

**ORDINANCE NO. 2016-**

**AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE ZIP LINE AND AERIAL TREKKING COURSE LEASE AGREEMENT WITHIN THE PHILIP S. MILLER PARK**

**WHEREAS**, the Town of Castle Rock and Castle Rock Zip Line Tours, Inc. are parties to the Zip Line and Aerial Trekking Course Lease Agreement dated August 5, 2014 (“Lease”)

**WHEREAS**, the parties have determined that it is necessary to amend the Lease to expand the “Leased Premises” to provide for the Aerial Trekking course to be constructed and operated by the Lessee.

**NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:**

**Section 1.     Approval.** The First Amendment to Zip Line and Aerial Trekking Course Lease Agreement in the form attached as ***Exhibit 1*** is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Lease by and on behalf of the Town of Castle Rock, Colorado.

**Section 2.     Severability.** If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 3.     Safety Clause.** The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.

**APPROVED ON FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2016 by a vote of \_\_\_\_ for and \_\_\_\_ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

**PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING** this \_\_\_\_ day of \_\_\_\_\_, 2016, by the Town Council of the Town of Castle Rock by a vote of \_\_ for and \_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Sally A. Misare, Town Clerk

\_\_\_\_\_  
Paul Donahue, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Robert J. Slentz, Town Attorney

\_\_\_\_\_  
Jeff Brauer, Director of Parks & Recreation