

MEMORANDUM

To: Genesee Foundation Board

From: William P. Stanton, Board Member

Date: January 8, 2007

Subject: **January 10, 2007 Board Meeting Agenda Item V-4, Xcel Easement**

Introduction

This agenda item is to consider a request for approval of a permanent 10-foot wide utility easement at the pump station on Larkspur Drive, to Public Service Company of Colorado.

Background

Public Service Company of Colorado, aka Xcel Energy, recently installed a new switch cabinet and made changes in the location of buried electric utility lines to Genesee Water & Sanitation District's Larkspur pump station. The purpose for the switch cabinet is to help minimize fluctuations in service for the pump station and surrounding area while also substantially limiting the area affected and inconvenience should there be an outage. In July 2006, the board granted Xcel a temporary easement in Tract D of Genesee Filing No. 8 – Phase 1, to do the work. The upgrade has been completed and the temporary easement expired on December 31, 2006.

Xcel has recently submitted a legal description and survey drawings reflecting the upgrade as built, and a final easement document for approval and signature by Genesee Foundation officers (see attached). The final utility easement, described as Parcel B of Tract D, contains 860 square feet, or 0.020 acres.

Discussion

The temporary easement approved in July 2006 has expired. These are the final easement documents that will be recorded. Our attorney, Scott Albertson, and Carla Andrews have both reviewed them, and all looks good.

Recommendation

I recommend that the Genesee Foundation Board approve the permanent 10-foot wide utility easement, described as Parcel B in Tract D of Genesee Filing No. 8 – Phase 1, to Public Service Company of Colorado.

Attachments: Easement Document
Legal Description of Parcel B and two maps