

ORDINANCE NO. ERAGID 02-19

INTRODUCED BY: DAVIS, DOUGLAS, FORD, FRANK, GUARDIOLA, HURST,  
HUSEMAN, MADERA, TETER

**AN ORDINANCE INCLUDING CERTAIN LANDS GENERALLY KNOWN AS THIRD CREEK WEST INTO THE E-470 RESIDENTIAL AREA GENERAL IMPROVEMENT DISTRICT**

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

WHEREAS, the Board of Directors of the ERAGID (“Board”) has received a petition submitted by Petitioners CCT Investors, LLC SCM-POG, LLLP, SMT Investors Limited Partnership SCM-Remodino OKC, LLLP, SCM-Carrier OKC, LLLP SCM-Schoenhals OKC, LLLP, SCM-Blaylock OKC, LLLP SCM-Stephan, LLLP, SCM-Cagle OKC, LLLP SCM-Tibbs OKC, LLLP, SCM-Donnelly, LLLP AZ Third Creek, LLC, SCM-Friedman OKC, LLLP DLJ Third Creek, LLC, SCM-GRP Third Creek, LLLP Forever 7, LLC, SCM-Hess Myers, LLP Mt. Olympus Investments, LLC, SCM-King, LLLP Far Marel, LLC, SCM-Moore, LLLP Go West Too Defined Benefit Pension, Plan, SCM-Morris Withey, LLLP Harvard C.G. Properties II, LLC, SCM-Neal, LLLP Neal Management, LLC (“Owners”) requesting the inclusion of certain lands within the boundaries of the ERAGID case ERAGID-002-19 (“Petition”), which lands are generally located at northeast corner of E-470 and E. 104th Avenue and are described in the Petition (“Inclusion Property”);

WHEREAS, on October 21, 2019, the Board conducted a duly noticed public hearing on the Petition as required by C.R.S. 31-25-618(2).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE E-470 RESIDENTIAL AREA GENERAL IMPROVEMENT DISTRICT AS FOLLOWS:

SECTION 1. The Board finds and determines that:

- a. The Inclusion Property is owned by the Owners;
- b. The Petition was accompanied by a deposit of moneys sufficient to pay the costs of inclusion;
- c. The Board secretary has caused notice of the filing of the Petition to be given and published in accordance with, and containing all information required by, C.R.S. 31-25-618; and
- d. The Petition meets all requires for the inclusion of the Inclusion Property in the ERAGID.

SECTION 2. The Board hereby approves and ratifies the Annexation and Inclusion Agreement between the City of Commerce City, Owner, the ERAGID, and the E-470 Commercial Area Improvement District, and ratifies all actions of the ERAGID taken pursuant thereto.

SECTION 3. The Board hereby grants the Petition and, pursuant to C.R.S. 31-25-618(2), the Inclusion Property is hereby included into the ERAGID, and the boundaries of the ERAGID are hereby amended to encompass the Inclusion Property, subject to the terms of the Annexation and Inclusion Agreement.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED  
THIS 21ST DAY OF OCTOBER 2019.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED  
THIS 4TH DAY OF NOVEMBER 2019.

E-470 RESIDENTIAL AREA GENERAL  
IMPROVEMENT DISTRICT

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Sean Ford, Chairperson

ATTEST

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Laura J. Bauer, Secretary