

0-2021-1

AN ORDINANCE

MODIFICATION TO OFFICIAL DEVELOPMENT PLAN (ODP) TO LEGISLATIVELY REZONE LAND LOCATED AT 2301 S. MCINTYRE ST., LAKEWOOD, CO 80465, COUNTY OF JEFFERSON, STATE OF COLORADO.

BE IT ORDAINED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. An application by the City of Lakewood, Applicant, in ODP Modification Case MO-20-001, and upon a recommendation of approval by the Lakewood Planning Commission following a duly noticed public hearing on November 18, 2020, Lakewood Zoning Maps are hereby amended to include the Solterra West ODP Modification No. 1 as part of the Planned Development (PD/M-E-S) zone district the land described in Exhibit A attached hereto and made a part hereof; and

SECTION 2. The Mayor and City Clerk are hereby authorized and directed to certify the within and foregoing approval and record with the Clerk and Recorder of Jefferson County a certified copy of this Ordinance and the Developer's Agreement attached thereto, pursuant to the effective date thereof, and upon satisfaction of the conditions for recording relating to the property described in Exhibit A.

SECTION 3. This Ordinance shall take effect forty-five (45) days after final publication.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a regular meeting of the Lakewood City Council on the 11th day of January 2021; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 14th day of January 2021; set for public hearing on the 25th day of January 2021; read, finally passed and adopted by the City Council on the _____ day of January 2021, and signed, and approved by the Mayor on the _____ day of _____, 2021.

Adam Paul, Mayor

ATTEST:

Bruce Roome, City Clerk

APPROVED AS TO FORM:

Gregory D. Graham, Deputy City Attorney

Exhibit A

LEGAL DESCRIPTION

TWO PARCELS OF LAND BEING PORTIONS OF THE WEST HALF OF SECTION 25, AND THE EAST HALF OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOGETHER WITH PORTIONS OF SOUTH MCINTYRE STREET AND WEST YALE AVENUE, ALL IN THE COUNTY OF JEFFERSON, CITY OF LAKEWOOD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26;

THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26 SOUTH $00^{\circ}33'33''$ EAST A DISTANCE OF 660.05 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 25, AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID NORTH LINE NORTH $89^{\circ}12'02''$ EAST, A DISTANCE OF 346.74 FEET TO THE CENTERLINE OF SOUTH MCINTYRE STREET AS DESCRIBED IN WARRANTY DEED RECORDED AT RECEPTION NO. 86086083 IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER'S OFFICE SAID COUNTY AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1135.83 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH $67^{\circ}45'59''$ EAST;

THENCE DEPARTING SAID NORTH LINE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES:

1. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $27^{\circ}39'51''$, AN ARC LENGTH OF 548.41 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1291.85 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH $83^{\circ}30'47''$ EAST;
2. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $01^{\circ}59'54''$, AN ARC LENGTH OF 45.06 FEET;
3. SOUTH $12^{\circ}44'21''$ EAST, A DISTANCE OF 1430.42 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 25 AND THE CENTERLINE OF SOUTH MCINTYRE STREET AS DEPICTED ON THE SPRINGFIELD GREEN RECORDED AT RECEPTION NO. 86040993 IN SAID OFFICIAL RECORDS;

THENCE ALONG SAID LAST DESCRIBED CENTERLINE THE FOLLOWING FOUR (4) COURSES:

1. SOUTH $12^{\circ}44'19''$ EAST, A DISTANCE OF 486.05 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 804.85 FEET;
2. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $24^{\circ}15'23''$, AN ARC LENGTH OF 340.74 FEET;
3. SOUTH $36^{\circ}59'42''$ EAST, A DISTANCE OF 935.31 FEET;

4. SOUTH 37°00'05" EAST, A DISTANCE OF 402.21 FEET TO THE CENTER LINE OF SOUTH MCINTYRE STREET AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2014088411 IN SAID OFFICIAL RECORDS;

THENCE ALONG SAID CENTERLINE OF SOUTH MCINTYRE STREET SOUTH 37°00'05" EAST, A DISTANCE OF 963.19 FEET TO THE CENTERLINE OF WEST YALE AVENUE AS DEPICTED ON RED ROCKS BUSINESS PARK FILING NO. 1 RECORDED AT RECEPTION NO. 83077584 IN SAID OFFICIAL RECORDS, AND THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 25;

THENCE ALONG SAID CENTERLINE AND SAID SOUTH LINE SOUTH 89°09'11" WEST, A DISTANCE OF 932.96 FEET TO THE SOUTHEASTERLY PROLONGATION OF THE CENTERLINE OF RED ROCKS BUSINESS DRIVE AS DEPICTED ON SAID RED ROCKS BUSINESS PARK FILING NO. 1;

THENCE ALONG SAID SOUTHEASTERLY PROLONGATION AND SAID CENTERLINE THE FOLLOWING FOUR (4) COURSES:

1. NORTH 13°50'53" WEST, A DISTANCE OF 94.77 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 495.00 FEET;
2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50°25'14", AN ARC LENGTH OF 435.60 FEET;
3. NORTH 64°16'07" WEST, A DISTANCE OF 163.81 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 700.01 FEET;
4. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°20'34", AN ARC LENGTH OF 480.67 FEET TO THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY BOUNDARY OF LOT 4, BLOCK 3, SAID RED ROCKS BUSINESS PARK FILING NO. 1;

THENCE DEPARTING SAID CENTERLINE, ALONG SAID NORTHEASTERLY PROLONGATION, THE BOUNDARY OF SAID LOT 4 AND LOT 5, SAID BLOCK 3, THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 65°03'54" WEST, A DISTANCE OF 377.04 FEET
2. SOUTH 30°50'49" EAST, A DISTANCE OF 327.00 FEET;
3. NORTH 89°09'11" EAST, A DISTANCE OF 225.02 FEET;
4. SOUTH 00°34'13" EAST, A DISTANCE OF 400.32 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 25;

THENCE ALONG SAID SOUTH LINE, SOUTH 89°09'11" WEST, A DISTANCE OF 532.03 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 26;

THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26, SOUTH 89°55'40" WEST, A DISTANCE OF 350.44 FEET TO THE EASTERLY RIGHT-OF-WAY

OF C-470 AS DESCRIBED IN RULE AND ORDER RECORDED AT RECEPTION NO. 89108308 OF SAID OFFICIAL RECORDS;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES:

1. NORTH 02°39'14" WEST, A DISTANCE OF 106.96 FEET;
2. NORTH 11°22'53" WEST, A DISTANCE OF 194.35 FEET;
3. NORTH 11°22'07" WEST, A DISTANCE OF 195.41 FEET;
4. NORTH 11°21'40" WEST, A DISTANCE OF 54.88 FEET;
5. NORTH 11°17'37" WEST, A DISTANCE OF 1,954.22 FEET TO THE EASTERLY BOUNDARY OF TRACT A OF SAID RED ROCKS BUSINESS PARK FILING NO. 1;

THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY ALONG SAID EASTERLY BOUNDARY THE FOLLOWING THREE (3) COURSES:

1. NORTH 14°18'17" EAST, A DISTANCE OF 27.59 FEET;
2. NORTH 09°43'51" EAST, A DISTANCE OF 74.17 FEET;
3. NORTH 16°45'53" WEST, A DISTANCE OF 238.59 FEET TO THE SOUTHERLY CORNER OF PARCEL 295C AS DESCRIBED IN SAID LAST DESCRIBED RULE AND ORDER AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 7601.93 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 82°41'01" EAST;

THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°06'23", AN ARC LENGTH OF 942.88 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 295C, THE SOUTHEAST CORNER OF PARCEL NO. 263B AS DESCRIBED IN RULE AND ORDER RECORDED AT RECEPTION NO. 88070874 OF SAID OFFICIAL RECORDS AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 7,601.94 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 89°46'31" EAST;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY AND ALONG SAID PARCEL 295C THE FOLLOWING TWO (2) COURSES:

1. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°07'51", AN ARC LENGTH OF 680.74 FEET;
2. NORTH 04°54'22" EAST, A DISTANCE OF 212.36 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 295C AND THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 26, AND A POINT HEREINAFTER REFERRED TO AS **POINT "A"**;

THENCE ALONG SAID NORTH LINE NORTH 89°43'17" EAST, A DISTANCE OF 845.47 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 158.105 ACRES, (6,887,062 SQUARE FEET), MORE OR LESS.

PARCEL B

A PARCEL OF LAND BEING A PORTION OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID HEREIN DESCRIBED **POINT "A"**;

THENCE ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF SAID NORTHEAST QUARTER, SOUTH 89°43'17" WEST, A DISTANCE OF 375.89 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID NORTH LINE, SOUTH 05°04'25" WEST, A DISTANCE OF 251.04 FEET;

THENCE SOUTH 02°43'28" WEST, A DISTANCE OF 230.58 FEET;

THENCE NORTH 21°06'57" WEST, A DISTANCE OF 213.67 FEET;

THENCE NORTH 32°33'56" WEST, A DISTANCE OF 331.81 FEET TO SAID NORTH LINE;

THENCE ALONG SAID NORTH LINE, NORTH 89°43'17" EAST, A DISTANCE OF 288.74 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 1.403 ACRES, (61,105 SQUARE FEET), MORE OR LESS.

TOTAL COMBINED AREA FOR PARCELS A AND B IS 159.508 ACRES, (6,948,167 SQUARE FEET), MORE OR LESS.