

**RESOLUTION NO. 23-33**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF CASTLE PINES, COLORADO  
ACCEPTING A SPECIAL WARRANTY DEED FROM SHEA CANYONS,  
LLC FOR THE CONVEYANCE OF PARK LAND TO BE KNOWN AS  
SOARING HAWK PARK**

**WHEREAS**, the Canyons property consists of approximately 3,342 acres and is generally located in the southeast quadrant of Interstate I-25 and Castle Pines Parkway (“Canyons Property”); and

**WHEREAS**, the City annexed and approved initial zoning of the Canyons Property through the Canyons Planned Development (“Canyons PD”); and

**WHEREAS**, Planning Area I, designated as Open Space Active in the Canyons PD, comprised of 74.1 acres, is planned for passive and active recreational opportunities and recreational facilities and is intended to be dedicated to the City as Park Land; and

**WHEREAS**, to date, 39.81 acres of Planning Area I has been platted by the current property owner, Shea Canyons, LLC (“Owner”), and is comprised of the following tracts:

Tract I, The Canyons Filing No. 1, Reception No. 2018071777  
Tract C, The Canyons Filing No. 3, Reception No. 2023014111  
Tract A, The Canyons Filing No. 3, 1st Amendment, Reception No. 2023021279  
Tract S, The Canyons Filing No. 3, 1st Amendment, Reception No. 2023021279

(Collectively, the “Park Land”); and

**WHEREAS**, the City Council has requested that the Owner convey the Park Land to the City in the form of a special warranty deed attached hereto and incorporated herein by reference.

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

**Section 1.** The City Council hereby accepts a special warranty deed in the form attached hereto as **Exhibit A** for:

Tract I, The Canyons Filing No. 1, Reception No. 2018071777  
Tract C, The Canyons Filing No. 3, Reception No. 2023014111  
Tract A, The Canyons Filing No. 3, 1st Amendment, Reception No. 2023021279  
Tract S, The Canyons Filing No. 3, 1st Amendment, Reception No. 2023021279

(the “Deed”).

**Section 2.** **Condition of Acceptance.** The Deed shall not be finally executed by the Mayor or recorded in the real property records of Douglas County, Colorado until such time as the

City has received an owner's title policy in the City's name and a certificate of taxes confirming all prorated taxes have been paid for the Park Land by the Owner.

**Section 3.** The City Manager is delegated the authority to: (a) record the Deed following the date on which the condition set forth in Section 2 of this Resolution has been satisfied; and (b) take all necessary steps to finalize and complete the conveyance of Park Land to the City.

**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 6 IN FAVOR AND 0 AGAINST this 25<sup>th</sup> day of JULY, 2023.**



ATTEST:

*Tobi Duffey*

Tobi Duffey, MMC, City Clerk

*Tracy Engerman*  
Tracy Engerman (Jul 27, 2023 14:30 MDT)

Tracy Engerman, Mayor

APPROVED AS TO FORM:

*Linda C Michow*

Linda C. Michow, City Attorney

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

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**

**THIS SPECIAL WARRANTY DEED**, is made this \_\_\_\_\_ day of July, 2023, by **SHEA CANYONS, LLC**, a Colorado limited liability company, whose address is 9380 Station Street, Suite 600, Lone Tree, CO 80124 ("**Grantor**"), to **THE CITY OF CASTLE PINES, COLORADO**, a Colorado home rule municipal corporation, whose street address is 7437 Village Square Drive, Suite 200, Castle Pines, Colorado, 80108 ("**Grantee**").

**WITNESSETH**, That Grantor for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, its successors and assigns, forever, all the real property, together with improvements, if any, lying and being in the City of Castle Pines, County of Douglas, State of Colorado, more particularly described as follows:

**LEGAL DESCRIPTION**

TRACT I, THE CANYONS FILING NO. 1 AS RECORDED AT RECEPTION NO. 2018071777  
TRACT C, THE CANYONS FILING NO. 3 AS RECORDED AT RECEPTION NO. 2023014111  
TRACT A, THE CANYONS FILING NO. 3, 1<sup>ST</sup> AMENDMENT AS RECORDED AT RECEPTION NO. 2023021279  
TRACT S, THE CANYONS FILING NO. 3, 1<sup>ST</sup> AMENDMENT AS RECORDED AT RECEPTION NO. 2023021279  
CONTAINING A COMBINED AREA OF 39.806 ACRES MORE OR LESS.

(the "Property")

for use as a regional park, recreation and open space, and for other uses allowed pursuant to the applicable zoning governing the Property,

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

*[ signature page follows this page ]*

SHEA CANYONS, LLC, a Colorado limited liability company

By: Shea Homes Limited Partnership, a California limited partnership, its Manager

By: [Signature]  
Name: RYAN W. McDERMID  
Title: ASSISTANT SECRETARY

By: [Signature]  
Name: Jessica McDonagh  
Title: Assistant Secretary

STATE OF COLORADO )  
 ) ss  
COUNTY OF Douglas )

The foregoing instrument was acknowledged before me this 18 day of JULY, 2023, by RYAN McDERMID, as ASSISTANT SECRETARY, and JESSICA MCDONAGH, as ASSISTANT SECRETARY, of Shea Homes Limited Partnership, a California limited partnership, manager of Shea Canyons, LLC, a Colorado limited liability company.

Witness my hand and official seal:

My commission expires: 9/7/2025

JENNIFER FULTON-MILLER  
NOTARY PUBLIC  
STATE OF COLORADO  
Notary ID 19994026609  
My Commission Expires 09/07/2025

[Signature]  
Notary Public