

RESOLUTION NO. 1691

**A RESOLUTION OF THE GOLDEN CITY COUNCIL
APPROVING AN INTERGOVERNMENTAL AGREEMENT TO
ALLOW CONSTRUCTION AND MAINTENANCE OF A
CONNECTING ROAD BETWEEN THE CITY OF GOLDEN
MUNICIPAL SHOPS AND JEFFERSON COUNTY ROAD &
BRIDGE/FLEET SHOP**

WHEREAS, Jefferson County has a Road & Bridge/Fleet Shop located at 21401 Golden Gate Canyon Road within the City limits ; and

WHEREAS, the City of Golden desires to construct a new municipal shops facility on 10 acres adjacent to, and immediately east of, the Jefferson County Road & Bridge/Fleet Shop; and

WHEREAS, a cut slope for the City's new municipal shops facility will encroach onto Jefferson County property approximately 6 feet and will impact approximately 175 square feet along on the east property boundary of the Jefferson County property; and

WHEREAS, plans for the City's new municipal shops facility include the construction of a paved road that links the two facilities; and

WHEREAS, the City and Jefferson County desire to work cooperatively and to the benefit of their constituents; and


WHEREAS, the City and Jefferson County recognize that there may be future opportunities to take advantage of their mutual proximity through either shared facilities or shared resources either on a routine or emergency basis; and

WHEREAS, the City and Jefferson County desire to enter into an intergovernmental agreement allowing the construction and maintenance of the paved road and slope encroachment.

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


City Council accepts the intergovernmental agreement, substantially in the form attached hereto as Exhibit A. The Mayor is authorized to execute such agreement.

Adopted this 13th day of July, 2006.



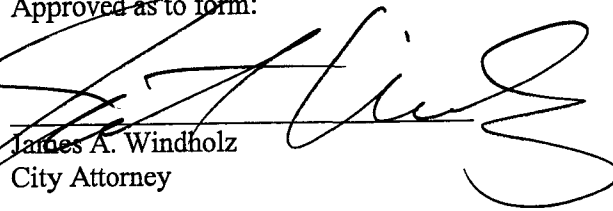
Charles J. Baroch
Mayor

ATTEST:



Susan M. Brooks, MMC
City Clerk

Approved as to form:

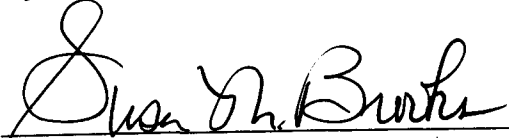


James A. Windholz
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular meeting thereof held on the 13th day of July, A.D., 2006.

(SEAL)

ATTEST:



Susan M. Brooks, City Clerk of the City of
Golden, Colorado

EXHIBIT A

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT is made and entered into by and between the COUNTY OF JEFFERSON, STATE OF COLORADO, a body politic and corporate ("Jefferson County"), and CITY OF GOLDEN, COLORADO, a Colorado Municipal Corporation ("the City").

RECITALS

1. Jefferson County has a Road & Bridge/Fleet Shop located at 21401 Golden Gate Canyon Road.
2. The City desires to construct a new municipal shops facility on 10 acres adjacent to, and immediately east of, the Jefferson County Road & Bridge/Fleet Shop.
3. A cut slope for the City's new municipal shops facility will encroach onto Jefferson County property approximately 6 feet and will impact 175 square feet along on the east property boundary of the County property.
4. The City has requested permission for this slope encroachment.
5. Plans for the City's new municipal shops facility include the construction of a paved road that links the two facilities.
6. The City and Jefferson County desire to work cooperatively and to the benefit of their constituents.
7. The City and Jefferson County recognize that there may be future opportunities to take advantage of their mutual proximity through either shared facilities or shared resources either on a routine or emergency basis.

NOW THEREFORE, the parties agree as follows:

GENERAL PROVISIONS

1. Jefferson County will allow the City to encroach 175 square feet onto the Jefferson County property as illustrated on the attached Exhibit A. This encroachment shall be limited to an earthen slope only. The City shall not place any structure, building, or landscaping on or in the area of encroachment without Jefferson County's prior written consent.
2. The City agrees to correct any encroachment beyond the agreed upon 175 square feet.
3. The City agrees to construct the paved 24' wide connecting road between the two facilities as illustrated in Exhibit A at its sole expense.

4. Jefferson County agrees to perform future maintenance and repair of the connecting road. The scope of such activities will be negotiated prior to being performed. The costs, to include labor, equipment, materials and administration, will be shared equally by Jefferson County and the City.
5. The Agreement and the rights and duties of the parties hereunder shall be interpreted in accordance with the laws of the State of Colorado. Venue for any and all legal actions arising hereunder shall lie in the District Court in and for the County of Jefferson, State of Colorado.
6. This written Agreement constitutes the entire agreement of the parties. No provisions regarding the subject matter of this Agreement, other than those expressly set forth in this Agreement, will be of any force and effect. No modification, change or alteration of this Agreement will be of any force or effect, unless in writing and signed by the parties.
7. Notices. All notices, demands, requests, and other communication required or permitted under this Agreement will be in writing and will be deemed delivered when actually receive or, if by telecopy, on the next business day after receipt, or if earlier, and regardless of whether actually received or not, three days after deposit in the United States mails, first class, postage prepaid, registered or certified addressed as follows:

For Jefferson County: Property Management. Attn: Director
700 Jefferson County Parkway, Suite 300
Golden, CO 80401
303-271-5008 (tel) 303-271-5055 (fax)

For City of Golden: Public Works. Attn: Director
1445 10th Street
Golden, CO 80401
303-384-8150 (tel) 303-384-6161 (fax)

Any party may change its address by giving to notice to the other party as provided above.

DATED this _____ day of _____, 2006

COUNTY OF JEFFERSON
STATE OF COLORADO

By: _____
J. Kevin McCasky, Chairmain
Board of County Commissioners

CITY OF GOLDEN, COLORADO, a Colorado
municipal corporation

By: _____
Charles J. Baroch
Mayor

STATE OF COLORADO)
) ss.
COUNTY OF JEFFERSON)

The foregoing Intergovernmental Agreement was acknowledged before me this
_____ day of _____, 2006 by J. Kevin McCasky as Chairman of the Board of County
Commissioners for the County of Jefferson, State of Colorado.

WITNESS my hand and official seal.
My Commission expires: _____

Notary Public

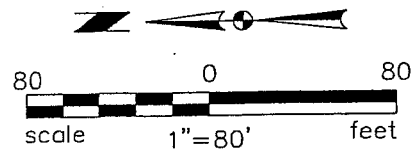
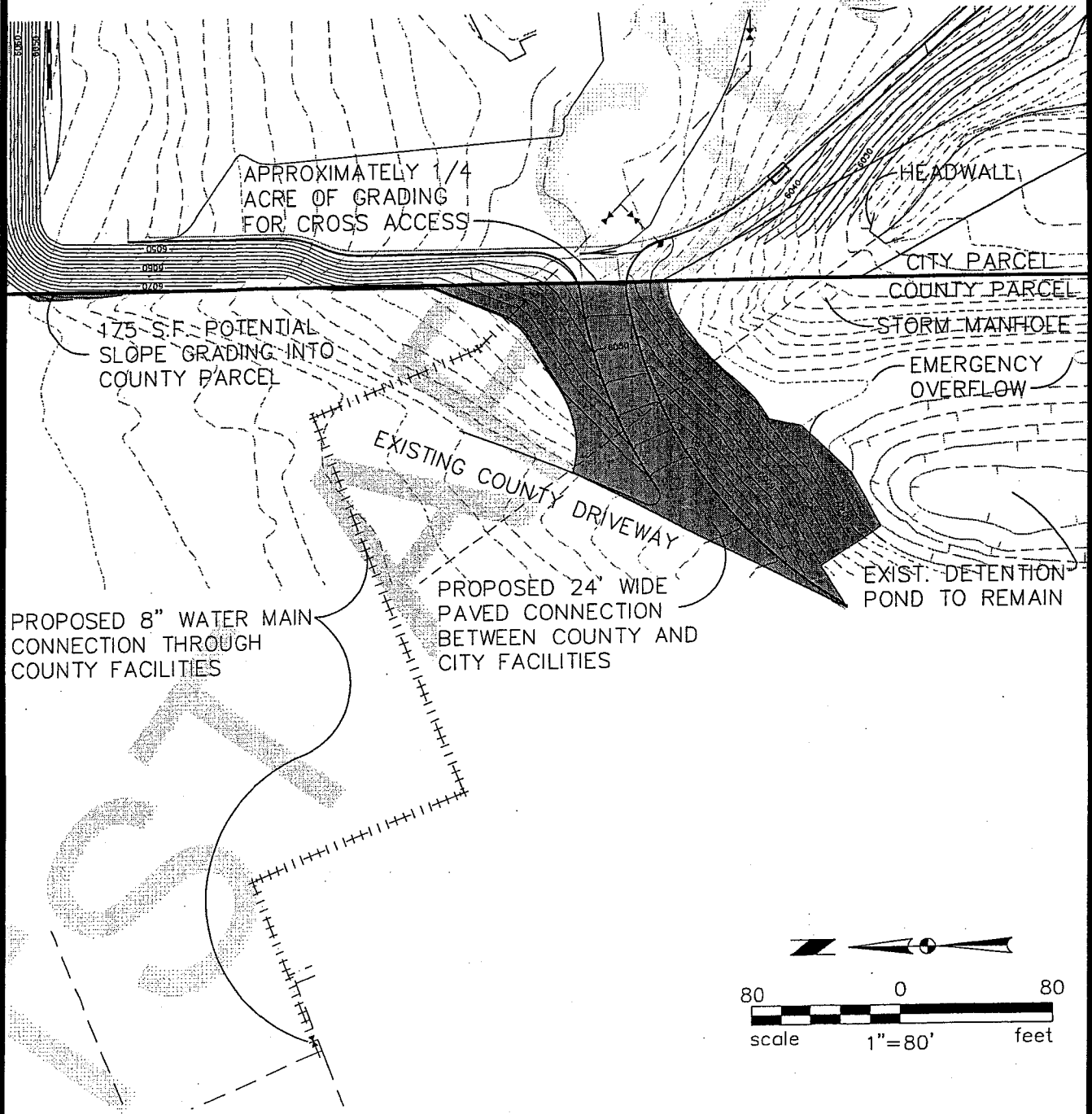
STATE OF COLORADO)
) ss.
COUNTY OF JEFFERSON)

The foregoing Intergovernmental Agreement was acknowledged before me this
_____ day of _____, 2006 by Charles J Baroch as Mayor of the City of Golden,
Colorado, a Colorado municipal corporation.

WITNESS my hand and official seal.
My Commission expires: _____

Notary Public

CANYON VIEW FILING No.2 GOLDEN MAINTENANCE FACILITY EXHIBIT A IMPROVEMENTS ON COUNTY PARCEL



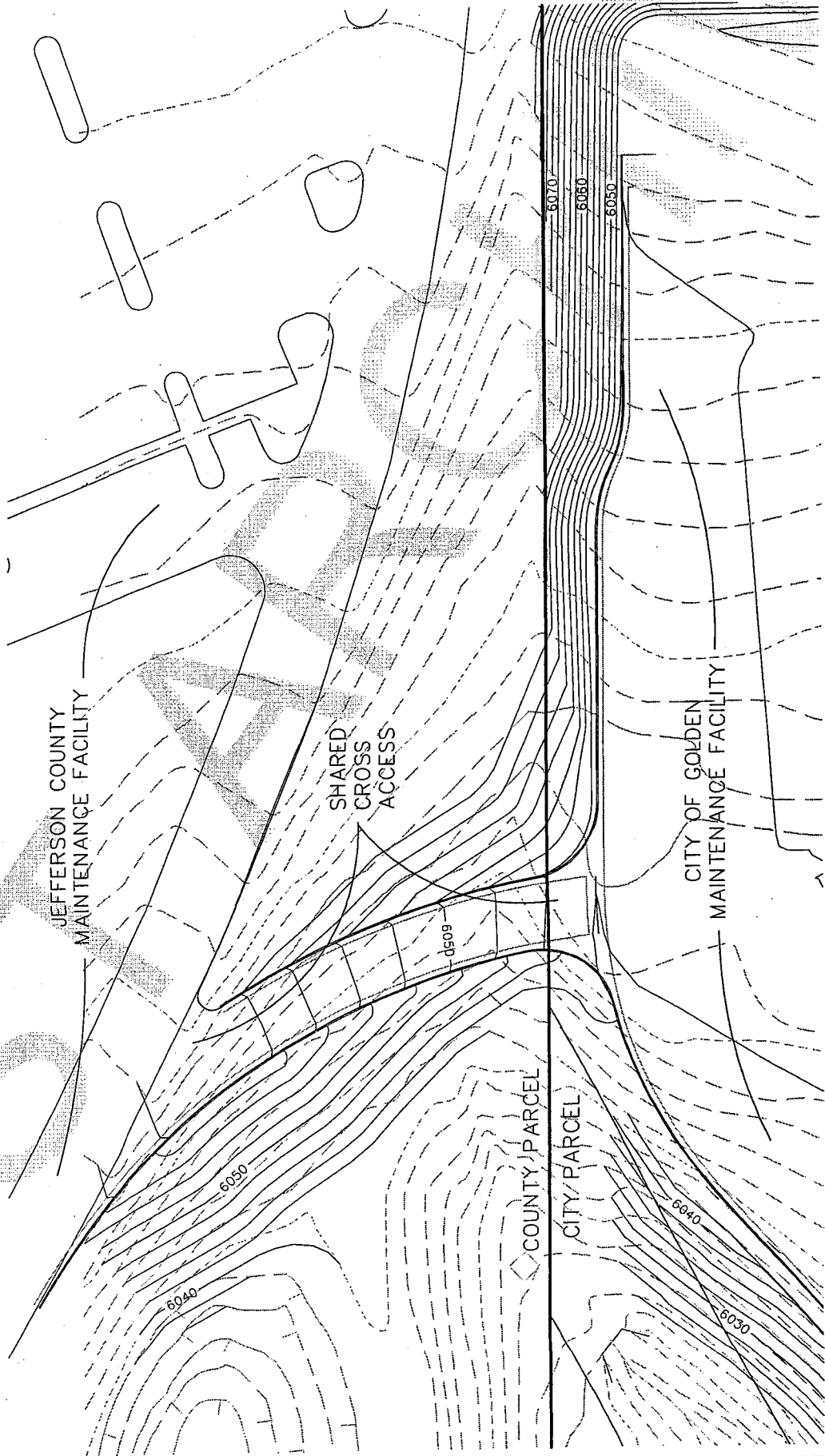
TST INC. OF DENVER
Consulting Engineers

DATE: 05-16-06 FILE
NAME: CntyExhibit
JOB NO. 592-327

CANYON VIEW FILING No.2 GOLDEN MAINTENANCE FACILITY EXHIBIT B - SHARED CROSS ACCESS



TST INC. OF DENVER
Consulting Engineers



DATE: 05-16-06 FILE
NAME: CntyExhibit
JOB NO. 592-327