

ORDINANCE NO. 2019-037

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A QUITCLAIM DEED FOR THE PURPOSE OF ABANDONING THE TOWN'S INTEREST IN A PUBLIC UTILITY AND DRAINAGE EASEMENT WITHIN LOT 2A-2, BLOCK 2, THE MEADOWS FILING NO. 20, PHASE 1, AMENDMENT 13

WHEREAS, an easement was granted to the Town for public utilities and drainage by plat recorded in the public records of Douglas County at Reception No. 2008042321 ("Easement"), which plat was subsequently amended by The Meadows Filing No. 20, Phase 1, Amendment 13 recorded in the public records of Douglas County at Reception No. 2017084363 which created Lot 2A-2, Block 2 ("Lot 2A-2");

WHEREAS, the property owner desires to construct a mixed-used building on Lot 2A-2 and in order to do so, the public utility and drainage facilities located within the Easement must be relocated;

WHEREAS, as a condition to the Town's abandonment of the portion of the Easement, the property owner, at its expense, shall remove and relocate the waterline stub out currently located within the Easement to a location approved by the Town.

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

Section 1. Abandonment. The Town of Castle Rock hereby abandons its interest in that portion of the Easement described in the attached *Exhibit 1*. The Mayor and other proper officials of the Town of Castle Rock are hereby authorized to execute the quitclaim deed described in the attached *Exhibit 2* on behalf of the Town of Castle Rock, Colorado. Recordation of the quitclaim deed is conditioned on the removal and relocation of the existing waterline stub out.

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 the 5th day of November, 2019 by a vote of 6 for and 1 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

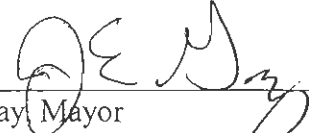
PASSED, APPROVED AND ADOPTED the 3rd day of December, 2019, by the Town Council of the Town of Castle Rock by a vote of 6 for and 1 against.

ATTEST:

TOWN OF CASTLE ROCK



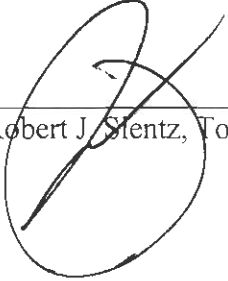
Lisa Anderson, Town Clerk



Jason Gray, Mayor

Approved as to form:

Approved as to content:



Robert J. Stentz, Town Attorney



Mark Marlowe, Director of Castle Rock Water



EXHIBIT

NORTHEAST QUARTER, SECTION 33, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO

LOT 2A-2,
BLOCK 2

SUBJECT PARCEL
818 S.F.
±0.019 Ac.

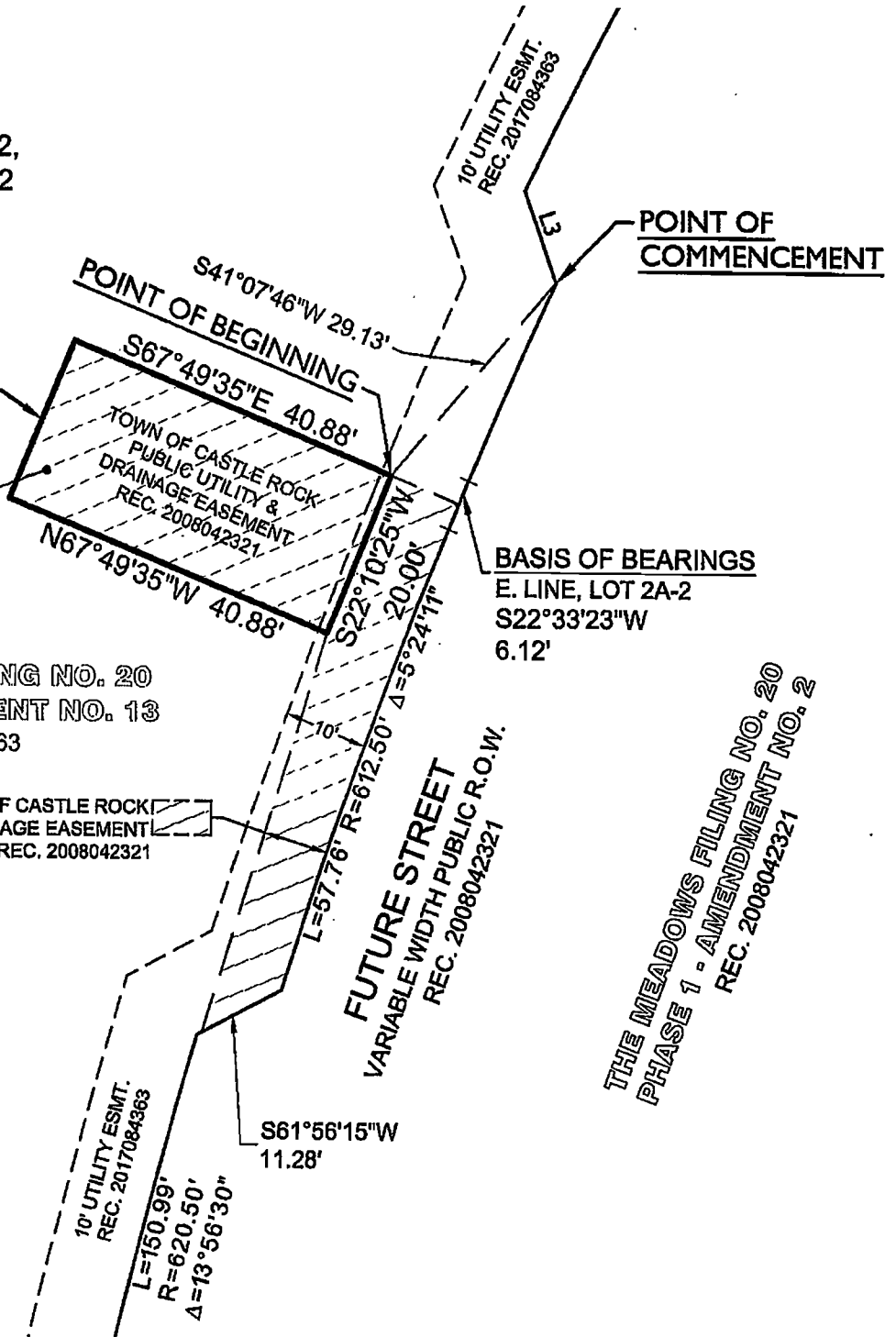
THE MEADOWS FILING NO. 20
PHASE 1 - AMENDMENT NO. 13
REC. 2017084363

TOWN OF CASTLE ROCK
PUBLIC UTILITY & DRAINAGE EASEMENT
REC. 2008042321



1 inch = 20 ft.

PARCEL CONTAINS 818 S.F. OR 0.019 Ac, MORE OR LESS.
NOTE: THIS DOES NOT REPRESENT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION
PROJECT: 19-019 DR: J. ANTON
DATE: 7/16/2019 DS: J. ANTON
SHEET 2 OF 2 P.M. T. GIRARD



THE MEADOWS FILING NO. 20
PHASE 1 - AMENDMENT NO. 2
REC. 2008042321



CORE
CONSULTANTS

CIVIL ENGINEERING
DEVELOPMENT CONSULTING
NATURAL RESOURCES
LAND SURVEYING
303.703.4444
1950 W. Littleton Blvd., Ste. 109
Littleton, CO 80120

EXHIBIT

NORTHEAST QUARTER, SECTION 33, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO

LEGAL DESCRIPTION:

A PORTION OF THAT PUBLIC UTILITY AND DRAINAGE EASEMENT, RECORDED AT RECEPTION NO. 2008042321, IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE LYING WITHIN LOT 2A-2 BLOCK 2, THE MEADOWS FILING NO. 20 PHASE 1 - AMENDMENT NO. 13, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 2017084363, SAID DOUGLAS COUNTY RECORDS, LYING WITHIN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE EAST LINE OF SAID LOT 2A-2, BEARING S 22°33'23" W, AS SHOWN THEREON, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT A POINT ON THE WEST LINE OF THE FUTURE STREET RIGHT-OF-WAY, ALSO BEING THE SOUTH END OF THAT 11.41-FOOT SEGMENT LABELED AS "L3" ON THE EAST LINE OF SAID LOT 2A-2, BLOCK 1, MEADOWS FILING NO. 20 PHASE 1 - AMENDMENT NO. 13 PLAT, THENCE S 41°07'46" W, A DISTANCE OF 29.13 FEET TO A POINT ON THE NORTH LINE OF SAID PUBLIC UTILITY AND DRAINAGE EASEMENT AND THE POINT OF BEGINNING;

THENCE S 22°10'25" W, A DISTANCE OF 20.00 FEET TO A POINT ON THE SOUTH LINE OF SAID PUBLIC UTILITY AND DRAINAGE EASEMENT;

THENCE ALONG THE PERIMETER OF SAID PUBLIC UTILITY AND DRAINAGE EASEMENT THE FOLLOWING THREE (3) COURSES:

1. N 67°49'35" W, A DISTANCE OF 40.88 FEET;
2. N 22°10'25" E, A DISTANCE OF 20.00 FEET;
3. S 67°49'35" E, A DISTANCE OF 40.88 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 818 SQUARE FEET OR 0.019 ACRES, MORE OR LESS.

THOMAS M. GIRARD
COLORADO PLS 38151
FOR AND ON BEHALF OF
CORE CONSULTANTS, INC



NOTE: THIS DOES NOT REPRESENT A MONUMENTED SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION

PROJECT: 19-019
DATE: 7/16/2019
SHEET 1 OF 2

DR: J. ANTON
DS: J. ANTON
P.M. T. GIRARD



CORE
CONSULTANTS

CIVIL ENGINEERING
DEVELOPMENT CONSULTING
NATURAL RESOURCES
LAND SURVEYING
303.703.4444
1950 W. Littleton Blvd., Ste. 109
Littleton, CO 80120

QUIT CLAIM DEED

GRANTOR: TOWN OF CASTLE ROCK, a Colorado municipal corporation, 100 Wilcox Street Castle Rock, CO 80104

GRANTEE: CASTLE ROCK DEVELOPMENT COMPANY, a Colorado corporation, 3033 E. 1st Avenue, Suite 305 Denver, CO 80206

Grantor, for the consideration of ten dollars and other good and valuable consideration, in hand paid, hereby sells and quit claims to Grantee any interest Grantor may have in that portion of the easement described in Exhibit 1, granted by subdivision plat recorded in the public records of Douglas County, Colorado at Reception No. 2008042321 ("Plat"), together with all appurtenances thereto. The remainder of the easement granted under the Plat shall remain in full force and effect.

Signed this 3rd day of December, 2019.

GRANTOR:

ATTEST:

TOWN OF CASTLE ROCK

[Signature of Lisa Anderson]

[Signature of Jason Gray]

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

[Signature of Robert J. Sientz]

Robert J. Sientz, Town Attorney



STATE OF COLORADO)) ss. COUNTY OF)

The foregoing instrument was acknowledged before me this 3 day of Dec, 2019 by Lisa Anderson as Town Clerk and Jason Gray as Mayor of the Town of Castle Rock, Colorado.

Witness my official hand and seal. My commission expires: 6-16-23

(SEAL)

[Signature of Roberta Schonher]

Notary Public

