

**A RESOLUTION AUTHORIZING GRANT OF UTILITY EASEMENT TO SOUTH
ADAMS COUNTY WATER AND SANITATION DISTRICT FOR
SANITARY SEWER PIPELINE OR WATER PIPELINES**

NO. 2021-25

WHEREAS, Second Creek Holdings, LLC is in the process of designing a sanitary sewer pipeline, which will provide service to their future residential development located southwest of Tower Road and 96th Avenue in Commerce City, Colorado;

WHEREAS, South Adams County Water and Sanitation District (“District”) has an existing 30 foot sanitary easement (Reception No 2019000071790) within Tract B Second Creek Farm – Filing No. 1, Amendment No. 1;

WHEREAS, in order to adequately provide for sanitary sewer services, and in light of the condition of surrounding infrastructure, a new sanitary sewer line must be constructed to tie into existing sanitary sewer infrastructure located within property owned by the City, south of Second Creek Farm Filing No. 3, otherwise identified as Tract B Second Creek Farm Filing No. 1, Amendment No. 1; and

WHEREAS, the District has requested a non-exclusive, utility easement from the City, to be recorded in an Easement Agreement (“Agreement”) substantially in the form attached hereto as Exhibit A, to permit sanitary sewer or water pipelines on City property.

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 necessary for the preservation of the public health, safety, and welfare and in the public interest.

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

RESOLVED AND PASSED THIS 5TH DAY OF APRIL, 2021.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk