

**RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY IN THE
BUCKLEY RANCH SUBDIVISION TO THE BUCKLEY RANCH METRO DISTRICT**

NO. 2018-93

WHEREAS, the City is a home rule municipality organized under the laws of the state of Colorado;

WHEREAS, Colorado Constitution, Section I of Article XX, as made applicable to the City by section 6, allows the City to sell and dispose of real property;

WHEREAS, the City, pursuant to its Charter and the Commerce City Revised Municipal Code, has established and adopted procedures by which it may transfer its interests in real property;

WHEREAS, the City currently holds an interest in real property ("Property") dedicated to the City by plat as right of way, identified as Tract D of the Buckley Ranch Subdivision, recorded at reception number 20040504000312530 on May 4, 2004, in Adams County, Colorado;

WHEREAS, the City's planned use of the right of way is for the future construction of a trail connector which will serve the public interest by increasing pedestrian access and enhancing pedestrian travel;

WHEREAS, the City Council desires that staff transfer the Property to the Buckley Ranch Metro District to be maintained as open space while retaining an appropriate section of the current right of way for the future trail connector;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

SECTION 1. The recitals to this resolution are hereby adopted by and incorporated as findings of fact of the City Council.

SECTION 2. The City Council finds and determines that the conveyance of the Property to Buckley Ranch Metro District, in a manner consistent with this resolution, will serve a public purpose and public need and be in the public interest by eliminating any future maintenance requirements that may be placed on the City at the Property while enhancing pedestrian access throughout the City for its residents.

SECTION 3. The City Council hereby approves the conveyance of the Property to the Buckley Ranch Metro District, subject to the negotiation of the final terms of the conveyance by the City Manager with the approval of the City Attorney, consistent with this resolution.

SECTION 4. The City Council hereby authorizes: (a) the City Manager to negotiate and execute a deed and other documents as needed to convey the Property to the Buckley Ranch Metro District, consistent with this resolution, including any terms and conditions that the City Manager deems necessary and appropriate to protect the interests of the City, and (b) the City Clerk to attest to the deed and related documents.

SECTION 5. Any conveyance of the Property to the Buckley Ranch Metro District shall be conditioned on (a) the Property being developed and maintained only as open space; and (b) the Property not being further conveyed in a manner inconsistent with this Resolution.

SECTION 6. This resolution shall become effective as set forth in the Charter of the City of Commerce City.

RESOLVED AND PASSED THIS FIFTH DAY OF NOVEMBER 2018.

CITY OF COMMERCE CITY, COLORADO

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk