

RESOLUTION AUTHORIZING GRANT OF EASEMENT TO COMCAST OF COLORADO IX, LLC FOR BROADBAND COMMUNICATIONS SYSTEM

NO. 2021-01

WHEREAS, Comcast of Colorado IX, LLC (“Comcast”) desires to construct a broadband communication system consisting of wires, underground conduits, cables, pedestals, vaults, and other appurtenant fixtures and equipment (“System”);

WHEREAS, Comcast desires to construct such System for the purpose of distributing broadband services and other like communications in, on, over, under, across and along a section of certain real property (“Property”) owned by the City of Commerce City (“City”) located approximately at 10725 Wheeling Street and East 106th Place, otherwise identified as within Lot 2, Turnberry School – Park Subdivision, lying in the southeast quarter of Section 12, Township 2 South, Range 67 west of the 6th P.M.; and

WHEREAS, Comcast has requested a non-exclusive utility easement from the City as set forth in the attached easement and legal description to permit the broadband System on City property.

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

1. The granting of the utility easement as set forth in the Easement Agreement (“Agreement”), attached hereto as Exhibit A, is for a public purpose and is in the best interest of the residents of the City.
2. The Agreement, substantially in the form attached, is hereby approved.
3. The Mayor and the City Clerk are hereby authorized to sign and attest the Agreement, substantially in the form attached, on behalf of the City.

RESOLVED AND PASSED THIS 4TH DAY OF JANUARY, 2021.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk