

TOWN OF ERIE
BOARD OF TRUSTEES AGENDA ITEM
Board Meeting Date: March 27, 2018

SUBJECT: **CONSENT:**
Consideration Of A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Authorizing The Appropriate Town Official To Sign The Assignment Provision In An Erie Coal Creek Ditch and Ditch Easement Agreement; And, Setting Forth Details In Relation Thereto.

CODE REVIEW: Erie Municipal Code, Title 10

PURPOSE: Execution of the assignment provision in a Ditch and Ditch Easement Agreement for the piping, operation, and maintenance of the Erie Coal Creek Ditch within the Morgan Hill subdivision.

DEPARTMENT: Planning & Development

PRESENTER: Todd Bjerkaas PLA, Director of Planning & Development

FISCAL INFORMATION: Cost as Recommended: na
Balance Available: na
Budget Line Item Number: 000 . 00 . 000 . 000000 . 000000
New Appropriation Required: Yes No

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDATION: n/a

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Location: Below is an overall map of the Morgan Hill development with the more detailed areas of the drawing designating the limits of Filing No. 1. The portion of Erie Coal Creek Ditch in the eastern half of the Morgan Hill subdivision is shown in blue. The alignment of the piping of this portion of the ditch as designated in the agreement is shown in orange.



Summary:

The Resolution, provided for consideration by the Board of Trustees, authorizes the appropriate Town Official to execute the assignment provision in the ditch and ditch easement agreement. The easement agreement between the Erie Coal Creek Ditch and Reservoir Company and Morgan Hill Investors, LLC is required to pipe the ditch in the eastern half of the Morgan Hill development and provide for ongoing operations and maintenance. Morgan Hill Investors, LLC is authorized to assign applicable portions of the agreement related to the ditch's crossing of and location within Town of Erie right-of-way.

Public Notice:

Public Notice is not required.