

A G R E E M E N T

THIS AGREEMENT, made and entered into this 28th day of January, 1976, by and between the CITY OF GRAND JUNCTION, a Municipal corporation of the State of Colorado, hereinafter referred to as the "City", and the ORCHARD MESA SANITATION DISTRICT, a quasi-municipal corporation of the State of Colorado, hereinafter referred to as the "District";

WITNESSETH:

WHEREAS, the District in contemplation of installing a sanitary sewer system, entered into a contract with the City on November 19, 1975, for the treatment of the effluent of the District and to provide other services as contained in said Agreement.

WHEREAS, the Colorado Department of Health, Water Quality Control Division, has made additional requirements on material submitted on the Orchard Mesa Sanitation District's sanitary sewer system, relative to the sewer system capacity of the City.

WHEREAS, it is the desire of the City and the District to enter into an Agreement for certain enlargements as required by the said Water Quality Control Division.

NOW, THEREFORE, in consideration of the premises and the covenants herein contained, and other good and valuable considerations it is agreed as follows.

1. The District hereby agrees to install, at its sole cost and expense, an enlargement of the existing lift station of the City of Grand Junction situated at the Duck Pond in the City of Grand Junction.

2. The enlargement to be installed shall consist of enlarging the impellers and motors in the existing lift station to enlarge the capacity of the present lift station in an amount necessary to properly handle the flow of effluent generated by the District.

3. The District shall also install, at its sole cost and expense, a proper device to measure the flow of effluent of the District into the City's sewage facility.

4. Both parties hereto agree that at any time in the future the capacity of the Duck Pond lift station is at its maximum, and because of said capacity enlargements are required, that any such future enlargements or the installation of a new and adequate lift station will be made or installed.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and executed the day and year first above written.

CITY OF GRAND JUNCTION

By: \_\_\_\_\_

City Manager

ORCHARD MESA SANITATION DISTRICT

By: \_\_\_\_\_

John Crosby, Chairman