



Dacono II Urban Renewal Plan

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Prepared for:

Economic Development Authority of Dacono
Dacono City Council

Prepared by:

Ricker | Cunningham
10959 Ashurst Way
Littleton, CO 80130

303.458.5800 phone
303.458.5420 fax

www.rickercunningham.com

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Dacono II Urban Renewal Plan

City of Dacono, Colorado

1.0 Introduction

1.1 Preface

This Dacono II Urban Renewal Plan (herein referred to as the "**Plan**" or "**Urban Renewal Plan**") has been prepared for the City of Dacono (herein referred to as the "**City**") and Economic Development Authority of Dacono (herein referred to as the "**Authority**" or "**EDAD**"), the latter being the entity which will lead its administration and implementation pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (herein referred to as the "**Act**" or "**Law**").

1.2 Blight Findings

Under the **Act**, an urban renewal area is a blighted area, which has been designated as appropriate for an **Urban Renewal Project**. In order for the **Authority** to exercise its powers within the area, the municipality's board or council must find that the presence of blight, as defined by the **Act**, "substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare."

The Dacono II Area Conditions Survey (herein referred to as the "**Survey**"), prepared by Ricker | Cunningham in June and July 2019, and presented to the **Authority** under separate cover, demonstrates that the Dacono II Urban Renewal Plan Area (herein referred to as the "**Area**", "**Urban Renewal Plan Area**" or "**Dacono II Area**"), qualifies as a blighted area under the **Act**. Specifically, the **Survey** concluded that nine (9) of the 11 total possible factors are present at varying degrees of intensity, but all at levels considered significantly adverse. A list of statutory factors either observed or identified, along with a characterization of the same, is presented below in Section 4.0.

1.3 Urban Renewal Area Boundaries

The **Dacono II Area**, as presented in Figure 1 and set forth in Appendix B, includes 19 legal parcels comprising approximately 1,278 acres, as well as adjacent rights-

of-way, located within the municipal borders, between State Highway 52 on the north and County Road 6 on the south.

1.4 Zoning Classifications

Properties in the Area are currently zoned one of the following: R-2 Residential; C-1 Commercial; C-R Commercial Residential; MH Pre-Manufactured Housing; or PUD Planned Unit Development. Permitted uses within these zoning classifications are provided below as identified in Chapter 16 of the Dacono Municipal Code.

R-2 Residential

- (1) One (1) family dwelling;
- (2) Two (2) family dwelling;
- (3) Three (3) family dwelling;
- (4) Multi-family dwelling;
- (5) Boardinghouses and rooming houses;
- (6) Dormitories;
- (7) Religious and educational institutions, the same limitation as in R-1 district;
- (8) Public utilities, the same limitation as in R-1 district;
- (9) Municipal building;
- (10) Day care centers; and
- (11) Personal wireless service facilities.

C-1 Commercial

- (1) Amusement and recreation, theaters, bowling alleys, skating rinks and dancehalls;
- (2) Food and beverage serving, restaurants, nightclubs, taverns and liquor stores;
- (3) Hotels and motels;
- (4) Laundry and dry-cleaning establishments;
- (5) Offices, business, professional and agencies;
- (6) Personal services;
- (7) Retail businesses;
- (8) Printing, publishing and reproduction establishments;
- (9) Religious and educational institutions and other municipal uses;
- (10) Public utilities; and
- (11) Personal wireless service facilities.

C-R Commercial Residential

- (1) Any use permitted in the R-2 district;
- (2) Amusement and recreation, theaters, bowling alleys, skating rinks and dancehalls;
- (3) Food and beverage serving, restaurants, nightclubs, taverns and liquor stores;
- (4) Hotels and motels;
- (5) Laundry and dry-cleaning establishments;
- (6) Offices, business, professional and agencies;
- (7) Personal services;
- (8) Retail businesses;
- (9) Printing, publishing and reproduction establishments;
- (10) Religious and educational institutions and other municipal uses; and
- (11) Public utilities.

MH – Pre-Manufactured Housing

No building, structure, pre-manufactured housing structure or land shall be used, and no building, structure or pre-manufactured housing structure shall be erected or installed or structurally altered except as provided for in Section 16-163 of the Dacono Municipal Code. Pre-manufactured housing structures are to be located only in the MH District. (excerpt)

Planned Unit Development (PUD)

Pursuant to Section 24-67-101, et seq., C.R.S., the Planned Unit Development Act of 1972, the purpose of the Planned Unit Development (PUD) zoning district is to:

- (1) Provide an alternative to conventional land use regulations by allowing more flexible development, based on a comprehensive, integrated plan, without in any way jeopardizing or reducing zoning standards, which promote the public safety, convenience, health and general welfare and preserve personal and property rights.
- (2) Promote more creative and efficient use of land and public or private services to facilitate a more economic arrangement of buildings, circulation systems and utilities.
- (3) Promote the beneficial and economical use of land in the physical and economic development of the City.
- (4) Promote the most appropriate use of land.

- (5) Promote creative flexibility in design and permit planned diversification in the location and use of structures.
- (6) Allow compatible land uses to be developed in accordance with a general development plan which has been designed to be in harmony with surrounding neighborhoods.
- (7) Encourage innovation and efficiency in residential development to meet the growing demands for housing of all types and designs.
- (8) Provide for necessary commercial, recreational, employment and educational facilities conveniently located to housing.
- (9) Provide for well-located, clean, safe and pleasant industrial sites involving a minimum strain on transportation systems.
- (10) Encourage the combining and coordination of architectural styles, building forms and building relationships within the planned development.
- (11) Provide a procedure that can relate the type, design and layout of residential, commercial and industrial development to the particular site, thereby encouraging preservation of the site's natural characteristics.
- (12) Lessen the burden of traffic on streets and highways.
- (13) Improve the design, character and quality of new development.

1.5 Future Land Use Designations

Future land use designations are reflected in the City's Future Land Use Map.¹ The purpose of that map is to illustrate where certain land uses are encouraged within Dacono's Planning Area over the near- and long-term, and where the City would support the development of land uses and product types consistent with those designations.

The single future land use category identified in the **Area** is Multi-Generational Living District, with an emphasis on residential product types that support workforce housing (or Employee Residential). A description of each follows.

The [Multi-Generational Living District](#) will be host to neighborhoods that accommodate a wide range of age groups and product types, allowing younger residents to stay in the community and older residents to "age in place."

¹ The Future Land Use Map and accompanying land use category descriptions reflect the types of land uses and product types, as well as character of how the community would like to see the city will grow over the next several years.

Homes of varying sizes and densities will be co-located so that extended families can live independently, yet in the same neighborhood community. Supporting uses may include small commercial spaces with local serving retailers and service providers; and I or accessory units to primary residences, support entrepreneurial employment endeavors and encore careers or dwelling units for related family members. Gateway improvements will be combined to introduce the community and its neighborhoods to residents in, and visitors to, the region. Natural areas will be protected, yet leveraged, to attract high-quality home builders and buyers who value the environment.

The **Employee Residential** Place Type includes both rental and ownership products, at price points attainable to employees at different income levels. Projects may feature single- and I or mixed-use buildings, with shared amenities and parking facilities. Products include small lot single-family detached, and attached townhome, duplex, and condominium ownership units; as well as, rental apartments. They may be located within neighborhoods dominated by lower density residences, or multi-use business centers. Given that their scale is often comparatively high, they encourage active living and a greater emphasis on non-vehicular infrastructure; and therefore, favor access to public open spaces, trails, and recreational and cultural facilities.

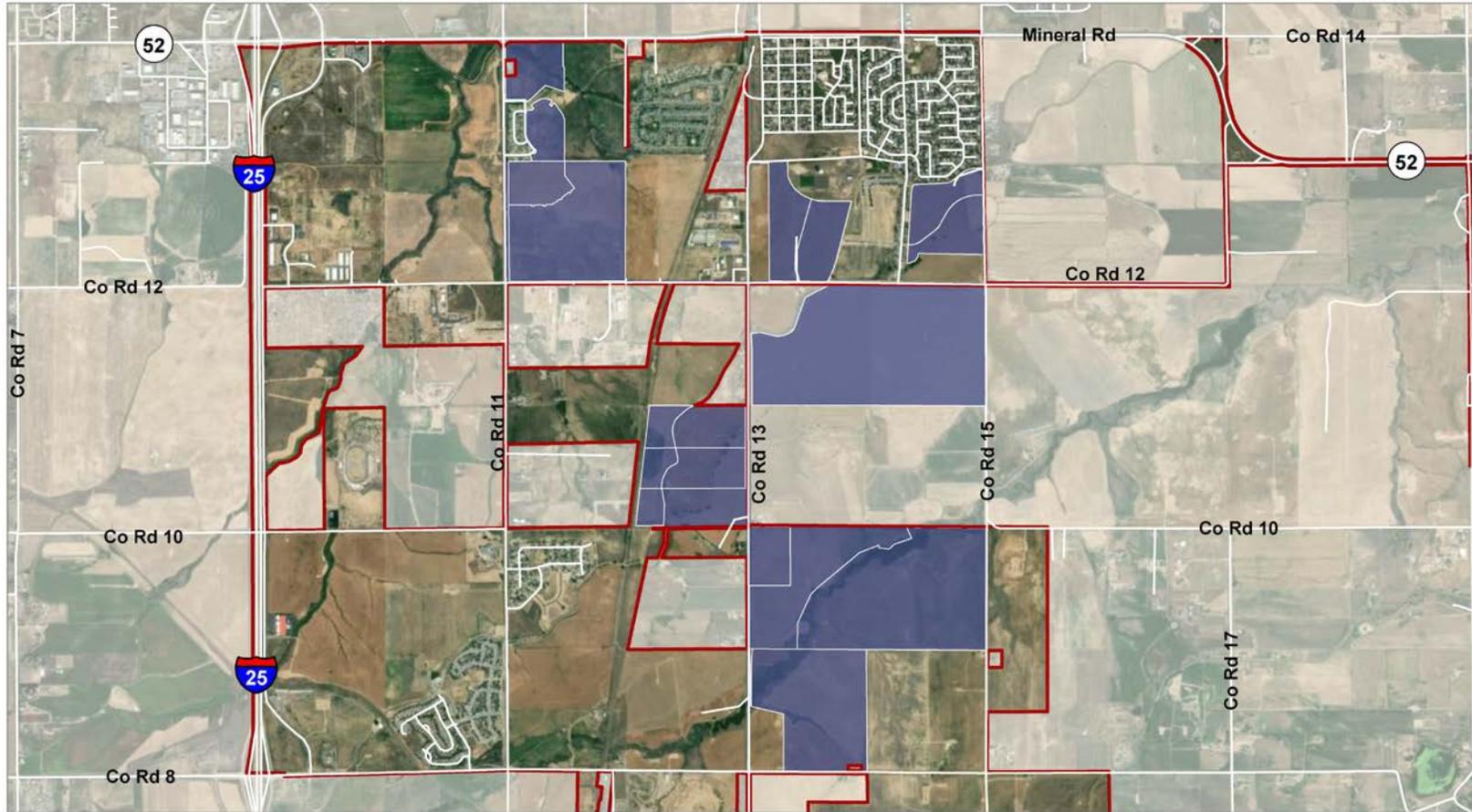
1.6 Statutory Compliance

In compliance with the **Act**, the public hearing notice at which this Plan was considered, including its time, date, location, purpose and a general description of the **Area** covered by the **Plan**, along with the general scope of proposed urban renewal projects and undertakings appeared in the Longmont Times Call, the community's designated legal newspaper of general circulation. At that hearing, the **Dacono City Council** (herein referred to as "**City Council**") considered the findings of blight, documented in the **Survey**, and adoption of the **Plan**. In addition, a reasonable attempt was made to provide mailing notice of the hearing to all owners of **Private Property** and business interests located within the Area, at their last-known address of record.

More than 30 days prior to the public hearing, this **Plan** and a report describing any impacts resulting from new investment in the **Area**, was submitted to the Weld County Board of Commissioners, as well as the governing bodies ² of other

² Weld County, City of Dacono, St. Vrain Valley School District RE-1J, Weld County School District Re-8, City of Dacono, Mountain View Fire District, St. Vrain Sanitation District, Carbon Valley Recreation District, Northern Colorado Water District, Aims Community College District and High Plains Library District.

Figure No. 1: Dacono II Urban Renewal Area Ma



 0 0.25 0.5 Miles
SOURCE: ESRI
Date: Thursday, October 31, 2019

 Dacono Municipal Boundary
 Dacono II Urban Renewal Plan Boundary



taxing entities whose incremental property tax revenues would be allocated to **EDAP** as per the **Plan**. Further, representatives of **EDAD** and these taxing entities met and negotiated agreements governing the sharing of the subject incremental property tax revenue, in compliance with the **Act**.

Finally, official meetings required by the **Act**, in addition to the public hearing (December 9, 2019), were scheduled, noticed, and conducted. Specifically, the **EDAD** considered the **Plan** on November 4, 2019 at a duly noticed meeting of the **Authority**, and the Planning and Zoning Commission reviewed the **Plan** on November 12, 2019 and determined it to be consistent with the Comprehensive Plan.

2.0 Definitions

Capitalized and bolded terms shall have the meaning set forth herein. All capitalized and bolded terms used herein and not defined below shall have the same meaning as set forth in the **Act**.

Act – means the Urban Renewal **Law** of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

Authority – means the **Economic Development Authority of Dacono** (or **EDAD**).

Base Amount – means that portion of property taxes which are produced by the levy at the rate fixed each year by or for taxing entities upon the valuation for assessment of taxable property in a **Tax Increment Area** last certified prior to the effective date of approval of the **Plan**; and that portion of municipal sales taxes collected within the boundaries of the **Tax Increment Area** in the twelve-month period ending on the last day of the month prior to the effective date of approval of the **Plan**.

City – means the City of Dacono.

City Council – means the **City Council** of the City of Dacono.

Comprehensive Plan – means the 2017 Dacono Forward Comprehensive Plan Update.

Cooperation Agreement – means any agreement between the **Authority** and the City, or any public body (the term “public body” being used in this Plan as defined by the **Act**) respecting action to be taken pursuant to any of the powers set forth in the **Act** or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the **Authority** under this Plan.

C.R.S. – means the Colorado Revised Statutes, as amended from time-to-time.

Dacono II Tax Increment Area - means an area identified and depicted in Figure 2 as the “Dacono II Tax Increment Area” and described in Appendix B, with boundaries concurrent with the Plan Area, which includes properties and portions of properties from which incremental property taxes in excess of the **Base Amount**, when collected, will be paid into the **Authority’s Special Fund** and used, in part, to finance the **Authority’s** activities and undertakings.

Eligible Costs – means those costs eligible to be paid or reimbursed from incremental revenues and other resources pursuant to the **Act**.

Impact Report – means the Dacono II Urban Renewal Plan - Impact Report prepared by Ricker | Cunningham, dated November, 2019 and presented to **City Council** under separate cover.

Plan or Urban Renewal Plan – means this Dacono II Urban Renewal Plan.

Plan Area or Urban Renewal Plan Area or Area – means the area identified and depicted as the “Dacono II Urban Renewal Area” in Figure 1.

Private Property - as applied to real property, means only a fee ownership interest.

Project – (or **Urban Renewal Project**) means any and all undertakings and activities authorized in the **Plan** and the **Act** to eliminate blighted conditions and improvements including designing, developing and constructing the various public improvements and private improvements (which collectively, includes paying the costs of constructing such improvements and other costs to the extent such costs are **Eligible Costs** as allowed by the **Act**) necessary to serve the proposed **Urban Renewal Plan Area** which includes public improvements located within and outside the **Urban Renewal Plan Area**.

Redevelopment I Development Agreement – means one or more agreements between the **Authority** and developer or developers, and I or property owners or such other individuals or entities as may be determined by the **Authority**, to be necessary or desirable to carry out the purposes of this **Plan**.

Special Fund – means a fund supervised by the **Authority** and the resources of which include incremental ad valorem property and municipal sales tax revenue resulting from investment and reinvestment in the **Urban Renewal Area**.

Survey – means the Dacono II Area Conditions Survey, prepared by Ricker Cunningham, dated October, 2019 and presented to **City Council** under separate cover.

Tax Increment – that portion of incremental revenues in excess of the **Base Amount** as set forth in Section 7.3.2 of this **Plan**, allocated to and when collected, paid into the **Authority's Tax Increment Revenue Fund**.

Tax Increment Area – means an area which includes properties and portions of properties from which incremental property taxes in excess of the **Base Amount**, when collected, will be paid into the authority's **Special Fund**. See the definition of **Dacono II Tax Increment Area**, above.

Tax Increment Finance (or Financing) (TIF) - means a financing mechanism which uses future incremental revenues resulting from private investment within an established area (**Tax Increment Area**), as well as other resources obtained by the **Authority**, to fund improvements for the public benefit.

Tax Increment Revenue Fund – See definition of **Special Fund** above.

Urban Renewal Law – means the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended. See the definition of the **Act**, above.

Urban Renewal Plan or **Plan** – means this Dacono II Urban Renewal Plan.

Urban Renewal Plan Area or **Plan Area** – means the Dacono II Urban Renewal Plan Area as depicted in **Figure 1**.

Urban Renewal Project – is defined by the **Act**, but generally means an improvement, public or private that addresses the findings of blight and advances the goals of the **Plan**. See the definition of **Project**, above.

3.0 Plan Intentions

With an urban renewal designation, the **Area** will be eligible for one or more urban renewal activities and undertakings authorized by the **Act**, and implemented by the **Authority**. To this end, it is the intention of **City Council** in adopting this **Urban Renewal Plan** that the **Authority** has available to it any and all powers authorized in the **Act**, and considered necessary and appropriate to accomplish the undertakings stated herein.

Because powers conferred by the **Act** include facilitating the completion of improvements for which public money may be expended, the intentions of this **Plan** are considered to be in the public interest and a necessity, such finding being a matter of legislative determination by **City Council**.

3.1 Purpose

As explained in the **Act**, the principal objective of any and all urban renewal plans is to provide the municipality with a workable program for using available resources to eliminate and prevent the development or spread of blight, and to encourage needed rehabilitation of improvements within designated locations. In doing so, it is anticipated that community priorities expressed in adopted community plans and other policy documents, will be advanced.

For this reason, the purpose of this Dacono II Urban Renewal Plan is to reduce and remove blighting conditions adversely impacting properties and businesses in the **Area** and described in the **Survey**. In addition, particularly as it relates to the **Plan Area**, it is the **Authority's** intention to finance, install, construct, reconstruct and cooperate with others to complete capital improvements to infrastructure and utilities, in an effort to further economic growth locally and regionally, as well as facilitate the orderly development of the community. To this end, its purpose is to advance objectives expressed in the **Comprehensive Plan** (herein referred to as the 2017 Dacono Forward Comprehensive Plan Update.) References from this and any related resources which align with these goals are presented in Appendix A.

3.2 Approach

The approach to advancing these objectives is to complete and maintain public and private improvements and infrastructure in the **Area**, use financial resources available to the **Authority** for the express purpose of the same; and to actively promote private investment and job creation. With regard to local objectives, the **Authority** intends to identify specific priorities which will effectively leverage private investment in the **Area** and ensure alignment of this **Plan** with other accepted and adopted community documents.

3.3 Implementation

While the **Authority** will be the **Plan's** principal administrator, **City Council** will authorize and oversee its efforts. Therefore, the **Authority** will work in cooperation

with elected and appointed officials to prioritize capital investments in the **Area** (roadways, open spaces, greenways), in order to ensure they provide a public benefit to property owners and business interests within its boundaries, as well as throughout the community. Any new development activity in the **Area** will conform to existing municipal codes and ordinances, along with any site-specific regulations or policies in effect at the time. Finally, while the **Act** authorizes the **Authority** to regulate land uses, establish maximum or minimum densities, and institute other building requirements in an urban renewal area; for the purpose of this **Plan**, the **Authority** anticipates the responsibility for these activities will reside with the **City**, in partnership with the **Authority**.

4.0 Blight Conditions

Before an urban renewal plan can be adopted by a municipality, the proposed urban renewal area must be determined to be "blighted" as defined in Section 31-25-103(2) of the **Act** which provides that *"in its present condition and use and, by reason of the presence of at least four of the factors (see below) in section 31-25-103 (2) (a) (or five in cases where property will be acquired by eminent domain the use of eminent domain is anticipated) substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare."* Statutory factors include:

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property;
- (k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; or
- (l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban

renewal area, “blighted area” also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of Section 31-25-103(2), substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare.

The general methodology used to prepare the **Survey** involved the following steps: (i) identification of parcels to be included in the **Survey Area**; (ii) collection of information about properties, infrastructure and other improvements in the **Survey Area** boundaries; (iii) investigation of conditions through field reconnaissance; (iv) review of aerial photography; (v) discussions with representatives of various public agencies and municipal departments; and (iv) recordation of identified and observed conditions listed in the **Act**.

Among the 11 qualifying factors listed above, the **Survey** showed the presence of nine (9) blight factors in the **Area** that is the subject of this **Plan**.

- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) Existence of conditions that endanger life or property by fire or other causes;
- (j) Environmental contamination of buildings or property; and
- (k5) Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

5.0 Plan Relationship to Community Documents

5.1 Consistency with the Comprehensive Plan

Whereas this **Plan’s** purpose is to facilitate investment in the **Area** consistent with stated community’s objectives, development within its boundaries will need to reflect the vision and objectives expressed in the **Comprehensive Plan**. Specifically, future investment should advance the following vision statement, along with supporting guiding principles and other references (presented in Appendix A).

In 2035, Dacono will be ...

Live ... a community with a diversity of living choices ranging from starter homes and cottages to paired and patio homes. “Baby Boomers” will be able to age in place, while Millennials will find high quality market rate rental options within business and village centers. Individuals within both groups will benefit from connections to public and open spaces, a regional trail system, and a growing number of civic and recreational facilities. Commercial offerings and services will be incorporated into neighborhood centers at appropriate levels of intensity when the market can support them.

Work ... employment opportunities will be available for individuals in technical, professional, and entrepreneurial fields. Capitalizing on the area’s agricultural roots and extension programs available through Colorado State University and community colleges with campuses in North Front Range communities, Dacono will be known for the number of “home-grown” businesses within its municipal boundaries.

Shop ... commercial retail, restaurant, and professional care facilities will be available within and adjacent to Dacono, shortening the distance to essential products and services for its day- and night-time populations. Commercial offerings in the city will be concentrated in combination with region-serving employers within a business park setting along I-25, as well as within a newly redeveloped Old Town - Village Center.

Play and Move ... several new and established residential neighborhoods will be connected to each other and activity nodes within the city by recreational trails and other infrastructure supporting a safe alternative to vehicular travel. Within established neighborhoods, homes will be maintained to ensure the health and welfare of residents, and facilities made available for pedestrians including parks, playgrounds and sidewalks. Existing infrastructure and utilities will be completed and of a capacity to support more intense levels of growth.

Learn ... educational facilities will be available for individuals at multiple stages of their lives. In addition to formal learning campuses, continuing education opportunities will be available because of corporate partnerships promoting life-long learning and offering venues where professional skills and expertise can be shared.

Honor ... new neighborhoods will feature amenities representing emerging values around Green (or environmentally-sensitive) development, sustainable living (i.e., farm to table), and recreation including parks and trails.

Lead ... this vision and related objectives will be advanced through efforts by its appointed and elected officials, its residents, business and property owners, and other stakeholders invested in a complete and healthy community.

Additional intentions found in the **Comprehensive Plan** that influenced elements of this **Plan** are also presented in Appendix A. Note: While most are posed verbatim, others are reworded or paraphrased for clarification.

6.0 Authorized Authority Undertakings and Activities

Whereas the **Act** allows for a wide range of activities to be used in furtherance of an urban renewal plan, in this context, the **Authority** intends to complete public improvements and provide financial assistance in partnership with the **City**, to affected property owners and other parties with an interest in the **Area**. To this end, cooperative arrangements will be an essential element of the **Authority's** approach to eliminating and preventing the spread of blighting conditions within its boundaries, along with those powers described in the discussion that follows.

6.1 Prepare and Modify Plans for the Area

The **Authority** may work with public bodies, and retain consultants and other advisors, to assist with the planning of properties in connection with **Urban Renewal Projects** and other undertakings in the **Area**. In addition, the **Authority** may propose, and **City Council** may make, modifications to this **Plan**, provided they are consistent with adopted community plans and any subsequent updates, as well as compliant with the **Act**. The **Authority** may also, in specific cases, allow non-substantive variations from the provisions of this **Plan**, if it determines that a literal enforcement would constitute an unreasonable limitation beyond the intent and purpose stated therein.

6.2 Complete Public Improvements and Facilities

The **Authority** may, or may cooperate with others to, finance, install, construct and reconstruct public improvements considered **Eligible Costs** as per the **Act**, and necessary to promote the objectives of this **Plan**. Whereas public improvements should, whenever possible, stimulate desired private sector investment, it is the intent of this **Plan** that the combination of public and private investment that occurs in the **Area** will benefit properties within its boundaries, as well as those in the community at-large. Priority improvements identified as necessary include completion and expansion of infrastructure and utilities; as well as, vehicular and non-vehicular roadway enhancements.

As explained in Section 4.0, nine (9) of the 11 qualifying conditions of blight as defined in Section 31-25-103(2) of the **Act**, were evident in the **Area**. As the **Plan's**

administrator, the **Authority** will seek to most effectively leverage available resources in the furtherance of desired private investment, while also eliminating the spread of those blighting conditions described in the **Survey**. To this end, the **Authority** may assist in the financing and I or construction of certain improvements, to the extent authorized by the **Act** and required to accommodate development and redevelopment for the benefit of the public. Examples of these improvements include, but are not limited to, the following:

- (b) **Predominance of defective or inadequate street layout** – construction of new roadways and accommodations within existing roadways such as curbs, gutters, driveways, sidewalks, lighting, bicycle lanes, and others, in order to ensure safe vehicular and non-vehicular mobility within the **Area**;
- (c) **Faulty lot layout in relation to size, adequacy, accessibility, or usefulness** – completion of the infrastructure improvements identified under (b) above; and assistance with property assemblages where necessary, in an effort to improve property utilization in the **Area**;
- (d) **Unsanitary or unsafe conditions** – completion of improvements known to increase the safety of users of properties in the **Area**, including adequate fencing around industrial operations;
- (e) **Deterioration of site or other improvements** – assistance with site improvements within properties adversely impacted from neglect and a lack of proper maintenance;
- (f) **Unusual topography or inadequate public improvements or utilities** – completion of, or assist with, financing capital improvements in the **Area**, including those identified in **City**-adopted and accepted plans and reports deemed to limit the economic feasibility of desired investment;
- (g) **Defective or unusual conditions of title rendering the title nonmarketable** -- mitigation of impacts to property owners and business operations from easements and mineral extraction;
- (h) **Existence of conditions that endanger life or property by fire or other causes** –complete infrastructure intended to protect people and property including fire protection equipment, as well as water facilities to ensure adequate water flow and capacity for fire protection purposes;
- (j) **Environmental contamination of buildings or property** – make available resources to remove or mitigate contaminants from the ground and “ready” affected parcels for development; and
- (k5) **Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements** – assist with property assemblages,

and development I redevelopment initiatives considered meritorious and consistent with the vision expressed herein.

In addition to completing improvements, the **Authority** may also participate in activities including building and site demolition when those activities are required by existing **Development** or **Cooperation Agreements**; or when they are required to eliminate unhealthy, unsanitary, and unsafe conditions, or obsolete uses deemed detrimental to the public welfare.

6.3 **Acquire and Dispose of Property**

The **Authority** may sell, lease or otherwise transfer real property or any interest therein acquired by it, as part of an **Urban Renewal Project**, in accordance with the **Plan**. The **Act** further allows for the acquisition of property or interest in property by condemnation in a manner provided by the laws of Colorado for the exercise of eminent domain by any other public body. While this **Plan** encourages properties to be acquired through arms-length transactions, it authorizes the use of eminent domain by the **Authority**.

Upon its acquisition, and prior to its disposal, the **Authority** may temporarily operate, manage and maintain property if deemed in the best interest of the **Urban Renewal Project** and **Plan**. It may also set aside, dedicate and transfer properties to public bodies for public uses in accordance with the **Plan**, with or without compensation.

6.4 **Enter Into Agreements**

The **Authority** may enter into **Redevelopment and Development Agreements**, and contracts, with developers, property owners, individuals and other entities determined to be necessary to carry out the purposes of the **Plan**. Such **Agreements**, or other contracts, may contain terms and provisions deemed necessary or appropriate for the purpose of undertaking contemplated activities, and remain in full force and effect, unless all parties to such **Agreements** agree otherwise.

In accordance with the **Act**, the **Authority** may also enter into one or more **Cooperation Agreements** with lawful entities for the purpose of financing, installing, constructing and I or reconstructing improvements considered eligible and necessary for implementation of the **Plan**. In addition, it may, but is not required to, contract with either the **City** or other organization, for administrative

support of the **Authority** and its staff, including the distribution of financial resources.

6.5 Adopt Standards

The **Authority** may work with public bodies, and retain consultants and other advisors to assist with zoning and rezoning properties in the **Urban Renewal Area**. However, while the **Act** allows for the adoption of standards and other requirements applicable to projects undertaken in an urban renewal area, in the context of this **Plan**, it is the **Authority's** intention that these activities will be conducted in cooperation with the **City**. Further, it is also the intent of the **Authority** that all development in the **Area** meet or exceed applicable rules, regulations, policies, other requirements, and standards of the **City** and any other governmental entity with jurisdiction.

6.6 Provide Relocation Assistance

While this **Plan** does not anticipate individuals, families or business concerns will require relocation due to the acquisition of real property, if such a relocation becomes necessary, the **Authority** will adopt a relocation plan in conformance with the **Act**.

6.7 Incur and Issue Debt

This **Plan** authorizes the **Authority** to borrow money and apply for and accept advances, loans, grants and contributions from all lending sources, private and public, for purposes identified in the **Plan** and as authorized by the **Act**. The **Authority** may also loan or make monetary resources available to undertakings and activities deemed meritorious and consistent with the **Plan**. These resources may be derived through any and all methods authorized by the **Act**, including the issuance of bonds to finance activities and operations of the **Authority** as defined in 31-25-109 of the **Act**.

Such bonds may be special obligations of the **Authority** which, as to principal and interest and premiums (if any), are payable solely from and secured only by a pledge of any income, proceeds, revenues or funds of the **Authority** derived in connection with its undertakings and activities including grants or contributions of funds.

6.8 Create Tax Increment Areas

As allowed for in Section 31-25-107 of the **Act**, this **Plan** allows for the collection of incremental property taxes otherwise designated to public bodies, levied on taxable property in the **Area**; and municipal sales taxes, both in excess of the **Base Amount** when collected and deposited in a **Special Fund** of the **Authority**, for a period not to exceed twenty-five (25) years after the effective date of the **Plan**, once approved, for the furtherance of its activities and undertakings.

6.9 Share Tax Increment

The **Authority** may enter into agreements with public bodies within the **Urban Renewal Area** for any purpose authorized or contemplated by the **Act**, including but not limited to an agreement to share **Tax Increment** derived from the levy of any public body that is a party to such agreement.

7.0 Project Financing

7.1 Public Investment Objective

A critical component of any urban renewal initiative is participation by both the public and private sectors since no one entity typically has sufficient resources to overcome the financial hurdles frequently resulting from inadequate infrastructure or adverse conditions. To this end, effective leveraging of funds from multiple sources will be essential to sustain initiatives to complete public improvements and attract job-generating developments in the **Area**; as will support in the form of policy, regulating, and design support from the **City** and other advocacy partners.

7.2 Financial Mechanisms

As explained above in Sections 6.7 and 6.8, the **Authority** may finance its undertakings pursuant to the **Plan** by any method authorized under the **Act**, or any other applicable law. In addition to incremental tax revenues, possible other financing vehicles include, without limitation, the issuance of notes, bonds, certificates of indebtedness, or other obligation lawfully created as defined in the **Act**. The **Authority** may also borrow funds, access federal and state loans or grants, and earn interest income; as well as enter into reimbursement or annual appropriation agreements with public or private entities, or any other lawful

source, the principal, interest, costs and fees of which are paid for with available funds of the **Authority**.

7.3 Incremental Revenues

It is the intent of **City Council** in approving this **Plan** that incremental property tax revenues will be the primary funding source for **Eligible Costs** and priority improvements in the **Area** funded in-whole or in-part by the **Authority**. As such, they may irrevocably pledge these funds to pay the principal of, and interest on, any other premiums due in connection with the bonds, loans, or advances to, or indebtedness incurred (whether funded, refunded, assumed, or otherwise), by the **Authority**, for financing or refinancing in whole or in part, all undertakings and activities authorized by the **Act**, except:

- (a) Any offsets collected by the County Treasurer for return of overpayments or any funds reserved by the **Authority** for such purposes in accordance with Section 31-25-107(9)(a)(III) and (b), C.R.S.; or
- (b) Any reasonable (as determined by the **Authority**) set-asides or reserves of incremental taxes paid to the **Authority** for payment of expenses associated with administering the **Plan**.

Unless and until the total valuation for assessment of taxable property in the **Tax Increment Area** exceeds the base valuation, all taxes levied upon taxable property in the **Area** shall be paid into the funds of the respective public bodies. Also, when such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith have been paid, all remaining taxes upon the same taxable property shall be paid to the respective public bodies.

While this Dacono II Urban Renewal Plan contemplates the use of incremental property tax revenues, **City Council** may also allocate municipal sales tax Increments, if requested to do so, but only after receipt of a financing plan outlining the proposed amounts and purpose for which these incremental revenues are to be used. As such, the use of incremental sales tax revenue is hereby authorized pursuant to Section 31-25-107 (9), C.R.S., which is by this reference incorporated herein as if set forth in its entirety; however, any such pledge of sales tax increment by the **Authority** in a **Development** or **Redevelopment Agreement** shall not be authorized until a separate **Cooperation Agreement** between the **Authority** and **City** setting forth the allocation of incremental sales taxes between the **City** and **Project** is established. The approval

of such **Cooperation Agreement** by the **City** and **Authority** will not constitute a substantial modification, nor will the addition of a new activity or undertaking. Finally, approval of such a **Cooperation Agreement** will not extend this **Plan** or the duration of a specific **Urban Renewal Project** in the **Area** which is presently twenty-five (25) years after the effective date of the **Plan's** adoption, which authorized and created the **Tax Increment Area**, regardless of when such **Cooperation Agreement** may be approved.

7.3.1 Dacono II Tax Increment Area

The **Dacono II Tax Increment Area** is the only tax increment area within the **Urban Renewal Area** as the boundaries of each are one and the same. In the event **City Council** desires to expand the **Tax Increment Area**, the **Urban Renewal Area** will also have to be expanded and the **Plan** must be amended.

7.4 Other Financing Mechanisms and Structures

As explained above, this Dacono II Urban Renewal Plan intends to provide for the use of incremental revenues as a tool to facilitate investment and reinvestment in the **Area**. However, whereas the **Authority** is authorized to finance implementation of the **Plan** by any method authorized in the **Act**, it is committed to making a variety of strategies and mechanisms available, including those that may be used independently or in various combinations, as may be necessary to further stated objectives. Given the obvious and well-documented obstacles associated with development in this, and similar challenging environments, the **Authority** recognizes that it will be imperative that solutions and resources be put in place which are comprehensive, flexible and creative.

7.5 Agricultural Land

The **Area** includes **Agricultural Land**. In accordance with Section 31-25-107(c)(II)(D) of the **Act**, each public body that levies an ad valorem property tax on the **Agricultural Land** has agreed in writing to the inclusion of the **Agricultural Land** within the **Area**.

7.6 Compliance with Section 31-25-107(9.5)(a) of the Act

Section 31-25-107(9.5) (a) of the **Act** requires an attempt to negotiate an agreement governing the sharing of incremental property tax revenue allocated

to the **Special Fund**. It is contemplated by this **Plan** that the **Authority** may choose to remit to one or more public bodies levying a tax within the **Area** all of said public body's tax increment that is authorized to be deposited in the **Special Fund** pursuant to this **Plan**. The **Authority** is hereby authorized to remit to any public body levying a property tax within the **Area** any incremental property tax revenue received by the **Special Fund** without deduction, setoff, or retention beyond a reasonable processing time. To the extent any incremental property tax revenue is fully remitted to any public body levying such property tax, without deduction, setoff or retention, beyond a reasonable processing time of such funds; this **Plan** will be deemed to satisfy the requirements of Section 31-25-107(9.5)(a) of the **Act** as to such public body without the need for a separate agreement.

8.0 Severability

If any portion of this **Plan** is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the **Plan**. Further, if there is any conflict between the **Act** and this **Plan**, the provisions of the **Act** shall prevail, and the language in the **Plan** will automatically be deemed to conform to the statute.

Dacono II Urban Renewal Plan

City of Dacono, Colorado

Appendix A:

Excerpts from the [2017 Dacono Forward Comprehensive Plan Update](#)

Dacono Forward Comprehensive Plan Update

Components of the [2017 Dacono Forward Comprehensive Plan](#) that investment in the **Urban Renewal Area** will support and advance are as follows.

Guiding Principles

The Guiding Principles which informed this Dacono Forward plan are intended to provide direction for future land use and resource investment decisions. To this end, they should be considered in matters related to rezoning, subdivision and site design requests; as well as, the selection of priority initiatives, capital expenditures, and investment incentives. As they relate to this Dacono Forward Plan, they served as the foundation for its Goals (desired outcomes) and Strategic Public Initiatives (recommendations and actions). Each one reflects the input of participants in the process, citizens and other stakeholders, as well as members of the Technical Advisory Committee and values of the larger community. Collectively they were endorsed by City Council during the planning process.

1. Grow the City's economy through diversification of job and business opportunities, and balance growth through efficient development patterns.
2. New development and redevelopment will meet Dacono's expectations for excellence in design and the creation of places consistent with long-term economic viability.
3. Today's neighborhoods remain vital and desirable places that meet the needs of existing residents and also appeal to future residents.
4. Housing choices available in Dacono are accessible and affordable to people at all stages of their lives.
5. City leaders and decision-makers will focus sufficient attention and investment on distinctive areas throughout the City so that each can achieve the vision described in this plan.

Multi-Generational Living District

The Multi-Generational Living District will be host to neighborhoods that accommodate a wide range of age groups and product types, allowing younger residents to stay in the community and older residents to "age in place." Homes of varying sizes and densities will be co-located so that extended families can live independently, yet in the same neighborhood community. Supporting uses may include small commercial spaces with local serving retailers and service providers; and I or accessory units to primary residences, support entrepreneurial employment

preferences, whereas they can generally be described as having the broadest representation of householders both young and old, single and married with children, and having incomes ranging from upper middle income to below the poverty line. While the community maintains several established neighborhoods and developed enclaves with homes priced at levels considered regionally affordable and attainable, homes in this District would attract home owners seeking a primary home with supporting accommodations for elderly or extended family members.

Fast-Track Families

With their upper-middle-class incomes, numerous children and spacious homes, Fast-Track Families are in their prime acquisition years. These middle-aged parents have the disposable income and educated sensibility to want the best for their children. They buy the latest technology with impunity; new computers, DVD players, home theater systems and video games. They take advantage of their rustic locales by camping, boating and fishing.

Red, White & Blues

The residents Red, White & Blues typically live in exurban towns rapidly morphing into bedroom suburbs. Their streets feature new fast-food restaurants, and locals have recently celebrated the arrival of chains like Wal-Mart and Payless Shoes. Middle-aged, high school educated and lower-middle class, these folks tend to have solid, blue-collar jobs in manufacturing, milling and construction.

Kid Country, USA

Widely scattered throughout the nation's heartland, Kid Country, USA is a segment dominated by large families living in small towns. Predominately white, with an above-average concentration of Hispanics, these young, working-class households include homeowners, renters and military personnel living in base housing; and, about 20 percent of residents own mobile homes.

Old Milltowns

America's once-thriving mining and manufacturing towns have aged as have the residents in Old Milltowns communities. Today, the majority of residents are retired singles and couples, living on downscale incomes in pre-1960 homes and apartments. For leisure, they enjoy gardening, sewing, socializing at veterans' clubs or eating out at casual restaurants.

Bedrock America

Bedrock America consists of young, economically challenged families in small, isolated towns located throughout the nation's heartland. With modest educations, sprawling families and blue-collar jobs, many of these residents' struggle to make ends meet. One-quarter live in mobile homes. One in three haven't finished high school. Rich in scenery, Bedrock America is a haven for fishing, hunting, hiking and camping.

Supportable Uses and Product Types

- Housing consistent with the lifestyle preferences of individuals in the Generation X and Y age cohorts (single professionals and young parents) including renting by choice rather than need
- Flexible work schedules supported by technology smart homes and adjacency to work places
- Diverse neighborhoods in terms of socioeconomics, income, ethnicity and age

Strategic Public Initiatives

Multi-Generational Living District-Specific

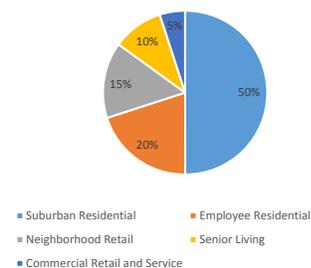
1. Initiate discussions with regional health care providers to understand their plans for growth and Dacono's potential as a location for a future medical campus facility.
2. Consider developing residential development standards for new neighborhoods, addressing building heights, bulk planes, shadows, view corridors, lot coverage, roof pitch and transparency.
3. Within residential development standards, or as a condition of all Planned Unit Developments (PUDs) associated with new neighborhood developments, require conformance in the categories of: signage materials and design, percent of common and park space per number of housing units, restrictions on off-street parking, and connections to trail corridors.
4. Encourage the use of metropolitan or special districts, including urban renewal, to assist with financing the extension of utilities and infrastructure to serve new neighborhoods.

Place Types and Land Uses

While the following list of place types represent those with the greatest likelihood of developing within the District, others that may be consistent and compatible are also encouraged.

- Suburban Residential
- Employee Residential
- Neighborhood Retail
- Senior Living
- Commercial Retail and Service

Multi-Generational Living District
% of Total Development



Suburban Residential The Suburban Residential place type includes a variety of residential product types, ownership and rental, attached and detached. While they are most often found

within neighborhood developments or subdivisions, they may also exist outside of a master planned community; yet within a fairly narrow range of densities, usually one to three units per acre. They are nearly always located within close proximity or a reasonable distance of a community shopping center; and residences are frequently oriented toward the interior of the neighborhood, and buffered from surrounding developments by public spaces or landscaped areas.

Employee Residential The Employee Residential place type includes both rental and ownership products at price points attainable by employees at different income levels. Housing projects may feature single- and/or mixed-use buildings with shared amenities and parking facilities and may be located either within neighborhoods dominated by lower density residences or multi-use business centers. Product types include small lot single-family detached and attached townhomes, duplexes, and condominium ownership units; and rental apartments. Given the profile of their target markets, these residential communities often encourage active living and place a greater emphasis on non-vehicular infrastructure, thereby favoring locations with access to public open spaces, trails, and recreational and cultural facilities.

Neighborhood Retail The Neighborhood Retail place type is frequently host to one or more buildings containing one or more businesses as opposed to a single anchor with supporting inline stores (often referred to as Commercial Community Center). Unlike larger commercial centers which provide goods and services for regional populations, tenants in Neighborhood Retail centers provide a limited inventory of goods and services focused on the daily needs of the local population. Tenant types include restaurants, retail stores, medical offices, personal service providers, and banks.

Senior Living The Senior Living place type includes private homes and shared facilities targeted to individuals and couples in certain age ranges and with specific lifestyle needs. Facilities found within this place type include those offering either a single level, or the full spectrum of care from independent living to acute care. Provisional services may include meal service, police and fire protection, social programs and recreational activities. Private residences include single family dwellings, townhouses, duplexes, high-rise apartments, condominiums, modular and mobile home parks, all of which may be either owned or rented.

Commercial Retail and Service The Commercial Retail and Service place type includes retail centers with both commercial and service tenants, as well as single use free-standing spaces. Service occupations found in these settings are primarily personal, medical, and technological. They may be located at the entrance to a residential neighborhood or within a business park, as long as access is provided by a major arterial thoroughfare.

Dacono II Urban Renewal Plan

City of Dacono, Colorado

Appendix B:

Dacono II Urban Renewal Area Legal Description [To be added]

EXHIBIT A**DACONO URBAN RENEWAL PLAN AREA DESCRIPTION II**

NOTE ALL PARCEL NUMBERS REFERRED TO IN THIS DESCRIPTION ARE WELD COUNTY ASSESSOR PARCEL NUMBERS (NOVEMBER 2019), HEREAFTER REFERED TO AS PN.

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 1, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND IN THE SOUTH HALF OF SECTION 6, THE NORTH HALF OF SECTION 7, AND THE NORTH HALF AND THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN ALL IN THE CITY OF DACONO, WELD COUNTY, STATE OF COLORADO

ALSO PORTIONS OF YORK STREET (WCR 11), COLORADO BOULEVARD (WCR 13), GRADEN BOULEVARD (WCR 10), AND GRANDVIEW BOULEVARD (WCR 12) LYING IN THE SOUTHEAST QUARTER OF SECTION 1, THE EAST HALF OF SECTION 2, AND THE NORTHEAST QUARTER OF SECTION 11, THE NORTH HALF AND SOUTHEAST QUARTER OF SECTION 12, AND THE EAST HALF OF SECTION 13, AND THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 68 WEST,

ALSO PORTIONS OF COLORADO BOULEVARD (WCR 13), HOLLY STREET (WCR 15), SUMMIT BOULEVARD (WCR 8), GRADEN BOULEVARD (WCR 10), AND GRANDVIEW BOULEVARD (WCR 12), LYING IN THE SOUTHWEST QUARTER OF SECTION 5, THE SOUTH HALF OF SECTION 7, THE WEST HALF OF SECTION 8, THE NORTHWEST QUARTER OF SECTION 17, THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 67 WEST, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF HIGHWAY 52 (BOOK 1552, PAGE 437, RECORDED MARCH 7, 1960) AND THE WEST RIGHT OF WAY FOR YORK STREET (WCR 11) (ROAD BOOK 1, PAGE 302);
 THENCE EASTERLY TO THE NORTHWEST CORNER OF LEGACY PARK FILING NO. 1 (REC. NO. 3341540);
 THENCE NORTHEASTERLY TO THE NORTHWEST CORNER OF LOT 1, BLOCK 12, LEGACY PARK FILING NO. 1;
 THENCE CONTINUING NORTHEASTERLY AND EASTERLY ON THE NORTHWESTERLY AND NORTHERLY LINE OF SAID LOT 1, BLOCK 12, LEGACY PARK FILING NO. 1, ON THE SOUTHERLY RIGHT OF WAY LINE FOR SAID HIGHWAY 52 TO THE NORTHEAST CORNER OF LOT 1, BLOCK 12, LEGACY PARK FILING NO. 1;
 THENCE CONTINUING ON THE SOUTH RIGHT OF WAY FOR HIGHWAY 52, ON THE NORTH LINE OF KATELYN STREET (REC. NO. 2968872) 30 FEET MORE OR LESS TO THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 1;
 THENCE SOUTH ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 1, TO THE NORTH RIGHT OF WAY LINE FOR KATELYN STREET (REC. NO. 29688871);

THENCE EAST 30 FEET MORE OR LESS TO THE NORTH EAST CORNER OF SAID RIGHT OF WAY; THENCE SOUTHERLY ON THE EAST LINE OF SAID RIGHT OF WAY TO THE SOUTHEAST CORNER OF KATELYN STREET;
THENCE SOUTHWESTERLY TO THE EAST LINE OF LOT 1, BLOCK 12, LEGACY PARK FILING NO. 1;
THENCE SOUTH ON SAID EAST LINE TO THE NORTHEAST CORNER OF TRACT D, LEGACY PARK FILING NO. 1;
THENCE WESTERLY ON THE SOUTHERLY LINE OF SAID LOT 1 TO THE SOUTHEAST CORNER OF LEGACY DRIVE (REC. NO. 3341540);
THENCE WESTERLY ON THE SOUTH RIGHT OF WAY LINE FOR LEGACY DRIVE TO THE EAST RIGHT OF WAY FOR YORK STREET (WCR 11) (REC. NO. 3341540);
THENCE SOUTH ON THE EAST RIGHT OF WAY LINE FOR YORK STREET (WCR 11) TO THE NORTH RIGHT OF WAY FOR LIBERTY RIDGE (REC. NO. 3341540);
THENCE EAST ON SAID NORTH RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF OUTLOT B, LEGACY PARK FILING NO. 1;
THENCE SOUTH TO THE NORTHWEST CORNER OF LOT 1, BLOCK 6, LEGACY PARK FILING NO. 1; THENCE SOUTH ON THE WEST LINE OF SAID LOT 1 TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1;
THENCE EAST ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1 TO THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED IN SPECIAL WARRANTY DEED RECORDED AS RECEPTION NO. 4384745 (PN 146701200045), SAID POINT BEING THE SOUTHEAST CORNER OF LOT 9, BLOCK 6, LEGACY PARK FILING NO. 1;
THENCE NORTHERLY, EASTERLY AND SOUTHERLY ON THE PERIMETER OF LEGACY PARK FILING NO. 1 TO THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 1;
THENCE SOUTH ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 1 TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED IN SPECIAL WARRANTY DEED RECORDED AS RECEPTION NO. 4384745 (PN 146701200045), SAID POINT BEING ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1;
THENCE EAST ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1 TO THE CENTER OF SAID SECTION 1;
THENCE SOUTH ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 1, TO THE NORTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12);
THENCE EAST ON THE NORTH RIGHT OF WAY FOR GRANDVIEW BOULEVARD (WCR 12) TO THE SOUTHEAST CORNER OF PN 146701000022;
THENCE NORTHEASTERLY TO THE NORTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12), SAID POINT BEING THE SOUTHWEST CORNER OF LOT 2, GRAND DIVIDE BUSINESS PARK SUBDIVISION REPLAT "B" (REC. NO. 3291618);
THENCE EAST ON THE NORTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12) TO THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13);

THENCE NORTH ON THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) TO THE NORTHEAST CORNER OF LOT 10, GRAND DIVIDE BUSINESS PARK SUBDIVISION REPLAT "B" SAID POINT BEING THE SOUTHEAST CORNER OF LOT 2A, GRAND DIVIDE BUSINESS PARK SUBDIVISION (REC. NO. 2761443);

THENCE NORTH ON THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) TO THE NORTHEAST CORNER OF SAID LOT 2A, GRAND DIVIDE BUSINESS PARK SUBDIVISION;

THENCE EAST APPROXIMATELY 30 FEET TO THE SOUTHEAST CORNER OF LOT 1, RXTHERMAL SUBDIVISION (REC. NO. 2624448), SAID POINT BEING ON THE WEST RIGHT OF WAY FOR COLORADO BOULEVARD (WCR 13);

THENCE NORTH ON SAID WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) TO THE INTERSECTION OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 68 WEST AND THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) (BOOK 48, PAGE 109);

THENCE EAST ON THE NORTH LINE OF SAID SECTION 1 TO THE EAST QUARTER CORNER OF SAID SECTION 1;

THENCE EAST ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 67 WEST TO A NORTHEAST CORNER OF TRACT 2, M & C DEVELOPMENT PROPERTIES (REC. # 3613492);

THENCE SOUTHERLY AND EASTERLY ON THE NORTHEASTERLY LINE OF TRACTS 2 AND 3, M & C DEVELOPMENT PROPERTIES TO THE NORTHEAST CORNER OF SAID TRACT 3;

THENCE SOUTHWESTERLY ON THE EAST LINE OF SAID TRACT 3 TO THE NORTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12) (REC. # 3613492);

THENCE EAST ON SAID NORTH RIGHT OF WAY LINE TO THE WEST RIGHT OF WAY LINE FOR THE BULL CANAL OF THE STANLEY DITCH (REC. NO. 2722735 & 2723568);

THENCE SOUTHWESTERLY ON SAID RIGHT OF WAY LINE APPROXIMATELY 12 FEET TO THE NORTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12) (BOOK 48, PAGE 337);

THENCE EAST APPROXIMATELY 113 FEET TO THE EAST RIGHT OF WAY LINE FOR THE BULL CANAL OF THE STANLEY DITCH;

THENCE NORTHEASTERLY APPROXIMATELY 12 FEET ON SAID RIGHT OF WAY LINE, TO THE NORTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12) (REC. #3304178), SAID POINT BEING THE SOUTHWEST CORNER OF OUTLOT F, AUTUMN VALLEY RANCH SUBDIVISION FILING NO. 1 (REC. #3304178);

THENCE EAST ON SAID NORTH RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF OUTLOT E, AUTUMN VALLEY RANCH SUBDIVISION FILING NO. 1, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT 1, M & C DEVELOPMENT PROPERTIES SUBDIVISION NO. 2 (REC. # 3780647);

THENCE CONTINUING EAST ON THE NORTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12) (REC. # 3780647) AND THE SOUTH LINE OF

SAID TRACT 1, TO THE WEST RIGHT OF WAY LINE FOR HOLLY STREET (WCR 15) (REC. # 3780647);
THENCE NORTH ON THE WEST RIGHT OF WAY LINE FOR HOLLY STREET (WCR 15) AND THE EAST LINE OF SAID TRACT 1, TO THE NORTHEAST CORNER OF SAID TRACT 1;
THENCE WEST ON THE SOUTH LINE OF TRACT 2, M & C DEVELOPMENT PROPERTIES SUBDIVISION NO. 2 TO THE WEST LINE OF A DITCH EASEMENT DEFINING THE LINE BETWEEN TRACTS 1 AND 2;
THENCE SOUTHWESTERLY ON SAID COMMON LINE TO THE SOUTHWEST CORNER OF SAID TRACT 2; THENCE NORTHERLY ON THE WEST LINE OF TRACTS 2 AND 3, M & C DEVELOPMENT PROPERTIES SUBDIVISION NO. 2 TO THE NORTHWEST CORNER OF SAID TRACT 3 AND THE SOUTH RIGHT OF WAY LINE OF THE BULL CANAL OF THE STANLEY DITCH (REC. NO. 2722735 & 2723568);
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID TRACT 3 TO THE NORTHEAST CORNER OF TRACT 3;
THENCE CONTINUING ON THE SOUTH LINE OF THE BULL CANAL OF THE STANLEY DITCH TO THE EAST RIGHT OF WAY LINE FOR HOLLY STREET (WCR 15) (BOOK 658, PAGE 87);
THENCE SOUTH ON SAID EAST RIGHT OF WAY LINE FOR HOLLY STREET (WCR 15) TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 5 TOWNSHIP 1 NORTH, RANGE 67 WEST;
THENCE SOUTH ON THE EAST RIGHT OF WAY LINE FOR HOLLY STREET (WCR 15) (BOOK 86, PAGE 273) TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 67 WEST;
THENCE WEST APPROXIMATELY 30 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 8;
THENCE WEST ON THE SOUTH LINE OF THE NORTH HALF OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 67 WEST TO THE EAST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) (REC. NO. 3506122);
THENCE SOUTH ON THE EAST LINE OF SAID RIGHT OF WAY TO THE APPARENT NORTH RIGHT OF WAY LINE FOR GRADEN BOULEVARD (WCR 10) (PROPOSED);
THENCE EAST ON SAID APPARENT NORTH RIGHT OF WAY LINE TO THE EAST RIGHT OF WAY LINE FOR HOLLY STREET (WCR 15) (BK 86, PAGE 273);
THENCE SOUTH ON SAID EAST RIGHT OF WAY LINE APPROXIMATELY 30 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 67 WEST;
THENCE SOUTH ON THE APPARENT EAST RIGHT OF WAY LINE OF HOLLY STREET (WCR 15) (PROPOSED) TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 67 WEST;
THENCE WEST APPROXIMATELY 30 FEET TO THE WEST QUARTER CORNER OF SECTION 17;
THENCE WEST ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 18 TO THE CENTER OF SECTION 18;

THENCE SOUTH ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18 TO THE SOUTH QUARTER CORNER OF SAID SECTION 18;
THENCE SOUTH APPROXIMATELY 30 FEET TO THE SOUTH RIGHT OF WAY LINE FOR SUMMIT BOULEVARD (WCR 8) (BOOK 48, PAGE 183);
THENCE WEST ON SAID SOUTH RIGHT OF WAY LINE TO THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) (REC. NO. 3304695);
THENCE NORTH ON THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) TO THE NORTHEAST CORNER OF PN 146713400005;
THENCE EAST APPROXIMATELY 30 FEET TO THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) (BOOK 48, PAGE 109);
THENCE NORTH ON THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) TO THE APPARENT SOUTH RIGHT OF WAY FOR GRADEN BOULEVARD (WCR 10) (PROPOSED);
THENCE WEST ON THE APPARENT SOUTH RIGHT OF WAY LINE FOR GRADEN BOULEVARD (WCR 10) (PROPOSED) TO THE EAST LINE OF LOT C, RECORDED EXEMPTION RE-3241 (REC. NO. 2937579);
THENCE NORTHEASTERLY ON THE EAST LINE OF SAID LOT C, TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 68 WEST;
THENCE EAST ON SAID NORTH LINE TO THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) (REC. NO. 4463326);
THENCE EAST APPROXIMATELY 30 FEET TO THE RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) (BOOK 48, PAGE 109);
THENCE NORTH ON THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) TO THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) (REC. NO. 3508861);
THENCE NORTHERLY ON THE WEST RIGHT OF WAY LINE FOR COLORADO BOULEVARD (WCR 13) TO THE SOUTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12) (BOOK 48, PAGE 337);
THENCE WEST ON THE SOUTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12) TO THE EAST LINE OF PANORAM INDUSTRIAL PARK (BOOK 958, REC. #01879792);
THENCE SOUTH 20 FEET MORE OR LESS TO THE NORTHEAST CORNER OF LOT 27, PANORAM INDUSTRIAL PARK (BOOK 958, REC. #01879792);
THENCE WEST ON THE NORTH LINE OF PANORAM INDUSTRIAL PARK, ON THE SOUTH RIGHT OF WAY FOR GRANDVIEW BOULEVARD (WCR 12) (BOOK 958, REC. #01879792) TO THE NORTHWEST CORNER OF LOT 1, BLOCK 1, PANORAM INDUSTRIAL PARK, SAID POINT BEING ON THE EAST LINE OF LOT B, RECORDED EXEMPTION NO. 1467-12RE1338 (BOOK 1299, REC. #02251057);
THENCE NORTH 20 FEET MORE OR LESS TO THE SOUTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12) (BOOK 48, PAGE 337);
THENCE WEST ON THE SOUTH RIGHT OF WAY LINE FOR GRANDVIEW BOULEVARD (WCR 12) TO THE WEST LINE OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 68 WEST;

THENCE SOUTH 20 FEET MORE OR LESS TO THE SOUTH LINE FOR GRANDVIEW BOULEVARD (WCR 12) (BOOK 1206, REC. # 02152397); THENCE WEST ON SAID SOUTH RIGHT OF WAY LINE 50 FEET MORE OR LESS TO THE WEST RIGHT OF WAY LINE FOR YORK STREET (WCR 11), SAID POINT BEING THE NORTHEAST CORNER OF LOT 5, BLOCK 1, WILLMAR SUBDIVISION (BOOK 1206, REC. # 02152397); THENCE NORTH ON THE WEST RIGHT OF WAY LINE FOR YORK STREET (WCR 11) (BOOK 1206, REC. # 02152397) 50 FEET MORE OR LESS TO THE NORTH LINE OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 68 WEST; THENCE EAST 20 FEET MORE OR LESS TO THE WEST RIGHT OF WAY LINE FOR YORK STREET (WCR 11) (ROAD BOOK 1, PAGE 302); THENCE NORTH ON THE WEST RIGHT OF WAY LINE FOR YORK STREET (WCR 11) TO THE SOUTH RIGHT OF WAY LINE FOR HIGHWAY 52, SAID POINT BEING THE **POINT OF BEGINNING**.

EXCEPTING THERFROM THOSE PORTIONS OF PN 146918000007, PN 146918300004, PN 146907000002, PN 146907200008, PN 146907000024, PN 146701000008, FARMERS RESERVOIR AND IRRIGATION PARCEL DESCRIBED IN BOOK 314 AT PAGE 431 (NO PN), AND LOT 1, M & C DEVELOPMENT PROPERTIES (REC. # 3613492) (PN 146906309001) LYING OUTSIDE OF EXISTING RIGHT OF WAY FOR YORK STREET (WCR 11), COLORADO BOULEVARD (WCR 13), SUMMIT BOULEVARD (WCR 8), OR GRANDVIEW BOULEVARD (WCR 12). SAID PARCEL CONTAINS APPROXIMATELY 1,278 ACRES, BASED UPON THE WELD COUNTY ASSESSOR'S RECORDS.