

**ORDINANCE NO. 2017-014**

**AN ORDINANCE APPROVING AN AGREEMENT FOR TRANSFER OF REAL PROPERTY BETWEEN THE TOWN OF CASTLE ROCK AND CD WILCOX, LLC**

**WHEREAS**, CD Wilcox, LLC (“Developer”) is redeveloping the property generally located at 107, 111, 133 and 215 Wilcox Street, consisting of a mixed used development with residential, office and retail uses (the “Project”),

**WHEREAS**, by Ordinance No. 2017-\_\_, the Town Council has approved the Downtown Redevelopment Agreement with Developer and the Castle Rock Downtown Development Authority to facilitate the Project,

**WHEREAS**, in order to accomplish redevelopment of the Project, the Developer has determined that it is necessary to acquire the property described in the attached *Exhibit 1* (“Property”) which the Town will acquire from Douglas County in accordance with the Intergovernmental Agreement dated \_\_\_\_\_, 2017, approved by Resolution No. 2017-\_\_,

**WHEREAS**, Town and Developer have agreed to the terms and conditions by which the Town will convey the Property to Developer.

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

**Section 1.     Approval.** The Agreement for Transfer of Real Property in the form attached as *Exhibit 2* is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Agreement by and on behalf of the Town of Castle Rock, Colorado, upon satisfaction of all contractual prerequisites to such conveyance.

**Section 2.     Conveyance.** The Town Council hereby authorizes the conveyance of the Property by quitclaim deed to CD Wilcox, LLC in the deed form attached as *Exhibit 3*.

**Section 3.     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 4.     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 2nd day of May, 2017 by a vote of 4 for and -0- 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 16th day of May, 2017, by the Town Council of the Town of Castle Rock by a vote of\_\_\_ for and against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

---

Lisa Anderson, Acting Town Clerk

---

Jennifer Green, Mayor

**Approved as to form:**

**Approved as to content:**

---

Robert J. Slentz, Town Attorney

---

David L. Corliss, Town Manager