

ORDINANCE NO. 2017-010

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO WATER LEASE AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK AND THE TOWN OF WIGGINS

WHEREAS, the Town and the Town of Wiggins (Wiggins) are parties to a Water Lease Agreement dated January 5, 2016, by which the Town leases to Wiggins certain excess recharge credits for augmentation use ("Lease Agreement"),

WHEREAS, the Town and Wiggins have determined that it is necessary and appropriate to amend the Lease Agreement to extend the term an additional three years and to address Wiggins option to lease additional recharge credits from the Town as they become available

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

Section 1. Approval. The First Amendment to Water Lease Agreement between the Town of Castle Rock and the Town of Wiggins, in the form attached as *Exhibit 1* is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the First Amendment 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 28th day of March, 2017 by a vote of 7 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 4th day of April 2017, by the Town Council of the Town of Castle Rock by a vote of ___ for and against.

ATTEST:

TOWN OF CASTLE ROCK

Sally A. Misare, Town Clerk

Jennifer Green, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Mark Marlowe, Director of Castle Rock Water