

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER HULTIN
Council Bill No. 23
Ordinance No. 1729
Series 2021

TITLE: AN ORDINANCE APPROVING THE TRANSFER OF 4100 GRAY STREET THROUGH GENERAL WARRANTY DEED TO THE COUNTY OF JEFFERSON, STATE OF COLORADO, IN ORDER TO PLACE A REVERTER ON THE PROPERTY AND RETURN OWNERSHIP TO THE CITY OF WHEAT RIDGE THROUGH A COMMISSIONER’S DEED

WHEREAS, the City of Wheat Ridge, Colorado (“City”) owns certain real property within the City at the southwest corner of West 41st Avenue and Gray Street designated as park land and known as Randall Park (the “Park Property”); and

WHEREAS, the City recently purchased property at 4100 Gray Street to expand Randall Park to one City square block; and

WHEREAS, to assist in this purchase the City was awarded \$150,000 in grant funds through the Jefferson County Open Space Land Conservation Partnership Program; and

WHEREAS, the process of accepting these grant funds requires the City to transfer the property via General Warranty Deed to the County of Jefferson, State of Colorado; and

WHEREAS, the property ownership will be returned to the City of Wheat Ridge through a Commissioner’s Deed, requiring that the property be used for public open space, park or recreational purposes in perpetuity; and

WHEREAS, in connection with this procedure, the City is also required to submit a signed Environmental Indemnification and Hold Harmless form; and

WHEREAS, pursuant to the Wheat Ridge City Charter Section 16.5, the unanimous approval of the entire City Council, by ordinance, is necessary to sell or dispose of designated park land; and

WHEREAS, the City Council therefore desires to approve the transfer of the Park Property conditioned upon the receipt of \$150,000 in grant funds and a Commissioner’s Deed, returning ownership to the City of Wheat Ridge.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Conveyance of Park Property Approved. Pursuant to Charter Section 16.5, the City Council hereby approves the conveyance to the County of Jefferson, State of Colorado of certain City-owned property designated as park land, which land is more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference.

Section 2. Agreement Approved. In connection with the transfer of park land approved by Section 1 above, the City Council hereby authorizes and directs the Mayor and City Clerk to execute the necessary instruments to complete the transfer and subsequent re-conveyance back to the City of the 4100 Gray Street Property, in form approved by the City Attorney.

Section 3. Conditions of Approval of Sale of Property. The conveyance of property and agreement approved by Sections 1 and 2 above is expressly contingent upon the satisfaction of all of the following conditions precedent: (1) The City of Wheat Ridge receives \$150,000 in grant funds through the Jefferson County Open Space Land Conservation Partnership Program and (2) the County of Jefferson, State of Colorado returns ownership to the City of Wheat Ridge through a Commissioner's Deed.

Section 4. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 7 to 0 on this 22nd day of November 2021, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for December 13, 2021, at 7:00 p.m., as a virtual meeting and in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado, if allowed to meet in person on that date per COVID-19 restrictions.


READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 8 to 0, this 13 day of December, 2021.

SIGNED by the Mayor on this 13 day of January 2022.




Bud Starker, Mayor

ATTEST:



Steve Kirkpatrick, City Clerk

Approved as to Form



Gerald Dahl, City Attorney

1st publication: December 2, 2021
2nd publication: December 16, 2021
Jeffco Transcript
Effective Date: December 31, 2021



EXHIBIT A

Legal Description of the Property

THAT PART OF THE FOLLOWING DESCRIBED PROPERTY LYING WITHIN THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 69 WEST TO-WIT:

BEGINNING AT A POINT 22.4 FEET NORTH AND 220.9 FEET WEST OF THE SOUTHEAST CORNER OF SAID EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER; THENCE WEST 110.0 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER, 65.0 FEET; THENCE EAST 110.0 FEET; THENCE SOUTH 65.0 FEET, TO THE POINT OF BEGINNING,

COUNTY OF JEFFERSON, STATE OF COLORADO.

also known by street and number as: 4100 GRAY STREET, WHEAT RIDGE, CO 80212