RESOLUTION
OF
BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 1
REGARDING COLORADO OPEN RECORDS ACT REQUESTS

WHEREAS, Beebe Draw Farms Metropolitan District No. 1 (the "District") is a quasi-municipal corporation and political subdivision created and operating pursuant to the Colorado Special District Act; and

WHEREAS, the District was created to effect the development and operations and maintenance of the Public Improvements for the benefit of the District residents and property owners as set forth in its Service Plan; and

WHEREAS, the District maintains certain records of the District that are available for inspection by the public under and in accordance with the laws of the State of Colorado; and

WHEREAS, the District anticipates that individuals may, from time to time, request the right to inspect, and/or copy public records of the District; and

WHEREAS, the District is authorized under Section 24-72-203(1)(a), C.R.S. to adopt rules with respect to the inspection and copying of public records of the District; and

WHEREAS, the District desires to set forth in this Resolution the rules with regard to the inspection and copying of all public records of the District.

NOW, THEREFORE, it is hereby resolved by the Board of Directors of the District as follows:

1. Special District Management Services, Inc., the Manager for the District, is hereby designated as the "**Official Custodian**" of the public records of the District, as such term is defined in Section 24-72-202(2), C.R.S.. Contact information for the Official Custodian is: Special District Management Services, Inc., 141 Union Boulevard, Suite 150, Lakewood, Colorado, 80228. Phone: 303-987-0835. Fax: 303-987-2032.

2. The Official Custodian is hereby authorized to charge an amount of twenty-five cents ($0.25) per standard page, or such other maximum charge as is permitted by law from time to time, for each page of public records copied for any person requesting public records to defray the actual cost of providing a copy, printout, or photograph of a public record and is authorized to charge the actual cost of providing a copy, printout or photograph of a public record in a format other than a standard page.

3. The Official Custodian is authorized to charge $20.00 per hour for the costs incurred to review public records requests, prepare documents for inspection, consultation with legal counsel or other consultants regarding such requests, to supervise and coordinate preparation, review and copying of public records, and for actual costs incurred by Official Custodian, District, District Management, outside consultants and legal counsel in responding to and complying with public record requests.

4. All requests for copies or inspection of public records of the District shall be submitted to the Official Custodian in writing on a Public Records Request Form, a copy of which is attached hereto as **Exhibit A** and incorporated herein by this reference, specifically detailing the exact public records being sought. The Public Records Request Form must be completed and submitted by email or hard copy with the name, address, and telephone number of the person(s) submitting the request. The District shall have the District to deny any request until such time as the Public Records Request Form has been completed and submitted in writing. The District may, from time to time, designate specific records for which a written Public Records Request Form is not required, which designation shall occur in a public meeting of the District and reflected in the minutes.

5. Records requests may be delivered to the District's legal counsel for review and legal advice regarding the lawful availability of the records requested and other matters.

6. All public records of the District copied and provided to interested persons shall be copied in duplicate by the Official Custodian. The Official Custodian shall retain the original record in the appropriate file, and shall retain the duplicate copies in a separate filing bearing the name of the person to whom copies were provided and the date of such person's request. Copies of duplicate copies of public records of the District shall not be charged to the person requesting the public records, but shall be maintained for record purposes by the Official Custodian.

7. All inspections of public records shall take place during regular business hours at the office of the Official Custodian. Public records requests may not preempt or take priority over previously scheduled official District related business activities.

8. No person shall be entitled to remove public records of the District from the Official Custodian's office for inspection, copying, or any other purpose or reason. Public records of the District shall be:

(a) Subject to inspection in the presence of the Official Custodian or the Official Custodian's designee;

(b) Appropriately marked by the person making the request;

(c) Copied after receipt of all required charges therefor; and

(d) Delivered to the person requesting such records at the office of the Official Custodian within the statutory timeframe and after all charges have been paid.

Copies of public records of the District not picked up at the time set aside by the Official Custodian may be destroyed. In the event a person renews the request for the same public records of the District after failing to pick up previously requested copies, they will be charged for the costs of both records requests.

9. Only the Official Custodian (or designee of the Official Custodian) may copy public records of the District.

10. On behalf of the District, the Official Custodian reserves the right to seek a declaratory judgment, pursuant to Section 13-51-101, *et. seq.*, C.R.S. to determine if a large public records request may be exempted from the statutorily required response time.

11. The Official Custodian may establish such other reasonable regulations as are not inconsistent with this Resolution or with applicable Colorado law, as established and amended from time to time.

12. The custodian shall transmit a copy of the records by U.S. mail, other delivery service, fax or electronic mail.

13. Copies will only be sent after payment is received or an arrangement for payment is made.

14. As soon as payment is made, the custodian shall send the copies as soon as is practicable, but no more than three days after receipt of payment.

15. No transmission fees can/will be charged for records provided by electronic mail.

RESOLVED AND APPROVED this _____ day of _____, 2013.

BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 1

By: _____
Name:
Its: President

Attest:

_____
Secretary

EXHIBIT A

BEEBE DRAW FARMS METROPOLITAN DISTRICT NO. 1

Requester Name: _____
Address: _____
_____
_____
Home Phone Number: _____
Secondary Phone Number: _____
Fax Number: _____
Email: _____

District Use ONLY:

Date Received: _____

Date Completed: _____

Detailed Description of Request:

Listing of Applicable Charges:	
Faxed copies of request results	$0.50 per page (local destinations $1.00 per page (long distance destinations)
Copies of Standard size documents (8.5 x 11 or 8.5 x 14)	$0.25 per page
Research and Compilation Fee. This fee shall apply to any and all requests regardless of type or format	$20.00 per hour (billed in ½ hour increments)
Non-Standard/Special Requests (when applicable this will be charged in addition to the Research and Compilation Fee)	Billed at actual cost of request incurred by the District

NOTE:

a. Prior to providing copies or providing access to other information requested, the District must receive: (1) a copy of this form completed by the requester or its authorized agent; and (2) payment of all charges incurred as part of the request.

b. Inspection of the District's records and documents is permitted. Such inspection must take place during regular business hours at the office of the Official Custodian for the District. All hourly Research and Compilation Fees and other costs incurred as a result of said inspection shall be charged to the requester.

c. Public records requests shall not preempt or take priority over previously scheduled official District related business activities. As required by § 24-721-101, *et seq*., C.R.S., requests shall be handled within Seventy-Two (72) business hours unless extenuating circumstances exist. The District reserves the right to seek a declaratory judgment, pursuant to § 13-51-101, *et seq*., C.R.S., to determine if a large or otherwise difficult public records request may be exempted from the statutorily required response time.

I hereby acknowledge that I have seen or received the information or documents I requested in the form requested and within the required statutory time limits.

Requester's Signature: _____ Date: _____

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