

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING AN OIL AND GAS LEASE (NO SURFACE OCCUPANCY) WITH WARD PETROLEUM CORPORATION FOR +/- 34.6 NET ACRES IN CERTAIN PORTIONS OF SECTION 14 TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> P.M., ADAMS COUNTY COLORADO; FINDING THAT THE TERMS OF SAID LEASE 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. 2210**

**INTRODUCED BY: Humbert**

**WHEREAS**, Ward Petroleum Corporation has filed a series of Verified Applications with the Colorado Oil and Gas Conservation Commission for an order establishing a 640 acre drilling and spacing unit for horizontal wells in Sections 14, Township 1 South, Range 67 West of the 6<sup>th</sup> P.M., Adams County and for an order for pooling of all interests in the Unit; and

**WHEREAS**, the City of Brighton owns certain lands located in the referenced Section and was the subject of the forced pooling application; and

**WHEREAS**, the City has determined that it is in the best interests of the City to make good faith efforts to negotiate an oil and gas lease for the City owned property that was subject to the forced pooling order rather than let those lands be force pooled; and

**WHEREAS**, the City has successfully negotiated an Oil and Gas Lease (No Surface Occupancy) with Ward Petroleum for the +/- 34.6 net mineral acres that is subject to the forced pooling application, 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 taking into consideration the timing circumstances and looming deadlines, further finds and determines that it is in the best interests of the City to enter into said Lease with Ward Petroleum Corporation.

**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 Ward Petroleum Corporation and the City Manager is authorized to undertake such tasks and execute said documents as may be necessary to implement said Lease 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 2<sup>nd</sup> DAY OF JUNE, 2015.**

**CITY OF BRIGHTON, COLORADO**

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**Richard N. McLean, Mayor**

**ATTEST:**

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**Natalie Hoel, City Clerk**

**APPROVED AS TO FORM:**

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**Margaret R. Brubaker, City Attorney**

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**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 23<sup>rd</sup> DAY OF JUNE, 2015.**

**CITY OF BRIGHTON, COLORADO**

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**Richard N. McLean, Mayor**

**ATTEST:**

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**Natalie Hoel, City Clerk**

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