

ORDINANCE NO. 15

SERIES 2010

AN ORDINANCE AUTHORIZING THE PURCHASE OF THE NORTH 25 FEET OF LOTS 17-19, BLOCK 40, TOWN OF CRESTED BUTTE FOR THE PURCHASE PRICE OF \$104,000.00

WHEREAS, the Town of Crested Butte, Colorado (the "Town") is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and the laws of the State of Colorado;

WHEREAS, the Town Council is authorized pursuant to §§ 31-25-501 and 31-25-302, C.R.S., as amended, to enter into agreements in order to, in pertinent part, acquire interests in land necessary, suitable or proper for public interests;

WHEREAS, the Town Council has directed Town staff to negotiate the terms and conditions for the purchase of the above-described property in an amount to be determined as a result of such negotiations, and which has been subsequently determined to be \$104,000.00; and

WHEREAS, the Town Council hereby finds that it is necessary and suitable, and in the best interest of the Town and the health, safety and welfare of the residents and visitors of Crested Butte, that the above-described property be purchased as set forth hereinbelow.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. Authorization to Purchase. The Town Council, pursuant to the Crested Butte Municipal Code and the laws of the State of Colorado, hereby authorizes the purchase by the Town, for the sum of \$104,000.00 plus customary closing costs and fees, to purchase and acquire the real property legally described as the North 25 Feet of Lots 17-19, Block 40, Town of Crested Butte, County of Gunnison, State of Colorado, and authorizes and directs the Mayor and Town Clerk to appropriately execute any and all documents necessary and appropriate to consummate said purchase.

Section 2. Appropriation of Funds. The Town Council hereby appropriates the sum of \$104,000.00 plus customary closing costs and fees for the purchase of the above-described real property out of Parking In Lieu Fund, and authorizes the expenditure of said sum for such purpose.

Section 3. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 4. Savings Clause. Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 17th DAY OF MAY, 2010.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 7th DAY OF JUNE, 2010.

TOWN OF CRESTED BUTTE, COLORADO

By: *Leah B. Williams*
Leah B. Williams, Mayor

ATTEST:

Eileen Hughes
Eileen Hughes, Town Clerk

