

**TOWN OF PARACHUTE, COLORADO
ORDINANCE NO.788-2020**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, APPROVING A CONTRACT TO BUY AND SELL REAL ESTATE WITH JRP PROPERTIES, LLC AND TO AUTHORIZE SALE OF REAL PROPERTY LOCATED AT 220 1ST STREET AND 232 1ST STREET IN THE TOWN OF PARACHUTE

WHEREAS, the Town of Parachute owns certain property located at 220 1st Street (Garfield County Parcel No. 240912113005) and 232 1st Street (Garfield County Parcel No. 24091211300), which are more particularly described in the Real Estate Contract referenced below (collectively, the “Property”);

WHEREAS, JRP Properties, LLC (“JRP”), a Colorado limited liability company, wishes to purchase, and the Town wishes to sell to JRP, the Property;

WHEREAS, accordingly, the Town and JRP 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 [Town Council], 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, in evaluating the sale of the Property, the Town undertook a property valuation to ensure the Property is being sold at fair market value;

WHEREAS, the Town Council believes it is in the best interests of the Town to sell the Property and advances a legitimate government interest; and

WHEREAS, the Town Council wishes to approve the Real Estate Contract, authorize the sale of the Property, authorize the Town Manager to make amendments to the Real Estate Contract, and take other acts reasonably necessary to sell and convey 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 TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO THAT:

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

Section 2. The Town Council 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, upon consultation with the Town Attorney, to make any amendments to the Real Estate Contract that are reasonably necessary for the sale of the Property without further approval of the Town Council.

Section 3. The Town Council 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 sale and conveyance of the 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 3 to 0 of the Town Council of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 17th day of September, 2020 and approved by the Mayor on the 17th day of September, 2020.

TOWN COUNCIL OF THE TOWN OF
PARACHUTE, COLORADO



Roy McClung
Roy McClung, Mayor

ATTEST:

Lucy Spalenka
Lucy Spalenka, Town Clerk

PUBLIC NOTICE

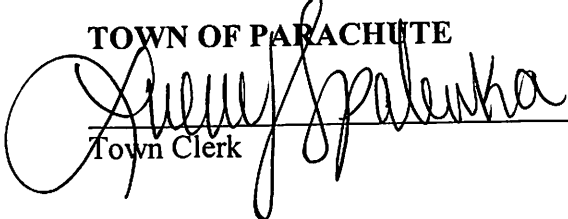
Public notice is hereby given that an Ordinance entitled:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, APPROVING A CONTRACT TO BUY AND SELL REAL ESTATE WITH JRP PROPERTIES LLC AND TO AUTHORIZE SALE OF REAL PROPERTY LOCATED AT 220 1ST STREET AND 232 1ST STREET IN THE TOWN OF PARACHUTE

was introduced before the Town Council on September 17, 2020; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Town Council held on September 17, 2020, and approved by the Mayor on September 17, 2020.

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 17 day of September, 2020.

TOWN OF PARACHUTE

Town Clerk