

December 15, 2023

VIA ELECTRONIC MAIL AND CERTIFIED U.S. MAIL/RETURN RECEIPT REQUESTED

Committee to recall Rita Effler
Attn: Allen Arthur Lindeman
14287 E. Marina Dr
Aurora, CO 80014

Committee to recall Rita Effler
Attn: Bonnie Laraine Fleming
13961 E. Marina Dr # 613
Aurora, CO 80014

Committee to recall Rita Effler
Attn: John Emory Harvey
14102 E. Linvale Pl #401
Aurora, CO 80014

VIA ELECTRONIC MAIL

Board of Directors
Heather Gardens Metropolitan District
Daniel Taylor, danieltaylor@hgmetrodist.org
Rita Effler, ritaeffler@hgmetrodist.org
Craig Baldwin, craigbaldwin@hgmetrodist.org
Robin O'Meara, robinomeara@hgmetrodist.org
Eloise Laubach, eloiselaubach@hgmetrodist.org

RE: Notice of Approval of Revised Recall Petition as to Form

Committee to recall Rita Effler:

I have received the form of recall petition for review in accordance with Section 32-1-909(3), C.R.S.

In accordance with Section 32-1-909(3), C.R.S., I hereby **approve** the form of petition submitted, attached hereto and incorporated herein as **Exhibit A**, as to form.

Pursuant to Section 32-1-909(4)(c), C.R.S the petition must: "Contain a general statement, not more than two hundred words, of the grounds on which the recall is sought, which statement is intended for the information of the electors of the special district. The statement must not include any profane or false statement. The electors of the special district are the sole and exclusive judges of the legality, reasonableness, and sufficiency of the grounds on which the recall is sought, and said grounds are not subject to a protest or to judicial review." The DEO does not have sufficient information to determine the accuracy of the statements included in such general statement, has not undertaken any independent investigation to determine the accuracy thereof, and does not make any determination as to the accuracy thereof.

The foregoing information is being provided in compliance with my duties as DEO for the Heather Gardens Metropolitan District. The information contained herein does not constitute professional advice to the Committee to recall Rita Effler.

Page 2
November 22, 2023
Notice of Approval of Revised Recall Petition as to Form

Sincerely,

A handwritten signature in black ink, appearing to read 'AJ Beckman', written in a cursive style.

AJ Beckman
Designated Election Official
Heather Gardens Metropolitan District

EXHIBIT A

Recall Petition Approved as to Form

Instructions for Recall Petitions

FOR PETITION SIGNORS

1. **BEFORE YOU SIGN**
 - A. Read the warning at the top of the page.
 - B. Make sure you are an eligible elector of the Heather Gardens Metropolitan District.
 - C. Do not sign for anyone else.
 - D. The petition circulator may not assist you. If you need assistance, a third party should provide it. Immediately following your name, the assistor must sign his or her name, provide an address, and state that he or she assisted you.

2. **HOW TO SIGN**
 - A. Use your own signature
 - B. Clearly print your legal name
 - C. Completely fill out the signature block. Do not use ditto marks.
 - D. Use black or blue ink.
 - E. List your residence address (including street name and number) where you are registered to vote. Do not use a post office box.
 - F. Place today's date under "Date of Signing."
 - G. Corrections: To make a small correction, simply initial the change. If you need to make a larger correction, completely cross out the mistake and proceed to the next signature block.

FOR PETITION CIRCULATORS

3. **TO CIRCULATE A PETITION**
 - A. Only one person may circulate each petition section.
 - B. You must accompany the petition at all times. Do not leave the petition unattended or pass it unaccompanied among potential signers.
 - C. You must witness every signature block as the signer completes it.
 - D. Do not take the petition section apart or remove the original staples.
 - E. Make sure that the signature block is complete before a signer leaves.

4. **AFTER COLLECTING SIGNATURES**
 - A. Turn in this petition section, even if not every signature block is completed.
 - B. Personally take this petition section to a notary public for notarization.

WARNING: You may only complete your affidavit when in front of the notary. Do not sign or date it beforehand. Do not fill out the notary's section.
 - C. You may not collect additional signatures on this petition section after the affidavit has been notarized.

RECALL PETITION

WARNING: IT IS AGAINST THE LAW:

>For anyone to sign this petition with any name other than one's own or to knowingly sign one's own name more than once for the same measure or to sign such petition when not an eligible elector.
>Do not sign this petition unless you are an eligible elector. To be an eligible elector, you must be registered to vote in Colorado and be either a resident of Heather Gardens Metropolitan District or be the owner or spouse or civil union partner of an owner of taxable real or personal property in the Heather Gardens Metropolitan District as described in section 32-1-103(5) of the Colorado Revised Statutes.
>Do not sign this petition unless you have read or have had read to you the proposed measure in its entirety and understand its meaning.

PETITION TO RECALL RITA EFFLER FROM THE OFFICE OF DIRECTOR OF THE HEATHER GARDENS METROPOLITAN DISTRICT

PETITION TEXT

Rita Effler, as Treasurer of the Heather Gardens Metropolitan District (HGMD) Board, did not submit for consideration of the Board the paving of the Maintenance Building parking lot, the maintenance of which is the responsibility of the Board, despite several residents testifying in a public meeting that the grounds of that building constitute a safety hazard. She has challenged the accounting practices of the Chief Financial Officer, whose practices have been accepted in 40 years of auditing. Since she took office, the Chief Executive Officer, the Chief Financial Officer, the Security Chief, the Clubhouse Manager, the Maintenance Manager, and the Resident Services Coordinator have resigned. She joined the other directors who are subjects of this action in resolving to terminate the management agreement between HGMD and HGA.

COMMITTEE MEMBERS

John Harvey, 14102 East Linvale Place, #401, Aurora, CO 80014
Allen Lindeman, 14287 E. Marina Dr., Aurora, CO 80014
Bonnie Fleming, 13961 E. Marina Dr. #613, Aurora, Co 80014

I am an eligible elector in the political subdivision mentioned in this petition, as shown on the registration books of the county clerk and recorder. I have not signed any other recall petition to recall the named person for the named office. I hereby demand an election of a successor to the elected officer in this Recall Petition.

A signature line consists of two lines, both of which must be fully completed by the signer unless physically unable.

1	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
2	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
3	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
4	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
5	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
6	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
	Signature	Residence Address (Street & Number)	County

RECALL PETITION

WARNING: IT IS AGAINST THE LAW:

>For anyone to sign this petition with any name other than one's own or to knowingly sign one's own name more than once for the same measure or to sign such petition when not an eligible elector.
>Do not sign this petition unless you are an eligible elector. To be an eligible elector, you must be registered to vote in Colorado and be either a resident of Heather Gardens Metropolitan District or be the owner or spouse or civil union partner of an owner of taxable real or personal property in the Heather Gardens Metropolitan District as described in section 32-1-103(5) of the Colorado Revised Statutes.
>Do not sign this petition unless you have read or have had read to you the proposed measure in its entirety and understand its meaning.

PETITION TO RECALL RITA EFFLER FROM THE OFFICE OF DIRECTOR OF THE HEATHER GARDENS METROPOLITAN DISTRICT

PETITION TEXT

Rita Effler, as Treasurer of the Heather Gardens Metropolitan District (HGMD) Board, did not submit for consideration of the Board the paving of the Maintenance Building parking lot, the maintenance of which is the responsibility of the Board, despite several residents testifying in a public meeting that the grounds of that building constitute a safety hazard. She has challenged the accounting practices of the Chief Financial Officer, whose practices have been accepted in 40 years of auditing. Since she took office, the Chief Executive Officer, the Chief Financial Officer, the Security Chief, the Clubhouse Manager, the Maintenance Manager, and the Resident Services Coordinator have resigned. She joined the other directors who are subjects of this action in resolving to terminate the management agreement between HGMD and HGA.

COMMITTEE MEMBERS

John Harvey, 14102 East Linvale Place, #401, Aurora, CO 80014
Allen Lindeman, 14287 E. Marina Dr., Aurora, CO 80014
Bonnie Fleming, 13961 E. Marina Dr. #613, Aurora, Co 80014

I am an eligible elector in the political subdivision mentioned in this petition, as shown on the registration books of the county clerk and recorder. I have not signed any other recall petition to recall the named person for the named office. I hereby demand an election of a successor to the elected officer in this Recall Petition.

A signature line consists of two lines, both of which must be fully completed by the signer unless physically unable.

	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
10	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
11	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
12	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
13	Signature	Residence Address (Street & Number)	County
	Printed Name	City/Town	Date of Signing
14	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
15	Signature	Residence Address (Number & Street)	County

RECALL PETITION

WARNING: IT IS AGAINST THE LAW:

>For anyone to sign this petition with any name other than one's own or to knowingly sign one's own name more than once for the same measure or to sign such petition when not an eligible elector.
>Do not sign this petition unless you are an eligible elector. To be an eligible elector, you must be registered to vote in Colorado and be either a resident of Heather Gardens Metropolitan District or be the owner or spouse or civil union partner of an owner of taxable real or personal property in the Heather Gardens Metropolitan District as described in section 32-1-103(5) of the Colorado Revised Statutes.
>Do not sign this petition unless you have read or have had read to you the proposed measure in its entirety and understand its meaning.

PETITION TO RECALL RITA EFFLER FROM THE OFFICE OF DIRECTOR OF THE HEATHER GARDENS METROPOLITAN DISTRICT

PETITION TEXT

Rita Effler, as Treasurer of the Heather Gardens Metropolitan District (HGMD) Board, did not submit for consideration of the Board the paving of the Maintenance Building parking lot, the maintenance of which is the responsibility of the Board, despite several residents testifying in a public meeting that the grounds of that building constitute a safety hazard. She has challenged the accounting practices of the Chief Financial Officer, whose practices have been accepted in 40 years of auditing. Since she took office, the Chief Executive Officer, the Chief Financial Officer, the Security Chief, the Clubhouse Manager, the Maintenance Manager, and the Resident Services Coordinator have resigned. She joined the other directors who are subjects of this action in resolving to terminate the management agreement between HGMD and HGA.

COMMITTEE MEMBERS

John Harvey, 14102 East Linvale Place, #401, Aurora, CO 80014
Allen Lindeman, 14287 E. Marina Dr., Aurora, CO 80014
Bonnie Fleming, 13961 E. Marina Dr. #613, Aurora, Co 80014

I am an eligible elector in the political subdivision mentioned in this petition, as shown on the registration books of the county clerk and recorder. I have not signed any other recall petition to recall the named person for the named office. I hereby demand an election of a successor to the elected officer in this Recall Petition.

A signature line consists of two lines, both of which must be fully completed by the signer unless physically unable.

18	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
19	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
20	Signature	Residence Address (Street & Number)	County
	Printed Name	City/Town	Date of Signing
21	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
22	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
23	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
24	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing

RECALL PETITION

WARNING: IT IS AGAINST THE LAW:

- >For anyone to sign this petition with any name other than one's own or to knowingly sign one's own name more than once for the same measure or to sign such petition when not an eligible elector.
- >Do not sign this petition unless you are an eligible elector. To be an eligible elector, you must be registered to vote in Colorado and be either a resident of Heather Gardens Metropolitan District or be the owner or spouse or civil union partner of an owner of taxable real or personal property in the Heather Gardens Metropolitan District as described in section 32-1-103(5) of the Colorado Revised Statutes.
- >Do not sign this petition unless you have read or have had read to you the proposed measure in its entirety and understand its meaning.

PETITION TO RECALL RITA EFFLER FROM THE OFFICE OF DIRECTOR OF THE HEATHER GARDENS METROPOLITAN DISTRICT

PETITION TEXT

Rita Effler, as Treasurer of the Heather Gardens Metropolitan District (HGMD) Board, did not submit for consideration of the Board the paving of the Maintenance Building parking lot, the maintenance of which is the responsibility of the Board, despite several residents testifying in a public meeting that the grounds of that building constitute a safety hazard. She has challenged the accounting practices of the Chief Financial Officer, whose practices have been accepted in 40 years of auditing. Since she took office, the Chief Executive Officer, the Chief Financial Officer, the Security Chief, the Clubhouse Manager, the Maintenance Manager, and the Resident Services Coordinator have resigned. She joined the other directors who are subjects of this action in resolving to terminate the management agreement between HGMD and HGA.

COMMITTEE MEMBERS

John Harvey, 14102 East Linvale Place, #401, Aurora, CO 80014
 Allen Lindeman, 14287 E. Marina Dr., Aurora, CO 80014
 Bonnie Fleming, 13961 E. Marina Dr. #613, Aurora, Co 80014

I am an eligible elector in the political subdivision mentioned in this petition, as shown on the registration books of the county clerk and recorder. I have not signed any other recall petition to recall the named person for the named office. I hereby demand an election of a successor to the elected officer in this Recall Petition.

A signature line consists of two lines, both of which must be fully completed by the signer unless physically unable.

27	Signature	Residence Address (Street & Number)	County
	Printed Name	City/Town	Date of Signing
28	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
29	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
30	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
31	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
32	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
33	Signature	Residence Address (Number & Street)	County

RECALL PETITION

WARNING: IT IS AGAINST THE LAW:

- >For anyone to sign this petition with any name other than one's own or to knowingly sign one's own name more than once for the same measure or to sign such petition when not an eligible elector.
- >Do not sign this petition unless you are an eligible elector. To be an eligible elector, you must be registered to vote in Colorado and be either a resident of Heather Gardens Metropolitan District or be the owner or spouse or civil union partner of an owner of taxable real or personal property in the Heather Gardens Metropolitan District as described in section 32-1-103(5) of the Colorado Revised Statutes.
- >Do not sign this petition unless you have read or have had read to you the proposed measure in its entirety and understand its meaning.

**PETITION TO RECALL RITA EFFLER FROM THE OFFICE OF DIRECTOR
OF THE HEATHER GARDENS METROPOLITAN DISTRICT**

PETITION TEXT

Rita Effler, as Treasurer of the Heather Gardens Metropolitan District (HGMD) Board, did not submit for consideration of the Board the paving of the Maintenance Building parking lot, the maintenance of which is the responsibility of the Board, despite several residents testifying in a public meeting that the grounds of that building constitute a safety hazard. She has challenged the accounting practices of the Chief Financial Officer, whose practices have been accepted in 40 years of auditing. Since she took office, the Chief Executive Officer, the Chief Financial Officer, the Security Chief, the Clubhouse Manager, the Maintenance Manager, and the Resident Services Coordinator have resigned. She joined the other directors who are subjects of this action in resolving to terminate the management agreement between HGMD and HGA.

COMMITTEE MEMBERS

- John Harvey, 14102 East Linvale Place, #401, Aurora, CO 80014
- Allen Lindeman, 14287 E. Marina Dr., Aurora, CO 80014
- Bonnie Fleming, 13961 E. Marina Dr. #613, Aurora, Co 80014

I am an eligible elector in the political subdivision mentioned in this petition, as shown on the registration books of the county clerk and recorder. I have not signed any other recall petition to recall the named person for the named office. I hereby demand an election of a successor to the elected officer in this Recall Petition.

A signature line consists of two lines, both of which must be fully completed by the signer unless physically unable.

36	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
37	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
38	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
39	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
40	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
41	Signature	Residence Address (Street & Number)	County
	Printed Name	City/Town	Date of Signing
	Signature	Residence Address (Number & Street)	County

RECALL PETITION

WARNING: IT IS AGAINST THE LAW:

- >For anyone to sign this petition with any name other than one's own or to knowingly sign one's own name more than once for the same measure or to sign such petition when not an eligible elector.
- >Do not sign this petition unless you are an eligible elector. To be an eligible elector, you must be registered to vote in Colorado and be either a resident of Heather Gardens Metropolitan District or be the owner or spouse or civil union partner of an owner of taxable real or personal property in the Heather Gardens Metropolitan District as described in section 32-1-103(5) of the Colorado Revised Statutes.
- >Do not sign this petition unless you have read or have had read to you the proposed measure in its entirety and understand its meaning.

PETITION TO RECALL RITA EFFLER FROM THE OFFICE OF DIRECTOR OF THE HEATHER GARDENS METROPOLITAN DISTRICT

PETITION TEXT

Rita Effler, as Treasurer of the Heather Gardens Metropolitan District (HGMD) Board, did not submit for consideration of the Board the paving of the Maintenance Building parking lot, the maintenance of which is the responsibility of the Board, despite several residents testifying in a public meeting that the grounds of that building constitute a safety hazard. She has challenged the accounting practices of the Chief Financial Officer, whose practices have been accepted in 40 years of auditing. Since she took office, the Chief Executive Officer, the Chief Financial Officer, the Security Chief, the Clubhouse Manager, the Maintenance Manager, and the Resident Services Coordinator have resigned. She joined the other directors who are subjects of this action in resolving to terminate the management agreement between HGMD and HGA.

COMMITTEE MEMBERS

- John Harvey, 14102 East Linvale Place, #401, Aurora, CO 80014
- Allen Lindeman, 14287 E. Marina Dr., Aurora, CO 80014
- Bonnie Fleming, 13961 E. Marina Dr. #613, Aurora, Co 80014

I am an eligible elector in the political subdivision mentioned in this petition, as shown on the registration books of the county clerk and recorder. I have not signed any other recall petition to recall the named person for the named office. I hereby demand an election of a successor to the elected officer in this Recall Petition.

A signature line consists of two lines, both of which must be fully completed by the signer unless physically unable.

	Printed Name	City/Town	Date of Signing
45	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
46	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing
47	Signature	Residence Address (Number & Street)	County
	Printed Name	City/Town	Date of Signing

AFFIDAVIT OF CIRCULATOR

I, _____ (print name), swear or affirm under penalty or perjury that I reside at:

(Address) _____, (City) _____, CO, (Zip Code) _____, and that:

- I am eighteen (18) years of age or older;
- I circulated the attached petition;
- I made no misrepresentation of the purpose of the petition to any signer of the petition;
- Each signature on the petition was affixed in my presence;
- Each signature on the petition is the signature of the person whose name it purports to be;
- To the best of my knowledge and belief each person signing the petition was at the time of signing an eligible elector of the Heather Gardens Metropolitan District;
- I neither have paid nor shall pay, and I believe that no other person has paid or shall pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to sign such petition.

Signature of Circulator

Date of Signing

STATE OF COLORADO)

COUNTY OF _____)

Subscribed and sworn before me, a notary public in and for the State of Colorado, this ____ day of _____, 2023 by _____.

Signature of Notary: _____

My commission expires: _____

(SEAL)