ORDINANCE NO. 26-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, APPROVING THE CONVEYANCE OF CERTAIN RECREATION PROPERTIES FROM THE CASTLE PINES NORTH METROPOLITAN DISTRICT TO THE CITY OF CASTLE PINES PURSUANT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CASTLE PINES AND THE CASTLE PINES NORTH METROPOLITAN DISTRICT REGARDING OPERATION, MAINTENANCE AND TRANSFER OF RECREATION PROPERTIES

WHEREAS, the City of Castle Pines ("City") is a home rule municipality with all powers granted by Article XX of the Colorado Constitution and the City's Home Rule Charter ("City Charter"); and

WHEREAS, Section 14.6 of the City Charter provides that the City Council by ordinance may purchase, sell or exchange any interest in real property; and

WHEREAS, the Castle Pines North Metropolitan District ("District") was formed and exists as a special district pursuant to § 32-1-101, *et seq.,* C.R.S., for the purpose of providing certain public improvements, facilities, and services to and for the use and benefit of the District, its residents, users, property owners and the public; and

WHEREAS, the District's boundaries are located entirely within the corporate limits of the City; and

WHEREAS, the District is the owner of certain parks, open space, trails and associated improvements and fixtures ("Recreation Properties"); and

WHEREAS, the City and the District (collectively, the "Parties") entered into that certain Intergovernmental Agreement between the City of Castle Pines and Castle Pines North Metropolitan District Regarding Operation, Maintenance and Transfer of Recreation Properties dated March 28, 2023, as amended, ("IGA") to memorialize the District's intent to assign and delegate all responsibility for the Recreation Properties to the City and convey all of the real and personal property interests related to the Recreation Properties to the City and the City's concomitant obligation to assume all ownership and park maintenance responsibility for the same; and

WHEREAS, pursuant to the IGA, the District conveyed certain Recreation Properties to the City, while retaining certain tracts that hold service facilities and improvements that will continue to be maintained by the District ("Facility Tracts"); and

WHEREAS, to further subdivide the Recreation Properties and Facility Tracts pursuant to the IGA, the City Council approved those certain subdivision plats described in **Exhibit A** attached hereto; and

WHEREAS, the District Board has authorized the conveyance to the City of those newly created Recreation Properties legally described in **Exhibit A**, attached hereto (the "New Recreation Properties"); and

WHEREAS, the City Council wishes to approve the acceptance of the New Recreation Properties.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, ORDAINS:

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

Section 2. Execution of Documents. The City Manager is authorized to execute all documents associated with the City's acceptance of ownership of the New Recreation Properties after review and approval of such documents as to form by the Office of the City Attorney. The City Manager is further authorized to enter into and execute, in forms approved by the District's legal counsel and the City Attorney, easement agreements on any of the New Recreation Properties for the District to access, maintain, improve, construct or repair the District's facilities.

Section 3. Acceptance of Properties. The City Council hereby accepts for ownership, by quit claim deed, special warranty deed, or bargain and sale deed, as deemed necessary by the City Attorney, the New Recreation Properties in accordance with the terms of the IGA.

Section 4. Maintenance Responsibilities of City Limited to Recreation. By acceptance of the New Recreation Properties, the City assumes responsibility for ownership and maintenance of the New Recreation Properties, including mowing, trimming, clipping, weed control, trail maintenance, debris removal, pavement maintenance, pedestrian lighting, erosion control, irrigation, irrigation system maintenance, seeding, planting, spraying, trash and litter control and removal, hardscape maintenance, drainage system maintenance, regular playground inspections, and snow removal. Except as may be expressly assumed in writing by the City, the City does not assume ownership or maintenance obligations of any other improvements existing in or upon the New Recreation Properties that are maintained by others, including the District, pursuant to easements, licenses and other written agreements, including but not limited to retaining walls, fences, water and wastewater infrastructure, and similar improvements.

Section 5. No Waiver or Release of Claim. The City does not by this Ordinance waive or release any claim to the transfer or conveyance of other property not described by this Ordinance. Further, this Ordinance shall not be interpreted as a representation by the City that all transfers of properties identified in the IGA have been completed.

Section 6. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 7. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded.

Section 8. Publication and Effective Date. The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.5 of the Charter. This Ordinance shall be effective thirty (30) days after final publication on the City's official website and posting at the City Clerk's office pursuant to Section 1-3-40 of the Municipal Code.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 22nd DAY OF SEPTEMBER 2026.

READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 13th DAY OF OCTOBER 2026.

Tracy Engerman (Oct 20, 2026 16:13:43 MDT)

Tracy Engerman, Mayor

ATTEST:

Tobi Duffey, MMC, City Clerk

Approved as to form:

Linda Michow (Oct 19, 2026 12:26:29 MDT)

Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading on September 22, 2026; published by title only in the *Douglas County News-Press*, together with the statement that "[t]he complete text of the ordinance is available through the City Clerk's office and on the City's official website with second reading and public hearing to be held on October 13, 2026"; and finally passed and adopted by the City Council on October 13, 2026, following a duly noticed public hearing and published on the City's official website and posted at the City Clerk's office on September 23, 2026.

ATTEST:

Tobi Duffey, MMC, City Clerk

EXHIBIT A
Legal Descriptions of New Recreation Properties

Tract R1, Romar West, 3rd Amendment, according to the plat thereof recorded on August 20, 2026, at Reception No. 2026042158 in the Clerk and Recorder's Office, County of Douglas, State of Colorado.

Tract E-1, Castle Pines North Filing No. 27, 7th Amendment, according to the plat thereof recorded on August 20, 2026, at Reception No. 2026042161 in the Clerk and Recorder's Office, County of Douglas, State of Colorado.

Tract G1-1 and Tract CC1-1, Castle Pines North Filing No. 27, 8th Amendment, according to the plat thereof recorded on August 20, 2026, at Reception No. 2026042157 in the Clerk and Recorder's Office, County of Douglas, State of Colorado.

Tract A-1 and Tract A-3, Castle Pines North Filing No. 17A, 1st Amendment, according to the plat thereof recorded on August 20, 2026, at Reception No. 2026042162 in the Clerk and Recorder's Office, County of Douglas, State of Colorado.

Tract A, Castle Pines North Filing No. 30, according to the plat thereof recorded on August 20, 2026, at Reception No. 2026042159 in the Clerk and Recorder's Office, County of Douglas, State of Colorado.

Tract C-1 and Tract C-3, Castle Pines North Filing No. 16, 1st Amendment, according to the plat thereof recorded on August 20, 2026, at Reception No. 2026042160 in the Clerk and Recorder's Office, County of Douglas, State of Colorado.