

**Mountain Area Land Trust**  
**P.O. Box 4063**  
**Evergreen, Colorado 80439**

Dennis N. Whitmer  
Colorado State Bank  
Sixteenth Street and Broadway  
Denver, CO 80202

Sandra Elizabeth Clinger  
CPG Interiors  
1925 East Fourth Pl.  
Denver, CO 80206

**Re: Paradise Hills Homeowners**

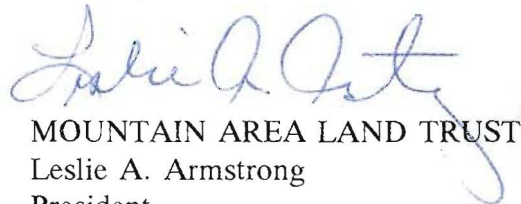
Dear Dennis and Sandra:

Please find enclosed copies of the 501(c)(3) letter and Articles of Incorporation stating the purposes of Mountain Area Land Trust, as you requested at our meeting.

I look forward to hearing from you concerning the outcome of your further investigation into a donation of acreage to M.A.L.T.

If you have any further questions, please feel free to contact me.

Sincerely,

  
**MOUNTAIN AREA LAND TRUST**  
Leslie A. Armstrong  
President

Encs.

RECEIVED  
OCT 11 1994

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
1100 COMMERCE STREET  
DALLAS, TX 75242-0000

DEPARTMENT OF THE TREASURY

Date: **AUG 25 1993**

MOUNTAIN AREA LAND TRUST  
C/O GERALD E DAHL  
1401 17TH STREET SUITE 1100  
DENVER, CO 80202

Employer Identification Number:  
84-6256809  
Case Number:  
753200025  
Contact Person:  
SHARI FLOWERS  
Contact Telephone Number:  
(214) 767-6023  
Accounting Period Ending:  
December 31  
Foundation Status Classification:  
509(a)(1)  
Advance Ruling Period Begins:  
July 28, 1992  
Advance Ruling Period Ends:  
December 31, 1996  
Addendum Applies:  
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we

Letter 1045 (DO/CG)

MOUNTAIN AREA LAND TRUST

will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social securities taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If you are required to file a return you must file it by the 15th day of the fifth month after the end of your annual accounting period. We charge a penalty of \$10 a day when a return is filed late, unless there is reasonable



MOUNTAIN AREA LAND TRUST

cause for the delay. However, the maximum penalty we charge cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. We may also charge this penalty if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

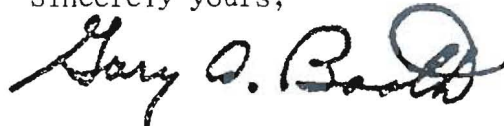
You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Gary O. Booth". The signature is fluid and cursive, with a large loop at the end of the last name.

Gary O. Booth  
District Director

Enclosure(s):  
Form 872-C

# ARTICLES OF INCORPORATION

NONPROFIT

OF

## MOUNTAIN AREA LAND TRUST

FILED

JUL 28 1992

92105 STATE OF CO \$50.00  
... DEPT. OF REVENUE JUL 26 ...  
605 DEPT. OF STATE

This corporation is organized pursuant to the Colorado Nonprofit Corporation Act.

### ARTICLE I. - NAME

The name of the corporation is Mountain Area Land Trust.

### ARTICLE II. - PERIOD OF DURATION

The duration of the corporation shall be perpetual.

### ARTICLE III. - OBJECTS AND PURPOSES

The primary purpose for which this corporation is formed is to carry on educational, scientific and charitable activities within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, including, but not limited to the following:

A. To acquire and conserve land and property interests, in order to improve the quality of life of the mountain area west of Denver, principally in the drainages of Bear Creek, Turkey Creek and the South Platte River, by preserving, protecting and enhancing the natural, scenic, historic, wildlife or recreational resources of Colorado's natural heritage.

B. To facilitate, support and promote land preservation projects in the mountain area west of Denver, principally in the drainages of Bear Creek, Turkey Creek and the South Platte River, through the provision of technical and financial assistance, and by acting as a flexible alternative where the options of government are limited.

C. To collect and distribute information regarding the potential use of land preservation techniques; to promote cooperative public/private land preservation arrangements; and to educate the public on matters pertaining to land conservation practices.

D. To foster close and continuous working relationships with federal, state and local officials, other nonprofit organizations, and members of the business community who share a common interest in the preservation and protection of land in its natural state and to promote and assist cooperative efforts among all such interested parties.

E. To use all properties held or controlled by the corporation and the net earnings thereof for the benefit of the general public and for charitable, educational, recreational, conservation, scientific and historical purposes.

#### ARTICLE IV. - POWERS

A. To acquire by gift, devise, bequest, purchase or otherwise real and personal property, both tangible and intangible, and interests therein, with or without restriction of use, in accordance with the corporate purposes.

B. To hold for investment or in trust and to sell, lease, encumber or dispose of any such real estate, personal property or other proper evidences of indebtedness of any person, firm, partnership, association or corporation for the sole benefit of the corporation and not for pecuniary profit.

C. The corporation shall have the power to do any and all acts permitted to corporations under the laws of the State of Colorado, consistent with a corporation organized and operated exclusively for charitable and/or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

#### ARTICLE V. - RESTRICTIONS ON POWERS

Notwithstanding any other provisions of these Articles of Incorporation, the powers of the corporation are restricted as follows:

A. The corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code, or by an organization the contributions to which are deductible under Sections 170, 642, 2055, or 2522 of the Internal Revenue Code, and, during any period of time in which the corporation is a "private foundation" as defined in Section 509(a) of the Internal Revenue Code:

1. The corporation shall not engage in any act of "self-dealing" as defined in Section 4941(d) of the Internal