

**RESOLUTION NO. 1795**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN APPROVING THE AMENDMENT TO AGREEMENT AND LEASE WITH JEFFERSON COUNTY PERTAINING TO USE OF THE ROONEY ROAD LANDFILL FOR OPEN SPACE, DOG PARK, AND SPORTS COMPLEX**


WHEREAS, the County and City entered into an Agreement and Lease dated April 18, 2006 (the "Lease") to lease from the County certain property described therein (the "Property") to the City upon the terms and conditions set forth in the Lease; and

WHEREAS, the parties desire to amend the Lease to remove a small parcel of land and revise the legal description of the "Property".

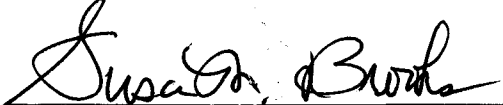
THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

The Mayor is authorized to execute the attached Amendment to the Agreement on behalf of the City.

Adopted this 13th day of September, 2007.

  
\_\_\_\_\_  
Charles J. Baroch  
Mayor

ATTEST:

  
\_\_\_\_\_  
Susan M. Brooks, MMC  
City Clerk

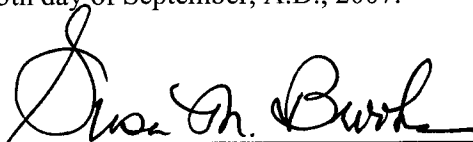
APPROVED AS TO FORM:

  
\_\_\_\_\_  
James A. Windholz  
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a rescheduled regular meeting thereof held on the 13th day of September, A.D., 2007.

(SEAL)

ATTEST:

  
\_\_\_\_\_  
Susan M. Brooks, City Clerk of the City of Golden, Colorado

**FIRST AMENDMENT TO AGREEMENT AND LEASE**

THIS FIRST AMENDMENT TO AGREEMENT AND LEASE dated for reference purposes only this 1st day of August, 2007, is made and entered into by and between the COUNTY OF JEFFERSON, a body politic and corporate (the "County") and the CITY OF GOLDEN, a Colorado municipal corporation (the "City")

**WITNESSETH:**

WHEREAS, the County and City entered into an Agreement and Lease dated April 18, 2006 (the "Lease") to lease certain property described therein (the "*Property*") to the City upon the terms and conditions set forth in the Lease; and


WHEREAS, the parties desire to amend the Lease to revise the legal description of the *Property*.

NOW, THEREFORE, for and in consideration of the covenants and conditions set forth herein, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the County and the City agree as follows:

1. Exhibit A to the Lease which describes the *Property* is deleted and replaced with the Exhibit A-1 attached hereto and incorporated herein by this reference.
2. Exhibit B to the Lease which depicts the *Sports Complex Parcel*, the *Open Space Parcel* and the *Dog Park Envelope* is deleted and replaced with the Exhibit B-1 attached hereto and incorporated herein by this reference.
3. Exhibit D to the Lease which is the Master Site Plan is deleted and replaced with the Exhibit D-1 attached hereto and incorporated herein by this reference.
4. Except as amended herein, the Lease shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Agreement and Lease to be executed.

COUNTY OF JEFFERSON  
STATE OF COLORADO

By   
Jim Congrove  
Chairman, Board of County Commissioners

APPROVED AS TO FORM:

Jean L. Ayars  
Jean L. Ayars  
Assistant County Attorney

STATE OF COLORADO )  
 ) .ss  
COUNTY OF JEFFERSON )

Subscribed and sworn to before me this 21 day of August, 2007, by Jim Congrove as Chairman of the Jefferson County Board of Commissioners.

WITNESS my hand and official seal.  
My commission expires: 9/20/08



**SHELLIE LAUGHEAD**  
NOTARY PUBLIC  
STATE OF COLORADO  
My Commission Expires  
September 20, 2008

Shellie Laughead  
Notary Public

ATTEST:

CITY OF GOLDEN

Andrea L. Banks, Deputy  
City Clerk

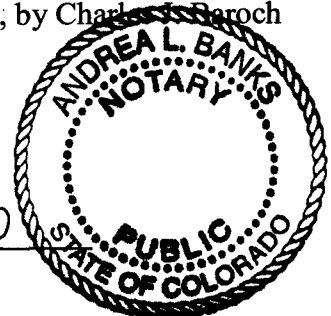
By: C. J. Baroch  
Charles J. Baroch Mayor

STATE OF COLORADO )  
 ) .ss  
COUNTY OF JEFFERSON )

Subscribed and sworn to before me this 14<sup>th</sup> day of September 2007, by Charles J. Baroch as Mayor of the City of Golden.

WITNESS my hand and official seal.  
My commission expires: 3/20/2011

Andrea L. Banks  
Notary Public



My Commission Expires 03/20/2011

EXHIBIT A-1

LEGAL DESCRIPTION OF PROPERTY

EXHIBIT "A-1"

**ROONEY ROAD AREA LEASE AGREEMENT**

A PARCEL OF LAND LYING IN SECTIONS 10, 11, 14, AND 15, T. 4 S., R. 70 W., 6<sup>TH</sup> P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE SW ¼ OF SECTION 11 FROM WHICH THE SW CORNER BEARS S 87° 53' 44"W, 1135.98';  
THENCE S 00° 55' 25"E, 695.99';  
THENCE S 30° 38' 19"W, 1794.01';  
THENCE N 11° 26' 22"W, 776.58';  
THENCE N 89° 38' 46"W, 360.28';  
THENCE N 06° 39' 13"W, 279.98';  
THENCE S 82° 42' 49"W, 20.22';  
THENCE N 07° 17' 19"W, 832.36';  
THENCE 570.74' ALONG A 1664.74' RADIUS CURVE TO THE LEFT, WHOSE CHORD BEARS N 17° 06' 37"W, 567.95';  
THENCE N 61° 06' 58"E, 10.00''  
THENCE N 28° 53' 02"W, 513.25';  
THENCE S 61° 06' 58"W, 10.00';  
THENCE N 28° 53' 02"W, 304.00';  
THENCE 841.49 ALONG A 2533.31' RADIUS CURVE TO THE RIGHT, WHOSE CHORD BEARS N 19° 22' 06"W, 837.63' TO A POINT OF COMPOUND CURVE;  
THENCE 610.02 ALONG A 1095.40' RADIUS CURVE TO THE RIGHT, WHOSE CHORD BEARS N 06° 05' 20"E, 602.17';  
THENCE S 67° 43' 17"E, 50.09';  
THENCE 273.50' ALONG A 1045.40' RADIUS CURVE TO THE RIGHT, WHOSE CHORD BEARS N 29° 31' 20"E, 272.72';  
THENCE N 52° 43' 48"W, 50.00';  
THENCE 516.48' ALONG A 1095.40' RADIUS CURVE TO THE RIGHT, WHOSE CHORD BEARS N 50° 33' 43"E, 511.71';  
THENCE S 00° 25' 35"E, 237.12';  
THENCE S 89° 20' 48"E, 656.64' TO THE E ¼ CORNER OF SECTION 10;  
THENCE N 88° 37' 54"E, 1130.70';  
THENCE S 00° 34' 26"E, 2628.67' TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 183.94 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON A LINE FROM THE SW CORNER OF SECTION 11 (3 ¼" ALUMINUM CAP PLS 13212) TO THE S ¼ CORNER OF SECTION 11 (3 ¼" ALUMINUM CAP ON 1 ½" REBAR IN A RANGE BOX) ASSUMED TO BEAR N 87° 53' 44"E.

**EXCEPT A PARCEL OF LAND (TRACT F) LYING IN THE SW QUARTER OF SECTION 11, T. 4 S., R. 70 W., 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING AT A POINT FROM WHICH THE SW CORNER OF SECTION 11 BEARS S 87° 31' 39"W, 379.74';  
THENCE N 66° 05' 59"E, 147.22';  
THENCE N 10° 24' 48"W, 64.50';  
THENCE N 27° 14' 42"W, 176.89';  
THENCE N 10° 11' 50"E, 57.61';  
THENCE N 04° 12' 24"W, 24.43';  
THENCE N 16° 39' 54"W, 185.89';  
THENCE S 78° 03' 51"W, 118.79';  
THENCE S 33° 52' 31"W, 99.58';  
THENCE S 15° 43' 37"E, 212.17';  
THENCE S 27° 11' 35"E, 256.36' TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 90,091 SQUARE FEET, MORE OR LESS.

BEARINGS ARE BASED ON A LINE FROM THE SW CORNER OF SECTION 11 (3 ¼" ALUMINUM CAP) TO THE SOUTH QUARTER CORNER OF SECTION 11 (3 ¼" ALUMINUM CAPPED 1 ½" REBAR IN A RANGE BOX) ASSUMED TO BEAR N 87° 53' 44"E.

**EXCEPT A PARCEL OF LAND (TRACT G) LYING IN THE SW QUARTER OF SECTION 11, T. 4 S., R. 70 W., 6<sup>TH</sup> P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING AT A POINT FROM WHICH THE SW CORNER OF SECTION 11 BEARS S 54° 03' 15"W, 522.70';  
THENCE S 79° 48' 10"E, 25.00';  
THENCE N 10° 11' 50"E, 25.00';  
THENCE N 79° 48' 10"W, 25.00';  
THENCE S 10° 11' 50"W, 25.00' TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 625 SQUARE FEET, MORE OR LESS.

BEARINGS ARE BASED ON A LINE FROM THE SW CORNER OF SECTION 11 (3 ¼" ALUMINUM CAP) TO THE SOUTH QUARTER CORNER OF SECTION 11 (3 ¼" ALUMINUM CAPPED 1 ½" REBAR IN A RANGE BOX) ASSUMED TO BEAR N 87° 53' 44"E.

PREPARED FOR AND ON BEHALF OF JEFFERSON COUNTY BY STEVEN W. CLARK, 100 JEFFERSON COUNTY PARKWAY, GOLDEN, CO. 80419.

Rev. 07/09/07



## EXHIBIT B-1

### DEPICTION OF SPORTS COMPLEX PARCEL, OPEN SPACE PARCEL AND DOG PARK ENVELOPE



# APEX PARK [MC [GOLDEN [ROONEY ROAD AREA LEASE AGREEMENT OS04-007



JULY 10, 2007

EXHIBIT D-1  
MASTER SITE PLAN



# Rooney Road Youth Sports Complex



Commissioner Hartman moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC07-401

RE: County Administrator - Facilities and Construction Management - Revision of Agreement and Lease - City of Golden for Rooney Road Landfill

Resolved that the Board of County Commissioners hereby approves the first amendment to the Agreement and Lease between Jefferson County and the City of Golden for the Rooney Road Landfill property.

Commissioner McCasky seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Kathy Hartman	Aye
Commissioner J. Kevin McCasky	Aye
Commissioner Jim Congrove, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: August 21, 2007