

**RESOLUTION NO. 16-20**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF CASTLE PINES, COLORADO  
APPROVING A ROADWAY EASEMENT AGREEMENT BY AND  
BETWEEN TAYLOR MORRISON OF COLORADO, INC. AND THE  
CITY OF CASTLE PINES CONCERNING A PORTION OF LAGAE  
ROAD CONDITIONALLY VACATED THROUGH ORDINANCE  
NO. 16-02 WITHIN THE CASTLE PINES TOWN CENTER PLANNED  
DEVELOPMENT**

**WHEREAS**, pursuant to C.R.S. § 31-15-101(1)(d), the City of Castle Pines (“City”) is authorized to acquire and dispose of real property; and

**WHEREAS**, the City previously approved a planned development for property known as Lagae Ranch, as legally described and subdivided in that certain plat document titled Lagae Ranch Filing 1 Final Plat, recorded in the real property records of Douglas County at Reception No. 2008082081 (“Lagae Ranch”); and

**WHEREAS**, the City has also approved a planned development for property immediately adjacent to and south of Lagae Ranch, known as the Castle Pines Town Center planned development (“CPTC Property”); and

**WHEREAS**, in conjunction with the City’s approval of Lagae Ranch and CPTC Property, the City has agreed to vacate existing Lagae Road right-of-way in its current configuration through each of the developments in order to allow a realignment of Lagae Road and the development of lots and tracts; and

**WHEREAS**, the City Council has enacted Ordinance 08-11, as amended by Ordinance 14-08, and Ordinance 16-02 to conditionally vacate Lagae Road through Lagae Ranch and CPTC Property, conditioned upon the underlying property owners’ conveyance of a roadway easement over the existing (vacated) Lagae Road for continued public access during the construction of the realigned Lagae Road; and

**WHEREAS**, the underlying property owner of Castle Pines Town Center Filing No. 1, Taylor Morrison of Colorado, Inc. (“Property Owner”), has agreed to convey a roadway easement (“ROW Easement”) as required pursuant to Ordinance 16-02; and

**WHEREAS**, the Property Owner desires to enter into a roadway easement agreement with the City in substantially the same form as attached hereto as *Exhibit 1*; and

**WHEREAS**, the City Council desires to accept the ROW Easement in accordance with the terms and conditions set forth in the ROW Easement Agreement.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, THAT:**

**Section 1.** The City Council hereby approves and accepts the attached ROW Easement Agreement between Taylor Morrison of Colorado, Inc. and the City of Castle Pines, and authorizes

the City Manager or his designee to take all steps necessary to effectuate the terms thereof, including recordation of the ROW Easement Agreement.

**Section 2. Effective Date.** This Resolution shall take effect upon its approval by the City Council.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES by a vote of 6 in favor and 0 against this 24<sup>th</sup> day of May, 2016.



ATTEST:

Sharon Washington, CMC, City Clerk

Jeffrey T. Huff, Mayor

APPROVED AS TO FORM:

Linda C. Michow, City Attorney

**EXHIBIT 1**  
**ROW EASEMENT AGREEMENT**