RESOLUTION NO. 4
SERIES OF 2013

INTRODUCED BY: RUSSELL STEWART
SECONDED BY: MARK GRIFFIN

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
CONVEYING A UTILITY EASEMENT
TO PUBLIC SERVICE COMPANY OF COLORADO

WHEREAS, the City of Cherry Hills Village has the general authority, in accordance with Section 31-15-101(1)(d), Colorado Revised Statutes, to acquire, hold and dispose of real property; and

WHEREAS, with the construction and completion of the new Joint Safety Building, a new utility line is required to serve the building;

WHEREAS, the City desires to convey a ten-foot wide utility easement to Public Service Company of Colorado in accordance with the terms and conditions set forth in the easement agreement attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:

Section 1. The City Council hereby conveys a ten-foot utility easement more specifically described on Exhibit A, attached hereto and incorporated herein by reference, to the Public Service Company of Colorado.

Section 2. This Resolution shall be effective upon adoption.

Introduced, passed and adopted at the
regular meeting of the City Council this 19th day
of March, 2013, by a vote of 6 yes and 0 no.

(SEAL)

Douglas M. Tisdale, Mayor

ATTEST:

Laura Smith, City Clerk

Approved as to form:

Linda C. Michow, City Attorney

EXHIBIT A
PUBLIC SERVICE COMPANY OF COLORADO EASEMENT

DIVISION SEMD
LOCATION 2460 E Quincy Ave

ROW AGENT Russ McClung
DESCRIPTION AUTHOR Aspen Surveying, Inc
AUTHOR ADDRESS 2993 S Peoria St, Ste G-5
Denver, CO 80014

DOC. NO.
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 in LOT 1A, BLOCK 1, CHERRY HILLS VILLAGE CENTER MINOR SUBDIVISION in the northwest one-quarter (NW 1/4) of Section 12, Township 5 South, Range 68 West of the Sixth Principal Meridian in the County of Arapahoe, State of Colorado, the easement being described as follows:

See "UTILITY EASEMENT" and "EXHIBIT" attached hereto and made a part hereof.

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 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 easements described herein are granted subject to all recorded easements and other matters of record.

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 25th day of March, 2013

(Type or print name below each signature line with official title if corporation, partnership, etc.):

GRANTOR: City of Cherry Hills Village

By: _____ **Its:** Mayor

Douglas M. Tisdale

STATE OF COLORADO,)
)ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 25th day of March, 2013 by Douglas M. Tisdale]:

Witness my hand and official seal.

My commission Expires 10/8/2013

Laura Smith
Notary Public

SEAL

LAURA SMITH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20094032978
MY COMMISSION EXPIRES OCTOBER 08, 2013

Version: 8/98

Signed this 3rd day of April, 2013

(Type or print name below each signature line with official title if corporation, partnership, etc.):

GRANTOR: South Metro Fire Rescue Authority

By: Daniel Qualman

DANIEL QUALMAN

Its: FIRE CHIEF

STATE OF COLORADO,)
)ss.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 3rd day of April, 2013
by [Grantor name(s) from above]: Daniel Qualman

Witness my hand and official seal.

My commission Expires 10/25/2015

Teri A Taylor
Notary Public

SEAL

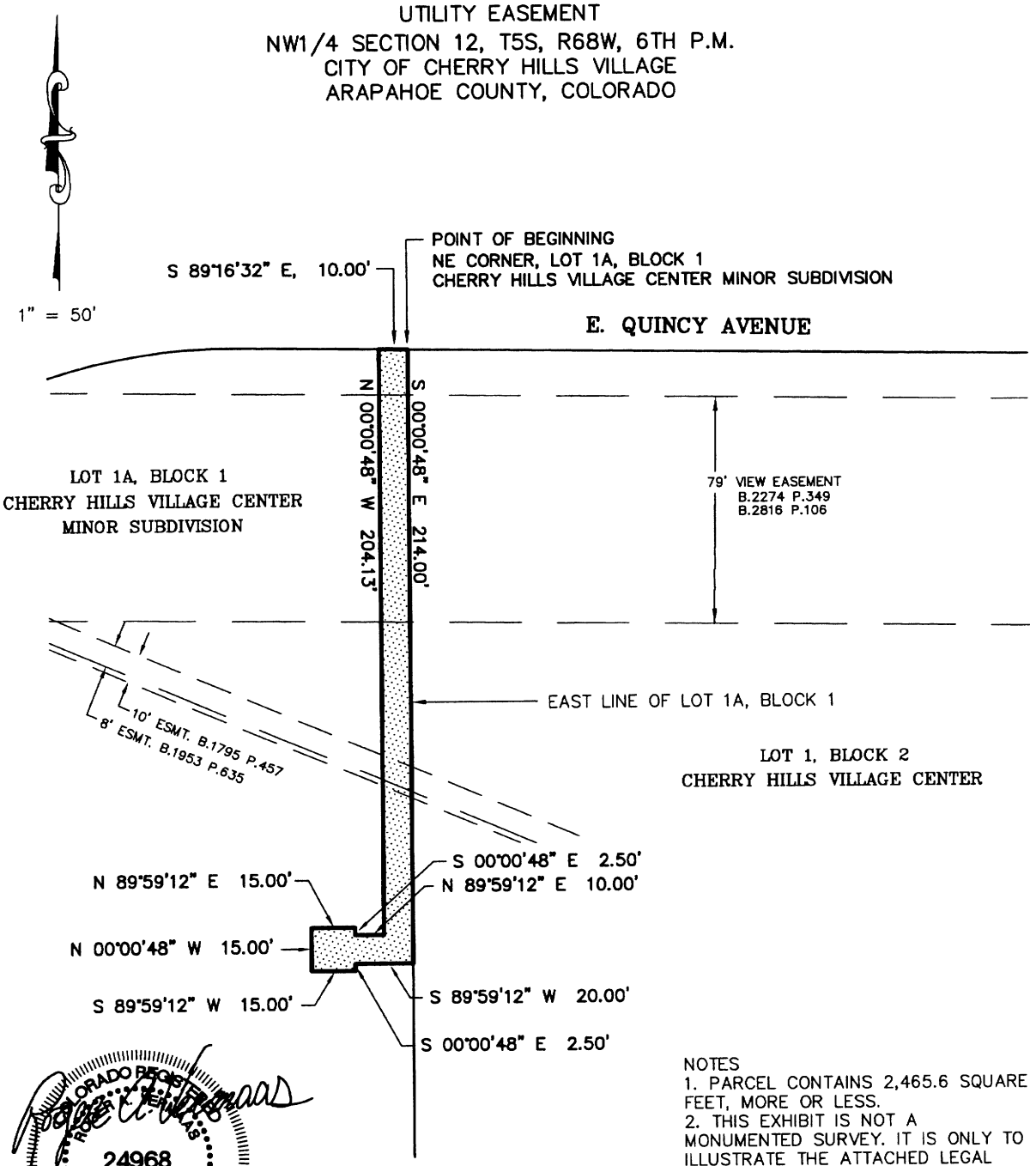
TERI A. TAYLOR
NOTARY PUBLIC
STATE OF COLORADO

MY COMMISSION EXPIRES 10/25/2015

Version: 8/98

EXHIBIT

UTILITY EASEMENT
NW1/4 SECTION 12, T5S, R68W, 6TH P.M.
CITY OF CHERRY HILLS VILLAGE
ARAPAHOE COUNTY, COLORADO



NOTES
1. PARCEL CONTAINS 2,465.6 SQUARE FEET, MORE OR LESS.
2. THIS EXHIBIT IS NOT A MONUMENTED SURVEY. IT IS ONLY TO ILLUSTRATE THE ATTACHED LEGAL DESCRIPTION.

COLORADO REGISTERED
ROGER K. TERRAAS
24968
3/06/13
PROFESSIONAL LAND SURVEYOR

Aspen Surveying, Inc.
2993 S. Peoria Street, Suite G-5
Aurora, Colorado 80014
Phone (303) 750-4590
Fax (303) 750-0646

UTILITY EASEMENT

NW1/4 SECTION 12, T5S, R68W, 6TH P.M.
CITY OF CHERRY HILLS VILLAGE
ARAPAHOE COUNTY, COLORADO

A PARCEL OF LAND, LYING WITHIN LOT 1A, BLOCK 1, CHERRY HILLS VILLAGE CENTER MINOR SUBDIVISION, RECORDED 5/11/2012 AT RECEPTION NO. D2051216, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1A;
THENCE S 00° 00' 48" E, ALONG THE EAST LINE OF SAID LOT 1A, A DISTANCE OF 214.00; THENCE S 89°59'12" W, A DISTANCE OF 20.00 FEET; THENCE S 00°00'48" E, A DISTANCE OF 2.50 FEET; THENCE S 89°59'12" W, A DISTANCE OF 15.00 FEET; THENCE N 00°00'48" W, A DISTANCE OF 15.00 FEET; THENCE N 89°59'12" E, A DISTANCE OF 15.00 FEET; THENCE S 00°00'48" E, A DISTANCE OF 2.50 FEET; THENCE N 89°59'12" E, A DISTANCE OF 10.00 FEET; THENCE N 00°00'48" W, A DISTANCE OF 204.13 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1A; THENCE S 89° 16' 32" E, ALONG SAID NORTH LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2,465.6 SQUARE FEET, MORE OR LESS.

COLORADO REGISTERED
ROGER A. VERMAAS
24968
3/06/13
PROFESSIONAL LAND SURVEYOR