

**TOWN OF EMPIRE, COLORADO
RESOLUTION NO. 21-11**

**A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO APPOINTING BUTLER SNOW
LLP AS SPECIAL COUNSEL TO PROVIDE LEGAL REPRESENTATION TO THE TOWN
WITH REGARD TO BOND ISSUES CONCERNING THE CWRPDA D&E AND DWRF
FORGIVABLE LOANS FOR WATER SYSTEM IMPROVEMENTS AND RELATED MATTERS**

WHEREAS, the Town of Empire (“Town”) is a statutory municipality organized under the laws of the State of Colorado; and

WHEREAS, whereas the Town is authorized to retain special counsel; and

WHEREAS, the Town is current pursuing a design and engineering (“D&E”) forgivable loan through the Colorado Water Resources & Power Development Authority (“CWRPDA”) for \$249,000 for water system improvements; and

WHEREAS, the Town is also pursuing a Drinking Water Revolving Fund (“DWRF”) forgivable loan for \$1,824,000.00 (with \$1,000,000 upfront principal forgiveness) also for water system improvements; and

WHEREAS, both forgivable loans require review by bond counsel; and

WHEREAS the Town of Empire Board of Trustees (the “Board”) desires to appoint Butler Snow, LLP as special counsel with regard to the above referenced CWRPDA forgivable loans and related matters in accordance with the terms in conditions of the attached Engagement Letter, attached hereto as **Exhibit A** and incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF EMPIRE, COLORADO:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Town Board of Trustees hereby:

- (a) Appoints Butler Snow, LLP as special counsel of the Town of Empire.
- (b) Authorizes the Mayor to Execute:

- 1. The engagement letter attached as **Exhibit A**.

Section 3. This Resolution shall take effect immediately upon adoption.

ADOPTED THIS 16th DAY OF November 2021

TOWN OF EMPIRE

By: Wendy Koch
Wendy Koch, Mayor

ATTEST:

By: J Piel
Jeannette Piel, Town Clerk

Attachments

Exhibit A – Engagement Letter