

“EXHIBIT A”

**TOWN OF CRESTONE, COLORADO
ORDINANCE NO: 2022-005**

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CRESTONE, COLORADO, APPROVING A CONTRACT TO BUY REAL ESTATE BY THE TOWN AND AUTHORIZING ALL ACTIONS NECESSARY TO COMPLETE THE PURCHASE OF TOWN LOT 6, BLOCK 60.

WHEREAS, Section 31-15-101(1)(d), C.R.S., provides that the Town of Crestone (the “Town”), may acquire, hold, lease and dispose of property both real and personal; and

WHEREAS the Town desires to purchase Lot 6 Block 60 known and shown on the Plat of the Town and within the real property records of Saguache County (the “Property”).

WHEREAS the Property is not currently occupied and there are no improvements on such property it being considered to be vacant land which suits the Town’s [purposes at this time; and

WHEREAS the Property is located very close to and is adjacent to the currently owned town property which contains the Town Hall and other services and departments of the Town; and

WHEREAS the Town anticipates it will in the very near future need additional land within the Town boundaries to carry on its corporate business and exercise its proper municipal functions which are essential to the citizens of the Town; and

WHEREAS the Town and its employees have reviewed the holdings of the Town and the available land upon which to expand its corporate operations and have found that there is limited availability of land and that the price of land is rising making it economically not feasible for the Town to afford; and

WHEREAS the price of the property is affordable for the Town and the Town has adequate resources in its accounts to purchase the property at this price at this time; and

WHEREAS the Town does determine that it is both reasonably necessary and prudent to purchase these lots at this time for the price offered and such purchase will enhance the Town’s ability to provide services for its citizens.

WHEREAS Carol J Enders and the Estate of James P. Endres, (“Sellers”) have agreed to sell the Property for Thirty Four Thousand DOLLARS (\$34,000) and other good and valuable

consideration pursuant to the terms and conditions provided for in the attached Contract to Buy and Sell Real Estate (the "Contract") attached hereto as Exhibit A.

WHEREAS the Town desires to purchase the Property from the Sellers for Thirty-Four Thousand DOLLARS (\$34,000) pursuant to the terms and conditions of Exhibit A; and

WHEREAS, the Board has reviewed the terms and conditions of the Contract presented to the Board for the purchase of the Property along with this Ordinance and accompanying Exhibit and has determined that the terms and conditions of the Contract are beneficial to the Town.

WHEREAS the Board now desires to approve the Contract and to authorize all actions necessary to complete the sale of the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CRESTONE, COLORADO:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Contract to Buy and Sell Real Estate attached to this Ordinance as Exhibit A is approved and the Mayor, or in her absence the Mayor Pro Tem, is authorized and directed to the execute the Contract to Buy and Sell Real Estate on behalf of the Town and is further authorized to perform the items in the Contract attached as Exhibit A.

Section 3. The Mayor, or in her absence the Mayor Pro Tem, in consultation with the Town Attorney and Town Administrator s authorized to take all actions necessary to close on the sale of the Property pursuant to the terms and conditions of the Agreement and the Letter Agreement between Carol J Endres and the Estate of James P. Endres, (the "Letter Agreement") attached to this Ordinance as Exhibit C without any further action and/or approval from the Board of Trustees (the "Board").

Section 4. The Mayor, or in her absence the Mayor Pro Tem, in consultation with the Town Attorney is authorized to revise any non-materials errors in the Contract which do not increase the financial obligations of the of the Town.

Section 5. Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined to be unenforceable, such judgement shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

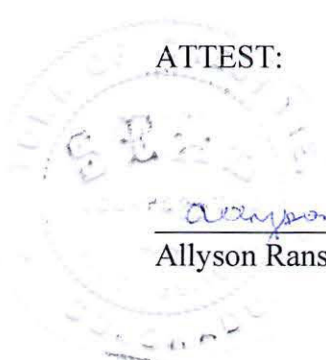
Section 6. This Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED AND PASSED ON FIRST READING THIS 25th DAY OF October
2022.

TOWN OF CRESTONE BY:


Karina Danforth, Mayor

ATTEST:



Allyson Ransom, Town Clerk