

SOUTHEAST METRO STORMWATER AUTHORITY
acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION NO.10-34, SERIES OF 2010
(Approval of a Revocable Drainage Improvement License Agreement)

WHEREAS, Wallace Properties, LLC (Developer) owns certain real property (Property) in fee simple in the City of Centennial and within the Southeast Metro Stormwater Authority's (SEMSWA) service area as more particularly described in Exhibit C of the Agreement; and

WHEREAS, Developer desires to develop the Property and use the adjacent public storm sewer system as a conduit for conveying stormwater from the foundation drains and roof drains located on the Property; and

WHEREAS, SEMSWA owns or has authority from the City of Centennial to manage the storm sewer facility in the vicinity of the Property; and

WHEREAS, SEMSWA currently holds the Colorado Department of Public Health and Environment (CDPHE) issued National Pollution Discharge Elimination System (NPDES) for Municipal Separate Storm Sewer System (MS4) – Phase II requirements permit in regard to the City of Centennial; and

WHEREAS, the City has adopted the City of Centennial Stormwater Management Manual (Manual), which establishes the criteria for the design of stormwater improvements and allowable connections to the public storm sewer system; and

WHEREAS, the Manual requires that anyone wishing to make a direct connection to the public storm sewer system enter into a Revocable Drainage Improvement License Agreement outlining the terms and conditions of the direct connection; and

WHEREAS, as part of SEMSWA holding the NPDES MS4 Permit in regard to the City of Centennial, SEMSWA has assumed responsibility for reviewing and approving direct connections to the storm sewer system in accordance with the Manual; and

WHEREAS, it will be necessary for SEMSWA to enter into a Revocable Drainage Improvement License Agreement with the Developer for a direct connection into the public system; and

WHEREAS, a Revocable Drainage Improvement License Agreement and been prepared by SEMSWA staff and legal counsel and is attached hereto and marked Exhibit A.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board Approves the Revocable Drainage Improvement License Agreement attached hereto and authorizes the Executive Director to execute the attached Agreement.

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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:

Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor