

**Resolution No. 2025 - 10**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE LA PLATA ELECTRIC  
ASSOCIATION, INC.**

**RESOLUTION OF NECESSITY**

**6/18/2025**

**RECITALS**

WHEREAS, the La Plata Electric Association, Inc. ("LPEA") is an electric distribution cooperative organized and existing under the provisions of §§ 40-9.5-101, et seq.; and

WHEREAS, LPEA is obligated to provide electric energy to its members within its service territory and is authorized to construct public improvements for that purpose, including rebuilding in place and upgrading the electric transmission facilities located on portions of Parcel Nos. 590306300643, 567308300012, 590501400179, and 567317100232 in La Plata County, Colorado, as part of the electrical grid upgrade and maintenance project along the Falga 131 powerline within LPEA's existing service area (the "Project"); and

WHEREAS, the Project improvements will include upgrades to the existing overhead electric transmission power lines to bring facilities into compliance with the current National Electrical Safety Code standards, and to enhance electrical reliability for all LPEA members that will improve reliability, safety, and electrical management within the LPEA service territory; and

WHEREAS, as part of the Project, it is necessary for LPEA to acquire a 20-foot-wide perpetual utility easement over the properties, as more particularly set forth in Exhibit A (the "Utility Easement") which, to the best of LPEA's knowledge, is owned of record by East Falga Davis, LLC; and

WHEREAS, pursuant to §§ 38-2-101, 38-4-103, and 38-5-105, C.R.S., LPEA has the power to acquire the Utility Easement through the exercise of eminent domain.

NOW, THEREFORE, BE IT RESOLVED, by the Board that:

1. It is necessary for the public health, safety, and welfare of its members for LPEA to construct and install the Project and to acquire the Utility Easement in connection with the Project, either through negotiation and purchase, or by exercising its power of eminent domain.
2. LPEA and its legal counsel are authorized to engage in good faith negotiations to acquire the Utility Easement.
3. To the extent that the Utility Easement from East Falga Davis, LLC, is not acquired by

negotiation and purchase, LPEA may acquire the Utility Easement through the exercise of eminent domain and to take all necessary legal measures to do so, including condemnation and immediate possession pursuant to §§ 38-1-101, et seq., C.R.S., as may be required to timely construct the Project.

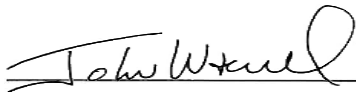
4. LPEA is authorized to retain consultants, including appraiser(s), to determine compensation for any acquisitions.
5. LPEA is authorized to determine and negotiate specific terms and conditions of the Utility Easement, to modify the legal descriptions of the Utility Easement, and to add temporary construction easements in a manner consistent with this resolution as may be necessary to facilitate acquisition of the Utility Easement or completion of the Project.

Adopted this 18 day of June, 2025.


LA PLATA ELECTRIC ASSOCIATION, INC.

  
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President, Board of Directors

ATTEST:

  
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APPROVED AS TO FORM:  
Alderman Bernstein

By:   
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Amanda A. Bradley  
Special Counsel to LPEA