

**BRIGHTON CITY COUNCIL RESOLUTION
FRONTAGE GATHERING SYSTEM
CONDITIONAL USE**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING WITH CONDITIONS AS SET FORTH HEREIN, A CONDITIONAL USE FOR THE FRONTAGE GATHERING SYSTEM, A PAIR OF PARALLEL UNDERGROUND TRANSMISSION PIPELINES, GENERALLY TRAVERSING VARIOUS PARCELS LOCATED IN THE CITY OF BRIGHTON, COLORADO, AND SETTING FORTH DETAILS IN RELATION THERETO.

RESOLUTION NO: 2018-72

WHEREAS, the Applicant, Stephen Sullivan, (“Applicant”) has filed with the City an application for approval of a Conditional Use; and

WHEREAS, the Applicant, is requesting approval of a Conditional Use Permit for a project known as the Frontage Gathering System (“Pipeline”), a pair of parallel underground transmission pipelines used for the conveyance of natural gas and oil through a portion of the City of Brighton to facilities located in Weld County; and

WHEREAS, approximately 1.5 miles of the Pipeline is located within Brighton city limits, generally traversing parcels of properties described in Exhibit A; and

WHEREAS, the Applicant is requesting approval of a Conditional Use for the construction of the Pipeline generally shown in Exhibit B; and

WHEREAS, the Applicant has agreed to enter into a Memorandum of Understanding (MOU), setting forth the conditions under which the Pipeline project will be undertaken, and has further agreed that execution of said MOU is a material condition of the City approval of the application; and

WHEREAS, in accordance with the public notice requirements of the *Land Use and Development Code*, the City Council of the City of Brighton finds and declares that a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, a public notice was published in the *Brighton Standard Blade*, and a sign was posted on the Property, all for no less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, on June 26, 2018, the City Council conducted the public hearing at which the Applicant, interested parties, and city staff were permitted to present evidence and testimony and to ask and answer questions regarding the Pipeline and the requested Conditional Use; and

WHEREAS, the City Council finds that, pursuant to the *Land Use and Development Code*, a Conditional Use is an additional use of land that may be allowed with restrictions deemed necessary by the City Council, and that approval thereof is subject to the City’s Conditional Use procedures and criteria; and

WHEREAS, after reviewing the Application, evidence, representations, acknowledgements of the Applicant, presentations, and statements made at the Public Hearing by the city staff and interested persons, the City Council finds and determines that upon the conditions herein contained and agreement of the Applicant, the relevant criteria, according to the *Land Use and Development Code*, for approval of the Pipeline as a Conditional Use have been satisfied.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON AS FOLLOWS:

Section 1. The Conditional Use request for the Frontage Gathering System, submitted by Steve Sullivan, for a pair of parallel underground natural gas and oil transmission pipelines traversing various parcels of property, as described in Exhibit A and generally shown in Exhibit B, within the City of Brighton, Colorado is hereby approved with the following condition:

- 1) The Applicant shall, contemporaneously with the City Council approval of the application, execute the Memorandum of Understanding (MOU), a copy of which is attached hereto, and by this reference made a material part of this conditional approval.

Section 2. **CONDITION RUNS WITH THE LAND**

The Conditional Use herein approved and the conditions imposed thereon shall run with the land. The City shall record this Resolution in the office of the appropriate County Clerk and Recorder at the expense of the Applicant.

RESOLVED, this 26th day of June, 2018.

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, City Attorney

EXHIBIT A

THOSE PORTIONS OF SECTIONS 27 AND 34, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER-SECTION CORNER OF SAID SECTION 34, AS MONUMENTED BY A FOUND 5/8" REBAR WITH NO CAP, WHENCE THE EAST QUARTER-SECTION CORNER OF SAID SECTION 34, AS MONUMENTED BY A FOUND 2-1/2" ALUMINUM CAP STAMPED "LS 38175", BEARS NORTH 89°20'01" EAST, A DISTANCE OF 2624.59 FEET, BEING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION;

THENCE SOUTH 82°00'28" EAST A DISTANCE OF 1,991.07 FEET TO A POINT ON THE EASTERLY EDGE OF THE **HOMESTEAD 1N66W34 PAD** AND THE **POINT OF BEGINNING**;

