

**JUDGES' CERTIFICATE OF ELECTION RETURNS AND
STATEMENT OF BALLOTS**

**TRAILMARK METROPOLITAN DISTRICT
JEFFERSON COUNTY, COLORADO**

IT IS HEREBY CERTIFIED by the undersigned who conducted the election held in the TrailMark Metropolitan District, in Jefferson County, Colorado, on the 3rd day of November, 2009, that after qualifying by swearing and subscribing to their Oaths of Office, they opened the polls at 7:00 a.m., and that they kept the polls open continuously until the hour of 7:00 p.m. on said date, after which they counted the ballots cast for Ballot Issue 5A.

That the votes cast FOR (YES) and AGAINST (NO) for Ballot Issue 5A were as follows:

BALLOT ISSUE 5A: Community Center and Swimming Pool

SHALL TRAILMARK METROPOLITAN DISTRICT DEBT BE INCREASED \$2,500,000 WITH A REPAYMENT COST OF \$5,500,000 AND SHALL TRAILMARK METROPOLITAN DISTRICT TAXES BE INCREASED \$1,000,000 ANNUALLY OR SUCH LESSER AMOUNT AS MAY BE NECESSARY FOR THE PAYMENT OF SUCH DEBT AND ANY REFUNDINGS THEREOF, AT AN INTEREST RATE THAT IS EQUAL TO, LOWER OR HIGHER THAN THE INTEREST RATE ON THE REFUNDED DEBT, FOR THE PURPOSE OF PAYING, LEASING, FINANCING OR REIMBURSING ALL OR ANY PART OF THE COSTS OF DESIGNING, ACQUIRING, CONSTRUCTING, RELOCATING, INSTALLING, COMPLETING AND OTHERWISE PROVIDING, WITHIN OR WITHOUT THE BOUNDARIES OF THE DISTRICT, [PARKS AND RECREATION FACILITIES, IMPROVEMENTS AND PROGRAMS, INCLUDING BUT NOT LIMITED TO] A COMMUNITY CENTER AND SWIMMING POOL, TOGETHER WITH ALL NECESSARY, INCIDENTAL, AND APPURTENANT FACILITIES, EQUIPMENT, LAND, EASEMENTS AND EXTENSIONS OF AND IMPROVEMENTS TO SUCH FACILITIES, SUCH DEBT TO BEAR INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE NOT TO EXCEED 9% PER ANNUM, SUCH INTEREST TO BE PAYABLE AT SUCH TIME OR TIMES, AND WHICH MAY COMPOUND ANNUALLY OR SEMIANNUALLY, AND SUCH DEBT TO MATURE, BE SUBJECT TO REDEMPTION WITH OR WITHOUT PREMIUM, AND BE ISSUED AND SOLD AT, ABOVE OR BELOW PAR, SUCH DEBT TO BE ISSUED OR INCURRED AT ONE TIME OR FROM TIME TO TIME, TO BE PAID FROM ANY LEGALLY AVAILABLE REVENUES OF THE DISTRICT, INCLUDING THE PROCEEDS OF AD VALOREM PROPERTY TAXES; SUCH TAXES TO CONSIST OF AN AD VALOREM MILL LEVY IMPOSED ON ALL TAXABLE PROPERTY OF THE DISTRICT, WITHOUT LIMITATION OF RATE OR WITH SUCH LIMITATIONS AS MAY BE DETERMINED BY THE DISTRICT BOARD OF DIRECTORS, AND IN AMOUNTS SUFFICIENT TO PRODUCE THE ANNUAL INCREASE SET FORTH ABOVE OR SUCH LESSER AMOUNT AS MAY BE NECESSARY, TO BE USED FOR THE PURPOSE OF PAYING THE PRINCIPAL OF, PREMIUM IF ANY, AND INTEREST ON SUCH DEBT; ALL OF THE ABOVE AS MAY BE DETERMINED BY THE DISTRICT BOARD OF DIRECTORS; AND SHALL THE PROCEEDS OF ANY SUCH DEBT AND THE REVENUE FROM SUCH TAXES, ANY OTHER REVENUE USED TO PAY SUCH DEBT, AND INVESTMENT EARNINGS THEREON, BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT THE DISTRICT'S REVENUES OR EXPENDITURES AS IT CURRENTLY EXISTS OR AS IT MAY BE AMENDED IN THE FUTURE, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

YES (numeric and spelled out)

317 three hundred seventeen

NO (numeric and spelled out)

787 seven hundred eighty seven

STATEMENT OF BALLOTS:

It is hereby identified and specified that:

Numeric and Spelled Out

Total number of ballots issued to voters:

1554 one thousand five hundred fifty four

Ballots returned undeliverable:

56 fifty six

Total number of ballots voted:

1104 one thousand one hundred four

Ballots delivered to voters that were not cast:

394 three hundred ninety four

Spoiled

0 zero

Rejected

5 five

Defective

0 zero

Not Returned

389 three hundred eighty nine

Ballots not delivered to voters (not cast/unused)

80 eighty

CERTIFIED THIS 3RD DAY OF NOVEMBER, 2009.

James Reynolds, Election Judge

Sandra Gonnell, Election Judge

Jan Burger, Election Judge