

**A RESOLUTION GRANTING AN EASEMENT TO THE SOUTH ADAMS COUNTY WATER
AND SANITATION DISTRICT FOR SANITARY SEWER AND WATER PIPELINES
ON CITY PROPERTY SOUTHWEST OF TOWER ROAD AND 120TH AVENUE**

NO. 2022-69

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 sanitary sewer and water pipelines on City owned property, identified by PIN 172304100001, in the area southwest of Tower Road and E. 120th Avenue, on property; and

WHEREAS, SACWSD and the City have set forth terms and conditions of that easement and memorialized the same in the Easement Agreement, attached hereto and incorporated herein as Exhibit A, including the legal description of the property subject to 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 in the 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 and the City Clerk are authorized and directed to sign and attest the Easement Agreement on behalf of the City of Commerce City,

RESOLVED AND PASSED THIS 20th DAY OF June 2022.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk