

RESOLUTION NO. 2015-

A RESOLUTION ACKNOWLEDGING THE WITHDRAWAL OF THE REFERENDUM PETITION ON ORDINANCE NO. 2015-09

WHEREAS, at approximately 11:25 AM on June 2, 2015 the Town Clerk accepted filing of the attached “Request for Withdrawal of Referendum Petition” (“Request”) executed by both of the designated representatives of the proponents of the referendum petition against Ordinance 2015-09,

WHEREAS, the Town Clerk has verified that the Request contains the signatures of such petition representatives,

WHEREAS, the Town Council desires to formally acknowledge the termination of the referendum process on Ordinance 2015-09.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Acknowledgement. The Town Council acknowledges the withdrawal of the petition protesting Ordinance 2015-09 pursuant to the express authorization of Town Charter Section 15-6.

Section 2. Termination of Referendum Process. No further Town Council action is necessary or authorized under law concerning the referendum on Ordinance 2015-09.

Section 3. Ordinance No. 2015-09. Ordinance No. 2015-09 is in full force and effect.

PASSED, APPROVED AND ADOPTED ON FIRST AND FINAL READING this 2nd day of June, 2015, by the Town Council of the Town of Castle Rock, Colorado, by a vote of _____ for and _____ against.

ATTEST:

TOWN OF CASTLE ROCK

Sally A. Misare Town Clerk

Paul Donahue, Mayor

Approved as to form:

Robert J. Slentz, Town Attorney

EXHIBIT A

WRITTEN REQUEST FOR WITHDRAWAL OF REFERENDUM PETITION

TO: Sally Misare, Town Clerk, Town of Castle Rock, Colorado

FROM: Keith Lattimore-Walsh and Linda Van Nostrand

On March 3, 2015, the Castle Rock Town Council approved Ordinance No. 2015-09: An Ordinance Amending the Town's Zone District Map by Approving the Promenade at Castle Rock Planned Development Plan, an Amendment to a Portion of the Castle Pines Commercial PD (2000 Amendment); Approving the Promenade at Castle Rock Development Agreement; and Vesting a Site Specific Development Plan. On April 13, 2015, we submitted a petition for a referendum on Ordinance No. 2015-09. On April 30, 2015, your office certified that this petition included the valid signatures of more than five percent of registered electors in the Town of Castle Rock as required by Colo. Rev. Stat § 31-11-105(2) and Article XV, Section 15-1 of the Castle Rock Town Charter.


We are all the persons designated in the petition as representing the signers on matters affecting the petition. Pursuant to Article XV, Section 15-6 of the Castle Rock Town Charter we hereby request that the petition be withdrawn immediately. As the Town Council has yet to consider the petitions, there has not been an election set to consider the petition. Hence, we are more than twenty days prior to the vote on the petition by the registered electors of Castle Rock as required by Article XV, Section 15-6 of the Castle Rock Town Charter.

We affix our signatures below to confirm our written request for the withdrawal of the petition.

Signed and submitted this 20th day of June, 2015.



KEITH LATTIMORE-WALSH



LINDA VAN NOSTRAND