



TOWN OF ERIE
Community Development Department – Planning Division
645 Holbrook Street – PO Box 750 – Erie, CO 80516
Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY
FILE NAME: Summerfield Metropolitan Dist Nos. 1, 2 & 3 - First Amendment
FILE NO: MDA-000896-2017 DATE SUBMITTED: 5/25/2017 FEES PAID: 1,000

PROJECT/BUSINESS NAME: Summerfield Metropolitan District Nos. 1, 2 and 3
PROJECT ADDRESS: Districts' boundaries are south of Highway 52, north of WCR 12, east of WCR 5, west of WCR 7
PROJECT DESCRIPTION: Application for First Amendment to Service Plan to increase the debt limit to better accommodate the Districts' financing and refinancing of the updated costs of public improvements planned for the development.

LEGAL DESCRIPTION (attach legal description if Metes & Bounds)

Subdivision Name: Summerfield - map and legal description of Districts' boundaries attached
Filing #: Lot #: Block #: Section: Township: Range:

OWNER (attach separate sheets if multiple)

Name/Company: Summerfield Metropolitan District Nos. 1-3
Contact Person: See Authorized Rep-->
Address:
City/State/Zip:
Phone: Fax:
E-mail:

AUTHORIZED REPRESENTATIVE

Company/Firm: White Bear Ankele Tanaka & Waldron
Contact Person: Sean Allen, Esq.
Address: 2154 E Commons Ave., #2000
City/State/Zip: Centennial, CO 80122
Phone: 303 858 1800 Fax:
E-mail: sallen@wbapc.com

MINERAL RIGHTS OWNER (attach separate sheets if multiple)

Name/Company: n/a
Address:
City/State/Zip:

MINERAL LEASE HOLDER (attach separate sheets if multiple)

Name/Company: n/a
Address:
City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: n/a Gross Site Density (du/ac): n/a
Proposed Zoning: # Lots/Units Proposed:
Gross Acreage: Gross Floor Area:

SERVICE PROVIDERS

Electric: Xcel Gas: Xcel
Metro District: Summerfield Metro District Nos. 1-3 Fire District: Mountain View
Water (if other than Town): Sewer (if other than Town):

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES			
ANNEXATION		SUBDIVISION	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
<input type="checkbox"/> Deannexation	\$ 1000.00	<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Road Vacation (constructed)	\$ 1000.00
ZONING/REZONING		<input type="checkbox"/> Road Vacation (paper)	\$ 100.00
<input type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2200.00
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
SPECIAL REVIEW USE		<input type="checkbox"/> Amendment (major)	\$ 1100.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (minor)	\$ 350.00
<input type="checkbox"/> Minor	\$ 400.00	VARIANCE	\$ 600.00
<input type="checkbox"/> Oil & Gas	\$ 1200.00	SERVICE PLAN Amendment	\$ 10,000.00 ^{\$1,000.00}
All fees include both Town of Erie Planning & Engineering review. These fees do not include referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.			

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: _____ Date: _____
 Owner: _____ Date: _____
 Applicant: Summerfield Metropolitan District Nos. 1-3 Date: 5/22/17
[Signature] (General Counsel)

STATE OF COLORADO)
) ss.
 County of Arapahoe)
 The foregoing Instrument was acknowledged before
 me this 22nd day of May, 2017,
 by Ki Sean Allen.

MEGAN MURPHY
 NOTARY PUBLIC - STATE OF COLORADO
 Notary Identification # 20154016648
 My Commission Expires 4/27/2019

My commission expires: 4-27-2019.
 Witness my hand and official seal. Megan Murphy
 Notary Public

SUMMERFIELD METROPOLITAN DISTRICT NOS. 1, 2 AND 3

May 22, 2017

Board of Trustees, Town of Erie

c/o R. Martin Ostholthoff

Town of Erie

645 Holbrook Street

Erie, CO 80516



RE: First Amendment to Consolidated Service Plan

The Summerfield Metropolitan District Nos. 1, 2 and 3 (the "Districts") respectfully submit to the Town of Erie an application for approval of a First Amendment to the original Consolidated Service Plan, dated January 4, 2013 (the "Service Plan"). The focus of the First Amendment is to increase the amount of the Debt Limit as stated in the Service Plan (without any increase to the Maximum Mill Levy or its Imposition Term) to better accommodate the Districts' financing and refinancing of the costs of public improvements planned for the Summerfield development (the "Project").

In the 2013 Service Plan the then estimated cost of the anticipated public improvements was approximately \$60,256,210, inclusive of contingency, and the aggregate Debt Limit for the Districts was set at \$70,000,000. Today, various factors significantly influence the development of the Project which make the original Debt Limit insufficient, including, but not limited to:

- Since 2013, costs of public improvement construction have risen significantly.
- The Town's construction standards and policies have changed resulting in increased costs of public improvements.
- The current economic climate is resulting in rising interest rates and therefore higher debt service costs for the Project.

Additionally, the Service Plan contains a debt refinance provision that makes the amount of any accrued interest on debt to be refinanced count against the Debt Limit. In the early developmental years of a district, borrowing costs are typically at their highest rates due to the risk factors associated with a new project, and with little to no revenue from assessed value in the early years, the interest on this debt accrues and may not get paid for years. The amount of accrued interest owed by the Districts materially reduces the available Debt Limit when refinancing the outstanding principal. The Districts are now faced with increased public improvement costs and outstanding borrowings that carry higher risk factored interest rates (which count against the Debt Limit when such borrowings are refinanced), and the combination of these factors results in a Debt Limit that

is no longer sufficient. If the Debt Limit is not increased, the Districts will be limited in the amount of public improvements to be financed and the higher interest rate borrowings will not be refinanced, which means lower rate borrowing will not be realized and homeowners will pay more in debt service costs.

Therefore the Districts request that the First Amendment be approved by the Town to raise the Debt Limit to \$100,000,000 so that the increased public improvement costs and financing amounts that count against the Debt Limit can be managed by the Districts including undertaking refinancing of higher rate borrowings from time to time with lower interest rate debt.

Enclosed herewith is the Land Use application for the First Amendment, the First Amendment with updated financial plan and public improvement description/cost estimate exhibits, and the \$1,000 amendment application fee.

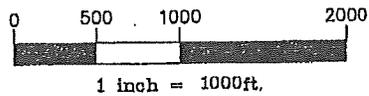
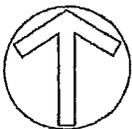
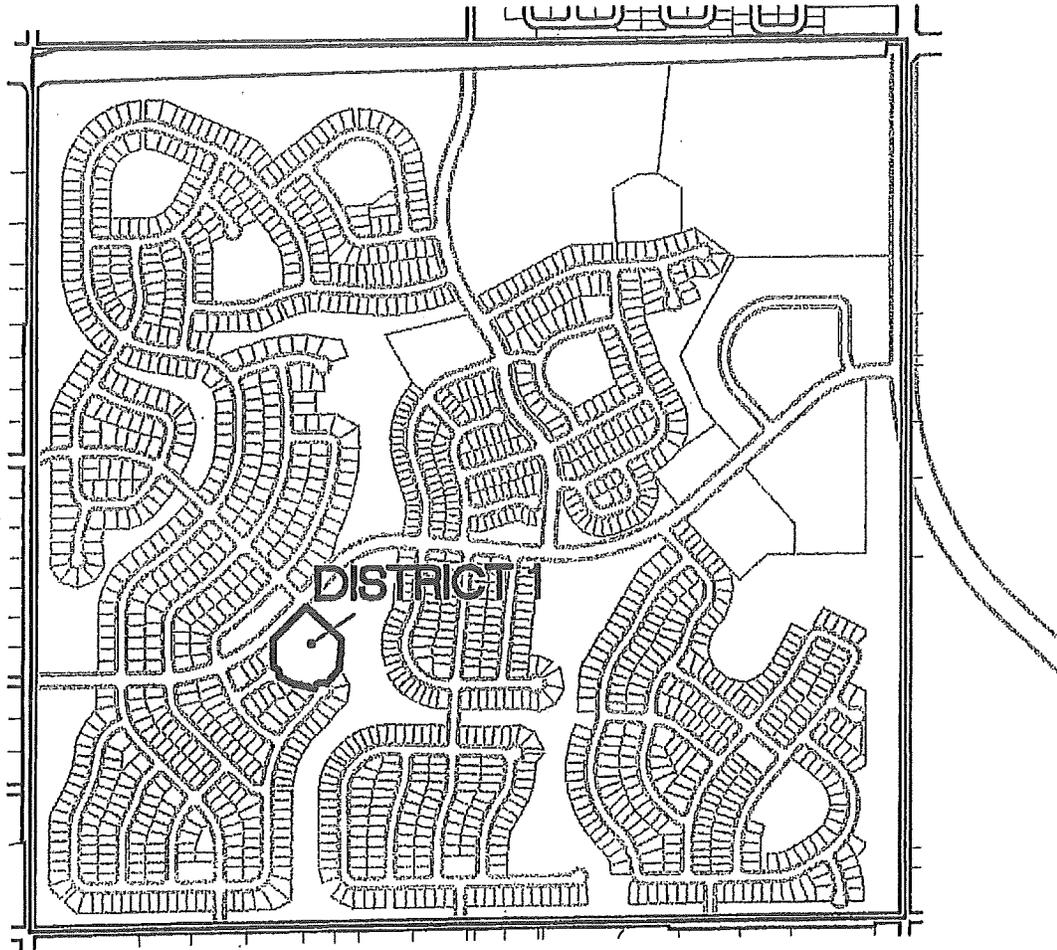
Thank you

Summerfield Metropolitan District Nos. 1, 2 and 3



Jon R. Lee, President

EXHIBIT



NOTE: THIS IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT.
THIS EXHIBIT IS ONLY INTENDED TO DEPICT THE ACCOMPANYING DESCRIPTION.

DISTRICT 1 SUMMERFIELD WELD COUNTY, COLORADO

HURST	CIVIL ENGINEERING	2500 Broadway, Suite B	SCALE HOR. 1"=1000'
	PLANNING	Boulder, CO 80304	VERT. N/A
	SURVEYING	303.449.9105	DESIGN/APPR. BO
	www.hurst-assoc.com	DATE 09/04/12	DRAWN BY BO
	FILE G:\202044\SURVEY\LEGAL\DISTRICTS	SHEET 2 OF 2	

EXHIBIT

DISTRICT 1 DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4 FROM WHENCE THE SOUTHWEST CORNER LIES S89°33'41"W, 2,636.43 FEET (BASIS OF BEARINGS);

THENCE N26°42'37"W, 1,735.65 FEET TO THE POINT OF BEGINNING;

THENCE S39°05'46"W, 112.21 FEET;

THENCE 93.00 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 106°33'57", AND A CHORD BEARING S67°06'03"W, 80.16 FEET;

THENCE N75°36'43"W, 134.34 FEET;

THENCE N62°31'23"W, 91.14 FEET;

THENCE 76.85 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 88°03'48", AND A CHORD BEARING N31°55'45"W, 69.51 FEET;

THENCE N00°00'00"E, 167.25 FEET;

THENCE 60.91 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,040.00 FEET, A CENTRAL ANGLE OF 03°21'21", AND A CHORD BEARING N45°26'38"E, 60.90 FEET;

THENCE N43°45'57"E, 217.59 FEET;

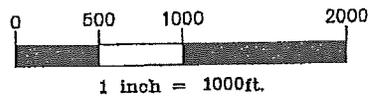
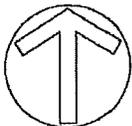
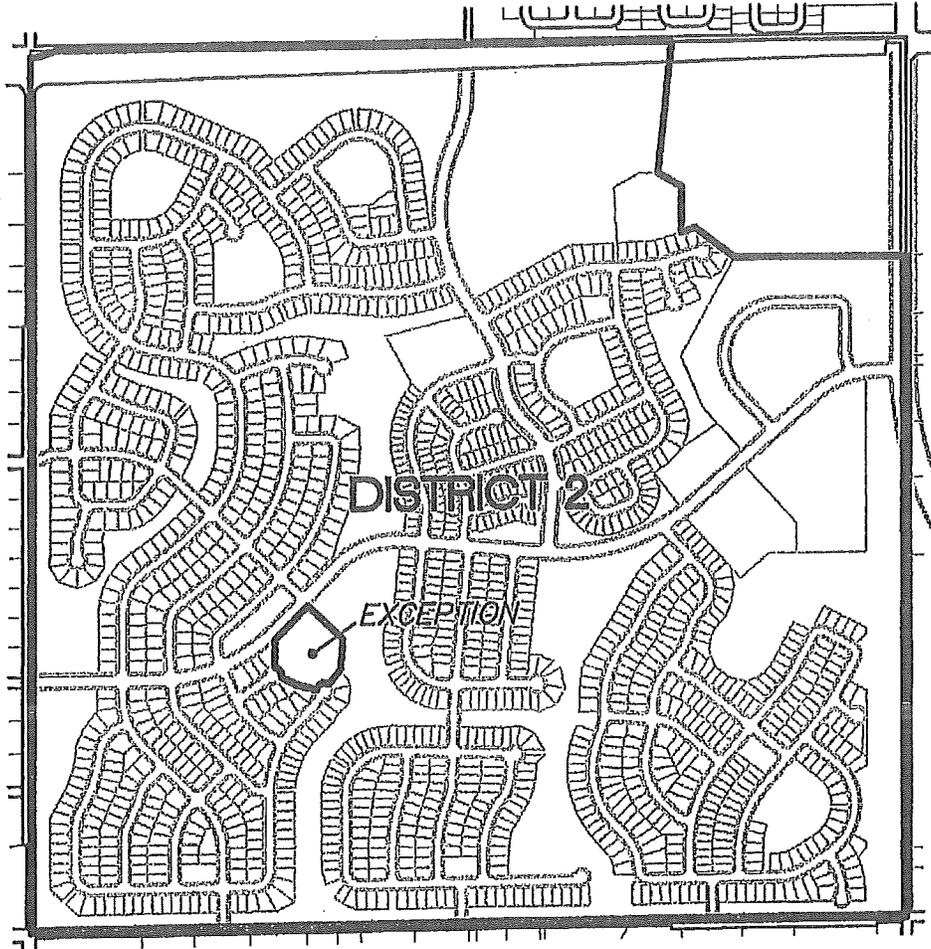
THENCE S46°14'03"E, 295.34 FEET;

THENCE S04°44'24"W, 179.59 FEET TO THE POINT OF BEGINNING, CONTAINING 3.24 ACRES, MORE OR LESS.

**DISTRICT 1
SUMMERFIELD
WELD COUNTY, COLORADO**

HURST CIVIL ENGINEERING PLANNING SURVEYING www.hurst-assoc.com	2500 Broadway, Suite B Boulder, CO 80304	SCALE HOR. N/A VERT. N/A
	303.449.9105	DESIGN/APPR. BO
		DRAWN BY BO
		DATE 09/04/12
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EXHIBIT



NOTE: THIS IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT.
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DISTRICT 2 SUMMERFIELD WELD COUNTY, COLORADO

HURST	CIVIL ENGINEERING	2500 Broadway, Suite B	SCALE HOR. 1" = 1000'
	PLANNING	Boulder, CO 80304	VERT. N/A
	SURVEYING	303.449.9105	DESIGN/APPR. BO
	www.hurst-assoc.com	DATE 09/06/12	DRAWN BY BO
	FILE G:\202044\SURVEY\LEGAL\DISTRICTS	SHEET 3 of 3	

EXHIBIT

DISTRICT 2 PARCEL DESCRIPTION:

A PARCEL OF LAND LOCATED IN SECTION 4, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 4;

THENCE N00°02'03"E, 2,682.02 FEET ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 4 (BASIS OF BEARINGS) TO THE WEST QUARTER CORNER;

THENCE N00°01'00"E, 2,614.25 FEET ALONG THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 4;

THENCE ALONG THE SOUTHEASTERLY LINE OF THAT PROPERTY RECORDED 12/07/1955 IN BOOK 14736 AT PAGE 528 THE FOLLOWING TWO COURSES:

- 1) N85°35'34"E, 53.60 FEET;
- 2) N69°15'23"E, 106.90 FEET;

THENCE N89°51'27"E, 2,459.80 FEET ALONG THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 4;

THENCE N89°37'29"E, 1,238.46 FEET ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SECTION 4;

THENCE S05°56'02"W, 800.41 FEET;

THENCE S59°32'33"E, 165.06 FEET;

THENCE S00°00'00"E, 272.43 FEET;

THENCE N72°54'55"E, 86.98 FEET;

THENCE S52°27'07"E, 260.14 FEET;

THENCE S53°55'06"E, 38.61 FEET;

THENCE N89°54'14"E, 1,032.02 FEET TO THE EASTERLY LINE OF THE SAID NORTHEAST QUARTER OF SECTION 4;

THENCE S00°05'46"E, 1,352.22 FEET ALONG THE SAID EASTERLY LINE TO THE EAST QUARTER CORNER;

THENCE S00°08'21"E, 2,662.30 FEET ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 4 TO THE SOUTHEAST CORNER;

THENCE S89°44'56"W, 2,638.57 FEET ALONG THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 4 TO THE SOUTH QUARTER CORNER;

THENCE S89°33'41"W, 2,636.43 FEET ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 4 TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THE FOLLOWING:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(CONTINUED)

**DISTRICT 2
SUMMERFIELD
WELD COUNTY, COLORADO**

HURST	CIVIL ENGINEERING	2500 Broadway, Suite B	SCALE HOR. N/A
	PLANNING	Boulder, CO 80304	VERT. N/A
	SURVEYING	303.449.9105	DESIGN/APPR. BO
	www.hurst-assoc.com	DATE 08/06/12	DRAWN BY BO
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EXHIBIT

DISTRICT 2 PARCEL DESCRIPTION (CONTINUED):

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4 FROM WHENCE THE SOUTHWEST CORNER LIES S89°33'41"W, 2,636.43 FEET (BASIS OF BEARINGS);

THENCE N26°42'37"W, 1,735.65 FEET TO THE POINT OF BEGINNING;

THENCE S39°05'46"W, 112.21 FEET;

THENCE 93.00 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 106°33'57", AND A CHORD BEARING S67°06'03"W, 80.16 FEET;

THENCE N75°36'43"W, 134.34 FEET;

THENCE N62°31'23"W, 91.14 FEET;

THENCE 76.85 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 88°03'48", AND A CHORD BEARING N31°55'45"W, 69.51 FEET;

THENCE N00°00'00"E, 167.25 FEET;

THENCE 60.91 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,040.00 FEET, A CENTRAL ANGLE OF 03°21'21", AND A CHORD BEARING N45°26'38"E, 60.90 FEET;

THENCE N43°45'57"E, 217.59 FEET;

THENCE S46°14'03"E, 295.34 FEET;

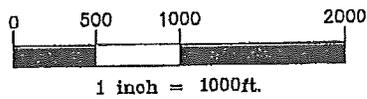
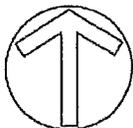
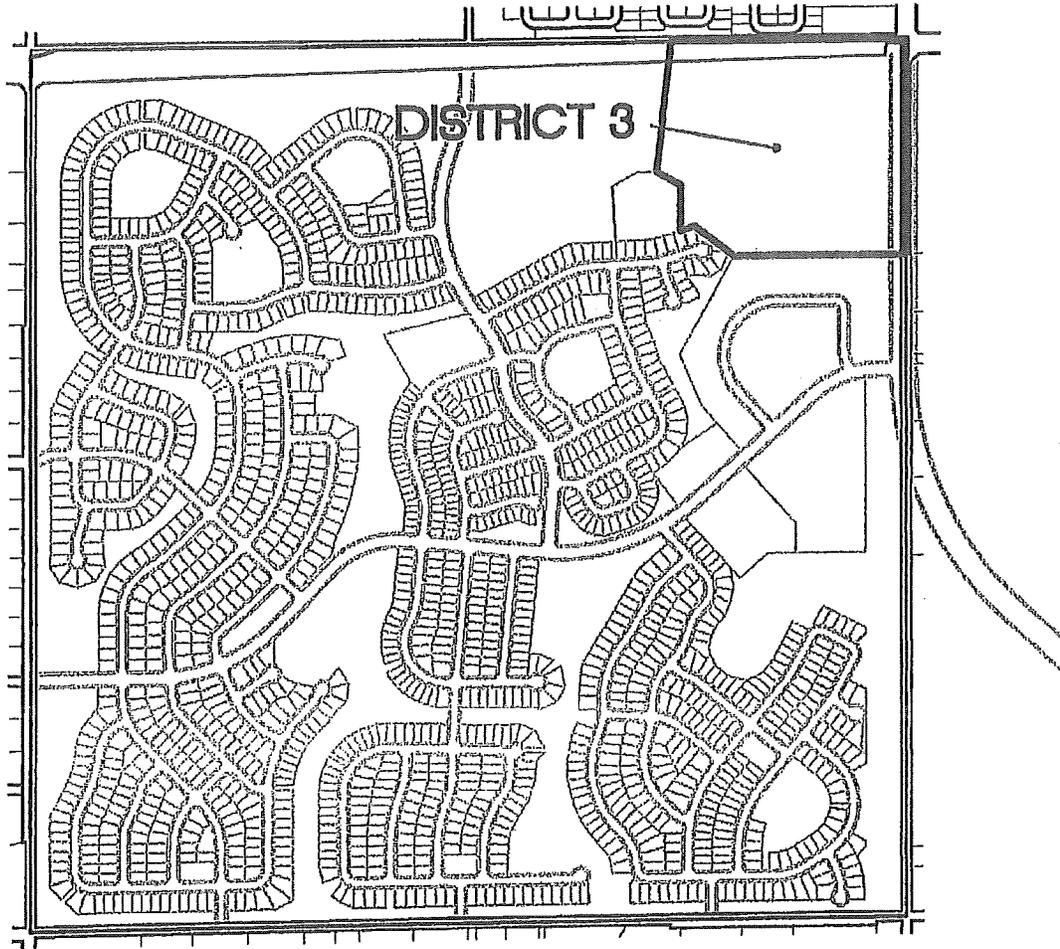
THENCE S04°44'24"W, 179.59 FEET TO THE POINT OF BEGINNING.

NET ACREAGE OF DISTRICT 2: 599.22 ACRES

**DISTRICT 2
SUMMERFIELD
WELD COUNTY, COLORADO**

HURST	CIVIL ENGINEERING PLANNING SURVEYING www.hurst-assoc.com	2500 Broadway, Suite B Boulder, CO 80304 303.449.9105	SCALE	HOR. N/A
			VERT.	N/A
			DESIGN/APPR.	BO
			DRAWN BY	BO
DATE	09/06/12	SHEET	2 OF 3	
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EXHIBIT



NOTE: THIS IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT.
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DISTRICT 3 SUMMERFIELD WELD COUNTY, COLORADO

HURST	CIVIL ENGINEERING	2500 Broadway, Suite B	SCALE HOR. 1" = 1000'
	PLANNING	Boulder, CO 80304	VERT. N/A
	SURVEYING	303.449.9105	DESIGN/APPR. BO
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EXHIBIT

DISTRICT 3 PARCEL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 6B WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 4 FROM WHENCE THE EAST QUARTER CORNER LIES S00°05'46"E, 2,667.67 FEET (BASIS OF BEARINGS);

THENCE S00°05'46"E, 1,315.45 FEET ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SECTION 4;

THENCE S89°54'14"W, 1032.02 FEET;

THENCE N53°55'06"W, 38.61 FEET;

THENCE N52°27'07"W, 260.14 FEET;

THENCE S72°05'50"W, 87.37 FEET;

THENCE N00°00'00"E, 273.74 FEET;

THENCE N59°32'33"W, 165.06 FEET;

THENCE N05°56'02"E, 800.41 FEET TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SECTION 4;

THENCE N89°37'29"E, 1,409.98 FEET ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING, CONTAINING 41.88 ACRES, MORE OR LESS.

*DISTRICT 3
SUMMERFIELD
WELD COUNTY, COLORADO*

HURST	CIVIL ENGINEERING	2500 Broadway, Suite B	SCALE HOR. N/A
	PLANNING	Boulder, CO 80304	VERT. N/A
	SURVEYING	303.449.9105	DESIGN/APPR. BO
	www.hurst-assoc.com	DATE 09/06/12	DRAWN BY BO
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