

**Green Valley Ranch East  
Metropolitan District No. 6**

2022  
Annual Report

**Submitted to:  
Office of Development Assistance  
City of Aurora  
July 31, 2023**

Also filed with:  
Colorado Division of Local Government in the Department of Local Affairs,  
Adams County Clerk and Recorder &  
Colorado State Auditor

The Green Valley Ranch East Metropolitan District No. 6 (the “District”) hereby submits this annual report, as required pursuant to Section VIII of the Consolidated Second Amended and Restated Service Plan, approved by the City of Aurora (the “City) on August 8, 2023 (the “Service Plan”). In addition, pursuant to Section 32-1-207(3)(c), C.R.S., the District is required to submit an annual report for the preceding calendar year commencing in 2023 for the 2022 calendar year to the City, the Division of Local Government, the state auditor, and the Adams County Clerk and Recorder This annual report is being submitted to satisfy the reporting requirement for the year 2023. For the year ending December 31, 2022, the District makes the following report:

**1. Boundary changes made or proposed to the District’s boundary as of December 31 of the prior year.**

On December 5, 2018, Clayton Properties Group II, Inc., petitioned the District to include real property (the “Clayton Inclusion Property”) within the boundaries of the District. On December 20, 2018, the Board of Directors approved a resolution ordering the inclusion of real property into the boundaries of the District. On April 24, 2019, the Adams County District Court granted an order for the inclusion of the Clayton Inclusion Property into the District, and that order was recorded in the office of the Adams County Clerk and Recorder on April 26, 2019 at Reception No. 2019000030749.

On October 11, 2019, Green Valley East LLC, petitioned the District to exclude real property (the “GVE LLC Property”) from the boundaries of the District. On October 18, 2019, the Board of Directors approved a resolution ordering the exclusion of real property from the boundaries of the District. On November 6, 2019, the Adams County District Court granted an order for the exclusion of the GVE LLC Property from the District, and that order was recorded in the office of the Adams County Clerk and Recorder on November 22, 2019 at Reception No. 2019000102346.

On May 14, 2020, Clayton Properties Group II, Inc., petitioned the District to exclude real property (the “Clayton Exclusion Property”) from the boundaries of the District. On May 26, 2020, the Board of Directors approved a resolution ordering the exclusion of real property from the boundaries of the District. On June 18, 2020, the Adams County District Court granted an order for the exclusion of the Clayton Exclusion Property from the District, and that order was recorded in the office of the Adams County Clerk and Recorder on July 2, 2020 at Reception No. 2020000061125.

No changes to the District’s boundary were made in 2022 or proposed as of December 31, 2022.

**2. Intergovernmental agreements with other governmental entities either entered into or proposed as of December 31 of the prior year.**

- *Intergovernmental Agreement* between the City, the District, Green Valley Ranch East Metropolitan District No. 7, and Green Valley Ranch East Metropolitan District No. 8, dated October 30, 2017, as superseded by the *Intergovernmental Agreement* between the City, the District, Green Valley Ranch East Metropolitan

District No. 7, Green Valley Ranch East Metropolitan District No. 8, Green Valley Ranch East Metropolitan District No. 9, Green Valley Ranch East Metropolitan District No. 10, Green Valley Ranch East Metropolitan District No. 11, Green Valley Ranch East Metropolitan District No. 12, Green Valley Ranch East Metropolitan District No. 13, and Green Valley Ranch East Metropolitan District No. 14, dated February 24, 2023.

- *Intergovernmental Agreement Concerning District Operations and Funding* between the District, Green Valley Ranch East Metropolitan District No. 7, Green Valley Ranch East Metropolitan District No. 8, Second Creek Ranch Metropolitan District, and Central Adams County Water and Sanitation District, dated July 15, 2020.
- *Eligible Governmental Entity Agreement* between the Statewide Internet Portal Authority of the State of Colorado and the District dated July 15, 2021.
- *Intergovernmental Agreement for the Colorado Special Districts Property and Liability Pool* dated July 15, 2020.
- *Intergovernmental Agreement Regarding Construction and Funding of 38th Avenue Improvements* between the District and Aerotropolis Regional Transportation Authority dated February 26, 2021.
- *Intergovernmental Agreement Regarding Construction and Funding of 38th Avenue Improvements (Picadilly Road to Tibet Street)* between the District and Tower Metropolitan District dated July 23, 2021.
- *Intergovernmental Agreement Regarding Regional Transportation System Project Funding and Construction* between the District and Aerotropolis Regional Transportation Authority dated October 12, 2021, as assigned by the District to the Second Creek Ranch Metropolitan District by the *First Amendment and Novation of the Intergovernmental Agreement Regarding Regional Transportation System Project Funding and Construction*, dated April 26, 2023.
- *Intergovernmental Agreement Imposition, Collection, and Transfer of ARI Mill Levies* between the District, Green Valley Ranch East Metropolitan District No. 7, Green Valley Ranch East Metropolitan District No. 8, Aerotropolis Area Coordinating Metropolitan District, and Aerotropolis Regional Transportation Authority dated October 12, 2021.
- *Master License Agreement M.L.A. 21-130A Tributary-T* between the District and the City dated February 25, 2022.
- *Access Agreement 22-02 PA14 Park* between the District and the City dated March 7, 2022.
- *Master License Agreement M.L.A. 22-30 48th Avenue* between the District and the City dated March 18, 2022.
- *Master License Agreement M.L.A. 22-31 Tibet Road P1* between the District and the City dated March 18, 2022.
- *Escrow Agreement Regarding Deposit and Distribution of ARTA Funds* between the District and Second Creek Ranch Metropolitan District dated April 21, 2023.

**3. Copies of the District's rules and regulations, if any, as of December 31 of the prior year.**

- Policy and Procedures for Collection of Unpaid Fees, Penalties and Charges and Appeals, adopted by the Board of Directors of the District (the “Board”) on April 21, 2020 and as attached to the 2020 Annual Report.
- Policy and Procedures for the Imposition of Fines for Violations of the Covenants and Design Standards, Hearing Procedures, Collection of Unpaid Fees, Penalties and Charges, and Appeals, adopted by the Board on December 1, 2020 and as attached to the 2020 Annual Report.
- Rules Related to Requests for Inspection of Public Records Pursuant to the Colorado Open Records Act, Sections 24-72-200.1 *et seq.*, C.R.S., adopted by the Official Custodian of the District on July 23, 2021 and as attached to the 2021 Annual Report.

**4. A summary of any litigation which involves the District public improvements as of December 31 of the prior year.**

On July 28, 2022, Roberts Electrical Contracting, Inc. (the “Plaintiff”) filed a complaint in the Adams County District Court (the “Complaint”) against the District, Farrington Construction Management, LLC (“Farrington”), and Clayton Properties Group II, Inc. (“Clayton”). The Plaintiff alleged that Farrington did not provide proper payment for subcontracted services rendered by the Plaintiff in relation to a contract between the District and Farrington for the construction of the Green Valley Ranch Active Adult Community Clubhouse (the “Clubhouse Contract”). On September 15, 2022, Farrington filed a motion to add the District as a party and also filed an answer to the Complaint (the “Answer”). The Answer included crossclaims against the District alleging breach of contract, or unjust enrichment in the alternative, for failure and/or refusal to pay Farrington for work performed under the Clubhouse Contract and requesting a judgment to entitle Farrington to foreclose a mechanic’s lien on the structure and improvements related to the Clubhouse Contract. On January 31, 2023, the Adams County District Court filed an Order for Dismissal with Prejudice dismissing all claims raised by the Plaintiff in the Complaint. Any and all liabilities that have been asserted by Farrington against the District were assigned to and accepted by Clayton on April 21, 2023.

**5. Status of the District’s construction of the public improvements as of December 31 of the prior year.**

The District commenced and continued construction of various public improvements consistent with the approved development plans, which will or have already been dedicated to the City, the District, or other appropriate entity. Public improvements include the Green Valley Ranch Active Adult Community Clubhouse, multiple parks and landscaping improvements (e.g., PA-14 Park, Filing No. 3 Park; Filing No. 5 Park) street improvements, and improvements to the Tributary-T drainage channel. Certain of the District’s contracts related the construction of 48<sup>th</sup> Avenue from Picadilly Road to Tibet Road, Tibet Road Phase 1 from 38<sup>th</sup> Avenue to east of Tributary-T Phase 1, and Tibet Road Phase 2 from E. 48<sup>th</sup> Avenue to east of Tributary-T Phase 1 were assigned to Second Creek Ranch Metropolitan District on April 21, 2023 for completion of construction.

**6. A list of all facilities and improvements constructed by the District that have been dedicated to and accepted by the City as of December 31 of the prior year.**

The District conveyed certain real property for use as a public street and thoroughfare to the City via Special Warranty Deed, dated June 16, 2022, and recorded in the real property records of the Adams County Clerk and Recorder at Reception No. 2022000056019. The District conveyed certain real property for use as a public street and thoroughfare to the City via Special Warranty Deed, dated May 15, 2023, and recorded in the real property records of the Adams County Clerk and Recorder at Reception No. 202300003133.

**7. The assessed valuation of the District for the current year.**

The assessed valuation of the District for 2023 is \$21,158,980.

**8. Current year budget including a description of the public improvements to be constructed in such year.**

A copy of the District's 2023 budget is attached hereto as **Exhibit A**. See response to Question 5 above for a description of the public improvements to be constructed in 2023.

**9. Audit of the District's financial statements, for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles or audit exemption, if applicable.**

At the time of filing the 2021 Annual Report, an audit of District was not yet complete and the District had applied to the Office of the State Auditor for an extension of time to file the 2021 audited financial statements. As a result, the audited financial statements for the District for the fiscal year ending December 31, 2021 are attached hereto as **Exhibit B**.

At the time of filing this 2022 Annual Report, the audited financial statements for the District for the year ending December 31, 2022 are not yet available.

**10. Notice of any uncured events of default by the District, which continue beyond a ninety (90) day period, under any debt instrument.**

As of the date of submission of this 2022 Annual Report, the District is not aware of any uncured events of default by the District, which continue beyond a ninety (90) day period, under any Debt instrument.

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

As of the date of submission of this 2022 Annual Report, the District is not aware of any inability of the District to pay its obligations as they come due in accordance with the terms of such obligations, which continue beyond a ninety (90) day period.

**For the year ending December 31, 2022, the District makes the following report pursuant to Section 32-1-207(3)(c), C.R.S.:**

**(a) Boundary changes made.**

The District had no boundary changes in 2022.

**(b) Intergovernmental agreements entered into or terminated with other governmental entities.**

See Section 2 above.

**(c) Access information to obtain a copy of rules and regulations adopted by the board.**

For information concerning rules and regulations adopted by the District please contact the District's General Counsel:

Jennifer L. Ivey, Esq.  
Icenogle Seaver Pogue, P.C.  
4725 S. Monaco St., Suite 360  
Denver, CO 80237

**(d) A summary of litigation involving public improvements owned by the special district.**

See Section 4 above.

**(e) The status of the construction of public improvements by the special district.**

See Section 5 above.

**(f) A list of facilities or improvements constructed by the special district that were conveyed or dedicated to the county or municipality.**

See Section 6 above.

**(g) The final assessed valuation of the special district as of December 31 of the reporting year.**

See Section 7 above.

**(h) A copy of the current year's budget.**

See Section 8 above.

**(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.**

See Section 9 above.

**(j) Notice of any uncured defaults existing for more than ninety days under any debt instrument of the special district.**

See Section 10 above.

**(k) Any inability of the special district to pay its obligations as they come due under any obligation which continues beyond a ninety-day period.**

See Section 11 above.

**EXHIBIT A**

2023 Budget

**EXHIBIT B**

2021 Audit