

# **REGULAR BOARD MEETING AGENDA AND NOTICE**

### WEDNESDAY, June 21, 2023

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

<b>Board of Director</b>	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, June 21, 2023, 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 Rebecca Harris, 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 May 17, 2023 (enclosed)

### 2) FINANCIAL MATTERS

- a) Review of Billing and Collection Status
- b) Review and accept the May 31, 2023, Unaudited Financial Status (enclosed)
- c) Review and Approve the Payment of Claims (enclosed)

### **3) MANAGEMENT MATTERS**

### 4) LEGAL MATTERS

- a) Public Hearing on Petitions for Exclusions
  - i) Review and Consider approval of Order for Exclusion of Certain Real Property: 141 Hidden Point (enclosure)
  - ii) Review and Consider approval of Order for Exclusion of Certain Real Property: 163 Uintah Vale Dr (enclosure)

### 5) **OPERATIONS**

- a) ORC Report
- b) Discuss Wells two and eight electrical issue
- c) Water Loss Data Report update

### 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

THE NEXT REGULARLY SCHEDULED MEETING IS SCHEDULED FOR WEDNESDAY, JULY 19, 2023, AT 5:30 PM – 2022 AUDIT REVIEW





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

May 17, 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 Lynn Willow, ORC Elric Thurstonsen, Resident

### **1. ADMINISTRATIVE MATTERS**

- a. Call to Order & Declaration of Quorum: Director Coffman called the meeting to order at 5:30 PM 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. Oaths of Affirmation and Appointment of Officers: Ms. Harris confirmed the Oaths were filed with the State and County. Director Coffman nominated Elizabeth Douglass for President; seconded by Director Shepard. Motion passed unanimously. Director Coffman nominated Martin Lempecki for Treasurer; seconded by Director Shepard. Motion passed unanimously. President Douglass nominated Lanny Hoel as Secretary; seconded by Director Coffman. Motion passed unanimously.
- d. Discussion and Approval of the Agenda: Ms. Harris added item 5.b. Discussion on Leak Report. President Douglass moved to approve the Agenda as amended; seconded by Director Lempecki. Motion passed unanimously.
- e. Consider Approval of Meeting Minutes from April 19, 2023: After review, President Douglass moved to approve the April 19, 2023 Meeting Minutes; seconded by Director Lempecki. Motion passed unanimously.

### 2. FINANCIAL MATTERS

- a. Review of Billing and Collection Status: Ms. Harris presented the billing and collection status.
- b. Review and Accept the April 30, 2023 Unaudited Financial Status: Ms. Harris presented the April 30, 2023 Unaudited Financial Status. The Board reviewed and noted a few corrections on the Financials. The Board postponed the acceptance of the Unaudited Financial Status until the corrections are made.
- c. Review and Approve the Payment of Claims: Ms. Harris presented the payment of claims and noted that Director Hoel's payment will be removed if he is unable to

attend the meeting. After review, President Douglass moved to approve the payment of claims minus Director Hoel's payment; seconded by Director Lempecki. Motion passed unanimously.

- d. Discuss Credit Card Status for Lynn: Mr. Willow confirmed the credit card was delivered and activated. Ms. Harris requested copies of the monthly statements.
- **3. MANAGEMENT MATTERS:** Ms. Harris discussed the new legislation that will likely cause an estimated 42% increase in the assessed valuations of properties. She will prepare a projection regarding the increase of revenue from property taxes and will further discuss this issue in August or September.

### 4. LEGAL MATTERS

a. Review and consider approval of ORC Contract Renewal: The Board reviewed the ORC Contract Renewal and Mr. Willow's request for an increase in compensation of 3-5%. After discussion, President Douglass moved to approve the ORC Contract Renewal with a 5% increase; seconded by Director Coffman. Motion passed unanimously.

### 5. OPERATIONS

- a. ORC Report: Mr. Willow presented the Operator's Report.
- b. Discussion on Leak Report: Ms. Harris discussed water loss and noted she has been tracking the monthly water loss but there is an issue with the data and numbers. The data is showing that more water is being sold than being pumped, so the numbers are wrong. Ms. Harris is working with Mr. Willow to resolve this issue.
- 6. **PUBLIC COMMENT:** Ms. Harris and the Board thanked Director Coffman for her service as Board President for the last 12 years.
- **7. ADJOURNMENT:** President Douglass moved to adjourn the meeting at 6:30 PM; seconded by Director Coffman. Motion passed unanimously.

THE NEXT REGULARLY SCHEDULED MEETING IS SCHEDULED FOR WEDNESDAY, JUNE 21, 2023 AT 5:30 PM.

Respectfully Submitted, WSDM District Managers

By: Recording Secretary

THESE MINUTES ARE APPROVED AS THE OFFICIAL MAY 17, 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



## Arabian Acres Metropolitan District Balance Sheet As of May 31, 2023

	May 31, 23
ASSETS	
Current Assets	
Checking/Savings	
ECB Checking	480,923.76
2-1000 · COLOTRUST 4001	147,200.51
2-1020 · COLOTRUST Reserve 8002	33,205.57
3-1000 · COLOTRUST-Capital Reserve 8003	246,601.90
Total Checking/Savings	907,931.74
Accounts Receivable	
1-1200 · Accounts Receivable	11,313.15
Total Accounts Receivable	11,313.15
Other Current Assets	
1-1300 · Property Tax Receivable	60,595.86
Total Other Current Assets	60,595.86
Total Current Assets	979,840.75
Fixed Assets	
1-1850 · Construction in Progress	2,515,552.23
Total Fixed Assets	2,515,552.23
Other Assets	
3-1500 · Capital Assets	1,263,742.90
3-1520 · Equipment	702,640.55
3-1540 · Land	101,000.00
3-1560 · Water Rights	172,588.00
3-1590 · Accumulated Depreciation	-563,876.00
Total Other Assets	1,676,095.45
TOTAL ASSETS	5,171,488.43
LIABILITIES & EQUITY Liabilities	
Current Liabilities	
Accounts Payable	
1-2000 · Accounts Payable	8,600.95
Total Accounts Payable	8,600.95
Other Current Liabilities	
1-2020 · Accrued Interest	7,427.30
2-2200 · Deferred Revenue-Property Taxes	60,595.86
Total Other Current Liabilities	68,023.16
Total Current Liabilities	76,624.11
Long Term Liabilities	
DWRF 1.5 Million Loan	1,045,190.03
2-2400 · 2007 Bonds Payable	895,000.00
2-2440 · Natural Rural Water	22,330.23
3-4090 · CWCB Meter Loan 400K	154,568.42
Total Long Term Liabilities	2,117,088.68
Total Liabilities	2,193,712.79
	2,100,112.10

# Arabian Acres Metropolitan District Balance Sheet As of May 31, 2023

May 31, 23
215,933.51
2,658,406.71
103,435.42
2,977,775.64
5,171,488.43

#### 10:16 AM 06/15/23 Accrual Basis

# Arabian Acres Metropolitan District Profit & Loss Budget vs. Actual

January through May 2023 Apr 23 May 23 Jan - May 23 Budget

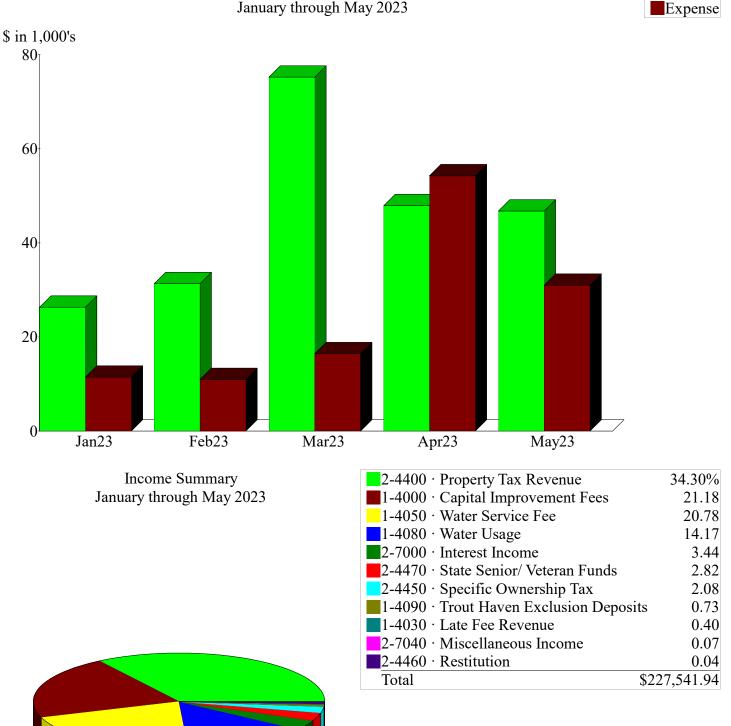
TOTAL

	Apr 23	May 23	Jan - May 23	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense						
Income						
1-4000 · Capital Improvement Fees	9,792.18	9,676.04	48,183.34	106,000.00	-57,816.66	45.46%
1-4030 Late Fee Revenue	129.37	132.75	905.00			
1-4050 · Water Service Fee	9,614.05	9,834.84	47,281.36	100,000.00	-52,718.64	47.28%
1-4080 · Water Usage	9,374.30	7,711.40	32,249.83	90,000.00	-57,750.17	35.83%
1-4090 · Trout Haven Exclusion Deposits	0.00	0.00	1,655.50			
2-4400 · Property Tax Revenue	15,946.36	9,864.90	78,049.02	138,644.88	-60,595.86	56.29%
2-4450 · Specific Ownership Tax	1,296.90	1,082.89	4,739.67	9,705.14	-4,965.47	48.84%
2-4460 · Restitution	16.77	16.77	83.85			
2-4470 · State Senior/ Veteran Funds	0.00	6,408.60	6,408.60			
Total Income	46,169.93	44,728.19	219,556.17	444,350.02	-224,793.85	49.41%
Gross Profit	46,169.93	44,728.19	219,556.17	444,350.02	-224,793.85	49.41%
Expense						
1-6110 · Audit	0.00	0.00	0.00	8,225.00	-8,225.00	0.0%
1-6020 · Bank Service Charges	20.00	0.00	41.00	100.00	-59.00	41.0%
1-6120 · Directors Fees	500.00	400.00	1,700.00	7,500.00	-5,800.00	22.67%
1-6050 · District Management-Operating	5,037.50	4,485.00	24,104.84	54,000.00	-29,895.16	44.64%
1-6060 · Dues Fees and Subscriptions	56.76	28.38	1,887.49	2,500.00	-612.51	75.5%
1-6070 · Election Expense	0.00	0.00	810.00	5,000.00	-4,190.00	16.2%
1-6080 · Insurance Expense-Operating	0.00	0.00	0.00	14,000.00	-14,000.00	0.0%
1-6130 · Legal						
1-6135 · Trout Haven Exclusions	0.00	0.00	765.00			
1-6130 · Legal - Other	0.00	0.00	0.00	10,000.00	-10,000.00	0.0%
Total 1-6130 · Legal	0.00	0.00	765.00	10,000.00	-9,235.00	7.65%
1-6090 · Office Supplies	0.00	0.00	127.00			
1-6180 · ORC Fees-Operating	3,457.50	0.00	13,530.00	48,000.00	-34,470.00	28.19%
1-6160 · Other Expense	0.00	2,465.00	2,465.00			
1-6100 · Postage and Copies-Operating	169.10	183.50	913.95	4,000.00	-3,086.05	22.85%
1-6170 · Chemicals and Supplies	0.00	0.00	0.00	2,000.00	-2,000.00	0.0%
1-6190 · Repairs and Maintenance	22,923.79	681.08	25,237.58	35,000.00	-9,762.42	72.11%
1-6210 · Utilities	1,492.55	0.00	3,580.78	12,500.00	-8,919.22	28.65%
1-6150 · Water Billing	0.00	0.00	0.00	10,000.00	-10,000.00	0.0%
1-6220 · Water Distribution Purchases	0.00	0.00	0.00	10,000.00	-10,000.00	0.0%
1-6230 · Water Testing	21.00	21.00	105.00	4,000.00	-3,895.00	2.63%
2-6240 · Treasurer Collection Fee	478.49	295.95	2,341.56	4,159.35	-1,817.79	56.3%
63400 · Interest Expense	20,024.35	0.00	20,024.35			
63500 · Bond Principal Payment	0.00	0.00	0.00	75,000.00	-75,000.00	0.0%
Total Expense	54,181.04	8,559.91	97,633.55	305,984.35	-208,350.80	31.91%
Net Ordinary Income	-8,011.11	36,168.28	121,922.62	138,365.67	-16,443.05	88.12%

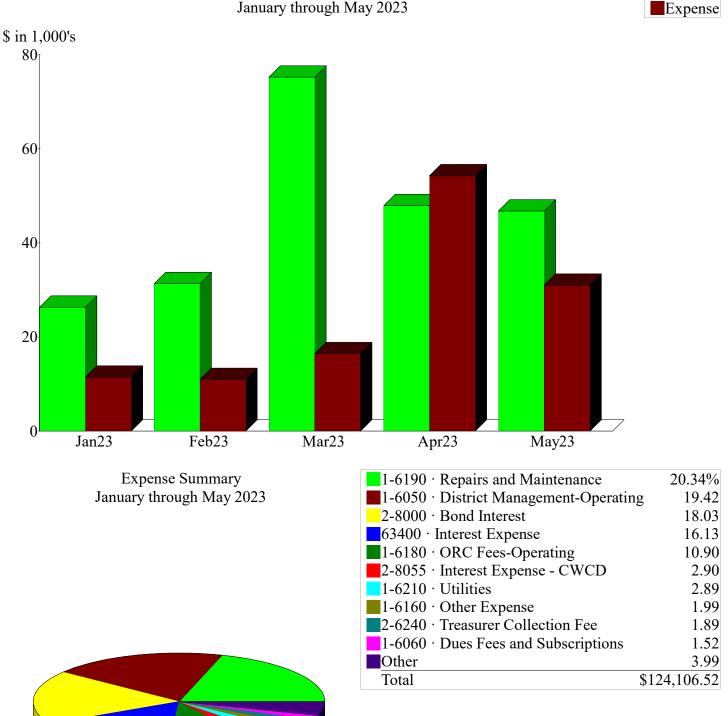
#### 10:16 AM 06/15/23 Accrual Basis

### Arabian Acres Metropolitan District Profit & Loss Budget vs. Actual January through May 2023

TOTAL Apr 23 May 23 Jan - May 23 Budget \$ Over Budget % of Budget **Other Income/Expense** Other Income 7,832.77 2-7000 · Interest Income 1,714.98 1,872.68 2-7040 · Miscellaneous Income 153.00 0.00 153.00 **Total Other Income** 1,714.98 2,025.68 7,985.77 **Other Expense** 2-8000 · Bond Interest 46.13% 0.00 22,375.00 22,375.00 48,500.00 -26,125.00 2-8050 · National Rural Water Interest 60.25 58.09 245.29 990.81 -745.52 24.76% 2-8055 · Interest Expense - CWCD 0.00 0.00 3,602.68 5,356.10 -1,753.42 67.26% 2-8080 · Trustee Fees 0.00 0.00 250.00 500.00 -250.00 50.0% 60.25 22,433.09 26,472.97 55,346.91 -28,873.94 47.83% **Total Other Expense Net Other Income** 1,654.73 -20,407.41 -18,487.20 -55,346.91 36,859.71 33.4% Net Income -6,356.38 15,760.87 103,435.42 83,018.76 20,416.66 124.59%



Income



Income



# Arabian Acres Metropolitan District PAYMENT REQUEST

6/21/2022

# **GENERAL FUND**

Company	Invoice	Date	Amount	Comments
Edith Coffman	062123EC		\$ 100.00	
Lanny Hoel	062123LH		\$ 100.00	
Elizabeth Douglas	062123ED		\$ 100.00	
Jennifer Shepard	062123JS		\$ 100.00	
Martin Lempecki	062123ML		\$ 100.00	
Capital One	60723	6/7/2023	\$ 50.03	
Colorado Anayltical Laboratories	230511044	5/17/2023	\$ 335.00	
El Paso County Public Health	EHS202110613	5/31/2023	\$ 21.00	
Front Range Winwater Works	1421	5/31/2023	\$ 235.00	
J.A. Excavation & Septic's LLC	52023	6/14/2023	\$ 3,472.87	
K&A Excavating	AAWD0523	5/8/2023	\$ 2,130.00	
Mailing Services Inc	18042	5/12/2023	\$ 141.20	
National Rural Water Association	9/1/2023	6/14/2023	\$ 924.10	
UNCC	223050062	5/31/2023	\$ 28.38	
WSDM District Manager	7431	5/30/2023	\$ 4,527.30	
TOTAL			\$ 12,364.88	



### ARABIAN ACRES METROPOLITAN DISTRICT ORDER FOR EXCLUSION OF CERTAIN REAL PROPERTY (Holding)

THIS MATTER coming before the Board of Directors for public hearing at a regular meeting held Wednesday, June 21, 2023 at 5:30 p.m. via teleconference/phone number and the Board having heard the testimony and evidence in this matter and having fully considered the Petition for Exclusion of certain real property hereby makes the following Findings and Order:

### FINDINGS

1. (a) Jubilee Holding & Trust John Maynard ("Owners") are the owners of one hundred percent (100%) of the real property ("Subject Real Property") described on the attached legal description and it filed their Petitions for Exclusion on or about 12<sup>th</sup> day of December 2022 and 20<sup>th</sup> day of March 2023, respectively.

2. Public Notice of said Petition and a Notice of a Public Hearing was duly published and given as required by statute.

3. The Owners are the sole fee owners of the real property which is the subject of the Petitions and have good right, full power and lawful authority to bring the Petitions. 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.

4. That by execution of the Petitions the Owners have assented to and formally requested the permanent exclusion of the Subject Real Property from the Arabian Acres Metropolitan District.

5. That the Petition for Exclusion was brought pursuant to C.R.S. Title 32, Article 1, Part 5, as amended.

6. The Board of Directors of Arabian Acres Metropolitan District heard the Petition at public meeting after publication on June 21, 2023, in the Transcript, posting on May 24, 2023, at the District's offices, 614 N. Tejon Street, Colorado Springs, Colorado 80903.

7. No persons appeared to show cause in writing why the Petitions should not be granted.

8. There were no written objections filed by any Teller Count with regard to the Exclusion Petition.

9. The exclusion of the Owners' property will not be detrimental to the Arabian Acres Metropolitan District.

10. Municipal services will be readily available to the Subject Real Property because the same are located within the boundaries of Teller County.

11. The exclusion will not affect the ability of Arabian Acres Metropolitan District to carry out its management responsibilities, and provide service to the remainder of the property in the District. By granting this Petition, there will be no adverse economic impact upon Arabian Acres Metropolitan District.

12. As provided in C.R.S. § 32-1-501 the subject Property or Properties, as the case may be, although excluded, will be responsible for their portion of the bonded indebtedness in existence immediately preceding the effective date of the District Board's final order, including but not limited to the 24 mills which shall remain in place for such Property or Properties until the current obligated debt is fully satisfied.

13. The District Board hereby finds the following bonded indebtedness which exists immediately preceding the effective date of the order for which the excluded property is liable: 2007 Series Bonds issued April 4, 2007, in the amount of \$1,425,000 scheduled to be retired December 31, 2030 ("2007 Series Bonds").

14. As provided in CRS 32-1-503(1) the excluded property will be responsible for their share of the bonded indebtedness then in existence immediately preceding the final order of exclusion and shall remain on the tax rolls subject to the District mill levy.

15. This Resolution shall be certified and filed with the Clerk of the District Court of Teller County in accordance with § 32-1-501(4)(b).

16. The District Board hereby directs its legal counsel to file a motion with the District Court seeking an Order for Exclusion for the Properties consistent with this Resolution.

17. By granting the exclusion each Petitioner acknowledges that such Petitioner's ability to obtain water is dependent upon state law and its implementation by the Colorado Division of Water Resources ("Division") and each Petitioner accepts all risks with respect to the same.

### <u>ORDER</u>

Based on the findings above, which shall include the District Board's previous findings regarding similarly situated property in the subdivision, and having considered all of the factors set forth herein and all of the statutory requirements for exclusion, the District Board Orders the exclusion of the Properties described on Exhibit A to this Resolution and Order.

Entered into this 21st day of June, 2023.

## BOARD OF DIRECTORS

## ARABIAN ACRES METROPOLITAN DISTRICT

Print Name	Signature	
Print Name	Signature	

# LEGAL DESCRIPTION

PT L2ER Arabian Acres 3 Within TD 87, Teller County, State of Colorado

# 20 March 2023 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, seq., John Maynard Executive Advisor for Jubilee Holdings (the et C.R.S., "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. 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 \$1,655.50 deposit for exclusion, and must be paid by Petitioner prior to any consideration of the Petition by the District. 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 Petitioner acknowledges, agrees, and understands that until all costs of the exclusion proceedings (as determined by, and at the discretion of the District), are paid in full, the exclusion proceedings will not be considered complete and the District will not motion the Teller County Colorado District Court for exclusion of the Property until such time as all amounts are paid.

The name and address of the Petitioner is as follows:

John Maynard as Executive Advisor for Jubilee Holdings Trust P.O. Box 477 Divide, Colorado 80814

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Remainder of page intentionally left blank. Signature page follows.

Maynard for Jubilee Holdings Trust **PETITIONER:** John [Name] By: [Signature] laynard Printed Name: John Title: Executive STATE OF COLORADO ) ) ss. COUNTY OF Teller The above and foregoing instrument was acknowledged before me this 20 day of 100 day of 20 day 2023, by John Maynard , as Executive Adviso of Jubiles Holding Trust 5 WITNESS my hand and official seal. Jeffrey Jay Hansen-Barthels NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20194016488 MY COMMISSION EXPIRES 4-30-2027 Notary Public My commission expires: <u></u> 30 2027

Signature Page to Petition for Exclusion of Real Property

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#### EXHIBIT A LEGAL DESCRIPTION (The Property)

Lot 2, Arabian Acres Third Filing, as recorded in Book B at Page 89, Reception No. 199387, Teller County, Colorado and a portion of the Southeast quarter of Section 17, Township 13 South, Range 70 West of the 6th P.M., Teller County, Colorado more particularly described as follows: Beginning at the Northeast corner of the Northeast quarter of the Southeast quarter; thence S 00° 08' 35" W along the East line of said Southeast quarter, 899.49 feet to a point on the West line of that tract of land described in stipulation recorded in Drawer 24, Card 1872, Reception No. 260217 of the records of said Teller County; thence S 45° 52′ 56" W, along said West line 91.22 feet; thence N 88° 56′ 23" W, 1233.55 feet to a point on the West line of the East half of the Southeast quarter; thence N 00° 52' 55" E, along said West line, 891.85 feet; to a point 60.00 feet South of the North line of said Southeast quarter; thence N 89° 29' 06" W, 60.00 feet South of and parallel to said North line 797.85 feet to a point on the East right-of-way of lower twin rocks road as described in Plat Book D, pages 51-52, Reception Number 208631 of the records of said Teller County; thence Along said right-of-way on a curve to the right having a delta of 05° 47' 46", a radius of 807.07 feet, an arc length of 81.65 feet, and a chord bearing of N 43° 11' 28" E to a point on said North line; thence S 89° 29' 06" E, along said North line 2029.39 feet to the point of beginning,

Being a portion of Lot 2, according to survey of the Revised Plat of Hidden Forest Ranch No. 2 recorded January 29, 1998 under Reception No. 471919, together with and reserving a non-exclusive easement recorded November 24, 1997 under Reception No. 469658, and together with and reserving a hon-exclusive easement for ingress and egress over Hidden Point Road as shown on survey, County of Teller, State of Colorado ATTACHMENTS TO PETITION FOR EXCLUSION PETITION.

- 1) ACCEPTANCE OF POSITION OF EXECUTIVE ADVISOR of Jubilee Holdings Trust.
- A copy of water well permit Number 283480 issued by the OFFICE OF THE STATE ENGINEER, COLORADO DIVISION OF WATER RESOURCES for 141 Hidden Point Road.
- 3) A plot map showing the location of the existing water well on the northern most 29.4 acres of the HIDDEN FOREST RANCH SUB DIVISION, known as 141 Hidden Point Road, and showing the boundary lines of the .69 acre lot in Arabian Acres that was attached to the 29.4 acres.
- 4) Plot map of the HIDDEN FOREST RANCH SUB DIVISION showing the northern most 29.4 acres.
- 5) Copies of the two tax bills for the two parcels.
- 6) Copies of Money Orders totaling \$1,655.50

# Jubilee Holdings

an Irrevocable True Trust

# ACCEPTANCE OF POSITION AND OATH OF CONFIDENTIALITY EXECUTIVE ADVISOR

(Required prior to disclosure of any confidential Trust information or records)

As evidenced by my signature ascribed herein below and pursuant to the contractual provisions of the united States Constitution, Article 1, Section 10, and that in accepting the position of Executive Advisor of the Trust herein named, I, John Earl Maynard, located in resided Montebello, California, do solemnly swear and affirm that:

I am of legal age to contract and I accept the duties and responsibilities of the position of Executive Advisor for *Jubilee Holdings*, an irrevocable True Trust. I agree to fulfill my responsibilities as outlined in the Trust Instrument and as further defined or modified by the Board of Trustees.

I recognize that there is a special need to protect the privacy and confidentiality of the financial and business affairs of said Trust. I agree that the privacy and confidentiality as pertains to Trusts and trust law, is essential and absolute. I agree to protect that privacy and confidentiality during and after the course of any relationship I have with said Trust. I understand that this Oath for this Trust will survive past the termination of my relationship with the Trust.

I understand and agree that all documents, records, copies, data and/or information in whatever form of this Trust are the sole property of said Trust. I agree that I will keep confidential and agree to protect from all parties, all information that I may have knowledge of or written information that I may have in my possession regarding the state, status, and/or amount of the Trust properties, information regarding any financial institution, their records, amounts or locations. Further, I will not divulge any information or records, either past or present, of any Trust documents, the Trust Instrument, any and all resolutions, minutes, notes, letters, or memos between the Board of Trustees and any other parties; all Contracts; the number of Trust certificates issued to any beneficiaries; the personal names and addresses of any of the beneficiaries or other parties involved in operation and administration of the Trust.

