

**RESOLUTION OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO TOWN COUNCIL  
APPROVING AN EASEMENT AGREEMENT INTO OS-3X FOR UNDERGROUND CONDUIT  
AND WIRING FOR TELLURIDE SKI AND GOLF'S BACKUP GENERATOR**

**RESOLUTION NO. 2016-1020-15**

**RECITALS:**

- A. The Town of Mountain Village ("Town") is the owner of record of real property described as OS-3X; and,
- B. Telluride Ski and Golf ("Owner") is the owner of record of real property described as Lot 52, Town of Mountain Village, CO;
- C. Open Space easements are a discretionary allowance of the Town Council; and
- D. The proposed easement agreement is needed to allow for an underground conduit and wiring running from the new backup generator to Lot 52; and,
- E. The Town Council conducted a public meeting on October 20, 2016.

**Now, Therefore, Be It Resolved** that the Town Council hereby approves an easement agreement as set forth in Exhibit A with a condition that the Planning Division staff prepares an easement agreement for execution by the Town Manager and Telluride Ski and Golf.

**Section 1. Resolution Effect**

- A. This Resolution shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the resolutions repealed or amended as herein provided and the same shall be construed and concluded under such prior resolutions.
- B. All resolutions, of the Town, or parts thereof, inconsistent or in conflict with this Resolution, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

**Section 2. Severability**

The provisions of this Resolution are severable and the invalidity of any section, phrase, clause or portion of this Resolution as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Resolution.

**Section 3. Effective Date**

This Resolution shall become effective on October 20, 2016 (the "Effective Date") as herein referenced throughout this Resolution.

**Section 4. Public Meeting**

A public meeting on this Resolution was held on the 20<sup>th</sup> day of October, 2016 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

Approved by the Mountain Village Town Council at a public meeting on October 20, 2016.



Town of Mountain Village, Town Council

By: *Daniel J Jansen*  
Dan Jansen, Mayor

Attest:

By: *Jackie Kennefick*  
Jackie Kennefick, Town Clerk

Approved as to form:

By: *James Mahoney*  
James Mahoney, Assistant Town Attorney