

ORDINANCE NO. 2334
INTRODUCED BY: BLACKHURST

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OF EIGHT SMALL TRACTS LOCATED WITHIN BRIGHTON CROSSING TO THE BRIGHTON CROSSINGS OPERATIONS BOARD AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE QUIT CLAIM DEED THEREOF

WHEREAS, during the process of platting Brighton Crossing, eight (8) small tracts of land, as more specifically described in Section 1 below (the "Property"), were conveyed to the City of Brighton (the "City") for park use; and

WHEREAS, while ownership has remained with the City, the Brighton Crossing Operations Board ("BCOB") have developed the Property into pocket parks and neighborhood connections which have been maintained by BCOB; and

WHEREAS, the City has had no involvement with the maintenance or operations of the Property; and

WHEREAS, the acreage of seven of the tracts of the Property is less than two acres and the acreage of the eighth tract of the Property is 3.6 acres; and

WHEREAS, pursuant to the Brighton Land Use and Development Code, the City will not take maintenance responsibility for any tract of real property less than 5 acres in size; and

WHEREAS, transferring ownership of the Property to BCOB will clarify who is responsible for the maintenance and liability of the Property and will be consistent with the standards of the Brighton Land Use and Development Code; and

WHEREAS, pursuant to City of Brighton Home Rule Charter Section 17.3, Council may only convey real property by ordinance or a majority vote of the electors.

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

Section 1. The conveyances of Tracts BB, CC and FF, Brighton Crossing Filing No. 3; Tracts A and B, Brighton Crossing Filing No. 1; Tract C, Brighton Crossing Filing No. 2; Tract F, Brighton Crossing Filing No. 2, 3rd Amendment; and Tract Q, Brighton Crossing Filing No. 2, 5th Amendment to the Brighton Crossings Operations Board are hereby approved.

Section 2. The City Manager is hereby authorized to execute and deliver a Quitclaim Deed or Deeds in substantially the form presented at this meeting, with such technical additions, deletions, and variations, as the City Attorney may deem necessary or appropriate and not inconsistent with this Ordinance conveying the Property on behalf of the City.

Section 3. All ordinances or parts of ordinances of the City in direct conflict herewith are expressly repealed.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED THIS
3rd DAY OF MARCH, 2020.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY
TITLE ONLY THIS 7th DAY OF APRIL, 2020.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

JACK D. BAJOREK, City Attorney