

RESOLUTION NO. 10-27

INTRODUCED BY:

Councilperson Gilbert

Councilperson Shul

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES NORTH, COLORADO
CREATING THE CASTLE PINES URBAN RENEWAL AUTHORITY, AND
DESIGNATING THE CITY COUNCIL AS THE AUTHORITY**

WHEREAS, a petition with the signatures of at least twenty five (25) registered electors within the City of Castle Pines North (“City”) was filed with the City Clerk setting forth that there is a need for an urban renewal authority to function in the City; and

WHEREAS, Part 1 of Article 25 of Title 31, Colorado Revised Statutes (the “Urban Renewal Law”) provides for the creation and operation of an urban renewal authority to function in the City; and

WHEREAS, on April 27, 2010, a full opportunity to be heard was granted to all residents and taxpayers of the City and to all other interested persons at a public hearing held before the City Council on the issue of whether the City Council should find that one or more slum or blighted areas exist in the City, and that the acquisition, clearance, rehabilitation, conservation, development, or redevelopment, or a combination thereof of such area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City, and whether the City Council should declare it to be in the public interest that an urban renewal authority for the City be created; and

WHEREAS, pursuant to Section 31-25-104(l)(a), C.R.S., on March 18, 2010, notice of a hearing to consider the creation of an urban renewal authority in the City was duly published in *The Douglas County News-Press*, a newspaper having a general circulation in the City, which publication occurred at least ten days preceding the date of the hearing, and a copy of the proof of publication of the notice is attached hereto as **Exhibit A** and incorporated herein; and

WHEREAS, the City Council finds that one or more blighted areas exist within the City, and that the acquisition, clearance, rehabilitation, conservation, development, or redevelopment, or a combination thereof, is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City; and

WHEREAS, in accordance with the Urban Renewal Law, the City Council is desirous of creating an urban renewal authority and designating the City Council to serve as the Board of Commissioners of such authority.

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

Section 1. The foregoing recitals are incorporated herein by reference.

Section 2. Pursuant to Sections 31-25-104(1)(b), C.R.S., and based upon evidence presented at the public hearing of April 27, 2010, the City Council hereby declares it to be in the public interest that an urban renewal authority for the City be created, and such urban renewal authority is hereby created to exercise the powers provided in the Urban Renewal Law.

Section 3. In particular, the City Council finds and declares that there are one or more blighted areas existing within the boundaries of the City (collectively, the “Blighted Area”):

- a. In its present condition and use, the Blighted Area:
 1. Substantially impairs or arrests the sound growth of the City, retards the provision of housing accommodations, or constitutes an economic or social liability; and
 2. Is a menace to the public health, safety, morals or welfare of the residents of the City; and
- b. At least four (4) of the following factors exist within the Blighted Area:
 1. Slum, deteriorated, or deteriorating structures;
 2. Predominance of defective or inadequate street layout;
 3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 4. Unsanitary or unsafe conditions;
 5. Deterioration of site or other improvements;
 6. Unusual topography or inadequate public improvements or utilities;
 7. Defective or unusual conditions of title rendering the title nonmarketable;
 8. The existence of conditions that endanger life or property by fire or other causes;
 9. Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration,

defective design, physical construction, or faulty or inadequate facilities;

10. Environmental contamination of buildings or property; or

11. The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of site, buildings, or other improvements.

Section 4. The City Council finds that the acquisition, clearance, rehabilitation, conservation, development, or redevelopment, or a combination thereof, of the Blighted Area is necessary to protect the public health, safety, morals, or welfare of the residents of the City.

Section 5. The urban renewal authority for the City shall be known as the Castle Pines Urban Renewal Authority (the “Authority”) and shall have all the powers necessary and convenient to carry out and effectuate the provisions of the Urban Renewal Law.

Section 6. In accordance with Section 31-25-104(1)(b), C.R.S., the boundaries of the Authority shall be coterminous with those of the City.

