

Recording Requested By and When Recorded Mail to:

City of Brighton
Attn: City Clerk
500 S. 4th Avenue
Brighton, CO 80601

**FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT REGARDING
REIMBURSEMENT OF PARK IMPACT FEES FOR THE CONSTRUCTION OF
VENTURE PARK**

THIS FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (“**First Amendment**”) is made and entered into this ____ day of _____, 20__ by and between the CITY OF BRIGHTON, COLORADO, a home rule municipality of the Counties of Adams and Weld, State of Colorado (the “**City**”); BRIGHTON CROSSING LLC, a Colorado limited liability company (“**Brighton Crossing**”), successor in interest to Brookfield Residential (Colorado) LLC, a Nevada limited liability company; BRIGHTON CROSSING METROPOLITAN DISTRICT NO. 4, a quasi-municipal corporation and political subdivision of the State of Colorado (“**District No. 4**”); BRIGHTON CROSSING METROPOLITAN DISTRICT NO. 6, a quasi-municipal corporation and political subdivision of the State of Colorado (“**District No. 6**”); and THE BRIGHTON CROSSINGS OPERATIONS BOARD, a contractual authority and political subdivision of the State of Colorado (the “**Operations Board**”). The City, Brighton Crossing, District No. 4, District No. 6, and the Operations Board may be referred to herein each as a “**Party**” or collectively as the “**Parties**.”

WHEREAS, the Parties entered into that certain Intergovernmental Agreement Regarding Reimbursement of Park Impact Fees for the Construction of Venture Park dated April 16, 2024 (“**IGA**”); and

WHEREAS, the IGA and this First Amendment together constitute the “**Agreement**”; and

WHEREAS, the Parties hereby mutually desire to amend certain provisions of the IGA to clarify and simplify the identification of named plats subject to the Agreement, and to identify additional final plats which are subject to the IGA, as provided herein;

NOW THEREFORE, in consideration of the foregoing, the Parties hereto promise, covenant, and agree as follows:

AGREEMENT

1. **Incorporation**. The foregoing Recitals are incorporated as though fully set forth herein. Capitalized terms not defined in this Amendment shall have the same meaning as set forth in the IGA.

2. **Revised Definition of Development.** The definition of “Development” contained in the IGA is hereby amended in its entirety as follows:

WHEREAS, the property has been platted through a series of plans approved by the City, namely the following final plats and any successive replats and/or amendments thereof: Brighton Crossing Filing No. 1, recorded on December 20, 2001, at Reception Number C0902984 in the Records, as amended; Brighton Crossing Filing No. 2, recorded on December 31, 2002, at Reception Number C1074039 in the Records, as amended; Brighton Crossing Filing No. 3, recorded on January 30, 2004, at Reception Number C1271524 in the Records, as amended; Brighton Crossing Filing No. 6, recorded on November 14, 2023 at Reception Number 2023000063864 in the Records, as amended; Brighton Crossing Filing No. 7, recorded on October 9, 2020 at Reception Number 2020000103327 in the Records, as amended; Brighton Crossing Filing No. 8, recorded on July 2, 2024 at Reception Number 2024000035956 in the Records, as amended; that certain property, currently known as Planning Area 8.3, which will be platted in the future and is more particularly described on **Exhibit A** attached hereto and incorporated herein (together, the “**Development**”)

3. **Continuing Effect.** All other provisions of the Agreement not specifically amended herein shall remain in full force and effect.

[Remainder of page left intentionally blank]

[Signature page follows]

IN WITNESS WHEREOF, the Parties have executed this First Amendment on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this First Amendment.

THE CITY:

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

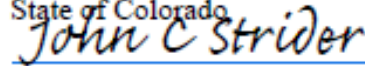
James Gallagher, Assistant City Attorney

[Signatures continue on following page]

IN WITNESS WHEREOF, the Parties have executed this First Amendment on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this First Amendment.

DISTRICT NO. 4:

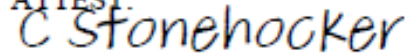
BRIGHTON CROSSING METROPOLITAN
DISTRICT NO. 4, a quasi-municipal
corporation and political subdivision of the
State of Colorado



John C Strider (Nov 4, 2025 13:57:47 MST)

Officer of District No. 4

ATTEST:



C Stonehocker (Nov 5, 2025 05:36:37 MST)

APPROVED AS TO FORM:

White Bear Ankele Tanaka & Waldron
Attorneys at Law



Jon Wagner (Oct 29, 2025 09:41:48 MDT)

General Counsel for District No. 4

[Signatures continue on following page]

IN WITNESS WHEREOF, the Parties have executed this First Amendment on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this First Amendment.

DISTRICT NO. 6:

BRIGHTON CROSSING METROPOLITAN
DISTRICT NO. 6, a quasi-municipal
corporation and political subdivision of the
State of Colorado

Neil Simpson

Officer of District No. 6

ATTEST:
Lyndsey Paavilainen
Lyndsey Paavilainen (Nov 4, 2025 10:38:12 MST)

APPROVED AS TO FORM:

White Bear Ankele Tanaka & Waldron
Attorneys at Law



Jon Wagner (Oct 29, 2025 09:41:48 MDT)

General Counsel for District No. 6

[Signatures continue on following page]

IN WITNESS WHEREOF, the Parties have executed this First Amendment on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this First Amendment.

OPERATIONS BOARD:

BRIGHTON CROSSINGS OPERATIONS
BOARD, a contractual Authority and political
subdivision of the State of Colorado

Neil Simpson

Officer of Operations Board

ATTEST:

Lyndsey Paavilainen

Lyndsey Paavilainen (Nov 4, 2025 10:38:12 MST)

APPROVED AS TO FORM:

White Bear Ankele Tanaka & Waldron
Attorneys at Law

[Signature]

Jon Wagner (Oct 29, 2025 09:41:48 MDT)

General Counsel for Operations Board

[Signatures continue on following page]

IN WITNESS WHEREOF, the Parties have executed this First Amendment on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this First Amendment.

BRIGHTON CROSSING:

BRIGHTON CROSSING LLC,
a Colorado limited liability company

By: [Signature]
Name: Peter Lavener
Title: President

AND

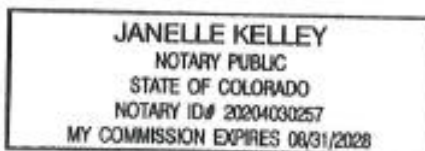
By: [Signature]
Name: BRETT PRICE
Title: VICE PRESIDENT

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 4th day of November, 20 25, by Peter Lavener, as the President and by Brett Price as the Vice President of Brighton Crossing LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 8-31-2028



[Signature]
Notary Public

Exhibit A
LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, BEING A PORTION OF THE LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED MARCH 20, 2012 AT RECEPTION NO. 2012000020814, IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY TERMINUS OF THE CERTAIN COURSE SHOWN AS HAVING A BEARING AND DISTANCE OF "SOUTH 89°21'16" WEST, 1005.88 FEET" ALONG THE SOUTHERLY BOUNDARY OF BRIGHTON CROSSING FILING NO. 2, 6TH AMENDMENT, PER PLAT RECORDED MAY 15, 2018 AT RECEPTION NO. 2018000039940, IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG SAID SOUTHERLY BOUNDARY, NORTH 89°21'16" EAST, A DISTANCE OF 875.80 FEET;

THENCE DEPARTING SAID SOUTHERLY BOUNDARY, SOUTH 00°38'31" EAST, A DISTANCE OF 106.05 FEET;

THENCE SOUTH 89°42'44" WEST, A DISTANCE OF 97.58 FEET;

THENCE SOUTH 00°17'16" EAST, A DISTANCE OF 235.05 FEET;

THENCE SOUTH 89°42'44" WEST, A DISTANCE OF 126.00 FEET;

THENCE NORTH 78°58'41" WEST, A DISTANCE OF 50.99 FEET;

THENCE SOUTH 89°42'44" WEST, A DISTANCE OF 638.30 FEET TO THE EASTERLY RIGHT-OF-WAY OF NORTH GOLDEN EAGLE PARKWAY AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED AUGUST 15, 2003 AT RECEPTION NO. C1184143, IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING 3 COURSES:

- 1) NORTH 08°38'42" WEST, A DISTANCE OF 59.04 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 665.00 FEET;
- 2) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°21'25", AN ARC LENGTH OF 96.99 FEET;
- 3) TANGENT TO SAID CURVE, NORTH 00°17'17" WEST, A DISTANCE OF 88.79 FEET TO THE EASTERLY BOUNDARY OF SAID BRIGHTON CROSSING FILING NO. 2, 6TH AMENDMENT;

THENCE ALONG SAID EASTERLY BOUNDARY THE FOLLOWING 2 COURSES:

- 1) NORTH 13°16'10" EAST, A DISTANCE OF 42.04 FEET;
- 2) NORTH 34°53'38" EAST, A DISTANCE OF 73.28 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 280,390 SQUARE FEET OR 6.437 ACRES, MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

ANTHONY K. PEAL, PLS 38636
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 E. MINERAL AVENUE, SUITE 1
LITTLETON, CO 80122



Exhibit A (cont.)

ILLUSTRATION TO EXHIBIT

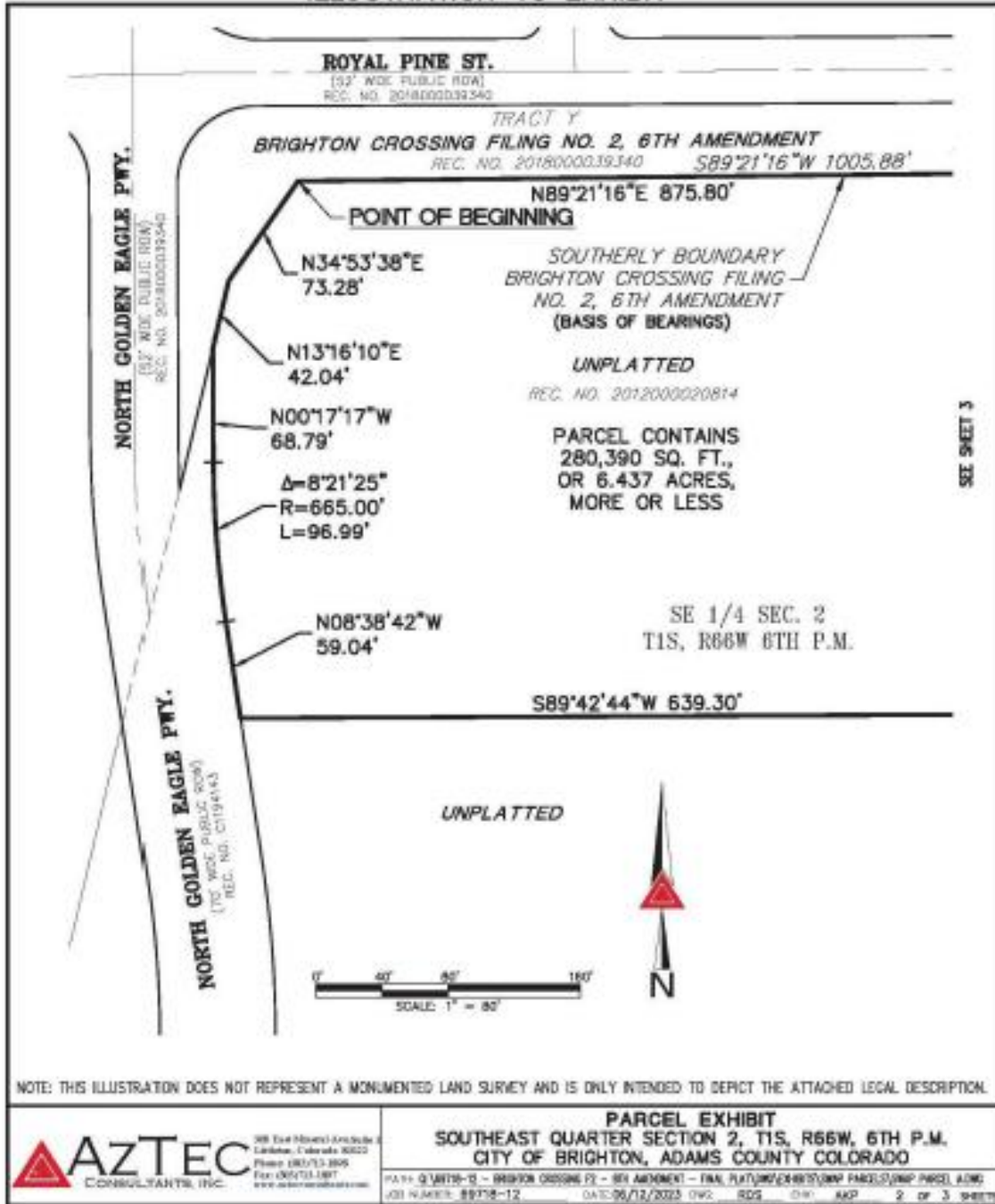


Exhibit A (cont.)

ILLUSTRATION TO EXHIBIT

