

**A RESOLUTION AUTHORIZING AN EASEMENT TO THE SOUTH ADAMS  
COUNTY WATER & SANITATION DISTRICT FOR WATER QUALITY  
MONITORING WELLS IN THE PONTIAC STREET RIGHT OF WAY**

**NO. 2023-044**

WHEREAS, the South Adams County Water and Sanitation District (“SACWSD”) has requested, and the City of Commerce City (the “City”) has agreed to grant, a non-exclusive and perpetual easement to SACWSD for the installation and operation of two water quality monitoring wells for the specific purpose of measuring and detecting the presence of Per- and Polyfluoroalkyl Substances in the underlying aquifer;

WHEREAS, the SACWSD wells are to be located in City owned property, specifically in right-of-way along Pontiac Street 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, SACWSD and the City have 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 Agreement is granted 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 5TH DAY OF JUNE, 2023.

CITY OF COMMERCE CITY, COLORADO

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Benjamin A. Huseman, Mayor

ATTEST

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Dylan A. Gibson, City Clerk