

PETITION FOR EXCLUSION OF PROPERTY

TO: THE BOARD OF DIRECTORS OF THE
ARABIAN ACRES METROPOLITAN DISTRICT,
TELLER COUNTY, COLORADO

Pursuant to the provisions of §§ 32-1-501, *et seq.*, C.R.S.,

(the “Petitioner”) hereby respectfully requests that the **ARABIAN ACRES METROPOLITAN DISTRICT** (the “District”), by and through its Board of Directors, exclude the real property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the “Property”), from the boundaries of the District.

The Petitioner hereby represents and warrants to the District that it is the one hundred percent (100%) fee owner of the Property and that no other person, persons, entity or entities own an interest therein except as beneficial holders of encumbrances, if any. The Petitioner hereby assents to the exclusion of the Property from the boundaries of the District and to the entry of an Order by the District Court in and for El Paso County, excluding the Property from the boundaries of the District. Specifically, and without limitation Petitioner warrants, represents, and states as follows:

1. Petitioner is the owner of one hundred percent (100%) of the real property described on Exhibit A and has the right, power, and lawful authority to bring this Petition.
2. There are no other persons or parties owning or being entitled to any estate, right, title, interest, claim or demand, at law or in equity, in and to the subject real property.
3. That by execution of the Petition, the Petitioner assents to and formally requests the permanent exclusion of the subject real property from the District.
4. That this Petition for Exclusion is brought pursuant to C.R.S. Title 32, Article 1, Part 5, as amended.
5. The exclusion of the Petitioner’s property is requested because the District does not provide water services to such property and it is not contemplated that such property will be served water by the District or the District may not be capable of providing water service to the property.
6. It is in the best interests of the Petitioner’s property, the District, Teller County, that the subject real property be excluded from the District.
7. There will be no reduction in the availability or cost of municipal services with there being the same benefits to the Petitioner’s property.

8. The exclusion will not affect the ability of the District to provide services to the remainder of the property within the District.

9. If this petition were to be granted, it would have no adverse economic impact upon the District.

10. Petitioner acknowledges that Petitioner's ability to obtain water is dependent upon state law and its implementation by the Colorado Division of Water Resources ("Division"). It is the District's understanding based on representations from Division staff that under current law and policies, an owner of any property excluded from the District's service area is not prevented from obtaining an exempt well permit; however, the Petitioner accepts all risks with respect to the same.

11. If this petition were to be granted, Petitioner would be responsible for its portion of any bonded indebtedness in existence immediately preceding the effective date of the order until retired as set forth in any exclusion order that may be adopted by the District.

The Petitioner hereby acknowledges that, without the consent of the Board of Directors of the District, it cannot withdraw its Petition once the notice of a public hearing on the Petition has been published.

The Petitioner includes with this Petition a deposit for exclusion the cost proceedings of \$200.00. The Petitioner understands that Petitioner may be required to pay additional amounts sufficient to pay all the costs of the exclusion proceedings and will be entitled to a refund of any amounts which are not required to pay all the costs of the exclusion proceedings.

The name and address of the Petitioner is as follows:

Remainder of page intentionally left blank. Signature page follows.

PETITIONER:

By: _____
[Signature]

Printed Name: _____

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The above and foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, as _____ of _____.

WITNESS my hand and official seal.

Notary Public

My commission expires: _____

Signature Page to Petition for Exclusion of Real Property

EXHIBIT A
LEGAL DESCRIPTION
(The Property)