

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING A REVOCABLE ENCROACHMENT LICENSE AGREEMENT
BETWEEN CHRISTOPHER WILLIAM BLAIR AND MANISHA D. BLAIR
OWNERS OF 34 CHARLOU CIRCLE, CHERRY HILLS VILLAGE, CO 80111,
AND THE CITY OF CHERRY HILLS VILLAGE
FOR THE INSTALLATION, CONSTRUCTION, AND MAINTENANCE OF
CERTAIN IMPROVEMENTS ON CITY-OWNED RIGHT-OF-WAY

WHEREAS, the City of Cherry Hills Village ("City") has the general authority, in accordance with Section 31-15-101(1)(d), Colorado Revised Statutes, to acquire, hold and dispose of real property; and

WHEREAS, Section 12.4 of the Cherry Hills Village Home Rule Charter provides that City Council may grant permits for the temporary use or occupation of any street, alley or public place, and establish conditions and compensation to be paid the City therefor; and

WHEREAS, the Blairs desire to install a sump pump drain line within a portion of the City's right-of-way known as Charlou Circle (the "ROW"); and

WHEREAS, the Blairs and their representatives have, in consultation with City Staff, determined that the installation of a drain line to connect their sump pump directly to the City's underground storm drain system is the best option to alleviate the nuisance being caused by excessive water being deposited on the street from such pump, and the City desires to authorize the installation of the drain line subject to certain terms and conditions; and

WHEREAS, the City Council desires to approve and enter into the agreement for the Grant of a Revocable Encroachment License attached as Attachment A (the "License Agreement") according to the terms and conditions set forth therein.

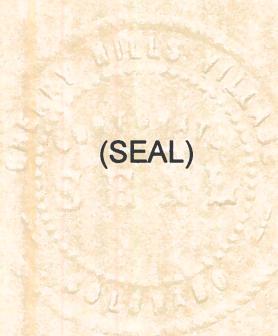
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:

Section 1. The City Council accepts and approves the License Agreement with Christopher William Blair and Manisha D. Blair as set forth in Attachment A, attached hereto and incorporated herein by reference, subject to minor modifications and revisions approved by the City Manager and City Attorney that do not increase the City's financial obligations, and authorizes the Mayor to execute the same.

Section 2. This Resolution is effective upon adoption.

Introduced, passed and adopted at the
regular meeting of City Council this 16th day
of April, 2024, by a vote of 5 yes 0 no.

(SEAL)


Kathleen Brown
Kathleen Brown, Mayor

ATTEST:

Laura Gillespie
Laura Gillespie, City Clerk

Approved as to form:

Kathie B. Guckenberger
Kathie B. Guckenberger, City Attorney

ATTACHMENT A

**AN AGREEMENT BY AND BETWEEN THE CITY OF CHERRY HILLS VILLAGE,
COLORADO AND CHRISTOPHER WILLIAM CHRISTOPHER BLAIR AND MANISHA
D. BLAIR, OWNERS OF 34 CHARLOU CIRCLE, CHERRY HILLS VILLAGE, CO
80111, FOR THE GRANT OF A REVOCABLE ENCROACHMENT LICENSE TO
INSTALL, CONSTRUCT, AND MAINTAIN CERTAIN IMPROVEMENTS ON CITY-
OWNED RIGHT-OF-WAY**