

ORDINANCE NO. 71-B

AN ORDINANCE OF THE TOWN OF STRATTON, KIT CARSON COUNTY, COLORADO, APPROVING THE SALE OF CERTAIN NONGOVERNMENTAL REAL PROPERTY FOR A CERTAIN CONSIDERATION IN ACCORDANCE WITH AN AGREEMENT FOR THE SALE AND PURCHASE OF REAL PROPERTY.

WHEREAS, the Town of Stratton is the sole owner of certain real property located outside of the Town of Stratton which property is presently not being used for a governmental purpose; and

WHEREAS, a portion of the subject real property, amounting to approximately 16.90 acres has been surveyed and legally described, a copy of the description being attached to this Ordinance; and

WHEREAS, Colorado Revised Statutes, 31-15-101(1)(c) gives authority to municipalities to enter into contracts for the sale of both real and personal property owned by the municipality, and Colorado Revised Statutes 31-15-713 allows for such sale without the necessity of an election of the residents of the municipality, provided that the property is not currently being used for a governmental purpose; and

WHEREAS, Colorado Revised Statutes, 31-15-101 also gives to municipalities the authority to enter into contracts concerning the acquisition, holding, leasing, and disposing of property, both real and personal, under such policy or procedures which is in the best interest of the citizens of the municipality; and

WHEREAS, an offer has been made to purchase the Property and the Board of Trustees of the Town of Stratton has determined that the sale of the property would be in the best interests of the Town and its citizens;

NOW THEREFORE, BE IT RESOLVED AND ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, KIT CARSON COUNTY, COLORADO:

Section 1. The Mayor and Town Clerk are hereby authorized to execute any and all necessary documentation on behalf of the Town to allow the sale of the subject real property to Austin J. Talbert and Robin D. Talbert, including documentation required at closing such as the general warranty deed described in the Agreement. The Mayor and Town Clerk are hereby authorized to pursue a sale of the property for Thirty Thousand Four Hundred Twenty Dollars (\$30,420.00), the Purchasers to pay for all costs of closing.

Section 2. Separability. If any portion or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provision shall not affect any of the remaining provisions of this Ordinance, the intention being that the same are severable.

Section 3. Effective Date of Ordinance. The Board has determined that an emergency exists as the Purchasers wish to acquire title to the property at the earliest practicable time. Therefore, this Ordinance shall take effect immediately upon passage by the Board of Trustees.

ADOPTED AND APPROVED this 13th day of December, 2021.



Zenia Huppert
Mayor

Melanie Johnson
Town Clerk