

**RESOLUTION APPROVING AN AGREEMENT FOR THE EXCHANGE OF REAL
PROPERTY**

NO. 2017-99

WHEREAS, the City of Commerce City (“Commerce City”) annexed and zoned the development known as the DIA Tech Center (“DIATC”) in 2011;

WHEREAS, at the time DIATC Filing 1 was platted, the Developer, DIA Tech Center, LLC, dedicated land within the Second Creek Flood Plain (“Flood Plain”) to Commerce City as required by the Land Development Code;

WHEREAS, the Developer is preparing to construct East 83rd Avenue through the DIATC development west from Tower Road. East 83rd Avenue is adjacent to the Flood Plain for a portion of the length of the roadway

WHEREAS, the planned, construction of East 83rd Avenue will create pockets of property owned by Commerce City and the Developer on each side of East 83rd Avenue;

WHEREAS, in order to streamline the construction of the roadway and for the ease of maintenance the City finds it is in the best interests of its residents to exchange real property with the Developer and further finds that doing so will not diminish the boundaries of the City.

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

1. The Agreement is hereby approved and determined to be in the best interests of the public.
2. The Mayor and City Clerk are hereby authorized and directed to sign and attest the Agreement for the Exchange of Real Property, substantially in the form attached hereto, in the City’s Attorney’s opinion, on behalf of the City of Commerce City.

RESOLVED AND PASSED THIS 6TH DAY OF NOVEMBER 2017.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk