

RESOLUTION NO. 25-26

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE
PINES, COLORADO APPROVING A PUBLIC ACCESS AND UTILITY
EASEMENT AGREEMENT AND ACCEPTING THE PUBLIC ACCESS
AND UTILITY EASEMENT FROM NORTH CANYONS
DEVELOPMENT COMPANY, LLC**

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, an application was submitted to the City by North Canyons Development Company, LLC (the “Property Owner”) to vacate the subdivision plat known as Canyonside Subdivision Filing No. 2, 1st Amendment, recorded at Reception No. 2024001462 in the Office of the Douglas County Clerk and Recorder (the “County Clerk’s Office”), as such plat was corrected by the Plat Correction Certificate, recorded at Reception No. 2024033851 in the County Clerk’s Office (collectively, the “Subject Plat”); and

WHEREAS, the City Council, at a duly noticed public hearing on May 22, 2025, considered on first reading Ordinance No. 25-08 (the “Ordinance”), approving the vacation of the Subject Plat and dedicated public rights of way and easements therein; and

WHEREAS, the Ordinance is scheduled for a second reading and public hearing before City Council on June 24, 2025; and

WHEREAS, it was the Property Owner’s intent to dedicate public right of way identified as Disc Park Street on the Subject Plat to the City; and

WHEREAS, it was the City’s intent to accept the dedicated Disc Park Street, subject to the terms and conditions in the Site SIA/SIPIA (Canyonside Filing No. 2, Amendment 1, Case No. FPL – 2022-001 AND Lot 4, Lot 5, Tract A, Tract B, Canyonside Filing No. 2 and Lot 3, Canyonside Filing No. 1 Site Improvement Plan, Case No. SIP2022-003) recorded at Reception No. 2024001463 in the County Clerk’s Office (the “SIA/SIPIA”), which established the requirements for public improvements connected to the Subject Plat, and which was terminated effective May 15, 2025, as evidenced by the Acknowledgment of Termination recorded at Reception No. 2025022661 in the County Clerk’s Office; and

WHEREAS, the Disc Park Street was developed as a gravel road that provides the public with access to the Pronghorn Park parking area; and

WHEREAS, the City maintains Disc Park Street; and

WHEREAS, the Ordinance, if approved by City Council, will vacate the Disc Park Street as public right of way; and

WHEREAS, the City Council agreed to approve the Ordinance and vacate the Subject Plat subject to the Property Owner granting the City an easement for public access and utilities in the same location as Disc Park Street, as identified and described in the Public Access and Utility Easement (the “Easement Agreement”), attached hereto as **Exhibit A**; and

WHEREAS, the City Council desires to approve the Easement Agreement and accept an easement for public access and utilities in the same location as Disc Park Street under the terms and conditions set forth in the Easement Agreement.

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

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

Section 2. Conditioned upon City Council's final approval and following the effective date of the Ordinance, the City Council hereby: (1) approves the Easement Agreement in the form attached hereto as **Exhibit A**, (2) accepts the public access and utility easement granted to the City by the Easement Agreement, (3) authorizes the Mayor and City Clerk to sign the Easement Agreement, (4) directs the City Clerk to record a fully executed copy of the Easement Agreement with the County Clerk's Office, and (5) authorizes and directs the City Manager or his designee to take all steps necessary to effectuate the terms of the Easement Agreement.

Section 3. **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, 0 AGAINST, AND 1 ABSENT THIS 24TH DAY OF JUNE 2025.



ATTEST:

Tobi Duffey

Tobi Duffey, MMC, City Clerk

Tracy Engerman
Tracy Engerman (Jul 9, 2025 16:37 MDT)

Tracy Engerman, Mayor

APPROVED AS TO FORM:

Linda Michow
Linda Michow (Jun 27, 2025 11:36 MDT)

Linda C. Michow, City Attorney

EXHIBIT A
PUBLIC ACCESS AND UTILITY EASEMENT

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 4, CANYONSIDE SUBDIVISION FILING NO. 2, AS RECORDED AT RECEPTION NO. 2022012594 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER; SITUATED IN THE NORTH HALF OF SECTION 2, TOWNSHIP 7 SOUTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN; CITY OF CASTLE PINES, COUNTY OF DOUGLAS, STATE OF COLORADO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER SAID LOT 4, FROM WHICH THE NORTH LINE OF TRACT C, SAID CANYONSIDE SUBDIVISION FILING NO. 2, BEARS NORTH 88°48'52" WEST, A DISTANCE OF 400.54 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE SOUTH 88°48'52" EAST, ALONG THE NORTH LINE OF SAID LOT 4, A DISTANCE OF 87.01 FEET;

THENCE SOUTH 51°58'40" WEST, A DISTANCE OF 177.67 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 168.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°35'22", AN ARC LENGTH OF 60.37 FEET;

THENCE SOUTH 31°23'18" WEST, A DISTANCE OF 133.94 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 332.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°42'31", AN ARC LENGTH OF 73.64 FEET;

THENCE SOUTH 44°05'49" WEST, A DISTANCE OF 128.83 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF CANYON FORGE DRIVE, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 323.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 52°04'03" WEST;

THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 09°46'56", AN ARC LENGTH OF 55.15 FEET;

THENCE NORTH 44°05'49" EAST, NON-TANGENT TO SAID CURVE, A DISTANCE OF 125.87 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 277.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°42'31", AN ARC LENGTH OF 61.44 FEET;

THENCE NORTH 31°23'18" EAST, A DISTANCE OF 133.94 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 223.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°35'22", AN ARC LENGTH OF 80.14 FEET;

THENCE NORTH 51°58'40" EAST, A DISTANCE OF 110.25 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 0.685 ACRES, (29,824 SQUARE FEET), MORE OR LESS.

ILLUSTRATION ATTACHED AND MADE A PART HEREOF.

JAMES E. LYNCH, PLS 37933
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.
300 EAST MINERAL AVE., SUITE 1, LITTLETON, CO 80122
303-713-1898

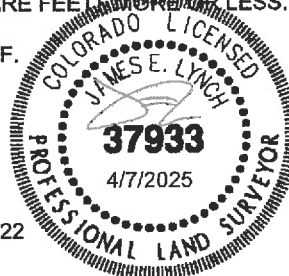
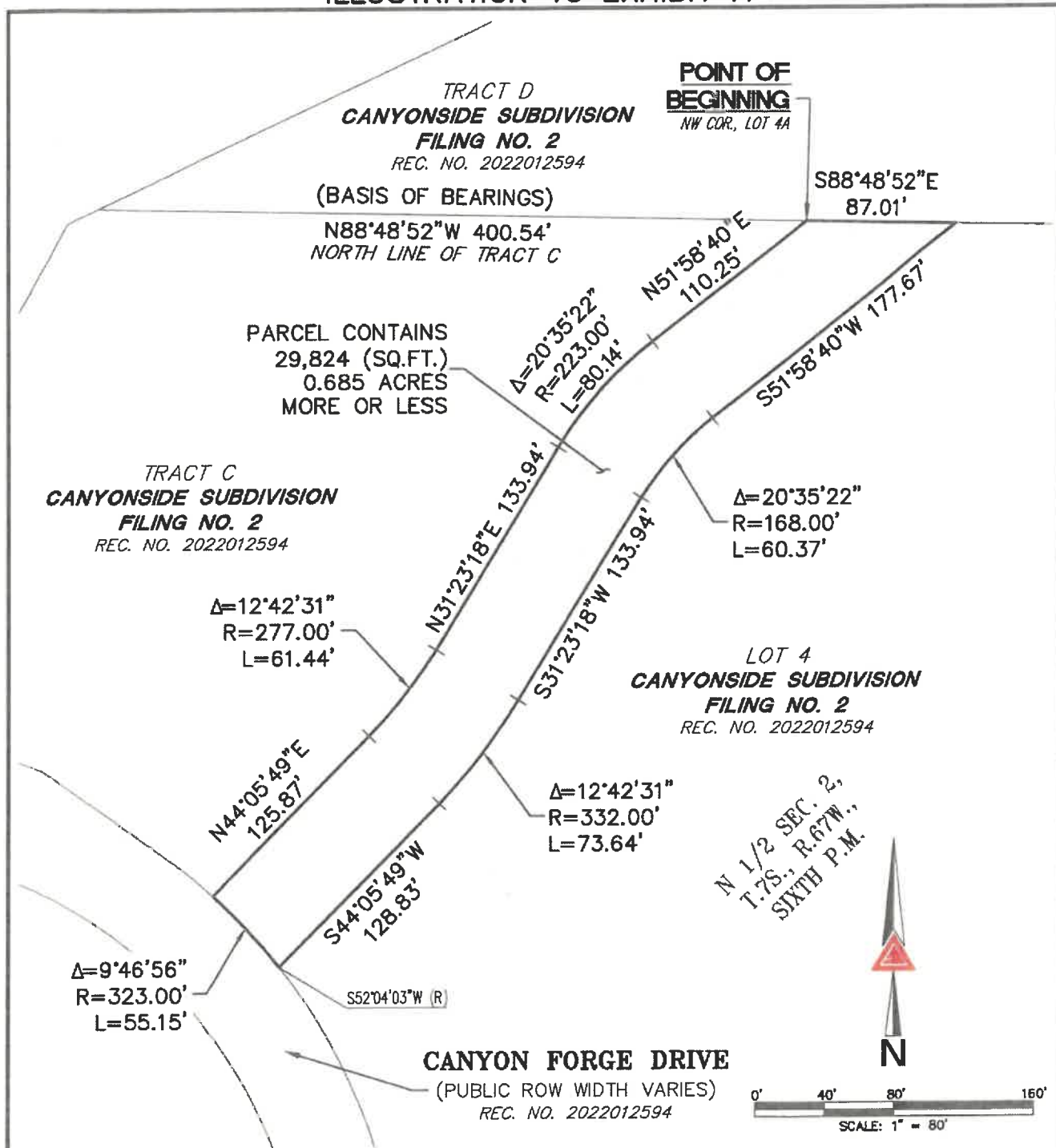


ILLUSTRATION TO EXHIBIT A



NOTE: THIS ILLUSTRATION DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



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PARCEL EXHIBIT LOT 4, CANYONSIDE SUBDIVISION FILING NO. 2 CASTLE PINES, COLORADO

PATH: Q:\158225-01 - CANYONSIDE RICHMOND.DWG\EXHIBITS\DISC PARK STREET.DWG
JOB NUMBER: 158225-01 DATE: 4/7/2025 DWG: JEL CHK: RDS 2 OF 2 SHEETS