

RESOLUTION NO. 2022-

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH CD-ACME, LLC, REGARDING THE STRUCTURE FOR THE OWNERSHIP AND CONSTRUCTION OF THE TOWN OF CASTLE ROCK RECREATION CENTER

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) and CD-Acme, LLC (“Acme”) have agreed to work together to propose a structure for the ownership and construction of the Town of Castle Rock Recreation Center, commonly known as the Acme/Denver Brickyard Sports Development Center project (the “Project”); and

WHEREAS, the Town and Acme have agreed to the general structure regarding the ownership and construction of the Project, as further detailed in the Memorandum of Understanding attached as *Exhibit 1*; and

WHEREAS, Town staff recommends Town Council approve the Memorandum of Understanding.

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

Section 1. Approval. The Memorandum of Understanding between the Town and the Acme is hereby approved in substantially the same form attached as *Exhibit 1*, with such technical changes, additions, modifications, or deletions 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 Memorandum of Understanding by and on behalf of the Town.

PASSED, APPROVED AND ADOPTED this 18th day of October, 2022 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

Jeff Brauer, Director of Parks and Recreation