

**ORDINANCE NO. 1
SERIES 2016**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN
COUNDCIL AUTHORIZING THE SHORT TERM
BORROWING OF FUNDS NOT TO EXCEED
\$170,000.00 AND THE EXPENDITURE OF SUCH
FUNDS FOR PURPOSES OF PURCHASING A
CERTAIN 2016 JOHN DEERE LOADER BY WAY OF
A LEASE TO PURCHASE ARRANGEMENT**

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, Section 4.9 of the Town's Home Rule Charter states that Town Council actions creating an indebtedness or authorizing the borrowing of money shall be by ordinance;

WHEREAS, the Town is in need of borrowing, on a short-term basis, the principal sum of up to One Hundred Seventy Thousand and No/100 Dollars (\$170,000.00) for the purpose of purchasing, through a lease to purchase arrangement with NBH Bank, Community Banks of Colorado, its successor and assignee, a certain 2016 John Deere loader; and

WHEREAS, the Town anticipates receipt of revenues during fiscal years 2016 through 2020 in order to repay said loan.

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

Section 1. The Town Council hereby authorizes the borrowing of funds not to exceed the principal sum of One Hundred Seventy Thousand and No/100 Dollars (\$170,000.00) at an interest rate not to exceed 2.0% and authorizes the expenditure of said funds in order to purchase, through a lease to purchase arrangement with NBH Bank, Community Banks of Colorado, its successor and assignee, a certain 2016 John Deere Loader.

Section 2. The Town Council hereby authorizes the Town to enter into the lease to purchase arrangement with NBH Bank, Community Banks of Colorado, its successor and assignee in order to secure the loan in connection with the Town's obligation to repay said borrowed funds.

Section 3. The Town Council hereby finds that the borrowing and expenditure of said funds and the Town entering into the lease to purchase arrangement in order to secure the loan in connection with the Town's obligation to repay said borrowed funds

are in the best interests of the health, safety and welfare of the residents and visitors of Crested Butte, and in connection therewith, the Town Council hereby authorizes the Town Manager or his designee to execute on behalf of the Town any and all documents necessary for the borrowing, expenditure and repayment of said funds, and the lease arrangement related thereto, including, but not limited to, promissory notes, security instruments, loan agreements, financing statements, lease agreements, closing documents, and any and all other documents necessary to consummate the transactions contemplated as part of said loan.

INTRODUCED, READ, AND SET FOR PUBLIC HEARING THIS 16TH DAY OF FEBRUARY, 2016

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS 7th DAY OF March, 2016

TOWN OF CRESTED BUTTE

By: Glenn Michel
Glenn Michel, Mayor

ATTEST:

By: Lynelle Stanford
Lynelle Stanford, Town Clerk

[SEAL]

