

**RESOLUTION APPROVING DOCUMENTS RELATED TO THE INCLUSION
INTO THE SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT
OF THE CITY-OWNED VICTORY CROSSING PROPERTY**

NO. 2013-19

WHEREAS, the City of Commerce City (the “City”) is the owner of certain real property known as Victory Crossing (the “Property”), which is described in Exhibit A to the attached Petition and Consent to Include Real Estate (the “Petition”) and the attached Agreement for Inclusion in South Adams County Water and Sanitation District (RMA Lands) (the “Inclusion Agreement”);

WHEREAS, the Rules and Regulations of South Adams County Water and Sanitation District (the “District”) state that persons whose property is located outside the District’s boundaries and desire service to the property are required to file a petition for the inclusion of such land with the District;

WHEREAS, by order dated June 14, 2006, the District’s Board of Directors approved inclusion of the Property into the District;

WHEREAS, it was determined, however, that the legal description of the Property was not sufficiently specific and the process was never completed;

WHEREAS, the City desires to file the Petition with the District to reconfirm the inclusion of the Property into the District;

WHEREAS, as required under the District’s Rules and Regulations, the City is executing and filing concurrently with the Petition a Conveyance of Groundwater Rights, a Confession of Motion to Include (the Property into the District), and an Agreement for Inclusion into the District, each of which is attached hereto;

WHEREAS, the City has previously dedicated certain water rights for use on the Property under a April 28, 2004, Intergovernmental Agreement between the City and the District (the “IGA”);

WHEREAS, the City and the District have agreed to enter into the attached Agreement for Water Credits on Victory Crossing to properly account for the water rights dedicated under the IGA; and

WHEREAS, the City Council desires to approve each of the aforementioned documents in order to ensure water and sanitation service to the Victory Crossing property and to properly account for the water rights previously dedicated by the City related thereto.

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

1. The Petition and Consent to Include Real Estate, the Conveyance of Groundwater Rights, the Confession of Motion to Include (the Property into the District), the Agreement for Inclusion, and the Agreement for Water Credits on Victory Crossing, all of which are attached hereto, are hereby approved.
2. The Mayor and the City Clerk are hereby authorized and directed to sign and attest on behalf of the City of Commerce City each of the documents identified in Section 1 above.

RESOLVED AND PASSED THIS 18TH DAY OF MARCH, 2013.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk