

LAW OFFICE OF MICHAEL E. DAVIS, LLC

July 1, 2023

Weld County Clerk & Recorder
1402 North 17th Avenue
Greeley, CO 80631
weld-districts@weldgov.com

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
mpena@fortluptonco.gov;
jtanaka@wbapc.com

RE: 2022 Annual Report

To Whom It May Concern:

Enclosed for your records is the annual report for 2022 for the below captioned district. Please contact me with any questions or concerns. Thank you.

Cottonwood Greens Metropolitan District No. 2

LAW OFFICE OF MICHAEL E. DAVIS, LLC



Marisa Davis, Senior Paralegal

Enclosure

**COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 2
COUNTY OF WELD, STATE OF COLORADO**

ANNUAL REPORT FOR FISCAL YEAR 2022

Pursuant to the Service Plan for Cottonwood Greens Metropolitan District No. 2 (the “District”), the District is required to provide an annual report to the City of Fort Lupton. In accordance with the requirements of § 32-1-207(3)(c), C.R.S., the District hereby provides its’ annual report with regard to the following matters:

- a. Boundary changes made;
- b. Intergovernmental agreements entered into or terminated with other governmental entities;
- c. Access information to obtain a copy of rules and regulations adopted by the board;
- d. A summary of any litigation involving public improvements owned by the District;
- e. The status of the construction of public improvements by the District;
- f. A list of facilities or improvements constructed by the District that were conveyed or dedicated to the City;
- g. The final assessed valuation of the District as of December 31 of the report year;
- h. A copy of the current year’s budget;
- i. A copy of the audited financial statements, if required by the “Colorado Local Government Audit Law”, Part 6 of Article 1 of Title 29, or the application for exemption from audit, as applicable;
- j. Notice of any uncured defaults existing for more than ninety (90) days under any debt instrument of the District; and
- k. Any inability of the District to pay its obligations as they become due under any obligation which continue beyond a ninety (90) day period.

For the year ending December 31, 2022, the District makes the following report:

- a. Boundary changes made;

The District boundaries changed in 2022 to exclude certain properties that were subsequently included into Cottonwood Townhomes Metropolitan District and Cottonwood Thermo Metropolitan District. A map of the current District boundaries is attached hereto as **Exhibit A**.

- b. Intergovernmental agreements entered into or terminated with other governmental entities;

The District did not enter into, or terminate any IGAs in 2022.

- c. Access information to obtain a copy of rules and regulations adopted by the board;

On December 7, 2022 the Board of Directors of the District adopted a resolution establishing the rules and regulations by which the District would enforce the Covenants, Conditions and Restrictions recorded in the Weld County Clerk & Recorder's office at reception nos. 4853011 and 4854700. The Board resolution is available by contacting Centennial Consulting Group at (970) 484-0101.

- d. A summary of any litigation involving public improvements owned by the District;

We are not aware of any litigation, pending or threatened, involving public improvements owned by the District.

- e. The status of the construction of public improvements by the District;

The status of the construction of public improvements completed in the report year include streets (including without limitation grading, demolition, dirt import, and paving), erosion control, water improvements (including water system, waterline lowering, and water service sleeves), sanitation improvements including sanitary sewer, storm water Improvements including storm sewer, and parks and recreation improvements.

- f. A list of facilities or improvements constructed by the District that were conveyed or dedicated to the City;

No Public Improvements have been dedicated to the City as of December 31st of the report year.

- g. The final assessed valuation of the District as of December 31 of the report year;

The assessed value for 2022 was \$724,890.

- h. A copy of the current year's budget;

The budget resolution for the current year is attached hereto as **Exhibit B**.

- i. A copy of the audited financial statements, if required by the “Colorado Local Government Audit Law”, Part 6 of Article 1 of Title 29, or the application for exemption from audit, as applicable;

The audited financial statements, as required by the "Colorado Local Government Audit Law," Part 6 of Article 1 of Title 29, are not yet available and will be provided when they become available.

- j. Notice of any uncured defaults existing more than ninety (90) days under any debt instrument of the District;

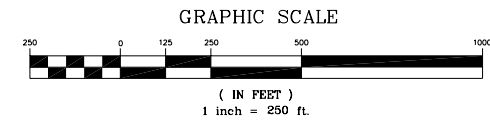
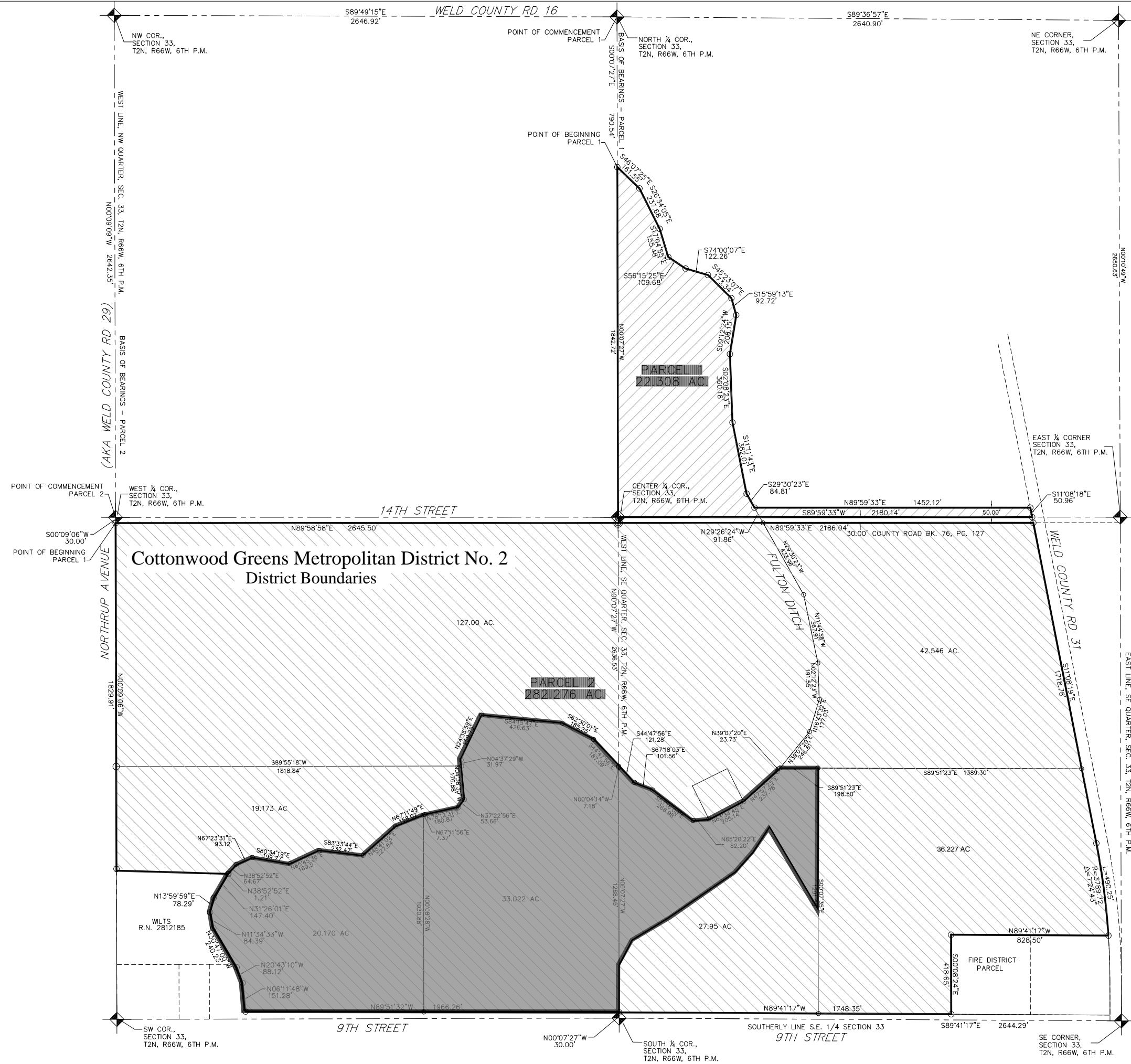
The District has not issued any Debt instruments, and has not received any notices of uncured events of default under any Debt instrument.

- k. Any inability of the District to pay its obligations as they become due under any obligation which continues beyond a ninety (90) day period.

There was no inability of the District to pay any of its obligations as they came due, in accordance with the terms of any such obligations.

EXHIBIT A

J:\sds\proj\2000\208.dwg OVRALL BNDY.DWG, 8/30/2004 8:46:05 AM, .P8



THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO REPRESENT THE ATTACHED PROPERTY DESCRIPTION

NO.	DATE	REVISION

BY

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR 534-06700 IN METRO DENVER
CALL BUSINESS DAYS IN ADVANCE
TO LOCATE AND MARK UTILITIES
EXCAVATE FOR THE MARKING OF
UNDERGROUND MEMBER UTILITIES

DRAWN BY: SLS/J
CHECKED BY: SLS
DATE: 8/30/04
FILE: OVRALL BNDY

HIGH COUNTRY ENGINEERING, INC.
 14 INVERNESS DRIVE EAST, STE F-120, ENGLEWOOD, CO 80112
 PHONE (303) 925-0544 FAX (303) 925-0547
 1517 BLAKE AVENUE, STE 101, GLENWOOD SPRINGS, CO 81601
 PHONE (970) 945-8676 FAX (970) 945-2855
 WWW.HCENG.COM

COTTONWOOD GREENS BOUNDARY MAP

PROJECT NO.
2000208

Cottonwood Greens Metropolitan District No. 2
Legal Description

Parcels of land in the City of Fort Lupton, County of Weld, State of Colorado, described in: (1) COTTONWOOD GREENS PUD FILING NO. 1, recorded in the Office of the Weld County Colorado Clerk & Recorder on February 10, 2021 at Reception Number 4681484; (2) COTTONWOOD GREENS PUD FILING NO. 2, recorded in the Office of the Weld County Colorado Clerk & Recorder on February 10, 2021 at Reception Number 4681485; and (3) COTTONWOOD GREENS PUD FILING NO. 3, recorded in the Office of the Weld County Colorado Clerk & Recorder on February 10, 2021 at Reception Number 4681486, excepting therefrom Outlot A of such PUD; said parcels containing an aggregate of approximately 66.89 acres.

EXHIBIT B

LETTER OF BUDGET TRANSMITTAL

THIS FORM IS TO BE COMPLETED AND SUBMITTED WITH THE ADOPTED BUDGET NO LATER THAN JANUARY 31.

To: Division of Local Government
1313 Sherman Street, Room 521
Denver, Colorado 80203

Date: 1/30/2023

Attached is a copy of the 2023 budget for Cottonwood Green Metropolitan District No. 2
in Weld County, submitted pursuant to Section 29-1-113, C.R.S. This budget
was adopted on October 31, 2022. If there are any questions on the budget, please
contact Andrea Weaver at 970-484-0101 x 110, and andrea@ccgcolorado.com
(name of person) (daytime phone) (mailing address)

I, Andrea Weaver, District Accountant,
(name) (title)
hereby certify that the enclosed is a true and accurate copy of the 2023 Adopted Budget.
(year)

Form DLG 54

BUDGET RESOLUTION

(2023)

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. 2, City of Fort Lupton, County of Weld, Colorado, held at 10:00 A.M. on October 31, 2022, by videoconference at <https://us02web.zoom.us/j/85193325253?pwd=cVZKNUxtSIFwOHFDQnRiRkJrRmtlUT09>, and by teleconference at +1 669 900 6833, Meeting ID: 851 9332 5253, there were present:

Robert Eck II
Marvin Davis
Leslie Brown

Also present was Michael Davis, Marisa Davis and Hilary Adams of the Law Office of Michael E. Davis, LLC (“District Counsel”)

District Counsel 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. District Counsel further reported that this is a special meeting of the Board of Directors of the District and that a notice of the meeting was posted on the District’s public website or at a public place within the boundaries of the District pursuant to applicable statutes and at the Weld County Clerk and Recorder’s Office, and to the best of their knowledge, remains posted to the date of this meeting.

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

RESOLUTION

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND, ADOPTING A BUDGET, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR TO HELP DEFRAY THE COSTS OF THE GOVERNMENT, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 2, CITY OF FORT LUPTON WELD COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2023 AND ENDING ON THE LAST DAY OF DECEMBER, 2023.

WHEREAS, the Board of Directors (the “Board”) of the Cottonwood Greens Metropolitan District No. 2 (the “District”) has authorized its consultants, treasurer and legal counsel to prepare and submit a proposed budget to said governing body no later than October 15, 2022; and

WHEREAS, the proposed 2023 budget has been submitted to the Board for its consideration; and

WHEREAS, upon due and proper notice, posted in accordance with Colorado law and published on October 20, 2022 in the Fort Lupton Press, said proposed budget was open for inspection by the public at a designated place, a public hearing was held at 10:00 A.M. on October 31, 2022, 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. 2, WELD COUNTY, COLORADO, AS FOLLOWS:

Section 1. Summary of 2023 Revenues and 2023 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2023, as more specifically set forth in the budget attached hereto, are accepted and approved.

Section 2. Adoption of Budget. That the budget as submitted, or as amended, and attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2023.

Section 3. 2023 Levy of General Property Taxes. That the foregoing budget indicates that the amount of money from property tax revenue necessary to balance the budget for the General Fund for operating expenses is \$10,673, and that the 2022 valuation for assessment, as certified by the Weld County Assessor, is \$724,890. That for the purposes of meeting all general operating expenses of the District during the 2023 budget year, there is hereby levied a tax of 14.723 mills upon each dollar of the total valuation of assessment of all taxable property within the District during the year 2022.

Section 4. 2023 Levy of Debt Retirement Expenses. That the foregoing budget indicates that the amount of money from property tax revenue necessary to balance the budget for the Debt Service Fund for debt retirement expense is \$40,070 and that the 2022 valuation for assessment, as certified by the Weld County Assessor, is \$724,890. That for the purposes of meeting all debt retirement expenses of the District during the 2023 budget year, there is hereby levied a tax of 55.277 mills upon each dollar of the total valuation of assessment of all taxable property within the District during the year 2022.

Section 5. Certification to Board of County Commissioners. That the attorney, accountant or manager for the District is hereby authorized and directed to certify to the Weld County Board of County Commissioners, no later than December 15, 2022, the mill levies for the District hereinabove determined and set. That said certification shall be substantially in the same form as attached hereto and incorporated herein by this reference.

Section 6. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

Section 7. Budget Certification. That the budget shall be certified by the Secretary/Treasurer of the District, and made a part of the public records of the District.

The foregoing Resolution was seconded by Director Brown.

RESOLUTION APPROVED AND ADOPTED ON OCTOBER 31, 2022.

COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 2

By: *Robert L. Eck II*
Robert L. Eck II (Jan 18, 2023 16:57 MST)
Robert Eck II, President

ATTEST:

Marvin Davis
Marvin Davis (Jan 19, 2023 10:34 MST)
Marvin Davis, Secretary/Treasurer

APPROVED AS TO FORM:
LAW OFFICE OF MICHAEL E. DAVIS, LLC
As General Counsel to the District

Michael E. Davis

STATE OF COLORADO
COUNTY OF WELD
COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 2

I, Marvin Davis, hereby certify that I am a director and the duly elected and qualified Secretary/Treasurer of Cottonwood Greens Metropolitan District No. 2 (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 10:00 A.M. on October 31, 2022, by videoconference at <https://us02web.zoom.us/j/85193325253?pwd=cVZKNUxtSIFwOHFDQnRiRkJrRmtlUT09>, and by teleconference at +1 669 900 6833, Meeting ID: 851 9332 5253, as recorded in the official record of the proceedings of the District, insofar as said proceedings relate to the budget hearing for fiscal year 2023; 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 October 31, 2022.

Marvin Davis

Marvin Davis (Jan 19, 2023 10:34 MST)

Marvin Davis, Secretary/Treasurer

EXHIBIT A
2023 BUDGET DOCUMENT & BUDGET MESSAGE FOR
COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 2

**COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 2
2023 BUDGET**

SUMMARY OF SIGNIFICANT ASSUMPTIONS

COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 2
2023 BUDGET MESSAGE

Cottonwood Greens Metropolitan District No.2 is a quasi-municipal corporation organized and operated pursuant to provisions set forth in the Colorado Special District Act and was formed in 2006. The District is located in the City of Fort Lupton, Colorado. The District was organized to provide construction, installation, financing and operation of certain public improvements and facilities, including streets, street lighting, traffic and safety controls, water improvements, sanitary sewer and storm drainage improvements, landscaping, and park and recreation improvements.

The District has no employees at this time and all operations and administrative functions are contracted.

The budget is prepared on the modified accrual basis of accounting, which is consistent with the basis of accounting used in presenting the District's financial statements.

General Fund

Revenue

Budgeted income in the amount of \$211,159 consists of \$10,673 in property taxes generated from the 14.723 general operating mill levy and operating advances from the developer.

Expenses

The District's 2023 administrative and maintenance expenses is budgeted at \$210,711. Refer to the General Fund summary included with the budget.

Debt Service Fund

The District issued \$7,415,000 Series 2022A and \$2,305,000 Series 2022B Bonds in December, 2022. The 55.277 debt mill levy will generate \$40,070 in revenue for debt payments. *Due to the cash flow nature of the bonds, there are no scheduled principal payments.*

Capital Fund

Revenue

Budgeted income in the amount of \$11,000,000 consists of capital advances from the developer.

Expenses

The District's 2023 Capital Projects expense for public improvements is budgeted at \$11,000,000. Refer to the Capital Fund summary included with the budget.

Fund Balance/Reserves

The District has provided for an emergency reserve fund equal to at least 3% of the fiscal year spending for 2023, as defined under TABOR. It is anticipated that the District will end the 2023 fiscal year with an ending fund balance of \$4,270.

Cottonwood Greens Metropolitan District No. 2

General Fund

	2021	2022	2022	2023
Modified accrual basis	Actual	Budget	Estimated Actual	Proposed Budget
Beginning Balance	-	6,403	-	3,822
Income				
Developer Advance	-	33,000	34,000	60,000
LGI Advance for Landscape Maintenance, Water and Snow Removal	-	-	-	136,346
Property Taxes	-	7,096	7,096	10,673
Specific Ownership Tax	-	355	386	640
Tax Related Interest	-	-	4	
Design Review Fees	-	-	1,000	3,500
Total Income	-	40,451	42,486	211,159
Expense				
Management & Accounting Services	-	10,000	3,000	24,000
Non Contract Management and Accounting S	-	1,800	-	-
Design Review Fees	-	-	1,000	3,500
Legal	-	25,000	25,000	25,000
Audit/Tax Prep	-	-	218	10,000
Election	-	-	358	5,000
Insurance	-	1,000	1,420	2,000
Treasurers Fees	-	566	107	160
Office	-	-	250	500
Dues & Subscriptions	-	-	195	205
Utilities/Water	-	-	3,566	7,500
Landscape and Grounds	-	-	-	123,846
Non Contract Landscaping	-	-	-	-
Snow Removal	-	-	1,500	5,000
Repayment of Developer Advance Principal	-	6,400	-	-
Contingency	-	-	2,050	4,000
Total Expense	-	44,766	38,664	210,711
Excess Revenue (Expenses)	-	(4,315)	3,822	448
Ending Fund Balance	-	2,088	3,822	4,270

Cottonwood Greens Metropolitan District No. 2

Debt Service

Modified accrual basis	2021	2022	2022	2023
	Actual	Budget	Estimated Actual	Proposed Budget
Beginning Balance	-	-	-	-
Income				
Property Tax	-	-	-	40,070
Specific Ownership Tax	-	-	-	2,404
Total Income	-	-	-	42,474
Expense				
Treasurers Fees	-	-	-	601
Paying Agent Fees	-	-	-	4,000
Principal - Bonds	-	-	-	-
Interest - Bonds	-	-	-	37,873
Total Expense	-	-	-	42,474
Ending Fund Balance	-	-	-	-

Capital Projects

Modified accrual basis	2021	2022	2022	2023
	Actual	Budget	Estimated Actual	Proposed Budget
Beginning Balance	-	-	-	-
Income				
Developer Advance	-	-	11,000,000	11,000,000
Debt Proceeds	-	-	-	-
Total Income	-	-	11,000,000	11,000,000
Expense				
Costs of Issuance	-	-	385,000	385,000
Capital Projects	-	-	10,615,000	10,615,000
Total Expense	-	-	11,000,000	11,000,000
Ending Fund Balance	-	-	-	-

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of WELD COUNTY, Colorado.

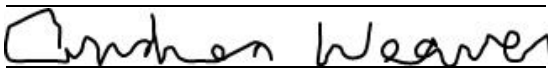
On behalf of the COTTONWOOD GREENS 2,
 (taxing entity)^A
 the Board of Directors,
 (governing body)^B
 of the COTTONWOOD GREENS 2,
 (local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 724,890.00 assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 724,890.00 (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)
USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: 12/13/2022 for budget/fiscal year 2023.
 (no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	14.723 mills	\$ 10672.56
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< > mills	\$ < 0 >
SUBTOTAL FOR GENERAL OPERATING:	14.723 mills	\$ 10672.56
3. General Obligation Bonds and Interest ^J	55.277 mills	\$ 40069.74
4. Contractual Obligations ^K	mills	\$ 0
5. Capital Expenditures ^L	mills	\$ 0
6. Refunds/Abatements ^M	mills	\$ 0
7. Other ^N (specify): _____	mills	\$
_____	mills	\$
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	70.000 mills	\$ 50742.30

Contact person: (print) Andrea Weaver Daytime phone: 9708298298
 Signed:  Title: District Accountant

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

¹ If the *taxing entity's* boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.
² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are

Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

1.	Purpose of Issue:	<u>Finance of Public Improvements</u>
	Series:	<u>Limited Tax General Obligation Senior Bonds. Tax-Exempt Series 2022A</u>
	Date of Issue:	<u>12/15/2022</u>
	Coupon Rate:	<u>6.75%</u>
	Maturity Date:	<u>12/01/2062</u>
	Levy:	<u>40.070</u>
	Revenue:	_____
2.	Purpose of Issue:	<u>Finance of Public Improvements</u>
	Series:	<u>Limited Tax General Obligation Subordinate Bonds. Taxable Series 2022B</u>
	Date of Issue:	<u>12/15/2022</u>
	Coupon Rate:	<u>8.00%</u>
	Maturity Date:	<u>12/15/2062</u>
	Levy:	<u>55.277 (Subject to prior pledge. Series 2022A)</u>
	Revenue:	<u>0.000 (Subject to prior pledge. Series 2022A)</u>

CONTRACTS^K:

3.	Purpose of Contract:	_____
	Title:	_____
	Date:	_____
	Principal Amount:	_____
	Maturity Date:	_____
	Levy:	_____
	Revenue:	_____
4.	Purpose of Contract:	_____
	Title:	_____
	Date:	_____
	Principal Amount:	_____
	Maturity Date:	_____
	Levy:	_____
	Revenue:	_____

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

Notes:

^A **Taxing Entity**—A jurisdiction authorized by law to impose ad valorem property taxes on taxable property located within its territorial limits (please see notes B, C, and H below). For purposes of the DLG 70 only, a *taxing entity* is also a geographic area formerly located within a *taxing entity's* boundaries for which the county assessor certifies a valuation for assessment and which is responsible for payment of its share until retirement of financial obligations incurred by the *taxing entity* when the area was part of the *taxing entity*. For example: an area of excluded property formerly within a special district with outstanding general obligation debt at the time of the exclusion or the area located within the former boundaries of a dissolved district whose outstanding general obligation debt service is administered by another local government^C.

^B **Governing Body**—The board of county commissioners, the city council, the board of trustees, the board of directors, or the board of any other entity that is responsible for the certification of the *taxing entity's* mill levy. For example: the board of county commissioners is the governing board ex officio of a county public improvement district (PID); the board of a water and sanitation district constitutes ex officio the board of directors of the water subdistrict.

^C **Local Government** - For purposes of this line on Page 1 of the DLG 70, the *local government* is the political subdivision under whose authority and within whose boundaries the *taxing entity* was created. The *local government* is authorized to levy property taxes on behalf of the *taxing entity*. For example, for the purposes of this form:

1. a municipality is both the *local government* and the *taxing entity* when levying its own levy for its entire jurisdiction;
2. a city is the *local government* when levying a tax on behalf of a business improvement district (BID) *taxing entity* which it created and whose city council is the BID board;
3. a fire district is the *local government* if it created a subdistrict, the *taxing entity*, on whose behalf the fire district levies property taxes.
4. a town is the *local government* when it provides the service for a dissolved water district and the town board serves as the board of a dissolved water district, the *taxing entity*, for the purpose of certifying a levy for the annual debt service on outstanding obligations.

^D **GROSS Assessed Value** - There will be a difference between gross assessed valuation and net assessed valuation reported by the county assessor only if there is a “tax increment financing” entity (see below), such as a downtown development authority or an urban renewal authority, within the boundaries of the *taxing entity*. The board of county commissioners certifies each *taxing entity's* total mills upon the *taxing entity's* *Gross Assessed Value* found on Line 2 of Form DLG 57.

^E **Certification of Valuation by County Assessor, Form DLG 57** - The county assessor(s) uses this form (or one similar) to provide valuation for assessment information to a *taxing entity*. The county assessor must provide this certification no later than August 25th each year and may amend it, one time, prior to December 10th. Each entity must use the **FINAL** valuation provided by assessor when certifying a tax levy.

^F **TIF Area**—A downtown development authority (DDA) or urban renewal authority (URA), may form plan areas that use “tax increment financing” to derive revenue from increases in assessed valuation (gross minus net, Form DLG 57 Line 3) attributed to the activities/improvements within the plan area. The DDA or URA receives the differential revenue of each overlapping *taxing entity's* mill levy applied against the *taxing entity's* gross assessed value after subtracting the *taxing entity's* revenues derived from its mill levy applied against the net assessed value.

^G **NET Assessed Value**—The total taxable assessed valuation from which the *taxing entity* will derive revenues for its uses. It is found on Line 4 of Form DLG 57. **Please Note:** A downtown development authority (DDA) may be both a *taxing entity* and have also created its own *TIF area* and/or have a URA *TIF Area* within the DDA's boundaries. As a result DDAs may both receive operating revenue from their levy applied to their certified *NET assessed value* and also receive TIF revenue generated by any *tax entity* levies overlapping the DDA's *TIF Area*, including the DDA's own operating levy.

^H General Operating Expenses (DLG 70 Page 1 Line 1)—The levy and accompanying revenue reported on Line 1 is for general operations and includes, in aggregate, all levies for and revenues raised by a *taxing entity* for purposes not lawfully exempted and detailed in Lines 3 through 7 on Page 1 of the DLG 70. For example: a fire pension levy is included in general operating expenses, unless the pension is voter-approved, if voter-approved, use Line 7 (Other).

^I Temporary Tax Credit for Operations (DLG 70 Page 1 Line 2)—The Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction of 39-1-111.5, C.R.S. may be applied to the *taxing entity*'s levy for general operations to effect refunds. Temporary Tax Credits (TTCs) are not applicable to other types of levies (non-general operations) certified on this form because these levies are adjusted from year to year as specified by the provisions of any contract or schedule of payments established for the payment of any obligation incurred by the *taxing entity* per 29-1-301(1.7), C.R.S., or they are certified as authorized at election per 29-1-302(2)(b), C.R.S.

^J General Obligation Bonds and Interest (DLG 70 Page 1 Line 3)—Enter on this line the total levy required to pay the annual debt service of all general obligation bonds. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments. Title 32, Article 1 Special districts and subdistricts must complete Page 2 of the DLG 70.

^K Contractual Obligation (DLG 70 Page 1 Line 4)—If repayment of a contractual obligation with property tax has been approved at election and it is not a general obligation bond (shown on Line 3), the mill levy is entered on this line. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments.

^L Capital Expenditures (DLG 70 Page 1 Line 5)—These revenues are not subject to the statutory property tax revenue limit if they are approved by counties and municipalities through public hearings pursuant to 29-1-301(1.2) C.R.S. and for special districts through approval from the Division of Local Government pursuant to 29-1-302(1.5) C.R.S. or for any *taxing entity* if approved at election. Only levies approved by these methods should be entered on Line 5.

^M Refunds/Abatements (DLG 70 Page 1 Line 6)—The county assessor reports on the *Certification of Valuation* (DLG 57 Line 11) the amount of revenue from property tax that the local government did not receive in the prior year because taxpayers were given refunds for taxes they had paid or they were given abatements for taxes originally charged to them due to errors made in their property valuation. The local government was due the tax revenue and would have collected it through an adjusted mill levy if the valuation errors had not occurred. Since the government was due the revenue, it may levy, in the subsequent year, a mill to collect the refund/abatement revenue. An abatement/refund mill levy may generate revenues up to, but not exceeding, the refund/abatement amount from Form DLG 57 Line 11.

1. Please Note: Pursuant to Article X, Section 3 of the Colorado Constitution, if the *taxing entity* is in more than one county, as with all levies, the abatement levy must be uniform throughout the entity's boundaries and certified the same to each county. To calculate the abatement/refund levy for a *taxing entity* that is located in more than one county, first total the abatement/refund amounts reported by each county assessor, then divide by the *taxing entity*'s total net assessed value, then multiply by 1,000 and round down to the nearest three decimals to prevent levying for more revenue than was abated/refunded. This results in an abatement/refund mill levy that will be uniformly certified to all of the counties in which the *taxing entity* is located even though the abatement/refund did not occur in all the counties.

^N Other (DLG 70 Page 1 Line 7)—Report other levies and revenue not subject to 29-1-301 C.R.S. that were not reported above. For example: a levy for the purposes of television relay or translator facilities as specified in sections 29-7-101, 29-7-102, and 29-7-105 and 32-1-1005 (1) (a), C.R.S.; a voter-approved fire pension levy; a levy for special purposes such as developmental disabilities, open space, etc.