

**TOWN OF PARACHUTE  
ORDINANCE NO. 725-2017**

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**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, APPROVING AN AMENDMENT TO A CONTRACT TO BUY AND SELL REAL ESTATE WITH GRAND VALLEY FIRE PROTECTION DISTRICT AND TO AUTHORIZE CONVEYANCE OF REAL PROPERTY**

**WHEREAS**, Section 1-18 of the Town Charter authorizes the Board of Trustees to “sell, exchange, receive by donation, and enter into a lease, or dispose of any interest in real property” by ordinance;

**WHEREAS**, pursuant to Section 1-6 of the Town Charter, the Board of Trustees is required to approve by ordinance “disposing of any municipally-owned real estate”;

**WHEREAS**, the Grand Valley Fire Protection District (the “Fire District”) operates a fire station on property owned by the Town of Parachute;

**WHEREAS**, the Fire District wishes to subdivide and purchase the property on which the fire station is location and the Town wishes to accomplish the same;

**WHEREAS**, accordingly, the Town and Fire District have negotiated the Contract to Buy and Sell Real Estate (the “Real Estate Contract”) attached hereto as **Exhibit A**, which was approved by Ordinance No. 716 on January 19, 2017, and subdivided the property, as shown on the Plat recorded in the public records of Garfield County, Colorado on March 9, 2017 at Reception No. 889899 (the “Plat”);

**WHEREAS**, as identified in Exhibit A, the parcel to be created and conveyed to the Fire District from the Town is approximately 0.610 acres in size; however, the Real Estate Contract excluded the mineral estate;

**WHEREAS**, a covenant contained in the Town’s vesting deed recorded in the public records of Garfield County, Colorado on November 3, 1981 at Reception No. 320999 restricts the severance of the mineral estate;

**WHEREAS**, the Town wishes to amend the Real Estate Contract (the “Amendment”), as set forth in **Exhibit B**, to include the mineral estate in the conveyance to the Fire District in exchange for consideration to be agreed to by the parties; and

**WHEREAS**, the Board of Trustees believes it is in the best interests of the Town to convey such property to the Fire District to enhance the Fire District’s operations, ensure the long-term presence of the Fire District in Parachute, and to protect the health, safety, and welfare of the Town’s residents; and

**WHEREAS**, the Board of Trustees wishes to approve the Amendment, authorize the sale of

the property, and authorize the Mayor to execute any documents to effectuate such conveyance, including a deed.

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Board of Trustees hereby approves the Amendment enclosed as **Exhibit B** and incorporated herein by this reference, and authorizes the Town Manager to execute the same.

Section 3. The Board of Trustees hereby authorizes the Mayor to sign all documents necessary to effectuate the conveyance of the property to the Fire District, including a deed and any documents required by a title company. In the alternative, the Town Manager is authorized to execute such documents. The Board of Trustees also authorizes the Town Manager to make any additional amendments to the Real Estate Contract, if needed.

Section 4. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part of portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect.

**INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY** by a vote of 16 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 20 day of April, 2017 and approved by the Mayor on the 20 day of April, 2017.



**BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO**

By:

Roy McClung  
Roy McClung, Mayor

ATTEST:

Lucy Cordova  
Lucy Cordova, Town Clerk

**PUBLIC NOTICE**

Public notice is hereby given that an Ordinance entitled:

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, APPROVING AN AMENDMENT TO A CONTRACT TO BUY AND SELL REAL ESTATE WITH GRAND VALLEY FIRE PROTECTION DISTRICT AND TO AUTHORIZE CONVEYANCE OF REAL PROPERTY**

was introduced before the Board of Trustees on April 20, 2017; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on April 20, 2017, and approved by the Mayor on April 20, 2017.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 20 day of April, 2017.

**TOWN OF PARACHUTE**

  
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Lucy Cordova, Town Clerk