

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2015-O-26

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO APPROVING AN ANNEXATION AND
DEVELOPMENT AGREEMENT WITH SOUTHCREEK INVESTORS,
LLC, FOR CERTAIN PROPERTY LOCATED WITHIN THE
BOUNDARIES OF JORDAN ROAD ANNEXATION NO. 1**

WHEREAS, SouthCreek Investors, LLC, a Colorado limited liability company (the “Owner”), owns certain property located within the boundaries of the Jordan Road Annexation No. 1 (the “Property”), which Property has been annexed to the City of Centennial by Ordinance No. 2015-O-21; and

WHEREAS, the City and the Owner have negotiated the terms of an annexation agreement, a copy of which is on file with the City Clerk’s Office, 13133 E. Arapahoe Road, Centennial, Colorado, and which agreement has been executed by an authorized signatory of the Owner (the “Annexation Agreement”); and

WHEREAS, the City Council finds that it is in the best interests of the City to approve the Annexation Agreement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, ORDAINS:

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. Annexation Agreement Approved. The City Council hereby approves the Annexation Agreement between the City and SouthCreek Investors, LLC, a copy of which is on file with the City Clerk’s office, and authorizes the Mayor to execute the Annexation Agreement on behalf of the City.

Section 3. Direction to City Staff. The City Council hereby directs Staff to complete all necessary procedures necessary for the effectiveness of the Annexation Agreement including: (1) recording a fully executed copy of the Annexation Agreement in the real property records of Arapahoe County, Colorado following the effective date of the annexation of the Property to the City of Centennial; and (2) filing the Annexation Agreement of record with the City Clerk of the City of Centennial, Colorado.

Section 4. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE ___ DAY OF _____, 2015.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of _____, 2015 and ordered published one time by title only in *The Villager* newspaper on _____, 2015, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: _____
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE ____ DAY OF _____, 2015, BY A VOTE OF ____ IN FAVOR AND _____ AGAINST.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2015, and ordered published by title only, one time by *The Villager* newspaper on _____, 2015 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk