

## PETITION

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### FOR THE ORGANIZATION OF A GENERAL IMPROVEMENT DISTRICT IN THE CITY OF COMMERCE CITY, COLORADO

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The undersigned DIATC, LLC, owner of taxable real or personal property in the general improvement district proposed herein, hereby petitions the City Council (the "Council") of the City of Commerce City, Colorado (the "City") for the organization of a general improvement district within the City, pursuant to Part 6, Article 25, Title 31, Colorado Revised Statutes. In support of this petition, I state as follows:

1. The proposed general improvement district shall be located within the City, and the name of the proposed general improvement district is Commerce City E-470 Commercial Area General Improvement District, (the "District").
2. A general description of the improvements to be acquired, constructed, installed or operated within and for the proposed general improvement district is as follows:
  - (a) Water improvements including, but not limited to, transmission and distribution lines, reservoirs, hydrants, meters, pumping stations, water taps, and all necessary, incidental and appurtenant properties and facilities.
  - (b) Sewer improvements including, but not limited to, collection and transmission lines, laterals, lift stations, sewer taps, and all necessary, incidental and appurtenant properties and facilities.
  - (c) Improvements consisting of roads, streets, sidewalks, ditches, bridges, storm sewers, utilities and related improvements.
  - (d) Improvements consisting of parks, trails, open space and recreation facilities.
3. There is no natural person who owns real or personal property in the District.
4. I, the undersigned Petitioner, not being a natural person, designate Christopher H. Thompson who is a natural person, as an elector of the District who has authority to vote on behalf of the undersigned pursuant to 31-25-602(2)(b), Colorado Revised Statutes.
5. The estimated value of the proposed improvements to be acquired, constructed, installed or operated is approximately \$400,000,000.
6. The proposed District encompasses approximately 197.6 acres within the City. The proposed District includes one parcel identified by parcel number 172328400002 in Adams County, which is generally located in the following area: East 81<sup>st</sup> Avenue and Tower Road. The legal description of the boundaries of the proposed District is attached hereto as Exhibit "A" and a map of the boundaries of the proposed District is attached hereto as Exhibit "B".
7. The undersigned Petitioner for the organization of the proposed District names the following three to represent it in the organization of the District and to enter into

agreements relating to the organization of the District which agreements shall be binding on the District, if created:

- (a) Christopher H. Thompson
- (b) Jodie B. Thompson
- (c) Dominic Deorio

8. The undersigned Petitioner for the organization of the proposed District signing page 3 hereof constitutes one hundred percent of the "electors of the district", as defined in Section 31-25-602(2), Colorado Revised Statutes, and constitutes one hundred percent of the owners of taxable real property to be included in the proposed district.

WHEREFORE, I request that the above-described Commerce City, E-470 Commercial Area General Improvement District be organized in accordance with Part 6, Article 25, Title 31, Colorado Revised Statutes, and all other statutes and laws of the State of Colorado amendatory thereof or supplemental thereto, and ask the City Council to take all steps and procedures required by law for the organization of said district; and request that, pursuant to Section 31-25-607(3.5), Colorado Revised Statutes, the City Council waive all the requirements for notice, publication and a hearing set forth in Sections 31-25-606 and 31-25-607, Colorado Revised Statutes, and for the organizational bond set forth in Section 31-25-605, Colorado Revised Statutes, and adopt an ordinance declaring the District organized without the filing of a bond as authorized in 31-25-607(4)(c), Colorado Revised Statutes.

Signature Page for Qualified Elector and Owner of Real Estate  
to the Petition for the organization of a General Improvement District  
In the City of Commerce City, Colorado

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Name

Address of Residence

Signature

DIATC, LLC

5753 Shasta Circle  
Littleton, CO 80123

DIATC, LLC

a Colorado limited liability company

By: C. H. Thompson Company, LLC

A Colorado limited liability company

Its: Manager

By:



Christopher H Thompson

Sole Member

## EXHIBIT A

### Legal Description of Property

A PARCEL OF LAND LOCATED IN SECTION 28, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE 6<sup>th</sup> PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 28 AND CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28 TO BEAR NORTH 00 DEGREES 28 MINUTES 09 SECONDS WEST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE NORTH 00 DEGREES 28 MINUTES 09 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 812.37 FEET;

THENCE SOUTH 89 DEGREES 31 MINUTES 51 SECONDS WEST, A DISTANCE OF 65.00 FEET TO A POINT ON THE NORTHERLY LINE OF DENVER INTERNATIONAL AIR PARK SUBDIVISION FILING NO. 1, RECORDED UNDER RECEPTION NO. C0291825 OF THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER SAID POINT ALSO THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID SUBDIVISION THE FOLLOWING SEVEN (7) COURSES:

1. SOUTH 89 DEGREES 42 MINUTES 53 SECONDS WEST, A DISTANCE OF 705.56 FEET TO A POINT OF CURVATURE;

2. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 12 DEGREES 08 MINUTES 35 SECONDS, A RADIUS OF 2340.00 FEET AND AN ARC LENGTH OF 495.93 FEET;

3. NORTH 78 DEGREES 08 MINUTES 32 SECONDS WEST, A DISTANCE OF 517.26 FEET TO A POINT OF CURVATURE;

4. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12 DEGREES 08 MINUTES 05 SECONDS, A RADIUS OF 1950.00 FEET AND AN ARC LENGTH OF 412.99 FEET;

5. SOUTH 89 DEGREES 42 MINUTES 46 SECONDS WEST, A DISTANCE OF 1680.60 FEET TO A POINT ON A CURVE;

6. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 07 DEGREES 29 MINUTES 52 SECONDS, A RADIUS OF 1750.00 FEET, AN ARC LENGTH OF 229.00 FEET, THE CHORD OF WHICH BEARS SOUTH 85 DEGREES 57 MINUTES 37 SECONDS WEST;

7. SOUTH 00 DEGREES 17 MINUTES 33 SECONDS EAST, A DISTANCE OF 1002.05 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28;

THENCE SOUTH 89 DEGREES 42 MINUTES 33 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1180.21 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF BUCKLEY ROAD;

THENCE NORTH 00 DEGREES 31 MINUTES 25 SECONDS WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1325.12 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 28;

THENCE NORTH 89 DEGREES 37 MINUTES 07 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 2620.32 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28;

THENCE NORTH 00 DEGREES 30 MINUTES 31 SECONDS WEST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 1329.45 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28;

THENCE NORTH 00 DEGREES 30 MINUTES 30 SECONDS WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1710.91 FEET TO A SOUTHERLY LINE OF SECOND CREEK FARM FILING NO. 1 RECORDED AT INSTRUMENT NO. 20050930001070140 OF THE ADAMS COUNTY CLERK AND RECORDER;

THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING FIVE (5) COURSES:

1. SOUTH 55 DEGREES 25 MINUTES 26 SECONDS EAST, A DISTANCE OF 813.02 FEET;
2. SOUTH 77 DEGREES 25 MINUTES 26 SECONDS EAST, A DISTANCE OF 725.00 FEET;
3. SOUTH 34 DEGREES 25 MINUTES 26 SECONDS EAST, A DISTANCE OF 850.00 FEET;
4. SOUTH 14 DEGREES 25 MINUTES 26 SECONDS EAST, A DISTANCE OF 600.00 FEET;
5. SOUTH 84 DEGREES 25 MINUTES 26 SECONDS EAST, A DISTANCE OF 635.20 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF TOWER ROAD;

THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES:

1. SOUTH 00 DEGREES 28 MINUTES 09 SECONDS EAST, A DISTANCE OF 602.47 FEET;
2. SOUTH 89 DEGREES 22 MINUTES 47 SECONDS WEST, A DISTANCE OF 35.00 FEET;
3. SOUTH 00 DEGREES 28 MINUTES 09 SECONDS EAST, A DISTANCE OF 978.45 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION PREPARED BY:  
WILLIAM F. HESSELBACH JR., P.L.S. 25369  
FOR AND ON BEHALF OF:  
CARROLL & LANGE-MANHARD  
7442 SOUTH TUCSON WAY #190-A  
CENTENNIAL, CO 80112  
303-708-0500

APN: R0175484

# DIA TECH CENTER

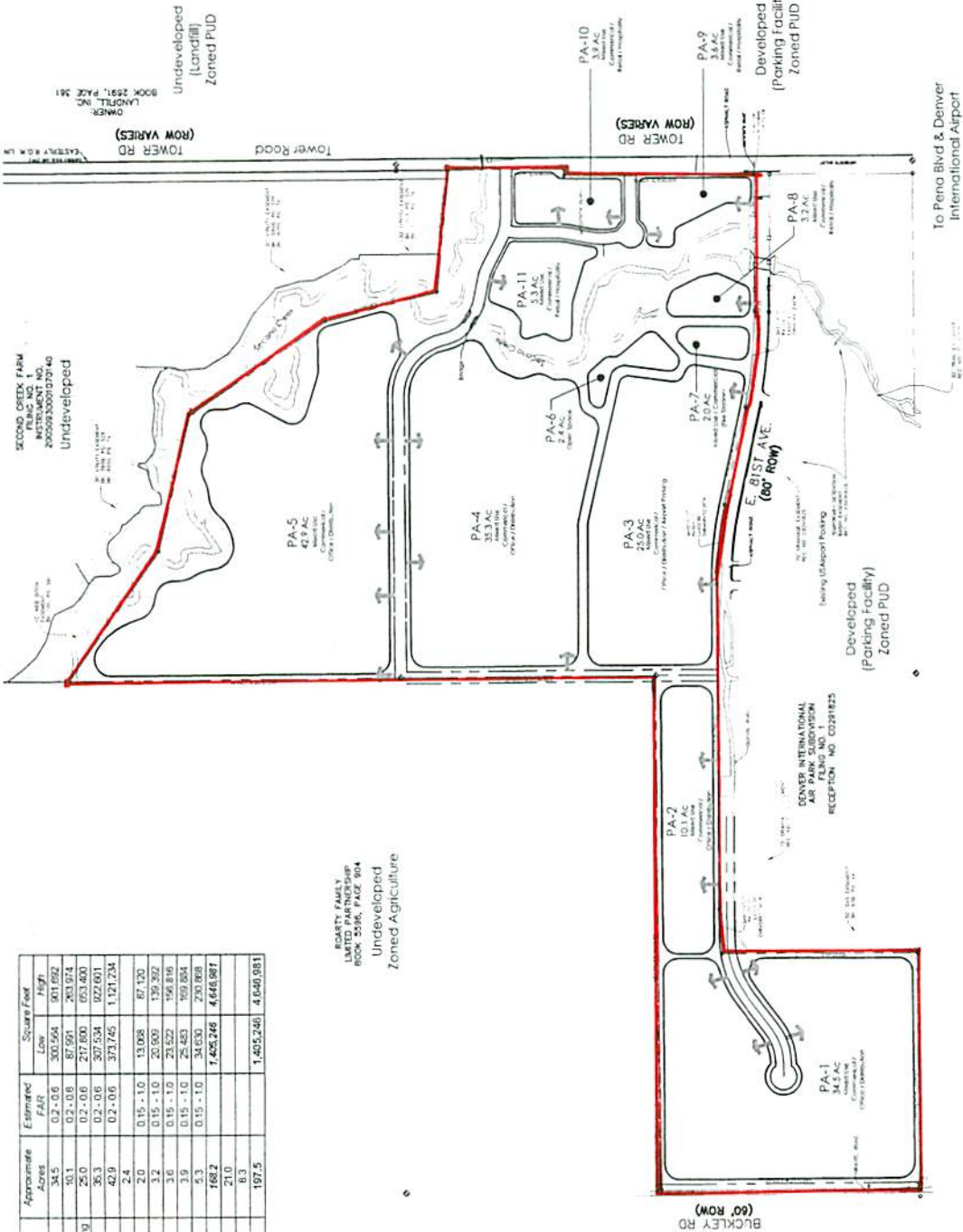
## PUD CONCEPT SCHEMATIC

COMMERCE CITY, COLORADO  
 A PART OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
 COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 1 OF 1

DIA TECH CENTER LAND USE TABLE

Planning Area #	Land Use	Approximate Acres	Estimated FAR	Square Feet	
				Low	High
PA-1	MU Commercial / Office / Distribution	34.5	0.2 - 0.6	300,564	901,692
PA-2	MU Commercial / Office / Distribution	10.1	0.2 - 0.6	87,991	263,974
PA-3	MU Commercial / Office / Distribution / Airport Parking	25.0	0.2 - 0.6	217,800	653,400
PA-4	MU Commercial / Office / Distribution	35.3	0.2 - 0.6	307,534	922,601
PA-5	MU Commercial / Office / Distribution	42.9	0.2 - 0.6	373,745	1,121,234
PA-6	Open Space	2.4			
PA-7	MU Commercial / Retail / Fire Station	2.0	0.15 - 1.0	13,008	87,120
PA-8	MU Commercial / Retail / Hospitality	3.2	0.15 - 1.0	20,900	139,392
PA-9	MU Commercial / Retail / Hospitality	3.6	0.15 - 1.0	23,522	156,816
PA-10	MU Commercial / Retail / Hospitality	3.9	0.15 - 1.0	25,483	169,894
PA-11	MU Commercial / Retail / Hospitality	5.3	0.15 - 1.0	34,030	230,868
<b>Subtotal</b>		<b>168.2</b>		<b>1,425,246</b>	<b>4,648,881</b>
Hookham		21.0			
Right-of-Way		8.3			
<b>Total</b>		<b>197.5</b>		<b>1,425,246</b>	<b>4,648,881</b>

ROCKY MOUNTAIN NATIONAL WILDLIFE REFUGE LIMITED PARTNERSHIP BOOK 5536, PAGE 904  
 Undeveloped  
 Zoned Agriculture



JUNE 17, 2011

Scale in Feet  
 0 200 400 800 1600

**PLANNER:**  
 VOGEL & ASSOCIATES  
 Matthew J. Vogel, P.E.  
 5753 Shaker Circle, Suite 101  
 Denver, Colorado 80234-9448  
 (303) 493-4288

**DEVELOPER:**  
 DIATC, LLC  
 1411 Thompson Company, LLC  
 1900 West Lincoln Street, Suite 107  
 Littleton, Colorado 80120  
 303-769-4480

**ENGINEER:**  
 ENGINEERING PARTNERS, INC.  
 1900 West Lincoln Street, Suite 107  
 Littleton, Colorado 80120  
 303-769-4480

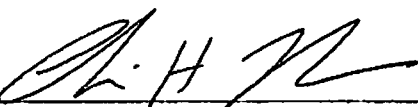
**DESIGNATION OF NATURAL PERSON AS ELECTOR  
PURSUANT TO § 31-25-602(2)(b) C.R.S., as amended**

I, Christopher H. Thompson state that I am the sole Member of C.H. Thompson Company, LLC, a Colorado limited liability company (the "Manager"), which is the Manager of DIATC, LLC, a Colorado limited liability company (the "Company") having a business address of 5753 Shasta Circle, Littleton, CO 80123. The Company is the owner of the real property described on Exhibit A attached hereto which is located in the Commerce City E-470 Commercial Area General Improvement District. I am authorized by the Operating Agreement of the Manager to act with full power and authority on behalf of the Manager. The Operating Agreement of the Company authorizes the Manager to act with full power and authority on behalf of the Company.

I hereby designate Christopher H. Thompson, a natural person, who is registered to vote in the State of Colorado, and resides at 5753 Shasta Circle, Littleton, CO 80123, to sign the organization petition and vote on behalf of the owner regarding any ballot issue .

DIATC, LLC,  
a Colorado limited liability company

By: C.H. Thompson Company, LLC,  
a Colorado limited liability company  
Its: Manager

By:   
Christopher H. Thompson, Sole Member

The screenshot displays a GIS application interface for Commerce City. The main map area shows an aerial view with a property highlighted in teal. The property is bounded by Tower Rd to the east and 100th St to the south. A large area to the west of the property is marked with diagonal hatching. The map includes a scale bar at the bottom left (500m and 2000ft) and various navigation controls on the left and right sides. A popup window titled "Property Search and Identify" is open, displaying the following information:

Property Search and Identify	
Address:	Address Not Assigned
Owner:	DIATC LLC
Subdivision:	NO SUBDIVISION ASSIGNED
Jurisdiction:	Adams
Zoning Code:	<a href="#">PUD</a>
Future Land Use:	<a href="#">DIA TECHNOLOGY</a>
Flood Hazard:	YES
Parcel ID:	172328400002
Adams Co. Assessor Details:	<a href="#">...</a>
Land Sq. Footage (Approx.):	8604679.9
Elementary School:	Second Creek Eleme
Middle School:	Otho E Stuart Middle Sch
High School:	Denise Bow High School

At the bottom of the popup, there is a "Search Again" button and a count of "1 Records".