

**ORDINANCE NO. 13-06**

**AN ORDINANCE APPROVING THE CONVEYANCE OF CITY-OWNED PROPERTY KNOWN AS LOT 7, CHARTER OAKS 4<sup>TH</sup> AMENDMENT, LOCATED WITHIN THE CITY OF CASTLE PINES TO THE DOUGLAS COUNTY LIBRARIES**

**WHEREAS**, the City of Castle Pines (the “City”) is the current record owner of the real property more particularly described in Exhibit 1, a copy of which is attached to this Ordinance and is incorporated herein by reference (the “Subject Property”); and

**WHEREAS**, the Subject Property consists of approximately 0.68 acres, more or less; and

**WHEREAS**, the City acquired the Subject Property for the sole purpose of conveying the Subject Property to the Douglas County Libraries, a library district formed in Douglas County pursuant to the provisions of C.R.S. §§ 24-90-101 through 119 (the “Library”), to facilitate the development of a new library on the Subject Property to benefit the citizens and taxpayers of both the City and Library District; and

**WHEREAS**, the Subject Property has not been used nor is intended for any governmental use by the City; and

**WHEREAS**, the City and the Library have or will enter into an intergovernmental agreement (the “Library IGA”), which sets forth the terms and conditions under which the City agrees to convey the Subject Property to the Library; and

**WHEREAS**, the City is authorized to sell and convey the Subject Property to the Library pursuant to C.R.S. § 31-15-713(1)(b); and

**WHEREAS**, the City Council declares the conveyance of real property as provided by this Ordinance is an exercise of its administrative power as provided by Colorado law.

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

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

**Section 2. Conveyance of Subject Property.** The City Council hereby approves the conveyance of the Subject Property to the Library via special warranty deed (“Deed”), in accordance with the terms of the Library IGA.


**Section 3. Execution and Delivery of Deed to Escrow.** The Mayor, Mayor Pro-Tem, and Deputy City Clerk are authorized to execute all documents necessary to facilitate or complete the conveyance of the Subject Property, including but not limited to the Deed, following the review and approval of all such documents as to form by the City Attorney. Following execution of the Deed conveying the Subject Property to the Library, the Deed shall be held in escrow until such time as the conditions pertaining to the conveyance of the Subject Property to the Library have been fully satisfied, as set forth in the Library IGA.

**Section 4. Severability.** If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.


**Section 5. Effective Date.** This Ordinance shall take effect and be in force thirty (30) days after publication following final adoption.

**INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 24th day of September, 2013.**


**READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 22nd day of October, 2013.**

  
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Jeffrey T. Huff, Mayor

ATTEST:

  
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Diane Spomer, CMC, Deputy City Clerk

Approved as to form:

  
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Linda C. Michow, City Attorney

### CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a noticed public meeting of the Castle Pines City Council on September 24, 2013; 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 October 22, 2013 following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on October 31, 2013.

ATTEST:

  
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Diane Spomer, CMC, Deputy City Clerk

**Exhibit 1**

LOT 7, CHARTER OAKS 4<sup>TH</sup> AMENDMENT,  
COUNTY OF DOUGLAS,  
STATE OF COLORADO,

together with all appurtenant and related water rights and water rights-related property including specifically all of Seller's right, title and interest in any water and sewer tap appurtenant to the property described above.

Property Address: N/A (Vacant Land, City of Castle Pines, Douglas County, Colorado).

Douglas County Assessor's Office Identification Number: 2351-030-01-006. Property consists of 0.68 acres, more or less.