

Prairie Gateway Inclusion and Water Credits

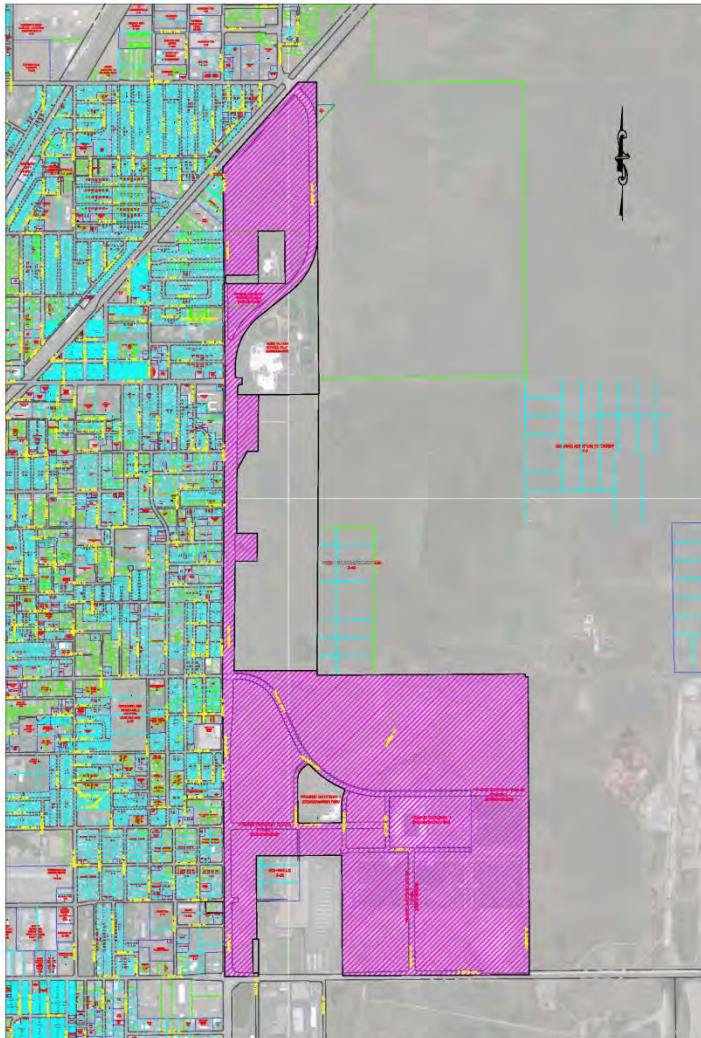
March 18, 2013

Inclusion Agreement Background

- Commerce City purchased the Prairie Gateway (Victory Crossing) property from the United States in 2004.
 - The property was not part of the South Adams County Water District.
- Representatives of the City petitioned to include Prairie Gateway into the SACWSD in 2006, with a general description of the property.
- The inclusion was not finalized because SACWSD needed a more precise legal description for the courts.

- Due to the lapse in time, the City is re-submitting the full packet of inclusion documents.
 - Agreement for Inclusion
 - Conveyance of Groundwater Rights
 - Confession of Motion to Include Land in the Boundaries of SACWSD
 - Landowner's Petition and Consent to Include Real Estate
 - Precise Legal Description
- SACWSD has agreed that the inclusion documents should be a joint petition by the City and SACWSD due to some discrepancies in the legal description of the Klein Treatment facility property and the adjacent property of the City.

Inclusion Area



VICINITY MAP
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- Next Steps:
 - City will submit completed documents and inclusion to SACWSD
 - SACWSD will set a public hearing on the re-confirmation of the inclusion and publish notice thereof.

Water Credits Agreement

- Commerce City entered into an IGA with SACWSD on April 28, 2004 to address a number of water and wastewater issues.
- As part of this IGA, Commerce City agreed to acquire augmentation water for non-potable uses at Prairie Gateway (a.k.a. "RMA Lands" or "Victory Crossing").
- The Agreement for Water Credits on Victory Crossing provides the accounting to assure that Commerce City receives the full value for the augmentation water which it has acquired.
- The City has purchased a total of 215.9 acre feet of augmentation water and the Agreement provides appropriate credits for that water.