

**RESOLUTION AUTHORIZING CITY MANAGER TO SIGN AIRCRAFT ACTIVITY
COVENANT FOR CITY-OWNED PROPERTY LOCATED AT NORTHEAST CORNER
OF E. 88TH AVE AND TOWER ROAD**

NO. 2020-51

WHEREAS, the City of Commerce City ("City") is the owner of certain real property in unincorporated Adams County ("County") located at the northeast corner of E. 88th Ave and Tower Road (8823 Tower Rd and 8813 Tower Rd) ("Property");

WHEREAS, the City acquired the Property in 2018 during the construction of the Tower Road Widening Project, and acquired the property subject to an existing lease for a cell tower on the Property leased by Crown Castle USA, Inc. ("Lessee"); and

WHEREAS, the Lessee is seeking a renewal of its existing telecommunications facility permit from the County; and

WHEREAS, approval of the permit renewal requires that the property owner execute an Aircraft Activity Covenant ("Covenant"), in the form attached as Exhibit A, acknowledging the potential intrusion of noise, dust, or particulates resulting from the operation of aircraft to or from the Denver International Airport on the Property.

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

1. The City Council authorizes the City Manager to execute and deliver to Lessee for recording the Covenant in the form attached as Exhibit A.

RESOLVED AND PASSED THIS 20TH DAY OF JULY 2020.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk