

ORDINANCE NO. 64-B

**AN ORDINANCE OF THE TOWN OF STRATTON, KIT CARSON COUNTY, COLORADO, APPROVING THE SALE OF CERTAIN NONGOVERNMENTAL REAL PROPERTY AND IMPROVEMENTS.**

WHEREAS, the Town of Stratton is the sole owner of certain real property and improvement located within the Town of Stratton, County of Kit Carson, which property is not being used for a governmental purpose; and

WHEREAS, the Board of Trustees of the Town of Stratton has determined that the subject property, located at 123 Colorado Avenue, Stratton, Colorado, is not required or being used for a governmental purpose, or anticipated for governmental use in the future, and that sale of the property for private business purposes would be beneficial to the residents of the Town; and

WHEREAS, Colorado Revised Statutes 31-15-101(1)(c) gives authority to municipalities to enter into contracts for the sale or exchange of both real and personal property, and Colorado Revised Statutes 31-15-713 allows for such exchange without the necessity of an election of the residents of the municipality, provided that the municipal property is not being used for a governmental purpose at the time of the sale or exchange; and

WHEREAS, an offer has been made for the purchase of real property owned by the Town and the Board has determined that the sale of the property would be in the best interests of the Town and its citizens;

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, KIT CARSON COUNTY, COLORADO:

Section 1. The Mayor and Town Clerk are hereby authorized to execute any and all necessary documentation on behalf of the Town to allow the conveyance of municipal real property to Nicolet Davis for consideration as set by the Board. The authority authorized herein shall include the ability to sign documentation required at closing such as the general warranty, promissory note, and deed of trust deed described in the agreement.

Section 2. The real property to be conveyed by the Town shall include all or portions of the following:

THE SOUTH TWENTY THREE FEET (S 23') OF LOT TWENTY FIVE (25), BLOCK TWO (2), ORIGINAL TOWN OF STRATTON, KIT CARSON COUNTY, COLORADO.

Also known as 123 Colorado Avenue, Stratton, Colorado.

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Section 3. Separability. If any portion or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provision shall not affect any of the remaining provisions of this Ordinance, the intention being that the same are severable.

Section 4. Effective Date of Ordinance. The Board has determined that an emergency exists as a closing on the property is to take place in a short amount of time. This Ordinance shall take affect immediately upon passage. This Ordinance shall be published by the Clerk at the earliest possible date.

ADOPTED AND APPROVED this 28<sup>th</sup> day of June, 2018.

  
Mayor

(SEAL)

  
Town Clerk

