



RESOLUTION 4, SERIES 2022

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF, COLORADO, APPROVING AN ACCESS AGREEMENT WITH BATTLE MOUNTAIN SC LLC

WHEREAS, the Town of Red Cliff (“Town”) owns and maintains the communications tower located on a piece of land that is surrounded by privately owned land; and

WHEREAS, the Town desires to continue to maintain the tower which provides high-speed internet to the Town for improvement of economic development potential, enable students to participate in online learning venues, allowing emergency services to improve safety with better communications, enable Town staff to interact easier with citizenry, and improve resident’s overall quality of life; and

WHEREAS, in order for to the Town to properly maintain this communications tower, it is necessary for the Town to obtain access through the property owned by Battle Mountain SC, LLC; and

WHEREAS, the terms and conditions of the agreement between Battle Mountain SC, LLC and the Town are set forth in the Right of Entry License and General Release (“Agreement”), which is attached hereto as Exhibit “A” and is incorporated herein; and


WHEREAS, the Town Board of Trustees (“Board”) now desires to approve the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF RED CLIFF THAT:

1. Recitals. The foregoing recitals are incorporated herein by reference as findings of the Board.
2. Approval. The Agreement, with exhibits, attached hereto as Exhibit A is hereby approved by the Board. The Mayor is authorized to sign the Agreement on behalf of the Town.
3. Severability. If any part, section, sub-section, clause or phrase of this Resolution is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the Resolution, and the Board hereby declares it would have passed this Resolution and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections, sentences, clauses or phrases be declared invalid.


INTRODUCED, READ, APPROVED AND ADOPTED this 2nd day of August, 2022.

**Town of Red Cliff, Colorado,
Board of Trustees**



Duke Gerber, Mayor

ATTEST:



Melissa Mathews, Town Clerk