

**CITY OF EDGEWATER**  
**ORDINANCE NO. 2017-03**  
**SERIES OF 2017**

**AN ORDINANCE AUTHORIZING THE PLACEMENT OF A REVERSIONARY INTEREST IN FAVOR OF JEFFERSON COUNTY OPEN SPACE ON CERTAIN REAL PROPERTY OWNED BY THE CITY OF EDGEWATER AND LOCATED WITHIN CITIZENS PARK, IN EXCHANGE FOR THE RELEASE OF THE REVERSIONARY INTEREST HELD BY JEFFERSON COUNTY ON CERTAIN REAL PROPERTY OWNED BY THE CITY OF EDGEWATER AND LOCATED WITHIN WALKER BRANCH PARK.**

WHEREAS, the City of Edgewater (“City”) has identified and desires to use a certain portion of Walker Branch Park as the location for a new civic center to include various municipal offices, including a police department facility; a fitness center, including a gymnasium; and a public library facility; and

WHEREAS, that portion of Walker Branch Park that is intended to be used for the new civic center is legally described in Exhibit A hereto, and is hereinafter referred to as the “Edgewater Civic Center Parcel”; and

WHEREAS, that certain Commissioners Deed, granted by Jefferson County Board of Commissioners (hereinafter the “County”) to the City of Edgewater, dated January 9, 1979, and recorded at Reception No. 79020441, by which a part of Walker Branch Park was conveyed to the City, contains a reversionary interest (hereinafter the “Reversionary Interest”) in favor of the County in the event that the property so conveyed should be used for any purpose other than open space, park and recreational purposes; and

WHEREAS, the City has requested the release of the Reversionary Interest over the Edgewater Civic Center Parcel; and

WHEREAS, the County may agree to release the Reversionary Interest in the Edgewater Civic Center Property, provided that a like reversionary interest in a parcel of land of comparable size, purpose and value owned by the City is conveyed to the County in exchange for said release; and

WHEREAS, a parcel of land owned by the City of Edgewater, more fully described in Exhibit B hereto (hereinafter the “Exchange Parcel”), has been identified as being of comparable size, purpose and value, and the County, subject to its usual and customary review and approval process, may agree to release the Reversionary Interest in the Edgewater Civic Center Parcel in exchange for placement of the same Reversionary Interest upon the Exchange Parcel.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO, THAT:

Section 1. The Edgewater City Council hereby expresses its support for, and requests the favorable consideration by the County of, the herein described transactions whereby the Reversionary Interest on the Edgewater Civic Center Parcel is released by the County and, in exchange therefore, the Reversionary Interest is placed upon the Exchange Parcel.

Section 2. The Edgewater City Council authorizes the conveyance of the Exchange Parcel to the County, and the re-conveyance of the Exchange Parcel back to the City by delivery of a Commissioners Deed with the Reversionary Interest included thereon. The Mayor and City Clerk are hereby authorized to take such actions and execute and deliver such documents and make such affirmations as are necessary or required to implement and give effect to the transactions described herein.

Section 3. Prior to the consummation of the transactions described herein, the City Manager or his designee is authorized to approve or make minor modifications or adjustments to the documents of conveyance, including the legal descriptions attached hereto, that may be required or requested as a result of further examination or survey of the properties described herein.

Section 4. The transactions and authorizations provided or described herein are subject to and conditioned upon the approval of the contemplated transactions by the County, and any related committee or subdivision thereof, including Jefferson County Open Space, that must approve such transactions. In the event that the required approvals of the County, or any committee of subdivision thereof, are not obtained on or before May 1, 2017, then the provisions and authorities set forth herein shall be suspended, and the transactions contemplated herein shall not take place until further direction is provided by the Edgewater City Council.

Section 5. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 6. Repeal. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 7. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is necessary for the preservation of health and safety and for the protection of public

convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 8. Effective Date. This ordinance shall become effective five (5) days after final publication.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this 2nd day of February, 2017.

*/s/ Kris Teegardin,*  
Mayor

ATTEST:

*/s/ Pam Anderson*  
City Clerk

READ AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED this 16th day of February, 2017.

\_\_\_\_\_  
Kris Teegardin, Mayor

ATTEST:

\_\_\_\_\_  
Pam Anderson  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Thad Renaud, City Attorney

## Exhibit 'A'

### Description of Edgewater Civic Center Parcel

A parcel of land situated in the southeast quarter of Section 36, Township 3 South, Range 69 West of the Sixth Principal Meridian, City of Edgewater, City of Lakewood, County of Jefferson, State of Colorado, more particularly described as follows:

Commencing at the northwest corner of Lot 4, Block 8, Edgewater Annex; thence South 10.00 feet to a point on the east line of said Block 8, being the True Point of Beginning; thence East and parallel to the north line of said Block 8, 151.94 feet; thence 86.39 feet along a curve to the right having a central angle of 90°00'00", and a radius of 55.00 feet; thence South and parallel to the west line of said Block 8 201.44 feet; thence 60.18 feet along a curve to the left having a central angle of 23°01'41" and a radius of 149.73 feet to a point on the limits of the City of Lakewood; thence South 20.00 feet; thence West 23.15 feet to a point on the limits of the City of Lakewood; thence West 195.76 feet to the northwest corner of Lot 1, Block 9, Edgewater Annex; thence West 31.50 feet to a point on the easterly right of way line of Harlan Street; thence on and along said right of way line North 335.00 feet; thence departing said right of way line East 31.50 feet to the True Point of Beginning, containing 1.83 acres more or less.

Bearings are based on the west line of Block 8, Edgewater Annex, assumed to bear North.

Exhibit attached.





**Exhibit 'B'**

**LEGAL DESCRIPTION  
1.07 ACRE PARCEL IN CITIZENS PARK**

A PARCEL OF LAND SITUATED IN A PORTION OF BLOCK 82, CITY OF EDGEWATER, COUNTY OF JEFFERSON, STATE OF COLORADO; BEING THE WESTERLY ONE HUNDRED FEET OF LOTS 1 THROUGH 18 AND THE NORTH 15.50 FEET OF LOT 19 OF SAID BLOCK 82; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 82, CITY OF EDGEWATER, BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH ALONG THE WEST LINE OF SAID BLOCK 82, 465.50 FEET; THENCE EAST, 100.00 FEET; THENCE NORTH 465.50 FEET ALONG SAID EAST LINE TO A POINT ON THE NORTH LINE OF SAID LOT 1, BLOCK 82; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1 AND SAID BLOCK 82, 100.00 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING 1.07 ACRES MORE OR LESS.

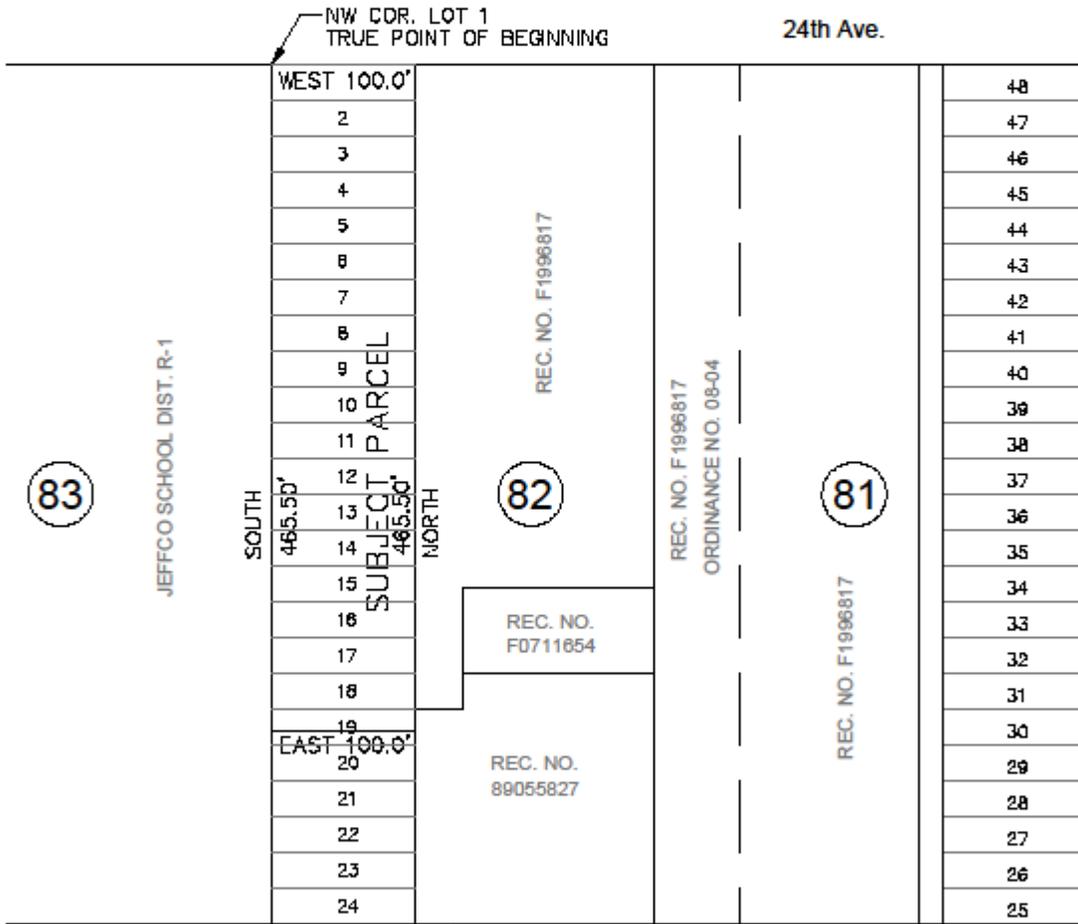
BASIS OF BEARING FOR THIS DESCRIPTION IS ASSUMED TO BE SOUTH ALONG THE WEST LINE OF BLOCK 82, CITY OF EDGEWATER.

Prepared for and on behalf of:  
Diamondback Engineering & Surveying, Inc.  
12640 W. Cedar Dr. Suite C  
Lakewood, CO 80228

By: Jerald W. Richmond, PLS 26298  
January 17, 2017

**EXHIBIT 'B'**  
**1.07 ACRE PARCEL**  
**IN CITIZENS PARK**

33		16	33	16	33
32	(108)	17	(109)	17	(110)
31		18		18	
30		19		19	
29		20		20	
28		21		21	
27		22		22	
26		23		23	
25		24		24	



**Diamondback**  
 Engineering & Surveying, Inc.  
 12640 West Cedar Drive, Suite C,  
 Lakewood, CO 80228-2030  
 Office: 303-985-4204  
 Fax: 303-985-4214  
 www.diamondbackeng.com