

ORDINANCE NO. 29

SERIES 2010

AN ORDINANCE AUTHORIZING THE SALE OF A CERTAIN PORTION OF THE TOWN PLAZA LEGALLY DESCRIBED AS PARCEL OF LAND LOCATED WITHIN THE ELK AVENUE PLAZA RIGHT OF WAY, TOWN OF CRESTED BUTTE, ALSO BEING LOCATED IN SECTION 2 TOWNSHIP 14 SOUTH, RANGE 86 WEST OF THE 6TH PRIME MERIDIAN, GUNNISON COUNTY AS FURTHER DESCRIBED IN EXHIBIT A FOR THE PURCHASE PRICE OF \$ 5,418.63

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, convey interests in Town-owned lands necessary, suitable or proper for public interests;

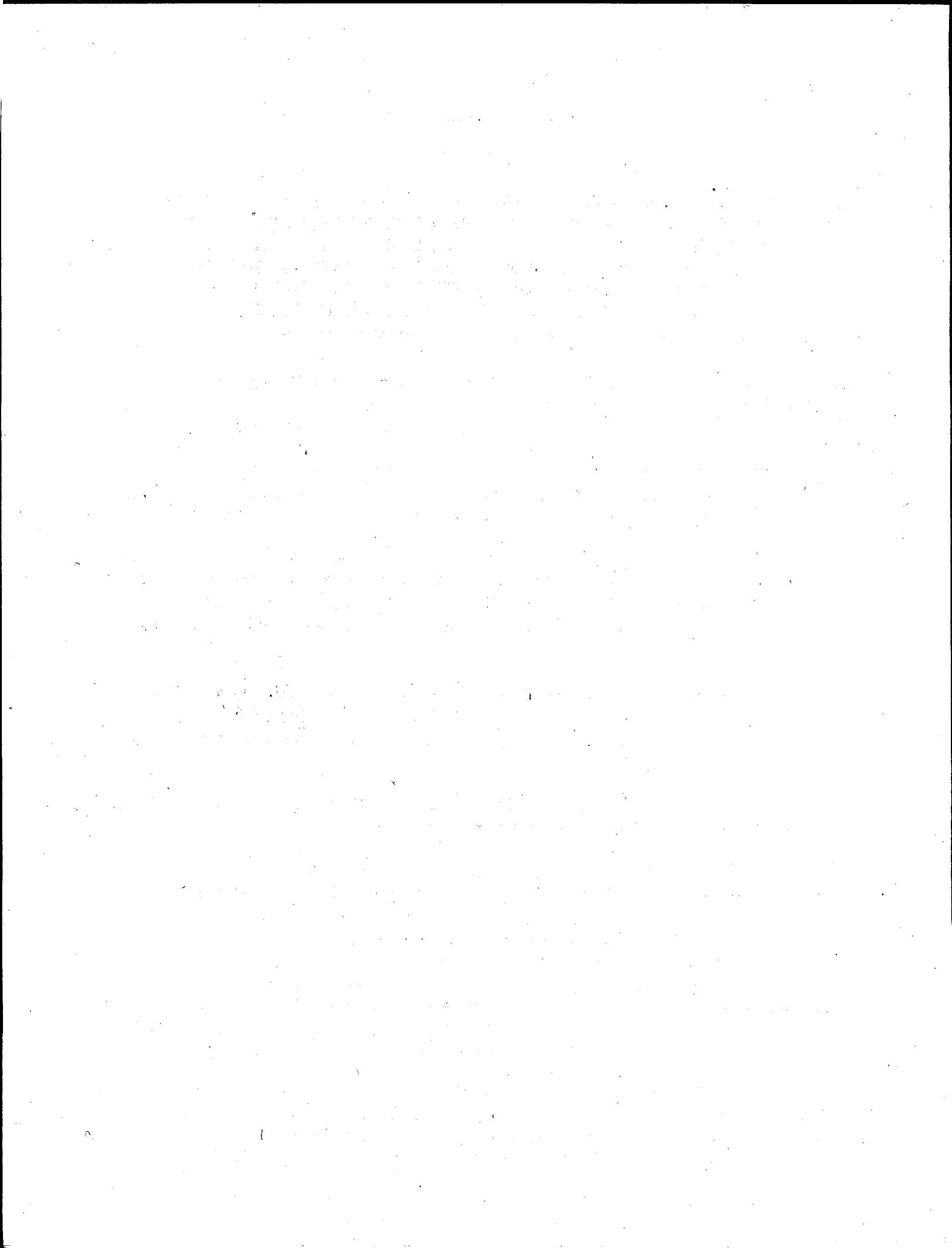
WHEREAS, the Town Council has directed Town staff to negotiate the terms and conditions for the purchase of the above-described property in an amount to be determined as a result of an appraisal and subsequent negotiations with the purchaser thereof, and which such amount has been subsequently determined to be \$5,418.63; 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 sold and conveyed 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 sale by the Town, for the sum of \$5,418.63, inclusive of all fees, costs and expenses, the real property described as that portion of the Town Plaza, as further described as a portion of the Town Plaza described in exhibit A, Town of Crested Butte, County of Gunnison, State of Colorado, the specific location of which is depicted in **Exhibit "A"** attached hereto, and authorizes and directs the Mayor and Town Clerk to appropriately execute any and all documents necessary and appropriate to consummate said purchase upon prior approval of the same by the Town Attorney.

