

**TOWN OF ERIE
RESOLUTION NO. 20-**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
ERIE AUTHORIZING THE TOWN TO ENTER INTO
IMPROVEMENTS ACQUISITION, WATER SYSTEM AND
OPERATIONS AGREEMENT**

WHEREAS, the Town is developing a horizontal well system on Boulder Creek to diversify water sources for its municipal water supply (“Boulder Creek Project”); and

WHEREAS, the Town has an opportunity to acquire a water system in close proximity to the Boulder Creek Project which will include an existing horizontal well, storage reservoirs, water rights and all facilities necessary to deliver raw water to Town facilities (“Water System”); and

WHEREAS, the Town can acquire the Water System without capital expenditures by issuing water credits for treated water; and

WHEREAS, the attached Improvements Acquisition, Water System and Operations Agreement (“Water System Agreement”) includes all terms and conditions necessary for acquisition of the Water System; and

WHEREAS, the Board of Trustees finds that it is in the best interest of the Town and the public health, safety, and welfare to approve and enter into the Water System Agreement.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF ERIE, COLORADO, THAT:**

Section 1. The Improvements Acquisition, Water System and Operations Agreement by and between the Town and the Shores at Plum Creek Metropolitan District No. 1, 35 Acre, LLC, KOKALOA, LLC and 833, LLC is hereby approved in substantially the form attached hereto. The Mayor is authorized to execute said Agreement on behalf of the Town.

ADOPTED this 22nd day of September, 2020

Jennifer Carroll, Mayor

ATTEST:

Heidi Leatherwood, Town Clerk