

O-2025-08

AN ORDINANCE

ACCEPTING A DEED FROM URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT TO THE CITY OF LAKEWOOD FOR 7650 WEST 2ND AVENUE, CITY OF LAKEWOOD, COUNTY OF JEFFERSON, STATE OF COLORADO

WHEREAS, the City of Lakewood (the “City”) and Urban Drainage and Flood Control District d/b/a Mile High Flood District (“MHFD”) cooperated in preparation of the “South Lakewood Gulch Major Drainageway Planning Study,” dated August 1978, which identified certain flood-prone properties within the City;

WHEREAS, MHFD has a “Preservation Policy” that enables it to acquire certain flood-prone properties on behalf of local jurisdictions in order to preserve them in their natural state;

WHEREAS, the City and MHFD identified several flood-prone properties within the City, one of which is located at 7650 West 2<sup>nd</sup> Ave. (the “Property”);

WHEREAS, the City and MHFD negotiated a tentative acquisition price of three-hundred and ninety-five thousand dollars (\$395,000.00);

WHEREAS, MHFD agreed to acquire the Property on behalf of the City and then deed the Property to the City at no cost;

WHEREAS, MHFD’s Board of Directors approved Resolution No. 67, Series of 2024, a copy of which is attached hereto as Attachment A, on October 17, 2024 allowing MHFD to acquire the Property on behalf of the City;

WHEREAS, the purpose of acquiring this Property is to preserve and formalize the South Lakewood Gulch in and around the Property;

WHEREAS, MHFD wishes to convey, and the City wishes to acquire, the Property for this purpose; 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 RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. The City Council hereby accepts the deed, a copy of which is attached hereto as Attachment B, which conveys property at 7650 W. 2<sup>nd</sup> Ave. from MHFD to the City

of Lakewood.

SECTION 2. The City is not required to contribute any funding to the acquisition of the Property.

SECTION 3. The City Manager or designee is hereby authorized to accept the deed and to execute all documents necessary related to the acquisition of the Property, including all necessary intergovernmental agreements.

SECTION 4. Approval of this Ordinance is contingent upon MHFD acquiring the Property for the anticipated amount; the City agreeing to regulate and control any defined floodplains on South Lakewood Gulch in accordance with the National Flood Insurance Program regulations; the City agreeing to maintain the Property in a manner acceptable to MHFD; the City granting MHFD access to the acquired Property at all times; and the City agreeing not to make any changes to the Property without MHFD's consent.

SECTION 5. 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 10<sup>th</sup> day of February, 2025; published by title in the Denver Post and in full on the City of Lakewood's website, [www.lakewood.org](http://www.lakewood.org), on the 13<sup>th</sup> day of February, 2025; set for public hearing to be held on the 24<sup>th</sup> day of February, 2025; read, finally passed and adopted by the City Council on the 24<sup>th</sup> day of February, 2025; and signed by the Mayor on the 25<sup>th</sup> day of February, 2025.



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Wendi Strom, Mayor

ATTEST:

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Jay Robb, City Clerk

APPROVED AS TO FORM:

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Alison McKenney Brown, City Attorney