

ORDINANCE NO. 2367
INTRODUCED BY: Watts

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AMENDMENT TO AN OIL AND GAS LEASE WITH GREAT WESTERN OIL AND GAS COMPANY TO CORRECT THE LAND DESCRIPTION AND ADD +/- 0.271 NET MINERAL ACRES IN CERTAIN PORTIONS OF SECTION 13 IN TOWNSHIP 1 SOUTH, RANGE 67 WEST IN ADAMS COUNTY, COLORADO; FINDING THAT THE TERMS OF SAID LEASE AMENDMENT ARE REASONABLE AND THAT IT IS IN THE BEST INTEREST OF THE CITY TO ENTER INTO SAID LEASE AMENDMENT; AUTHORIZING THE MAYOR TO EXECUTE SAID LEASE AMENDMENT ON BEHALF OF THE CITY; AND AUTHORIZING THE CITY MANAGER TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID LEASE AMENDMENT

WHEREAS, the City of Brighton, Colorado (“City”), owns certain lands and mineral rights located within Section 13 in Township 1 South, Range 67 West of the 6th p.m. in Adams County, Colorado; and

WHEREAS, the City entered into a lease with Ward Petroleum on December 15, 2015 for 341.232 acres of City-owned property in Section 18, 1 South 66 West and Section 13, 1 South 67 West of the 6th p.m. in Adams County, Colorado. The (“Ward Petroleum Lease”) was recorded on December 21, 2015 at Reception Number 2015000105746 (Attachment A); and

WHEREAS, Great Western Oil and Gas Company, D/B/A Grizzly Petroleum Company, LLC, (“Great Western”) whose address is 1001 17th Street, Suite 2000, Denver, Colorado 80202 is the current owner of the Lease; and

WHEREAS, the legal description set forth in the Ward Petroleum Lease is incomplete, and both parties desire to correct and amend said Lease to include the lands described within the Lease legal description, as well as additional lands that amount to +/- 0.271 acres. The corrected legal descriptions and lands are described in Attachment B; and

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

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

Section 1. The Oil and Gas Lease Amendment between the City of Brighton and Great Western Oil and Gas Company (dba Grizzly Petroleum Company, LLC) for +/- 0.271 net mineral acres in certain portions of Section 13 within Township 1 South, Range 67 West of the 6th p.m. in Adams County, Colorado are hereby approved.

Section 2. The Mayor is authorized to execute said Oil and Gas Lease Amendment with Great Western and the City Manager is authorized to undertake such tasks and execute said documents as may be necessary to implement said Lease Amendment on behalf of the City.

Section 3. Purpose. The purpose of this Ordinance is to provide for the health, safety and welfare of the people.

Section 4. 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 5. 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 6. Interpretation. This Ordinance shall be so interpreted and construed as to effectuate its general purpose.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED THIS 1ST DAY OF June, 2021.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 20TH DAY OF July, 2021.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

LENA McCLELLAND, Acting City Attorney