

1                                   **CITY OF LITTLETON, COLORADO**

2  
3                                   **ORDINANCE NO. 03**

4  
5                                   **Series, 2017**

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7                   **INTRODUCED BY COUNCILMEMBERS: CLARK AND COLE**

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9                   **AN ORDINANCE OF THE CITY OF LITTLETON,**  
10                   **COLORADO,                   AUTHORIZING                   AN**  
11                   **INTERGOVERNMENTAL AGREEMENT, CONVEYING**  
12                   **OWNERSHIP OF A GRAVITY INTERCEPTOR SEWER,**  
13                   **BETWEEN THE CITY AND THE ROXBOROUGH WATER**  
14                   **AND    SANITATION    DISTRICT,    TERMINATING**  
15                   **EASEMENTS TO ROXBOROUGH WATER AND**  
16                   **SANITATION DISTRICT, AND GRANTING AN ACCESS**  
17                   **EASEMENT TO ROXBOROUGH WATER AND**  
18                   **SANITATION DISTRICT**

19  
20                   **WHEREAS,** the Council may, by ordinance, enter into contracts with other  
21 government bodies to furnish or receive governmental services, to make or pay for charges for  
22 such services and to enter into cooperative or joint activities with other government bodies; and  
23

24                   **WHEREAS,** the Roxborough Water and Sanitation District desires to enter into  
25 an Interceptor Transfer Agreement (the “Agreement”), which references Easement for Pipeline  
26 Right of Way, License Agreements, Assignment of Easement Agreements, Assignment of  
27 Maintenance License Agreements to the City of Littleton, for a gravity interceptor sewer pipeline  
28 and related facilities, located from approximately Colorado State Highway No. C-470 to West  
29 Belleview Avenue; and  
30

31                   **WHEREAS,** the South Platte Park is natural open space property owned by the  
32 City of Littleton; and  
33

34                   **WHEREAS,** the City shall assume ownership and maintenance responsibilities  
35 for the sewer, as set forth in the Agreement and its referenced documents; and  
36

37                   **WHEREAS,** easements for the gravity sanitary sewer pipeline being acquired by  
38 the City were previously dedicated to the Roxborough Water and Sanitation District upon the  
39 South Platte Park, and adjacent to the Colorado Water Conservation Board property; and  
40

41                   **WHEREAS,** upon conveyance of said gravity sewer pipeline, easements to  
42 Roxborough Water and Sanitation District on city owned property will no longer be necessary;  
43 and  
44

45                   **WHEREAS,** termination of said easements will release Roxborough Water and  
46 Sanitation District of responsibilities as stated in said easements; and  
47

48  
49                   **WHEREAS,** upon conveyance of said gravity sewer pipeline, Roxborough Water

1 and Sanitation District requires access across a part of South Platte Park, to its gravity and force  
2 main pipelines located along Colorado State Highway No. C-470 on United States Army Corps  
3 of Engineers property; and  
4

5 **WHEREAS**, Pursuant to Section 60 of the Littleton City Charter, easements  
6 across city owned property may be conveyed by an ordinance adopted in regular procedure.  
7  
8

9 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**  
10 **THE CITY OF LITTLETON, COLORADO, THAT:**  
11

12 **Section 1:** The Interceptor Transfer Agreement Conveying Ownership of  
13 Gravity Interceptor Sewer Agreement is hereby approved.  
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15 **Section 2:** The City of Littleton, Colorado does hereby approve terminating  
16 easements to Roxborough Water and Sanitation District upon the South Platte Park property and  
17 adjacent to Colorado Water Conservation Board property, as described in Reception Numbers  
18 B6143901 and B6143904 of the records of the Arapahoe County Clerk and Recorder.  
19

20 **Section 3:** The City of Littleton, Colorado does hereby approve granting an  
21 access easement to Roxborough Water and Sanitation District, upon the South Platte Park  
22 property, as described in Parcel 4, attached hereto.  
23

24 **Section 4:** Severability. If any part, section, subsection, sentence, clause or  
25 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the  
26 validity of the remaining sections of this ordinance. The City Council hereby declares that it  
27 would have passed this ordinance, including each part, section, subsection, sentence, clause or  
28 phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences,  
29 clauses or phrases may be declared invalid.  
30

31 **Section 5:** Repealer. All ordinances or resolutions, or parts thereof, in  
32 conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the  
33 repealer clauses of such ordinance nor revive any ordinance thereby.  
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35 **INTRODUCED AS A BILL** at a regularly scheduled meeting of the City Council  
36 of the City of Littleton on the 17<sup>th</sup> day of January, 2017, passed on first reading by a vote of 6  
37 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the  
38 Municipal Courthouse and on the City of Littleton Website.

39 **PUBLIC HEARING** on the Ordinance to take place on the 21<sup>st</sup> day of February,  
40 2017, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado,

41 at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

42 PASSED on second and final reading, following public hearing, by a vote of \_\_\_\_\_FOR and

43 \_\_\_\_\_ AGAINST on the 21<sup>st</sup> day of February, 2017 and ordered published by posting at

44 Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

45 ATTEST:

46 \_\_\_\_\_  
47 Wendy Heffner  
48 CITY CLERK

\_\_\_\_\_  
Bruce O. Beckman  
MAYOR

49  
50 APPROVED AS TO FORM:

51  
52 \_\_\_\_\_  
53 Kenneth S. Fellman  
54 ACTING CITY ATTORNEY

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