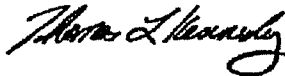


DISTRICT COURT, EL PASO COUNTY, COLORADO Court Address: 270 S. Tejon, Colorado Springs, CO, 80901	DATE FILED: February 23, 2015 10:06 AM
In the Matter of: CASCADE METROPOLITAN DISTRICT NO 1	<div style="text-align: center;"> <p>△ COURT USE ONLY △</p> <p>Case Number: 2004CV3800</p> <p>Division: 1 Courtroom:</p> </div>
Order Calling Election for the Inclusion of Property into Cascade Metropolitan District No. 1	

The motion/proposed order attached hereto: GRANTED.

Issue Date: 2/23/2015



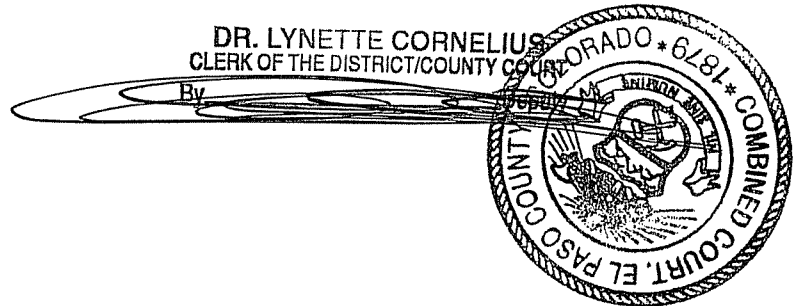
THOMAS L KENNEDY
 District Court Judge

State of Colorado, County of El Paso
 Certified to be a true, and correct
 copy of the original in my custody.

FEB 25 2015

DR. LYNETTE CORNELIUS
 CLERK OF THE DISTRICT/COUNTY COURT

By



<p>DISTRICT COURT, EL PASO COUNTY, COLORADO</p> <p>Court Address: 270 South Tejon Street Colorado Springs, CO 80903</p> <p>Telephone No.: (719) 452-5000</p>	
<p>Petitioner:</p> <p>CASCADE METROPOLITAN DISTRICT NO. 1</p>	<p>▲ COURT USE ONLY ▲</p>
<p>By the Court:</p>	<p>Case No: 2004CV3800</p> <p>Div: J</p> <p>Ctrm:</p>
<p style="text-align: center;">ORDER CALLING ELECTION FOR THE INCLUSION OF PROPERTY INTO THE CASCADE METROPOLITAN DISTRICT NO. 1</p>	

This matter comes before the Court, pursuant to § 32-1-401(2)(a)(II), C.R.S., on the Motion for Order Calling Election for the Inclusion of Property into the Cascade Metropolitan District No. 1. This Court, being fully advised on the premises, hereby FINDS AND ORDERS with respect to calling an election for the inclusion of property into the Cascade Metropolitan District No. 1 (the "District") as follows:

1. That the District was organized on November 16, 2004, by the entry of the Court of an Finding and Decree: Cascade Metropolitan District No. 1 declaring the District organized;
2. That this Court has jurisdiction over the subject matter pursuant to § 32-1-303, C.R.S.;
3. That, pursuant to § 32-1-401(2)(a)(II), C.R.S., the boundaries of a special district may be altered by the inclusion of additional real property by adoption of a resolution proposing the inclusion of specifically described area by the board of directors of the special district;
4. That, pursuant to § 32-1-401(2)(a)(II), C.R.S., on January 27, 2015, by adoption of Resolution No. 2015-01-02, the Board of Directors of the District (the "Board") proposed the

inclusion of certain real property into the District's boundaries (the "Property") and scheduled a public meeting for February 17, 2015 at 5:30 P.M. (the "Public Meeting") to consider the adoption of Resolution No. 2015-02-01;

5. That, on January 26, 2015, and on January 28, 2015, in accordance with § 32-1-401(3), C.R.S., letter notification of the Public Meeting was sent to the property owners within the area proposed to be included within the District as listed in the records of the El Paso County Assessor, indicating it is a notice of the Public Meeting, and stating the date, time, location, and purpose of the meeting, referencing the type of special district proposed for inclusion, the maximum mill levy, if any, or stating there is no maximum mill levy that may be imposed if the proposed area is included within the District, and stating procedures for the filing of a petition for exclusion in accordance with § 32-1-204(3.5), C.R.S.;

6. That, on February 11, 2015, in accordance with § 32-1-401(2)(b), C.R.S., publication of notice of the consideration of Resolution No. 2015-02-01, and the place, time and date of the Public Meeting was made in *The Daily Transcript*;

7. That, pursuant to § 32-1-204(3.5), C.R.S., no petitions for exclusion of property from the District were filed with the El Paso County Board of County Commissioners or with the Board;

8. That, pursuant to § 32-1-401(2)(c), C.R.S., no written objections were filed with the Board by any persons interested or any municipality or county which may be able to provide service to the Property;

9. That, pursuant to § 32-1-401(d), C.R.S., on February 17, 2015, at the Public Meeting, the Board finally adopted Resolution No. 2015-02-01 proposing and ordering the inclusion of the Property;

10. That, pursuant to § 32-1-401(d), C.R.S., on February 18, 2015, a Motion for Order Calling Election for the Inclusion of Property into the Cascade Metropolitan District No. 1 was filed with the Court; and

11. That certain election related actions have been taken by the Designated Election Official, as hereinafter defined, prior to the effective date of this Court's Order Calling Election, in order to proceed with the statutory and constitutional requirements regarding the District's election activities for an election on May 5, 2015 (the "Election") on the inclusion question, which Election is to be conducted as an independent mail ballot election in accordance with the requirements of §§ 1-13.5-1101, *et seq.*, C.R.S.

NOW, THEREFORE, THE COURT HEREBY ORDERS:

1. That, pursuant to § 32-1-401(d), C.R.S., the question of the inclusion of the Property into the boundaries of the District shall be submitted to the eligible electors of the Property at the Election, which Election shall be held in accordance with the provisions of the Colorado Local Government Election Code, §§ 1-13.5-101, *et seq.*, C.R.S., all provisions of the Uniform Election Code of 1992, §§ 1-13-101, *et seq.*, C.R.S., not in conflict therewith (as provided in § 1-13.5-106(2), C.R.S.), and §§ 32-1-801, *et seq.*, C.R.S.

2. That, pursuant to § 32-1-401(d), C.R.S., Brent E. Butzin of the law firm of White Bear Ankele Tanaka & Waldron, Attorneys at Law, who is an eligible elector of the State of Colorado, shall be the Designated Election Official (the "DEO") and shall be responsible for conducting the Election.

3. The Election-related actions taken by the DEO prior to the effective date of this Court's Order Calling Election, which actions were necessary in order to proceed with the statutory and constitutional requirements regarding the District's proposed inclusion election, are hereby deemed valid and legal in all respects.

4. That the DEO shall have all powers and authority granted to the governing board of a special district regarding the conduct of the Election, as authorized in § 1-1-111, C.R.S., and shall perform all and such further election duties and activities required to be performed by the DEO by statute or the Colorado Constitution.

DATED this ____ day of _____, 2015.

BY THE COURT:

District Court Judge

Attachment to Order - 2015CV3000