

**A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ACCEPTING THE SECOND AMENDMENT TO THE WATER
SERVICE AGREEMENT TSI 237 (DW #12104A)**

WHEREAS, the City of Cherry Hills Village has a duty and responsibility to its citizens to protect the public health, safety and welfare of its residents; and

WHEREAS, the City of Cherry Hills Village desires to provide water services to its citizens through a Total Service Agreement with Denver Water and provide these facilities now and in the future; and

WHEREAS, the City of Cherry Hills Village has agreed to help facilitate the conversion of the East Cherry Hills Water District and provide for water services under its Water Service Agreement with Denver Water; and

WHEREAS, the cost to repair and upgrade the system is the responsibility of the District prior to the conversion process; and

WHEREAS, Denver Water has agreed to advance the funds necessary to the East Cherry Hills Water District to complete the conversion process; and

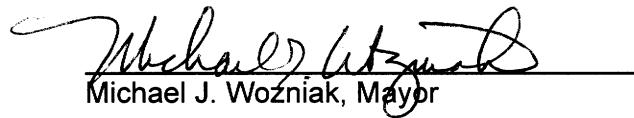
WHEREAS, the second amendment to this Total Service Agreement is attached outlining the remittance and payment schedule, revising the amount due to Denver Water by the property owners included under this agreement.

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

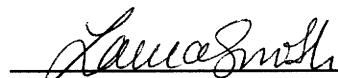
Section 1. The second amendment to Water Service Agreement TSI 237 (DW#12104A) is attached hereto is hereby accepted by the City of Cherry Hills Village, Colorado.

Section 2. This Resolution shall be effective immediately.

Introduced, passed and adopted at the regular meeting of City Council this 17th day of May, 2011, by a vote of 5 Yes and 0 No.


Michael J. Wozniak, Mayor

ATTEST:


Laura Smith, City Clerk

(SEAL)

APPROVED AS TO FORM:


Kenneth Fellman, City Attorney