

DISTRICT COURT, EL PASO COUNTY, COLORADO El Paso County Judicial Building 270 S. Tejon St. Colorado Springs, Colorado 80903	
IN RE TRIVIEW METROPOLITAN DISTRICT NO. 4	☐ FOR COURT USE ONLY ☐
Attorneys for the District: SPENCER FANE LLP Nicole Peykov, #49147 1700 Lincoln Street, Suite 2000 Denver, CO 80203 Phone: (303) 839-3800 Fax: (303) 839-3838 E-mail: npeykov@spencerfane.com	Case No.: 2007CV004447 Division: 15
PETITION FOR DISSOLUTION	

TO THE HONORABLE DISTRICT COURT IN AND FOR THE COUNTY OF EL PASO, STATE OF COLORADO:

Triview Metropolitan District No. 4 (the “District”), by and through its counsel, Spencer Fane LLP and Board of Directors, presents this Petition for Dissolution (“Petition”) pursuant to Section 32-1-701, Colorado Revised Statutes, *et seq.*, as amended, and in support of the Petition states the following:

1. In accordance with the requirements of Section 32-1-701, *et seq.*, C.R.S., the District seeks to dissolve itself and provides the following information in support of this Petition for Dissolution:

A. Resolution and Plan of Dissolution: The members of the Board of Directors of the District have unanimously resolved that it is in the best interests of the

District and its constituents to petition the Court for an order dissolving the District. § 32-1-701(1), C.R.S. The resolution is attached hereto as **Exhibit A**.

B. Accomplishment of Purposes: The District was formed by Order and Decree of this Court, dated November 6, 2007. The District was formed for the purposes of designing, financing, and constructing certain street, safety protection, and drainage improvements. The District hereby certifies that it has accomplished the original purposes for which it was organized in accordance with its Service Plan and that there are no remaining purposes of the District for which the District need remain in existence other than repaying debt. § 32-1-702, C.R.S.

C. General Description of Boundary/Map: The District is located entirely within the boundaries of the Town of Monument and is generally bounded by E Baptist Road on the south and southeast. A map of the District is attached hereto as **Exhibit B**.

D. Outstanding Indebtedness: The District has remaining limited tax general obligation debt in the approximate amount of \$5,000,000 (the “Debt”). The District hereby certifies that the District will have no outstanding bonds or financial obligations as of the effective date of the dissolution order of this Court except for the Debt. A copy of the District’s financial statements is attached hereto as **Exhibit C**.

E. Assets of the District: The District does not own any real property. The District holds limited cash assets, and upon dissolution, if any remain, the District intends to distribute any remaining funds in its general fund to its debt service fund to be used to repay the Debt. *Id.*

F. Services of the District: The District does not provide any services. *Id.*

G. Plan for Payment of Outstanding Debt: The plan for the payment of the

Debt is as follows:

- i. The District will continue in existence to the extent necessary to pay its Debt.
- ii. At least one member of the Board of Directors of the District will continue in office, subject to court appointment to fill vacancies (the “Responsible Party”), to certify the District’s mill levy, make payments on the District’s Debt, and comply with any obligations set forth in the Continuing Disclosure Agreement between the District, Elite Properties of America, Inc., and UMB Bank, n.a., the dissemination agent for the District’s Debt, dated October 18, 2018 (the “CDA”). The Responsible Party shall coordinate such actions with the accounting firm of CliftonLarsonAllen LLP (“CLA”). In the event CLA is no longer available to perform these functions, the Court shall appoint a qualified accounting firm. CLA or such qualified accounting firm shall provide these services and shall charge the District as follows:
 - a. \$11,000.00 if the CDA requires quarterly financial statements, an annual audit, and an annual budget.
 - b. \$3,500.00 if there are no ongoing disclosure requirements under the CDA.

- c. Beginning on the first anniversary of the effective date of the order by the Court granting the District's dissolution, and on each anniversary thereafter, the fees described above ("Fee") shall automatically increase by three percent (3%) over the Fee in effect immediately prior to such adjustment. Each adjusted Fee shall become the new base Fee for purposes of calculating subsequent annual increases.
- d. The Fee, together with any and all costs and expenses associated with servicing the Debt and an audit conducted by an independent auditor as may be required pursuant to the CDA, shall be factored into the mill levy certification and shall be paid from the property tax revenues generated from such mill levy and received by the District.

2. In accordance with Section 32-1-701, *et seq.*, C.R.S., the District requests that the Court set a hearing on calling an election for the dissolution pursuant to Sections 32-1-704(a) and (b), C.R.S., and that the Court direct the District to provide timely notice as required by statute. At such hearing, the District intends to move the Court to approve the District's Plan of Dissolution and call an election to dissolve the District in July.

PETITIONER:

TRIVIEW METROPOLITAN DISTRICT NO. 4

By: *George A. Lenz*

Name: George Lenz

Its: President

STATE OF COLORADO)
)ss.
COUNTY OF El Paso)

The foregoing Petition for Dissolution was acknowledged before me this 9 day of April, 2026, by George Lenz, as President of Triview Metropolitan District No. 4, Petitioner.

Witness my hand and official seal.

My Commission Expires: 2-14-27

(Notary Seal)

Stephanie Woolfolk
Notary Public

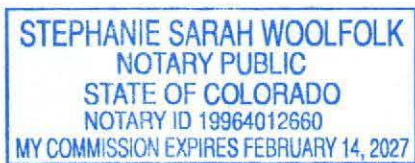


EXHIBIT A – Resolution Approving Dissolution of the District

EXHIBIT B – Map of the District Boundaries

EXHIBIT C – District Financial Statement