

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 18-26**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CENTRAL, COLORADO, AUTHORIZING EXECUTION OF EASEMENT
FOR UNDERGROUNDING SPRING STREET UTILITIES**

WHEREAS, the City of Central (“City”) is a home rule municipal corporation of the State of Colorado; and

WHEREAS, Section 14.4 of the Home Rule Charter for the City of Central (“Charter”) requires that all conveyances of interest in land by the City be signed by the Mayor and attested to by the City Clerk under seal of the City; and

WHEREAS, as part of the Spring Street undergrounding project, Public Service Company of Colorado (“Xcel Energy”) has requested an easement on City-owned property; and

WHEREAS, a copy of the easement agreement requested by Xcel Energy is attached to this Resolution as **Exhibit 1** and is incorporated herein by reference (“Easement”); and

WHEREAS, the City Council desires to approve the Easement and further desires to authorize the Mayor to execute the same on behalf of the City,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO, THAT:

Section 1. The City Council hereby: (a) approves the Easement substantially in the same form as provided in **Exhibit 1**; (b) authorizes the City Attorney to finalize and to make such changes as may be needed to correct any nonmaterial errors or language or to negotiate such changes to the Easement as may be appropriate that do not substantially increase the obligations of the City; and (c) authorizes the Mayor to execute the Easement and the City Clerk to attest to the Easement under seal of the City as required by Section 14.4 of the Charter.

Section 2. **Effective Date.** This Resolution shall take effect upon its approval by the City Council.

[SIGNATURE PAGE FOLLOWS.]

ADOPTED THIS 18th DAY OF SEPTEMBER, 2018.

CITY OF CENTRAL, COLORADO

By: _____
Kathryn A. Heider, Mayor

ATTEST:

By: _____
Reba Bechtel, City Clerk

APPROVED TO FORM:

By: _____
Marcus McAskin, City Attorney

EXHIBIT 1

Public Service Company of Colorado Easement

DIVISION **Front Range**
LOCATION **Spring Street and Nevada Street – City parking lot**

ROW AGENT **George Webb**
DESCRIPTION AUTHOR **Monte L. Sudbeck for SEH**
AUTHOR ADDRESS **12640 W Cedar Dr., Suite F, Lakewood, CO 80228**

DOC. NO **199738**
PLAT/GRID NO.
WO/JO/CREG NO.

PUBLIC SERVICE COMPANY OF COLORADO EASEMENT

The undersigned Grantor hereby acknowledges receipt of good and valuable consideration from PUBLIC SERVICE COMPANY OF COLORADO (Company), 1800 Larimer Street, Suite 1100, Denver, Colorado, 80202, in consideration of which Grantor(s) hereby grants unto said Company, its successors and assigns, a non-exclusive easement to construct, operate, maintain, repair, and replace utility lines and all fixtures and devices, used or useful in the operation of said lines, through, over, under, across, and along a course as said lines may be hereafter constructed thirty (30.0) in the **SW 1/4** of Section **12**, Township **3 South**, Range **73 West** of the **6th** Principal Meridian in the City of **Central City** County of **Clear Creek**, State of Colorado, the easement being described as follows:

See Exhibit A, 2 pages, attached hereto and made a part hereof

The easement is thirty (30.0) feet in width. The side boundary lines of the easement shall be lengthened and shortened as necessary to encompass a continuous strip of not less than the above width at all points on Grantor's property crossed by the above described easement and extending to the boundaries of adjacent properties.

Together with the right to enter upon said premises, to survey, construct, maintain, operate, repair, replace, control, and use said utility lines and related fixtures and devices, and to remove objects interfering therewith, including the trimming or felling of trees and bushes, and together with the right to use so much of the adjoining premises of Grantor during surveying, construction, maintenance, repair, removal, or replacement of said utility lines and related fixtures and devices as may be required to permit the operation of standard utility construction or repair machinery. The Grantor reserves the right to use and occupy the easement for any purpose consistent with the rights and privileges above granted and which will not interfere with or endanger any of the said Company's facilities therein or use thereof. Such reservations by the Grantor shall in no event include the right to erect or cause to be erected any buildings or structures upon the easement granted or to locate any mobile home or trailer units thereon. In case of the permanent abandonment of the easement, all right, privilege, and interest granted shall terminate.

The work of installing and maintaining said lines and fixtures shall be done with care; the surface along the easement shall be restored substantially to its original level and condition.

Signed this _____ day of _____, 2018.

GRANTOR

City of Central City

By: _____

Name: _____

Title: _____

STATE OF COLORADO,

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2018 by
[Grantor name(s) from above]:



**EXHIBIT A – CC PARKING LOT
PERMANENT EASEMENT-PARCEL A**

A parcel of land lying in the southwest one-quarter (SW1/4) of Section 12, Township 3 South, Range 73 West, of the 6th Principal Meridian, County of Gilpin, State of Colorado, being a portion of that Tract of land described in Reception Number 155909, Gilpin County Records, described as follows:

Beginning on the southeast line of said Tract, from which the most northerly corner thereof bears N02°51'47"E, 159.61 feet;

thence S22°04'48"W, 30.00 feet, along said southeast line;
thence N67°55'12"W, 20.00 feet;
thence N22°04'48"E, 30.00 feet;
thence S67°55'12"E, 20.00 feet, to the Point of Beginning.

Parcel A contains 600 square feet (0.014 acres) more or less.

As shown and described on Exhibit A Sheet 2 of 2 attached hereto and made a part hereof.

For the purpose of this description, bearings are based on the southeast line of said Reception Number 155909, which is assumed to bear S22°04'48"W.

The author of this description is Monte L. Sudbeck, PLS 38503, prepared on behalf of SEH, 12640 West Cedar Drive, Suite F, Lakewood, CO 80228, on August 17, 2018, under Job No. 145836-14.0, for Public Service Company of Colorado, and is not to be construed as representing a monumented land survey.



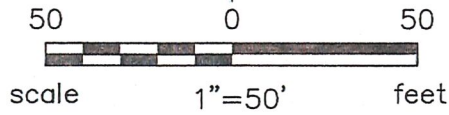
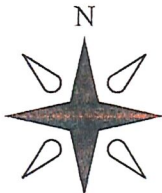
Monte L. Sudbeck, PLS 38503

EXHIBIT A - CC PARKING LOT PERMANENT EASEMENT - PARCEL A

SHEET 2 OF 2

N'LY COR
REC. NO. 155909

SW1/4,
SEC. 12,
T3S, R73W



12640 West Cedar Drive
Suite F
Lakewood, Colorado 80228
Phone: 303-586-5800
FAX: 303-586-5801
www.sehinc.com

PARCEL A
600 S.F. (0.014 AC) M/L

S67°55'12"E
20.00'
N22°04'48"E
30.00'
N67°55'12"W
20.00'

N02°51'47"E
159.61'

SE LINE, REC. NO. 155909
(BASIS OF BEARINGS)

POINT OF BEGINNING

S22°04'48"W
30.00'

NEVADA ST

REC. NO. 155909

SPRING ST

18

CITY OF CENTRAL

PSLO Dec 199738

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