

EXHIBIT A

AMENDMENT TO LEGAL DESCRIPTION FOR NON-EXCLUSIVE ACCESS AGREEMENT

THIS AMENDMENT TO LEGAL DESCRIPTION FOR NON-EXCLUSIVE ACCESS EASEMENT AGREEMENT ("Amendment"), made effective as of _____, 2022, between the **CITY OF COMMERCE CITY**, a home rule municipal corporation of the State of Colorado ("Grantor"), whose legal address is 7887 E. 60th Avenue, Commerce City, Colorado 80022, and the **METRO WATER RECOVERY (f/k/a METRO WASTEWATER RECLAMATION DISTRICT)**, a Title 32 special district and political subdivision of the State of Colorado (the "District"), whose legal address is 6450 York Street, Denver, Colorado 80229 (each a "Party," and collectively, the "Parties").

WITNESSETH:

WHEREAS, Grantor and the District entered into a Non-Exclusive Access Easement Agreement ("Agreement") on or about March 30, 2021, which Agreement was recorded with the Adams County, Colorado Clerk and Recorder's office at Reception No. 2021000042046 on April 6, 2021;

WHEREAS, the Agreement contains an Exhibit B which constitutes a legal description of the location of the Access Easement Area provided for in the Agreement; and

WHEREAS, the Parties now wish to amend a portion of the legal description contained in Exhibit B to the Agreement.

NOW, THEREFORE, in consideration for the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, Grantor and the District agree to amend the legal description of the Access Easement Area as follows:

1. The legal description of the Access Easement Area contained on Exhibit B to the Agreement is hereby replaced with the legal description on the amended **Exhibit B** attached hereto.
2. The differences between the two legal descriptions are limited to the last eight (8) page of Exhibit B (pages 29 through 36) which are dated September 8, 2022. However, for ease of reference, the entire thirty-six (36) page Exhibit B is attached hereto.
3. With the exception of the substitution of the Exhibit B legal description, all other terms, conditions and aspects of the Agreement remain in full force and effect and are not amended hereby.

SIGNATURES APPEAR ON FOLLOWING PAGES

Signed and delivered this ____ day of _____, 202__.

GRANTOR:

The City of Commerce City

Address:

City of Commerce City
7887 E. 60th Avenue
Commerce City, Colorado 80022

STATE OF COLORADO)
) ss.
COUNTY OF ADAMS)

The foregoing instrument was acknowledged before me this __ day of _____, 202__, by _____ the _____ and authorized representative of the City of Commerce City, Colorado.

Witness my hand and official seal.

My commission expires: _____

Notary Public

ATTEST:

City Clerk

APPROVED AS TO FORM:

By: _____
City Attorney

METRO WATER RECOVERY:

By: _____

Date: _____

Print Name: William Conway
Authorized representative of
Metro Water Recovery

Address: Metro Water Recovery
6450 York Street
Denver, Colorado 80229

Approved by:

By: _____
Emily Jackson
General Counsel

EXHIBIT B
(Amended Access Easement Area Descriptions)