

ORDINANCE NO. 42A

AN ORDINANCE AUTHORIZING LEASE
OF CERTAIN REAL PROPERTY

WHEREAS, the Town of Stratton, a Municipal Corporation in the County of Kit Carson and State of Colorado, is now the owner of an interest in and to the following described real estate situate in the County of Kit Carson and State of Colorado, to-wit:

A tract of land located in Lot Five (5), Block Six (6), Original Town of Stratton, Colorado:

Commencing at the Northwest corner of said Lot Five (5), Block Six (6), which is the point of beginning; thence East along the north boundary of said Lot Five (5), Block Six (6), a distance of 45 feet; thence south parallel to the west boundary of said Lot Five (5), Block Six (6), a distance of 8.33 feet; thence west parallel to the north boundary of said Lot Five (5), Block Six (6), a distance of 45 feet to the west boundary of said Lot Five (5), Block Six (6); thence north along the west boundary of said Lot Five (5), Block Six (6), to the point of beginning

WHEREAS, the real property hereinabove described is not used or held for waterworks, ditches, gas works, electric light works or other public utilities, public building, real property used or held for park purposes, or real estate used or held for any governmental purpose.

WHEREAS, Edward Dischner and Marlyn Dischner has made the Town Council the following offer for the interest of the Town of Stratton in the above-described property, to-wit:

To pay as an annual cash rental the sum of One Hundred Dollars (\$100.00) payable in advance on the 1st day of April of each year for a primary term of ten years. If tenant shall remain in continuous possession of the premises and shall not be in default of the terms of this lease, Tenant shall have the right and option to extend this lease for one additional year, not to exceed 20 extensions in all, at the same annual rental by giving notice to Landlord of extension and payment of the annual cash rental of \$100.00 on or before January 20, 1997 and thereafter on January 30 of each year of extension.

WHEREAS, the Town Council of the Town of Stratton of the State of Colorado, believes and finds that the above offer is a fair and reasonable offer and that the said sum offered is a reasonable offer for the interest of the Town of Stratton in the above-described land and real estate and that it is for the best interest of the Town of Stratton if the above offer be accepted, NOW THEREFORE,

THE COUNCIL OF THE TOWN OF STRATTON, COLORADO, ORDAINS:

1. That the above offer for the interest of the said Town of Stratton in the above-described land and real estate be accepted on the terms and conditions of the said offer.

2. It is ordered by the Town Council of the Town of Stratton, State of Colorado, that Roy Tatkenhorst, being the Mayor of the Town of Stratton, is hereby appointed the officer to lease the above-described land and real estate belonging to the said Town of Stratton and is authorized to sign and execute on behalf of the said Town of Stratton and on behalf of the Town Council such lease as is required by law, and is further authorized to deliver the above referred to lease to Edward Dischner and Marlyn Dischner upon payment of the same offer and is hereby authorized to execute and deliver the lease thereto, and that Jackie Garrett, Town Clerk of the Town of Stratton, is ordered to affix the Seal of the Town of Stratton and Attest to said lease, and the actions of the Mayor and Town Clerk are hereby ratified, approved and confirmed.

3. The Council finds and declares that this ordinance is necessary for the immediate preservation of the public peace, health and safety and, therefore, an emergency exists, and this ordinance, shall be recorded in the Book of Ordinances of the Town of Stratton, Colorado, authenticated by the signature of the Mayor and attested by the Clerk under the corporate seal of the Town and shall be published in "The Stratton Spotlight," a public weekly newspaper published within the corporate limits of the Town of Stratton and the County of Kit Carson and State of Colorado and shall be in full force and effect five days after such publication.

PASSED AND ADOPTED this 14th day of May, 1987.

Roy Tatkenhorst
Mayor

[SEAL]

ATTEST:

Jackie L. Garrett
Town Clerk

STATE OF COLORADO)
County of Kit Carson) ss.
Town of Stratton)

CLERK'S CERTIFICATE

That I, Jackie Garrett, the official Town Clerk of the Town of Stratton, do by these presents say that the foregoing Ordinance No. 42A was passed by a three-fourths majority of the members of the Town Council and adopted by the Town Council of the Town of Stratton on the 14th day of May, A.D., 1987, and that the above entitled Ordinance is a true, correct and full copy of the Ordinance as shown in the records of the Town of Stratton, Stratton, Colorado.

Dated this 14th day of May, A.D., 1987.

Jackie L. Garrett
Town Clerk

STATE OF COLORADO)
County of Kit Carson) ss.
Town of Stratton)

CLERK'S CERTIFICATE OF PUBLICATION

I, Jackie Garrett, the official Town Clerk of the Town of Stratton, do by these presents say that the foregoing Ordinance No. 42A and Clerk's Certificate attached thereto was published in the Stratton Spotlight, a weekly newspaper of general circulation in Stratton, Kit Carson County, Colorado, on May 28, 1987, and "Proof of Publication" is filed therewith.

Jackie L. Garrett
Town Clerk