

O-2025-15

AN ORDINANCE

AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 10500 W. 25TH AVE, LAKEWOOD, COLORADO FOR OPEN SPACE AND PARK PURPOSES, INCLUDING ACCEPTANCE OF A DEED THEREFOR

WHEREAS, the City of Lakewood (the "City") desires to purchase approximately two (2) acres of land generally located in the Northeast one-quarter of Section 33, Township 3 South, Range 69 West of the 6th Principal Meridian, City of Lakewood, County of Jefferson, State of Colorado, and as identified in Exhibit A (the "Property"), for the purpose of preserving the Property for open space and park purposes;

WHEREAS, the City will acquire the Property in accordance with the terms of a Purchase and Sale Agreement between the City and Jefferson County School District R-1 (the "Purchase Agreement");

WHEREAS, the City has unexpended balances in the General Fund for park and open space acquisition, and the City Council desires to authorize expenditures therefrom to purchase the Property;

WHEREAS, the purchase of the Property for open space and park purposes aligns with one of the City's goals to purchase land for open space and park property;

WHEREAS, upon learning of the sale of the existing elementary school on the Property, City residents expressed strong interest in the City acquiring all or a portion of the Property to be held for open space and park purposes;

WHEREAS, the purchase price for the Property is not to exceed five hundred and ninety-six thousand seven-hundred and twenty dollars (\$596,720.00);

WHEREAS, to reduce the cost to the City to purchase the Property, the City is applying for financial assistance from Jefferson County Open Space through the Jefferson County Land Conservation Grant Program ("Grant Funding");

WHEREAS, if awarded, the City's share of the property acquisition cost may be lowered by up to twenty-five percent (25%) of the total cost, potentially bringing the City's contribution for the property acquisition down to four hundred forty-seven thousand five hundred and forty dollars (\$447,540.00);

WHEREAS, the City is acquiring this parcel in "as-is" condition but will perform a "due diligence" inspection of the Property that includes a title commitment, ALTA survey, and review of existing environmental reports and other documentation;

WHEREAS, the boundaries of the Property as identified in Exhibit A are an approximation; the City will have a final legal description of the two-acre site following completion of the ALTA survey;

WHEREAS, the purchase and sale of this Property is subject to compliance with the Jefferson County School District Property Disposition Process and approval of the Board of Education;

WHEREAS, the City Attorney's Office will review and approve the final Purchase Agreement as to form; and

WHEREAS, approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies any particular proposal related to this proposal identified herein.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, State of Colorado:

SECTION 1. The City Council for the City of Lakewood hereby declares its intent to purchase the Property as identified in Exhibit A, attached hereto and incorporated herein, in fee simple for open space and park purposes.

SECTION 2. The purchase of the Property will serve a public purpose and further the health and welfare of the residents of the City by providing additional open space and parkland.

SECTION 3. The City Council hereby authorizes the City Manager or designee to execute all documents necessary to finalize the Purchase Agreement, the Grant Funding application, and other documents and agreements related to the acquisition of the Property.

SECTION 4. The City Manager or designee is hereby authorized to accept the instruments of conveyance of the property interests purchased pursuant to this Resolution from the Jefferson County School District R-1.

SECTION 5. The City Council hereby authorizes the expenditure of up to five hundred and ninety-six thousand seven hundred and twenty dollars (\$596,720.00) from the General Fund for fiscal year 2025 for the purchase of the Property.

SECTION 6. The City's Chief Financial Officer is hereby authorized and directed to pay amounts not to exceed five hundred and ninety-six thousand seven-hundred and twenty dollars (\$596,720.00) for the acquisition of the Property upon receipt of appropriate documentation.

SECTION 7. Any and all Grant Funding received shall reimburse the City's General Fund from which the above expenditure will be made.

SECTION 8. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided such remaining portions or application of the Ordinance are not determined by the court to be inoperable.

SECTION 9. This Ordinance shall take effect thirty (30) days after final publication.

I hereby attest and certify that within and foregoing Ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 14th day of April, 2025; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 17th day of April, 2025; set for public hearing to be held on the 28th day of April, 2025; read, finally passed and adopted by the City Council on the 28th day of April, 2025; and signed by the Mayor on the 29th day of April, 2025.



