



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Ken MacKenzie, Executive Director
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June 15, 2017

Phillip Caplan, Chair
Tracy Huggins, Executive Director
Denver Urban Renewal Authority
1555 California Street, Suite 200
Denver, CO 80202

Dear Ms. Huggins and Mr. Caplan:

This letter agreement ("Agreement") is entered into pursuant to Section 31-25-107(9.5), C.R.S. The Urban Drainage and Flood Control District ("District") understands that the Denver Urban Renewal Authority ("Authority") and the City and County of Denver ("Denver") intend to adopt the Emily Griffith Opportunity School Urban Redevelopment Plan (the "Urban Redevelopment Plan") and to create the Emily Griffith Opportunity School Property Tax Increment and Sales Tax Increment Area (the "Tax Increment Area").

The Urban Drainage and Flood Control District (the "District") is in receipt of the Urban Redevelopment Plan creating the Emily Griffith Opportunity School Urban Redevelopment Area as proposed to the City Council of Denver and, the proposed Ordinance establishing the Tax Increment Area and authorizing the use of property tax increment and sales tax increment for redevelopment of the Urban Redevelopment Area.

The District agrees that in accordance with C.R.S. § 31-25-107(9.5), that the District has received proper notice of the proposed Urban Redevelopment Plan and that the Authority and the District are entering into this agreement to address the estimated impacts of the Urban Redevelopment Plan on District services associated solely with the Urban Redevelopment Plan. The District has determined that there are no material impacts to District services caused by the proposed Urban Redevelopment Plan and the creation of the Tax Increment Area and therefore the tax increment derived from the District's mill levy shall be allocated to the Authority. The parties agree that this Agreement satisfies the requirements of C.R.S. § 31-25-107(9.5)(a).

The District further agrees that, as permitted under C.R.S. § 31-25-107(9.5)(b)(i), the District waives the requirements of (i) any future notice, except for substantial modifications or amendments to the Urban Redevelopment Plan, including the addition of a project or regarding the modification of the Tax Increment Area under the Urban Redevelopment Plan, (ii) any future filings with or by the District, (iii) any requirement for future consent by the District, except consent to any substantial modifications or amendments to the Urban Redevelopment Plan, including the addition of a project or regarding the modification of the Tax Increment Area under the Urban Redevelopment Plan and (iv) any enforcement right regarding the Urban Redevelopment Plan, or matters contemplated under the Urban Redevelopment Plan, except that the District shall have the right to take any actions necessary to enforce this Agreement.

If the City and County of Denver and the Authority desire that the drainage and flood control facilities constructed as part of the Urban Redevelopment Plan be eligible for future District maintenance assistance, they shall comply with all terms and conditions of Amended Resolution No. 38, Series of 2011 as amended by Resolution 21, Series of 2016, including but not limited to Resolution No. 26, Series of 1983 of the District.

The consent of the District to the Urban Redevelopment Plan will expire and be of no force and effect unless the Plan is amended to add a Project by December 31, 2020.

If this letter correctly reflects our agreement, please sign below and return a fully-executed original to me.

Respectfully,




Ken MacKenzie
Executive Director
Urban Drainage and Flood Control District

ACKNOWLEDGED AND AGREED:

DENVER URBAN RENEWAL AUTHORITY

By: _____



Mr. Phillip Caplan
Chair

Date: _____