

APPLICATION FOR EXEMPTION FROM AUDIT - *SHORT FORM*
FOR GOVERNMENTS WITH REVENUES AND EXPENDITURES OF \$100,000 OR LESS

Name of Government:	Banning Lewis Ranch Metro District No 5	For the Fiscal Year ended December 31, 2009 or fiscal year ended
Address:	2 North Cascade Suite 800 Colorado Springs, CO 80903	
Contact Person:	Christine Harwell	
Telephone:	(719) 635-0330	
E-Mail:	christine.harwell@cliftoncpa.com	
Fax:	(719) 473-3630	

Return to: Office of the State Auditor
 Local Government Audit Division
 225 E 16th Ave, Suite 555
 Denver, CO 80203
FAX: (303) 866-4062
 Email OSA LG@state.co.us
 Call (303) 866-3338 if you need help completing this form

Section 29-1-604, C.R.S. outlines the provisions for an exemption from audit. Generally, any local government where neither revenues nor expenditures exceed \$500,000 in any fiscal year qualify for an exemption. **If both revenues and expenditures are less than \$100,000 individually, you may use this form.** **If either revenues or expenditures are \$100,000, but not more than \$500,000, you must use the long form application for exemption from audit.**

Instructions (See "Instructions" tab for additional information)

- 1 Prepare this form completely and accurately. Please note that there are eleven parts to this form and all questions must be answered for the application to be considered complete.
- 2 File this form with the Office of the State Auditor within **3 months** after the end of the fiscal year. For years ended December 31, the form **must** be received by the Office of the State Auditor by **March 31**. The form **must** be completed by a person skilled in governmental accounting.
- 3 The application must be approved by the governing body as evidenced by one of the following methods:
 - a Resolution of the governing board - application may be e-mailed, faxed, or mailed
 - b Original signatures - application must be mailed. E-mail or fax will NOT be accepted
- 5 The **preparer must sign** the application that is submitted in order for it to be accepted.
- 6 Additional information may be attached to the exemption at the preparer's discretion.

PART 1 - CERTIFICATION OF PREPARER

1-1	Name	Christine Harwell	
1-2	Title	Accountant for the District	
1-3	Firm (if applicable)	Clifton Gunderson LLP	
1-4	Address	2 North Cascade, Suite 800, Colorado Springs, CO 80903	
1-5	Telephone Number	(719) 635-0330	
1-6	Date Prepared	4-Feb-10	
1-7	Signature: SEE ACCOUNTANT'S COMPILATION REPORT		
	The person that completes this form must be skilled in governmental accounting (Skilled means possessing sufficient knowledge of governmental accounting to complete the exemption form.)	Check One	
		Yes	No
1-8	Are you skilled in governmental accounting? If no, this exemption will be rejected.		Yes

PART 2 - REVENUE		
REVENUE All revenues for all funds must be reflected in this section including proceeds from the sale of the government's land, building, and equipment and proceeds from debt or lease transactions Financial information will not include fund equity information		
Line#	Description	(Omit cents)
2-1	Taxes Property	\$ -
2-2	Specific Ownership	\$ -
2-3	Sales and Use	\$ -
2-4	Other (specify)	\$ -
2-5	Licenses and permits	\$ -
2-6	Intergovernmental Grants	\$ -
2-7	Conservation Trust Funds (Lottery)	\$ -
2-8	Highway Users Tax Funds (HUTF)	\$ -
2-9	Other (specify)	\$ -
2-10	Charges for services	\$ -
2-11	Fines and forfeits	\$ -
2-12	Special assessments	\$ -
2-13	Investment income	\$ -
2-14	Charges for utility services	\$ -
2-15	Debt proceeds	\$ -
2-16	Lease proceeds	\$ -
2-17	Proceeds from sale of capital assets	\$ -
2-18	Fire and police pension	\$ -
2-19	Donations	\$ -
2-20	Other (specify)	\$ -
2-21		\$ -
2-22		\$ -
2-23	TOTAL REVENUE all sources	\$ -

PART 3 - EXPENDITURES		
EXPENDITURES All expenditures for all funds must be reflected in this section including the purchase of capital assets and principal and interest payments on long-term debt Financial information will not include fund equity information		
Line#	Description	(Omit cents)
3-1	Administrative	\$ -
3-2	Salaries	\$ -
3-3	Payroll taxes	\$ -
3-4	Contract services	\$ -
3-5	Employee benefits	\$ -
3-6	Insurance	\$ -
3-7	Accounting and legal fees	\$ -
3-8	Repair and maintenance	\$ -
3-9	Supplies	\$ -
3-10	Utilities and telephone	\$ -
3-11	Fire/Police	\$ -
3-12	Streets and highways	\$ -
3-13	Public health	\$ -
3-14	Culture and recreation	\$ -
3-15	Utility operations	\$ -
3-16	Capital outlay	\$ -
3-17	Debt service principal	\$ -
3-18	Debt service interest	\$ -
3-19	Contribution to pension plan	\$ -
3-20	Contribution to FPPA	\$ -
3-21	Other (specify)	\$ -
3-22		\$ -
3-23		\$ -
3-24		\$ -
3-25	TOTAL EXPENDITURES all categories	\$ -

PART 4 - DEBT OUTSTANDING, ISSUED AND RETIRED

Please answer the following questions by marking the appropriate boxes		Yes	No
4-1	Does the entity have outstanding debt?		No
If yes	Is the debt repayment schedule attached? If no, please explain		
	Please complete the following debt schedule, if applicable	Outstanding at end of prior year	Issued during fiscal year
	General obligation bonds	\$ -	\$ -
	Revenue bonds	\$ -	\$ -
	Notes/loans	\$ -	\$ -
	Leases	\$ -	\$ -
	Developer Advances	\$ -	\$ -
	Other (specify)	\$ -	\$ -

Please answer the following questions by marking the appropriate boxes		Yes	No
4-2	Does the entity have any authorized, but unissued debt?	Yes	
If yes	How much?	\$ 929,500,000	
	Date the debt was authorized	11/7/2006	
4-3	Does the entity intend to issue debt within the next calendar year (2010)?		No
If yes	How much?	\$ -	

Please answer the following questions by marking the appropriate boxes		Yes	No
4-4	Does the entity have debt that has been refinanced that it is still responsible for?		No
If yes	What is the amount outstanding?	\$ -	

Please answer the following questions by marking the appropriate boxes		Yes	No
4-5	Does the entity have any lease agreements?		No
If yes	What is being leased?		
	What is the original date of the lease?		
	Number of years of lease?		
	Is the lease subject to annual appropriation?		
	What are the annual lease payments?	\$ -	

PART 5 - CASH AND INVESTMENTS

Please provide the entity's cash deposit and investment balances		Amount	Total
5-1	Checking Accounts	\$ -	
5-2	Savings Accounts	\$ -	
5-3	Certificates of Deposit	\$ -	
	Total Cash Deposits		\$ -
	Investments (if investment is a mutual fund, please list underlying investments)		
5-4		\$ -	
5-5		\$ -	
5-6		\$ -	
5-7		\$ -	
	Total Investments		\$ -
	Total Cash and Investments		\$ -

Please answer the following question by marking in the appropriate box		Yes	No
5-8	Are the entity's deposits in an eligible (PDPA) public depository (Sec 11-10 5-101 et seq, C R S)? If no, please explain The District has no cash deposits		No

PART 6 - CAPITAL ASSETS					
Please answer the following questions by marking in the appropriate boxes			Yes	No	
6-1	Does the entity have land, buildings, and/or equipment?				No
If yes	Has the entity performed an annual inventory of property and equipment (capital assets) in accordance with Section 29-1-506 C R S ? If no, please explain				
	Complete the following table.	Balance - Beginning of the Year	Additions	Deletions	Balance - End of the Year
	Land	\$ -	\$ -	\$ -	\$ -
	Buildings	\$ -	\$ -	\$ -	\$ -
	Machinery and equipment	\$ -	\$ -	\$ -	\$ -
	Furniture and fixtures	\$ -	\$ -	\$ -	\$ -
	Infrastructure	\$ -	\$ -	\$ -	\$ -
	Other (explain)	\$ -	\$ -	\$ -	\$ -

PART 7 - PENSION INFORMATION					
Please answer the following questions by marking in the appropriate boxes			Yes	No	
7-1	Does the entity have an "old hire" firemen's pension plan?				No
7-2	Does the entity have a volunteer firemen's pension plan?				No
If yes	Who administers the plan?				
	Indicate the contributions from				
	Tax (Property, SO, Sales, etc)	\$ -			
	State Contribution Amount	\$ -			
	Other (Gifts, Donations, etc)	\$ -			
	What is the monthly benefit paid for 20 years of service per retiree as of Jan 1st?	\$ -			

PART 8 - BUDGET INFORMATION					
Please answer the following questions by marking in the appropriate boxes			Yes	No	
8-1	Did the entity file a 2009 budget with the Department of Local Affairs? If no, please explain			Yes	
If yes	Please indicate the amount appropriated for each fund for 2009				
	Fund Name	Budgeted 2009 Expenditures			
	General Fund	\$ -			
		\$ -			
		\$ -			

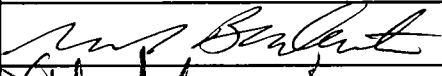
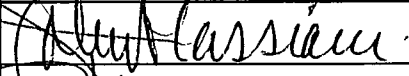

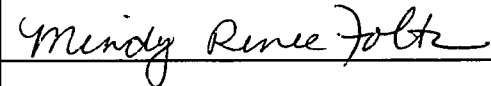
PART 9 - TABOR					
Please answer the following question by marking in the appropriate box			Yes	No	
9-1	Is the entity in compliance with all the provisions of TABOR [State Constitution Article X, Section 20 (5)]? If no, please explain			Yes	
	Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3% emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.				

PART 10 - GENERAL INFORMATION					
Please answer the following questions by marking in the appropriate boxes			Yes	No	
10-1	Is the entity a newly formed governmental entity?				No
If yes	Date of formation				
10-2	Is the entity a metropolitan district?			Yes	
10-3	Please indicate what services the entity provides Streets, parks & rec, water, sewer, traffic controls, public transportation, fire protection, mosquito control, and translation systems				
10-4	Does the entity have an agreement with another government to provide services?			Yes	
If yes	List the name of the other government entity and the services provided Under the Service Plan, the District operates in conjunction with Banning Lewis Ranch Metropolitan Districts Nos 1, 2, 3, 4, 6, and 7. The District is a Financing District				

PART 11 - GOVERNING BODY APPROVAL

We, the undersigned, certify that this Application for Exemption from Audit has been Prepared consistent with Section 29-1-604, C R S , which states that an Application with revenues and expenditures of \$100,000 or less **must be prepared by a person skilled in governmental accounting;** Completed to the best of our knowledge and is **accurate and true,** Reviewed and approved by a **majority** of the governing body

Note: Please list all current members of the governing body. Original signatures must be provided for a majority of the governing body if the application is mailed, or a resolution may be provided in lieu of original signatures.

	Name (print names of all current members of the governing body)	Date Term Expires	Original Signature (unless resolution is attached)
1	Gregory J. Barbuto	May 2012	
2	John A. Cassiani	May 2010	
3	Patrick W. McNamara	May 2010	
4	Erena Cassiani	May 2010	
5	Mindy Foltz	May 2010	
6			
7			



ACCOUNTANT'S COMPILATION REPORT

**Board of Directors
Banning Lewis Ranch Metropolitan District No. 5
El Paso County, Colorado**

We have compiled the Application for Exemption from Audit of Banning Lewis Ranch Metropolitan District No. 5 as of December 31, 2009, and for the year then ended, included in the accompanying prescribed form, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants.

Our compilation was limited to presenting in the form prescribed by the Colorado State Auditor's Office information that is the representation of management. We have not audited or reviewed the accompanying Application for Exemption from Audit and, accordingly, do not express an opinion or any other form of assurance on it.

The Application for Exemption from Audit is presented in accordance with the requirements of the Colorado State Auditor's Office, which differ from generally accepted accounting principles. Accordingly, the Application for Exemption from Audit is not designed for those who are not informed about such differences.

We are not independent with respect to Banning Lewis Ranch Metropolitan District No. 5.

Clifton Gunderson LLP

Colorado Springs, Colorado
February 4, 2010