

**Town of Erie
Ordinance No. 009-2026**

**An Ordinance of the Town Council of the Town of Erie Granting a
Utility Easement to Public Service Company of Colorado and
Approving the Associated Easement Agreement**

Whereas, the Town owns real property generally located in Block 4, Block 7, and Block 11 of Erie Heights Reception No. 32997, in the SW 1/4 of Section 18 and NW 1/4 of Section 19 Township 1 North, Ranch 69 West of the Sixth Principal Meridian in Weld County, Colorado; and

Whereas, the Public Service Company of Colorado requested a perpetual non-exclusive easement over a portion of said property to construct and maintain utility service; and

Whereas, Section 15.01 of the Erie Home Rule Charter requires that the transfer of any interest in real property be approved by ordinance.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado that:

Section 1. The Town Council hereby grants a utility easement to Public Service Company of Colorado as more particularly described in the attached Easement Agreement, and the Town Council hereby approves such Easement Agreement in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Easement Agreement on behalf of the Town.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 4. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this 24th day of March, 2026.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk