

**RESOLUTION NO. 2023- \_\_\_\_**

**A RESOLUTION APPROVING THE AGREEMENT BETWEEN ACM  
DAWSON TRAILS VIII JV LLC AND THE TOWN OF CASTLE ROCK  
REGARDING THE MARKETABILITY OF TITLE TO CERTAIN WATER  
RIGHTS**

**WHEREAS**, ACM Dawson Trails VIII JV LLC (“Dawson Trails”) is the owner of certain property that has been annexed into the municipal boundaries of the Town of Castle Rock (“Town”); and

**WHEREAS**, Dawson Trails intends to dedicate certain water rights to the Town for the purpose of satisfying, in whole or in part, the water dedication requirements associated with Dawson Trails’ development of the property as set forth in Section 4.04.060 of the Town Municipal Code; and

**WHEREAS**, due to the complex nature of prior conveyances of the property and the water rights, Dawson Trails has proposed to file a quiet title action under C.R.C.P. Rule 105 for the purposes of confirming its ownership of the water rights; and

**WHEREAS**, Dawson Trails and the Town wish to enter into an agreement providing, in part, that if Dawson Trails prevails in the quiet title action, the Town will accept the marketability of Dawson Trails’ title to the water rights.

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

**Section 1.     Approval.** The Agreement between ACM Dawson Trails VIII JV LLC and the Town of Castle Rock 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 Agreement by and on behalf of the Town.

**PASSED, APPROVED AND ADOPTED** this 17th day of January, 2023, 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

\_\_\_\_\_  
David L. Corliss, Town Manager