

A
RESOLUTION
OF THE CITY COUNCIL
CONCURRING WITH THE DISSOLUTION OF
THE CHERRYMOOR SOUTH WATER AND SANITATION DISTRICT,
AND ACCEPTING TRANSFER OF SAID
DISTRICT'S WATER AND SANITARY SEWER ASSETS,
FUNCTIONS AND RESPONSIBILITIES TO THE CITY.

WHEREAS, the Cherrymoor South Water and Sanitation District (hereinafter referred to as "Cherrymoor South") is a provider of water and sanitary sewer service inside the City of Cherry Hills Village, Colorado (hereinafter referred to as "City"); and

WHEREAS, Cherrymoor South is located entirely within the City boundaries; and

WHEREAS, Cherrymoor South currently provides water and sanitary sewer service to its inhabitants; and

WHEREAS, it is in the public interest, health, welfare and safety to centralize and to consolidate fragmented domestic water and sanitary sewer service within the City's geographic boundaries; and

WHEREAS, the Dissolution Resolution has been adopted by the Cherrymoor South Board of Directors; and

WHEREAS, Cherrymoor South has tendered a Dissolution Agreement and plan to the City whereby it will be dissolved and its water and sanitary sewer service related assets, functions and responsibilities transferred to the City in a manner that assures each provider, and its inhabitants thereof, that water and sanitary sewer services will be continued on an equivalent basis.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, THAT:

Section 1. The dissolution of the Cherrymoor South Water and Sanitation District is in the best interest of the public health, safety, prosperity and general welfare, and the City hereby concurs with the Dissolution Resolution adopted by the Board of said District.

Section 2. It is essential to the public health, safety and general welfare of the inhabitants of Cherrymoor South for there to be a continuation of water and sanitary sewer service to the property and residents within the District after dissolution.

Section 3. In the event Cherrymoor South is dissolved as planned, it is in the public interest, health, welfare and safety for the City to accept the transfer of Cherrymoor South's water and sanitary sewer related facilities and assets and to cause water and sanitary sewer service to be provided to the area and residents within said dissolved District, pursuant to the City's Total Service water contract with the City of Denver and Total Service sewer contract with the City of Englewood.

Section 4. Having read and reviewed the Agreement for Dissolution tendered by Cherrymoor South, the City Council of the City of Cherry Hills Village, Colorado, hereby finds that said Agreement is in the best interest of the public health, safety, prosperity and general welfare of the inhabitants of the City, and that said Agreement provides an adequate plan and provision for the continuation of water and sanitary sewer service to the residents and property lying within said District.

Section 5. BE IT FURTHER RESOLVED that said Agreement for Dissolution is hereby approved and accepted and the Mayor of the City of Cherry Hills Village, Colorado, is hereby authorized to execute said Agreement on behalf of the City.

Introduced, passed and adopted at the regular meeting of, City Council this 15th day of May, 2001, by a vote of 6 Yes and 0 No.

ATTEST:

Paula Digby, City Clerk



Viola Lahana

Viola Lahana, Mayor Pro-Tem

Robert C. Widner

Robert C. Widner, City Attorney