

**RESOLUTION AUTHORIZING INCLUSION OF PROPERTY IN THE SOUTH ADAMS
COUNTY WATER AND SANITATION DISTRICT AND RELATED ACTIONS**

NO. 2020-47

WHEREAS, the City of Commerce City ("City") owns certain property within the Second Creek Farms subdivision ("Second Creek Farms"), which property was previously dedicated to the City in 2006 for right-of-way and other public purposes;

WHEREAS, Second Creek Farms previously included property on the basis of the legal description for the 2006 subdivision plat in the South Adams County Water and Sanitation District ("District") for the purposes of obtaining water and wastewater service for the development of the property, which legal description excluded property dedicated to the City;

WHEREAS, parts of the Second Creek Farms subdivision have been or will be re-platted in a manner that will incorporate property previously designated as right-of-way into developable lots, which action will result in properties of properties not being properly included in the District;

WHEREAS, the property owner, Second Creek Holdings, LLC, and the District have requested that the City include in the District any City-owned property within Second Creek Farms to remedy the issue and enable the development of the property;

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

1. The inclusion of City-owned property within Second Creek Farms (as described in Exhibit A) in the District, including all actions described in this resolution, is found to be in the interest of the public's health, safety, and welfare, for a valid public purpose, and supported by a public need and is hereby approved.

2. The Mayor or City Manager, as required by law, are authorized to take such actions and execute such documents as necessary to petition to include such property the District in accordance with the District's rule and regulations, including without limitation the execution of:

- a. An Agreement for Inclusion in South Adams County Water and Sanitation District, substantially in the form attached as Exhibit B;
- b. A Conveyance of Groundwater Rights, substantially in the form attached as Exhibit C;

RESOLVED AND PASSED THIS 6TH DAY OF JULY 2020.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, Interim City Clerk