

**RESOLUTION AMENDING LOAN AGREEMENT BETWEEN THE
COMMERCE CITY E-470 COMMERCIAL AREA GENERAL IMPROVEMENT
DISTRICT AND DIATC METROPOLITAN DISTRICT**

NO. ECAGID 2013-05

WHEREAS, the Commerce City E-470 Commercial Area General Improvement District (the “ECAGID”) is a public improvement district and a body corporate duly organized pursuant to Part 6, Article 25, Title 31, Colorado Revised Statutes, and Ordinance 1952 of the City of Commerce City, Colorado (the “City”) adopted by the Council of the City (the “City Council”) on April 1, 2013 (“Ordinance 1952”);

WHEREAS, the ECAGID has for its purpose the construction, installation, maintenance and operation, for the benefit of its municipal residents, of water and sewer improvements, roadway and related improvements, and recreation improvements, all as set forth in Ordinance 1952;

WHEREAS, the members of the City Council have been duly elected and qualified and serve ex officio as the Board of Directors of the District (the “Board”);

WHEREAS, on April 1, 2013, the ECAGID approved a Loan Agreement between it and DIATC Metropolitan District LLC (the “District”) to provide for the present funding and construction of certain public improvements for the benefit of the residents and taxpayers of the ECAGID, the District and the City of Commerce City;

WHEREAS, the “Form of Requisition,” attached as Exhibit B to the Loan Agreement, inadvertently included a signature block requiring the signatures of several individuals not necessary to approve requisitions under the Loan Agreement; and

WHEREAS, in order to streamline the requisition process, the City Council desires to amend the Form of Requisition to delete the unnecessary signature lines.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COMMERCE CITY E-470 COMMERCIAL AREA GENERAL IMPROVEMENT DISTRICT AS FOLLOWS:

1. The attached Amendment to Loan Agreement is hereby approved.
2. The Ex-Officio Chairperson and Secretary are hereby authorized and directed to sign and attest the attached Amendment to Loan Agreement on behalf of the ECAGID.

RESOLVED AND PASSED THIS 20TH DAY OF MAY, 2013.

COMMERCE CITY E-470
COMMERCIAL AREA GENERAL
IMPROVEMENT DISTRICT

Sean Ford, Ex-Officio Chairperson

ATTEST:

Laura J. Bauer, CMC, Secretary