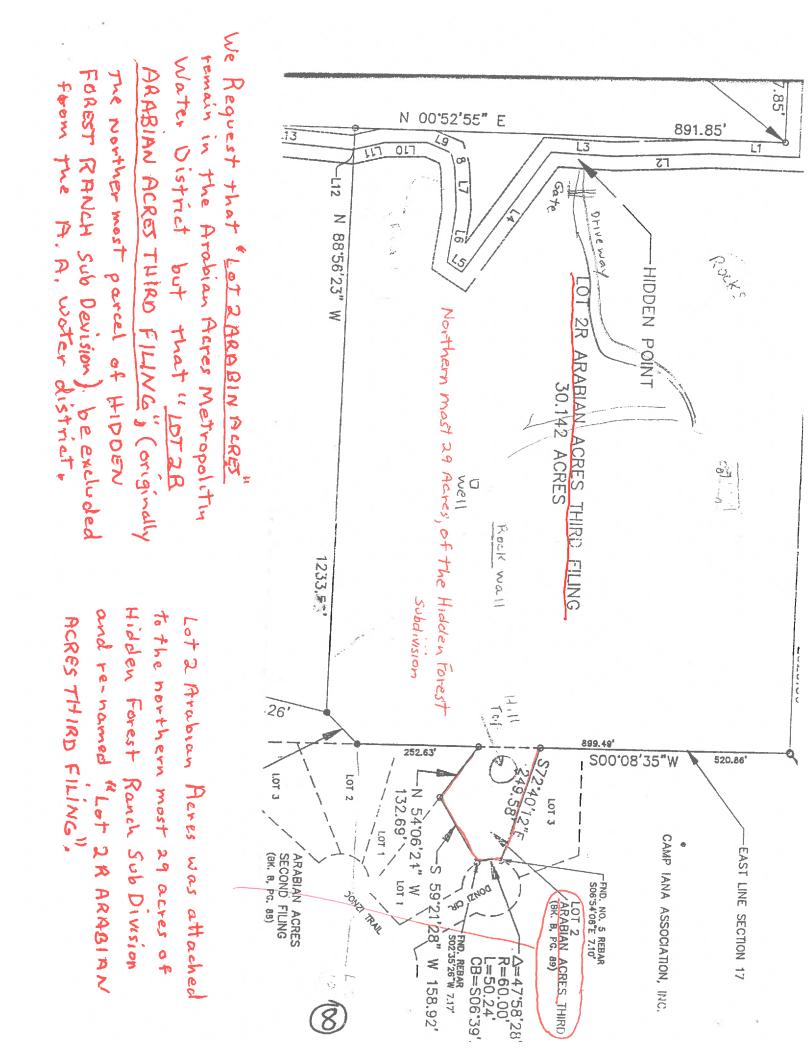
I agree that I will keep confidential all information regarding the Trust that I might come into knowledge or possession of, as a result of and pursuant to the execution of this Oath of Confidentiality. I agree that I will keep confidential all information regarding the conduct of the Trust administration, all documents that reveal any of the Board of Trustees deliberations and/or how the Trustees should exercise their functions as trustees; the reasons for any decisions made by the Board or any of its individual trustees in the exercise of those functions; any material upon which such decisions might have been based. Any data or information relating to this Trust not specifically included will be subject to the provisos of this Oath of Confidentiality.

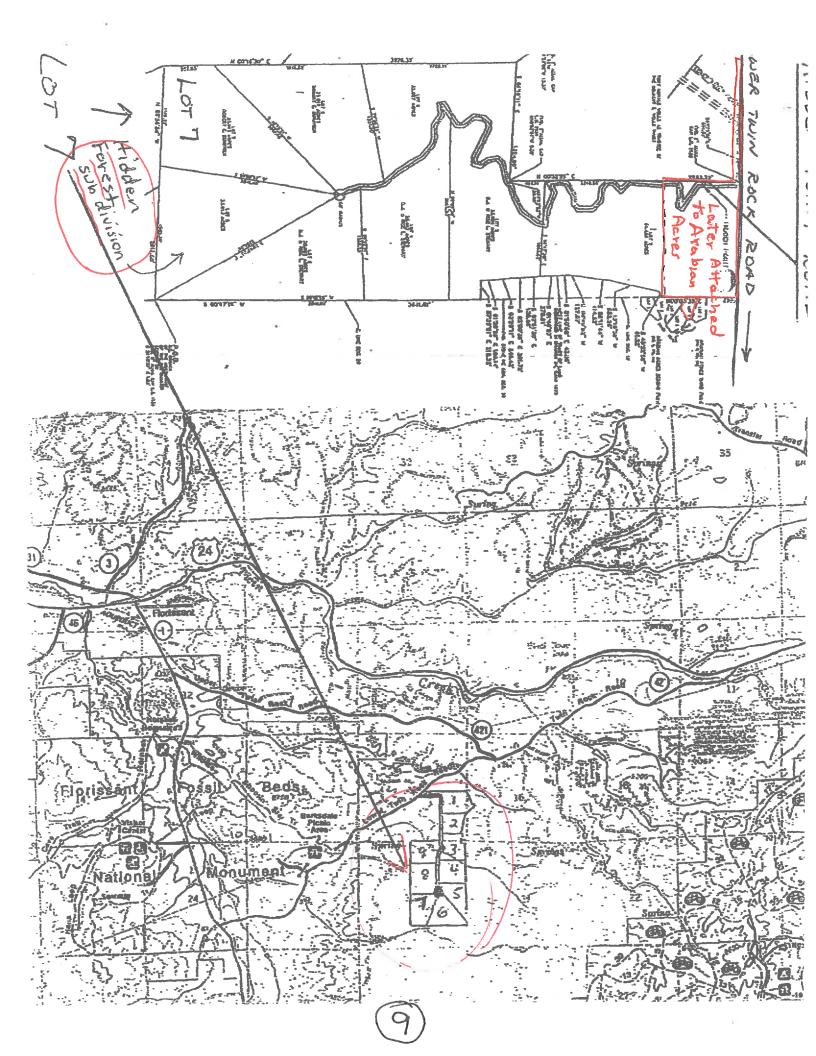
Signed: Earl Maynard. Executive Advisor of Jubilee Holdings Attested By: Markark 97 Date

