



INTERGOVERNMENTAL AGREEMENT
AMENDMENT TO EAST CENTRAL BOULDER COUNTY COMPREHENSIVE
DEVELOPMENT PLAN
LAFAYETTE GOOSE HAVEN RESERVOIR COMPLEX AND WATER
RECLAMATION PLANT

This Lafayette Goose Haven Reservoir Complex and Water Reclamation Plant Amendment ("Amendment") to the East Central Boulder County Comprehensive Development Plan Intergovernmental Agreement ("IGA") by and between the City of Lafayette, a Colorado home-rule municipal corporation ("Lafayette"), the Town of Erie, a Colorado statutory town ("Erie"), and the County of Boulder, a body politic and corporate of the State of Colorado ("the County") (collectively, the "Parties"), is entered into and made to be effective on the Effective Date as defined on the signature page of this Amendment.

WITNESSETH:

WHEREAS, C.R.S. § 29-20-101, et. seq., as amended, enables the Parties to enter into intergovernmental agreements to plan for and regulate land uses to minimize the negative impacts of development on the surrounding areas and protect the environment, and specifically authorizes local governments to cooperate and contract with each other for the purpose of planning and regulating the development of land by means of a "comprehensive development plan"; and

WHEREAS, the Parties have entered into the IGA, as amended, that places certain restrictions on discretionary land use approvals by the County and on the annexation of lands by Lafayette and Erie within the IGA's designated Plan Area, all as further set forth in the IGA; and

WHEREAS, the IGA maps certain lands within its Plan Area as "Rural Preservation" areas; and

WHEREAS, Lafayette currently plans to develop up to three water storage reservoirs in the area generally south, west and north of its current Goose Haven Reservoir Complex, located north and west of the intersection of Highway 287 and Isabelle Road, and desires to be able to annex the lands upon which such reservoirs are located. Lafayette also intends to expand its water reclamation plant and the buffer area surrounding the plant, located north and east of the intersection of Baseline Road and East County Line Road, and would prefer to annex the lands necessary to accomplish this. The lands under consideration for these purposes are identified as "Lafayette Influence Area" on Exhibits A-1 and A-2, respectively, attached hereto and made a part hereof; and

WHEREAS, Lafayette and the County have, in connection with the Boulder County Countywide Coordinated Comprehensive Development Plan Intergovernmental Agreement (the "Super IGA"), entered into that certain Lafayette Utilities Comprehensive Plan Intergovernmental Agreement (the "Utilities IGA") in order to provide assurances to Lafayette concerning the future development, maintenance, and rehabilitation of its water and sewer treatment facilities in the Rural Preservation Areas, all as set forth in the Utilities IGA

WHEREAS, under the Utilities IGA, in exchange for the County's commitments described in the foregoing "Whereas" clause, Lafayette committed to providing the County, upon acquisition of fee title to such lands, with conservation easements covering the entirety of such



lands, permitting the water storage or wastewater treatment plant and buffer area uses, as applicable, but prohibiting other development of such lands, all as set forth in the Utilities IGA; and

WHEREAS, the Parties have each held public hearings, after proper public notice for the consideration of entering into this Amendment as may be required by law.

NOW THEREFORE, in consideration of the above and the mutual covenants and commitments made herein, the Parties agree as follows:

1. The map of the Plan Area contained within Exhibit A to the IGA is hereby amended so that those areas denoted as the "Lafayette Influence Area" on the attached Exhibits A-1 and A-2 shall be part of the "Lafayette Influence Area" rather than the "Rural Preservation Area."

2. At such time as Lafayette acquires or annexes, any additional property shown on Exhibits A-1 or A-2 as "Lafayette Influence Area," Lafayette agrees to grant to Boulder County and the Town of Erie conservation easements over such acquired, or annexed properties, limiting the use of the lands to water storage reservoirs or water reclamation plant facilities and plant buffer area, as applicable and grant to the Town of Erie utility easements and points of access to roadways as requested.

3. If Erie shall, in the future, acquire road right-of-way and develop a road thereon, which road right-of-way is no more than 800 yards east of Lafayette's water reclamation plant property that is located north and east of the intersection of Baseline Road and East County Line Road 1, then Lafayette shall, at its expense, construct attractive fencing, and landscaping adjacent to, and coterminous with the reclamation plant, as shall reasonably screen said water reclamation plant from said roadway.

4. Lafayette will support before Boulder County, Erie's "Boulder Supply Canal Pipeline Project". The preferred route being along Valmont Road and the second route being along Arapahoe Road.

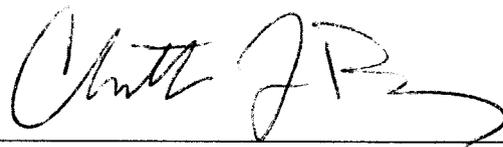
5. Lafayette and Erie will support the proposed Isabelle Ranch TDR/PUD Amendment to East Central Boulder County Comprehensive Development Plan Intergovernmental Agreement as approved by Boulder County.

6. All other provisions of the IGA, as amended, including but not limited to the term of the IGA, shall remain in full force and effect, except as expressly amended by this Amendment.

THIS AMENDMENT IS MADE AND ENTERED INTO TO BE EFFECTIVE ON THE LATER OF THE DATES OF APPROVAL BY THE CITY OF LAFAYETTE, THE TOWN OF ERIE, OR THE COUNTY OF BOULDER (THE "EFFECTIVE DATE").

CITY OF LAFAYETTE

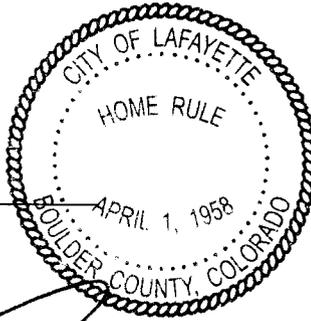
Dated: 7/6/04

By 
Mayor

ATTEST:

Susan Koster

City Clerk



APPROVED AS TO FORM:

[Signature]

City Attorney

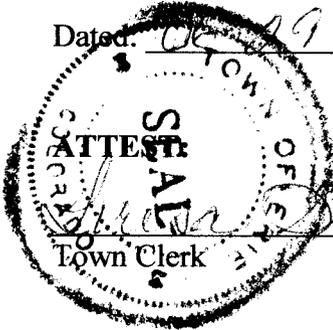
TOWN OF ERIE

Dated:

08-19-04

By

Harold S. Protem
Mayor PROTEM



ATTEST:

[Signature]
Town Clerk

APPROVED AS TO FORM:

Wal R. Jones

Town Attorney

COUNTY OF BOULDER
BOARD OF COUNTY COMMISSIONERS

Dated:

08/31/2004

By

[Signature]
Chair

ATTEST:

Aman M. Goshcraft

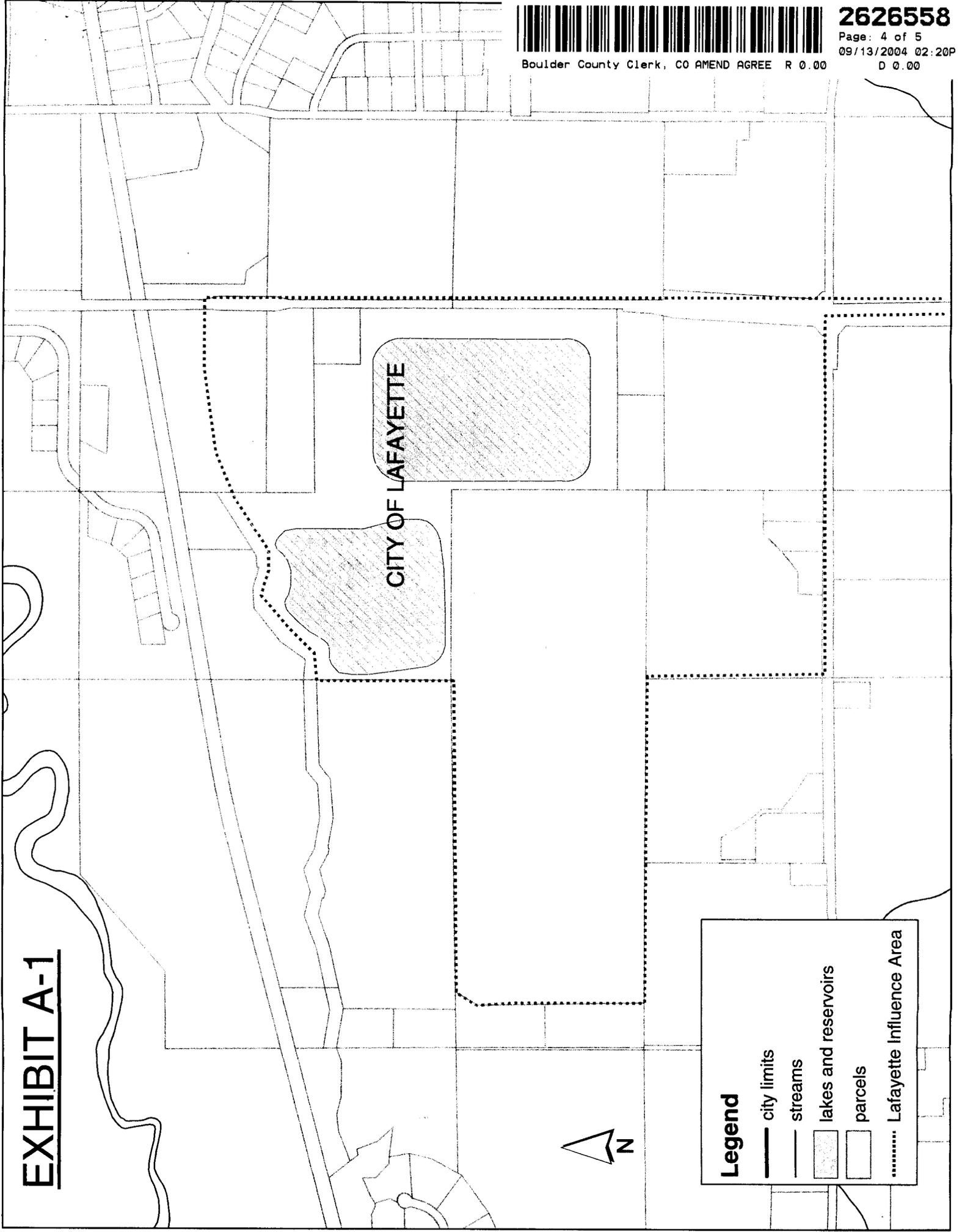
Clerk to the Board

APPROVED AS TO FORM:

[Signature]
County Attorney



EXHIBIT A-1



Legend

- city limits
- streams
- lakes and reservoirs
- parcels
- Lafayette Influence Area



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Page: 5 of 5
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Boulder County Clerk, CO AMEND AGREE R 0.00

Legend

- streams
- city limits
- ▭ lakes and reservoirs
- ▭ parcels
- Lafayette Influence Area

EXHIBIT A-2

