

DISTRICT COURT, BOULDER COUNTY, COLORADO

Civil Action No. 83CV0486

PETITION

IN RE THE ORGANIZATION OF COLORADO TECH CENTER METROPOLITAN
DISTRICT, BOULDER COUNTY, COLORADO

TO THE HONORABLE DISTRICT COURT IN AND FOR THE COUNTY OF
BOULDER AND STATE OF COLORADO:

We, the undersigned, constituting more than ten percent (10%) of the taxpaying electors of the District hereinafter described, present this Petition for the organization of a metropolitan district, pursuant to and in accordance with title 32, article 1, part 3, and the provisions of title 32, article 1, part 2, 1973, as amended (the "Control Act"), and in support of the Petition state:

1. The name of the proposed District is "Colorado Tech Center Metropolitan District," in Louisville, Boulder County, Colorado.

2. The boundaries of the proposed District are confined exclusively within the boundaries of the City of Louisville, Colorado. The governing body of the City of Louisville, Colorado has approved this petition for organization by Resolution to the provisions of section 32-1-205(1), C.R.S. 1973, as amended, and such Resolution is attached hereto as Exhibit "A" and incorporated herein by this reference.

3. The proposed District will provide the following service(s):

- (a) street improvements;
- (b) water improvements;
- (c) sanitation improvements;
- (d) parks and recreation improvements; and
- (e) transportation improvements.

4. A general description of the facilities and improvements to be constructed, installed, acquired or purchased for and by the District are:

(a) street improvements, including curbs, gutters, culverts, and other drainage facilities, sidewalks, bridges, parking facilities, paving, lighting, grading, landscaping, signalization and traffic control devices, together with all necessary, incidental, and appurtenant facilities, land and easements, both within and without its boundaries, for the District, its users and inhabitants;

(b) a complete water supply, treatment, storage, transmission and distribution system for domestic and other public and private purposes, together with all necessary, incidental and appurtenant facilities, both within and without its boundaries, for the District, its users and inhabitants;

(c) a complete sanitary and storm sewage collection, transmission, treatment and disposal system, including flood and surface drainage, together with all necessary, incidental and appurtenant facilities, both within and without its boundaries, for the District, its users and inhabitants;

(d) parks and recreation facilities, both active and passive, together with all necessary, incidental, and appurtenant facilities, including the necessary maintenance thereof, for the District, its users and inhabitants;

(e) if feasible, the establishment, operation and maintenance of a system to transport the public by bus, rail or any other means of conveyance, or any combination thereof, together with all necessary, incidental and appurtenant facilities, both within and without its boundaries, for the District, its users and inhabitants.

5. The proposed District lies wholly or partly within the following special districts or municipalities:

- (a) Boulder Valley School District
- (b) City of Louisville
- (c) Urban Drainage and Flood Control District
- (d) Louisville Fire Department
- (e) Boulder County

6. The estimated costs of the proposed facilities and improvements are:

	<u>Developed</u>	<u>Proposed</u>	<u>Future</u>
Street improvements:	\$ 240,154.00	\$426,249.00	\$3,277,454.00
Water improvements:	\$ 176,904.00	\$ 85,346.00	\$1,787,697.00
Sanitation improvements:	\$ 620,906.00	\$111,779.00	\$3,476,088.00
Parks and recreation improvements:	\$ 39,116.00	\$299,496.00	\$1,390,435.00
Transportation improvements:	<u>\$ Not Known</u>	<u>\$ At This</u>	<u>\$ Time</u>
TOTAL	\$1,077,080.00	\$922,920.00	\$9,931,674.00

7. The proposed District is generally bounded by Empire Road, also known as Colorado Highway 42, on the North, 104th Avenue on the East, Dillon Road on the South and the Colorado & Southern Railroad line on the West, the area being more particularly described in Exhibit "B" attached hereto, and incorporated herein by this reference.

8. That each of the undersigned petitioners does hereby consent to the inclusion in said District of any and all lands owned by him or her located within said proposed District except as the same may be specifically excluded therefrom as a part of the description set forth in Exhibit "B" attached hereto.

WHEREFORE, Petitioners pray that this Honorable Court will enter such orders and decrees as may be necessary or proper for the organization of said District, in accordance with law.

WARNING:

DO NOT SIGN THIS PETITION UNLESS YOU ARE A QUALIFIED TAX-PAYING ELECTOR:

TO BE A QUALIFIED TAXPAYING ELECTOR, YOU MUST BE:

- (a) At least eighteen years of age; and
- (b) A citizen of the United States; and
- (c) A resident of the State of Colorado and have resided in the State at least thirty-two days; and
- (d) A resident of the proposed District for not less than thirty-two days; or

(e) You, or your spouse, own taxable real or personal property within the proposed District.

Do not sign this petition unless you have read or had read to you the Petition in its entirety and understand its meaning.

<u>NAME</u>	<u>ADDRESS</u>
<u>David D. Mandarich</u>	3600 South Yosemite, Suite 900 Denver, Colorado 80237
<u>Gary L. Mandarich</u>	3600 South Yosemite, Suite 900 Denver, Colorado 80237
<u>Wayne Gardenswartz</u>	3600 South Yosemite, Suite 900 Denver, Colorado 80237
<u>Ronald S. Morgan</u>	3600 South Yosemite, Suite 900 Denver, Colorado 80237
<u>Joseph O. Howard</u>	3600 South Yosemite, Suite 900 Denver, Colorado 80237

TEST: TRUE COPY

May 9/98

District Court
Denver County, Colorado

Jerry Dickner
Notary

IN THE DISTRICT COURT, BOULDER COUNTY, COLORADO

Wayne Gardenswartz, being first duly sworn on oath,
deposes and says:

That he/she is one of the Petitioners named in the foregoing Petition; that he/she has read said Petition and knows the contents thereof and that the same is true to the best of affiant's knowledge, information, and belief.

Affiant further states that he/she knows the person whose names are subscribed to the foregoing Petition, that he/she has circulated the Petition, that each signature thereon was affixed in his/her presence and that each signature thereon is the true, genuine, and correct signature of the person it purports to be.

Affiant further states that to his/her best knowledge and belief the persons whose names are subscribed to the foregoing Petition are persons who are qualified to vote at general elections in the State of Colorado and who or whose spouse own taxable real or personal property within the area to be included in the proposed Colorado Tech Center Metropolitan District, whether or not such person resides within said proposed District.

Wayne Gardenswartz
Affiant

March, 1983. Subscribed and sworn to before me this 1 day of

My commission expires July 26, 1996.

Address: 3600 S Yosemite
Denver, Co 80237

John L. Lauer
Notary Public

(SEAL)

Exhibit "A"

RESOLUTION NO. 13

Series 1983

A RESOLUTION for the organization of the proposed Colorado Tech Center Metropolitan District.

WHEREAS, pursuant to Section 32-1-201 and 32-1-205, and 32-1-301, C.R.S. 1973, as amended (the "Control Act"), a petition for the organization of a special district filed in District Court requires the approval, by resolution, of the governing body of that municipality; and,

WHEREAS, the proponents of the organization of the proposed Colorado Tech Center Metropolitan District intend to initiate legal proceedings relating to the organization of said district pursuant to title 32, article 1, part 3, C.R.S. 1973, as amended; and,

WHEREAS, the boundaries of the proposed Colorado Tech Center Metropolitan District are confined exclusively within the boundaries of the City of Louisville; and,

WHEREAS, the City Council, has been fully advised of the intended purposes of the proposed Colorado Tech Center Metropolitan District, and having reviewed the contents of a petition for the organization thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

1. That the petition for the organization of the proposed Colorado Tech Center Metropolitan District should be and hereby is approved.

2. That a certified copy of this Resolution be submitted to the petitioners for the organization of the proposed Colorado Tech Center Metropolitan District in order that it may be filed with the District Court of Boulder County pursuant to section 32-1-301 et seq., C.R.S. 1973, as amended.

PASSED AND ADOPTED this 15th day of March 1983.


Mayor

ATTEST:

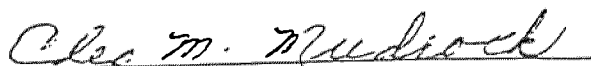

City Clerk

EXHIBIT "B"

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 4,347.50 FEET,
A CENTRAL ANGLE OF 07° 35' 56" AND AN ARC LENGTH OF 576.59 FEET AND WHOSE LONG
CHORD BEARS S 85° 41' 50" E, A DISTANCE OF 576.17 FEET;
THENCE S 89° 29' 51" E, A DISTANCE OF 547.95 FEET;
THENCE S 44° 22' 21" E, A DISTANCE OF 50.77 FEET TO THE TRUE POINT OF
BEGINNING:

SAID PARCEL CONTAINS EXCEPTIONS FOR EXISTING DEDICATED PUBLIC ROADS, AND PRIVATE
PROPERTIES.

SAID PARCEL CONTAINS 441.6761 ACRES, MORE OR LESS.

EXCEPTION:

A PARCEL OF LAND CONSISTING OF A PORTION OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE
69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, STATE OF COLORADO,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE S 00° 44' 49" W
ALONG THE EAST LINE OF SAID SECTION 16, A DISTANCE OF 112.19 FEET; THENCE
N 89° 29' 51" W, A DISTANCE OF 25.00 FEET TO A POINT OF INTERSECTION WITH THE
WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 13 (SO. 104TH AVENUE) AS DESCRIBED
IN BOULDER COUNTY ROAD BOOK B AT PAGE 345, AND THE SOUTHERLY RIGHT OF WAY LINE
OF COLORADO STATE HIGHWAY NO. 42 (EMPIRE ROAD).

THENCE S 00° 44' 49" W, ALONG SAID R.O.W. OF COUNTY ROAD 13, A DISTANCE OF
2,544.28 FEET; THENCE S 00° 46' 08" W, ALONG WESTERLY R.O.W. OF COUNTY ROAD
13, A DISTANCE OF 2,631.32 FEET TO A POINT ON THE NORTHERLY R.O.W. OF DILLON
ROAD; THENCE S 89° 57' 00" W, ALONG NORTHERLY R.O.W. OF DILLON ROAD, A DISTANCE
OF 1,437.17 FEET; THENCE N 00° 40' 00" E, A DISTANCE OF 1,493.03 FEET; THENCE
N 03° 28' 19" E, A DISTANCE OF 318.53 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N 00° 46' 08" E, A DISTANCE OF 375.00 FEET;
THENCE S 89° 47' 13" E, A DISTANCE OF 600.00 FEET;
THENCE S 00° 46' 08" W, A DISTANCE OF 375.00 FEET;
THENCE N 89° 47' 13" W, A DISTANCE OF 600.00 FEET TO THE TRUE POINT OF
BEGINNING:

SAID EXCEPTION CONTAINS 5.1650 ACRES, MORE OR LESS.

EXHIBIT "B" - Cont'd

A PARCEL OF LAND CONSISTING OF A PORTION OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE S 00° 44' 49" W ALONG THE EAST LINE OF SAID SECTION 16, A DISTANCE OF 112.19 FEET; THENCE N 89° 29' 51" W, A DISTANCE OF 25.00 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 13 (SO. 104TH AVENUE AS DESCRIBED IN BOULDER COUNTY ROAD BOOK E AT PAGE 345, AND THE SOUTHERLY RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY NO. 42 (EMPIRE ROAD), THE TRUE POINT OF BEGINNING;

THENCE S 00° 44' 49" W, ALONG SAID R.O.W. OF COUNTY ROAD 13, A DISTANCE OF 2,544.26 FEET;
 THENCE S 00° 46' 08" W, ALONG WESTERLY R.O.W. OF COUNTY ROAD 13, A DISTANCE OF 2,651.32 FEET TO A POINT ON THE NORTHERLY R.O.W. OF DILLON ROAD;
 THENCE S 89° 57' 00" W, ALONG NORTHERLY R.O.W. OF DILLON ROAD, A DISTANCE OF 1,447.17 FEET;
 THENCE N 00° 40' 00" E, A DISTANCE OF 1,493.03 FEET;
 THENCE S 89° 57' 00" W, A DISTANCE OF 282.50 FEET;
 THENCE S 80° 17' 00" W, A DISTANCE OF 880.96 FEET;
 THENCE S 00° 40' 10" W, A DISTANCE OF 886.51 FEET;
 THENCE N 89° 18' 19" W, A DISTANCE OF 475.50 FEET;
 THENCE S 00° 40' 10" W, A DISTANCE OF 483.50 FEET;
 THENCE N 89° 18' 19" W, A DISTANCE OF 724.49 FEET TO A POINT ON THE EASTERLY R.O.W. OF THE COLORADO AND SOUTHERN R.R.;
 THENCE N 15° 41' 53" W, A DISTANCE OF 2,763.84 FEET;
 THENCE S 89° 47' 13" E, A DISTANCE OF 25.98 FEET;
 THENCE N 15° 41' 53" W, A DISTANCE OF 928.78 FEET;
 THENCE N 15° 42' 22" W, A DISTANCE OF 24.04 FEET;
 THENCE N 15° 45' 12" W, A DISTANCE OF 24.10 FEET;
 THENCE N 15° 50' 59" W, A DISTANCE OF 24.16 FEET;
 THENCE N 15° 59' 47" W, A DISTANCE OF 24.22 FEET;
 THENCE N 16° 11' 05" W, A DISTANCE OF 24.28 FEET;
 THENCE N 16° 25' 41" W, A DISTANCE OF 24.34 FEET;
 THENCE N 16° 42' 35" W, A DISTANCE OF 24.41 FEET;
 THENCE N 17° 02' 59" W, A DISTANCE OF 24.48 FEET;
 THENCE N 17° 26' 23" W, A DISTANCE OF 24.53 FEET;
 THENCE N 17° 51' 52" W, A DISTANCE OF 24.59 FEET TO A POINT OF CURVATURE;
 THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2,939.93 FEET, A CENTRAL ANGLE OF 04° 04' 12" AND AN ARC LENGTH OF 208.84 FEET;
 THENCE S 89° 53' 50" E, FROM SAID COLORADO AND SOUTHERN R.R. RIGHT OF WAY, A DISTANCE OF 1,044.61 FEET;
 THENCE N 00° 41' 03" E, A DISTANCE OF 403.01 FEET;
 THENCE N 56° 20' 15" E, A DISTANCE OF 692.77 FEET;
 THENCE N 61° 31' 29" E, A DISTANCE OF 851.56 FEET;
 THENCE S 00° 40' 10" W, A DISTANCE OF 529.11 FEET;
 THENCE S 89° 51' 41" E, A DISTANCE OF 660.00 FEET;
 THENCE S 89° 40' 10" E, A DISTANCE OF 660.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. OF COLORADO STATE HIGHWAY NO. 42;
 THENCE ALONG SAID R.O.W. S 89° 51' 41" E, A DISTANCE OF 526.00 FEET;
 THENCE S 83° 23' 23" E, A DISTANCE OF 124.37 FEET;
 THENCE S 82° 25' 33" E, A DISTANCE OF 126.53 FEET TO A POINT OF CURVATURE;

FILM 1262

Recorded 9:02 AM JUL 19 1983
562730
Caption No. Charlotte Houston, Boulder County Recorder

6-1

IN THE DISTRICT COURT, BOULDER COUNTY, COLORADO

Civil Action No. 83CV0486

ORDER AND DECREE CREATING DISTRICT

IN RE THE ORGANIZATION OF COLORADO TECH CENTER METROPOLITAN DISTRICT,
BOULDER COUNTY, COLORADO

THIS MATTER coming for consideration by the Court, and it appearing that the election, held on the 14th day of June, 1983, at which there was submitted the matter of the organization of Colorado Tech Center Metropolitan District, Boulder County, Colorado, and the election of directors for such District, was duly held at the time and place and by the Judges of Election specified in the Order of Court entered on the 9th day of May, 1983;

AND IT FURTHER appearing that the required Notice of Election was duly published in compliance with the aforementioned Order in the Louisville Times, a newspaper of general circulation in the proposed District, once a week for three consecutive weeks, by three publications, in compliance with law; that all of said ballots were cast at said election by electors of the district who were qualified to vote at general elections in this State and who either had been a resident of the proposed district for not less than thirty-two days, or who or whose spouse own taxable real or personal property situated within the boundaries of the proposed District, whether said person resides within the proposed District or not. The following ballots were cast on the question of organization of the proposed District:

VOTES CAST

FOR the Organization
of Colorado Tech Center Metropolitan
District

6

AGAINST the Organization
of Colorado Tech Center Metropolitan
District

0

That the following qualified persons were duly elected as directors of the District for the indicated terms:

NAME

TERM

Wayne Gardenswartz
David Mandarich
Joseph O. Howard
Gary Mandarich
Ron Morgan

Until the next Regular Election
Until the next Regular Election
Until the second Regular Election
Until the second Regular Election
Until the second Regular Election

And it still further appearing that all of the provisions of law, and more particularly all of the requirements of title 32, article 1, part 3, C.R.S. 1973 (1982 Supp.), have been complied with, met and performed, in the organization of the District.

And the Court being fully advised in the premises, hereby ORDER AND DECREES that:

The District has been duly and regularly organized and shall be known as "Colorado Tech Center Metropolitan District", in Boulder County, Colorado.

The District is located in Boulder County, Colorado, more particularly described as follows:

A PARCEL OF LAND CONSISTING OF A PORTION OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BOULDER COUNTY, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16; THENCE S 00° 44' 49" W ALONG THE EAST LINE OF SAID SECTION 16, A DISTANCE OF 112.19 FEET; THENCE N 89° 29' 51" W, A DISTANCE OF 25.00 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 13 (SO. 104TH AVENUE AS DESCRIBED IN BLMR COUNTY ROAD BOOK B AT PAGE 345, AND THE SOUTHERLY RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY NO. 42 (EMPIRE ROAD), THE TRUE POINT OF BEGINNING;

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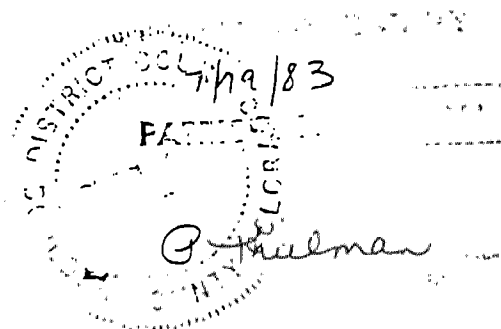
Said District shall be a governmental subdivision of the State of Colorado, and a body corporate with all the powers of a public or quasi-municipal corporation. A Resolution of Approval by the governing body of the City of Louisville, within whose boundaries the proposed District is exclusively confined, has been previously filed in the within action as required by title 32, article 1, part 2, C.R.S. 1973 (1982 Supp.), and the same is hereby incorporated by reference in and appended to this Order.

The Board of Directors shall take such steps and proceedings as the needs of the District require; and that within thirty (30) days after the date hereof, the District shall transmit to the County Clerk and Recorder of Boulder County, Colorado, to the Division of Local Government, and to the County Assessor of Boulder County, certified copies of this Order and Decree, with the Resolution of Approval appended hereto.

DONE IN OPEN COURT this 12th day of July, 1983.

BY THE COURT:

Judge



RESOLUTION NO. 13

Series 1983

A RESOLUTION for the organization of the proposed Colorado Tech Center Metropolitan District.

WHEREAS, pursuant to Section 32-1-201 and 32-1-205, and 32-1-301, C.R.S. 1973, as amended (the "Control Act"), a petition for the organization of a special district filed in District Court requires the approval, by resolution, of the governing body of that municipality; and,

WHEREAS, the proponents of the organization of the proposed Colorado Tech Center Metropolitan District intend to initiate legal proceedings relating to the organization of said district pursuant to title 32, article 1, part 3, C.R.S. 1973, as amended; and,

WHEREAS, the boundaries of the proposed Colorado Tech Center Metropolitan District are confined exclusively within the boundaries of the City of Louisville; and,


WHEREAS, the City Council, has been fully advised of the intended purposes of the proposed Colorado Tech Center Metropolitan District, and having reviewed the contents of a petition for the organization thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

1. That the petition for the organization of the proposed Colorado Tech Center Metropolitan District should be and hereby is approved.

2. That a certified copy of this Resolution be submitted to the petitioners for the organization of the proposed Colorado Tech Center Metropolitan District in order that it may be filed with the District Court of Boulder County pursuant to section 32-1-301 et seq., C.R.S. 1973, as amended.

PASSED AND ADOPTED this 15th day of March 1983.


Mayor

ATTEST:


City Clerk

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Series 1983

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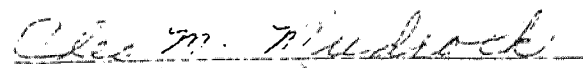
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PASSED AND ADOPTED this 15th day of March 1983.



Mayor

ATTEST:



City Clerk