RESOLUTION #R-98-2009

A RESOLUTION OF THE LOVELAND CITY COUNCIL
APPROVING A MATERIAL MODIFICATION TO THE CONSOLIDATED SERVICE
PLAN FOR CENTERRA METROPOLITAN DISTRICTS NOS. 1-4 PERMITTING THE
EXCLUSION OF CERTAIN UNITS OF RESIDENTIAL REAL PROPERTY FROM
CENTERRA METROPOLITAN DISTRICTS NOS. 2 AND 4

WHEREAS, the City of Loveland (the “City”) City Council (the “City Council”) approved a Consolidated Service Plan for Centerra Metropolitan Districts Nos. 1 through 4 (“Service Plan”) on January 20, 2004, as evidenced by City Council Resolution #R-7-0004; and

WHEREAS, pursuant to Section I.A.4. of the Service Plan, any boundary adjustment which adds to or subtracts from the total acreage of Centerra Metropolitan Districts Nos. 1 through 4 (the “Districts”) is considered a material modification of the Service Plan and requires approval of the City Council; and

WHEREAS, at the request of McWhinney Real Estate Services, Inc. (“Developer”), the developer of Centerra, the City Council approved, on June 5, 2007 in Ordinance No. 5195, an amendment to the Millennium General Development Plan (“Millennium GDP”), which amendment permitted residential uses located on Millennium GDP Parcel A-1 within Centerra Metropolitan Districts Nos. 2 and 4 (“Districts Nos. 2 and 4”); and

WHEREAS, to remain consistent with the original intent of the Service Plan that only commercial property be located within the boundaries of Districts Nos. 2 and 4, the City Council, at the request of the Developer and the Districts, approved, on June 5, 2007 in Resolution #R-48-2007, a material modification to the Service Plan permitting the exclusion of future residential units to be located on Parcel A-1 from the boundaries of Districts Nos. 2 and 4; and

WHEREAS, in 2009, the Developer asked the City Council to approve an amendment to the Millennium GDP (the “Amended Millennium GDP”) to redistribute residential uses therein, which Amended Millennium GDP the City Council approved on May 5, 2009 in Ordinance No. 5417; and

WHEREAS, the Amended Millennium GDP resulted in the redistribution of residential uses (“Redistributed Residential Units”) into the boundaries of Districts Nos. 2 and 4; and

WHEREAS, to remain consistent with the original intent of the Service Plan that only commercial property be located within the boundaries of Districts Nos. 2 and 4, the Developer and the Districts desire to exclude the Redistributed Residential Units from the boundaries of Districts Nos. 2 and 4, which exclusion represents a material modification to the Service Plan and requires City Council approval; and
WHEREAS, the Boards of Directors of Districts Nos. 2 and 4 desire the City Council to approve a material modification to the Service Plan permitting the exclusion of the Redistributed Residential Units from Districts No. 2 and No. 4; and

WHEREAS, such material modification is similar to the City Council’s approval on June 5, 2007 in Resolution #R-48-2007 of a material modification to the Service Plan permitting the exclusion of future residential units to be located on Millennium GDP Parcel A-1 from the boundaries of Districts Nos. 2 and 4;

WHEREAS, notice of a public hearing before the City Council for its consideration and approval of this proposed material modification to the Service Plan was duly published in the Loveland Reporter-Herald on September 15, 2009, as required by law and as evidenced in the Affidavit of Publication attached hereto as Exhibit A; and

WHEREAS, notice of the public hearing before the City Council was also duly mailed by first class mail, on September 15, 2009, to all interested persons, defined as follows: (1) the owners of record of all property within Districts Nos. 2 and 4 as such owners of record are listed on the records of the Larimer County Assessor; (2) the division of local government, and (3) the governing body of any municipality or special district which has levied an ad valorem tax within the next preceding tax year, and which has boundaries within a radius of three (3) miles of Districts Nos. 2 and 4’s boundaries, as evidenced in the Certification of Mailing Notice of Hearing and Publication dated September 16, 2009, attached hereto as Exhibit B; and

WHEREAS, pursuant to the provisions of Title 32, Article 1, C.R.S., the City Council opened the public hearing on this proposed material modification of the Service Plan at its October 6, 2009 regular meeting but adopted a motion to continue this public hearing to Council’s October 20, 2009 regular meeting at which time the public hearing was held; and

WHEREAS, the City Council has considered this material modification to the Service Plan, and all other testimony and evidence presented at the hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

1. That the hearing before the City Council was open to the public; that all interested parties were heard or had the opportunity to be heard; and that all relevant testimony and evidence submitted to the City Council was considered.

2. That the City Council hereby determines that the requirements of Section 32-1-207 (2), C.R.S., relating to the approval of a material modification to the Service Plan for the Districts; the requirements of Sections 32-1-204 (1) and (1.5), C.R.S., relating to the notice of the hearing by the City Council; and the requirements of Section 32-1-204.5, C.R.S. relating to the approval by the City Council have been fulfilled in a timely manner.
3. That the City Council hereby finds that the District’s proposed material modification to the Service Plan is in the best interests of the Redistributed Residential Units to be excluded from Districts Nos. 2 and 4.

4. That the City Council does hereby approve the material modification to the Service Plan permitting the exclusion of the Redistributed Residential Units to be located within the boundaries of Districts Nos. 2 and 4 as a result of the Amended Millennium GDP approved by City Council on May 5, 2009 in Ordinance No. 5417, following approval of said exclusion by Districts Nos. 2 and 4’s Boards of Directors and the Larimer County District Court, pursuant to Sections 32-1-501, et seq., C.R.S.

5. That nothing herein limits the City’s powers with respect to Districts, the properties within the Districts, or the improvements to be constructed by the Districts and nothing herein shall be considered as the City Council’s approval of any other material modification of the Service Plan, as previously amended, except as expressly stated herein.

6. That the City Council’s findings are based solely on the evidence presented at the public hearing and that the City has not conducted any independent investigation of the evidence.

7. That this Resolution shall take effect on the date and at the time of its adoption by the City Council.

Adopted this 20th day of October, 2009.

Eugene N. Pielin, Mayor

City Clerk

APPROVED AS TO FORM:

City Attorney
AFFIDAVIT OF PUBLICATION

REPORTER-HERALD

State of Colorado
County of Larimer

I, the undersigned agent, do solemnly swear that the DAILY REPORTER-HERALD is a daily newspaper published in the City of Loveland, County of Larimer, State of Colorado, and which has general circulation therein and in parts of Larimer and Weld Counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

That the annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated September 15, 2009.

Subscribed and sworn to before me this 15th day of September, 2009.

Mary DeFeura
Agent

Subscribed and sworn to before me this 15th day of September, 2009.

Notary Public

STATE OF COLORADO,
COUNTY OF LARIMER,
NOTICE OF PUBLIC HEARING
IN RE REQUEST FOR
MATERIAL MODIFICATION TO SERVICE PLAN, CENTERRA METROPOLITAN DISTRICTS Nos. 1-4, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO.

NOTICE IS HEREBY GIVEN that the Loveland City Council, State of Colorado, has received a request for a material modification to the Service Plan for Centerra Metropolitan Districts Nos. 1-4 (the "District") pursuant to Section 1.A.4. of the Service Plan, for boundary adjustments which add to or subtract from the total acreage of the Districts, shall require the approval of the City Council. The developer of the Centerra mixed-use development and owner of certain property located generally at the intersection of I-25 and U.S. 34 in Loveland, Colorado, has requested the exclusion from the boundaries of Centerra, Metropolitan Districts Nos. 1-4 of residential units that are or may in the future be constructed within the boundaries of said Districts.

NOTICE IS HEREBY FURTHER GIVEN that the Loveland City Council, State of Colorado, will hold a public hearing at 4:30 p.m. on October 5, 2009, at the City Council Chambers of the Loveland Civic Center, 500 East Third Street, Loveland, Colorado, for the purpose of considering a request for a material modification to the Service Plan and to form a basis for adopting a Resolution approving, disapproving or conditionally approving the request for a material modification to the Service Plan. All protests and objections must be submitted in writing to the Loveland City Council at or prior to the public hearing, or any continuance or postponement thereof in order to be considered.

Published: Loveland Daily Reporter-Herald September 15, 2009
STATE OF COLORADO, CITY OF LOVELAND, COUNTY OF LARIMER

CERTIFICATION OF MAILING NOTICE OF HEARING AND PUBLICATION

IN RE REQUEST FOR MATERIAL MODIFICATION TO SERVICE PLAN FOR CENTERRA METROPOLITAN DISTRICTS NOS. 1 – 4, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

IT IS HEREBY CERTIFIED by the undersigned, as follows:

1. That, the City Council of Loveland, Larimer County, Colorado, set a public hearing for Tuesday, the 6th day of October, 2009, at 6:30 p.m., at 500 East Third Street, Loveland, Colorado 80537, considering the Modification to Service Plan and related documents for Centerra Metropolitan Districts Nos. 1 – 4.

2. That, as a part of said action, directions were given that copies of the Notice of Public Hearing be mailed, by first class mail, not more than thirty days nor less than twenty days prior to said hearing, to interested persons, defined as follows: (1) the owners of record of all property within the Title 32 special districts as such owners of record are listed in the Larimer County Assessor’s records; (2) the Division of Local Government; (3) the governing body of any municipality or special district which has levied an ad valorem tax within the next preceding tax year, and which has boundaries within a radius of three (3) miles of the Districts’ boundaries.

3. That, in compliance with said directions, a copy of the Notice, attached as Exhibit A, was deposited in the United States first class mail on September 15, 2009 to owners of record of all property within the Title 32 special districts; the Division of Local Government; and the governing body of any municipalities and special district which has levied an ad valorem tax within the next preceding tax year and which has boundaries within a three (3) mile radius of the District’s boundaries, as per the listings attached as Exhibit B.

4. That, as a part of said action, directions were given that the Notice of Public Hearing be published one time in a newspaper of general circulation within the Districts.

5. That, in compliance with said directions, a copy of the Notice, attached as Exhibit A, was published on September 15, 2009 in The Loveland Reporter-Herald, an Affidavit of Publication is attached as Exhibit C.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of September, 2009.

Stacie L. Pacheco, Paralegal
EXHIBIT A

NOTICE OF PUBLIC HEARING
STATE OF COLORADO, CITY OF LOVELAND, COUNTY OF LARIMER

NOTICE OF PUBLIC HEARING

IN RE REQUEST FOR MATERIAL MODIFICATION TO SERVICE PLAN FOR CENTERRA METROPOLITAN DISTRICTS NOS. 1 – 4, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

PUBLIC NOTICE IS HEREBY GIVEN that there has been filed with the Loveland City Council, State of Colorado, a request for a material modification to the Service Plan for Centerra Metropolitan Districts Nos. 1 – 4 (the “District”). Pursuant to Section I.A.4. of the Service Plan, boundary adjustments which add to or subtract from the total acreage of the Districts, shall be considered a material modification of the Service Plan and shall require the approval of the City Council. The developer of the Centerra mixed-use development and owner of certain property located generally at the intersection of I-25 and U.S. 34 in Loveland, Colorado has requested the exclusion from the boundaries of Centerra Metropolitan Districts Nos. 2 and 4, residential units that are or may in the future be constructed within the boundaries of said Districts.

NOTICE IS HEREBY FURTHER GIVEN that the Loveland City Council, State of Colorado, will hold a public hearing at 6:30 p.m. on October 6, 2009, at the City Council Chambers of the Loveland Civic Center, 500 East Third Street, Loveland, Colorado, for the purpose of considering a request for a material modification to the Service Plan and to form a basis for adopting a Resolution approving, disapproving or conditionally approving the request for a material modification to the Service Plan. All protests and objections must be submitted in writing to the Loveland City Council at or prior to the public hearing or any continuance or postponement thereof in order to be considered.

Published In: Loveland Reporter Herald
Published On: September 15, 2009
EXHIBIT B

Property Owners within the Boundaries of the Districts
Division of Local Government
Taxing Entities within a 3-mile radius of the Boundaries of the Districts

CENTERRA METROPOLITAN DISTRICTS NOS. 1 – 4
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone</th>
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<tr>
<td>CENTERRA FLEX TWO, LLC</td>
<td>2725 ROCKY MTN AVENUE, SUITE 200 LOVELAND, CO 80538</td>
<td></td>
</tr>
<tr>
<td>SAGE INVESTMENT PROPERTIES, LLC</td>
<td>ATTN: CHRISTINE WILSON 148 REMINGTON ST FORT COLLINS, CO 80524</td>
<td></td>
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<tr>
<td>GREELEY AND LOVELAND IRRIGATION CO</td>
<td>828 23RD AVE GREELEY, CO 80634-5922</td>
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<td>FIRST NATIONAL BANK</td>
<td>ATTN: FINANCE AND PLANNING 205 W OAK ST FORT COLLINS, CO 80521</td>
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<tr>
<td>GOOD TIMES RESTAURANT</td>
<td>DBA GOOD TIMES TACO JOHNS NO 160 601 CORPORATE CIRCLE GOLDEN, CO 80401</td>
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<tr>
<td>CENTERRA OFFICE PARTNERS, LLC</td>
<td>2725 ROCKY MTN AVENUE, SUITE 200 LOVELAND, CO 80538</td>
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<tr>
<td>RE MAX ACTION BROKERS AT CENTERRA</td>
<td>1685 ROCKY MOUNTAIN AVE LOVELAND, CO 80538</td>
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<tr>
<td>SWH CORPORATION</td>
<td>DBA MIMIS CAFÉ NO 4619888 ATTN: SHERRY LEE 17852 17TH ST, STE 108 TUSTIN, CA 92780</td>
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<tr>
<td>THE CHARMING SHIPPES INC</td>
<td>DBA LANE BRYANT 3750 STATE RD 7-B13 BENSALMEN, PA 19020</td>
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<tr>
<td>NOODLES AND CO NO 133</td>
<td>520 ZANG ST BROOMFIELD, CO 80021</td>
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<tr>
<td>PAYLESS SHOE SOURCE INC NO 151</td>
<td>ATTN: CHERYL FALK PO BOX 1249 TOPEKA, KS 66601</td>
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<tr>
<td>SALLY BEAUTY SUPPLY LLC NO 3602</td>
<td>ATTN: TAX DEPT PO BOX 90220 DENTON, TX 76202</td>
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<tr>
<td>CHIPOTLE MEXICAN GRILL INC NO 780</td>
<td>C/O MARVIN F POER AND CO PP DEPT PO BOX 802206 DALLAS, TX 75380</td>
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<td>TJX COMPANIES INC</td>
<td>DBA MARSHALLS NO 328 110 PLEASANT AVE UPPER SADDLE RIVER, NJ 07458</td>
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BREADS OF THE WORLD
DBA PANERA BREAD NO 3081
2433 S HANLEY RD
ST LOUIS, MO 63144

FCA OF OHIO INC
DBA JOANN FABRIC NO 2124
5555 DARROW RD
HUDSON, OH 44236

COLDWATER CREEK NO 80285
ATTN: MONA
1 COLDWATER CREEK
SANDPOINT, ID 83864

CHRISTOPHER & BANKS NO 656
2400 XENIUM LN N
PLYMOUTH MN 55441

PF CHANGS CHINA BISTRO NO 9981
7676 E PINNACLE RD
SCOTTSDALE, AZ 85255

THE BUCKLE INC NO 355
ATTN: CAMI
PO BOX 1480
KEARNEY, NE 68848

PACJUGO ITALIAN GELATO
5971 SKY POND DR, STE C124
LOVELAND, CO 80538

TOO INC
DBA LIMITED TOO
PO BOX 59365
SCHAUMBURG, IL 60159

ZUMIEZ INC NO 156
6300 MERRILL CREEK PKWY STE B
EVERETT, WA 98203

SELECT COMFORT RETAIL CORP NO 504
9800 59TH AVE N
MINNEAPOLIS, MN 55442

SUNGLASS HUT TRADING CORP NO 5040
PO BOX 8509
MASON, OH 45040

STERLING JEWELERS INC NO 2637
375 GHENT RD
AKRON, OH 44333

J JILL LLC NO 188
930 W FIRST ST STE 303
FORT WORTH, TX 76102

THE MAY DEPT STORES CO
7 W 7TH ST
CINCINNATI, OH 45202
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<td>300 INDUSTRY DR PITTSBURGH, PA 15275</td>
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<td>ONE W PENNSYLVANIA AVE STE 1000 TOWSON, MD 21204</td>
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<td>FCA OF OHIO INC DBA JOANN FABRIC NO 2124</td>
<td>5555 DARROW RD HUDSON, OH 44236</td>
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<td>NUMERICA INC</td>
<td>4850 HAHNS PEAK DR UNIT 200 LOVELAND, CO 80538</td>
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<td>MEYER NATURAL ANGUS LLC</td>
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<td>PARK REGENCY LLC</td>
<td>C/O ZEITLIN AND ASSOCIATES, CPAS DENVER, CO 80206</td>
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<td>ROCK BOTTOM RESTAURANTS DBA OLD CHICAGO LOVELAND NO 70</td>
<td>248 CENTENNIAL PKWY LOUISVILLE, CO 80027</td>
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<td>HATWORLD INC DBA LIDS NO 5835</td>
<td>7555 WOODLAND DR INDIANAPOLIS, IN 46278</td>
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<td>BOUNCE LLC</td>
<td>6065 SKY POND DR LOVELAND, CO 80538</td>
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<td>STARBUCKS CORPORATION DBA STARBUCKS COFFEE NO 10150</td>
<td>PO BOX 34442 MS S TAX3 SEATTLE, WA 98124</td>
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<td>IACON, INC DBA SUNGLASS DESIGNS NO S30</td>
<td>9390N 95TH ST SCOTTSDALE, AZ 85258</td>
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<td>THE CHILDRENS PLACE NO 1835</td>
<td>915 SECAUCUS RD SECAUCUS, NJ 07094</td>
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<td>PORTRAIT INNOVATIONS NO 00052</td>
<td>2016 AYRSLEY TOWN BLVD STE 200 CHARLOTTE, NC 28273</td>
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<tr>
<td>GENERAL NUTRITION CENTER NO 8431</td>
<td>PO BOX 548 GLEN ROCK, NJ 07452</td>
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GAMESTOP INC NO 2876
3609 SMITH BARRY RD, STE 100
ARLINGTON, TX 76013

331 1/3 LLC
DBA BENT FORK GRILL
5971 SKY POND DR
LOVELAND, CO 80538

PERFUMANIA
251 INTERNATIONAL PKWY
SUNRISE, FL 33325

NAMCO THEATER GAMES NO 25594
877 SUPREME DR
BENSENVILLE, IL 60106

AMYS HALLMARK NO 332
PO BOX 419479 TAX 407
KANSAS CITY, MO 64141

GAP NO 00848
PO BOX 27809
ALBUQUERQUE, NM 87125

IPC INTERNATIONAL
2111 WAUKEGAN RD
BANNOCKBURN, IL 60015

COTTONWOOD CUPBOARD
5957 SKY POND DR STE D148
LOVELAND, CO 80538

BANANA REPUBLIC NO 08308
40 FIRST PLAZ NW
ALBUQUERQUE, NM 87102

SWEET VENTURES LLC
231 MILWAUKEE ST STE 2000
DENVER, CO 80206

BEBE NO 224
400 VALLEY DR
BRISBANE, CA 94005

BROWN GROUP RETAIL INC
DBA FAMOUS FOOTWEAR NO 2457
PO BOX 360
ST LOUIS, MO 63166

FINISH LINE NO 696
3308 N MITTHOEFFER RD
INDIANAPOLIS, IN 46235

HELZBERG DIAMONDS NO 307
C/O SMART AND ASSOCIATES
1900 N ROSELLE RD, STE 408
SCHAUMBURG, IL 60195
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<td>16840 BARKER SPRINGS RD STE 301</td>
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<td>5917 JORDAN DR</td>
<td>BARNES AND NOBLE BOOK STORE NO 2231</td>
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<td>EMCR CORPORATION</td>
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<td>MINNEAPOLIS, MN 55440</td>
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<td>HAHN DEVELOPMENT COMPANY LLC</td>
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<td>FIRSTIER BANK</td>
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<td>LOVELAND, CO 80538</td>
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<td>555 EL DORADO BLVD</td>
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<td>RANGEVIEW TWO, LLC</td>
<td>2725 ROCKY MTN AVENUE, SUITE 200</td>
<td>THE YOUTH CENTER AT CENTERRA</td>
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<td>1200 E ELIZABETH ST</td>
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<td>FAIRCHILD SEMICONDUCTOR CORP</td>
<td>82 RUNNING HILL RD</td>
<td>FORT COLLINS, CO 80524</td>
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<td>SOUTH PORTLAND, ME 04106</td>
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<td>POUDRE VALLEY HEALTH CARE INC</td>
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<td>2315 E HARMONEY RD STE 200</td>
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<tr>
<td>Heart and Vascular Clinic of Northern Colorado</td>
<td>2121 E Harmony Rd Suite 230</td>
<td>Fort Collins, CO 80528</td>
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<tr>
<td>Medical Center of the Rockies</td>
<td>2315 E Harmony Rd Suite 200</td>
<td>Fort Collins, CO 80528</td>
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<td>Northern Colorado Pulmonary</td>
<td>2058 Rocky Mountain Ave Suite 300</td>
<td>Loveland, CO 80538</td>
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<td>Consultants</td>
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<td>Lodgenet Interactive Corporation</td>
<td>3900 W Innovation St</td>
<td>Sioux Falls, SD 57107</td>
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<td>Amado Properties LLC</td>
<td>1542 West Shore Dr</td>
<td>Loveland, CO 80538</td>
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<td>Flatirons Sports Medicine, LLC</td>
<td>1615 Foxtail Dr</td>
<td>Loveland, CO 80538</td>
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<td>Fuller and Company</td>
<td>1515 Arapahoe St Suite 1200</td>
<td>Denver, CO 80202</td>
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<tr>
<td>Carolyn R Bartlett</td>
<td>4460 Crestone Cir</td>
<td>Broomfield, CO 80020</td>
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<td>Everclean of Northern Colorado Ltd</td>
<td>1712 W Swallow Rd</td>
<td>Fort Collins, CO 80526</td>
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<td>Jared Galleria of Jewelry No 2473</td>
<td>375 Ghent Rd</td>
<td>Akron, OH 44333</td>
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<tr>
<td>Greeley and Loveland Irrigation Co</td>
<td>808 23rd Ave</td>
<td>Greeley, CO 80631</td>
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<td>Cit Technology Financing Services Inc</td>
<td>C/O Ernst and Young Property Tax Service</td>
<td>Indianapolis, IN 46268</td>
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<td>Ge Capital Information Tech Solutions</td>
<td>PO Box 3649</td>
<td>Danbury, CT 06813</td>
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<td>Hospira Worldwide Inc</td>
<td>C/O Ducharme McMillen and Assoc</td>
<td>Indianapolis, IN 46250</td>
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WELLS FARGO FINANCIAL LEASING INC
C/O TAX DEPARTMENT
800 WALNUT ST MAC F4030 074
DES MOINES, IA 50309-3605

FIVE STAR NAILS AND SPA
1550 FALL RIVER DR, STE 150
LOVELAND, CO 80538

VSM SEWING INC NO 628
31000 VIKING PKWY
WEST LAKE, OH 44145

THE WISE GROUP LLC
DBA QUIZNOS SUBS
4472 SUNRIDGE DR
LOVELAND, CO 80538

CENTERRA RETAIL SHOPS, LLC
2725 ROCKY MOUNTAIN AVE, STE 200
LOVELAND, CO 80538

BED BATH AND BEYOND INC
NO 1147
ATTN: TAX DEPARTMENT
650 LIBERTY AVE
UNION, NJ 07083

TWEEN BRANDS INC
DBA JUSTICE FOR GIRLS
8323 WALTON PKWY
NEW ALBANY, OH 43054-9522

ROSS DRESS FOR LESS INC
DBA ROSS DRESS FOR LESS NO 1056
C/O NICKEL AND COMPANY, LLC
PO BOX 35547
TULSA, OK 74153-0547

HESKA CORPORATION
3760 ROCKY MOUNTAIN AVE
LOVELAND, CO 80538

CENTERRA PROPERTIES WEST, LLC
2725 ROCKY MOUNTAIN AVE, STE 200
LOVELAND, CO 80538

CIP 401 INVESTMENTS, LLC
2725 ROCKY MOUNTAIN AVE, STE 200
LOVELAND, CO 80538

CENTERRA METROPOLITAN DISTRICT NO 1
2725 ROCKY MOUNTAIN AVE, STE 200
LOVELAND, CO 80538

BMW OF NORTH AMERICA LLC
ATTN: TAX DEPT
PO BOX 1227
WESTWOOD, NJ 07675-1227

BEEMER INVESTMENTS, LLC
4150 BYRD DR
LOVELAND, CO 80538
NMP3 INVESTMENTS, LLC
2725 ROCKY MOUNTAIN AVE STE 200
LOVELAND, CO 80538

CIT COMMUNICATIONS FINANCE CORPORATION
C/O ERNST AND YOUNG PROPERTY TAX SERVICE
PO BOX 68933
INDIANAPOLIS, IN 46268

KING FOGLE INC
DBA KING BUICK PONTIAC GMC
4175 BYRD DR
LOVELAND, CO 80538

FERRERO I25 CHRYSLER JEEP DODGE
4040 BYRD DR
LOVELAND, CO 80538

US BANCORP EQUIPMENT FINANCE INC
ATTN: PROPERTY TAX DEPT
1310 MADRID ST, STE 100
MARSHAL, MN 56258

CHRYSLER FINANCIAL SERVICES LLC
33150 SCHOOLCRAFT RD, STE 201
LIVONIA, MI 48150-1646

SMP4 INVESTMENTS, LLC
2725 ROCKY MOUNTAIN AVE STE 200
LOVELAND, CO 80538

CARDIO EQUIPMENT LEASING LLC
DBA HEART VASCULAR CLINIC OF NO COLO PC
3855 PRECISION DR, STE 100
LOVELAND, CO 80538

FCP FLEX I, LLC
PO BOX 270070
FORT COLLINS, CO 80527

CENTERRA FLEX ONE, LLC
2725 ROCKY MOUNTAIN AVE STE 200
LOVELAND, CO 80538

L2 AUTO OF COLORADO INC
BDA L2 AUTO
360 E JACKSON ST
MEDFORD, OR 97501

CLUB COLORADO FITNESS
3755 PRECISION DR, STE 100
LOVELAND, CO 80538

MCWHINNEY 409CC, LLC
2725 ROCKY MOUNTAIN AVE STE 200
LOVELAND, CO 80538

RV THREE, LLC
2725 ROCKY MOUNTAIN AVE STE 200
LOVELAND, CO 80538
SPAHN, SHERRIL L
4895 HAHNS PEAK DR, UNIT 202
LOVELAND, CO 80538

GOEBEL, PAUL
4895 HAHNS PEAK DR, UNIT 203
LOVELAND, CO 80538

4885 LAKESHORE, LLC
4895 HAHNS PEAK DR, UNIT 204
LOVELAND, CO 80538

GAP INC AND SUBS
DBA OLD NAVY NO 05066
ATTN: PROPERTY TAX
PO BOX 27809
ALBUQUERQUE, NM 87125

MAURICES INC NO 1621
105 W SUPERIOR ST
DULUTH, MN 55802

CENTERRA OFFICE TECH I, LLC
2725 ROCKY MOUNTAIN AVE STE 200
LOVELAND, CO 80538

LAKESHORE HOMEOWNERS ASSOCIATION
C/O MANAGEMENT SPECIALISTS INC
390 INTERLOCKEN CRESCENT STE 500
BROOMFIELD, CO 80021

SPERRY, CRAIG
2105 64TH AVE
GREELEY, CO 80634

SMITH, PATRICK G/RHONDA I
5205 GEORGETOWN DR
LOVELAND, CO 80538

ENGEL, JESSE T
HOWLAND, JUDITHA
4805 HAHNS PEAK DR UNIT 103
LOVELAND, CO 80538

CHALFANT, BONNIE E
RANDY L
4805 HAHNS PEAK DR UNIT 104
LOVELAND, CO 80538

PFLUG, EILEEN E
490 S SANTA FE UNIT C
DENVER, CO 80223

MCCALLA, MARY
4805 HAHNS PEAK DR UNIT 10
LOVELAND, CO 80538

DARBY, KURT E
4805 HAHNS PEAK DR UNIT 203
LOVELAND, CO 80538
YOUNG, DAVID/REBECCA
4805 HAHNS PEAK DR UNIT 204
LOVELAND, CO 80538

WELLS FARGO BANK NO 102482
C/O THOMSON TAX AND ACCOUNTING
PO BOX 2609
CARLSBAD, CA 92018

DEGROOT, RAOUl W/PATRICIA E
312 WYSS ST
JOHNSTOWN, CO 80534

JUNTUNEN, CAROL C
4815 HAHNS PEAK DR UNIT 102
LOVELAND, CO 80538

Snyder, Earl
4815 HAHNS PEAK DR UNIT 103
LOVELAND, CO 80538

NEMETH, JOHN/NORMA, LIVING TRUST
4815 HAHNS PEAK DR UNIT 104
LOVELAND, CO 80538

MCWILLIAMS, STEVEN A
346 N SHORES CIRCLE
WINDSOR, CO 80550

DANFORD, ROBERT CS
4815 HAHNS PEAK DR UNIT 202
LOVELAND, CO 80538

RESORT REAL ESTATE INVESTMENTS, LLC
8426 STAY SAIL DR
WINDSOR, CO 80528

SISU BROTHERS, LLC
208 2ND ST
FORT COLLINS, CO 80524

GRUVMAN, KIMBERLY C
4825 HAHNS PEAK DR UNIT 101
LOVELAND, CO 80538

SIMMONS, EDWARD W/ITIELH M
4825 HAHNS PEAK DR UNIT 102
LOVELAND, CO 80538

IRA SERVICES/FIRST REGIONAL BANK
FBO JULIE KERSHNER
PO BOX 319
UPTON, WY 82730

MARTIN, KIM
6239 CLYMER CIRCLE
FORT COLLINS, CO 80528
MINNESOTA REGIS CORP
DBA REGIS SALON NO 1163
7201 METRO BLVD
MINNEAPOLIS, MC 55439

BUILD A BEAR WORKSHOP INC NO 207
1954 INNERDELT BUSINESS CENTER DR
SAINT LOUIS, MO 63114

RED ROBIN INTERNATIONAL INC
6312 S FIDDLERS GREEN CIR STE 200
GREENWOOD VILLAGE, CO 80111

CHARLOTTE RUSSE HOLDINGS INC
DBA CHARLOTTE RUSSE NO 368
9653 WENDELL RD
DALLAS, TX 75243

CENTERRA LIFESTYLE CENTER, LLC
6410 POPLAR AVE STE 850
MEMPHIS, TN 38119

BRINKER RESTAURANT CORP
DBA ON THE BORDER
6820 LBJ FREEWAY
DALLAS, TX 75240

EDDIE BAUER INC NO 938
PO BOX 90139
BELLVUE, WA 98009-0139

LIMITED BRANDS
DBA VICTORIAS SECRET NO 1344
C/O SMART ASSOCIATES
PO BOX 59365
SCHAUMBURG, IL 60159

LIMITED BRANDS
DBA EXPRESS NO 660
C/O SMART ASSOCIATES
PO BOX 59365
SCHAUMBURG, IL 60159

LIMITED BRANDS
DBA BATH AND BODY WORKS NO 1532
C/O SMART ASSOCIATES
PO BOX 59365
SCHAUMBURG, IL 60159

JOS A BANK
ATTN: TAX DEPART
500 HANOVER PIKE
HAMPSTEAD, MD 21074

PACIFIC SUNWEAR STORES CORP
DBA PACSUN NO 802
3450 E MIRALOMA AVE
ANAHIEM, CA 92806-2101

METROPOLITAN THEATRES CORP
DBA METROLUX THEATRES
8727 W 3 RD ST
LOS ANGELES, CA 90048

COSTA VIDA
DBA COSTA VIDA FRESH MEXICAN GRILL
1260 W 1650 N
SPRINGVILLE, UT 84663
CENTERRA 502, LLC
2725 ROCKY MOUNTAIN AVE STE 200
LOVELAND, CO 80538

CENTERRA 502 SOUTH, LLC
2725 ROCKY MOUNTAIN AVE STE 200
LOVELAND, CO 80538

MCWHINNEY REAL ESTATE SERVICES INC
2725 ROCKY MOUNTAIN AVE STE 200
LOVELAND, CO 80538

LOVELAND HABITAT, LLLP
1154 2ND ST SE
LOVELAND, CO 80537
City of Loveland  
500 East Third Street  
Loveland, Co 80537

Larimer County  
P. O. Box 1190  
Fort Collins, CO 80522

Larimer County Pest Control  
P. O. Box 1190  
C/O Larimer County  
Fort Collins, CO 80521

Northern Colorado Water Conservancy District  
Mr. Eric Wilkinson  
220 Water Avenue  
Berthoud, CO 80513-9245

Thompson R-2J School District  
2890 Monroe Avenue  
Loveland, CO 80537

Thompson Valley Health Services District  
P. O. Box 657  
C/O DeGood, Ball, Easley, Et Al  
Loveland, CO 80539-0657

US 34/Crossroads Corridor Renewal Plan  
City of Loveland-Long Range Plng.  
500 East Third  
Loveland, CO 80537

Little Thompson Water District  
835 East Highway 56  
Drawer G  
Berthoud, CO 80513

Health District of Northern Larimer County  
120 Bristlecone Drive  
Fort Collins, CO 80524

East Larimer County Water District  
P.O. Box 2044  
Fort Collins, CO 80522

Poudre R-1 School District  
2407 La Porte Avenue  
Fort Collins, CO 80521-2297

Poudre Valley Fire Protection District  
102 Remington Street  
Fort Collins, CO 80524

Fort Collins - Loveland Water District  
5150 Sneed Drive  
Fort Collins, CO 80525-3764

Larimer County P.I.D. No. 26  
Larimer County Engineering Dept.  
P.O. Box 1190  
Fort Collins, CO 80522
South Fort Collins Sanitation District
5150 Snead Drive
Fort Collins, CO 80525-3764

Loveland Rural Fire Protection District
C/O Gregory A. White
1423 West 29th Street
Loveland, CO 80538

Windsor-Severance Fire Protection District
100 Seventh Street
Windsor, CO 80550-4702

Town of Windsor
301 Walnut Street
Windsor, CO 80550

Windsor Highlands Metropolitan District Nos. 1-5
C/O David S. O’Leary, Esq.
Dufford & Brown, P.C.
1700 Broadway, Suite 2100
Denver, CO 80290

Larimer County G.I.D. No. 17 Country Meadows
Larimer County Engineering Dept.
P.O. Box 1190
Fort Collins, CO 80522

Larimer County P.I.D. No. 19
Larimer County Engineering Dept.
P.O. Box 1190
Fort Collins, CO 80522

Loveland General Improvement District 1
500 East Third
Loveland, CO 80537

Loveland Downtown Development Authority
500 East Third
Loveland, CO 80537

VDW Metropolitan Districts Nos. 1-3
C/O Alan D. Pogue, Esq.
Icenogle, Norton, Smith, Gilida & Pogue, P.C.
1331 17th Street, Suite 500
Denver, CO 80202

Loveland Urban Renewal Authority
C/O Matt Robenalt
Loveland Long Range Planning Division
500 East Third
Loveland, CO 80537

Waterfront Metropolitan District
C/O Kristen D. Bear, Esq.
White, Bear & Ankele, P.C.
1805 Shea Center Drive, Suite 100
Highlands Ranch, CO 80128

Loveland Midtown Metropolitan District
C/O Alan D. Pogue, Esq.
Icenogle, Norton, Smith, Gilida & Pogue, P.C.
1331 17th Street, Suite 500
Denver, CO 80202

BLK 41 – Finleys Add URP
City of Loveland
500 East Third Street
Loveland, CO 80537
Thompson Crossing Metropolitan Districts Nos. 1 & 2
C/O Gregory A. White, Esq.
North Park Place
1423 West 29th Street
Loveland, CO 80538

Town Of Johnstown
P. O. Box 609
Johnstown, CO 80534

Fort Collins Regional Library District
201 Peterson Street
Fort Collins, CO 80524

Thompson Crossing Metropolitan Districts Nos. 3 – 6
C/O T. Edward Icenogle, Esq.
Icenogle, Norton, Smith, Gilida & Pogue, P.C.
1331 17th Street, Suite 500
Denver, CO 80202

Larimer County P.I.D. No. 34
C/O Larimer County Engineering Dept.
P.O. Box 1190
Fort Collins, CO 80522

Larimer County P.I.D. No. 27
C/O Larimer County Engineering Dept.
P.O. Box 1190
Fort Collins, CO 80522

Highpointe Vista Metropolitan Districts Nos. 1 & 2
C/O Alan D. Pogue, Esq.
Icenogle, Norton, Smith, Gilida & Pogue, P.C.
1331 17th Street, Suite 500
Denver, CO 80202

Thompson Rivers Park and Recreation District
110 South Centennial Drive, Suite A
Milliken, CO 80534

Johnstown North Metropolitan Districts Nos. 1 – 3
C/O Alan D. Pogue, Esq.
Icenogle, Norton, Smith, Gilida & Pogue, P.C.
1331 17th Street, Suite 500
Denver, CO 80202

Johnstown Fire Protection District
1013 North Second Street
Johnstown, CO 80534

Aims Community College
P.O. Box 69
Greeley, CO 80532

Johnstown – Milliken RE5-J School District
110 South Centennial Drive, Suite A
Milliken, CO 80534

Division of Local Government
1313 Sherman Street
Room 521
Denver, CO 80203
EXHIBIT C

AFFIDAVIT OF PUBLICATION
State of Colorado
County of Larimer

I, the undersigned agent, do solemnly swear that the DAILY REPORTER-HERALD is a daily newspaper published in the City of Loveland, County of Larimer, State of Colorado, and which has general circulation therein and in parts of Larimer and Weld Counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

That the annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated September 15, 2009.

Mary DeStauro
Agent

Subscribed and sworn to before me this 15th day of September 2009.

Debra K. Ryan
Notary Public

FEE $ 47.74