A RESOLUTION

AUTHORIZING APPROVAL OF SETTLEMENT AGREEMENT RELATING TO TWO
LAWSUITS OVER DEVELOPMENT OF THE FORMER WHITE FENCE FARM
PROPERTY

WHEREAS, two lawsuits were filed concerning the potential development of the
former White Fence Farm property located at 6263 W. Jewell (the “Property”);

WHEREAS, one of the lawsuits was filed by the property owner and the developer
of the site and challenged the City’s decision not to grant “Authority to Continue” under
Section 14.27 of the Lakewood Municipal Code;

WHEREAS, the other lawsuit was filed by a neighborhood group and a
homeowners association, challenging the City’s interpretation of the City Code and an
official development plan for the Property;

WHEREAS, all parties to the two cases in litigation have spent several months in
good faith settlement discussions in an effort to resolve the issues in the litigation and to
amend the development proposal to meet the needs of the developer, the neighborhood
and the City;

WHEREAS, the parties have finalized a proposed settlement agreement, a copy
of which is attached to this resolution as Exhibit A (the “Settlement Agreement”);

WHEREAS, City staff has recommended approval of the Settlement Agreement;

WHEREAS, the property owner, the developer, the neighborhood group and the
homeowners association also support the City’s approval of the Settlement Agreement;

WHEREAS, the City Council hereby finds and determines that approving the
Settlement Agreement 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 settlement agreement attached hereto as Exhibit A concerning
the former White Fence Farm property is hereby approved and shall bind the City.

SECTION 2. The Mayor or his designee is authorized to execute the settlement
agreement and to execute any other necessary instruments incident thereto.

SECTION 3. The City staff is directed to implement the terms of the settlement
agreement.

SECTION 4. This Resolution shall become effective immediately upon adoption.
INTRODUCED, READ AND ADOPTED by a vote of ____ for and ____ against at a virtual regular meeting of the Lakewood City Council held on November 23, 2020, at 7 o'clock p.m.

ATTEST:

Adam Paul, Mayor

Benjamin B. Goldstein, Interim City Clerk

APPROVED AS TO FORM:

Timothy P. Cox, City Attorney