

RESOLUTION NO. 2023-5

A RESOLUTION OF THE COUNTY OF KIOWA, COLORADO, ENTERING INTO A MASTER ROAD USE AGREEMENT WITH PUBLIC SERVICE COMPANY OF COLORADO, A COLORADO CORPORATION CONDUCTING BUSINESS AS XCEL ENERGY

WHEREAS, pursuant to C.R.S. § 30-1 1-107(h) and C.R.S. §§ 43-2-110-114, the Board is authorized to administer the county road system; and

WHEREAS, The Public Service Company of Colorado (hereinafter referred to as "Xcel Energy") will commence operations within Kiowa County that will require extensive use of the Kiowa County Roads; and,

WHEREAS, Xcel Energy has agreed to enter into a Master Road Use Agreement whereby the Board of County Commissioners of Kiowa County, Colorado and Xcel Energy have agreed to the terms concerning the identification, modification, use and repair of the roads to be identified and used by Xcel Energy; and,

WHEREAS, The Board of County Commissioners of Kiowa County, Colorado have determined that the Master Road Use Agreement will protect Kiowa County and the citizens thereof from the costs and expenses for the alteration, modification, use and repair of the county roads used by Xcel Energy in its operations.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF KIOWA, COLORADO THAT:

1. The Board incorporate the foregoing recitals as its conclusions, facts, determinations, and findings.
2. The Board authorizes the Chairman of the Board of County Commissioners to enter of the attached Master Road Use Agreement with Public Services Company of Colorado.

RESOLVED, APPROVED, AND ADOPTED this 25th Day of May, 2023.

BOARD OF COUNTY COMMISSIONERS:

/s/ Donald Oswald, Commissioner

/s/ Howard "Butch" Robertson, Commissioner

/s/ Michael Lening, Commissioner

ATTEST:

/s/ Delisa L. Weeks