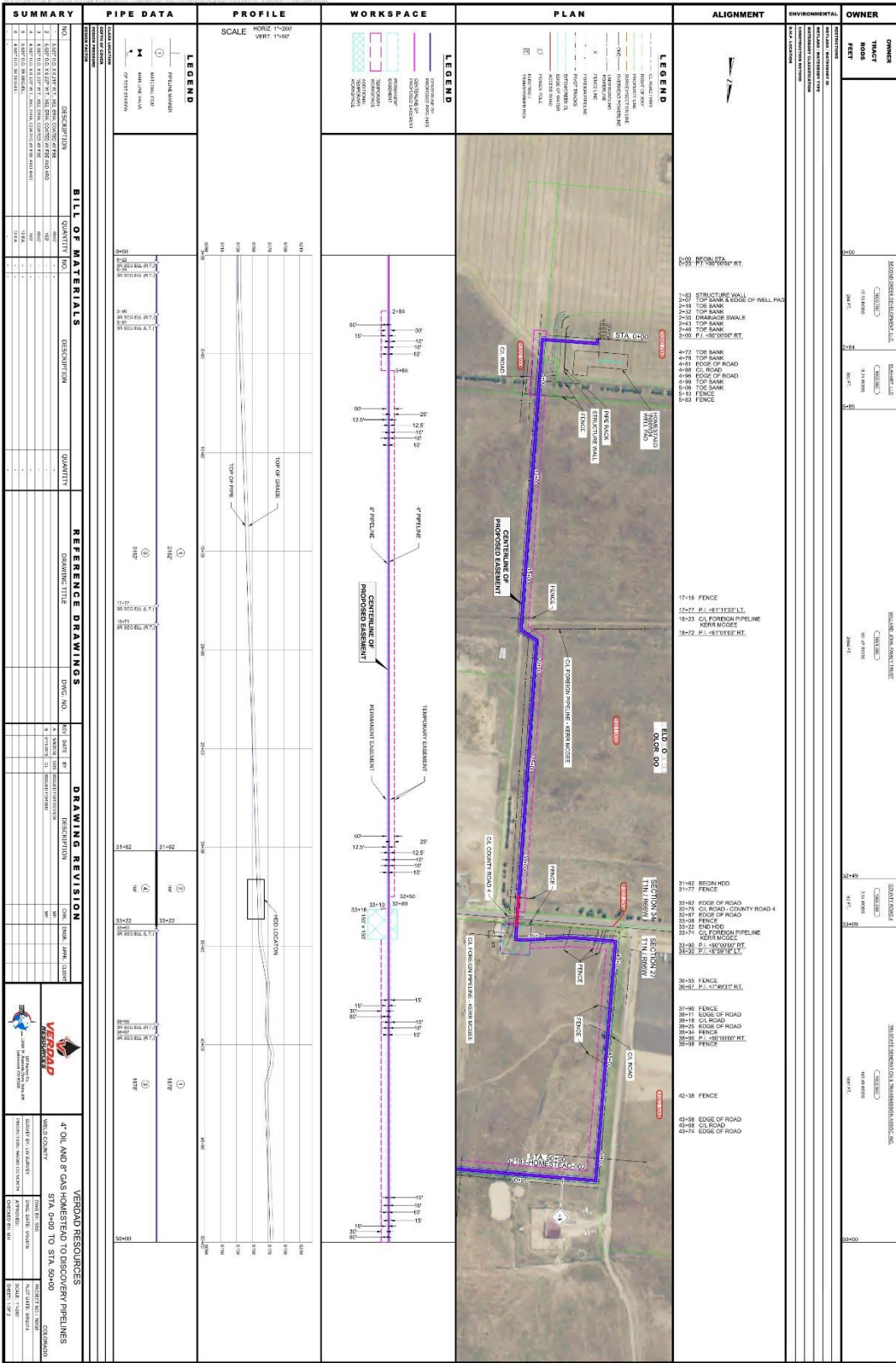
THENCE ALONG THE FOLLOWING TWENTY-NINE (29) COURSES:

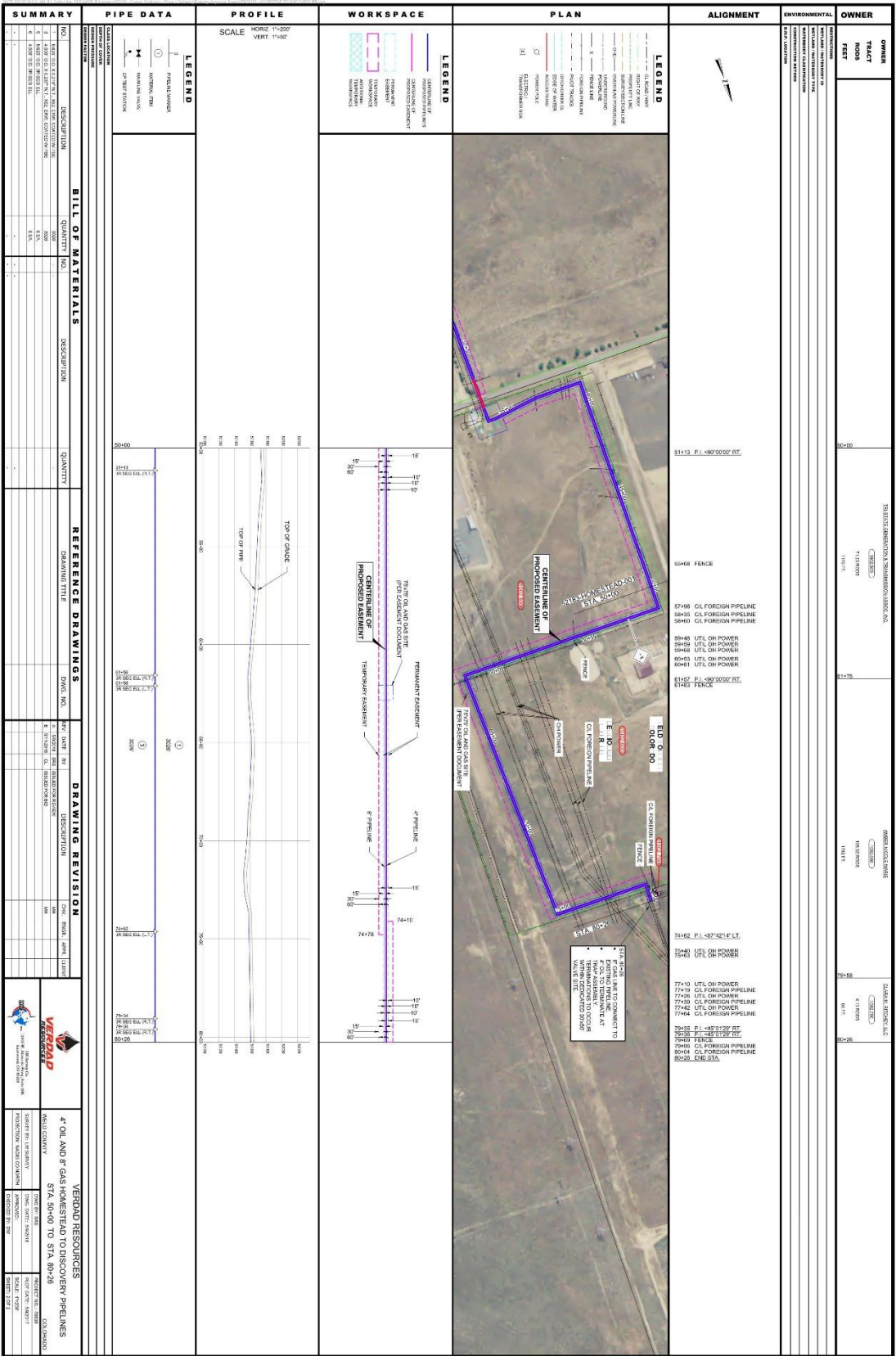
1. THENCE ALONG SAID EASTERLY EDGE OF THE **HOMESTEAD 1N66W34 PAD**, NORTH 00°35'46" WEST A DISTANCE OF 30.00 FEET;
2. THENCE LEAVING SAID EASTERLY EDGE OF THE **HOMESTEAD 1N66W34 PAD**, NORTH 88°53'10" EAST A DISTANCE OF 1.65 FEET;
3. THENCE NORTH 00°56'48" WEST A DISTANCE OF 269.31 FEET;
4. THENCE NORTH 89°18'00" EAST A DISTANCE OF 4.21 FEET;
5. THENCE NORTH 01°06'50" WEST A DISTANCE OF 1,186.52 FEET;
6. THENCE NORTH 62°18'23" WEST A DISTANCE OF 94.47 FEET;
7. THENCE NORTH 01°17'20" WEST A DISTANCE OF 1,413.19 FEET;
8. THENCE SOUTH 89°06'02" WEST A DISTANCE OF 5.00 FEET;
9. THENCE NORTH 01°20'45" WEST A DISTANCE OF 96.34 FEET;
10. THENCE SOUTH 88°37'40" WEST A DISTANCE OF 24.00 FEET;
11. THENCE SOUTH 81°38'21" WEST A DISTANCE OF 236.66 FEET;
12. THENCE SOUTH 89°27'52" WEST A DISTANCE OF 246.60 FEET;

13. THENCE NORTH 00°32'08" WEST A DISTANCE OF 1,246.33 FEET;
14. THENCE NORTH 89°27'52" EAST A DISTANCE OF 1,043.99 FEET;
15. THENCE NORTH 02°30'56" WEST A DISTANCE OF 3.22 FEET;
16. THENCE NORTH 89°20'49" EAST A DISTANCE OF 30.02 FEET;
17. THENCE SOUTH 02°30'56" EAST A DISTANCE OF 3.28 FEET;
18. THENCE NORTH 89°27'52" EAST A DISTANCE OF 201.57 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 27;
19. THENCE ALONG SAID EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, SOUTH 00°17'53" EAST A DISTANCE OF 30.00 FEET;
20. THENCE LEAVING SAID EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, SOUTH 89°27'52" WEST A DISTANCE OF 1,245.45 FEET;
21. THENCE SOUTH 00°32'08" EAST A DISTANCE OF 1,186.33 FEET;
22. THENCE NORTH 89°27'52" EAST A DISTANCE OF 214.54 FEET;
23. THENCE NORTH 81°38'21" EAST A DISTANCE OF 236.44 FEET;
24. THENCE NORTH 88°37'40" EAST A DISTANCE OF 55.85 FEET;
25. THENCE SOUTH 01°20'45" EAST A DISTANCE OF 126.59 FEET;
26. THENCE SOUTH 01°17' 20" EAST A DISTANCE OF 1,398.28 FEET;
27. THENCE SOUTH 62°18'23" EAST A DISTANCE OF 94.52 FEET;
28. THENCE SOUTH 01°06'50" EAST A DISTANCE OF 1500.58 FEET;
29. THENCE SOUTH 88°53'10" WEST A DISTANCE OF 31.92 FEET TO THE **POINT OF BEGINNING**, WHENCE THE EAST QUARTER-SECTION CORNER OF SAID SECTION 34 BEARS N 64°46'58" E, A DISTANCE OF 721.43 FEET.

THE TOTAL AREA OF THE ABOVE DESCRIBED PARCEL OF LAND IS 3.885 ACRES (169,237 SQ.FT.), MORE OR LESS.

EXHIBIT B





SUMMARY		PIPE DATA		PROFILE		WORKSPACE		PLAN		ALIGNMENT		ENVIRONMENTAL		OWNER																									
BILL OF MATERIALS <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>QUANTITY</th> <th>NO.</th> <th>DESCRIPTION</th> <th>QUANTITY</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>4\"/> </td></tr></tbody> </table>		NO.	DESCRIPTION	QUANTITY	NO.	DESCRIPTION	QUANTITY	1	4\"/>	REFERENCE DRAWINGS <table border="1"> <thead> <tr> <th>DRAWING TITLE</th> <th>DWG. NO.</th> <th>REV.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		DRAWING TITLE	DWG. NO.	REV.	DATE	BY	DESCRIPTION							DRAWING REVISION <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> <th>APP. AUTH.</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		NO.	DESCRIPTION	DATE	BY	APP. AUTH.						VERDAD RESOURCES 4" OIL AND 8" GAS HONESTHEAD TO DISCOVERY PRELINES STA. 50+00 TO STA. 80+28 PROJECT NO. 2018-001 SHEET NO. 1 OF 1		OWNER TRACT NO. 113000 ACRES 119.75 811.75 811.56 80+28	
NO.	DESCRIPTION	QUANTITY	NO.	DESCRIPTION	QUANTITY																																		
1	4\"/>																																						
DRAWING TITLE	DWG. NO.	REV.	DATE	BY	DESCRIPTION																																		
NO.	DESCRIPTION	DATE	BY	APP. AUTH.																																			