APPLICATION FOR EXEMPTION FROM AUDIT

SHORT FORM

NAME OF GOVERNMENT	**Legacy Park Metropolitan District No. 5**	For the Year Ended
ADDRESS	**304 Inverness Way South, Suite 490**	12/31/24
	Englewood, CO 80112	or fiscal year ended:
CONTACT PERSON	**Diane Wheeler**	
PHONE	**303-981-0386**	
EMAIL	**Diane@simmonswheeler.com**	

PART 1 - CERTIFICATION OF PREPARER

I certify that I am skilled in governmental accounting and that the information in the application is complete and accurate, to the best of my knowledge.

NAME:	Diane Wheeler
TITLE	District Accountant
FIRM NAME (if applicable)	Simmons & Wheeler, P.C.
ADDRESS	304 Inverness Way South, Suite 490, Englewood, CO 80112
PHONE	303-689-0833

PREPARER (SIGNATURE REQUIRED)	DATE PREPARED (No exemption shall be granted prior to the close of said fiscal year)
Diane K Wheeler	Mar 17, 2025

Please indicate whether the following financial information is recorded using Governmental or Proprietary fund types	GOVERNMENTAL (MODIFIED ACCRUAL BASIS)	PROPRIETARY (CASH OR BUDGETARY BASIS)
	☑	☐

PART 2 - REVENUES

All revenues for all funds must be reflected in this section, including proceeds from the sale of the government's land, building, and equipment, and proceeds from debt or lease transactions. Financial information will not include fund equity information.

Line #	Description			Round to the nearest dollar	Please use this space to provide any necessary explanations
2-1	Taxes:	Property	(report mills levied in question 10-7)	$ -	
2-2		Specific ownership		$ -	
2-3		Sales and use		$ -	
2-4		Other (specify):		$ -	
2-5	Licenses and permits			$ -	
2-6	Intergovernmental:		Grants	$ -	
2-7			Conservation Trust Funds (Lottery)	$ -	
2-8			Highway Users Tax Funds (HUTF)	$ -	
2-9			Other (specify):	$ -	
2-10	Charges for services			$ -	
2-11	Fines and forfeits			$ -	
2-12	Special assessments			$ -	
2-13	Investment income			$ -	
2-14	Charges for utility services			$ -	
2-15	Debt proceeds		(should agree to table 4-4, column 'Issued during year')	$ -	
2-16	Lease proceeds			$ -	
2-17	Developer Advances received		(should agree to table 4-4, column 'Issued during year')	$ -	
2-18	Proceeds from sale of capital assets			$ -	
2-19	Fire and police pension			$ -	
2-20	Donations			$ -	
2-21	Other (specify):			$ -	
2-22	Developer advance not yet received			$ -	
2-23				$ -	
2-24				$ -	
2-25				$ -	
2-26	(add lines 2-1 through 2-25)		TOTAL REVENUES	$ -	

PART 3 - EXPENDITURES/EXPENSES

All expenditures for all funds must be reflected in this section, including the purchase of capital assets and principal and interest payments on long-term debt. Financial information will not include fund equity information.

Line #	Description		Round to the nearest dollar	Please use this space to provide any necessary explanations
3-1	Administrative		$ -	
3-2	Salaries		$ -	
3-3	Payroll taxes		$ -	
3-4	Contract services		$ -	
3-5	Employee benefits		$ -	
3-6	Insurance		$ -	
3-7	Accounting and legal fees		$ -	
3-8	Repair and maintenance		$ -	
3-9	Supplies		$ -	
3-10	Utilities and telephone		$ -	
3-11	Fire/Police		$ -	
3-12	Streets and highways		$ -	
3-13	Public health		$ -	
3-14	Capital outlay		$ -	
3-15	Utility operations		$ -	
3-16	Culture and recreation		$ -	
3-17	Debt service principal	(should agree to table 4-4, column 'Retired during year')	$ -	
3-18	Debt service interest		$ -	
3-19	Repayment of Developer Advance Principal	(should agree to table 4-4, column 'Retired during year')	$ -	
3-20	Repayment of Developer Advance Interest		$ -	
3-21	Contribution to pension plan		$ -	
3-22	Contribution to Fire & Police Pension Assoc.		$ -	
3-23	Other (specify):		$ -	
3-24			$ -	
3-25			$ -	
3-26			$ -	
3-27			$ -	
3-28	(add lines 3-1 through 3-27) TOTAL EXPENDITURES/EXPENSES		$ -	

If TOTAL REVENUES (Line 2-26) or TOTAL EXPENDITURES (Line 3-28) are GREATER than $100,000 - **STOP**.
You may not use this form. Please use the "Application for Exemption from Audit - LONG FORM".

PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

	Please answer the following questions by marking the appropriate boxes.	Yes	No
4-1	Does the entity have outstanding debt? *(If 'No' is checked, skip to question 4-5)* *(If 'Yes' is checked, please attach a copy of the entity's debt repayment schedule)*	☐	☑
4-2	Is the debt repayment schedule attached? If no, **MUST** explain below:	☐	☐
4-3	Is the entity current in its debt service payments? If no, **MUST** explain below:	☐	☐

4-4	Please complete the following debt schedule, if applicable: (please only include principal amounts) (enter all amounts as positive numbers)	Outstanding at end of prior year*	Issued during year	Retired during year	Outstanding at year-end
	General obligation bonds	$ -	$ -	$ -	$ -
	Revenue bonds	$ -	$ -	$ -	$ -
	Notes/Loans	$ -	$ -	$ -	$ -
	Lease & SBITA** Liabilities [GASB 87 & 96]	$ -	$ -	$ -	$ -
	Developer Advances	$ -	$ -	$ -	$ -
	Other (specify):	$ -	$ -	$ -	$ -
	TOTAL	$ -	$ -	$ -	$ -

**Subscription-Based Information Technology Arrangements

*Must agree to prior year-end balance

	Please answer the following questions by marking the appropriate boxes.		Yes	No
4-5	Does the entity have any authorized but unissued debt as of its fiscal year-end?		☑	☐
	How much?	$ 585,000,000.00		
	Date the debt was authorized:	11/5/2024		
NEW 4-6	Is the authorized but unissued debt further limited by the entity's most recent Service Plan?		☑	☐
If yes:	How much?	$ 65,000,000.00		
	Date of the most recent Service Plan:	3/26/2024		
4-7	Does the entity intend to issue debt within the next calendar year?		☐	☑
If yes:	How much?	$ -		
4-8	Does the entity have debt that has been refinanced that it is still responsible for?		☐	☑
If yes:	What is the amount outstanding?	$ -		
4-9	Does the entity have any lease agreements?		☐	☑
If yes:	What is being leased?			
	What is the original date of the lease?			
	Number of years of lease?			
	Is the lease subject to annual appropriation?		☐	☑
	What are the annual lease payments?	$ -		

Part 4 - Please use this space to provide any explanations/comments or attach separate documentation, if needed

PART 5 - CASH AND INVESTMENTS

	Please provide the entity's cash deposit and investment balances.	Amount	Total
5-1	YEAR-END Total of ALL Checking and Savings Accounts	$ -	
5-2	Certificates of deposit	$ -	
	TOTAL CASH DEPOSITS		$ -
5-3	Investments (if investment is a mutual fund, please list underlying investments):		
		$ -	
		$ -	
		$ -	
		$ -	
	TOTAL INVESTMENTS		$ -
	TOTAL CASH AND INVESTMENTS		$ -

	Please answer the following questions by marking in the appropriate boxes.	Yes	No	N/A
5-4	Are the entity's investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?	☐	☐	☑
5-5	Are the entity's deposits in an eligible (Public Deposit Protection Act) public depository (Section 11-10.5-101, et seq. C.R.S.)?	☐	☐	☑

Part 5 - If no, MUST use this space to provide any explanations

All cash and investments held by Windler Metropolitan District No. 1

PART 6 - CAPITAL AND RIGHT-TO-USE ASSETS

	Please answer the following questions by marking in the appropriate boxes.	Yes	No
6-1	Does the entity have capital assets?	☐	☑
	(If 'No' is checked, skip the rest of Part 6)		
6-2	Has the entity performed an annual inventory of capital assets in accordance with Section 29-1-506, C.R.S.,? If no, **MUST** explain:	☐	☐

6-3

Complete the following capital & right-to-use assets table:	Balance - beginning of the year*	Additions^	Deletions	Year-End Balance
Land	$ -	$ -	$ -	$ -
Buildings	$ -	$ -	$ -	$ -
Machinery and equipment	$ -	$ -	$ -	$ -
Furniture and fixtures	$ -	$ -	$ -	$ -
Infrastructure	$ -	$ -	$ -	$ -
Construction In Progress (CIP)	$ -	$ -	$ -	$ -
Leased & SBITA Right-to-Use Assets	$ -	$ -	$ -	$ -
Other (explain):	$ -	$ -	$ -	$ -
Accumulated Depreciation/Amortization (Please enter a negative, or credit, balance)	$ -	$ -	$ -	$ -
TOTAL	$ -	$ -	$ -	$ -

*Must agree to prior year-end balance

^Generally capital asset additions should be reported as capital outlay on line 3-14 and capitalized in accordance with the government's capitalization policy. Please explain any discrepancy

Part 6 - Please use this space to provide any explanations/comments or attach documentation, if needed

PART 7 - PENSION INFORMATION

	Please answer the following questions by marking in the appropriate boxes.	Yes	No
7-1	Does the entity have an "old hire" firefighters' pension plan?	☐	☑
7-2	Does the entity have a volunteer firefighters' pension plan?	☐	☑

If yes: Who administers the plan?

Indicate the contributions from:

Tax (property, SO, sales, etc.):	$ -
State contribution amount:	$ -
Other (gifts, donations, etc.):	$ -
TOTAL	$ -
What is the monthly benefit paid for 20 years of service per retiree as of Jan 1?	$ -

Part 7 - Please use this space to provide any explanations or comments

PART 8 - BUDGET INFORMATION

	Please answer the following questions by marking in the appropriate boxes.	Yes	No	N/A
8-1	Did the entity file a budget with the Department of Local Affairs for the current year in accordance with Section 29-1-113 C.R.S.? If no, **MUST** explain:	☑	☐	☐
8-2	Did the entity pass an appropriations resolution, in accordance with Section 29-1-108 C.R.S.? If no, **MUST** explain:	☑	☐	☐

If yes: Please indicate the amount appropriated for each fund separately for the year reported (Please make sure each individual fund's appropriation agrees to how the budget was adopted. Do not combine funds)

Governmental/Proprietary Fund Name	Total Appropriations By Fund
General Fund	$0.00

PART 9 - TAXPAYER'S BILL OF RIGHTS (TABOR)

	Please answer the following question by marking in the appropriate box.	Yes	No
9-1	**Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]?** *Note: An election to exempt the entity from the spending limitations of TABOR does not exempt the entity from the 3 percent emergency reserve requirement. All entities should determine if they meet this requirement of TABOR.*	☑	☐

Part 9 - If no, MUST use this space to provide any explanations

PART 10 - GENERAL INFORMATION

	Please answer the following questions by marking in the appropriate boxes.	Yes	No
10-1	**Is this application for a newly formed governmental entity?**	☑	☐
If yes:	**Date of formation:** 11/20/2024		
10-2	**Has the entity changed its name in the past or current year?**	☐	☑
If yes:	**Please list the NEW name:**		
	Please list the PRIOR name:		
10-3	**Is the entity a metropolitan district?**	☑	☐
10-4	**Please indicate what services the entity provides:** Sanitary sewer/sorm drainage, streets, water, traffic & safety controls, park & recreation		
10-5	**Does the entity have an agreement with another government to provide services?**	☐	☑
If yes:	**List the name of the other governmental entity and the services provided:**		
10-6	**Has the district filed a *Title 32, Article 1 Special District Notice of Inactive Status* during the year? [Applicable to Title 32 special districts only, pursuant to Sections 32-1-103 (9.3) and 32-1-104 (3), C.R.S.]**	☐	☑
If yes:	**Date filed:**		
10-7	**Does the entity have a certified mill levy?**	☐	☑
If yes:	**Please provide the following <u>mills</u> levied for the year reported (do not report $ amounts):**		

Bond redemption mills	-
General/other mills	-
Total mills	-

		Yes	No	N/A
10-8	**If the entity is a Title 32 Special District formed after 7/1/2000, has the entity filed its preceding year annual report with the State Auditor as required under SB 21-262 [Section 32-1-207 C.R.S.]? If NO, please explain.**	☑	☐	☐

Please use this space to provide any additional explanations or comments not previously included

PART 11 - GOVERNING BODY APPROVAL

	Please answer the following question by marking in the appropriate box.	Yes	No
11-1	If you plan to submit this form electronically, have you read the Electronic Signature Policy?	☑	☐

Office of the State Auditor — Local Government Division - Exemption Form Electronic Signature Policy and Procedure

Policy - Requirements

The Office of the State Auditor Local Government Audit Division may accept an electronic submission of an application for exemption from audit that includes governing board signatures obtained through a program such as Docusign or Echosign. Required elements and safeguards are as follows:

• The preparer of the application is responsible for obtaining board signatures that comply with the requirement in Section 29-1-604 (3), C.R.S., that states the application shall be personally reviewed, approved, and signed by a majority of the members of the governing body.
• The application must be accompanied by the signature history document created by the electronic signature software. The signature history document must show when the document was created and when the document was emailed to the various parties, and include the dates the individual board members signed the document. The signature history must also show the individuals' email addresses and IP address.
• Office of the State Auditor staff will not coordinate obtaining signatures.

The application for exemption from audit form created by our office includes a section for governing body approval. Local governing boards note their approval and submit the application through one of the following two methods:
1) Submit the application in hard copy via the US Mail including original signatures.
2) Submit the application electronically via email and either,
a. Include a copy of an adopted resolution that documents formal approval by the Board, **or**
b. Include electronic signatures obtained through a software program such as Docusign or Echosign in accordance with the requirements noted above.

Print or type the names of ALL members of current governing body below.
A MAJORITY of the members of the governing body must sign below.

Board Member 1	**Board Member's Name:**	Dale Bruns
	I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.	Signature Dale Bruns Dale Bruns (Mar 17, 2025 11:45 MDT)
	My term expires: ______2027_______________	Date Mar 17, 2025
Board Member 2	**Board Member's Name:**	Kenneth Spencer
	I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.	Signature [signature] Kenneth Spencer (Mar 28, 2025 11:59 MDT)
	My term expires: ____2027______	Date Mar 28, 2025
Board Member 3	**Board Member's Name:**	Conley Smith
	I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.	Signature Conley Smith Conley Smith (Mar 18, 2025 09:14 MDT)
	My term expires: ______2027___________	Date Mar 18, 2025
Board Member 4	**Board Member's Name:**	Gregory Ludlow
	I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.	Signature Greg Ludlow Greg Ludlow (Mar 28, 2025 08:33 MDT)
	My term expires: ___2025_________	Date Mar 28, 2025
Board Member 5	**Board Member's Name:**	Vacant
	I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.	Signature ________________________
	My term expires: ____________________	Date ________________________
Board Member 6	**Board Member's Name:**	________________________
	I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.	Signature ________________________
	My term expires: ____________________	Date ________________________
Board Member 7	**Board Member's Name:**	________________________
	I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.	Signature ________________________
	My term expires: ____________________	Date ________________________

Legacy Park MD 5 2024

Final Audit Report 2025-03-28

Created:	2025-03-17
By:	Diane Wheeler (diane@simmonswheeler.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAV8a7DVkcXclCk7g9nHNm_1p-FTWjZAPE

"Legacy Park MD 5 2024" History

Document created by Diane Wheeler (diane@simmonswheeler.com)
2025-03-17 - 5:09:26 PM GMT- IP address: 96.87.58.121

Document emailed to Diane Wheeler (diane@simmonswheeler.com) for signature
2025-03-17 - 5:10:28 PM GMT

Document emailed to dalebruns@zephyrmgmt.com for signature
2025-03-17 - 5:10:29 PM GMT

Document emailed to haintahorse@icloud.com for signature
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Document emailed to Greg Ludlow (greg.ludlow5@gmail.com) for signature
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Document emailed to conley.bouldersbestbid@gmail.com for signature
2025-03-17 - 5:10:30 PM GMT

Document e-signed by Diane Wheeler (diane@simmonswheeler.com)
Signature Date: 2025-03-17 - 5:10:38 PM GMT - Time Source: server- IP address: 96.87.58.121

Email viewed by conley.bouldersbestbid@gmail.com
2025-03-17 - 5:12:00 PM GMT- IP address: 66.102.7.33

Email viewed by Greg Ludlow (greg.ludlow5@gmail.com)
2025-03-17 - 5:13:24 PM GMT- IP address: 74.125.212.198

Email viewed by dalebruns@zephyrmgmt.com
2025-03-17 - 5:44:36 PM GMT- IP address: 66.186.201.111

Signer dalebruns@zephyrmgmt.com entered name at signing as Dale Bruns
2025-03-17 - 5:44:58 PM GMT- IP address: 66.186.201.111

Document e-signed by Dale Bruns (dalebruns@zephyrmgmt.com)
Signature Date: 2025-03-17 - 5:45:00 PM GMT - Time Source: server- IP address: 66.186.201.111

Signer conley.bouldersbestbid@gmail.com entered name at signing as Conley Smith
2025-03-18 - 3:14:30 PM GMT- IP address: 209.97.232.19

Document e-signed by Conley Smith (conley.bouldersbestbid@gmail.com)
Signature Date: 2025-03-18 - 3:14:32 PM GMT - Time Source: server- IP address: 209.97.232.19

Email viewed by Greg Ludlow (greg.ludlow5@gmail.com)
2025-03-28 - 2:25:56 PM GMT- IP address: 74.125.212.198

Document e-signed by Greg Ludlow (greg.ludlow5@gmail.com)
Signature Date: 2025-03-28 - 2:33:53 PM GMT - Time Source: server- IP address: 161.97.215.109

Email viewed by haintahorse@icloud.com
2025-03-28 - 4:57:27 PM GMT- IP address: 172.225.19.215

Signer haintahorse@icloud.com entered name at signing as Kenneth Spencer
2025-03-28 - 5:59:39 PM GMT- IP address: 172.59.226.254

Document e-signed by Kenneth Spencer (haintahorse@icloud.com)
Signature Date: 2025-03-28 - 5:59:41 PM GMT - Time Source: server- IP address: 172.59.226.254

Agreement completed.
2025-03-28 - 5:59:41 PM GMT