

SOUTHEAST METRO STORMWATER AUTHORITY
Acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION NO 10-09

(Authorization to Accept Conveyance of Tract A, Block 1, Arapahoe Highlands)

WHEREAS, SEMSWA has been organized to manage and maintain regional stormwater facilities within its established boundaries; and

WHEREAS, Tract A, Block 1, Arapahoe Highlands, Lot 102 Replat, a/k/a Tract A of Arapahoe Highlands, Lot 102 according to the plat thereof recorded November 30, 1984 at Pages 49 and 50, Reception No. 2477060 in the office of the Clerk and Recorder of Arapahoe County, Colorado (Tract A) is owned by the Arapahoe Highlands Lot #102 Community Association (AHLCA) consisting of 29 homeowners immediately adjacent to Lot #102; and

WHEREAS, Tract A contains a regional detention pond; and

WHEREAS, SEMSWA is responsible for stormwater maintenance and improvements in this facility; and

WHEREAS, the detention pond serves the interests of the general public; and

WHEREAS, ownership of the property by SEMSWA will enable it to maintain and construct improvements more efficiently, and

WHEREAS, ownership of the property will be conveyed to SEMSWA for the sum of one dollar and SEMSWA agreeing “to maintain the split rail fence in serviceable condition along the northerly and westerly sides of the premises for a period of not less than 20 years subject to the budgeting and appropriating sufficient funds to do so by the Board of Directors of Southeast Metro Stormwater Authority.”; and

WHEREAS, AHLCA has prepared and signed a Warranty Deed conveying to SEMSWA ownership of Tract A, and

WHEREAS, the Private Property Committee of SEMSWA has recommended acceptance of the conveyance of Tract A.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board accepts the conveyance of Tract A from AHLCA and authorizes the Executive Director to record the Warranty Deed prepared by AHLCA in the records of the Clerk and Recorder of Arapahoe County, Colorado. A copy of the *WARRANTY DEED* is attached hereto.

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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:

Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor