

**TOWN OF MILLIKEN
RESOLUTION NO. 18-13**

**A RESOLUTION APPROVING A PERPETUAL NON-EXCLUSIVE EASEMENT
TO TDS BROADBAND SERVICES, LLC ON LOTS 8, 9 AND PART LOT 10,
BLOCK 56, TOWN OF MILLIKEN**

WHEREAS, the Town of Milliken ("Town") is authorized pursuant to C.R.S. § 31-15-101(1) to acquire, hold, lease and dispose of property, both real and personal, and to exercise such other incidental and implied powers as may be necessary to carry out the proper management of Town property; and

WHEREAS, the Town owns certain property legally described as Lots 8, 9 and part of Lot 10, Block 56, Town of Milliken Subdivision, Town of Milliken, Weld County, State of Colorado (the "Subject Property"), consisting of 8,288 square feet, more or less; and

WHEREAS, the Subject Property is located on the southeast corner of Broad Street (Highway 60) and South Josephine Avenue on Lots 8, 9 and part of Lot 10, Block 56, Town of Milliken; and

WHEREAS, the Town desires to grant a perpetual, non-exclusive easement to TDS Broadband Services, LLC, a Delaware limited liability company for the purpose of installing broadband facilities; and

WHEREAS, the subject easements are described in the Non-Exclusive Public Utility Easement Agreement attached hereto as **Exhibits 1, A, B and C** and incorporated herein by reference.

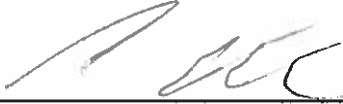
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, COLORADO, that:

Section 1. The Board of Trustees of the Town of Milliken hereby: (a) approves the Non-Exclusive Public Utility Easement Agreement with TDS Broadband Services, LLC, in the form attached hereto; (b) authorizes the Mayor or Mayor Pro Tem to execute the Agreement on behalf of the Town following the receipt of payment by TDS Broadband Services, LLC in the amount of seven thousand five hundred dollars (\$7,500.00), representing consideration for the Easement.

Section 2. The Non-Exclusive Public Utility Easement Agreement shall not be executed by the Mayor or Mayor Pro Tem, or recorded in the real property records of Weld County, Colorado, the payment required by Section 1 of this Resolution have been paid to the Town and receipt has been verified by the Town Administrator or his designee.

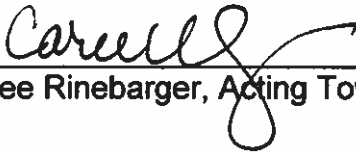
Section 3. This Resolution shall take effect immediately.

ADOPTED AND APPROVED this 28th day of March, 2018.



Beau Woodcock, Mayor

ATTEST:



Caree Rinebarger, Acting Town Clerk

Attachments:

Exhibits 1, A, B and C – Non-Exclusive Public Utility Easement Agreement (TDS
Broadband Services, LLC)