

1 CITY OF LITTLETON, COLORADO

2
3 ORDINANCE NO. 03

4
5 Series, 2017

6
7 INTRODUCED BY COUNCILMEMBERS: CLARK AND COLE

8
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

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

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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

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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

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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

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

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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.
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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 17th 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 21st day of February,
40 2017, in the Council Chamber, 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 21st 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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