

LEASE FOR CONSTRUCTION PURPOSES

This Lease is executed in duplicate effective as of _____, 20____, between **City of Brighton** ("Lessor"), and **Metro Wastewater Reclamation District** (the "District" or "Lessee"), whose address is 6450 York Street, Denver, Colorado 80229.

FOR AND IN CONSIDERATION of the mutual promises and undertakings herein set forth, the parties agree as follows:

1. Lessor hereby leases to the District, its successors, authorized permittees and assigns, that property located in the County of Adams, State of Colorado, described on **Exhibit A** attached hereto and incorporated herein by reference (the "Property") for the following purposes: excavating and moving earth, dewatering treatment, storing materials, supplies, excavated materials, and equipment, surface access for District equipment and personnel, and for such other purposes as the District deems necessary in connection with its acquisition, construction and installation of a wastewater pipeline and related appurtenances. For the purposes of this Lease, the term "District" includes its contractors and other authorized permittees, agents and representatives.
2. The term of this Lease shall be for six (6) consecutive months commencing fourteen (14) days after the District mails a Notice of Commencement to Lessor at Lessor's address given below and expiring six (6) months later, provided that such term shall terminate no later than June 30th, 2024. The District shall pay Lessor a rental of **\$200.00** for the entire six (6) month term, in advance, at the time the Notice of Commencement is given. If District operations on the Property are not completed within the time specified above, it may hold over for such additional time not to exceed six (6) additional months as is reasonably necessary to complete said operations, at a rental rate of 1.2 times the semi-annual rental rate specified above, divided by six (6), pro-rated for each month, paid in advance. For the purposes of this Paragraph 2, the term "month" shall mean a calendar month.
3. The District shall have the right to remove any existing trees, bushes, shrubbery, undergrowth, as well as any personal property, fixture and other obstructions located on the Property interfering with the stated use of the Property during the term of its occupancy thereof.
4. The District shall have the right of ingress to and egress from the Property over and across adjoining lands of Lessor by means of roads and lanes thereon if such there be, otherwise by such route and routes as shall occasion the least practical damage and inconvenience to Lessor.
5. Upon the completion of construction, the District will restore the general surface of the Property and revegetate the Property with the same or similar plant materials, except crops and mature trees, existing prior to construction. Any infrastructure owned by Lessor disturbed during the term of this lease shall be restored to its original condition or better.
6. Lessor warrants and agrees to defend Lessor's title to the Property so that the District may peaceably and quietly hold, enjoy, use and occupy the same during the term of this Lease without any hindrance, interruption, ejection or molestation by Lessor or any other person claiming through Lessor.

7. The District shall be responsible and liable for any and all costs, claims and other expenses incurred for or related to the installation, construction, replacement, removal, ownership, operation, repair and use of the Facilities located within the Property except to the extent such costs, claims or other expenses are caused by the acts of Grantor, or its servants or agents.

8. The benefits and burdens of this Lease shall inure to and be binding upon the respective legal representatives, successors and assigns of the parties hereto.

9. Should any one or more provisions of this Lease be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Lease, the intent being that the various sections and provisions hereof are severable.

10. This writing constitutes the whole agreement between the parties, and no additional or different oral representation, promise, or agreement shall be binding on any of the parties hereto with respect to the subject matter of this instrument.

11. The following special provisions requested by Lessor are made a part of this Lease:

None

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

LESSOR: City of Brighton

By: _____

Title: _____

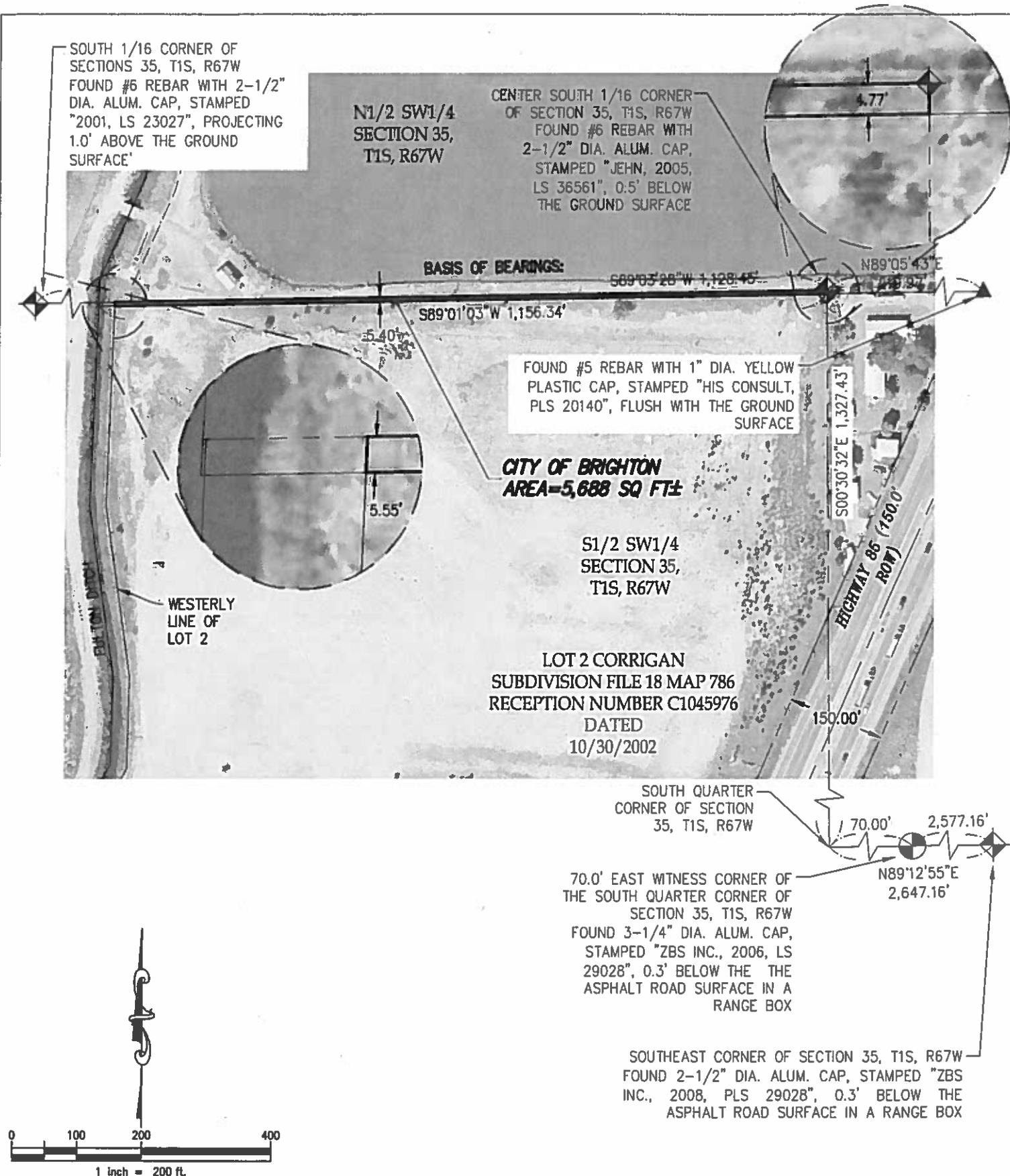
Lessor's Address:

500 S 4th Avenue
Brighton, CO 80601-3165


METRO WASTEWATER RECLAMATION DISTRICT

By:  _____

Title:  _____



NOTE
This exhibit does not represent a monumented survey.

Dwg. ACC	 METRO WASTEWATER RECLAMATION DISTRICT	TEMPORARY CONSTRUCTION EASEMENT Parcel SDIT-0070 Second Creek Interceptor	DATE: 07/09/2019
Ckd. JSF			DWG. NO. SDIT-0070
App. JSF			SH 1 OF 1

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ► _____	
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
				-				-	
OR									
Employer identification number									
				-					

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ►	Date ►
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.