

**Town of Basalt, Colorado
Ordinance No. 09
Series of 2020**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, APPROVING A CONTRACT TO BUY AND SELL REAL
ESTATE WITH SHELTON PROPERTIES, LLC FOR THE PURCHASE OF
PROPERTY LOCATED AT 20522 HIGHWAY 82, BASALT, COLORADO**

RECITALS

- A. The Town of Basalt (“Town”) is a Colorado home-rule municipality, duly organized and existing under the Town’s Home Rule Charter adopted pursuant to Article XX of the Constitution of the State of Colorado.
- B. Shelton Properties, LLC (“Seller”) owns property located at 20522 Highway 82, Basalt, CO, more specifically described as:
- Lot 4,
MID VALLEY CENTER P.U.D., Town of Basalt,
according to the Final Plat recorded August 13, 1997 in Book 734 at Page 544 as
Reception No. 630500, in the records of the Clerk and Recorder of Eagle County,
Colorado.
- (the “Property”);
- C. The Town wishes to purchase the Property for support of its public works department;
- D. Section 1.3(G) of the Town Charter empowers the Town “to acquire, own, sell, lease, exchange, dispose of, or otherwise deal with real or personal property by ordinance without the need for an election.”
- E. At a public meeting on March 10, 2020, the Town Council considered this Ordinance on first reading and scheduled a public hearing and second reading for this Ordinance on March 24, 2020 for a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

After recording please return to:
Town of Basalt
101 Midland Avenue
Basalt, CO 81621

- F. At a public hearing and second reading on March 24, 2020, the Town Council heard evidence and testimony as offered by the Town Staff and members of the public.
- G. The Town Council finds and determines that it is in the best interests of the Town to approve this Ordinance and purchase the Property. The Town Council finds and determines that this Ordinance is reasonable and necessary to promote the legitimate public purposes of the public health, safety, and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, AS FOLLOWS:

1. Recitals. The foregoing recitals are incorporated herein as findings of Town Council.
2. Approve Purchase of Property. The Town Council hereby approves the Contract to Buy and Sell Real Estate for the purchase of the Property from Seller attached hereto as **Exhibit A** (the "Contract") and ratifies the Town Manager's execution thereof. The Town Council hereby approves the purchase of the Property pursuant to the Contract approved by this Ordinance, and authorizes the Town Manager and Mayor to take all actions pursuant to the Contract, to sign all documents necessary to effectuate the purchase of the Property, including any documents required by a title company, and to take other actions related to the purchase of the Property. The Town Council further authorizes the Town Manager, upon recommendation by the Town Attorney, to make any amendments to the Contract that are reasonably necessary for the purchase of the Property, or to terminate to the Contract, without further approval of the Town Council.
3. Ratification of Actions. All actions heretofore taken, not inconsistent with the provisions of this Ordinance, by the Council and the officers, agents, or employees of the Town relating to the subject matter of this Ordinance, are hereby ratified, approved, and confirmed.
4. Recordation. This Ordinance, upon full execution, shall be recorded in the public records of the Clerk and Recorder of Eagle County.
5. Severability. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part or portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect.
6. Effective Date. This Ordinance shall be effective 14 days after final publication in accordance with the Town of Basalt Home Rule Charter.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON March 24, 2020, by a vote of ___ to ___ on March 10, 2020.

READ ON SECOND READING AND ADOPTED, by a vote of ___ to ___ on March 24, 2020.

TOWN OF BASALT, COLORADO

By: _____
Jacque R. Whitsitt, Mayor

ATTEST:

By: _____
Pamela Schilling, Town Clerk

First Publication: _____
Final Publication: _____
Effective Date: _____

NOT APPROVED

EXHIBIT A

NOT APPROVED