

TOWN OF PARACHUTE, COLORADO
ORDINANCE NO. 775-2019

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, APPROVING A CONTRACT TO BUY AND SELL REAL ESTATE WITH TLC PIPELINE CONSTRUCTION, INC AND TO AUTHORIZE THE PURCHASE OF REAL PROPERTY LOCATED AT 8497 AND 8501 HWY 6 & 24 IN THE TOWN OF PARACHUTE

WHEREAS, TLC Pipeline Construction, Inc. (“TLC”) owns certain property located at 8501 HWY 6 & 24 (Garfield County Parcel No. 240912300013) and 8497 HWY 6 & 24 (Garfield County Parcel No. 240911400175), which are more particularly described in the Real Estate Contract referenced below (collectively, the “Property”);

WHEREAS, the Town, wishes to purchase, and TLC wishes to sell to the Town, the Property;

WHEREAS, accordingly, the Town and TLC 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 purchase;

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 purchase of the Property, the Town undertook a property valuation to ensure the Property is being sold at fair market value, which was included in the packet for the Town Council meeting;

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

WHEREAS, the Town Council wishes to approve the Real Estate Contract, authorize the purchase of the Property, authorize the Town Manager to make amendments to the Real Estate Contract, and take other acts reasonably necessary to purchase 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 purchase of the Property on the terms and conditions set forth in the Real Estate Contract enclosed as **Exhibit A** and incorporated herein by this reference, subject to changes recommended by the Town Attorney. The Town Council and authorizes the Town Manager, upon recommendation by the Town Attorney, to make any amendments to the Real Estate Contract that are reasonably necessary for the purchase 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 purchase 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 4 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 20th day of June, 2019 and approved by the Mayor on the 26th day of June, 2019.

**TOWN COUNCIL OF THE TOWN OF
PARACHUTE, COLORADO**

By:

Roy McClung
Roy McClung, Mayor

ATTEST:

Shirley Carabona
Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

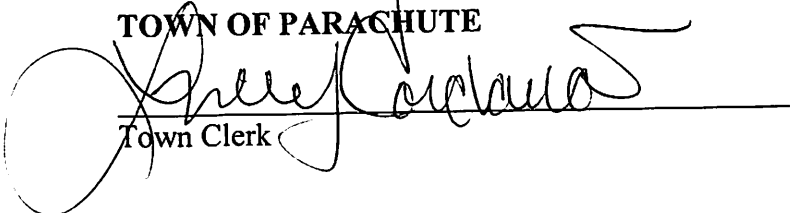
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, APPROVING A CONTRACT TO BUY AND SELL REAL ESTATE WITH TLC PIPELINE CONSTRUCTION, INC AND TO AUTHORIZE THE PURCHASE OF REAL PROPERTY LOCATED AT 8497 AND 8501 HWY 6 & 24 IN THE TOWN OF PARACHUTE

was introduced before the Town Council on June 20, 2019; 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 June 20, 2019, and approved by the Mayor on June 20, 2019.

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 20th day of June, 2019.

TOWN OF PARACHUTE


Town Clerk