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 shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. 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 20th DAY OF SEPTEMBER, 2010.

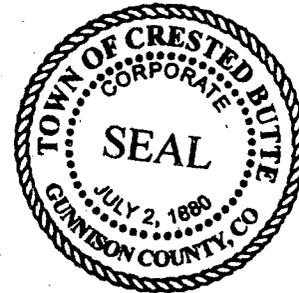
ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 4TH DAY OF OCTOBER, 2010.

TOWN OF CRESTED BUTTE, COLORADO

By: *Daniel Escalante*
Daniel Escalante, Mayor Pro-tem

ATTEST:

Eileen Hughes
Eileen Hughes, Town Clerk





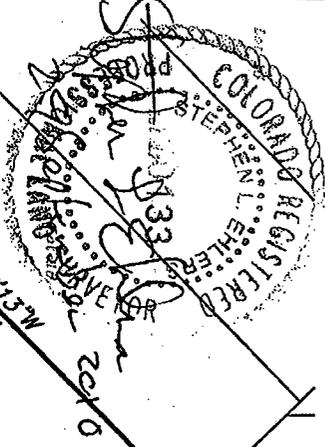


EXHIBIT "A"

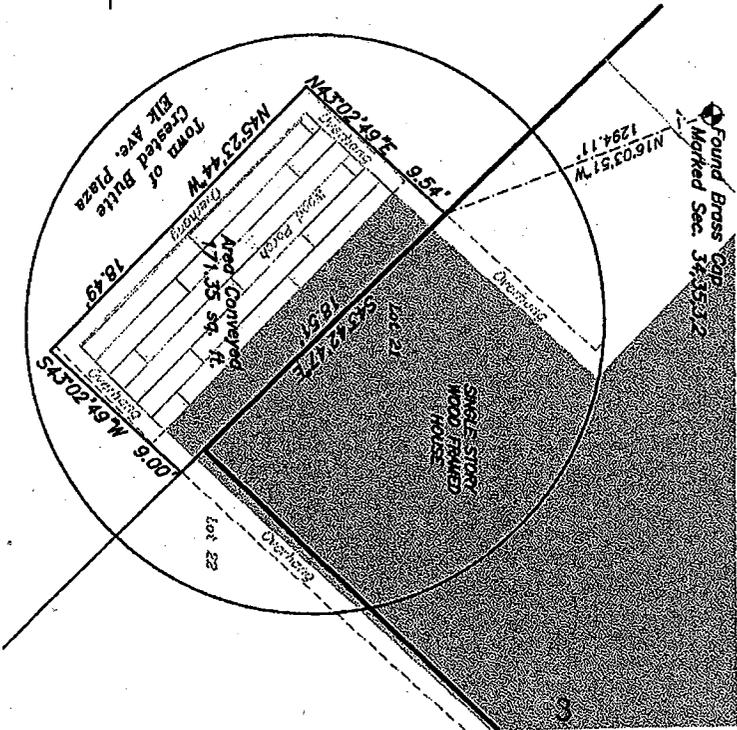


- LEGEND**
- ⊙ CONTROL POINT
 - SURVEY POINT
 - BOUNDARY POINT
 - LIGHT POLE

LINE	LENGTH	BEARING
L1	1.80	N43°42'47"W
L2	32.02	N44°08'22"E

Recorded Documents used to create this Exhibit:

- Control Map for the Town of Crested Butte recorded under Reception No. 452355 January 18, 1995.
- Town of Crested Butte Plat recorded under Reception No. 260766 September 25, 1964.
- Town of Crested Butte Map recorded under Reception No. 14191 June 6, 1881.



Area Conveyed:

A Parcel of land located within the Elk Avenue Plaza Right of Way, Town of Crested Butte, also being located in Section 2 Township 14 South, Range 86 West of the 6th PM, Gunnison County, Colorado being further described as follows:

Beginning at a point on the Southwest boundary of Lot 21, Block 53, Town of Crested Butte, Colorado according to the Town of Crested Butte Plat recorded under Reception No. 260766 September 25, 1964, whence the Northwest corner of said Section 2 bears S43°02'49\"/>

1 609 Elk Avenue, Town of Crested Butte
Exhibit Map

Job # 2010-225.001
Drawn by: KIC
Date: 09/29/10

Revision:

File: 609ELK_ILCse.dwg



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ENGINEERS | SURVEYORS

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