

**RESOLUTION NO. 13-23**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF CASTLE PINES, COLORADO  
APPROVING THE ACQUISITION OF LOT 7, CHARTER OAKS  
4TH AMENDMENT, CONSISTING OF 0.68 ACRES MORE OR LESS**

**WHEREAS**, pursuant to C.R.S. § 31-15-101(1)(d), the City of Castle Pines (the “City”) is authorized to acquire and sell real property; and

**WHEREAS**, the City and Lot 7 Village Square LLC, a Colorado limited liability company (“Seller”) entered into that certain Contract to Buy and Sell Real Estate dated July 22, 2013 (the “Purchase Contract”); and

**WHEREAS**, the Purchase Contract concerns that certain property generally known as Lot 7, Charter Oaks 4<sup>th</sup> Amendment, located within the corporate boundaries of the City (the “Subject Property”); and

**WHEREAS**, the legal description of the Subject Property is attached to this Resolution as Exhibit A and is incorporated herein by reference; and

**WHEREAS**, the Seller desires to sell the Subject Property to the City for Three Hundred Ninety Two Thousand Dollars (\$392,000.00); and

**WHEREAS**, the City desires to acquire the Subject Property on the terms and conditions set forth in the Purchase Contract; and

**WHEREAS**, the Purchase Contract contemplates a closing date of August 30, 2013; and

**WHEREAS**, the City Council declares the acquisition of the Subject Property as provided by this Resolution to be an exercise of its administrative power as provided by Colorado law; and

**WHEREAS**, the City Council further declares that it desires to acquire the Subject Property not for governmental use by the City, but to ultimately transfer the Subject Property to the Douglas County Libraries (the “Library District”) to facilitate the development of a new library on the Subject Property to benefit the citizens and taxpayers of both the City and the Library District; and

**WHEREAS**, the transfer of the Subject Property to the Library District shall be subject to terms and conditions agreed upon by the City and Library District and shall be approved by City ordinance in accordance with the provisions of C.R.S. § 31-15-713(1)(b).

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

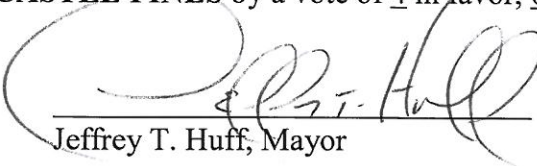
**Section 1.** The City Council hereby approves the acquisition of the Subject Property in accordance with the terms and conditions of the Purchase Contract, with the City's acceptance of title to the Subject Property being contingent upon the General Warranty Deed to the Subject Property being recorded in the real property records of the Clerk and Recorder of Douglas County, Colorado at or following the closing scheduled for August 30, 2013.

**Section 2.** The Mayor, Mayor Pro-Tem, City Clerk and Deputy City Clerk are authorized to execute all documents necessary to facilitate or complete the acquisition of the Subject Property, following the review and approval of all such documents as to form by the City Attorney.

**Section 3.** If any section, paragraph, clause or provision of this Resolution 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 issues of this Resolution.

**Section 4. Effective Date.** This Resolution shall take effect upon its approval by the City Council.

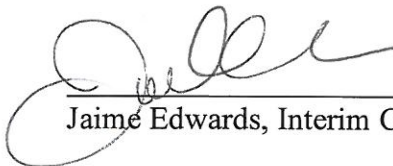
**INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES** by a vote of 4 in favor, 0 against and 2 absent this 13th day of August, 2013.




Jeffrey T. Huff, Mayor

ATTEST:

Approved as to form:



Jaime Edwards, Interim City Clerk



Linda C. Michow, City Attorney

## **EXHIBIT A**

### **Legal Description of Subject Property**

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.

Legal Description:

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