

**RESOLUTION APPROVING GRANT OF CONSERVATION EASEMENT IN
GROSS TO ADAMS COUNTY, COLORADO**

NO. 2014-07

WHEREAS, in 2008, a settlement of certain legal claims involving damages to natural resources within the Rocky Mountain Arsenal (“RMA”) established a fund of \$10 million for Northeast Greenway Corridor projects (the “Foundation Fund”) as well as a \$17.4 million Natural Resource Damage Recovery Fund (the “Recovery Fund”), collectively known as the Natural Resource Damages Settlement (the “Settlement”);

WHEREAS, in September 2010, the State of Colorado’s Natural Resource Trustees (the “Trustees”) adopted a resolution supporting the efforts of the Northeast Greenway Corridor Advisory Committee (the “NGCAC”) to develop a comprehensive set of projects for both the Foundation Fund and Recovery Fund monies;

WHEREAS, on April 2, 2012, the Council of the City of Commerce City (the “City”) passed Resolution No. 2011-11 approving the NGCAC comprehensive plan for allocating funds from the Settlement, including a project proposed by the City, which project was subsequently altered, as approved on June 18, 2012, by Resolution 2012-24, to the purchase and restoration of two (2) properties adjacent to Sand Creek (the “Restoration Project”); and

WHEREAS, the Trustees and the State of Colorado’s Department of Natural Resources have approved the Restoration Project and have agreed to provide funding from the Settlement funds for the purchase of the Restoration Properties, subject to certain conditions including that the City place on the Restoration Properties a Conservation Easement, the final version of which is attached hereto.

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

1. The attached Conservation Easement in Gross is hereby approved.
2. The Mayor and the City Clerk are hereby authorized and directed to sign and attest the Conservation Easement in Gross on behalf of the City of Commerce City.

RESOLVED AND PASSED THIS 6TH DAY OF JANUARY, 2014.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk