

3. Plaintiffs' Motion for Preliminary Injunction demonstrates that Plaintiffs have a reasonable probability of succeeding on the merits of their claims, which challenge the legality and enforceability of Lakewood Municipal Code 14.16.000 *et seq.*, as repealed and replaced by the Initiative.

4. Lakewood Municipal Code 14.16.000 *et seq.*, as repealed and replaced by the Initiative, poses a danger of real, immediate, and irreparable injury because the Initiative would affect Plaintiffs' interests in real property, including loss of property, among imposing other irreparable injuries to Plaintiffs' rights under state and federal law.

5. The balance of the equities favor the issuance of a preliminary injunction.

6. There is no plain, speedy, and adequate remedy at law because Lakewood Municipal Code 14.16.000 *et seq.*, as repealed and replaced by the Initiative, would burden Plaintiffs' interests in real property, among other irreparable harms.

7. The granting of a preliminary injunction would not disserve the public interest.

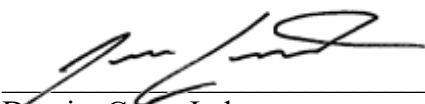
8. The granting of a preliminary injunction would preserve the status quo pending a trial on the merits, as state law already forbids local governments from requiring land dedications without also offering the option to pay a fee in lieu of physically dedicating land, and because the City has already committed to reviewing the Major Site Plan ("MSP") for the development to be built at 777 S. Yarrow Street, Lakewood, Colorado (the "Development"), under the laws that were in effect when Plaintiffs submitted their first MSP.

IT IS THEREFORE ORDERED that pending a trial on the merits, or other final resolution of Plaintiffs' claims, Defendant shall be enjoined from enforcing Lakewood Municipal Code 14.16.000 *et seq.*, as repealed and replaced by the Initiative.

Plaintiffs are ordered to post a bond in an amount of n/a in accordance with C.R.C.P. 65(c), by _____.

January 14, 2025

IT IS SO ORDERED



District Court Judge
Jason D Carrithers
District Court Judge

Plaintiffs' developments will be subject to the provisions of the ordinance, if the ordinance is upheld.