

RESOLUTION ____-15

A RESOLUTION GRANTING THE OWNER OF THE PROPERTY KNOWN AS DUBLIN TOWNE CENTRE THE RIGHT TO CONTINUE TO USE ITS EXISTING WELL CONSISTENT WITH COLORADO DIVISION OF WATER RESOURCES WELL PERMIT NUMBER 102032-A

WHEREAS, in accord with Section 31-12-101, *et seq.*, C.R.S., known as the Municipal Annexation Act of 1965, as amended, the City Council of the City of the Colorado Springs has approved the annexation of that certain territory known as Dublin Towne Centre, more specifically described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Property has an existing well and the use of such well is subject to the terms and conditions of Colorado Division of Water Resources Well Permit Number 102032-A (the "Well Permit"); and

WHEREAS, City Code section 7.6.203F requires, as a condition of annexation, the transfer of title to all groundwater underlying the land proposed to be annexed; and

WHEREAS, City Code section 12.4.402A provides that connection to the water supply is not required for any property that is served by an existing well; and

WHEREAS, as part of the annexation of the Property, City Council approved an annexation agreement; and

WHEREAS, the annexation agreement provides that the owner of the Property may continue to use the existing well consistent with the Well Permit provided that City Council approves the continued use by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The City Council of the City of Colorado Springs hereby approves the continued use of the existing well on the Property to withdraw and use groundwater consistent with the terms and conditions of Colorado Division of Water Resources Well Permit Number 102032-A under the terms and conditions detailed in Article VII of the Dublin Towne Centre Annexation Agreement approved by ordinance of this City Council.

Dated at Colorado Springs, Colorado this ____ day of _____, 2015.

Merv Bennett, Council President

ATTEST:

Sarah B. Johnson, City Clerk