

2023-54

A RESOLUTION

AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 11050 WEST 20TH AVENUE, FOR OPEN SPACE AND PARK PURPOSES, INCLUDING APPLYING FOR A JEFFERSON COUNTY OPEN SPACE GRANT, AND ACCEPTANCE OF DEEDS THEREFOR

WHEREAS, the City of Lakewood (the "City") desires to purchase approximately 9.06 acres of land generally located in the northwest quarter of the northeast quarter of the southwest quarter of Section 33, Township 3 South, Range 69 West of the 6th P.M., City of Lakewood, County of Jefferson, State of Colorado, and as more particularly described in Exhibit A attached hereto (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 the City and County of Denver, by and through its Board of Water Commissioners, (the "Purchase Agreement");

WHEREAS, the City has funds available in the TABOR Fund for park and open space acquisitions and improvements, and the City Council desires to authorize expenditures therefrom to purchase the Property;

WHEREAS, the purchase of the Property for municipal and park purposes aligns with one of the City's goals to purchase land for park property in areas of the City that are lacking park space;

WHEREAS, the purchase price for the Property is not to exceed Five Million, Five Hundred and Forty Thousand dollars (\$5,540,000);

WHEREAS, City staff has performed a "due diligence" inspection of the Property that includes a title commitment, survey, and environmental reports; and the City Attorney's Office will review and approve the final Purchase Agreement as to form;

WHEREAS, the City desires to request assistance in the purchase of the property from the Jefferson County Land Conservation Grant Program; and

WHEREAS, the City Council hereby finds and determines that authorizing the purchase of the Property using funds from the TABOR Fund for municipal and park and open space acquisition is and shall be in the best interest of the residents of the City.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City of Lakewood hereby declares its intent to purchase the Property in fee simple for municipal 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.

SECTION 3. The City Council hereby authorizes the expenditure of up to Five Million, Five Hundred and Forty Thousand dollars (\$5,540,000) from the TABOR Fund for fiscal year 2023 for the purchase of the Property.

SECTION 4. The City's Chief Financial Officer is hereby authorized and directed to pay amounts not to exceed Five Million, Five Hundred and Forty Thousand dollars (\$5,540,000) for the acquisition of the Property upon receipt of appropriate documentation.

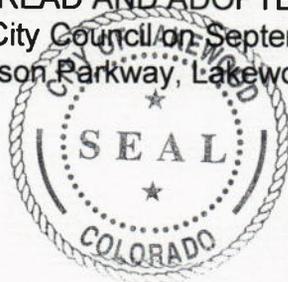
SECTION 5. The City Manager or designee is hereby authorized to execute the Purchase Agreement and all other documents necessary to facilitate or complete the acquisition of the Property, following review and approval of all such documents by the City Attorney's Office.

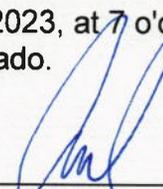
SECTION 6. The City Council hereby authorizes the City Manager or designee to execute all documents necessary to finalize grant funding and other agreements related to the acquisition of the Property, including all necessary intergovernmental agreements, following review and approval of all such documents by the City Attorney's Office.

SECTION 7. The City Manager or designee is hereby authorized to accept the instruments of conveyance of the property interests purchased pursuant to this Resolution, to temporarily convey such property interests to Jefferson County for purpose of imposing an open space reverter clause, and to accept the instruments of conveyance from Jefferson County.

SECTION 8. This Resolution shall become effective immediately upon adoption.

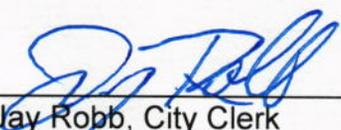
INTRODUCED, READ AND ADOPTED by a vote of 9 for and 0 against at a hybrid regular meeting of the City Council on September 25, 2023, at 7 o'clock p.m. at Lakewood City Hall, 480 South Allison Parkway, Lakewood, Colorado.





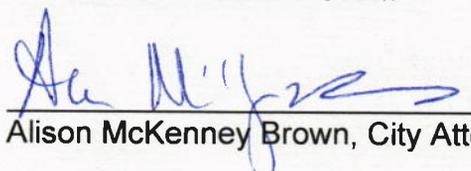
Adam Paul, Mayor

ATTEST:



Jay Robb, City Clerk

APPROVED AS TO FORM:



Alison McKenney Brown, City Attorney