

**RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT
WITH THE COMMERCE CITY URBAN RENEWAL AUTHORITY AND
SOUTH ADAMS COUNTY WATER AND SEWER DISTRICT
NO. 2012-41**

WHEREAS, on June 21, 2004 the City of Commerce City (the "City") acquired from the United States of America approximately 917 acres of real property (the "Property") which was formerly part of the Rocky Mountain Arsenal; and

WHEREAS, the City and the Commerce City Urban Renewal Authority ("URA") executed that certain Master Development Agreement dated October 25, 2004 pursuant to which the City and the URA jointly agreed with Kroenke Stadium Services, Inc. and Kroenke Soccer Stadium LLC (collectively referred to as "Kroenke") to develop a soccer facility now known as Dick's Sporting Goods Park and club/youth fields and surface parking, practice fields and other related improvements on a portion of the Property; and

WHEREAS, the City, the URA, and Kroenke caused the construction of related infrastructure and roadway improvements to Quebec Street, Quebec Parkway, 56th Avenue, 60th Avenue, Prairie Parkway, State Highway 2, Rosemary Street, South Campus off-site as well as open space grading, and landscape/irrigation installations on the roadway as well as the open space (the " Project"); and

WHEREAS, additional work needs to be completed for the Project (the additional work being referred to as the "Punch List"); and

WHEREAS, the South Adams Water and Sanitation District (the "District") has indicated its intent to file a petition for inclusion of the Property into the District pursuant to Section 32-1-401 of the Colorado Revised Statutes (the "Inclusion"); and

WHEREAS, the City and the URA desire to correct an apparent discrepancy (the "Property Line Discrepancy") in the legal description of property previously conveyed to the District known as the "Klein Water Treatment Plant"; and

WHEREAS, the City, the URA, and the District desire to enter into an intergovernmental agreement in order to facilitate the resolution of all outstanding issues related to the Punch List, the Inclusion and the correction of the Property Line Discrepancy.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

1. The Intergovernmental Agreement attached hereto (the "IGA") is hereby approved.
2. The Mayor and the City Clerk are hereby authorized and directed to sign and attest the IGA on behalf of the City of Commerce City.

RESOLVED AND PASSED THIS 16TH DAY OF JULY, 2012.

CITY OF COMMERCE CITY, COLORADO

BY: _____
Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk