



# Arapahoe County

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## Board Summary Report

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**File #:** 25-436

**Agenda Date:** 9/9/2025

**Agenda #:** 6.p.

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**To:** Board of County Commissioners

**Through:** Ron Carl, County Attorney

**Prepared By:**

Matt Hader, Senior Assistant County Attorney, County Attorney's Office

**Subject:**

Correction of Resolution 25-133 Approving Minor Subdivision in Case PM23-001

**Purpose and Request:**

The purpose of this action is to correct Resolution 25-133 clarifying the language of condition 2 therein, addressing an exception to the required conveyance of right-of-way.

**Alignment with Strategic Plan:** Good Governance - Deliver mandated and essential services with excellence.

**Background and Discussion:** On May 13, 2025, the BOCC was presented with, and formally adopted, Resolution 25-133, approving a Minor Subdivision for applicant Front Range Energy Storage in Case PM23-001. The resolution contained two conditions of approval. Condition 2 was unclear as to the third of three (3) utility easements Front Range Energy Storage was not required to extinguish in their conveyance of right of way to support their development. Specifically, the third exception omitted language describing it as a "high pressure pipeline easement" the nature of that easement and created ambiguity. This resolution amends the language of the third exception in condition 2 to add this description.

**Alternatives:** The Board of County Commissioners has alternatives that include the following:

1. Approve the proposed resolution correcting the Resolution 25-133 Minor Subdivision with Conditions of Approval as recommended by staff or with changes.
2. Continue to a date certain for more information.
3. Deny the Corrected Resolution.

**Fiscal Impact:** None.

**Alignment with Strategic Implementation Strategies:** N/A

**Concurrence:** The Public Works and Development Planning and Engineering Services Divisions have reviewed the application, and the Arapahoe County Public Works and Development Department is recommending approval of this amended resolution.