

**TOWN OF PARACHUTE, COLORADO
ORDINANCE NO. 755-2018**

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

WHEREAS, JWT Land Company, LLC (“JWT Land”), a Colorado limited liability company, owns certain property located at 168 Callahan Court that was annexed into the Town by Ordinance No. 739-2018 and is in the process of being subdivided pursuant to an application for minor subdivision (the “JWT Land Minor Subdivision”);

WHEREAS, the Town wishes to purchase proposed Lot 1 of the JWT Land Minor Subdivision (the “Property”) to use for its public works facilities and other desired municipal uses, and JWT Land wishes to sell the same;

WHEREAS, accordingly, the Town and JWT Land 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 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 Property, authorize the Town Manager to make amendments to the Real Estate Contract, and take other acts reasonably necessary to acquire the 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**, 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 Property without further approval of the Board of

Trustees.

Section 3. The Board of Trustees hereby authorizes the Town Manager or Mayor to execute the Real Estate Contract, to take all actions pursuant to the Real Estate Contract, to sign all documents necessary to effectuate the acquisition of the Property, including a deed and any documents required by a title company, and to take other actions related to this transaction. The Real Estate Contract shall not be executed until a subdivision plat for the JWT Land Minor Subdivision is recorded the public records of Garfield County. In the event the plat is not recorded within 6 months of the effective date of this Ordinance, this Ordinance shall be of no force and effect.

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 to 2 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 10th day of September, 2018 and approved by the Mayor on the 10th day of September, 2018.

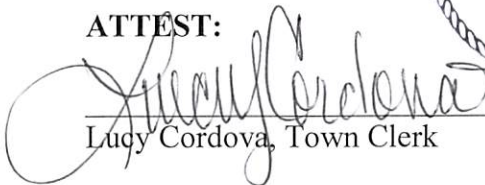
**BOARD OF TRUSTEES OF THE TOWN
OF PARACHUTE, COLORADO**





Roy McClung, Mayor

ATTEST:



Lucy Cordova, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

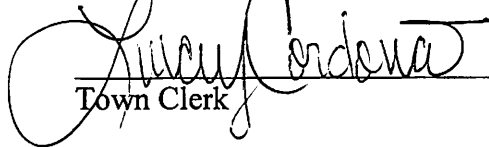
AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, APPROVING A CONTRACT TO BUY AND SELL REAL ESTATE WITH JWT LAND COMPANY, LLC AND TO AUTHORIZE ACQUISITION OF REAL PROPERTY

was introduced before the Board of Trustees on September 20, 2018; 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 September 20, 2018, and approved by the Mayor on September 20, 2018.

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 September, 2018.

TOWN OF PARACHUTE


Town Clerk