

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 84-R-2024**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO,
APPROVING AN AGREEMENT BY AND BETWEEN THE TOWN OF MEAD,
COLORADO, AND SANBORN RESERVOIR AND DITCH COMPANY FOR
THE GRANT OF A LICENSE FOR A CONCRETE PEDESTRIAN TRAIL AND
DITCH CROSSING**

WHEREAS, the Town of Mead (the “Town”) intends to construct an underpass under SH 66 and a concrete pedestrian trail on the west side of CR 7 both North and South of the underpass (the “SH66 Pedestrian Crossing Project”); and

WHEREAS, on the South side of SH 66, the concrete trail will be constructed within three (3) overlapping easements, including two easements owned by Sanborn Reservoir and Ditch Company (“Sanborn”); and

WHEREAS, the Town and Sanborn have negotiated a revocable license agreement (the “Agreement”) that will allow the Town to construct, install, operate, use, inspect, maintain, repair, survey, and replace the trail as needed; and

WHEREAS, a copy of the Agreement is attached to this Resolution as **Exhibit 1** and is incorporated herein by reference; and

WHEREAS, the Town has already entered into a separate agreement with the other easement holder, Longs Peak Water District, on August 26, 2024 via Resolution No. 64-R-2024; and and

WHEREAS, the Board of Trustees desires to approve the Agreement and desires to further delegate authority to the Town Manager to execute the Agreement on behalf of the Town when in final form.

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

Section 1. The foregoing recitals and findings are incorporated herein as findings and conclusions of the Board of Trustees.

Section 2. The Board of Trustees hereby: (a) approves the Agreement in the form attached hereto as **Exhibit 1**; (b) authorizes the Town Attorney in cooperation with the Town Manager to make non-material changes to the Agreement that do not materially increase the Town’s obligations; (c) authorizes the Town Manager to execute the Agreement on behalf of the Town when in final form; and (d) delegates all necessary authority to the Town Clerk to record the Agreement with the Weld County Clerk and Recorder.

Section 3. Following the recording of the Agreement in the Weld County real property records, the Town Clerk shall retain a copy of the recorded Agreement in the Town records and shall provide a courtesy copy of the recorded Agreement to Sanborn.

Section 4. Effective Date. This resolution shall be effective immediately upon adoption.

Section 5. 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 28TH DAY OF OCTOBER, 2024.

ATTEST:

TOWN OF MEAD:

By: _____
Mary E. Strutt, MMC, Town Clerk

By: _____
Colleen G. Whitlow, Mayor

EXHIBIT 1

**AN AGREEMENT BY AND BETWEEN THE TOWN OF MEAD, COLORADO, AND
SANBORN RESERVOIR AND DITCH COMPANY FOR THE GRANT OF A REVOCABLE
LICENSE FOR A CONCRETE PEDESTRIAN TRAIL AND DITCH CROSSING**