

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

**RESOLUTION APPROVING RIGHT-OF-WAY AGREEMENT AND
MEMORANDUM OF RIGHT-OF-WAY AGREEMENT BETWEEN ADAMS
COUNTY AND DISCOVERY DJ SERVICES, LLC, A TEXAS LIMITED LIABILITY
COMPANY, FOR AN EASEMENT TO CONSTRUCT A TRANSMISSION
PIPELINE ON COUNTY OWNED PROPERTY**

WHEREAS, Adams County owns property (the “Property”) north of East 120th Avenue between the Gun Club Road and the Harvest Road being in the Southwest Quarter of Section 31, Township 1 South, Range 65 West of the 6th Principal Meridian, Adams County, Colorado; and,

WHEREAS, the Property is being used for various purposes by the Adams County Sheriff’s Department; and,

WHEREAS, Discovery DJ Services, LLC a Texas Limited Liability Company (“Discovery”) desires to construct approximately 18 miles of underground 12.75 inch steel pipeline and appurtenances to transport natural gas and natural gas condensate in Adams County (as more particularly described in that certain Conditional Use Permit Application Case # RCU2016-00016, Case Name: Boardwalk Pipeline Project dated December 13, 2016); and,

WHEREAS, Discovery has requested permanent and temporary easements in the form of a Right-of-Way Agreement over a portion of the Property for a portion of this pipeline approximately one-half mile in length; and,

WHEREAS, under the terms and conditions of the Right-of-Way Agreement and Memorandum of Right-of-Way Agreement, the approval and granting of said Right-of-Way Agreement and Memorandum of Right-of-Way Agreement will not adversely affect the use of the Property for Adams County Sheriff’s Office purposes; and,

WHEREAS, this location will allow transmission of petroleum products between Discovery facilities without encroaching into the Adams County Road right-of-way except for occasional near right angle crossings thereof.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Right-of-Way Agreement and Memorandum of Right-of-Way Agreement between Adams County and Discovery DJ Services, LLC, copies of which are attached hereto and incorporated herein by this reference, be approved.

BE IT FURTHER RESOLVED, that the Chairman of the Board of County Commissioners is hereby authorized to execute said Right-of-Way Agreement and Memorandum of Right-of-Way Agreement on behalf of Adams County.