

BLR ANNEXATION AGREEMENT COMPARISON TABLE**12/8/2017**

ITEM	CURRENT ANNEXATION AGREEMENT	AMENDED & RESTATED ANNEXATION AGREEMENT
Land Use	• Master Plan with very specific land uses • Hard zoning	• Development to be consistent with approved master plan or any amendment thereto • To include updated conceptual transportation plan
Zoning	• Entire Ranch (18,000 acres) hard zoned	• Owners can keep current zoning • If request rezone, must be to PUD • Rezoning of large ownership tracts (>300 acres) must be in blocks of 300 or more acres • Smaller ownership tracts, entire contiguous ownership must be included in rezone request • Development agreements required (at rezoning, or concept plan, or development plan, as applicable) • All rezoning subject to CPC and Council approval (follow standard procedure)
Metro Districts	• Owners may form special districts	• Recognition that metro districts have been and may be formed. Must follow standard procedures.
Public Facilities	• Owners to build and dedicate all required streets • Pay platting fees for BLR Pkwy and off-site roadway fee	• Owners to build all streets within and adjacent to Ranch and may be eligible for cost recovery under City Code • City will vacate excess ROW • Credits received for prior dedications of vacated ROW will be cancelled and there will be a true-up process

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BLR Parkway	• Owners pay 100% of costs	• Owners to construct in conformance with conceptual transportation plan (once approved by Council as part of new master plan) • Owners may be eligible for cost recovery • City will vacate excess ROW previously dedicated which are in excess of projected need ○ From 300 ft ROW to 142 ft ROW • Vacations upon request from the Owner involved after new Master Plan has been approved by City Council.
Traffic Control	• Owners pay 100% of costs associated with traffic control devices and street lights.	• Traffic control devices within or contiguous to the Property as determined necessary by the City will be provided in accord with City Code and as outlined in any future development agreement for each PUD
Off-Site Roadway Fee	• \$0.39/sq. ft. of building area	• No fee • Construct required improvements based on development impacts and may be eligible for reimbursement or cost recovery (per City Code)
Urban Service Extension Fee	• \$0.11/sq. ft. of building area	• No fee • Extension of urban services per City Code

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Drainage	• Owners design and construct storm drainage facilities within the Property in conformance with City Code and regulations • Owners prepare and submit a restudy of the Sand Creek Drainage Basin • Owners dedicate rights-of-way, design, construct and maintain storm drainage	• Subject to drainage board and Council approval, Jimmy Camp Creek and Sand Creek to be “closed basins” • Owners to modify drainage basin studies and seek approvals • City to vacate excess dedicated land • Credits received for prior dedications of vacated land will be cancelled and there will be a true-up process • Owners to be responsible for ongoing maintenance costs of certain features on an ongoing basis • City to take ownership of improvements upon final acceptance
Parks	• Park land dedication, or fees in lieu, per City Code • Regional park (Jimmy Camp Creek) not counted • Owners to dedicate 30’ multi-use trail to City	• Park land dedication, or fees in lieu, per City Code • Partial credit for open space dedications • Owners may submit and City may approve parks master plan for all or portion of Ranch • City will vacate excess trail corridors previously dedicated which are in excess of the City’s standard trail configurations • Vacations upon request from the Owner involved after new PUD has been approved by City Council
Schools	• Dedication per City Code	• Dedication per City Code or, consistent with current practices, Owner allowed to reserve site until needed
Utilities – General	• Owners subject to City Code, Utilities tariffs, regulations and policies, except as stated in the Annexation Agreement • Owners subject to recovery agreement charges • Owners responsible for any interim facilities • Owners to dedicate land needed for utility facilities	• Owners subject to City Code, Utilities tariffs, Utilities Rules and Regulations, and policies • Owners subject to recovery agreement charges • Owners responsible for any interim facilities • Owners to dedicate land needed for utility facilities

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Utilities – Electric and Gas	- City to provide gas service in accordance with City Code, tariffs, and URRs - Owners to convey electric substation sites (conveyances already completed)	Extension of electric and gas facilities in accordance with City Code, tariffs, URRs, and Line Extension and Service Standards
Utilities – Water Extensions	Owners to extend water facilities to the property in accordance with City Code and dedicate property needed for those facilities to the City	Owners to extend water facilities to the property in accordance with City Code and dedicate property needed for those facilities to the City
Utilities – Water Augmentation	- Owners granted in perpetuity the sole and exclusive right to withdraw, appropriate and use any and all groundwater underlying the property - City would allow use of groundwater for non-potable purposes, subject to specific agreements between Owners and City	- Owners acknowledge and confirm the previous grant of rights in the Original Annexation Agreement - CSU will allow use of groundwater for all non-potable, non-residential purposes subject to the Augmentation Service Tariff
Utilities – Wastewater Extensions	Owners to be responsible for costs associated with design, construction, and installation of all wastewater facilities needed to serve the property	- In accordance with City Code, Utilities will be responsible for the cost of centralized wastewater treatment facilities and Owners will be responsible for collection system improvements - Wastewater interceptors needed to carry flows to Lower Fountain will be considered centralized treatment facilities, as there are no private connections to those facilities
Fire Protection	Owners to convey land, construct and fully equip 5 fire stations	- Owners to pay Fire Protection Fee of \$1,631.00 per acre, due at building permit - All or portion of fee may be offset by dedication of land for new station
Police Service	Owners to convey land, construct and fully equip 4 police stations	- Owners to pay Police Service Fee of \$677.00 per acre, due at building permit - All or portion of fee may be offset by dedication of land for new station
Transit	Owners must dedicate specific site	- No requirement for site dedication - Site already dedicated in different location than contemplated by original agreement

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Satellite Municipal Svc Ctr	• Owners must dedicate 26 acres	• No requirement per City Code
Dumping and Disposal Sites	• Owners must dedicate sites for collection of street waste	• No requirement per City Code
Radio Repeater Station	• Owners must pay City \$210,000	• No requirement per City Code
Environmental	• Owners must dedicate 2 sites for air quality monitoring	• No requirement per City Code
Existing Development	• Village 1 was already developed at time of study, was excluded from study	• Properties already developed in compliance with original annexation agreement will be excluded
Approvals	• Reviewed and approved by then-current owners and City Council by resolution	Not effective UNLESS and UNTIL • City Council must approve by Resolution AND approval of <u>all</u> property owners • If owners can't be located or are unwilling to sign, City to pursue obtaining court order • City may allow development during pendency of any court action pursuant to a separate indemnification agreement with specific owner seeking to develop
New Requirements		• Owners must indemnify, defend and hold harmless City from all claims arising as a result of the execution or approval of new agreement • May be follow up amendments to City Code