

**CHERRY HILLS NORTH METROPOLITAN DISTRICT  
ELECTION RESOLUTION.  
NOVEMBER 4, 2014**

WHEREAS, the Board of Directors of the Cherry Hills North Metropolitan District (“District”) has determined and hereby declares that the interest of the District and the public interest and necessity require that the District increase its property tax levy, as an exemption to the provisions and restrictions set forth in Article X, Section 20 of the Colorado Constitution (“TABOR”) and Section 29-1-301 C.R.S., in to carry out the objects and purposes of District and to ensure that the property tax levy generates sufficient revenue to meet the District’s projected annual expenditures; and

WHEREAS, it is necessary to submit to the eligible electors of the District the question of increasing the District’s property tax levy, and the Board hereby determines that such question should be presented to District’s eligible electors at the November 4, 2014 election, in accordance with the Code and TABOR.

NOW, THEREFORE, be it resolved by the Board of Directors of the Cherry Hills North Metropolitan District in the County of Arapahoe, State of Colorado that:

1. The special election of the eligible electors of the District shall be held on November 4, 2014, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. The ballot text for the tax levy increase shall be substantially the form shown on **Exhibit A** attached hereto and incorporated herein by this reference.

2. The Election shall be conducted as a mail ballot election in accordance with all relevant provisions of the Code. There shall be no election precinct or polling place. All mail ballots shall be returned to the Designated Election Official’s office.

3. The Board of Directors hereby designates Sue Blair as the Designated Election Official of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and the Act, Code, TABOR or other applicable laws. The Election shall be conducted in accordance with the Act, Code, TABOR and other applicable laws. Among other matters, the Designated Election Official shall appoint election judges as necessary, appoint the Canvass Board, arrange for the required notices of election, including the TABOR notice, and printing of ballots, and direct that all other appropriate actions be accomplished.

4. If other special districts with overlapping boundaries of the District are conducting ballot issue elections on Election Day, the District is required to enter into an intergovernmental agreement with such special districts concerning the preparation and mailing of the TABOR Notice to the registered electors within the overlapping area. The Designated Election Official is authorized to enter into such agreement on behalf of the

District.

5. Applications for mail-in ballots may be filed with the Designated Election Official at 7995 E. Prentice Avenue, Suite 103E, Greenwood Village, CO 80111, no later than the close of business on the 7<sup>th</sup> day prior to the election (Tuesday, October 28, 2014), if the mail-in ballot is to be mailed to the elector, or until the close of business on the Friday immediately preceding the election (Friday, October 31, 2014), if the mail-in ballot will not be mailed to the elector.

6. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five (5) days after the title of the ballot issue or ballot question is set.

7. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

8. Any and all actions previously taken by the Designated Election Official or the Secretary or Assistant Secretary of the Board of Directors or any other persons acting on their behalf pursuant to the Act, the Code or other applicable laws, are hereby ratified and confirmed.

9. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

10. The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this 5th day of September, 2014.

CHERRY HILLS NORTH  
METROPOLITAN DISTRICT

By   
Chairman

ATTEST:

By   
Secretary

**EXHIBIT A TO ELECTION RESOLUTION**

BALLOT ISSUE 5A:

SHALL CHERRY HILLS NORTH METROPOLITAN DISTRICT TAXES BE INCREASED \$39,600 ANNUALLY OVER THE AMOUNT COLLECTED BY THE DISTRICT IN 2014, OR BY SUCH LESSER ANNUAL AMOUNT AS MAY BE NECESSARY TO PAY THE DISTRICT'S OPERATIONS, MAINTENANCE, AND OTHER EXPENSES; SUCH TAXES TO CONSIST OF AN AD VALOREM MILL LEVY OF 8.281 MILLS (REPRESENTING AN INCREASE OF 4.000 MILLS OVER THE DISTRICT'S EXISTING MILL LEVY OF 4.281 MILLS) OR SUCH MILL LEVY SUFFICIENT TO PRODUCE THE ANNUAL INCREASE SET FORTH ABOVE; AND SHALL THE PROCEEDS OF SUCH TAXES AND INVESTMENT INCOME THEREON CONSTITUTE A VOTER-APPROVED REVENUE CHANGE IN 2015 AND EACH YEAR THEREAFTER WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, SECTION 29-1-301, COLORADO REVISED STATUTES, OR OTHER LAW?