

**ORDINANCE NO. 2017-023**

**AN ORDINANCE APPROVING LEASE AGREEMENTS  
BETWEEN TOWN OF CASTLE ROCK AND VERIZON WIRELESS (VAW) LLC FOR  
WIRELESS COMMUNICATION FACILITIES AT BUTTERFIELD CROSSING PARK  
AND PHILIP S. MILLER PARK**

**WHEREAS**, the Town of Castle Rock is the owner of certain real property known as Butterfield Park, located at 3950 Butterfield Crossing Drive and Philip S. Miller Park, located at 1375 W. Plum Creek Parkway (collectively, the “Park Property”); and

**WHEREAS**, Verizon Wireless (CAW), LLC d/b/a Verizon Wireless wishes to enter into a ground lease agreement for the use of the Park Property to place a wireless communication facilities and related appurtenances; and

**WHEREAS**, the parties are willing to enter into the Lease Agreement on the terms set forth in the Lease Agreements; and

**WHEREAS**, approval of the Lease Agreements does not obligate the Town Council to approve the requested Use by Special Review applications.

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

**Section 1. Approval.** The Lease Agreements in the form attached as *Exhibits 1* and *2* are hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Lease Agreements by and on behalf of the Town of Castle Rock, Colorado.

**Section 2. 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 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 18th day of July, 2017 by a vote of 6 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 1<sup>st</sup> day of August, 2017, by the Town Council of the Town of Castle Rock by a vote of \_\_\_ for and against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

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Lisa Anderson, Acting Town Clerk

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Jennifer Green, Mayor

**Approved as to form:**

**Approved as to content:**

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Robert J. Slentz, Town Attorney

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Bill Detweiler, Director of Development Services