Executive Advisor Acceptance of Position and Oath of Confidentiality Page 1 of 1

orm No. WS-25 OFFICE OF THE S COLORADO DIVIS 818 Centennial Bldg., 1313 Sherr (303) 866-3581	TATE ENGINEER SION OF WATER RESC man St., Denver, Colorado 80203	DURCES	
PPLICANT	DIV. 1 WOLD	283480	
	<u>AF</u> TE	PROVED WELL LOCATION ELLER COUNTY	
JUBILEE HOLDINGS TRUST PO BOX 208 DIVIDE, CO 80814-	D 19 65	STANCES FROM SECTION LINES 50 Ft. from South Section Line 55 Ft. from East Section Line	22)
(719) 686-9930 REGISTRATION OF EXISTING WELL	E	TM COORDINATES (Meters,Zone:13,NADE asting: 479642 Northing: 4307740	<u>, , , , , , , , , , , , , , , , , , , </u>
ISSUANCE (	OF THIS PERMIT DOES NOT CO CONDITIONS OF APPROV		
does not ensure that no injury will occ		iting water rights. The issuance of this permit reclude another owner of a vested water right fro	m
<ul> <li>seeking relief in a civil court action.</li> <li>Construction details for this existing work of this well is in compliance with the V</li> </ul>	vell have not been provided to this off Vater Well Construction Rules, 2 CC	fice; therefore, it is not known if the construction R 402-2. The issuance of this permit does not on of the groundwater source results from the responsibility or llability should contamination	
<ul> <li>occur.</li> <li>This well is recorded and permit approach and described in CRS 37-92-602(1)(the one (1) single family dwelling(s), the transmission of the other transmission of the ot</li></ul>	oved in accordance with CRS 37-92- b), being a well producing 4 GPM and watering of domestic animals, poultry f home gardens and lawns.	-602(5) for historical use as indicated herein d used for ordinary household purposes inside y and livestock on a farm or ranch, and the	
4) The date of first beneficial use, as cla NOTICE: This permit has been approved and used from UTM coordinate value	aimed by the applicant, is December oved subject to the following changes les provided with the permit application	31, 1920. The distances from section lines were on. You are hereby notified that you have the rig office within sixty (60) days of the date of issuance 104 through 106, C.R.S.) A.D.B. 7-8-2010	)ht e,
APPROVED	DilWele	aline D. Boone	
ADB State Engineer Receipt No. 3645865A	DATE ISSUED 07-08-2010	BY EXPIRATION DATE NA	- 201

-7-





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0.00000 20.66	2
REAL EST	R0048172 8545.163012290 T # 85

JUBILEE HOLDINGS TRS PO BOX 477 DIVIDE CO 80814-0477	R0048173	PROPERTY LOCATION: 141 HIDDEN PT	PT L2R ARABIAN ACRES 3 WITHIN TO 87 Northern must 29 Ac Subdivision	SB 25 - In absence of State Legislative Funding. your School General Fund mill levy would have been		TAX AUTHORITYTAX LEVYTAX AUTHORITY14.64000TELLER COUNTY12.92400RE-2 SCHOOL DIST5.85400FLORISSANT FIRE4.11900RAMPART LIBRARY4.11900RAMPART LIBRARY0.130000ARABIAN ACRES WATER BOND0.130000	ACCOUNT# R0048173 PARCEL# 8745.174010060 TAX DISTRICT # 87
	173		ncresport the Hidden Forest	Hative Funding, 63.577 would have been 63.577	0.00000 TE FILING FEE ASSESSMENT STEAD EXEMP GRAND TOTAL	0.00000 0.00000 0.00000 0.00000 0.00000 0.00000	REAL ESTATE PROPERTY TAX NUTIVE 2022 TAXES DUE IN 2023
	Make Checke Payable To: TELLER COUNTY TREASURER OR VISIT WWW.CO.TELLER.CO.US/TREASURER FOR ONLINE PAYMENT OPTIONS. FOR ONLINE PAYMENT OPTIONS.		Contect Treesure's Office Infinediately 1AMOUNTPAYMENTDUE DATEAMOUNTPIRST HALFFEB 28, 20231,544.99SECOND HALFJUN 15, 20231,544.99FULL PAYMENTAPR 30, 20233,089.98	Umpaid prior year taxes: NO	Notices of Valuation will be mailed on postcards on or before May 1, 2023. Additional information and long forms will be available online @ www.co.teller.co.us/Assessor.	LAND IMPROVEMENTS TOTAL SR/VET EXEMPT PERS PROPERTY NET TOTAL NET TOTAL NESSAGES	TELLER COUNTY TREASURER P.O. BOX 397 CRIPPLE CREEK, CO 80813 (719) 889-285 VALUATION ACTUAL ASSESSED

# **Teller County Property Records**

# Property Record Acct No:R0048172



# Ownership

Account No	R0048172
Parcel Id	8545.163012290
Notice of Value	PDF of 2021 Notice of Value
Actual	\$2,564
Assessed	\$740
Acct Type	Vacant Land
Owner Name	JUBILEE HOLDINGS TRS
Mailing Address	PO BOX 477

DIVIDE, CO 80814

# Zoning

# Zoned R-1

Provided by Community Development Services Division for Questions call 719-687-3048

# Building Information (provided by Assessor)

# Transfers (provided by Assessor)

# Map

	Teller County	Parcel Map	
	R0048172	XQ	
	R0048172		
	60ft		
3,076,2	67.879 1,395,272.438 Fee		

# Show Full Screen Map Show Vacant Land Sales Map

# Location

Physical Address	141 HIDDEN PT
School Dist	RE-2
Acres	0.699000
Map No.	8545
Tax Dist	85
Area	ARABIAN ACRES
Brief Legal	PT L2R ARABIAN ACRES 3 WITHIN TD 85

Brief Legal Description is not intended for use on legal documents

# Land Attributes

Land Type	Abst Code	Acres
Vacant	0100	0.70

<b>``</b>	<b>,</b>			
Sale Date	<b>Reception No</b>	Deed Type		Sale Price
Building Perr	nits			
Date	Permit No.	Description	Permit Issued By	
06/25/1999	<u>A16214</u>	METAL BARN	Teller County	

# Property Tax History (provided by Treasurer)

Delinquent taxes are not shown on this website.

<u>Tax detail on Treasurers Web Site (Note: Select Public User Login Button if prompted)</u> <u>Tax Payment Web site</u>

Authority	Mil Levy	Amount
TELLER COUNTY	14.64	\$10.83
RE-2 SCHOOL DIST	27.924	\$20.66
DIVIDE FIRE	5.25	\$3.89
RAMPART LIBRARY	4.119	\$3.05
ARABIAN ACRES WATER BOND	24	\$17.76
UPPER SO PLATTE WCD	0.13	\$0.10
UTE PASS REGIONAL HEALTH	3.99	\$2.95
TOTAL	80.05300	\$59.24

Tax Year	Tax Amount
2022	\$59.24
2021	\$59.32
2020	\$1.58
2019	\$1.58
2018	\$0.80

### About

The contributing Teller County Offices keep the information shown on this web site as current and as accurate as possible

# Disclaimer

The Information Provided on this site is as accurate and complete as reasonably possible. Use of this information is the sole responsibility of the user, and Teller County assumes no liability associated with the use or misuse of this information

### Contributors

Assessor

Treasurer

Clerk and Recorder

Community Development Services Division (CDSD)

Mail comments or suggestions to web developer

Teller County Information Technology © 2022





### ARABIAN ACRES METROPOLITAN DISTRICT ORDER FOR EXCLUSION OF CERTAIN REAL PROPERTY (Sebring)

THIS MATTER coming before the Board of Directors for public hearing at a regular meeting held Wednesday, June 21, 2023 at 5:30 p.m. via teleconference/phone number and the Board having heard the testimony and evidence in this matter and having fully considered the Petition for Exclusion of certain real property hereby makes the following Findings and Order:

### FINDINGS

1. (a) James M. Sebring and Lucynda Sebring ("Owners") are the owners of one hundred percent (100%) of the real property ("Subject Real Property") described on the attached legal description and it filed their Petitions for Exclusion on or about 12<sup>th</sup> day of December 2022 and 20<sup>th</sup> day of March 2023, respectively.

2. Public Notice of said Petition and a Notice of a Public Hearing was duly published and given as required by statute.

3. The Owners are the sole fee owners of the real property which is the subject of the Petitions and have good right, full power and lawful authority to bring the Petitions. 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.

4. That by execution of the Petitions the Owners have assented to and formally requested the permanent exclusion of the Subject Real Property from the Arabian Acres Metropolitan District.

5. That the Petition for Exclusion was brought pursuant to C.R.S. Title 32, Article 1, Part 5, as amended.

6. The Board of Directors of Arabian Acres Metropolitan District heard the Petition at public meeting after publication on June 21, 2023, in the Transcript, posting on May 24, 2023, at the District's offices, 614 N. Tejon Street, Colorado Springs, Colorado 80903.

7. No persons appeared to show cause in writing why the Petitions should not be granted.

8. There were no written objections filed by any Teller Count with regard to the Exclusion Petition.

9. The exclusion of the Owners' property will not be detrimental to the Arabian Acres Metropolitan District.

10. Municipal services will be readily available to the Subject Real Property because the same are located within the boundaries of Teller County.

11. The exclusion will not affect the ability of Arabian Acres Metropolitan District to carry out its management responsibilities, and provide service to the remainder of the property in the District. By granting this Petition, there will be no adverse economic impact upon Arabian Acres Metropolitan District.

12. As provided in C.R.S. § 32-1-501 the subject Property or Properties, as the case may be, although excluded, will be responsible for their portion of the bonded indebtedness in existence immediately preceding the effective date of the District Board's final order, including but not limited to the 24 mills which shall remain in place for such Property or Properties until the current obligated debt is fully satisfied.

13. The District Board hereby finds the following bonded indebtedness which exists immediately preceding the effective date of the order for which the excluded property is liable: 2007 Series Bonds issued April 4, 2007, in the amount of \$1,425,000 scheduled to be retired December 31, 2030 ("2007 Series Bonds").

14. As provided in CRS 32-1-503(1) the excluded property will be responsible for their share of the bonded indebtedness then in existence immediately preceding the final order of exclusion and shall remain on the tax rolls subject to the District mill levy.

15. This Resolution shall be certified and filed with the Clerk of the District Court of Teller County in accordance with § 32-1-501(4)(b).

16. The District Board hereby directs its legal counsel to file a motion with the District Court seeking an Order for Exclusion for the Properties consistent with this Resolution.

17. By granting the exclusion each Petitioner acknowledges that such Petitioner's ability to obtain water is dependent upon state law and its implementation by the Colorado Division of Water Resources ("Division") and each Petitioner accepts all risks with respect to the same.

### <u>ORDER</u>

Based on the findings above, which shall include the District Board's previous findings regarding similarly situated property in the subdivision, and having considered all of the factors set forth herein and all of the statutory requirements for exclusion, the District Board Orders the exclusion of the Properties described on Exhibit A to this Resolution and Order.

Entered into this 21st day of June, 2023.

## BOARD OF DIRECTORS

## ARABIAN ACRES METROPOLITAN DISTRICT

Print Name	Signature	
Print Name	Signature	

# LEGAL DESCRIPTION

L19 Trout Haven 1, County of Teller, State of Colorado

# PETITION FOR EXCLUSION OF PROPERTY

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

Jason and Lucinda Sebring (the 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:

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.

That this Petition for Exclusion is brought pursuant to C.R.S. Title 32, Article 1, 4. Part 5, as amended.

The exclusion of the Petitioner's property is requested because the District does not 5. 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.

It is in the best interests of the Petitioner's property, the District, Teller County, that 6. the subject real property be excluded from the District.

There will be no reduction in the availability or cost of municipal services with there being the same benefits to the Petitioner's property.

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

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

If this petition were to be granted, Petitioner would be responsible for its portion of 10. 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 \$1,500 deposit for exclusion, and must be paid by Petitioner prior to any consideration of the Petition by the District. 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 Petitioner acknowledges, agrees, and understands that until all costs of the exclusion proceedings (as determined by, and at the discretion of the District), are paid in full, the exclusion proceedings will not be considered complete and the District will not motion the Teller County Colorado District Court for exclusion of the Property until such time as all amounts are paid.

The name and address of the Petitioner is as follows:

Jasonand Lucynda Sebring CORORI orissant

# Remainder of page intentionally left blank. Signature page follows.



**PETITIONER:** Lucynda Sebring [Name] By: <u>Lucynda M. Selriy</u> [Signature]

Printed Name:

Title: STATE OF COLORADO ) SS. COUNTY OF +4/16 The above and foregoing instrument was acknowledged before me this 12th day of December, 2012, by Jess Lemons, as Mitary COLOTANO of WITNESS my hand and official seal. JESS MICHAEL LEMONS NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20224032402 non

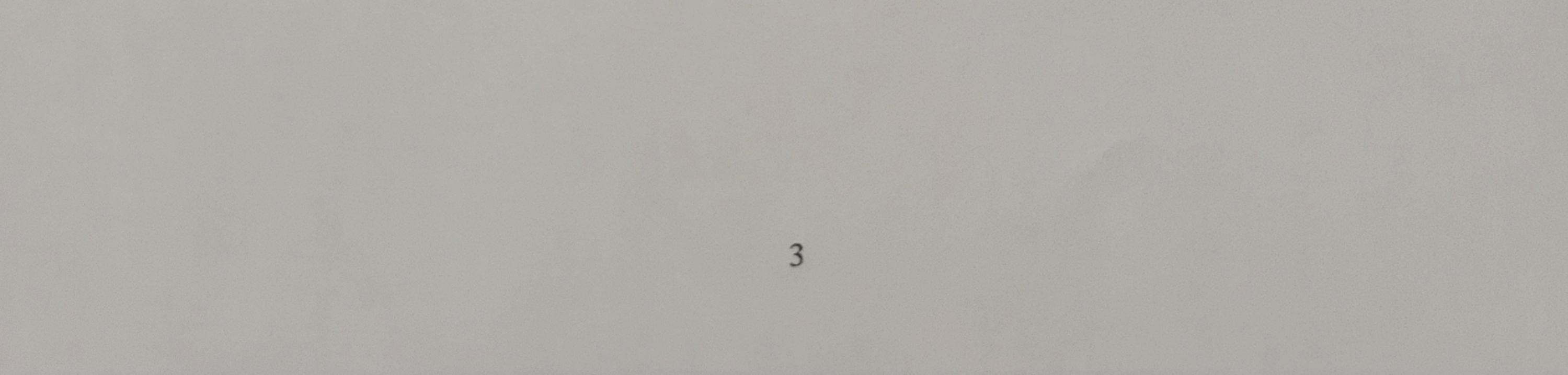
MY COMMISSION EXPIRES AUGUST 19, 2026

00000

Notary Public

My commission expires: AV9, 19, 26

Signature Page to Petition for Exclusion of Real Property

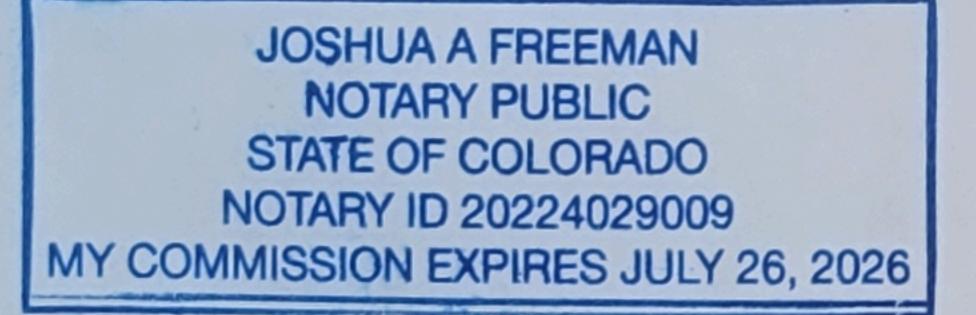


# **PETITIONER:**

JASON SEBRING By: Jaron M. Lolig [Signature] Printed Name: JASON SEBRING

Title: STATE OF COLORADO COUNTY OF Teller ) SS. The above and foregoing instrument was acknowledged before me this 17th day of <u>December</u>, 2022, by <u>Eson</u> <u>Sebring</u>, as <u>Petitioner</u> Proper of

WITNESS my hand and official seal.



Notary Public /

My commission expires: July 26,2026

# Signature Page to Petition for Exclusion of Real Property

3

LIS TROUT HAVENI 121 UINTAH VALE OR.

EXHIBIT A (The Property) RESIDENTAL

VACANT LAND LIG TROUT HAVEN 1 163 UINTAH VALEDR.



**Property Record Database** 

#### Account Information (provided by Assessor)

Account No R0015726 Parcel Id 8545.161110060 Notice of Value A PDF of the 2021 Notice of Value Actual \$320,412 Assessed \$22,910 **Tax Dist 85** Acct Type Residential **School Dist RE-2** Acres 0.7600 Map No. 3145-16 **Owner Name SEBRING, JASON M &** LUCYNDA M Mailing 121 UINTAH VALE DR Address FLORISSANT, CO 80816 Physical 121 UINTAH VALE DR Address Area TROUT HAVEN 1-5



Brief Legal Desc L18 TROUT HAVEN 1

Brief Legal Description is not intended for use on legal documents

Show Map

Show Sales Map

Comparable Residential Sales

Zoning Information (provided by Community Development Services Division for Questions call 719-687-3048 )

Zoning <u>R-1</u>

Land Information (provided by Assessor)

 Land Type Abst Code
 Acres

 Residential
 1112
 0.7600

 TOTAL
 0.7600

#### **Building Information (provided by Assessor)**

#### **Building ID 1**

Occupancy Single Family Residential Abst code 1212

Style Ranch 1 Story	% Occ 100%	Year build 1994
<b>SQFT</b> 864		Adj Yr Blt 1995
Bed Rooms 4	<b>Baths</b> 2.00	Remodeled 2011
Rooms 7	Stories 1	% Remodeled 0%
<b>Exterior</b> Frame Siding	Story Ht 9	Roof Type Gable
Interior Drywall	Foundation 18 Concrete	Roof Comp Shingle Heavy
Quality Average	<b>Condition</b> Average	HeatType Forced Air

#### **Inventory Building ID 1**

Туре	Description	Units
Garage	Detached	576
Porch	Wood Deck	48
Porch	Cvrd Wood Deck	141
Basement	Bsmnt Conc 8 ft	864
Basement	Finished	864
Porch	Wood Deck	63
Add On	Stove Wood Average	1

### Transfers (provided by Assessor)

Sale Date	<b>Reception No</b>	Deed Type	Sale Price
05/23/1994	420810	Warranty Deed	\$2,500
02/28/1995	430561	Warranty Deed	\$119,900
08/25/1997	466258	Warranty Deed	\$135,000
09/12/2000	509533	Warranty Deed	\$157,000
02/28/2005	577353	Warranty Deed	\$189,900
04/02/2010	634477	Public Trustee's Deed	\$0
07/06/2010	636617	Special Warranty Deed	\$140,000

#### **Building Permits**

Date Permit No.	Description	Permit Issued By
08/23/1994 <u>A04320</u>	None	Teller County
08/29/1994 <u>A04317</u>	Res w/ Attach. Garag	Teller County
05/02/2011 <u>A41953</u>	REROOF TEAR OFF ON HOUSE	Teller County

### Property Tax History (provided by Treasurer). Delinquent taxes are not shown on this website.

#### Tax detail on Treasurers Web Site Use PUBLIC USER LOGIN

TaxTaxYearAmount2017\$1,264.622018\$1,224.382019\$1,543.282020\$1,556.662021\$1,836.26

