

**A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING THE ACQUISITION OF 120 MEADE LANE,
CONSISTING OF APPROXIMATELY 0.720 ACRES MORE OR LESS**

WHEREAS, the City of Cherry Hills Village (the "City") and South Metro Fire Rescue Authority ("SMFRA") entered into that certain Intergovernmental Agreement for the Construction, Ownership, Administration and Operation of a Public Safety Facility dated September 6, 2011 (the "IGA"); and

WHEREAS, SMFRA is the successor in interest to the Castlewood Fire Protection District ("Castlewood"); and

WHEREAS, the Cherry Hills Fire Protection District deeded approximately 0.720 acres of Lot 16, Meade Subdivision (the "Subject Property") to Castlewood in 1989, following a vote of the Cherry Hills Fire Protection District to dissolve and be included within Castlewood; and

WHEREAS, pursuant to Section VII.B. of the IGA, SMFRA agreed to convey the Subject Property to the City; and

WHEREAS, the City is authorized by C.R.S. § 31-15-101(1)(d) to acquire the Subject Property; and

WHEREAS, the legal description of the Subject Property is attached to this Resolution as **Exhibit A** and is incorporated herein by reference; and

WHEREAS, the City desires to acquire the Subject Property; and

WHEREAS, the City Council declares the acquisition of the Subject Property as provided by this Resolution to be an exercise of its administrative power as provided by Colorado law; and

WHEREAS, the City is the current record owner of the balance of Lot 16, Meade Subdivision; and

WHEREAS, following the City's acquisition of the Subject Property, the City will be the record owner of the entirety of Lot 16, Meade Subdivision.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:

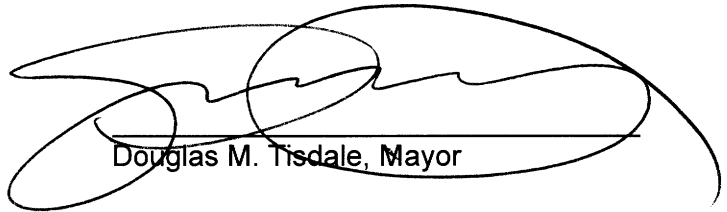
Section 1. Acceptance of Subject Property. The City Council hereby approves the acquisition of the Subject Property in accordance with Section VII.B. of the IGA, with the City's acceptance of title to the Subject Property being contingent upon the General Warranty Deed to the Subject Property being recorded in the real property records of the Clerk and Recorder of Arapahoe County, Colorado in the form attached to this Resolution as **Exhibit B**.

Section 2. Execution of Documents. The Mayor, Mayor Pro-Tem, City Manager and City Clerk are authorized to execute all documents necessary to facilitate or complete the acquisition of the Subject Property, following the review and approval of all such documents as to form by the City Attorney.

Section 3. Subsequent Quitclaim Deed Authorized. Following the recordation of the General Warranty Deed from SMFRA to the City, the Mayor shall be authorized to execute a quitclaim deed conveying Lot 16, Meade Subdivision, to the City of Cherry Hills Village, in order to confirm in the real property records of Arapahoe County, Colorado, that the City is the record owner of the entirety of Lot 16, Meade Subdivision.

Section 4. Effective Date. This Resolution shall be effective immediately.

Introduced, passed and adopted at the regular meeting of the City Council this 19th day of March, 2013, by a vote of 6 yes and 0 no.




Douglas M. Tisdale, Mayor

ATTEST:



Laura Smith, City Clerk

Approved as to form:



Linda C. Michow, City Attorney

(SEAL)

Exhibit A

Legal Description:

That part of Lot 16,
MEADE SUBDIVISION,
described as follows:

COMMENCING at the North corner of said Lot 16, located on Meade Lane;
thence Southeasterly and parallel with the Southwesterly line of said
Meade Lane, 130 feet;
thence Southwesterly and parallel to the West line of said Lot 16,
240 feet;
thence Northwesterly and parallel with the Southwesterly line of Meade
Lane, 130 feet to the West line of said Lot 16;
thence Northeasterly 240 feet along said West line of said Lot 16, to
the POINT OF BEGINNING.

County of Arapahoe, State of Colorado.

also known by street and number as: 120 Meade Lane, Englewood, Colorado, and by
Arapahoe County Assessor Identification Number (AIN) 2077-12-2-02-051.

Note:

*References to Meade Lane in the above legal description refer to Meade Lane as vacated by
City Ordinance No. 1, Series 2012, recorded on May 11, 2012 at Reception No. D2051188 in
the real property records of Arapahoe County, Colorado.*

Following recordation, return to:

Wendy J. Harring
Spencer Fane & Grimshaw LLP
1700 Lincoln Street, Suite 3800
Denver, CO 80203

NO DOCUMENTARY FEE REQUIRED PER C.R.S. § 39-13-104(1)(a)

WARRANTY DEED

THIS DEED, made this 27th day of March, 2013, between SOUTH METRO FIRE RESCUE AUTHORITY, a Colorado intergovernmental authority organized pursuant to C.R.S. § 29-1-301, *et seq.*, whose legal address is 9195 E. Mineral Avenue, Centennial, Colorado 80112, grantor, and THE CITY OF CHERRY HILLS VILLAGE, a Colorado home rule municipal corporation, whose legal address is 2450 E. Quincy Avenue, Cherry Hills Village, Colorado 80113, grantee:

WITNESS, that the grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Arapahoe, State of Colorado, described as follows:

See Exhibit A attached hereto and incorporated herein by this reference.

also known by street and number as: 120 Meade Lane, Englewood, Colorado, and by Arapahoe County Assessor Identification Number (AIN) 2077-12-2-02-051.

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, its successors and assigns forever. The grantor, for itself, its successors and assigns, does covenant and agree to and with the grantee, its successors and assigns, that at the time of the ensealing and delivery of these presents, grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except for any and all easements, rights-of-way, covenants, conditions, restrictions and other matters now of record.

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee, its successors and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

SOUTH METRO FIRE RESCUE AUTHORITY, a Colorado intergovernmental authority organized pursuant to C.R.S. § 29-1-301, et seq.

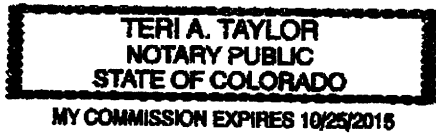
By: 
Name: Pat Mulhern
Title: President

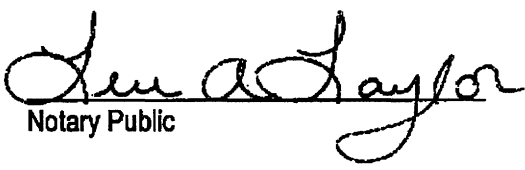
STATE OF COLORADO)
) ss.
COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this 27th day of March, 2013, by Pat Mulhern as President of South Metro Fire Rescue Authority, a Colorado intergovernmental authority organized pursuant to C.R.S. § 29-1-301, et seq.

Witness my hand and official seal.

My commission expires: 10/25/2015




Notary Public

**EXHIBIT A
To
WARRANTY DEED**

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County of Arapahoe, State of Colorado.