## CITY OF LAFAYETTE RESOLUTION NO. 2013-26

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AUTHORIZING AN AGREEMENT WITH VISTA BUSINESS PARK, LLC, AND VISTA BUSINESS PARK OWNERS' ASSOCIATION PERTAINING TO UTILITY MATTERS

WHEREAS, the City owns and operates a municipal wastewater system and a municipal domestic water system; and

WHEREAS, the Vista Business Park is a commercial subdivision, located within the city limits that currently utilizes a private sanitary sewer life station ("Lift Station") to connect to the City's wastewater collection system; and

WHEREAS, Lot 18 in Vista Business Park is well suited for the location of a water storage tank in conjunction with the City's domestic municipal water system; and

WHEREAS, to provide for the proper operation and maintenance of the sanitary sewer lift station serving Vista Business Park, and to preserve the public's health and safety, the City wishes to undertake the ownership, operation, and maintenance responsibilities of the Lift Station, which is located on Outlot D, Vista Business Park; and

WHEREAS, as partial consideration for undertaking the responsibility and ownership of the Lift Station, the developer of the Vista Business Park Commercial Subdivision is willing to convey to the City Lot 18 of Vista Business Park; and

WHEREAS, the City wishes to enter into a three-party agreement with Vista Business Park, LLC, and Vista Park Owners' Association, addressing the operation and maintenance of the sanitary sewer lift station serving the subdivision and the conveyance of Lot 18 to the City.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Lafayette, Colorado as follows:

<u>Section 1.</u> The "Agreement (Vista Business Park – Sanitary Sewer Lift Station) Between the City of Lafayette, Vista Business Park, LLC, and Vista Business Park Owner's Association" is approved in the form substantially as attached hereto. The Mayor is authorized to execute the Agreement on behalf of the City.

<u>Section 2.</u> The City accepts the conveyance of Lot 18 and Outlot D of Vista Business Park, as contemplated by the Agreement (Vista Business Park – Sanitary Life Station). The Mayor and the City's staff are authorized to execute all documents as are necessary to carry out the provisions of such agreement.

CITY OF LAFAVETTE COLORADO

RESOLVED AND PASSED THIS 4<sup>TH</sup> DAY OF JUNE, 2013.

	CITT OF EAFATETIE, COLORADO
ATTEST:	Carolyn D. Cutler, Mayor
Susan Koster, CMC, City Clerk	APPROVED AS TO FORM:
	David S. Williamson, City Attorney