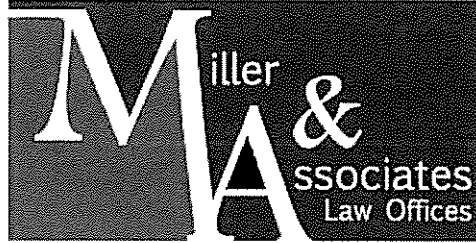


Dianne D. Miller  
Admitted in Colorado and  
New Mexico



Michael E. Davis  
Admitted in Colorado  
Richard K. Sans Soucy  
Admitted in Colorado

June 29, 2020

Weld County Clerk & Recorder  
1402 North 17th Avenue  
Greeley, CO 80631

Division of Local Government  
Department of Local Affairs  
1313 Sherman Street, Room 521  
Denver, CO 80203

Office of the State Auditor  
Local Government Audit Division  
1525 Sherman Street, 7th Floor  
Denver, CO 80203

City Council  
City of Fort Lupton  
130 South McKinley Avenue  
Fort Lupton, CO 80621

**RECEIVED**

JUL 06 2020

Dept of Local Affairs

**RE: 2019 Annual Reports**

To Whom It May Concern:

Enclosed for your records is the annual report for 2019 for the below captioned district.  
Please contact me with any questions or concerns. Thank you.

Lupton Village Residential Metropolitan District

MILLER & ASSOCIATES LAW OFFICES, LLC

Marisa Davis  
Paralegal

Enclosures

**LUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT (F.K.A.  
COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 3)  
COUNTY OF WELD, STATE OF COLORADO**

**ANNUAL REPORT FOR FISCAL YEAR 2019**

Pursuant to the Service Plan for the Lupton Village Residential Metropolitan District (F.K.A. Cottonwood Greens Metropolitan District No. 3) (the "District"), the District is required to provide an annual report to the City Of Fort Lupton with regard to the following matters:

- a. Boundary changes made or proposed;
- b. Intergovernmental Agreements either entered into or proposed;
- c. Copies of the District's rules and regulations;
- d. A summary of any litigation involving the District;
- e. Status of the District's financing, acquisition, installation or construction of the Public Improvements;
- f. A list of all Public Improvements financed, acquired, installed or constructed by the District that have been dedicated to and accepted by the City as of December 31st;
- g. The assessed valuation of the District for the current year;
- h. Current year's budget;
- i. An independent audit of the District's financial statements or audit exemption, if applicable;
- j. Notice of any uncured events of default by the District, which continue beyond a ninety (90) day period, under any Debt instrument; and
- k. Any inability of the District to pay its obligations as they become due, in accordance with the terms of such obligations, which continue beyond a ninety (90) day period.

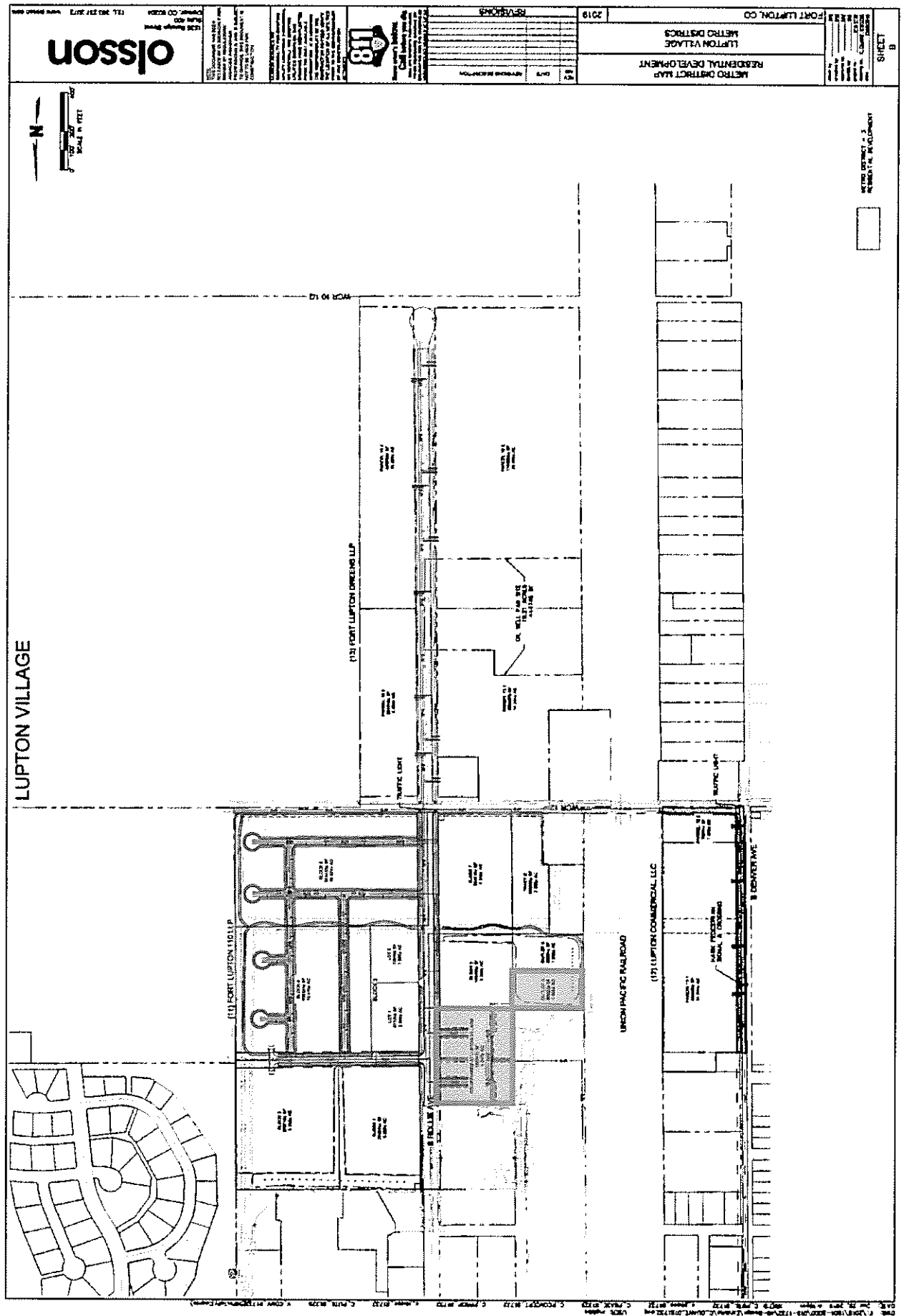
**For the year ending December 31, 2019, the District makes the following report:**

- a. Boundary changes made or proposed;  
  
The District boundaries changed in 2019. A map of the current District boundaries is attached hereto as **Exhibit A**.
- b. Intergovernmental Agreements either entered into or proposed;

- k. Any inability of the District to pay its obligations as they become due, in accordance with the terms of such obligations, which continue beyond a ninety (90) day period.

There was no inability of the District to pay its obligations as they came due, in accordance with the terms of any such obligations, which continued beyond a ninety (90) day period.

## EXHIBIT A



## EXHIBIT B

**BUDGET RESOLUTION**  
**(2019)**

**CERTIFIED COPY OF RESOLUTION**

STATE OF COLORADO )  
 ) ss.  
COUNTY OF WELD )

At the special meeting of the Board of Directors of Cottonwood Greens Metropolitan District No. 3, City of Fort Lupton, County of Weld, Colorado, held at 2:30 PM on Thursday, September 27, 2018, at 1641 California Street, Suite 300, Denver, CO 80202, there were present:

Mariano DeCola  
William J. Johanningmeier  
Josef Guetlein

Also present was Michael Davis of Miller & Associates Law Offices, LLC.

Mr. Davis reported that, prior to the meeting, legal counsel had notified each of the directors of the date, time and place of this meeting and the purpose for which it was called. He further reported that this is a special meeting of the Board of Directors of the District and that notice of the meeting was posted in at three (3) places within the boundaries of the District and at the Weld County Clerk and Recorder's Office, and to the best of his knowledge, remains posted to the date of this meeting.

Thereupon, Director Johanningmeier introduced and moved the adoption of the following Resolution:

RESOLUTION

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET AND APPROPRIATING SUMS OF MONEY TO EACH FUND IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 3, CITY OF FORT LUPTON, WELD COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2019 AND ENDING ON THE LAST DAY OF DECEMBER, 2019.

WHEREAS, the Board of Directors (the "Board") of the Cottonwood Greens Metropolitan District No. 3 (the "District") has authorized its treasurer and legal counsel to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed 2019 budget has been submitted to the Board for its consideration; and

WHEREAS, upon due and proper notice, posted in accordance with Colorado law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held at 2:30 PM on Thursday, September 27, 2018, and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the budget being adopted by the Board has been prepared based on the best information available to the Board regarding the effects of Article X, Section 20 of the Colorado Constitution; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 3, WELD COUNTY, COLORADO, AS FOLLOWS:

### CERTIFICATION OF TAX LEVY

TO THE BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY, COLORADO.

Dear Commissioners:

For the year 2019, the Board of Directors of Cottonwood Greens Metropolitan District No. 3 hereby certifies a total levy of 43.000 mills to be extended by you upon the total assessed valuation of \$115,030 to produce \$4,946 in revenue.

The levies and revenues are for the following purposes:

	PURPOSE	LEVY	REVENUE
1.	General Operating Expenses	43.000 mills	\$ 4,946
2.	(Minus) Temporary Property Tax Credit/Temporary Mill Levy Rate Reduction	-0- mills	\$ -0-
	<b>SUBTOTAL</b>	43.000 mills	\$ 4,946
3.	General Obligation Bonds and Interest *	0 mills	\$ 0
4.	Contractual Obligations approved at elections	-0- mills	\$ -0-
5.	Capital Expenditures levied pursuant to § 29-1-302 (1.5) C.R.S.	-0- mills	\$ -0-
6.	Refunds/Abatement	-0- mills	\$ -0-
10.	Other	-0- mills	\$ -0-
	<b>TOTAL</b>	43.000 mills	\$ 4,946

\* § 32-1-1603, C.R.S., requires special districts to "certify separate mill levies to the Board of County Commissioners, one each for funding requirements of each debt".

Contact Person: Dianne D. Miller

Daytime Phone: (303) 285-5320

By: \_\_\_\_\_, Legal Counsel of the District

**NOTE:** Certification **must** be to three decimal places **only**. If you are located in more than one county, please list all counties here: \_\_\_\_\_ N/A


IN WITNESS WHEREOF, I have hereunto set my hand on September 27, 2018.

\_\_\_\_\_  
Dianne D. Miller,  
Legal Counsel of the District

STATE OF COLORADO  
COUNTY OF WELD  
COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 3

I, William J. Johanningmeier, hereby certify that I am a director and the duly elected and qualified Secretary/Treasurer of the Cottonwood Greens Metropolitan District No. 3 (the "District"), and that the foregoing constitutes a true and correct copy of the record of proceedings of the Board of Directors of said District adopted at a meeting of the Board of Directors of the District held at 2:30 PM on Thursday, September 27, 2018, at 1641 California Street, Suite 300, Denver, CO 80202 as recorded in the official record of the proceedings of the District, insofar as said proceedings relate to the budget hearing for fiscal year 2019; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name on September 27, 2018.

  
\_\_\_\_\_  
William J. Johanningmeier, Secretary/Treasurer



**EXHIBIT A  
BUDGET DOCUMENT & BUDGET MESSAGE**

**COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 3  
2019 BUDGET**

	<u>Actual 2017</u>	<u>Estimated 2018</u>	<u>Proposed 2019</u>
Beginning Funds Available	\$ 1,350	\$ 1,350	\$ 1,400
Revenue:			
Property Taxes	1	0	4,946
Services	0	0	0
Refund	0	0	0
Other/Miscellaneous (Contributions)	0	0	0
Specific Ownership Taxes	0	0	0
Developer Advances	43,649	46,150	43,650
Total Revenue	<u>43,650</u>	<u>46,150</u>	<u>48,596</u>
Total Funds Available	<u>\$ 45,000</u>	<u>\$ 47,500</u>	<u>\$ 49,996</u>
Expenditures			
County Treasurer's Collection Fee	1,800	2,800	2,800
Insurance and Bond	0	0	0
Accounting and Legal	41,850	40,800	41,850
Election Costs	0	2,500	0
Capital Improvements	0	0	0
Utilities (Public Service)	0	0	0
Miscellaneous	0	0	0
Directors' Fees	0	0	0
Developer Reimbursement	0	0	0
Total Expenditures	<u>43,650</u>	<u>46,100</u>	<u>44,650</u>
Ending Funds Available	<u>1,350</u>	<u>1,400</u>	<u>5,346</u>
Emergency Reserve	1,310	1,383	1,340
MILL LEVY			
Certified Assessed Valuation	20	20	115,030
Mill Levy-General	43.000	0.000	43.000
Property Taxes (est.)	1	0	4,946

## EXHIBIT C

**APPLICATION FOR EXEMPTION FROM AUDIT****SHORT FORM**NAME OF GOVERNMENT  
ADDRESSLUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT  
1641 California Street, Suite 300  
Denver, Colorado 80202For the Year Ended  
12/31/19  
or fiscal year ended:CONTACT PERSON  
PHONE  
EMAIL  
FAXMichael Davis  
303-285-5320  
mdavis@ddmalaw.com  
303-285-5330**PART 1 - CERTIFICATION OF PREPARER**

I certify that I am skilled in governmental accounting and that the information in the application is complete and accurate, to the best of my knowledge.

NAME:  
TITLE  
FIRM NAME (if applicable)  
ADDRESS  
PHONE  
DATE PREPAREDPhyllis Brown  
Director of Finance and Accounting  
Community Resource Services of Colorado  
7995 E. Prentice Avenue, Suite 103E, Greenwood Village, CO 80111  
303-381-4960  
3/19/2020**PREPARER (SIGNATURE REQUIRED)**Please indicate whether the following financial information is recorded  
using Governmental or Proprietary fund types**GOVERNMENTAL**  
(MODIFIED ACCRUAL BASIS)☐**PROPRIETARY**  
(CASH OR BUDGETARY BASIS)☐

## PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

Please answer the following questions by marking the appropriate boxes.

		Yes	No																																								
4-1	Does the entity have outstanding debt? If Yes, please attach a copy of the entity's Debt Repayment Schedule.	<input type="checkbox"/>	<input type="checkbox"/>																																								
4-2	Is the debt repayment schedule attached? If no, MUST explain: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>																																								
4-3	Is the entity current in its debt service payments? If no, MUST explain: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>																																								
4-4	Please complete the following debt schedule, if applicable: (please only include principal amounts)(enter all amount as positive numbers)																																										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 15%; text-align: center;">Outstanding at end of prior year</th> <th style="width: 15%; text-align: center;">Issued during year</th> <th style="width: 15%; text-align: center;">Retired during year</th> <th style="width: 15%; text-align: center;">Outstanding at year-end</th> </tr> </thead> <tbody> <tr> <td>General obligation bonds</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td>Revenue bonds</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td>Notes/Loans</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td>Leases</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td>Developer Advances</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td>Other (specify):</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> <td style="text-align: right;">\$ -</td> </tr> <tr> <td><b>TOTAL</b></td> <td style="text-align: right;"><b>\$ -</b></td> <td style="text-align: right;"><b>\$ -</b></td> <td style="text-align: right;"><b>\$ -</b></td> <td style="text-align: right;"><b>\$ -</b></td> </tr> </tbody> </table>		Outstanding at end of prior year	Issued during year	Retired during year	Outstanding at year-end	General obligation bonds	\$ -	\$ -	\$ -	\$ -	Revenue bonds	\$ -	\$ -	\$ -	\$ -	Notes/Loans	\$ -	\$ -	\$ -	\$ -	Leases	\$ -	\$ -	\$ -	\$ -	Developer Advances	\$ -	\$ -	\$ -	\$ -	Other (specify):	\$ -	\$ -	\$ -	\$ -	<b>TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>		
	Outstanding at end of prior year	Issued during year	Retired during year	Outstanding at year-end																																							
General obligation bonds	\$ -	\$ -	\$ -	\$ -																																							
Revenue bonds	\$ -	\$ -	\$ -	\$ -																																							
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Developer Advances	\$ -	\$ -	\$ -	\$ -																																							
Other (specify):	\$ -	\$ -	\$ -	\$ -																																							
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>																																							

\*must tie to prior year ending balance

Please answer the following questions by marking the appropriate boxes.

		Yes	No
4-5	Does the entity have any authorized, but unissued, debt?	<input type="checkbox"/>	<input type="checkbox"/>
If yes:	How much? Date the debt was authorized:		
	\$ 22,000,000 5/25/2006		
4-6	Does the entity intend to issue debt within the next calendar year?	<input type="checkbox"/>	<input type="checkbox"/>
If yes:	How much?		
	\$ -		
4-7	Does the entity have debt that has been refinanced that it is still responsible for?	<input type="checkbox"/>	<input type="checkbox"/>
If yes:	What is the amount outstanding?		
	\$ -		
4-8	Does the entity have any lease agreements?	<input type="checkbox"/>	<input type="checkbox"/>
If yes:	What is being leased?		
	What is the original date of the lease?		
	Number of years of lease?		
	Is the lease subject to annual appropriation?	<input type="checkbox"/>	<input type="checkbox"/>
	What are the annual lease payments?		
	\$ -		

Please use this space to provide any explanations or comments:

## PART 5 - CASH AND INVESTMENTS

Please provide the entity's cash deposit and investment balances.

		Amount	Total
5-1	YEAR-END Total of ALL Checking and Savings Accounts	\$ -	
5-2	Certificates of deposit	\$ -	
	<b>Total Cash Deposits</b>		\$ -
	Investments (if investment is a mutual fund, please list underlying investments)		
		\$ -	
5-3		\$ -	
		\$ -	
	<b>Total Investments</b>		\$ -
	<b>Total Cash and Investments</b>		\$ -

Please answer the following questions by marking in the appropriate boxes

		Yes	No	N/A
5-4	Are the entity's Investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5-5	Are the entity's deposits in an eligible (Public Deposit Protection Act) public depository (Section 11-10.5-101, et seq. C.R.S.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If no, MUST use this space to provide any explanations:

## PART 9 - TAXPAYER'S BILL OF RIGHTS (TABOR)

Please answer the following question by marking in the appropriate box

Yes

No

9-1 Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]?

☐

☐

Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.

If no, MUST explain:

## PART 10 - GENERAL INFORMATION

Please answer the following questions by marking in the appropriate boxes.

Yes

No

Is this application for a newly formed governmental entity?

☐

☐

10-1

If yes: Date of formation:

10-2 Has the entity changed its name in the past or current year?

☐

☐

If yes: Please list the NEW name & PRIOR name:

Lupton Village Residential Metropolitan District fka Cottonwood Greens Metropolitan District No. 3

10-3 Is the entity a metropolitan district?

☐

☐

Please indicate what services the entity provides:

Streets, street lighting, traffic & safety, water, landscaping, storm drainage, parks & recreation.

10-4 Does the entity have an agreement with another government to provide services?

☐

☐

If yes: List the name of the other governmental entity and the services provided:

10-5 Has the district filed a Title 32, Article 1 Special District Notice of Inactive Status during

☐

☐

If yes: Date Filed:

10-6 Does the entity have a certified Mill Levy?

☐

☐

If yes:

Please provide the following mills levied for the year reported (do not report \$ amounts):

Bond Redemption mills

General/Other mills

Total mills

-
43.000
43.000

Please use this space to provide any explanations or comments:

## PART 11 – GOVERNING BODY APPROVAL

Print the names of ALL current governing board members below

A MAJORITY of the governing board members must complete and sign in the column below.

Board Member	Print Board Member's Name	I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date _____ My term Expires _____
Board Member 1	Mariano DeCola	I <u>Mariano DeCola</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u>[Signature]</u> Date <u>3/24/2020</u> My term Expires <u>2022</u>
Board Member 2	William J. Johanningmeier	I <u>William J. Johanningmeier</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u>[Signature]</u> Date <u>3/24/2020</u> My term Expires <u>2022</u>
Board Member 3	Josef Guetlein	I <u>Josef Guetlein</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u>[Signature]</u> Date <u>3/24/2020</u> My term Expires <u>2020</u>
Board Member 4	Vacant	I <u>Vacant</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date _____ My term Expires <u>2022</u>
Board Member 5	Vacant	I <u>Vacant</u> , attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date _____ My term Expires <u>2020</u>
Board Member 6		I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date _____ My term Expires _____
Board Member 7		I _____, attest I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date _____ My term Expires _____

4554752 12/31/2019 01:55 PM  
Total Pages: 1 Rec Fee: \$13.00  
Carly Koppes - Clerk and Recorder, Weld County, CO

<b>DISTRICT COURT</b> <b>WELD COUNTY, COLORADO</b> Court Address: 901 9th Avenue Greeley, 80632 Telephone No.: (970) 475-2400	DATE FILED: November 18, 2019 1:23 PM CASE NUMBER: 2006CV212
Petitioner: <b>COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 3</b>	▲ COURT USE ONLY ▲
	Case Number: 2006CV212 Div.: 4 Ctrm:
<b>ORDER CONFIRMING CHANGE OF NAME FROM COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 3 TO LUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT, WELD COUNTY, STATE OF COLORADO</b>	

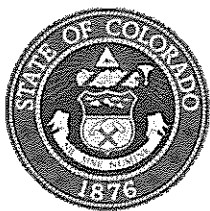
THIS MATTER, having come before the Court, the Court having examined the Motion and attached materials relating thereto HEREBY ORDERS:

That Cottonwood Greens Metropolitan District No. 3 shall hereafter be known as LUPTON VILLAGE RESIDENTIAL METROPOLITAN DISTRICT.

DONE AND EFFECTIVE this 18th day of November, 20 19.

BY THE COURT:

  
DISTRICT COURT JUDGE



Office of the State Auditor

Dianne E. Ray, CPA  
State Auditor

June 11, 2020

Board Of Directors  
Cottonwood Greens Metropolitan District No. 3  
1641 California St. Suite 300  
Denver, CO 80202

RE: 1043.03

To Whom it May Concern:

We have reviewed the *Application for Exemption from Audit* of the Cottonwood Greens Metropolitan District No. 3. Based on our review, the application for the year ended 12/31/2019 is approved.

If we may be of any assistance to you, please feel free to call us at 303-869-3000. For further resources see our web site at: [www.colorado.gov/auditor](http://www.colorado.gov/auditor)

Sincerely,

Crystal L. Dorsey, CPA  
Local Government Audit Manager

cc: Colorado Department of Local Affairs  
Division of Local Governments



We Set the Standard for Good Government