

**ORDINANCE NO. 2025 - \_\_\_\_**

**AN ORDINANCE APPROVING THE ANNEXATION AND VESTED  
PROPERTY RIGHTS DEVELOPMENT AGREEMENT (PINE CANYON);  
AND VESTING SITE-SPECIFIC DEVELOPMENT PLANS THROUGH  
DECEMBER 31, 2050**

**WHEREAS**, pursuant to Article II, Section 30 of the Colorado Constitution, the Municipal Annexation Act of 1965, Section 31-12-101 et seq., C.R.S., and Chapter 20.02 of the Castle Rock Municipal Code (“CRMC”), the Town Council, by Ordinance No. 2025-016, has annexed into the Town of Castle Rock (the “Town”) several parcels of land totaling 533.445 acres in size and located on both the east and west side of Interstate 25, west of Founders Parkway, all as more particularly described on the attached ***Exhibit 1*** (the “Property”); and

**WHEREAS**, pursuant to Section 17.02.060 of the Town Municipal Code, the Town Council, by Ordinance No. 2025-017, has approved the initial zoning for the Property as set forth in the Pine Canyon Planned Development Plan and Zoning Regulations (the “PD Plan”); and

**WHEREAS**, in conjunction with the concurrent annexation and zoning of the Property, the Town and JRW Family Limited Partnership LLLP (the “Owner”), have reached agreement on certain terms and conditions governing the development of the Property as set forth in the Annexation and Vested Property Rights Pine Canyon Development Agreement (Pine Canyon) (the “Development Agreement”); and

**WHEREAS**, the Owner has requested that the PD Plan and Development Agreement be vested as site-specific development plans, as provided in the Development Agreement, for a period of time through and including December 31, 2050; and

**WHEREAS**, a public hearing on the Development Agreement and vesting has been held before the Town Council in accordance with the applicable provisions of the CRMC; and

**WHEREAS**, the Town Council finds and determines that it is appropriate for the Town to enter into the Development Agreement with the Owner for the development of the Property; and

**WHEREAS**, pursuant to the authority granted by Chapter 17.08 of the CRMC and Section 24-68-101, et seq., C.R.S., the Town Council further finds and determines that vesting of the PD Plan and the Development Agreement through the Development Agreement is justified due to the size and scale of the development, the length of the usual development and market cycle, and the manner of the recovery of the Owner’s capital investment over the development cycle.

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

**Section 1.     Approval.** The Development Agreement in the form presented at tonight’s meeting is hereby approved. The Mayor and the other proper Town officials are hereby authorized to execute the Development Agreement by and on behalf of the Town.

**Section 2. Vesting.** The vesting of the PD Plan and the Development Agreement authorized under Article XI of the Development Agreement is approved, which vests the PD Plan and the Development Agreement as site-specific development plans for a term ending on December 31, 2050. The notice of vesting of the PD Plan and the Development Agreement required under 17.08.090 of the CRMC shall be given within fourteen (14) days of approval of this Ordinance

**Section 3. Recording.** Neither this Ordinance nor the Development Agreement will be recorded with the Douglas County Clerk and Recorder until the condition precedent set forth in Section 2.02 of the Development Agreement occurs.

**Section 4. Severability.** If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this Ordinance.

**Section 5. 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 relationship to the legislative object sought to be obtained.

**APPROVED ON FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2025, by the Town Council of the Town of Castle Rock, Colorado, 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 \_\_\_\_\_, 2025, by the Town Council of the Town of Castle Rock, Colorado, by a vote of \_\_\_\_ for and \_\_\_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Lisa Anderson, Town Clerk

\_\_\_\_\_  
Jason Gray, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Michael J. Hyman, Town Attorney

\_\_\_\_\_  
Tara Vargish, Development Services Director

## **EXHIBIT 1**

### **Legal Description of the Property**

#### **WEST PARCEL:**

A PARCEL OF LAND LOCATED IN SECTIONS 34 AND 35, TOWNSHIP 7 SOUTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36, BEING MONUMENTED BY A

2 INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4 INCH DIAMETER ALUMINUM CAP, STAMPED "LS 6935", FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 36, BEING MONUMENTED BY A 2 INCH DIAMETER ALUMINUM TUBE WITH A 3-1/4 INCH DIAMETER ALUMINUM CAP, STAMPED

"LS 6935", IS ASSUMED TO BEAR NORTH 0° 05' 27" EAST, A DISTANCE OF 2679.42 FEET. WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.

THENCE NORTH 89° 28' 38" WEST, A DISTANCE OF 3552.58 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 25, BEING MONUMENTED BY A 3.25 INCH ALUMINUM CAP STAMPED "CDOT POINT 939", BEING THE POINT OF BEGINNING;

THENCE ALONG SAID WEST RIGHT OF WAY LINE FOLLOWING EIGHT (8) COURSES;

1. SOUTH 18° 57' 27" EAST, A DISTANCE OF 97.46 FEET;
2. SOUTH 34° 19' 43" EAST, A DISTANCE OF 116.54 FEET;
3. SOUTH 10° 33' 34" EAST, A DISTANCE OF 210.86 FEET;
4. SOUTH 19° 03' 26" EAST, A DISTANCE OF 342.07 FEET;
5. SOUTH 06° 26' 49" EAST, A DISTANCE OF 432.31 FEET;
6. SOUTH 39° 49' 42" WEST, A DISTANCE OF 69.17 FEET;
7. SOUTH 10° 19' 22" EAST, A DISTANCE OF 83.49 FEET;
8. SOUTH 42° 40' 51" EAST, A DISTANCE OF 52.61 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 35;

9. DEPARTING SAID WEST RIGHT OF WAY LINE, NORTH  $89^{\circ} 19' 42''$  WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 2091.57 FEET TO THE SOUTH SIXTEENTH CORNER OF SAID SECTIONS 34 AND 35;

10. SOUTH  $89^{\circ} 30' 25''$  WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 1117.36 FEET TO A POINT ON THE EAST BOUNDARY OF THE BURLINGTON NORTHERN SANTA FE RAILROAD;

11. NORTH  $11^{\circ} 45' 56''$  WEST, ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 72.25 FEET TO A POINT OF CURVATURE;

12. CONTINUING ON SAID EAST RIGHT OF WAY LINE, NORTHWESTERLY A DISTANCE OF 510.22 FEET ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1507.70 FEET, A CENTRAL ANGLE OF  $19^{\circ} 23' 21''$ , A CHORD BEARING OF NORTH  $21^{\circ} 27' 37''$  WEST, AND A CHORD LENGTH OF 507.79 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION;

13. NORTH  $00^{\circ} 56' 39''$  WEST, ALONG SAID WEST LINE, A DISTANCE OF 781.54 FEET TO THE CENTER EAST SIXTEENTH CORNER OF SAID SECTION 34;

14. NORTH  $89^{\circ} 58' 06''$  WEST, ALONG THE SOUTH LINE OF THE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 34.78 FEET;

15. NORTH  $28^{\circ} 20' 52''$  WEST, A DISTANCE OF 1183.02 FEET;

16. NORTH  $70^{\circ} 09' 33''$  EAST, A DISTANCE OF 911.69 FEET TO A POINT ON THE WEST BOUNDARY OF THE UNION PACIFIC RAILROAD;

THENCE ALONG SAID WEST BOUNDARY THE FOLLOWING FOUR (4) COURSES;

17. SOUTHEASTERLY A DISTANCE OF 249.04 FEET ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 5620.00 FEET, A CENTRAL ANGLE OF  $2^{\circ} 32' 20''$ , A CHORD BEARING OF SOUTH  $24^{\circ} 32' 33''$  EAST, AND A CHORD LENGTH OF 249.02 FEET;

18. SOUTH  $25^{\circ} 48' 43''$  EAST, A DISTANCE OF 455.32 FEET;

19. SOUTH  $64^{\circ} 11' 17''$  WEST, A DISTANCE OF 100.00 FEET;

20. SOUTH  $25^{\circ} 48' 43''$  EAST, A DISTANCE OF 745.62 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34;

21. SOUTH  $89^{\circ} 57' 34''$  EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 512.07 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 34;

22. SOUTH 89° 29' 14" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 35, A DISTANCE OF 1810.18 FEET TO THE POINT OF BEGINNING;

**SAVING AND EXCEPTING THEREFROM**

THOSE LANDS OCCUPIED AND CLAIMED BY THE UNION PACIFIC RAILROAD AS DEPICTED ON SHEET 5 OF 27 OF THE RIGHT OF WAY AND TRACK MAP OF THE DENVER AND RIO GRANDE RAILROAD, FIRST DIVISION, DATED JUNE 30, 1919 BEING SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34 AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 67 WEST, SIXTH PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO.

THAT SIXTY (60) FOOT WIDE RIGHT OF WAY FOR LIGGETT ROAD, BEING SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 67 WEST, SIXTH PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO.

SAID PARCEL CONTAINING A CALCULATED GROSS AREA OF 5,378,253 SQUARE FEET, OR 123.468 ACRES MORE OR LESS, WITH A CALCULATED NET ACREAGE AFTER EXCEPTIONS OF 5,145,214 SQUARE FEET, OR 118.118 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

THE LINEAL UNIT USED IN THE PREPARATION OF THE LEGAL DESCRIPTION IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

**EAST PARCEL:**

A PARCEL OF LAND LOCATED IN SECTION 1, TOWNSHIP 8 SOUTH, AND SECTIONS 35 AND 36, TOWNSHIP 7 SOUTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 36, BEING MONUMENTED BY A

2 INCH DIAMETER ALUMINUM PIPE WITH A 3-1/4 INCH DIAMETER ALUMINUM CAP, STAMPED "LS 6935", FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 36, BEING MONUMENTED BY A 2 INCH DIAMETER ALUMINUM TUBE WITH A 3-1/4 INCH DIAMETER ALUMINUM CAP, STAMPED

“LS 6935”, IS ASSUMED TO BEAR NORTH 0° 05' 27" EAST, A DISTANCE OF 2679.42 FEET. WITH ALL BEARINGS HEREIN BEING RELATIVE THERETO.

THENCE NORTH 89° 51' 44" EAST, A DISTANCE OF 1318.81 FEET TO THE CENTER WEST SIXTEENTH CORNER OF SAID SECTION 36, AND THE POINT OF BEGINNING;

THENCE THE FOLLOWING TWENTY-THREE (23) COURSES;

1. NORTH 89° 51' 44" EAST, A DISTANCE OF 3864.58 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF FOUNDERS PARKWAY;

2. SOUTH 00° 13' 20" EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 2125.88 FEET TO THE NORTHEASTERN MOST CORNER OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NUMBER 2010076348 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER;

THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, AND ALONG THE NORTH, WEST, AND SOUTH LINES OF SAID PARCEL, THE FOLLOWING FOUR COURSES;

3. NORTH 73° 43' 24" WEST, A DISTANCE OF 67.75 FEET;

4. SOUTH 24° 44' 16" WEST, A DISTANCE OF 84.60 FEET

5. SOUTH 00° 00' 08" EAST, A DISTANCE OF 308.73 FEET;

6. NORTH 89° 59' 39" EAST, A DISTANCE OF 101.85 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID FOUNDERS PARKWAY, BEING THE SOUTHEASTERN MOST CORNER OF SAID PARCEL;

THENCE ALONG SAID WEST RIGHT OF WAY LINE, THE FOLLOWING TWO (2) COURSES;

7. SOUTH 00° 13' 20" EAST, A DISTANCE OF 142.09 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36;

8. SOUTH 01° 11' 55" EAST, A DISTANCE OF 1340.96 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION ONE, BEING THE SOUTHEASTERN MOST CORNER OF THE PARCEL HEREIN DESCRIBED;

9. SOUTH 89° 17' 31" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 2588.82 FEET TO THE CENTER NORTH SIXTEENTH CORNER OF SAID SECTION 1;

10. NORTH 01° 04' 11" EAST, ALONG THE WEST LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION ONE, A DISTANCE OF 1361.34 FEET, TO THE SOUTH QUARTER CORNER OF SAID SECTION 36;

11. SOUTH 89° 27' 39" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 2585.72 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 36;

12. NORTH 89° 09' 02" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1348.09 FEET TO THE EAST SIXTEENTH CORNER COMMON TO SECTIONS 35 AND 2;

13. NORTH 01° 03' 36" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 662.52 FEET TO THE CENTER SOUTH SOUTHEAST 1/64TH CORNER OF SAID SECTION 35;

14. NORTH 89° 15' 24" WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35, TO THE SOUTHWEST CORNER THEREOF, A DISTANCE OF 1342.46 FEET;

15. NORTH 89° 15' 24" WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 35, A DISTANCE OF 161.76 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF FRONT STREET;

THENCE ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES;

16. NORTH 04° 58' 38" WEST, A DISTANCE OF 316.76 FEET;

17. NORTH 05° 23' 34" WEST, A DISTANCE OF 272.88 FEET;

18. NORTH 06° 01' 18" WEST, A DISTANCE OF 74.44 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 35;

19. SOUTH 89° 19' 42" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 216.50 FEET TO THE CENTER SOUTH SIXTEENTH CORNER OF SAID SECTION 35;

20. SOUTH 89° 19' 15" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1336.37 FEET TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION 35;

21. SOUTH 89° 19' 17" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1336.13 FEET TO THE SOUTH SIXTEENTH CORNER OF SECTIONS 35 AND 36;

22. NORTH 89° 39' 41" EAST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 1305.83 FEET TO THE SOUTHWEST SIXTEENTH CORNER OF SAID SECTION 36;

23. NORTH 01° 00' 45" WEST, ALONG THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 1324.63 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINING A CALCULATED AREA OF 18,091,645 SQUARE FEET, OR 415.327 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

THE LINEAL UNIT USED IN THE PREPARATION OF THE LEGAL DESCRIPTION IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.