

ORDINANCE NO. 4

SERIES 2005

AN ORDINANCE AUTHORIZING THE TOWN COUNCIL TO ACCEPT CONVEYANCE OF THE PROPERTY DESCRIBED HEREIN.

WHEREAS, the Town of Crested Butte, Colorado 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; and

WHEREAS, the Town is authorized, pursuant to Sections 31-15-101 and 31-15-713, Colorado Revised Statutes, as amended, to acquire and dispose of real property; and

WHEREAS, the Town Council has determined that it is in the best interests of the Town to accept the donation of the real property as described in the Exhibit A to the attached Donation Agreement; and

WHEREAS, the Town Council has also determined that it is appropriate to accept said real property on the terms and conditions as contained in the attached Donation Agreement; and

WHEREAS, the Town Council finds that the receipt of the real property is in the best interest of the health, safety and welfare of the residents of the Town.

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

Section 1. Authorizing the Acceptance of Property. The Crested Butte Town Council, pursuant to the 1987 Crested Butte Municipal Code and the laws of the State of Colorado, hereby authorizes the acceptance of the real property referenced in the attached Donation Agreement, Town of Crested Butte, and authorizes and directs the Mayor and the Town Clerk to appropriately execute the documents necessary to effectuate the receipt thereof.

Section 2. 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 3. Savings Clause. Except as hereby amended, the 1987 Crested Butte Municipal Code 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of any ordinance previously adopted by the Town of Crested Butte which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.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, READ AND SET FOR FIRST READING THIS _____ DAY OF _____, 2005.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS ____ DAY OF _____, 2005.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
James A. Schmidt, Mayor

ATTEST:

Eileen Hughes, Town Clerk

SEAL