

ORDINANCE NO. ECAGID-015-24

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS, DUKES, FORD, KIM, MADERA, NOBLE, TETER

AN ORDINANCE INCLUDING PORTIONS OF CERTAIN LANDS GENERALLY KNOWN AS QUIKTRIP GENERALLY LOCATED AT SOUTHWEST CORNER OF EAST 81ST AVENUE AND TOWER ROAD INTO THE E-470 COMMERCIAL AREA GENERAL IMPROVEMENT DISTRICT

WHEREAS, the E-470 Commercial Area General Improvement District (“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 duly adopted by the of the City Council of the City of Commerce City, Colorado;

WHEREAS, the Board of Directors of the ECAGID (“Board”) has received a petition submitted by Petitioner QuikTrip Corporation (“Owner”) dated March 18, 2024 requesting the inclusion of certain lands into the boundaries of the ECAGID (“Petition”) in case ECAGID-015-24, which lands are generally located at the southwest corner of East 81st Avenue and Tower Road and are fully described in the Petition (“Inclusion Property”);

WHEREAS, the Board has 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 COMMERCIAL AREA GENERAL IMPROVEMENT DISTRICT AS FOLLOWS:

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the Board. The Board further finds and determines that:

- (a) The Inclusion Property is owned by the Owner;
- (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;
- (d) The change in boundaries of the ECAGID will not impair or affect its organization or its rights in or to property or any of its rights or privileges or affect or impair or discharge any contract, obligation, lien, or charge for or upon which the district might be liable or chargeable had any such change of boundaries not been made; and
- (e) The Petition meets all requires for the inclusion of the Inclusion Property in the ECAGID.

SECTION 2. Inclusion Agreement. The Board hereby approves the Inclusion

Agreement between the Owner and the ECAGID in substantially the form attached hereto.

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

SECTION 4. Effective Date. This ordinance shall be effective upon passage on second and final reading, subject to any provision of the Inclusion Agreement.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 8TH DAY OF APRIL, 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 6TH DAY OF MAY, 2024.

E-470 COMMERCIAL AREA GENERAL
IMPROVEMENT DISTRICT

Steven J. Douglas, Chairperson

ATTEST

Dylan A. Gibson, Secretary