

**ORDINANCE NO. 20-06**

**AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF CASTLE PINES, COLORADO, AUTHORIZING THE SALE  
AND TRANSFER OF THE CITY'S INTEREST IN PROPERTY KNOWN  
AS TRACT I, CASTLE PINES TOWN CENTER FILING NO. 2 AND THE  
ACQUISITION OF CERTAIN PORTIONS OF PROPERTY KNOWN AS  
THE LAGAE FAMILY PARCEL**

**WHEREAS**, the City of Castle Pines ("City") is a home rule municipality with all powers granted by Article XX of the Colorado Constitution and the City's Home Rule Charter ("City Charter"); and

**WHEREAS**, § 14.6 of the City Charter requires the adoption of an ordinance to purchase, sell or exchange any interest in real property; and

**WHEREAS**, the City has entered into that certain Public-Private Partnership Agreement with LS Partners, LLC ("Agreement") whereby the City has processed, in accordance with Section 15 of the City's Zoning Ordinance, a rezoning of Tract I, Castle Pines Town Center Filing No. 2, recorded in the Clerk and Recorder's Office of Douglas County at reception number 2017035484 ("Tract I") to amend, among other things, the permitted uses of Tract I to allow for single family/multi-family residences; and

**WHEREAS**, through the Agreement, the City and LS Partners LLC ("LS") have agreed that the proceeds from the sale of the Parties' joint interest in and to Tract I will be allocated and utilized by LS and the City to enable LS and the City to acquire and develop a parcel of land located in the southwest corner of Castle Pines Parkway and Lagae Road in the City comprised of 10.056 acres, legally described in Exhibit A, attached and made a part hereof ( the "Lagae Family Parcel"); and

**WHEREAS**, it is the specific intent of the City that the proceeds from the sale of Tract I will be utilized to help finance, design and construct a new City administration building containing a minimum of 10,000 square feet ("New City Hall") and a recreational facility ("City Recreation Facility") on portions of the Lagae Family Parcel acquired by the City through allocation by LS as designated on the Lagae Family Trust Minor Development Plat (approved by City Council via Resolution No. 20-12) as Lots 2 and 4, collectively the "City Lot"); and

**WHEREAS**, the City Council has determined that the conveyance of Tract I and the acquisition of the City Lot within the Lagae Family Parcel in accordance with the conditions set forth in the Agreement is in the best interests of the City of Castle Pines and its citizens as it will provide the opportunity for a New City Hall in which to conduct City business and provide public meeting spaces and a City Recreation Facility in the geographic center of the City.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES,  
COLORADO THAT:**

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

**Section 2. Sale of Property Authorized.** The City Council hereby approves execution of a quitclaim deed to LS Partners or a third party (“Quitclaim Deed”), as deemed necessary, for the sale of Tract I by LS Partners, LLC to a third party purchaser as contemplated in the Agreement. The Mayor and City Clerk are hereby authorized to execute the Quitclaim Deed in a form approved by the City Attorney.

**Section 3. Acquisition of Property Authorized.** The City Council hereby approves the acquisition of the Lagae Family Parcel by special warranty deed in accordance with the terms of the Agreement and subject to the following conditions:

- a. The closing on the Lagae Family Parcel shall occur after the effective date of this Ordinance; and
- b. The City Lot is legally created as evidenced by the City’s recordation of the Lagae Family Trust Minor Development Plat in the real property records of the Douglas County Clerk and Recorder’s Office.

The Mayor and City Manager are hereby authorized to execute all documents, agreements, deeds, easements, and such other closing documents as are necessary to effectuate the purchase of the Lagae Family Parcel and the City’s acquisition of the City Lot, in such forms as are approved by the City Attorney.

**Section 4. Severability.** If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 5. Emergency Declared.** The City Council finds that the Ordinance is necessary for the immediate preservation of the public health, safety and welfare of the community as closings on the sale of Tract I and the Lagae Family Parcel are scheduled to occur within the next thirty days, and without an emergency ordinance, the authorization under this Ordinance would not be effective prior to such closings. The City would lose the limited opportunity to use the proceeds of the sale of Tract I to purchase the City Lot identified on the Lagae Family Trust Minor Development Plat for construction of the New City Hall and City Recreation Facility.

**Section 6. Safety Clause.** The City Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.


**Section 7. Effective Date.** This Ordinance shall become effective immediately upon passage in accordance with § 6.6 of the City Charter.


**INTRODUCED, READ, PASSED, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES THE 28TH DAY OF JULY, 2020 BY AN AFFIRMATIVE VOTE OF THREE-FOURTHS (¾) OF THE MEMBERS OF THE CITY COUNCIL PRESENT. A PUBLIC COMMENT PERIOD DURING A REGULAR OR SPECIAL CITY COUNCIL MEETING SHALL BE HELD WITHIN THIRTY (30) DAYS FOLLOWING ADOPTION OF THIS ORDINANCE FOR THE SOLE PURPOSE OF PROVIDING AN OPPORTUNITY FOR PUBLIC COMMENT.**



ATTEST:

DocuSigned by:  
  
AD03A3B02032499...  
Tobi Basile, CMC, City Clerk


DocuSigned by:  
  
6E0C8EB279DC479...  
Tera Stave Radloff, Mayor

Approved as to form:  
DocuSigned by:  
  
5241DE99B8FF444...  
Linda C. Michow, City Attorney

**CERTIFICATION OF PUBLICATION**

I hereby attest and certify that the within and foregoing Ordinance was introduced, read and adopted as an emergency ordinance on July 28, 2020; published by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of the ordinance is available through the City Clerk’s office and on the City’s official website.”

ATTEST:

DocuSigned by:  
  
AD03A3B02032499...  
Tobi Basile, CMC, City Clerk

## Exhibit A

### Lagae Family Parcel

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE DESCRIBE BASIS HERE, BEING CONSIDERED TO BEAR NORTH 00°36'25" WEST, A DISTANCE OF 2521.89 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

-THE WEST QUARTER CORNER OF SAID SECTION 3 BEING A FOUND 3.25" ALUMINUM CAP PLS 10734 MATCHING MONUMENT RECORD FILED 7/31/17.

-THE SOUTHWEST CORNER OF SAID SECTION 3 BEING A FOUND 3.25" ALUMINUM CAP PLS 14166 MATCHING MONUMENT RECORD FILED 6/6/90.

COMMENCING AT SAID WEST QUARTER CORNER;

THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 SOUTH 00°36'25" EAST, A DISTANCE OF 780.62 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF CASTLE PINES PARKWAY AND THE POINT OF BEGINNING;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,250.00 FEET, A CENTRAL ANGLE OF 24°42'28", WHOSE CHORD BEARS SOUTH 81°40'58" EAST A DISTANCE OF 534.87 FEET, FOR A DISTANCE OF 539.04 FEET TO THE WESTERLY END OF THAT PARCEL DESCRIBED AT RECEPTION NO. 01066669;

THENCE ALONG THE WESTERLY AND SOUTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) COURSES AND DISTANCES;

THENCE SOUTH 33°49'41" EAST, A DISTANCE OF 13.80 FEET;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,262.00 FEET, A CENTRAL ANGLE OF 17°32'32", WHOSE CHORD BEARS NORTH 76°52'50" EAST A DISTANCE OF 384.88 FEET, FOR AN ARC DISTANCE OF 386.39 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED AT RECEPTION NO. 2019053545;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL THE FOLLOWING SEVEN (7) COURSES AND DISTANCES;

THENCE SOUTH 62°31'19" EAST, A DISTANCE OF 9.61 FEET;

THENCE SOUTH 69°24'31" EAST, A DISTANCE OF 6.00 FEET;

THENCE NORTH 89°52'56" EAST, A DISTANCE OF 9.99 FEET;

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 144.50 FEET, A CENTRAL ANGLE OF 11°58'20", WHOSE CHORD BEARS SOUTH 51°27'31" EAST A DISTANCE OF 30.14 FEET, FOR AN ARC DISTANCE OF 30.19 FEET;

THENCE SOUTH 37°43'12" EAST, A DISTANCE OF 29.08 FEET;

THENCE SOUTH 34°01'33" EAST, A DISTANCE OF 128.19 FEET;

THENCE SOUTH 41°26'10" EAST, A DISTANCE OF 90.74 FEET TO THE SOUTHERLY POINT OF SAID PARCEL AND THE WESTERLY RIGHT-OF-WAY OF LAGAE ROAD;

THENCE ALONG SAID RIGHT-OF-WAY SOUTH 33°49'34" EAST, A DISTANCE OF 285.20 FEET TO THE NORTHERLY LINE OF TRACT Q, LAGAE RANCH FILING 1, FIRST AMENDMENT, RECEPTION NO. 2017072361, BEING ALSO THE NORTHERLY LINE OF LAGAE RANCH FILING 1, RECEPTION NO. 200802081;

THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES;

THENCE NORTH 89°29'13" WEST, A DISTANCE OF 484.39 FEET TO THE NORTHWEST CORNER OF SAID TRACT Q;

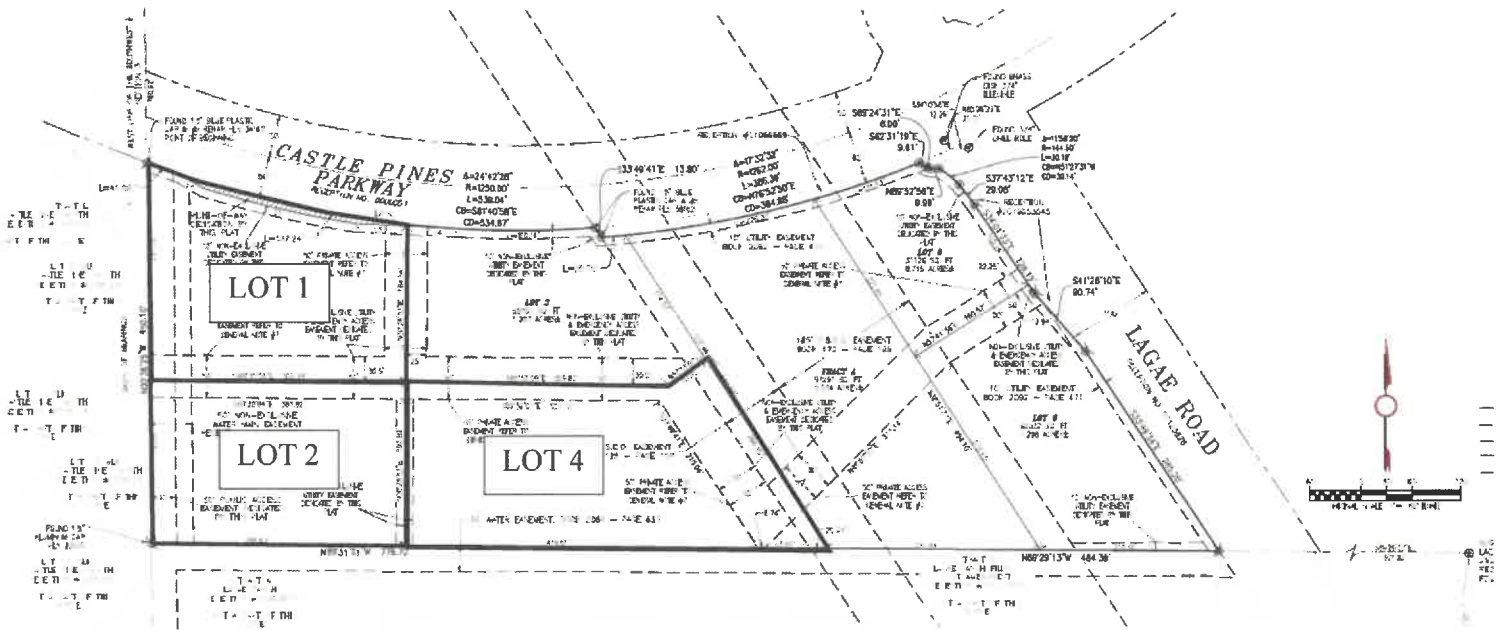
THENCE CONTINUING ALONG SAID NORTHERLY LINE OF LAGAE RANCH FILING 1 NORTH 89°31'01" WEST, A DISTANCE OF 778.70 FEET TO SAID WESTERLY LINE OF THE SOUTHWEST QUARTER;

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**THENCE ALONG SAID WESTERLY LINE NORTH 00°36'25" WEST, A DISTANCE OF 450.10 FEET TO THE POINT OF BEGINNING.**

**SAID LEGAL DESCRIPTION WAS PREPARED BY:  
JASON KRALL, PE FOR AND ON BEHALF OF  
RICK ENGINEERING COMPANY**

**County of Douglas,  
State of Colorado.**



CITY LOT - Lots 2 and 4

OPTION LOT - Lot 1

REC FACILITY LOT - Lot 2

NEW CITY HALL - Lot 4