

September 4, 2009

Foothills Park & Recreation District
6612 S. Ward Street
Littleton, Colorado 80127



Dear Foothills Board and Mr. Hopp:

Thank you again for meeting with us on August 19. We appreciate your time and effort in meeting and working with us to resolve issues that are very important to us and the members of Mesa View home-owners association. Based on that meeting, we are confident that we will be able to reach an agreement, along the lines we discussed, to everyone's benefit.

As we explained, our interests are limited to control of Mesa View Estates Park and a portion of the revenues Foothills collects from our community so that we can ensure that those funds are spent maintaining and enhancing the park. By way of further clarification, we propose the following:

- 1) **Control of Estates Park:** It is our goal to control, own, and manage Estates Park, to ensure that it is something our residents will appreciate and to ensure that it will enhance property values in our community. To reach this goal, we propose that Foothills convey/lease/license/etc. Estates Park to Mesa View Estates HOA in some mutually acceptable legal fashion so that Mesa View would have ownership or ownership-like rights and responsibilities. By whatever mechanism upon which we agree, we seek the sole responsibility to maintain and improve the park however we see fit, "as if" we owned it, including operation of any facilities we might build in the future—similar in concept to the roller hockey facility you mentioned during our meeting. Of course, any improvements to the park would be in keeping with the park and recreational uses specified on the original deed restrictions and the park itself would remain open to the public.
- 2) **Control of funds:** Because Mesa View is 10-15 miles away from nearly all Foothills facilities and because our residents seldom use the other Foothills facilities, it is our desire to control a portion of the Foothills revenues that are collected from our community to ensure that they will be spent in our area for the benefit our residents. One option to accomplish this may be to form Mesa View Estates into a "Subdistrict C" (or whatever the lawyers feel is the optimal mechanism) and provide that 80% of the Foothills revenue collected from residents in this subdistrict be dedicated to maintenance and improvement of the subdistrict. This would include both the amount our residents pay in property taxes and our proportional share of revenues derived from other sources (admission fees, sales, grants etc.). In addition, as we understand is ordinary for subdistricts, we would receive 100% of any additional mill levies that "Subdistrict C" voters might approve for use within the subdistrict.

Use of these funds would be directed by a local entity we appoint to be in charge of "Subdistrict C". As we discussed during our August 19 meeting, we understand that Subdistrict B already enjoys such control of revenues generated by their

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residents and operates with their HOA board directing expenditures. Similarly, we envision that Mesa View would be, or appoint, the "governing body" of "Subdistrict C" and its funds.

We propose the 80% figure based on the following: a) Foothills would cease to have any personnel or costs directly related to Estates Park (since Mesa View would be handling maintenance/etc. per point #1), thus Foothills' overhead with respect to Mesa View residents will be greatly reduced; b) because Mesa View residents use other Foothills facilities to some small extent (which our surveys indicate is approximately 5-10%), the 20% retained by Foothills would be used to pay related administrative overhead and to contribute toward management and maintenance of the Holman Pool facility which we feel are assets beneficial to the greater neighborhood.

- 3) **Future increases:** The proposed funding split outlined in point#2 would apply to any future cost increases to Mesa View / "Subdistrict C" residents from district-wide mill levy votes, bond indebtedness, etc. And if a cost increase to Mesa View residents such as a mill levy vote were to be proposed that did *not* have the same proportion, then our governing body of "Subdistrict C" would have the option to be excluded from such an increase/mill levy vote.

If these points are agreeable to you, we would have our lawyers work with your lawyers to prepare the appropriate paperwork.

We look forward to hearing your response and working with you to resolve these issues.

Sincerely,

Mesa View Estates Board

Mesa View Estates HOA Board of Directors

BOD/ck

Cc: Board of Directors
Tim Flynn

Bcc:

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