

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING AN OIL AND GAS LEASE (NO SURFACE OCCUPANCY) WITH PETRO OPERATING COMPANY, LLC +/- 61.1902 NET MINERAL ACRES IN CERTAIN PORTIONS OF SECTION 10 TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M. ADAMS COUNTY, COLORADO; FINDING THAT THE TERMS OF SAID LEASE, INCLUDING A 21% ROYALTY RATE AND A FIVE THOUSAND DOLLAR (\$5,000) PER MINERAL ACRE BONUS PAYMENT, ARE REASONABLE AND THAT IT IS IN THE BEST INTEREST OF THE CITY TO ENTER INTO SAID LEASE; AUTHORIZING THE MAYOR TO EXECUTE SAID LEASE ON BEHALF OF THE CITY; AUTHORIZING THE CITY MANAGER TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID LEASE; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

ORDINANCE NO. 2277

INTRODUCED BY: Blackhurst

WHEREAS, the City of Brighton owns certain lands and mineral rights located in portions of Section 10, Township 1 South, Range 66 West of the 6th Principal Meridian, Adams County, Colorado; and

WHEREAS, the City has entered into good faith negotiations with Petro Operating Company, LLC (“Petro Operating”) for an oil and gas lease for the City owned property; and

WHEREAS, the City has successfully negotiated an Oil and Gas Lease (No Surface Occupancy) with Petro Operating for the +/-61.1092 net mineral acres, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the City Council finds and determines that the terms of said Lease are reasonable, and further finds and determines that it is in the best interests of the City to enter into said Lease with Petro Operating.

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

Section 1. The Mayor is authorized to execute said Oil and Gas Lease (No Surface Occupancy) with Petro Operating and the City Manager is authorized to undertake such tasks and execute said documents as may be necessary to implement said Leases on behalf of the City.

Section 2. **Purpose.** The purpose of this Ordinance is to provide for the health, safety and welfare of the people.

Section 3. **Repeal.** Existing or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance

Section 4. **Validity.** If any part or parts of this Ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid.

Section 5. **Interpretation.** This Ordinance shall be so interpreted and construed as to effectuate its general purpose.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED THIS 20th DAY OF February, 2018.

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, City Attorney

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PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 6th DAY OF March, 2018.

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

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