

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2024-O-02

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO, APPROVING THE FIRST AMENDMENT TO THE ANNEXATION AND
DEVELOPMENT AGREEMENT WITH UPD INOVA III, LLC**

WHEREAS, in 2019 the City of Centennial annexed certain property known as the INOVA III Annexation and legally described today as Lots 1, 2, and 3, Inova Aero Subdivision Filing No. 1, City of Centennial, County of Arapahoe, State of Colorado (the “Subject Property”); and

WHEREAS, at the time of the annexation the City and the owner of the Subject Property, UPD INOVA III, LLC, executed an annexation and development agreement which generally set forth certain agreements relative to the annexation and future use and development of the Subject Property (the “Annexation Agreement”); and

WHEREAS, the Parties now seek to amend the Annexation Agreement in order to permit Vehicle Sales of Electric Vehicles among other modifications as specifically set forth within the amendment (“First Amendment”) and

WHEREAS, the City Council finds that it is in the best interests of the City to approve said First Amendment.

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

Section 1. First Amendment to Annexation Agreement Approved. The City Council hereby approves the amendment to the Annexation Agreement (“First Amendment”) between the City and the Subject Property owner, a copy of which is on file with the City Clerk’s office, and authorizes the Mayor to execute the First Amendment on behalf of the City.

Section 2. Direction to City Staff. The City Council hereby directs Staff to complete all procedures necessary for the effectiveness of the First Amendment.

Section 3. 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 4. 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or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby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 5. **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 _____, 2024.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, 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 _____, 2024 and ordered published one time by title only in *The Centennial Citizen* newspaper on _____, 2024, 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

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE CENTENNIAL CITIZEN* 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 _____, 2024, BY A VOTE OF ____ IN FAVOR AND ____ AGAINST.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2024, and ordered published by title only, one time by *The Centennial Citizen* newspaper on _____, 2024 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

*Published in full on the City's website at: www.centennialco.gov on February 15, 2024
by Christina Lovelace, Deputy City Clerk.*