

**TOWN OF LYONS, COLORADO
RESOLUTION 2023-59**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO APPROVING AN ACCESS
AGREEMENT BETWEEN THE TOWN OF LYONS AND CEDAR LAKEWOOD, LLC AT
4065 UTE HIGHWAY, LYONS, COLORADO**

WHEREAS, the Town of Lyons (the “Town”) has the authority to enter into contracts for any lawful municipal purpose pursuant to C.R.S. § 31-15-101 *et seq.*; and

WHEREAS, Cedar Lakewood, LLC has a gas station at 4065 Ute Hwy Lyons, Colorado and needs to install groundwater monitoring wells to assess the potential for environmental impacts on the property; and

WHEREAS, one of the preferred locations for one of the monitoring wells is located on Town Property associated with Parcel ID 120320200023; and

WHEREAS, the monitoring well will enhance the health, safety and welfare of the residents of the Town; and

WHEREAS, the Town and Cedar Lakewood, LLC would like to enter into an access agreement for Cedar Lakewood, LLC to install and maintain their monitoring wells (“Access Agreement”); and

WHEREAS, the Town would like to approve the Access Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Board of Trustees hereby:

(1) Approves the Access Agreement between Cedar Lakewood LLC and the Town in substantially the form attached hereto as **Exhibit 1**;

(2) Authorizes the Town Administrator to execute the Agreement.

(2) Authorizes Town Staff to take all actions necessary to implement the Agreement.

Section 3. This resolution shall become effective immediately upon adoption by the Board of Trustees.

ADOPTED THIS 2nd DAY OF OCTOBER 2022.

TOWN OF LYONS, COLORADO

By: _____
Hollie Rogin, Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
Dolores Vasquez, Town Clerk

By: _____
Town Attorney

EXHIBIT 1
Cedar Lakewood LLC Access Agreement
[See attached]