

**ORDINANCE 19-02**

**AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF CASTLE PINES, COLORADO  
APPROVING A FIRST AMENDMENT TO THE CANYONS  
ANNEXATION AND DEVELOPMENT AGREEMENT**

WHEREAS, the Canyons property consists of approximately 3,342 acres and is generally located in the southeast quadrant of Interstate I-25 and Hess Road (“Canyons Property”); and

WHEREAS, in 2009, the then owners of the Canyons Property, North Canyons LLLP, a Colorado limited liability limited partnership (“Owner”), and Judge Inc., a Colorado corporation (“Judge”), petitioned the City of Castle Pines to annex and zone the Canyons Property; and

WHEREAS, the City annexed and approved initial zoning of the Canyons Property through the Canyons Planned Development (“Canyons PD”); the Canyons PD was approved via Ordinance No. 09-17; and

WHEREAS, in connection with annexation of the Canyons Property, the Owner, Judge, Canyons Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado, and the City entered into that certain Annexation and Development Agreement dated October 22, 2009 (“Development Agreement”); and

WHEREAS, since 2009, portions of the Canyons Property have been sold, further subdivided and are in process of development for detached and attached single family residences; and

WHEREAS, in 2011, Judge conveyed all of its interest in the Canyons Property to the Owner; and

WHEREAS, the Owner has requested rezoning to allow for an additional 1,000 multi-family residential units within Planning Areas 1, 2, and 3 and increase and/or modify land dedication requirements, for that portion of the Canyons Property legally described in **Exhibit A** (“North Canyons Property”), attached hereto and incorporated herein; and

WHEREAS, such rezoning request is accompanied by a PD plan exhibit (the “First Amended PD Plan”) on file in the Castle Pines Community Development Department; and

WHEREAS, in conjunction with its rezoning application, the Owner and the City have negotiated a first amendment to the Development Agreement to establish the scope of permissions and entitlements associated with approval of the rezoning and the First Amended PD Plan, the requirements for additional and relocated public land dedications, vesting of property rights, and public improvement revenue sharing (“First Amended Development Agreement”); and

WHEREAS, a copy of the First Amended Development Agreement is on file in the Castle

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Pines Community Development Department and is incorporated herein by reference.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Pines, Colorado:**

**Section 1.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

**Section 2.** The City of Castle Pines City Council hereby approves the First Amended Development Agreement with Canyons North LLP.

**Section 3. Effective Date.** Except as otherwise expressly provided herein, this Ordinance shall become effective thirty (30) days after final publication.

**INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 26th day of MARCH, 2019.**

**READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 9th day of APRIL, 2019.**



ATTEST:

DocuSigned by:  
*Tobi Basile*  
AD93A9982692496...  
Tobi Basile, City Clerk

DocuSigned by:  
*Tera Radloff*  
0E066EB279DC478...  
Tera Stave Radloff, Mayor

Approved as to form:  
DocuSigned by:  
*Linda C. Michow*  
5344D50088FF444...  
Linda C. Michow, City Attorney

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### CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading on March 26, 2019; published by reference by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of all ordinances is available through the City Offices and on the City’s official website”; and finally passed and adopted by the City Council on April 9, 2019 at a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on April 18, 2019.

ATTEST:

DocuSigned by:  
  
AD03A3B02032486

Tobi Basile, City Clerk

**Exhibit A**  
**Legal Description of North Canyons Property**

PARCELS OF LAND BEING A PORTION OF THE CANYONS SUPERBLOCK PLAT NO. 2, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 2018040799 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED WITHIN SECTIONS 2, 3, 10, 11, 14, AND 15, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF CASTLE PINES, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCELS 1, 2, 3, 4 AND 5, INCLUSIVE, THE CANYONS SUPERBLOCK PLAT NO. 2, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 2018040799 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE.