

ORDINANCE NO. 2018 -

AN ORDINANCE APPROVING A LEASE AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK AND ECO-SITE LLC FOR A PERSONAL WIRELESS SERVICE FACILITY TO BE LOCATED WITHIN QUARRY MESA OPEN SPACE

WHEREAS, The Town of Castle Rock owns certain property located in the East 1/2 of Section 23 and the West 1/2 of Section 24, Township 8 South, Range 67 West of the 6th P.M., Douglas County, State of Colorado, more commonly known as the Quarry Mesa Open Space ("Property"); and

WHEREAS, Eco-Site, LLC wishes to enter into a ground lease agreement for the use of the Property to place personal wireless service facilities and related appurtenances on the Property; and

WHEREAS, the parties are willing to enter into the Lease Agreement on the terms set forth in the Lease Agreement.

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

Section 1. Approval. The Lease Agreement in the form attached as *Exhibit 1* is 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 ____ day of May, 2018 by a vote of ____ for and ____ 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 ____ day of ____, 2018, by the Town Council of the Town of Castle Rock by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jennifer Green, Mayor

Approved as to form:

Robert J. Slentz, Town Attorney

Approved as to content:

Bill Detweiler, Director of Development Services