

ORDINANCE NO. 101A

THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, KIT CARSON COUNTY, COLORADO, DOES HEREBY RESOLVE AND ORDAIN TO PURCHASE CERTAIN VACANT REAL PROPERTY FOR PURPOSES OF ANTICIPATED ANNEXATION AND DEVELOPMENT.

**Whereas**, the Town of Stratton, hereinafter referred to as the "Town", in the County of Kit Carson, and the State of Colorado, is the body corporate operating as a statutory town pursuant to the general statutes of the State of Colorado; and

**Whereas**, Colorado Revised Statutes 31-15-101(c) and (d) gives to a municipality the authority and power to enter into contracts for the purchase of real property provided that the governing body of the municipality deems the purchase to be in the best interest of the citizens of the municipality; and

**Whereas**, a parcel of vacant real property approximately sixty (60) acres in size, and located adjacent to the Town, has been offered for sale; and

**Whereas**, the Board of Trustees of the Town, hereinafter referred to as the "Board", has long sought to bring new development and families to Town, and has determined that it would be in the best interest of the Town to purchase the subject real property (if it can be done at a reasonable price), annex the property into Town, and encourage the development of the property;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, COLORADO:**

**SECTION I. - PURCHASE OF REAL PROPERTY**

A. The Mayor and Town Clerk are authorized to enter into and execute a contract or agreement for the purchase of approximately sixty (60) acres of vacant real property, presently owned by Timothy J. Weibel, Cynthia L. Herman, and James A. Weibel, the legal description of which is attached to this Ordinance.

B. The purchase of the property is conditioned upon the property being determined to be adjacent to the Town boundaries to such extent that the property may be annexed into the Town of Stratton. Purchase of the parcel is further conditioned upon the purchase price being no more than Ninety Nine Thousand Dollars (\$99,000.00) and that good and merchantable title passes to the Town at closing.

**SECTION II. - SEPARABILITY**

If any one or more sections or parts of this Ordinance shall be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, it being the intention that the various provisions hereof are severable.

**SECTION III. - REPEALER**

All acts, orders, resolutions, ordinances, or parts thereof, of the Town that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent only of such inconsistency or conflict.

**SECTION IV. - IMMEDIATE PASSAGE - EMERGENCY**

The Board of Trustees of the Town of Stratton has determined that if this Ordinance does not become effective immediately, the timing of the proposed use for the Property may be threatened. Accordingly, the Board finds that an emergency exists and declares that this Ordinance shall take effect immediately upon its passage.

Adopted and Approved this 26 day of October, 2017.

Signed Richard O'Nan  
Mayor

( S E A L )

Attest:

Signed Cynthia McCaffrey  
Town Clerk