Section 7. Pursuant to Section 31-25-115(1), C.R.S., the City Council declares that the members of the City Council, including the Mayor, shall constitute and be the Commissioners of the Authority, with each such member to serve terms commensurate with his/her term as Mayor or member of City Council. The Urban Renewal Commissioners shall designate at the first meeting a chairperson, vice-chairperson and secretary of the authority.

Section 8. Notice is hereby given to the Mayor of the enactment of this Resolution, and by signing a copy of this Resolution the Mayor acknowledges that he has received the requisite notice of the creation of the Authority in compliance with Section 31-25-104(1)(b), C.R.S.

Section 9. A certified copy of this Resolution shall be filed in the records of the City. A copy of this Resolution along with the Certificate attached hereto as **Exhibit B** shall be filed with the Colorado Division of Local Government in the Department of Local Affairs pursuant to Section 31-25-104(1)(b), C.R.S. Upon the filing of such Certificate, the Commissioners and their successors are constituted as the Castle Pines Urban Renewal Authority, which shall be an urban renewal authority pursuant to the Urban Renewal Law and a body corporate and politic.

Section 10. The officers, employees and agents of the City are hereby directed to perform, or cause to be performed, such other actions as required or contemplated by the Urban Renewal Law, including presentation of urban renewal plan(s) to City Council pursuant to Section 31-25-107, C.R.S., for the Authority to consider undertaking future urban renewal projects.

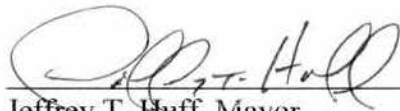
Section 11. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

Section 12. All actions taken by the City's officers, employees and agents in furtherance of the creation of the Authority are hereby ratified and confirmed.

Section 13. This Resolution shall take effect and be enforced immediately upon its approval by the City Council.

Section 14. All prior resolutions or any parts thereof, to the extent they are inconsistent with this Resolution, are hereby rescinded.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH the 27th day of April, 2010.



Jeffrey T. Huff, Mayor

ATTEST:



Sharon DeRouen, City Clerk

APPROVED AS TO FORM:



Linda C. Michow, City Attorney

EXHIBIT A
PROOF OF PUBLICATION

AFFIDAVIT OF PUBLICATION

State of Colorado)
)ss
 County of Douglas)

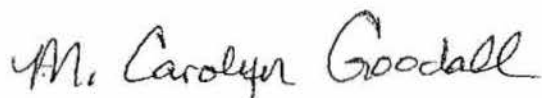
This Affidavit of Publication for the **DOUGLAS COUNTY NEWS-PRESS**, a weekly newspaper, printed and published for the County of Douglas, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made prior to the 19th day of March A.D., 2010, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



for the Douglas County News-Press

State of Colorado)
)ss
 County of Douglas)

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above-named ASA COLE, President/Publisher or JEREMY BANGS, Managing Editor of said newspaper, who is personally known to me to be the identical person in the above certificate on this 19th day of March A.D., 2010.



Notary Public, 125 Stephanie Place,
 Castle Rock, CO 80109

Public Notice

CITY OF CASTLE PINES NORTH NOTICE OF PUBLIC HEARING TO CONSIDER FORMATION OF AN URBAN RENEWAL AUTHORITY

In accordance with the Part 1, Article 25, Title 31 of the Colorado Revised Statutes (the "Urban Renewal Law"), notice is given pursuant to Section 31-25-104(1)(a), C.R.S., that a petition has been filed by the required number of registered electors of the City of Castle Pines North stating that there is a need for an urban renewal authority to function within the City of Castle Pines North. The City Council will conduct a public hearing pursuant to Section 31-25-104(1)(b), C.R.S., on April 27, 2010, at 7:00 P.M. at the Castle Pines North Community Center, 7404 Yorkshire Dr., Castle Pines North, Colorado. All residents, taxpayers, and other interested persons will be provided a full opportunity to be heard on the issues contemplated by the Urban Renewal Law, including whether sium or blighted areas, or both, exist within the City and whether an urban renewal authority should be formed. Following the public hearing, if the City Council determines that the findings and declarations required by Section 31-25-104(1)(b), C.R.S. may be made, the Mayor and City Council will consider a proposed resolution creating an urban renewal authority to be known as the City of Castle Pines North Redevelopment Authority.

CITY OF CASTLE PINES NORTH

By: /s/ Sharon DeRouen, City Clerk

Legal Notice No.: 88065
 First Publication: March 18, 2010
 Last Publication: March 18, 2010
 Publisher: Douglas County News-Press



My Commission Expires 04/12/2011

EXHIBIT B

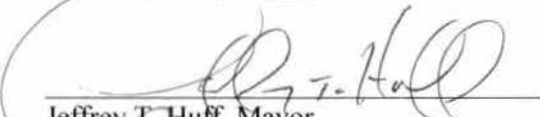
**CERTIFICATE OF
THE COMMISSIONERS OF THE**

**CASTLE PINES URBAN RENEWAL AUTHORITY
OF THE CITY OF CASTLE PINES NORTH, COLORADO**

The undersigned comprise the City Council of the City of Castle Pines North, Colorado (the "City"). Pursuant to Part 1 of Article 25 of Title 31, Colorado Revised Statutes (the "Urban Renewal Law") and by Resolution No. 10-27, the City Council made findings and declarations:

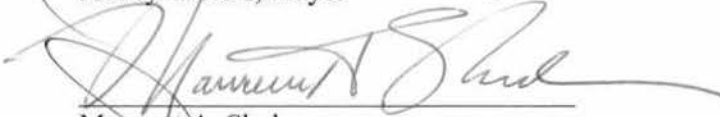
1. Required by Section 31-25-104(1)(b), C.R.S., after the public hearing required by the Urban Renewal Law, establishing the Castle Pines Urban Renewal Authority, an urban renewal authority of the City of Castle Pines North; and
2. Appointed the City Council as Commissioners of the Authority pursuant to Section 31-25-115(1), C.R.S., with each such member to serve terms commensurate with his/her term as Mayor or member of City Council.

Signed as of April 27, 2010.

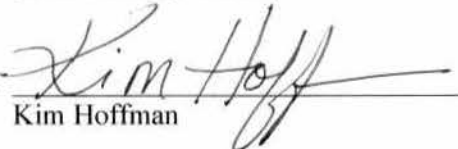


Jeffrey T. Huff, Mayor

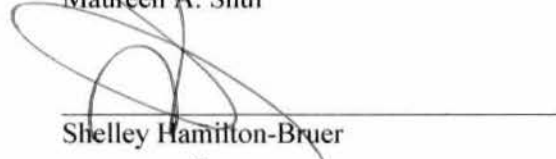
[Seat currently vacant]



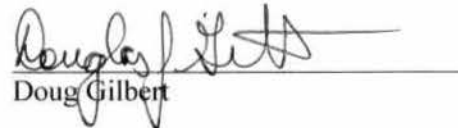
Maureen A. Shul



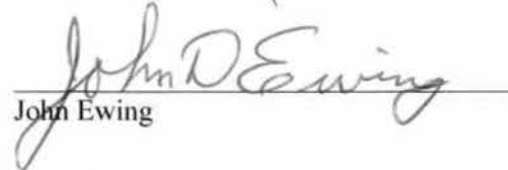
Kim Hoffman



Shelley Hamilton-Bruer



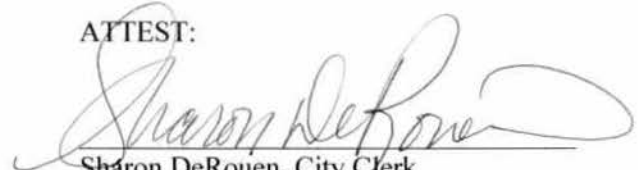
Doug Gilbert



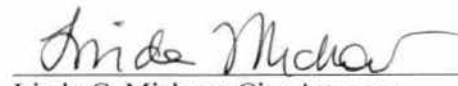
John Ewing

ATTEST:

Approved as to Form:



Sharon DeRouen, City Clerk



Linda C. Michow, City Attorney