Nos. 729214; 464940; 502388; 539023; 567760; 595332; 690411; 232159; 213094; 579203; 214222; 214268; 221575 or some other unknown recorded or unrecorded instrument. The claim of Defendant Cripple Creek Mountain Estates Property Owners Association is without foundation or right.

29. Defendant Mountain Mutual Water Company may claim an interest in Lots 6, 52 and 158 pursuant to various instruments, including without limitation, those instruments recorded at Reception Nos. 407127; 724676; 755208; 724707 or some other unknown recorded or unrecorded instrument. The claim of Defendant Mountain Mutual Water Company is without foundation or right.

30. Defendant Lawrence M. Gwinn III a/k/a Lawrence Miles Gwinn III may claim an interest in Lot 16 pursuant to a deed recorded on December 26, 1989 at Reception No. 0375064 in the office of the Clerk and Recorder of Teller County, Colorado or some other unknown recorded or unrecorded instrument. The claim of Defendant Lawrence M. Gwinn III a/k/a Lawrence Miles Gwinn III is without foundation or right.

31. Defendant Robert Glasgow may claim an interest in Lot 16 pursuant to Tax Lien Certificate Number 2011-244 or some other unknown recorded or unrecorded instrument. The claim of Defendant Robert Glasgow is without foundation or right.

32. Defendants Marry Werner a/k/a Mary F. Werner and/or Werner Living Trust may claim an interest in Lot 16 pursuant to Tax Lien Certificate Number 2015-1507 or some other unknown recorded or unrecorded instrument. The claims of Defendant Marry Werner A/K/A Mary F. Werner and/or Werner Living Trust are without foundation or right.

33. Defendant Arabian Acres Property Owners Association may claim an interest in Lot 16 pursuant to a plat recorded on July 29, 1966 as Reception No. 192845; a notice of property lien recorded on November 28, 2011 at Reception No. 648782; declaration recorded on January 16, 1973 at Reception No. 219936; declaration recorded on May 5, 1997 at Reception No. 461669; amendment to declaration recorded on November 30, 1998 at Reception No. 484951; bylaws recorded June 16, 2004 at Reception No. 567038; bylaws recorded on February 4, 2019 at Reception No. 713470; notice of property lien recorded on May 5, 2008 at Reception No. 6171741, all in the office of the Clerk and Recorder of Teller County, Colorado; or some other unknown recorded or unrecorded instrument. The claims of Defendant Arabian Acres Property Owners Association are without foundation or right.

34. Arabian Acres Metropolitan District may claim an interest in Lot 16 pursuant to an instrument recorded on December 3, 2002 at Reception No. 542217; a Special District Public

Disclosure Document recorded December 30, 2014 at Reception No. 676537; Resolution No. 12-18-2014 recorded December 30, 2014 at Reception No. 676552. all in the office of the Clerk and Recorder of Teller County, Colorado; or some other unknown recorded or unrecorded instrument. The claims of Defendant Arabian Acres Metropolitan District are without foundation or right.

35. Edward J. Grybos and/or Ruby M. Grybos may claim an interest in Lot 16 pursuant to a Specific Performance Contract recorded on December 26, 1989 at Reception No. 0375063; a warranty deed recorded on December 26, 1989 at Reception No. 0375064; or some other unknown recorded or unrecorded instrument. The claims of Defendants E Edward J. Grybos and/or Ruby M. Grybos are without foundation or right.

36. Defendant Ulises P. Aguirre may claim an interest in Lot 52 pursuant to a deed recorded on November 3, 2016 at Reception No. 692827 in the office of the Clerk and Recorder of Teller County, Colorado. The claim of Defendant Ulises P. Aguirre is without foundation or right.

37. Defendants the Estate of Raymond Arlis Rippy, Sr. a/k/a Raymond A. Rippy, Elizabeth A. Rippy a/k/a Ann Rippy, Cassandra Rippy, and Raymond A. Rippy, Jr., or any combination thereof, may claim an interest in Lot 158 pursuant to a warranty deed recorded on September 5, 1975, Reception #241779 in the office of the Clerk and Recorder of Teller County, Colorado or some other unknown recorded or unrecorded instrument. The claims of Defendants the Estate of Raymond Arlis Rippy, Sr. a/k/a Raymond A. Rippy, Elizabeth A. Rippy a/k/a Ann Rippy, Cassandra Rippy, and Raymond A. Rippy, Jr., or any combination thereof, are without foundation or right.

38. There may be persons interested in the subject matter of this action whose names cannot be inserted herein because said names are unknown to Plaintiff although diligent efforts have been made to ascertain the names of said persons; such persons have been made Defendants and designated as " ALL UNKNOWN PERSONS WHO CLAIM UNDER OR THROUGH THE NAMED DEFENDANTS, INCLUDING BUT NOT LIMITED TO THE HEIRS AND DEVISEES OF THE ESTATE OF ESTATE OF LUGENE A. DORR AND/OR THE ESTATE OF DORIS A. DORR AND/OR THE ESTATE OF RAYMOND ARLIS RIPPY, SR. A/K/A RAYMOND A. RIPPY, AND ALL UNKNOWN PERSONS WHO CLAIM ANY INTEREST IN THE SUBJECT MATTER OF THIS ACTION." So far as Plaintiff's knowledge extends, the interest of the unknown parties is derived through some one or more of the named Defendants.

**CLAIM FOR RELIEF
(C.R.C.P. 105 – Quiet Title)**

39. Plaintiff incorporates by reference each of the above allegations as if fully set forth herein.

40. Plaintiff holds title to the Properties.

41. The Defendants may claim some right, title, or interest in and to the Properties, or a portion thereof, adverse to Plaintiff, which claims are without foundation or right.

WHEREFORE, Plaintiff requests a complete adjudication of the rights of all parties to this action with respect to the Properties; for a decree requiring the Defendants to set forth the nature of their claims, determining that the Defendants and each of them have no interest, estate, or claim of any kind whatsoever in the Properties, or any part thereof, forever barring and enjoining Defendants from asserting any claim or title thereto, quieting the title of the Plaintiff in and to the Properties, and adjudging that the Plaintiff is the owner in fee simple, and entitled to possession of the Properties; and for any other relief the Court considers proper.

Dated: December 19, 2023

Respectfully submitted,
Frascona, Joiner, Goodman and Greenstein, P.C.

/s/ Zachary A. Grey
Zachary A. Grey, No. 49269
4750 Table Mesa Drive
Boulder, CO 80305-5575
(303) 494-3000

Plaintiff's Address:
6004 Liebig Avenue
Bronx, NY 10471

This document was filed electronically pursuant to C.R.C.P. 121 § 1-26. The original signed pleading is on file and available for inspection at the Boulder offices of Frascona, Joiner, Goodman and Greenstein, P.C.

VERIFICATION

I, Ohad Bukai, under penalty of perjury, hereby state that I have read the foregoing and the facts set forth therein are true and correct to the best of my knowledge and belief.

Dated this 15 day of Dec 2023.




Ohad Bukai

STATE OF NY }
 } ss.
COUNTY OF Bronx }

The foregoing instrument was acknowledged before me this 15 day of Dec, 2023 by Ohad Bukai.

Witness my hand and official seal.
My commission expires: 6/15/2027.



Notary Public

SUBSCRIBED AND SWORN
TO BEFORE ME TODAY 12/15/23
DR. CHRIS CASTILLO
Nº 31-5012537 2027
Comm. Exp. on June 15, _____
Notary Public, State of NY
Qualified in Bronx County
Cert. Filed in NY County

DISTRICT COURT, TELLER COUNTY,
COLORADO
District Court Teller County, Colorado
101 W. Bennett Avenue
P.O. Box 997
Cripple Creek, CO 80813
719-689-7360

DATE FILED: December 19, 2023 9:00 AM
FILING ID: BCD4E39D0D61A
CASE NUMBER: 2023CV30080

Plaintiff:
OHAD BUKAI

v.

Defendants:
ESTATE OF LUGENE A. DORR; ESTATE OF
DORIS A. DORR; KIMBERLY DORR TILLEY
A/K/A KIMBERLEE S. DORR; CRIPPLE CREEK
MOUNTAIN ESTATES PROPERTY OWNERS'
ASSOCIATION, INC.; MOUNTAIN MUTUAL
WATER COMPANY; LAWRENCE M. GWINN
III A/K/A LAWRENCE MILES GWINN III;
ROBERT GLASGOW; MARY WERNER A/K/A
MARY F. WERNER; WERNER LIVING TRUST;
ARABIAN ACRES PROPERTY OWNERS'
ASSOCIATION; ARABIAN ACRES
METROPOLITAN DISTRICT; EDWARD J.
GRYBOS; RUBY M. GRYBOS; ULISES P.
AGUIRRE; ESTATE OF RAYMOND ARLIS
RIPPY, SR. A/K/A RAYMOND A. RIPPY;
ELIZABETH A. RIPPY A/K/A ANN RIPPY;
CASSANDRA RIPPY; RAYMOND A. RIPPY,
JR.; and ALL UNKNOWN PERSONS WHO
CLAIM UNDER OR THROUGH THE NAMED
DEFENDANTS, INCLUDING BUT NOT
LIMITED TO THE HEIRS AND DEVISEES OF
THE ESTATE OF LUGENE A. DORR AND/OR
THE ESTATE OF DORIS A. DORR AND/OR THE
ESTATE OF RAYMOND ARLIS RIPPY, SR.
A/K/A RAYMOND A. RIPPY, AND ALL
UNKNOWN PERSONS WHO CLAIM ANY
INTEREST IN THE SUBJECT MATTER OF THIS
ACTION

▲ COURT USE ONLY ▲

Case Number:

Div.:

Attorneys for Plaintiff: Zachary A. Grey, Atty. Reg. 49269 Frasca, Joiner, Goodman and Greenstein P.C. 4750 Table Mesa Drive Boulder, CO 80305 Telephone: 303-494-3000 Facsimile: 303-494-6309 Email: zac@frascona.com	
SUMMONS	

TO THE ABOVE NAMED DEFENDANTS: Estate of Lugene A. Dorr; Estate of Doris A. Dorr; Kimberly Dorr Tilley a/k/a Kimberlee S. Dorr; Cripple Creek Mountain Estates Property Owners' Association, Inc.; Mountain Mutual Water Company; Lawrence M. Gwinn III a/k/a Lawrence Miles Gwinn III; Robert Glasgow; Marry Werner a/k/a Mary F. Werner; Werner Living Trust; Arabian Acres Property Owners' Association; Arabian Acres Metropolitan District; Edward J. Grybos; Ruby M. Grybos; Ulises P. Aguirre; Estate of Raymond Arlis Rippey, Sr. a/k/a Raymond A. Rippey; Elizabeth A. Rippey a/k/a Ann Rippey; Cassandra Rippey; Raymond A. Rippey, Jr.; and all unknown persons who claim under or through the named defendants, including but not limited to the heirs and devisees of the Estate of Lugene A. Dorr and/or the Estate of Doris A. Dorr and/or the Estate of Raymond Arlis Rippey, Sr. a/k/a Raymond A. Rippey, and all unknown persons who claim any interest in the subject matter of this action.

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court an answer or other response to the attached Complaint. If service of the Summons and Complaint was made upon you within the State of Colorado, you are required to file your answer or other response within 21 days after such service upon you. If service of the Summons and Complaint was made upon you outside of the State of Colorado, you are required to file your answer or other response within 35 days after such service upon you. Your answer or counterclaim must be accompanied with the applicable filing fee.

If you fail to file your answer or other response to the Complaint in writing within the applicable time period, the Court may enter judgment by default against you for the relief demanded in the Complaint without further notice.

The following documents are also served with this summons: **Letter; Disclaimer Under Rule 105(c) C.R.C.P.; and Verified Complaint Under Rule 105.**

Dated this 19th day of December, 2023

Respectfully submitted,
Frascona, Joiner, Goodman and Greenstein, P.C.

By: /s/Zachary A. Grey
Zachary A. Grey, No. 49269
4750 Table Mesa Drive
Boulder, CO 80305-5575
(303) 494-3000
Attorney for Plaintiff

FORM 1.2. DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT AND JURY DEMAND

District Court Teller County, Colorado
101 W. Bennett Avenue
P.O. Box 997
Cripple Creek, CO 80813
719-689-7360

DATE FILED: December 19, 2023 9:00 AM
FILING ID: BCD4E39D0D61A
CASE NUMBER: 2023CV30080

Plaintiff(s):

OHAD BUKAI;

v.

Defendant(s):

ESTATE OF LUGENE A. DORR; ESTATE OF DORIS A. DORR; KIMBERLY DORR TILLEY A/K/A KIMBERLEE S. DORR; CRIPPLE CREEK MOUNTAIN ESTATES PROPERTY OWNERS' ASSOCIATION, INC.; MOUNTAIN MUTUAL WATER COMPANY; LAWRENCE M. GWINN III A/K/A LAWRENCE MILES GWINN III; ROBERT GLASGOW; MARY WERNER A/K/A MARY F. WERNER; WERNER LIVING TRUST; ARABIAN ACRES PROPERTY OWNERS' ASSOCIATION; ARABIAN ACRES METROPOLITAN DISTRICT; EDWARD J. GRYBOS; RUBY M. GRYBOS; ULISES P. AGUIRRE; ESTATE OF RAYMOND ARLIS RIPPY, SR. A/K/A RAYMOND A. RIPPY; ELIZABETH A. RIPPY A/K/A ANN RIPPY; CASSANDRA RIPPY; RAYMOND A. RIPPY, JR.; and ALL UNKNOWN PERSONS WHO CLAIM UNDER OR THROUGH THE NAMED DEFENDANTS, INCLUDING BUT NOT LIMITED TO THE HEIRS AND DEVISEES OF THE ESTATE OF LUGENE A. DORR AND/OR THE ESTATE OF DORIS A. DORR AND/OR THE ESTATE OF RAYMOND ARLIS RIPPY, SR. A/K/A RAYMOND A. RIPPY, AND ALL UNKNOWN PERSONS WHO CLAIM ANY INTEREST IN THE SUBJECT MATTER OF THIS ACTION

▲ COURT USE ONLY ▲

Attorney for Plaintiff: Zachary A. Grey, Atty. Reg 49269 Frasca, Joiner, Goodman & Greenstein, P.C. 4750 Table Mesa Drive Boulder, CO 80305 Telephone: 303-494-3000 Facsimile: 303-494-6309 Email: zac@frascona.com	Case Number: Division Courtroom
DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT AND JURY DEMAND	

1. This cover sheet shall be filed with the initial pleading of a complaint, counterclaim, cross-claim or third party complaint in every district court civil (CV) case. It shall not be filed in Domestic Relations (DR), Probate (PR), Juvenile (JA, JR, JD, JV), or Mental Health (MH) cases or in Water (CW) proceedings subject to sections 37-92-302 to 37-92-305, C.R.S. Failure to file this cover sheet is not a jurisdictional defect in the pleading but may result in a clerk's show cause order requiring its filing.

2. Simplified Procedure under C.R.C.P. 16.1 **applies** to this case **unless** (check one box below if this party asserts that C.R.C.P. 16.1 **does not** apply):

- This is a class action, forcible entry and detainer, Rule 106, Rule 120, or other similar expedited proceeding, **or**
- This party is seeking a monetary judgment against another party of more than \$100,000.00, exclusive of interest and costs, as supported by the following certification:

By my signature below and in compliance with C.R.C.P. 11, based upon information reasonably available to me at this time, I certify that the value of this party's claims against one of the other parties is reasonably believed to exceed \$100,000.

Or

- Another party has previously filed a cover sheet stating that C.R.C.P. 16.1 does not apply to this case.

3. This party makes a **Jury Demand** at this time and pays the requisite fee. *See* C.R.C.P. 38. (Checking this box is optional.)

Date: December 19, 2023

/s/ Zachary A. Grey
Signature of Attorney for Party (if any)

NOTICE

This cover sheet must be served on all other parties along with the initial pleading of a complaint, counterclaim, cross-claim, or third party complaint.



Control Building Usage

Month	A	B	Sold to Residents	Percentage (Loss)
January	320,850	40,900	317,563	12.21%
February				#DIV/0!
March				#DIV/0!
April				#DIV/0!
May				#DIV/0!
June				#DIV/0!
July				#DIV/0!
August				#DIV/0!
September				#DIV/0!
October				#DIV/0!
November				#DIV/0!
December				#DIV/0!

