



## Agenda Item Summary

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MEETING DATE: July 10, 2023

SUBJECT: **Resolution No. 50-R-2023** – A Resolution of the Town of Mead, Colorado, Approving a Revocable License Agreement with Range View Estates, LLC and the Range View Estates Metropolitan District to Authorize the Installation of Certain Components of the Irrigation System Serving Range View Estates to be Located within Town Right-of-Way

PRESENTED BY: Robyn Brown, Deputy Town Engineer

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### SUMMARY

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Range View Estates, LLC (the “Developer”) and Range View Estates Metropolitan District will be constructing and installing a non-potable water irrigation system to serve the Range View Estates development, which will connect to a reservoir on the east side of Weld County Road 7. Portions of the irrigation system will be located within, and cross, portions of the Town of Mead right-of-way (Town ROW), specifically two crossings on each of Ypsilon Circle and Mattana Drive, and one crossing at Weld County Road 7. The Revocable License Agreement (“Agreement”) memorializes the terms and conditions upon which the Town will grant the revocable license for the Town ROW crossings. The Agreement is attached to the Resolution as **Exhibit 1**.

Paragraph 7 of the Agreement establishes a license fee of five thousand dollars (\$5,000.00) (the “License Fee”) which is required to be paid by the Developer to the Town prior to recordation of the Agreement in the Weld County property records.

The Resolution: (a) approves the Agreement in substantially the same form as attached to the Resolution as **Exhibit 1**; (b) authorizes the Town Attorney, in cooperation with the Town Manager and Town Engineer, to make changes to the Agreement as may be necessary that do not materially increase the Town’s obligations prior to execution; and (c) authorizes the Town Manager to execute the Agreement on behalf of the Town when in final form and following the date on which the Town has confirmed receipt of the five thousand dollar (\$5,000) License Fee.

### FINANCIAL CONSIDERATIONS

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As consideration for entering into the Agreement, the Developer will pay the Town the License Fee of five thousand dollars (\$5,000.00). The License Fee shall be paid to the Town prior to recordation of the Agreement in the Weld County property records. Also, as set forth above, the Town Manager is not authorized to execute the Agreement until the Town’s receipt of the License Fee has been confirmed. The Town will operate and maintain the rights-of-way upon final acceptance by the Town and maintenance costs are expected to be similar to what has historically been required for other roads within the Town’s network.

## STAFF RECOMMENDATION/ACTION REQUIRED

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Staff recommends approval of the Resolution (approving the Agreement). A motion to approve the July 10<sup>th</sup> consent agenda will accept the Resolution (and will authorize the Town Manager to execute the Agreement on behalf of the Town once the conditions set forth in the Resolution have been satisfied).

If this item is pulled off of the consent agenda for discussion, Town staff recommends the following motion:

Suggested Motion – “I move to adopt Resolution No. 50-R-2023, Approving a Revocable License Agreement with Range View Estates, LLC and the Range View Estates Metropolitan District to Authorize the Installation of Certain Components of the Irrigation System Serving Range View Estates to be Located within Town Right-of-Way.”

## ATTACHMENTS

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Resolution No. 50-R-2023

**Exhibit 1** – Revocable License Agreement