

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

RESOLUTION 17-32

Authorization to Dedicate and Accept Permanent Access Easements and Special Warranty Deeds to
and from East Cherry Creek Valley Water and Sanitation District for the Piney Creek Ranches Reach 6
Phase 2 Channel Project

WHEREAS, Resolution 16-25 authorized SEMSWA to assume contract administration responsibilities for the completion of design and construction of the Piney Creek Improvements in partnership with Urban Drainage and Flood Control District and Cherry Creek Basin Water Quality Authority; and

WHEREAS, SEMSWA's Piney Creek Reach 6 Phase 2 Channel Project (Project) requires permanent access and channel improvement construction on properties that are owned by East Cherry Creek Valley Water and Sanitation District (ECCV); and

WHEREAS, ECCV has requested, as part of the Project, that SEMSWA convey to ECCV a parcel of property sufficient in size to permit the drilling of a future well along with a permanent access easement to its Well House Parcel and, in exchange, ECCV has agreed to convey a parcel of property necessary for the construction of the Project along with a permanent access easement necessary for the construction and maintenance of the Project; and

WHEREAS, ECCV has requested that SEMSWA grant to ECCV a permanent access easement across a portion Tract F The Farm at Arapahoe County Filing No. 5 and Piney Creek Hollow Park Parcels; and

WHEREAS, SEMSWA has requested ECCV grant to SEMSWA a permanent access across a portion of the Trace E Tuscany South Subdivision parcel; and

WHEREAS, ECCV has requested SEMSWA to convey by Special Warranty Deed to ECCV a portion of the Piney Creek Hollow Park Parcel; and

WHEREAS, SEMSWA has requested ECCV to convey by Special Warranty Deed to SEMSWA a portion of the Well House Parcel; and

WHEREAS, these proposed transfers are graphically displayed on Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the SEMSWA Board has determined that it is in the best interest of the citizens living and working within SEMSWA's boundaries to convey and also accept the Special Warranty Deeds and Permanent Access Easements.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board authorizes granting permanent access easements to ECCV for access to its Well House Parcel and authorizes the Executive Director to execute the easement and record the same in the records of the Clerk and Recorder of Arapahoe County, Colorado.
2. The Board authorizes acceptance of a permanent access easement from ECCV for the Piney Creek Ranches Reach 6 Phase 2 Channel Project and authorizes the Executive Director to accept the easement and record the same in the records of the Clerk and Recorder of Arapahoe County, Colorado.
3. The Board authorizes acceptance and recording of a Special Warranty Deed from ECCV, Unplatted Parcel (Well House Parcel) County of Arapahoe, State of Colorado, and authorizes the Executive Director to accept the easement and record the same in the records of the Clerk and Recorder of Arapahoe County, Colorado.
4. The Board authorizes execution and recording of a Special Warranty Deed to ECCV, Unplatted Parcel (Piney Creek Hollow Park) County of Arapahoe, State of Colorado, and authorizes the Executive Director to execute the easement and record the same in the records of the Clerk and Recorder of Arapahoe County, Colorado.

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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:
Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor

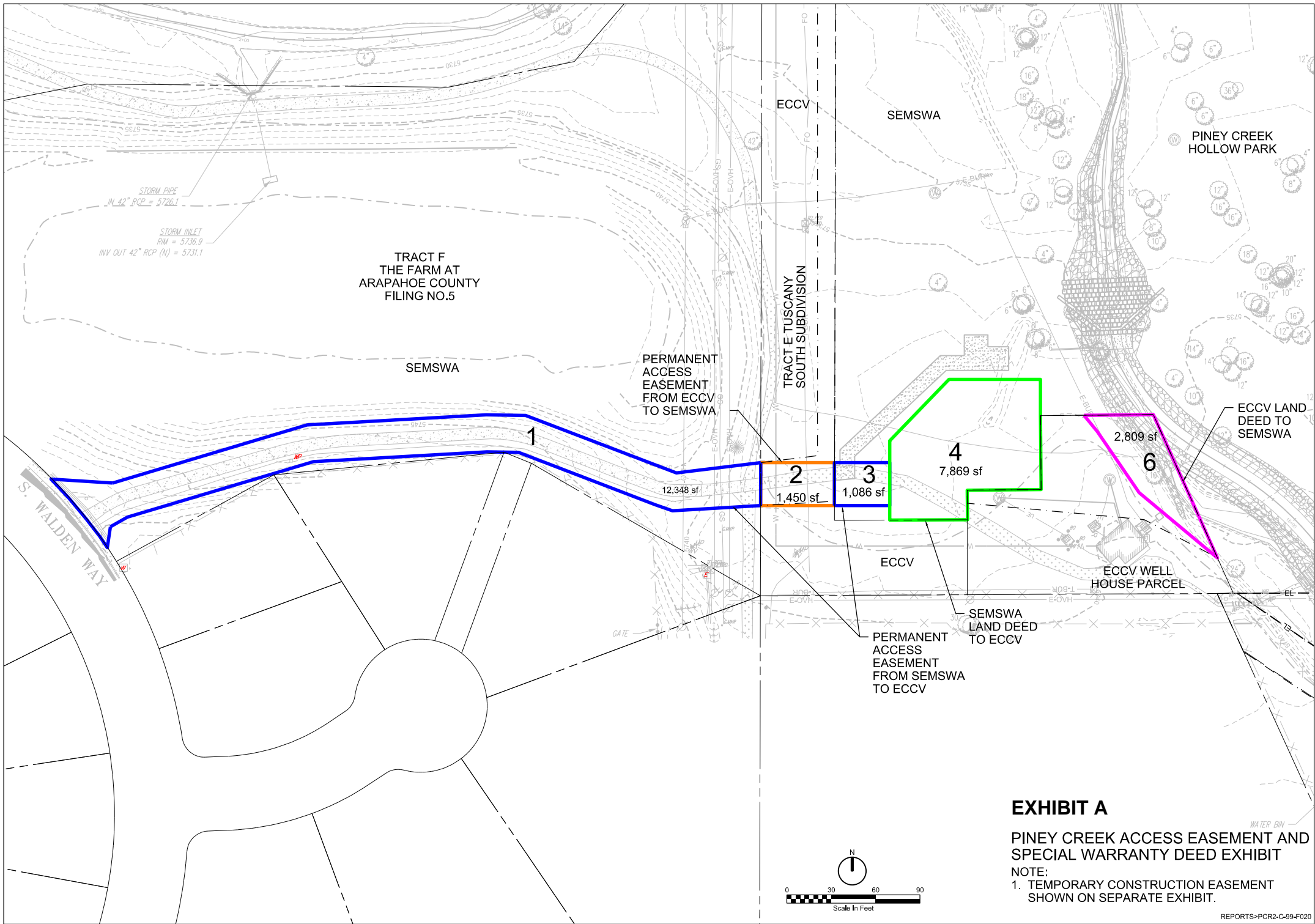


EXHIBIT A

PINEY CREEK ACCESS EASEMENT AND SPECIAL WARRANTY DEED EXHIBIT

NOTE:

1. TEMPORARY CONSTRUCTION EASEMENT SHOWN ON SEPARATE EXHIBIT.