

**ORDINANCE NO. 12
SERIES 2008**

**AN ORDINANCE AUTHORIZING THE TOWN OF CRESTED BUTTE TO HOLD
TWO DEEDS OF CONSERVATION EASEMENT ENCUMBERING PROPERTY
OWNED BY THE CRESTED BUTTE LAND TRUST**

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 laws of the State of Colorado; and

WHEREAS, the Town has been requested by the Crested Butte Land Trust, a Colorado non-profit corporation ("**CBLT**") to hold two conservation easements (the "**Conservation Easements**") on property owned by the CBLT described as Parcel A and Parcel B of the Plat of Crested Butte Land Trust Land, Kikel Property, recorded on _____, 2008, as Reception No. _____ of the records of the Clerk and Recorder of Gunnison County, Colorado (the "**Property**"); and

WHEREAS, the Town Council finds that it is in the best interest of the Town and its inhabitants and visitors for the Town to ensure that the "**Conservation Values**" of the Property, as described in the Conservation Easements (which include preservation of natural wildlife habitat, open space, agricultural, scenic and public recreation values), are protected in perpetuity.

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

Section 1. Acceptance of Grant of Conservation Easements. The Town hereby accepts the grant of the Conservation Easements from CBLT encumbering the Property, in the form set forth in Exhibit A and Exhibit B attached hereto, and the Town Council authorizes the Mayor to execute the Conservation Easements and the Town Clerk to attest the signature of the Mayor on the Conservation Easements. The Town Council approves that the final form of the Conservation Easements shall be as approved by the Town Attorney.

Section 2. Authority. The Town has authority to accept the grant of the Conservation Easements and agrees to hold the Conservation Easements for the purpose of preserving the Conservation Values of the Property as described in the Conservation Easements.

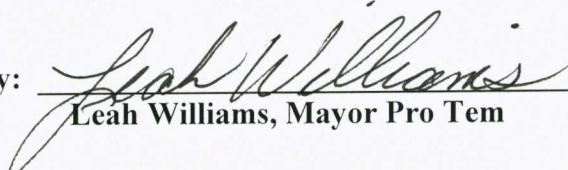
Section 3. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions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

Section 4. Savings Clause. Except as hereby amended, the 1987 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 of Crested Butte which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

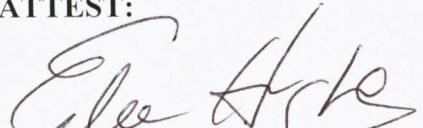
INTRODUCED AND FIRST READ BEFORE THE TOWN COUNCIL THE 7th DAY OF JULY, 2008.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THE 21st DAY OF JULY, 2008.

TOWN OF CRESTED BUTTE, COLORADO

By: 
Leah Williams, Mayor Pro Tem

ATTEST:


Eileen Hughes, Town Clerk

SEAL