

# LAW OFFICE OF MICHAEL E. DAVIS, LLC

---

July 1, 2024

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: 2023 Annual Report**

To Whom It May Concern:

Enclosed for your records is the annual report for 2023 for the below captioned district. Please contact me with any questions or concerns. Thank you.

Cottonwood Greens Metropolitan District No. 5

LAW OFFICE OF MICHAEL E. DAVIS, LLC  
*Marisa Davis, Senior Paralegal*

Enclosure

**COTTONWOOD GREENS METROPOLITAN DISTRICT NO. 5  
COUNTY OF WELD, STATE OF COLORADO**

**ANNUAL REPORT FOR FISCAL YEAR 2023**

Pursuant to the Service Plan for Cottonwood Greens Metropolitan District No. 5 (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;
- 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; and
- l. A certificate of compliance with the Service Plan.

**For the year ending December 31, 2023, the District makes the following report:**

- a. Boundary changes made.  
  
The District boundaries did not change in 2023.
- 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.

There are no rules and regulations.

- 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.

No Public Improvements were constructed by the District during the reporting period.

- 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 2023 was \$103,360.

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

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

- 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 District is currently exempted from audit pursuant to §29-1-604, C.R.S. The Audit Exemption Application for 2023 is attached hereto as **Exhibit B**.

- j. Notice of any uncured defaults existing for 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 continue 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.

- l. A certificate of compliance with the Service Plan.

The District hereby certifies that except as otherwise indicated herein, the District remained compliance with its Service Plan during the report year.

**EXHIBIT A**

2024 Budget Resolution is available by clicking this [link](#).

**EXHIBIT B**

2023 Audit Exemption Application is available by clicking this [link](#).