Wendi Strom

Wendi Strom, Mayor

ATTEST:

Jay Robb

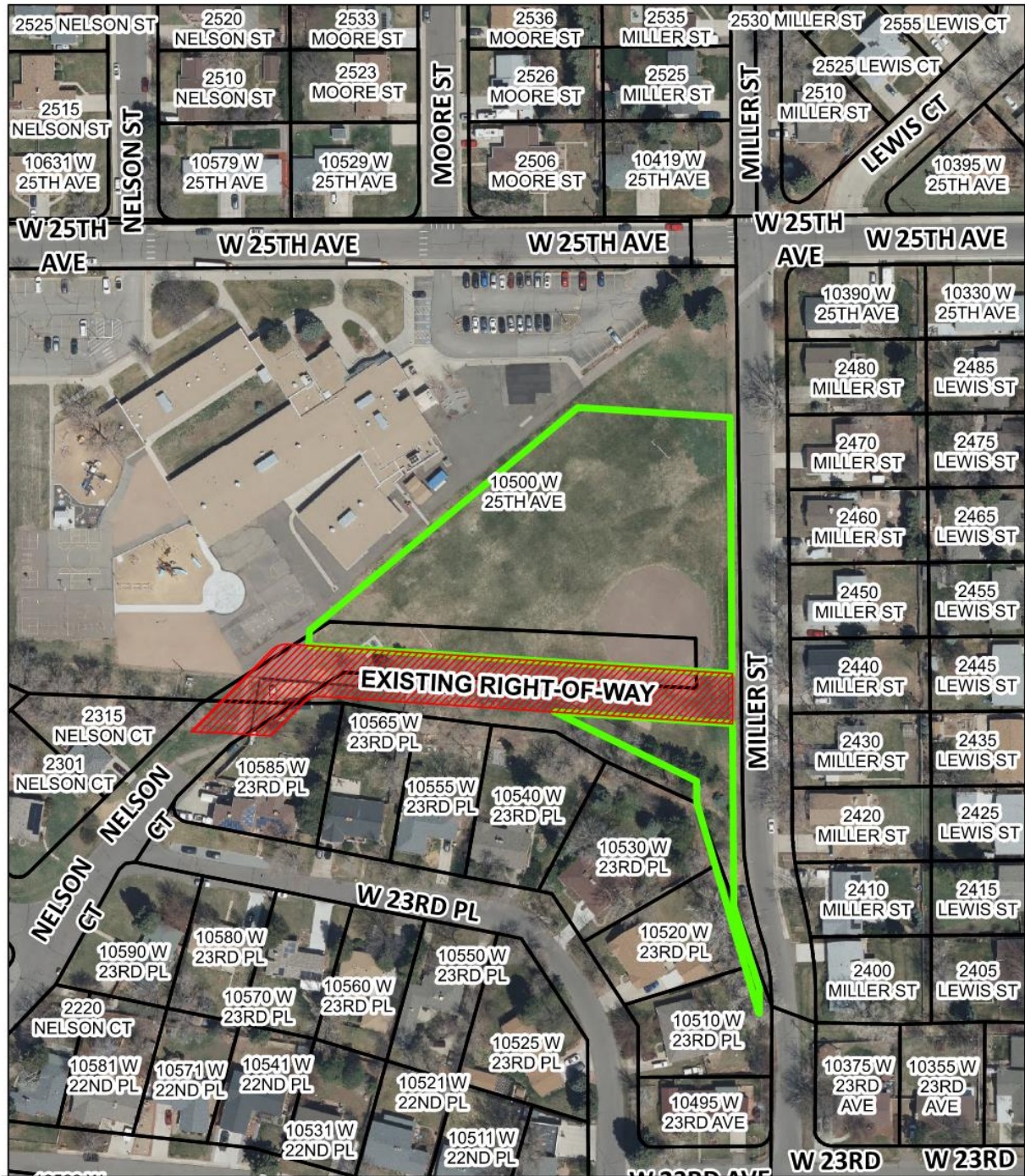
Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown

Alison McKenney Brown, City Attorney

Exhibit A



**PORTION OF VIVIAN ELEMENTARY SCHOOL TO BE ACQUIRED BY
CITY OF LAKEWOOD FROM JEFFCO SCHOOL DISTRICT**

*boundaries are approximate