

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 04-R-2022**

A RESOLUTION OF THE TOWN OF MEAD, COLORADO, APPROVING A NON-EXCLUSIVE PUBLIC UTILITY EASEMENT AGREEMENT WITH UNITED POWER, INC. FOR INSTALLATION OF IMPROVEMENTS ON CERTAIN REAL PROPERTY OWNED BY THE TOWN

WHEREAS, the Town of Mead (“Town”) is authorized pursuant to C.R.S. § 31-15-101(1) to acquire, hold, lease and dispose of property, both real and personal, and to exercise such other incidental and implied powers as may be necessary to carry out the proper management of Town property; and

WHEREAS, the Town owns certain real property known as Tract A, Feather Ridge Estates (“Subject Property”); and

WHEREAS, United Power, Inc. (“Grantee”) has need to place utility, electrical, and communications facilities on a portion of the Subject Property to allow for construction and maintenance of capital improvements needed to bring power infrastructure to the Highlands subdivision; and

WHEREAS, the portion of the Subject Property on which Grantee proposes to place the easement is described and depicted in Exhibit A of the Non-Exclusive Public Utility Easement Agreement between the Town and United Power, Inc. (“Easement Agreement”), a copy of which is attached hereto as **Exhibit 1** and incorporated herein by this reference; and

WHEREAS, the Board of Trustees desires to approve the Easement Agreement and grant a perpetual, non-exclusive public utility easement to Grantee for the purpose of installing and maintaining utility, electrical, and communications facilities on the Subject Property.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. The Board of Trustees hereby: (a) approves the Non-Exclusive Public Utility Easement Agreement with United Power, Inc. (“Easement Agreement”), in substantially the form attached hereto as **Exhibit 1**; (b) authorizes the Town Attorney to make such changes as may be necessary to correct any non-material errors or language in the Easement Agreement that do not increase the obligations of the Town; (c) authorizes the Mayor to execute the Easement Agreement when in final form; and (d) authorizes the Mayor to execute any additional documents necessary to facilitate the grant of easement under the Easement Agreement.

Section 2. Effective Date. This resolution shall become effective immediately upon adoption.

Section 3. Certification. The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 10TH DAY OF JANUARY, 2022.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD

By: 
Colleen G. Whitlow, Mayor

Exhibit 1
Non-Exclusive Public Utility Easement Agreement

[see attached document]