

**A RESOLUTION APPROVING A UTILITY EASEMENT ON CITY PROPERTY
LOCATED ALONG THE EAST SIDE OF BUCKLEY ROAD BETWEEN E. 96TH AVE.
AND E. 88TH AVE. TO UNITED POWER, INC. TO ACCOMMODATE
AN UNDERGROUND ELECTRICAL DISTRIBUTION LINE**

NO. 2023-137

WHEREAS, an easement is required for a proposed underground electrical distribution line along the east side of Buckley Road between E. 96th Ave. and E. 88th Ave. for the operation and maintenance of said electrical line as further described in the Easement Agreement, attached hereto as Exhibit A and incorporated herein, inclusive of the legal description of the property or “Easement Area”;

WHEREAS, the City has set forth the terms and conditions of the easement and memorialized the same in the Easement Agreement; and

WHEREAS, pursuant to Section 2-4201 of the Commerce City Revised Municipal Code, as authorized by City Charter, any easement to use real property for a term longer than twelve months where such easement is not revocable at will requires approval of the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this resolution are incorporated as findings of the City Council. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. The easement is approved subject to and consistent with the terms and conditions set forth in the Easement Agreement.

SECTION 3. The Mayor is authorized to execute, and the City Clerk is authorized to attest to, the Easement Agreement, and any such other documents as may be necessary to effectuate the same, on behalf of the City.

RESOLVED AND PASSED THIS 18TH DAY OF DECEMBER, 2023.

CITY OF COMMERCE CITY, COLORADO

Steven J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk