

November 13, 2009

**BY FACSIMILE (303) 409-2140**

Foothills Parks and Recreation District  
6612 South Ward Street  
Littleton, Colorado 80127

**RE: 6th Avenue West  
Estates Park**



Dear Foothills Park and Recreation District Board of Directors:

Thank you for your letter dated November 9, 2009. We have carefully considered your letter and, on your advice, we have reviewed the Foothills Board of Directors Meeting Minutes, dated October 13, 2009. Based on our review, and our consideration of all of our prior conversations, we are surprised by your letter and your apparent disappointment with our proposal. In particular, the meeting minutes reflect exactly what we have been requesting for well over a year: ownership or ownership-like control of Estates Park, control over the funds Mesa View home owners contribute to Foothills so that we can maintain and improve the park, and the ability to control future mill levy increases.

Mesa View Estates has been very consistent in its message. We seek control of the park so that it can be properly maintained and so that years of neglect by Foothills can be corrected. In each of our meetings with Mr. Hopp, and your other Board members, we have discussed our goals and how to attain them, and each time you asked us to put a proposal in writing—which we did. We have been disappointed by your responses because rather than constructively responding, Foothills generally has just denied our proposals.

We recognize that your recent letter suggests that Foothills “may be willing to enter into an operating agreement with Mesa View” pursuant to which Foothills would agree to spend approximately \$25,500 annually on Estates Park, and subject to other parameters as described in your letter. That proposal, however, ignores the fact that Mesa View Estates’ desire to secede from Foothills is due in part to the fact that Foothills, for the last twenty years, has failed to adequately maintain Estates Park with that amount.

As you and Mesa View are both aware, Mesa View homeowners contribute approximately \$120,000 annually into Foothills’ operating budget. As you and Mesa View also are aware, Mesa View residents live approximately 15 miles from the hub of Foothills’ facilities and obtain very little benefit from those facilities.

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Accordingly, Foothills has recognized a significant windfall from Mesa View Estates homeowners in that we contribute approximately \$120,000 to Foothills each year but obtain only approximately \$25,500 in services, which comes in the form of inadequate maintenance of what we would like to be the crown jewel of our neighborhood: Estates Park.

Because we perceive Foothills to be unwilling to work collaboratively in order to resolve this issue, the Mesa View Board has unanimously approved our plan to move ahead with our goal to obtain overwhelming participation by Mesa View homeowners in executing petitions to secede from Foothills. We are resolved and committed to ending this long-standing inequity and are allocating substantial resources to accomplish it. We are investigating several additional viable legal options as we move forward. Please understand that it is our hope and preference to be able to work with you and to reach an amicable solution to this situation, but based on your recent correspondence we do not believe that you share that desire at this time.

Sincerely,

A handwritten signature in black ink that reads 'Andrew Burt, President'.

Mesa View Estates Board of Directors

BM/ck

cc: Board of Directors  
bc:

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