

RESOLUTION NO. 2025-045

**A RESOLUTION APPROVING AN EXTRATERRITORIAL WASTEWATER
SERVICE AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK AND
BRYAN AND CAROLYN DEGARMO**

WHEREAS, the Town of Castle Rock, Colorado, acting by and through its Water Enterprise (the “Town”), is the owner and operator of municipal water and wastewater systems; and

WHEREAS, the Town is undertaking construction of a transportation project known as the Fifth Street Improvement Project and a utilities infrastructure project known as the Fifth Street Utilities Project (the “Projects”); and

WHEREAS, Bryan and Carolyn Degarmo (the “Degarmos”) are the owners of certain real property located at 2864 Fifth Street (the “Property”), which is in the vicinity of the Projects; and

WHEREAS, construction of the Fifth Street Improvement Project will require the Degarmos to abandon their onsite wastewater treatment system; and

WHEREAS, the Degarmos have requested a wastewater service connection to the aforementioned utilities infrastructure on Fifth Street; and

WHEREAS, the Property is presently located outside of the boundaries of the Town, in unincorporated Douglas County, Colorado; and

WHEREAS, Section 13.12.040 of the Castle Rock Municipal Code authorizes the Town to extend municipal wastewater services to properties outside the Town’s boundaries pursuant to a contract for extraterritorial wastewater service, which contract shall specify the terms and conditions for service extension; and

WHEREAS, the Town and the Degarmos have negotiated the terms and conditions of an arrangement whereby the Town agrees to provide municipal wastewater services to the Property (the “Extraterritorial Wastewater Service Agreement”); and

WHEREAS, Town Staff recommends Town Council approve the Extraterritorial Wastewater Service Agreement with the Degarmos; and

WHEREAS, the Town Council finds and determines that it is in the best interest of the customers of the Town’s municipal water and wastewater systems to enter into the Extraterritorial Wastewater Service Agreement with the Degarmos in support of broader Town infrastructure needs.

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

Section 1. Approval. The Extraterritorial Wastewater Service Agreement between the Town and the Degarmos is hereby approved in substantially the same form as presented at tonight's meeting, with such technical changes, additions, modifications, deletions, or amendments as the Town Manager may approve upon consultation with the Town Attorney. The Mayor and other proper Town officials are hereby authorized to execute the Agreement and any technical amendments thereto by and on behalf of the Town.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2025, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading, 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

Mark Marlowe, Director of Castle Rock Water