

**FIRST SUPPLEMENT TO  
INTERGOVERNMENTAL AGREEMENT AMONG THE BOARD OF COUNTY  
COMMISSIONERS OF THE COUNTY OF ADAMS (THE “COUNTY”), THE CITY OF  
AURORA (THE “CITY”) AND THE AEROTROPOLIS AREA COORDINATING  
METROPOLITAN DISTRICT (“AACMD”) ESTABLISHING THE AEROTROPOLIS  
REGIONAL TRANSPORTATION AUTHORITY**

**RECITALS**

1. The Aerotropolis Regional Transportation Authority (the “**Authority**” or “**ARTA**”) is a political subdivision and body corporate of the State of Colorado formed pursuant to Section 43-4-601, *et seq.*, C.R.S.

2. The Authority was organized pursuant to the Intergovernmental Agreement Among the Board of County Commissioners of the County of Adams (the “**County**”), the City of Aurora (the “**City**”) and the Aerotropolis Area Coordinating Metropolitan District (“**AACMD**”) Establishing the Aerotropolis Regional Transportation Authority, dated February 27, 2018 (the “**Establishing Agreement**”) and the Regional Transportation Authority Law, Section 43-4-601, *et seq.*, C.R.S. (the “**RTA Law**”) (the City, County, and AACMD are collectively referred to herein as the “**Governing Bodies**” or the “**Members**”).

3. The Authority was organized for the general purposes of constructing, or causing to be constructed, a Regional Transportation System, as more particularly described in the Establishing Agreement and Exhibit A thereto (as used herein, the “**Regional Transportation System**”), consistent with the detailed phasing plan and budget attached to the Establishing Agreement as Exhibit D (the “**Capital Plan**”).

4. As set forth in the Establishing Agreement, the Capital Plan may be modified, amended or supplemented upon approval by the Governing Body of each Member and the unanimous vote of the Board of Directors of the Authority (the “**Board**”), and the Regional Transportation System as set forth in Exhibit A may be modified, supplemented and finalized in the Capital Plan or amended from time-to-time in accordance with Article VII of the Establishing Agreement.

5. Pursuant to Article VII, Section 7.01 of the Establishing Agreement, the Establishing Agreement may be amended only with the consent of the Governing Bodies and the unanimous approval of the ARTA Board.

6. The Board of Directors of the Authority has unanimously approved supplementing Exhibit A and Exhibit D to the Establishing Agreement with Exhibit A-1 and Exhibit D-1 hereof in order to identify certain additional regional transportation infrastructure projects as additional components of the Regional Transportation System, and has requested each of the Governing Bodies consent to the same.

7. Each of the Governing Bodies, for itself, has determined it to be in the best interests of the Authority and such Governing Body to supplement Exhibit A and Exhibit D to the Establishing Agreement with Exhibit A-1 and Exhibit D-1 hereof and that so doing will support the public interest and economic health of the region in alignment with ARTA's goals of fostering and supporting economic development through the expansion and creation of transportation improvements.

**NOW, THEREFORE,** each of the Governing Bodies by signing below, hereby consents as follows:

1. Consent of Governing Bodies to Supplement Exhibit A and Exhibit D to the Establishing Agreement. Each of the undersigned Governing Bodies hereby consents to supplementing Exhibit A and Exhibit D to the Establishing Agreement with Exhibit A-1 and Exhibit D-1 hereof, respectively. Thereafter, the Regional Transportation System as defined in the Establishing Agreement shall include those regional transportation projects identified in both Exhibit A to the Establishing Agreement and Exhibit A-1 hereof, and the Capital Plan shall be comprised of both Exhibit D to the Establishing Agreement and Exhibit D-1 hereof. This Consent, and Exhibit A-1 and Exhibit D-1 hereof, shall be appended to and shall supplement the Establishing Agreement, and Exhibit A and Exhibit D attached thereto, respectively.

2. Limited Effect. Except as supplemented herein, the Establishing Agreement is in all other respects unmodified and shall remain in full force and effect.

*[remainder of page intentionally left blank; signature pages follow]*

**COUNTY OF ADAMS**

By: Eva J Henry

Name: EVA J Henry

Title: Chair

Date: 6/22/21

**CITY OF AURORA**

  
\_\_\_\_\_  
MIKE COFFMAN, Mayor

\_\_\_\_\_  
Date 06/07/21

Attested:

  
\_\_\_\_\_  
KADEE RODRIGUEZ, City Clerk

Approved as to form:

*Michelle Gardner*  
\_\_\_\_\_  
MICHELLE GARDNER  
Sr. Assistant City Attorney

**AEROTROPOLIS AREA COORDINATING METROPOLITAN DISTRICT**

By: 

Name: Matthew Hopper

Title: President

Date: July 8, 2021

**Exhibit A-1**  
**First Supplement to Exhibit A to the Establishing Agreement**

**REGIONAL TRANSPORTATION SYSTEM**

38 <sup>th</sup> Avenue (Picadilly to Tibet) – North 2 lanes
38 <sup>th</sup> Avenue (Tibet to E470) – North 2 lanes
48 <sup>th</sup> Avenue (Rome to Tibet) – 6 lanes
48 <sup>th</sup> Avenue (Tibet to E470) – 6 lanes
Picadilly Road (38 <sup>th</sup> to 48 <sup>th</sup> ) – East 3 lanes
Picadilly Road (48 <sup>th</sup> to 52 <sup>nd</sup> ) – East 3 lanes
Picadilly Road (52 <sup>nd</sup> to 56 <sup>th</sup> ) – East 3 lanes
48 <sup>th</sup> Avenue (Powhaton to Monaghan) – 6 lanes
26 <sup>th</sup> Avenue (Powhaton to Monaghan) – 4 lanes
Monaghan Road (26 <sup>th</sup> to 38 <sup>th</sup> ) – 6 lanes
Monaghan Road (38 <sup>th</sup> to 48 <sup>th</sup> ) 6 lanes
26 <sup>th</sup> /32 <sup>nd</sup> Realignment (Picadilly to E470) – 4 lanes
Picadilly Interchange – Interchange Design and Construction

**Exhibit B-1**

*[intentionally omitted; no such exhibit]*

**Exhibit C-1**

*[intentionally omitted; no such exhibit]*



**Exhibit D-1**  
**First Supplement to Exhibit D to the Establishing Agreement**