

**RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT AMONG
COMMERCE CITY E-470 COMMERCIAL AREA GENERAL IMPROVEMENT
DISTRICT, SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT
AND ITS ENTERPRISE, AND DIATC METROPOLITAN DISTRICT FOR THE
PURPOSE OF CONSTRUCTION, INSTALLATION AND MAINTENANCE OF
WATER LINES, WASTEWATER LINES AND ACCESSORIES AND
APPURTENANCES THERETO**

NO. ECAGID 2013-06

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 current boundaries of the ECAGID are expected to be expanded in the future to encompass most of the land identified in Exhibit A to the attached Intergovernmental Agreement among the Commerce City E-470 Commercial Area General Improvement District, South Adams County Water and Sanitation District and its Enterprise, and DIATC Metropolitan District for the Purpose of Construction, Installation and Maintenance of Water Lines, Wastewater Lines and Accessories and Appurtenances Thereto (the "IGA");

WHEREAS, the property identified in said Exhibit A is known as the "E-470 Commercial Area";

WHEREAS, South Adams County Water and Sanitation District ("SACWSD") is expected to be the public water and sewer service provider to land within the ECAGID, following proper inclusion of such land into the boundaries of SACWSD and its Enterprise, (the "SACWSD Enterprise");

WHEREAS, the parties to the IGA have determined that the construction, installation and maintenance of water and wastewater lines, lift stations, pumping stations and associated facilities in the E-470 Commercial Area (the "Project") are prerequisites for proper development of the E-470 Commercial Area;

WHEREAS, DIATC Metropolitan District will be responsible for the design, construction and installation of the Project, in accordance with the requirements set forth in the IGA, the Design Standards and Specification of SACWSD and the approved plans;

WHEREAS, the parties to the IGA share a common interest in facilitating, expediting and accomplishing the Project for development of the E-470 Commercial Area; and

WHEREAS, in order to provide for public water and wastewater facilities to aid in the development of the E-470 Commercial Area, the parties to the IGA have determined that an agreement among them is necessary and in the public interest.

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 IGA is hereby approved.
2. The Secretary and Ex-Officio Chairperson are hereby authorized and directed to sign and attest the IGA 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