

**RESOLUTION NO. 21-46**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF CASTLE PINES, COLORADO REPEALING  
RESOLUTION NO. 19-15 AND  
ACCEPTING SPECIAL WARRANTY DEEDS FOR THE CONVEYANCE  
OF OPEN SPACE, TRAILS, DRAINAGE, AND UTILITY TRACTS IN  
LAGAE RANCH AND CASTLE PINES TOWN CENTER**

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

**WHEREAS**, R.I. Management Inc. (“RIM”), as the property owner, submitted an application to the City for subdivision of property known as Lagae Ranch, which plat, titled Lagae Ranch Filing No. 1, was approved by the City Council in December 2008 (“Lagae Ranch Filing 1”); and

**WHEREAS**, upon application, the City Council subsequently approved three amended subdivision plats, known as Lagae Ranch Filing No. 1, 1<sup>st</sup> Amendment, Lagae Ranch Filing No. 1, 2<sup>nd</sup> Amendment, and Lagae Ranch Filing No. 1, 3<sup>rd</sup> Amendment; and

**WHEREAS**, Taylor Morrison of Colorado, Inc., as the property owner, submitted an application to the City for subdivision of property know as Castle Pines Town Center, which plat, titled Castle Pines Town Center Filing No. 1 was approved by the City Council in June 2018 (“Castle Pines Town Center Filing 1”); and

**WHEREAS**, LS Partners LLC, as the property owner, submitted an application to the City for subdivision of property known as Castle Pines Town Center, which plat, titled Castle Pines Town Center Filing No. 2 was approved by the City Council in May 2017 (“Castle Pines Town Center Filing 2”); and

**WHEREAS**, Lagae Ranch Filing 1, as amended, Castle Pines Town Center Filing No. 1 and Castle Pines Town Center Filing No. 2 created certain tracts of property to be used for open space, drainage, utilities and trails within the developments of Lagae Ranch and Castle Pines Town Center Development (“Tracts”); and

**WHEREAS**, RIM, Taylor Morrison, and LS Partners transferred ownership of the Tracts to the North Pine Vistas Metropolitan District No. 1 (“District No. 1”) and North Pine Vistas Metropolitan District No. 2 (“District No. 2”) and North Pine Vistas Metropolitan District No. 3 (“District No. 3”), (collectively, the “Districts”), the special districts providing certain public services and public improvements within Lagae Ranch and Castle Pines Town Center; and

**WHEREAS**, the City has requested that the Districts convey the Tracts to the City, as more specifically described in the attached **Exhibits A, B and C**, subject to maintenance obligations for certain District improvements to remain the responsibility of the Districts and pursuant to the terms of an intergovernmental agreement between the City and the Districts (Nos. 1-3) wherein the Districts Nos. 1-3 agree to impose, collect and remit a City operations mill levy to assist in maintenance costs associated with the Tracts and improvements thereon (“Amended and Restated IGA”); and

**WHEREAS**, the Districts have agreed to dedicate and convey said Tracts to the City and to maintain District improvements located on or within such Tracts, all in accordance with the Amended and Restated IGA; and

**WHEREAS**, the City Council desires to conditionally accept the Tracts via special warranty deeds as set forth herein;

**WHEREAS**, the City Council further desires to repeal Resolution No. 19-15 through which the City previously conditionally accepted certain tracts to the City.

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

**Section 1.** The City Council hereby conditionally accepts the following special warranty deeds in the forms attached hereto as **Exhibits A, B and C** (“Deeds”):

**Exhibit A:** Special Warranty Deed from North Pine Vistas Metropolitan District No. 1 (“District No. 1”) for:

Tracts E, G, J, K, L, M, N, P, R, S, and U Lagae Ranch Filing 1, County of Douglas, State of Colorado according to the plat recorded on December 4, 2008 at Reception No. 2008082081.

Tracts F-1, H-1, Q-1, and W-1, Lagae Ranch Filing 1, 1<sup>st</sup> Amendment, County of Douglas, State of Colorado according to the plat recorded on October 24, 2017 at Reception No. 2017072361.

Tracts T-2, Lagae Ranch Filing 1, 3<sup>rd</sup> Amendment, County of Douglas, State of Colorado according to the plat recorded on November 8, 2019 at Reception No. 2019075980.

Tracts A, B, C, D, E, F, G, and J, Castle Pines Town Center Filing No. 2, County of Douglas, State of Colorado according to the plat recorded on May 26, 2017 at Reception No. 2017035484.

**Exhibit B:** Special Warranty Deed from North Pine Vistas Metropolitan District No. 2 (“District No. 2”) for:

Tracts A, B, C, and D, Castle Pines Town Center Filing No. 1, County of Douglas, State of Colorado according to the plat recorded on November 1, 2018 at Reception No. 2018066714.

**Exhibit C:** Special Warranty Deed from North Pine Vistas Metropolitan District No. 3 (“District No 3”) for:

Tract F, Lagae Ranch Filing 1, 2<sup>nd</sup> Amendment, County of Douglas, State of Colorado according to the plat recorded December 28, 2017 at Reception No. 2017087180.

**Section 2.** **Conditions of Acceptance.** The Deeds shall not be finally accepted by the City or recorded in the real property records of Douglas County, Colorado until such time as: (1)

the Districts have provided a title insurance policy in a form acceptable to the City Attorney insuring title to the Tracts, in minimum amounts acceptable to the City and all Tracts are free and clear of encumbrances clouding title to same; (2) District No. 1 executes an easement for the District's maintenance of the retaining wall located on Tract H-1 in a form acceptable to the City Attorney; (3) District No. 1 enters into a written agreement (license or easement) in a form acceptable to the City Attorney concerning the District's obligations to maintain monument signage and other District improvements, if any, located in the Tracts; (4) District No. 3 provides the City with a quit claim deed for Tract F, Lagae Ranch Filing 1, 2<sup>nd</sup> Amendment resolving any cloud on title; (5) an Amended and Restated IGA between the City and North Pine Vistas Metropolitan Districts 1-3 is executed.

**Section 3.** Delegation of Authority to City Manager. The City Manager or his designee shall be authorized to: (a) determine acceptable amounts of title insurance for the Tracts; (b) execute all necessary license and easement agreements for District improvements referenced in Section 2 of this Resolution; (c) record the Deeds following the date on which the conditions set forth in Section 2 of this Resolution have been satisfied; and (d) take any and all necessary steps to finalize and complete the conveyance of the Tracts from the Districts to the City.

**Section 4.** Repeal of Resolution No. 19-15. This Resolution repeals and replaces Resolution No. 19-15 in its entirety.

**Section 5.** 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 7 in favor and 0 against this 12<sup>th</sup> day of October, 2021.

DocuSigned by:  
*Tera Stave Radloff*  
650C8EB278DC479...  
Tera Stave Radloff, Mayor

ATTEST:

DocuSigned by:  
*Tobi Duffey*  
AD83A3B02032498...  
Tobi Duffey, City Clerk

APPROVED AS TO FORM:

DocuSigned by:  
*Linda C. Michow*  
5241DE9908FF444...  
Linda C. Michow, City Attorney



**EXHIBIT A**  
**SPECIAL WARRANTY DEED FROM NORTH PINE VISTAS METROPOLITAN**  
**DISTRICT NO. 1**

Following recordation, return to:

Linda Michow  
City Attorney  
c/o Michow Cox & McAskin, LLP  
6530 S. Yosemite St., Suite 200  
Greenwood Village, CO 80111

**NO DOCUMENTARY FEE REQUIRED PER C.R.S. § 39-13-104(1)(a)**

**SPECIAL WARRANTY DEED**

NORTH PINE VISTAS METROPOLITAN DISTRICT NO. 1, a quasi-municipal corporation and political subdivision of the State of Colorado, whose street address is c/o Spencer Fane, LLP, 1700 Lincoln Street, Suite 2000, Denver, Colorado, 80203, Attn: Russ Dykstra, Esq. ("Grantor"), for the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, hereby sells and conveys to the CITY OF CASTLE PINES, a home rule municipal corporation of the State of Colorado ("Grantee"), whose address is 360 Village Square Drive, Suite B, Castle Pines, CO 80108, the following real property situate in the County of Douglas, State of Colorado, more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by this reference.

TOGETHER with all its appurtenances, and warrants the title to the same against all persons claiming by, through, or under Grantor.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth below.

GRANTOR:

North Pine Vistas Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF COLORADO                    )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 201\_,  
by \_\_\_\_\_, as the \_\_\_\_\_ of  
\_\_\_\_\_, a \_\_\_\_\_.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**EXHIBIT A**  
**to**  
**SPECIAL WARRANTY DEED**

**Legal Description**

Tracts E, G, J, K, L, M, N, P,R, S and U, Lagae Ranch Filing 1, County of Douglas, State of Colorado, according to the plat recorded on December 4, 2008 at Reception No. 2008082081.

Tracts F-1, H-1, Q-1, and W-1, Lagae Ranch Filing 1, 1<sup>st</sup> Amendment, County of Douglas, State of Colorado according to the plat recorded on October 24, 2017 at Reception No. 2017072361.

Tract T-2, Lagae Ranch Filing 1, 3<sup>rd</sup> Amendment, County of Douglas, State of Colorado, according to the plat recorded on November 8, 2019 at Reception No. 2019075980.

Tracts A, B, C, D, E, F, G and J, Castle Pines Town Center Filing No. 2, County of Douglas, State of Colorado, according to the plat recorded on May 26, 2017 at Reception No. 2017035484.

**EXHIBIT B**  
**SPECIAL WARRANTY DEED FROM NORTH PINE VISTAS METROPOLITAN**  
**DISTRICT NO. 2**





**EXHIBIT A**  
**to**  
**SPECIAL WARRANTY DEED**

**Legal Description**

Tracts A, B, C, and D, Castle Pines Town Center Filing No. 1, County of Douglas, State of Colorado, according to the plat recorded on November 1, 2018 at Reception No. 2018066714.

**EXHIBIT C**  
**SPECIAL WARRANTY DEED FROM NORTH PINE VISTAS METROPOLITAN**  
**DISTRICT NO. 3**



**EXHIBIT A**  
**to**  
**SPECIAL WARRANTY DEED**

**Legal Description**

Tract F, Lagae Ranch Filing 1, 2<sup>nd</sup> Amendment, County of Douglas, State of Colorado, according to the plat recorded on December 28, 2017 at Reception No. 2017087180.