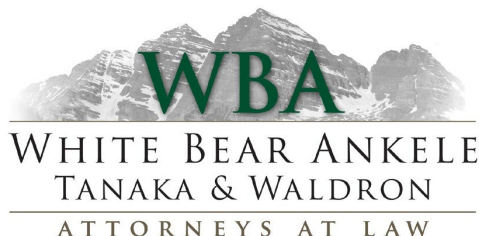


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July 9, 2021

VIA E-MAIL AND U.S. MAIL
MHyman@crgov.com

Michael J. Hyman, Esq.
Town of Castle Rock
Office of the Town Attorney
Town Hall, 100 N. Wilcox St.
Castle Rock, Colorado 80104

RE: Town Appointment of Board Members to the Boards of Directors for Westfield Metropolitan District Nos. 1-2

Dear Mr. Hyman:

It has recently come to our attention that the Boards of Directors for Westfield Metropolitan District Nos. 1-2 are vacant after several years of inactivity. Title 32 provides a process for the reconstitution of boards in these instances. As such, we are petitioning the Town Council of the Town of Castle Rock to reconstitute the Board by appointing the following qualified and willing eligible electors to the Boards at the Town Council's meeting on July 20, 2021: Andrew Klein, Lawrence P. Jacobson, and Jeffrey Jacob Schroeder. Enclosed with this letter is a proposed resolution for consideration.

Please let us know by Tuesday, July 13, 2021, if you have any issues or questions regarding this course of action.

Sincerely,

WHITE BEAR ANKELE TANAKA & WALDRON

Jennifer Gruber Tanaka, Esq.

TO: THE TOWN COUNCIL FOR THE TOWN OF CASTLE ROCK, COLORADO

PETITION FOR APPOINTMENT OF BOARD MEMBERS

IN RE THE WESTFIELD METROPOLITAN DISTRICT NOS. 1-2, TOWN OF CASTLE ROCK, COLORADO

COMES NOW, Andrew Klein, Lawrence P. Jacobson, and Jeffrey Jacob Schroeder, each eligible electors (collectively, the “Petitioner”) of Westfield Metropolitan District Nos.1-2 (each a “District” and collectively, the “Districts”), by and through the undersigned counsel, hereby petitions the Town Council (“Town Council”) of the Town of Castle Rock, Colorado to appoint three Board members to each of the District’s Boards of Directors (each a “Board”, and collectively, the “Boards”).

AS GROUNDS THEREFORE, Petitioner states as follows:

1. The Town Council approved Service Plans for the Districts in June of 1985.
2. The Districts are statutory special districts governed by what is known as the Special District Act, §§ 32-1-101, *et seq.*, C.R.S.
3. The Districts are located entirely within the Town of Castle Rock, State of Colorado and was organized for the purpose of providing the basic infrastructure of public improvements needed to implement the planned unit development as approved by the Town of Castle Rock within the proposed District area including water facilities, sewer facilities, irrigation water facilities, storm drainage facilities, traffic and safety controls and devices, street improvements, park and recreation services, and transportation services to an area commonly known as the Westfield development in the Town of Castle Rock.
4. The Districts are each governed by a five member Board of Directors. Currently all five seats on each Board of Directors are vacant and have been for several years due to a lack of any eligible and willing individuals to serve on the Boards.
5. Purchase and Sale Agreements requiring the Purchaser to pay property taxes were recently entered into by and between the Seller and the following individuals, each of whom are registered to vote in the State of Colorado:
 - a. Andrew Klein
 - b. Lawrence P. Jacobson
 - c. Jeffrey Jacob Schroeder

6. Section 32-1-808(2)(a)(I), C.R.S., permits an individual to be qualified as an eligible elector if a vacancy exists on the board of directors of a special district and, within ten days of the publication of notice of such vacancy, no otherwise qualified eligible elector files a letter of interest in filling such a position with the board.

7. A Notice of Vacancy was published in the *Douglas County News Press* on June 3, 2021, and as of June 13, 2021, no otherwise qualified eligible electors have filed a letter of interest in filling such vacant positions. A copy of the Proof of Publication for the Notice of Vacancy is attached hereto as **Exhibit A** and incorporated by reference.

8. Pursuant to Section 32-1-905, C.R.S., the Town Council has jurisdiction to appoint individuals to serve on the Boards of Directors from a pool of duly qualified and willing candidates.

9. The following four individuals are duly qualified and willing to serve on each of the District's Board of Directors: Andrew Klein, Lawrence P. Jacobson, and Jeffrey Jacob Schroeder.

10. Andrew Klein is registered to vote in the State of Colorado. Mr. Klein is qualified to serve on the Boards by being obligated to pay taxes under a contract to purchase taxable property situated within the boundaries of the Districts. His address is as follows:

1 Cherry Lane Drive,
Englewood, CO 82705

11. Lawrence P. Jacobson is registered to vote in the State of Colorado. Mr. Jacobson is qualified to serve on the Boards by being obligated to pay taxes under a contract to purchase taxable property situated within the boundaries of the Districts. His address is as follows:

6270 South Carson Street,
Centennial, CO 80111

12. Jeffrey Jacob Schroeder is registered to vote in the State of Colorado. Mr. Schroeder is qualified to serve on the Boards by being obligated to pay taxes under a contract to purchase taxable property situated within the boundaries of the Districts. His address is as follows:

9 Mountain Cedar Lane
Littleton, CO 80127

13. Each of the above persons is eligible to serve on the Districts' Boards of Directors by reason of being obligated to pay taxes under a contract to purchase taxable property situated within the boundaries of the Districts or by being the spouse or civil union partner of an individual with such tax obligations.

WHEREFORE, Petitioner respectfully requests that the Town Council hear this Petition at a duly called public meeting and that an appropriate resolution or motion appointing the above-named individuals to the District's Board of Directors be duly adopted by Town Council.

Respectfully submitted this 9th day of July, 2021.

A handwritten signature in blue ink, appearing to read "Jennifer Tanaka", written over a horizontal line.

Jennifer Cruber Tanaka, Attorney for Petitioner
WHITE BEAR ANKELE TANAKA & WALDRON
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

EXHIBIT A

Proof of Publication for the Notice of Vacancy

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

Westfield Metro District (wba)
c/o White Bear Ankele Tanaka & Waldron
2154 East Commons Avenue, Suite 2000
Centennial CO 80122

Description: No. 939211 vacancy

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Douglas } ss

This Affidavit of Publication for the Douglas County News Press, a weekly newspaper, printed and published for the County of Douglas, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 6/3/2021, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



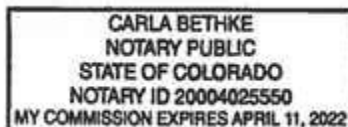
For the Douglas County News-Press

State of Colorado }
County of Douglas } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before by the above named Gerard Healey, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 6/3/2021. Gerard Healey has verified to me that he has adopted an electronic signature to function as his signature on this document.

20004025550-991135

Carla Bethke
Notary Public
My commission ends April 11, 2022



Public Notice

NOTICE OF VACANCY ON THE BOARDS OF DIRECTORS OF WESTFIELD METROPOLITAN DISTRICT NOS. 1-2

TO WHOM IT MAY CONCERN, and particularly to the electors of the Westfield Metropolitan District Nos. 1-2 (the "Districts"), Town of Castle Rock, Douglas County, Colorado.

NOTICE IS HEREBY GIVEN, pursuant to Section 32-1-808, C.R.S., that one or more vacancies currently exist or will exist on the Boards of Directors of the Districts. Any qualified, eligible elector of the Districts interested in serving on the Board of Directors for the Districts should file a Letter of Interest with the Boards by 5:00 p.m. p.m., on Monday, June, 14, 2021.

Letters of Interest should be sent to Westfield Metropolitan District Nos. 1-2, c/o WHITE BEAR ANKELE TANAKA & WALDRON, 2154 E. Commons Ave., Suite 2000, Centennial, CO 80122.

WESTFIELD METROPOLITAN DISTRICT NOS. 1-2

By:/s/ WHITE BEAR ANKELE
TANAKA & WALDRON
Attorneys at Law

Legal Notice No. 939211
First Publication: June 3, 2021
Last Publication: June 3, 2021
Publisher: Douglas County News-Press