

**ORDINANCE NO. 12**

**SERIES 2014**

**AN ORDINANCE AUTHORIZING THE SALE OF TOWN-OWNED REAL PROPERTY LEGALLY DESCRIBED AS UNIT B, REDWELL TOWNHOUSES, TOWN OF CRESTED BUTTE FOR A MAXIMUM SALE PRICE OF \$145,000.00**

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 § 14.4 of the Town Charter to sell and convey Town-owned real property;

WHEREAS, the Town Council has directed the Town staff to negotiate the terms and conditions for the sale of the above-described property in an amount not to exceed \$145,000.00; 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 real property be sold 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 Sell Town-owned Property.** The Town Council, pursuant to the Crested Butte Town Charter and the laws of the State of Colorado, hereby authorizes the sale and transfer by the Town, for the maximum sale price of \$145,00.00 inclusive of customary closing costs and fees, the real property legally described as, Unit B, Redwell Townhouses, according to the Preliminary Plat recorded June 17, 2004 at Reception No. 543196 and the Party Wall Agreement for Redwell Townhouses recorded June 17, 2004 as Reception No. 543199, Town of Crested Butte, County of Gunnison, State of Colorado (the "**Property**"), and authorizes and directs the Town Manager and Town Clerk to appropriately execute any and all documents after approval by the Town Attorney necessary and appropriate to consummate said sale.

**Section 2. Appropriation of Funds.** The Town Council hereby appropriates all customary closing costs and fees, and all third party consultant and attorneys' fees and costs necessary to prepare the Property for sale, incident to the sale and transfer of the above-described real property, out of the Town's affordable housing fund, and authorizes the expenditure of said sums 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.

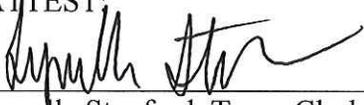
**Section 4. Savings Clause.** Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision of any ordinance previously adopted by the Town that is in conflict with this Ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS 15<sup>TH</sup> DAY OF SEPTEMBER, 2014.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS 6<sup>TH</sup> DAY OF OCTOBER, 2014.

TOWN OF CRESTED BUTTE, COLORADO

By:   
Aaron J. Huckstep, Mayor

ATTEST:  
  
Lynelle Stanford, Town Clerk

