

**TOWN OF PARACHUTE  
ORDINANCE NO. 731-2017**

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**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, APPROVING A CONTRACT TO BUY AND SELL REAL ESTATE WITH PARACHUTE PARTNERS, LLC AND TO AUTHORIZE ACQUISITION OF REAL PROPERTY**

**WHEREAS**, Parachute Partners, LLC, a Colorado limited liability company owns certain property located within the Town of Parachute in the Riverside Subdivision Filing No. 3, as described in the Contract to Buy and Sell Real Estate in **Exhibit A** (the “Park Property”);

**WHEREAS**, the Town of Parachute (the “Town”) has historically utilized the Park Property in conjunction with special events hosted by the Town and wishes to purchase the Park Property for future public use as a Town park amenity, and Parachute Partners wishes to sell the same;

**WHEREAS**, accordingly, the Town and Parachute Partners have negotiated the Contract to Buy and Sell Real Estate (the “Real Estate Contract”) attached hereto as **Exhibit A**, which identifies the property, purchase price, and other terms of sale;

**WHEREAS**, Section 1-18 of the Town Charter states that “[t]he Board [of Trustees], by ordinance, may purchase, sell, exchange, receive by donation, and enter into a lease, or dispose of any interest in real property or water rights, including easements.”;

**WHEREAS**, further, Section 13-11 of the Town Charter states that “[t]he Town shall have the power to acquire, own, sell, lease, exchange, dispose of, or otherwise deal with real or personal property by ordinance without the need for an election.”;

**WHEREAS**, the Board of Trustees believes it is in the best interests of the Town to acquire the Park Property and advances a legitimate government interest; and

**WHEREAS**, the Board of Trustees wishes to approve the Real Estate Contract, authorize the acquisition of the Park Property, authorize the Town Manager to make any amendments to the Real Estate Contract, and take other acts reasonably necessary to acquire the Park Property, and authorize the Town Manager or 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 Real Estate Contract in substantially the same form as that enclosed as **Exhibit A** and incorporated herein by this reference, and authorizes the Town Manager to make any amendments to the Real Estate Contract

that are reasonably necessary for the acquisition of the Park Parcel, without further approval of the Board of Trustees.

Section 3. The Board of Trustees hereby authorizes the Town Manager or Mayor to take all actions pursuant to the Real Estate Contract, to sign all documents necessary to effectuate the acquisition of the Park Property, including a deed and any documents required by a title company, and to take other actions related to this transaction.

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 5 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<sup>th</sup> day of July, 2017 and approved by the Mayor on the 20<sup>th</sup> day of July, 2017.



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

By: Roy B McClung  
Roy McClung, Mayor

ATTEST:  
Amy Cordova  
Town Clerk

**PUBLIC NOTICE**

Public notice is hereby given that an Ordinance entitled:

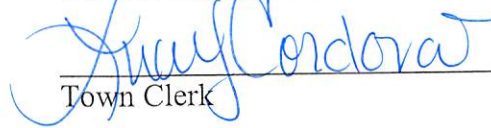
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was introduced before the Board of Trustees on July 20, 2017; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on July 20, 2017, and approved by the Mayor on July 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<sup>th</sup> day of July, 2017.

**TOWN OF PARACHUTE**

  
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Town Clerk