ORDINANCE NO. 26-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, APPROVING THE CONVEYANCE OF CERTAIN TRACTS OF LAND TO THE CASTLE PINES NORTH METROPOLITAN DISTRICT 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 was 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 certain parcels of the Recreation Properties that were conveyed to the City and retained by the District to further create Facility Tracts to be owned by the District pursuant to the IGA, the District and City have submitted that certain final plat titled

Castle Pines North Filing No. 27, 8th Amendment, approved by City Council on July 28, 2026, with a copy thereof recorded in the real property records of Douglas County, Colorado, on August 20, 2026 at Reception No. 2026042157 (the "CPN 27, 8th Amend"), and that certain final plat titled Castle Pines North Filing No. 17A, 1st Amendment, approved by City Council on July 28, 2026, with a copy thereof recorded in the real property records of Douglas County, Colorado, on August 20, 2026 at Reception No. 2026042162 (the "CPN 17A, 1st Amend"); and

WHEREAS, the City Council finds that Tract H2-1 of CPN 27, 8th Amend, and Tract A-2 of CPN 17A, 1st Amend (together, the "Tracts") are Facility Tracts to be owned by the District; and

WHEREAS, the City Council desires to approve the quitclaim of any interest the City holds or may have in the Tracts to the District; and

WHEREAS, the City Council desires to authorize the Mayor to execute a quitclaim deed to complete the transfer of the Tracts to the District.

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. Quitclaim Deed. The City Council hereby approves the conveyance and transfer of the Tracts to the District by quitclaim deed or bargain and sale deed, without warranties, in a form approved by the City Attorney.

Section 3. Execution of Documents. The Mayor and City Clerk are authorized to execute the deeds in a form approved by the City Attorney to transfer the City's interests in the Tracts to the District.

Section 4. 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 5. 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 6. 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 7. 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.

CITY OF CASTLE PINES CORPORATE SEAL 2008 COLORADO

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

Tracy Engerman, Mayor

ATTEST:

Tobi Duffey

Tobi Duffey, MMC, City Clerk

Approved as to form:

Linda Michow

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

Tobi Duffey, MMC, City Clerk