

RESOLUTION NO. 9
SERIES OF 2016

INTRODUCED BY: KATY BROWN
SECONDED BY: KLASINA VANDERWERF

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE
ACCEPTING AND APPROVING AN EASEMENT AGREEMENT WITH DENVER FIRST
CHURCH FOR A NON-MOTORIZED PUBLIC TRAIL AND AUTHORIZING THE
EXPENDITURE OF FUNDS IN PAYMENT THEREFOR**

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

WHEREAS, the City is participating in and is the recipient of transportation improvement program (TIP) funding for two multi-use underpasses at Hampden Avenue and Colorado Boulevard (Collectively, the "Underpass Project"); and

WHEREAS, the Underpass Project requires the realignment of the High Line Canal trail south of Hampden Avenue onto the Denver First Church of the Nazarene property in the vicinity of Hampden Avenue and South Monroe Street; and

WHEREAS, as a Project participant, the City has agreed to acquire the trail easement from Denver First Church; and

WHEREAS, the City has obtained an appraisal for the trail parcel, consisting of 0.328 acres, valued at seventy-nine thousand dollars (\$79,000.00); and

WHEREAS, Denver First Church has agreed to convey the trail parcel to the City in accordance with the terms and conditions set forth in the easement agreement attached to this Resolution.

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

Section 1. The City Council hereby accepts and approves the Non-motorized Public Trail Easement Agreement with Denver First Church as set forth on Exhibit A, attached hereto and incorporated herein by reference, and authorizes the Mayor to execute the same.

Section 2. The City's expenditure of funds for the easement is contingent upon:

- a) Final approval and execution of the Intergovernmental Agreement Regarding Cost Sharing and Collaboration of the High Line Canal Underpasses Project at Hampden Avenue and Colorado Boulevard by Cherry Hills Village, Arapahoe County and the City and County of Denver; and
- b) Final approval and execution of the Intergovernmental Agreement between CDOT and the City and County of Denver Regarding the High Line Canal Underpass Project.

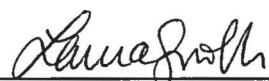
Section 3. This Resolution is effective upon adoption.

Introduced, passed and adopted at the regular meeting of City Council this 21st day of June 2016, by a vote of 5 Yes and 0 No.

(SEAL)


Laura Christman, Mayor

ATTEST:


Laura Smith, City Clerk

APPROVED AS TO FORM:


Linda C. Michow, City Attorney

EXHIBIT A
NON-MOTORIZED PUBLIC TRAIL EASEMENT AGREEMENT