

2022-29

A RESOLUTION

AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 2951 SOUTH WADSWORTH BOULEVARD, FOR OPEN SPACE AND PARK PURPOSES, INCLUDING ACCEPTANCE OF A DEED THEREFOR

WHEREAS, the City of Lakewood (the "City") desires to purchase approximately 3.03 acres of land generally located in the southeast quarter of the northwest quarter of Section 35, Township 4 South, Range 69 West of the 6th P.M., County of Jefferson, State of Colorado, 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 Dr. Lee O'Donnell (the "Purchase Agreement");

WHEREAS, the City has unexpended balances in the TABOR 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 municipal and park purposes aligns with one of the City's goals to purchase land for park property adjacent to existing parkland, and this site is directly adjacent to the Bear Creek Greenbelt;

WHEREAS, the purchase price for the Property is not to exceed One Million Six Hundred Fifty-seven Thousand dollars (\$1,657,000);

WHEREAS, City staff have 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, to reduce the cost to the City to purchase the property, the City will request financial assistance from Jefferson County Open Space or the Jefferson County Land Conservation Grant Program ("Grant Funding");

WHEREAS, any Grant Funding received will be used to reduce the City's total expenditure to purchase the Property, which is anticipated to be approximately twenty-five percent (25%) of the cost, thereby potentially reducing the City's expenditure to \$1,242,750;

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 and 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 Lakewood.

SECTION 3. The City Council hereby authorizes the expenditure of up to One Million Six Hundred Fifty-seven Thousand dollars (\$1,657,000) from the TABOR Fund for fiscal year 2022 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 One Million Six Hundred Fifty-seven Thousand dollars (\$1,657,000) for the acquisition of the Property upon receipt of appropriate documentation.

SECTION 5. 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 the Purchase Agreement and all necessary intergovernmental agreements, following review and approval of all such documents by the City Attorney's Office.

SECTION 6. The City Manager or designee is hereby authorized to accept the instruments of conveyance of the property interests purchased pursuant to this Resolution and, if any Grant Funding is awarded, to 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 7. Any and all Grant Funding received shall reimburse the City's TABOR Fund from which the above expenditure will be made.

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

INTRODUCED, READ, AND ADOPTED by a vote of 10 for and 1 against at a hybrid regular meeting of the City Council on April 11, 2022, at 7 o'clock p.m. at the Lakewood Civic Center, 480 South Allison Parkway, Lakewood, Colorado.



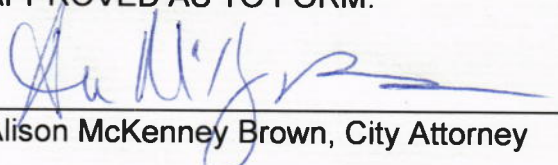
Adam Paul, Mayor

ATTEST:



Michele Millard, Interim City Clerk

APPROVED AS TO FORM:



Alison McKenney Brown, City Attorney



Legal Description:

A tract of land in the North one-half (N1/2) of the Southeast quarter (SE 1/4) of Northwest quarter (NW 1/4) of Section 35, Township 4 South, Range 69 West of the Sixth Principal Meridian, described as follows:

Commencing at the Northeast corner of said SE 1/4 of NW 1/4; thence South along the East line of said SE 1/4 of NW 1/4, a distance of 303.00 feet to the point of beginning; thence South $00^{\circ} 30' 46''$ East along the East line of the SE 1/4 of said NW 1/4 a distance of 356.65 feet to the Southeast corner of the N 1/2 of the SE 1/4 of said NW 1/4; thence South $89^{\circ} 25' 51''$ West along the East-West centerline of the SE 1/4 of said NW 1/4 a distance of 370.00 feet; thence North $00^{\circ} 30' 46''$ West along a line 370.00 feet West of parallel to the East line of the SE 1/4 of said NW 1/4 a distance of 356.44 feet; thence North $89^{\circ} 23' 57''$ East long a line 303.00 feet South of and parallel to the North line of the SE 1/4 of said NW 1/4 a distance of 370.00 feet to the point of beginning; except that portion conveyed to the Department of Highways, State of Colorado in instrument recorded December 27, 1963 in book 1668 at page 279; and except any portion lying within Wadsworth Blvd. County of Jefferson, State of Colorado.

