

CITY OF EDGEWATER
ORDINANCE NO.2018-11
SERIES OF 2018

AN ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY LOCATED AT 5845 WEST 25TH AVENUE AND 2514 GRAY STREET (ALSO KNOWN AS “25TH AND GRAY” OR AS THE “OLD TOWN HALL AND FIRE STATION”) TO CSI - EDGEWATER, LLC.

WHEREAS, the City Council finds that it has no present governmental use for certain real property owned by the City, known as “25th and Gray” or the “Old Town Hall and Fire Station,” and legally described as set forth in Exhibit A to the attached Purchase, Sale and Development Agreement (the “Property”); and

WHEREAS, the City Council finds that the Property should be redeveloped as a means to encourage and facilitate substantial local economic activity; and

WHEREAS, as a result of the offer to purchase the Property evidenced by the attached Purchase, Sale and Development Agreement, the City has an opportunity to provide for the redevelopment of the Property as a means of encouraging and facilitating substantial local economic activity; and

WHEREAS, pursuant to Edgewater Home Rule Charter (“Charter”) Section 19.2, real property of the City of Edgewater (“City”) shall be sold only by ordinance after completion of a process outlined by ordinance that shall include obtaining an appraisal from an appraiser the selection of whom was done publicly and by Council Resolution; and

WHEREAS, the Edgewater City Council (“Council”) has publicly selected and approved, by Resolution, an appraiser for, and thereafter obtained an appraisal of, the Property; and

WHEREAS, the City Council, on July 19, 2018, and pursuant to Section 4-6-120 of the Edgewater Municipal Code, reviewed the City’s current property holdings, including leases and rentals, the City’s current and future space needs and any existing plans to acquire or convey real property; and

WHEREAS, the City Council hereby determines that conveyance of the Property as set forth in this Ordinance is compatible with the City’s Comprehensive Plan and vision; and

WHEREAS, the City Council has determined that it is in the best interests of the City to sell the Property upon the terms and conditions set forth in the attached Purchase, Sale and Development Agreement between the City of Edgewater and CSI - Edgewater LLC., dated to be effective as of August 2, 2018 (the “Agreement”).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWATER, COLORADO, THAT:

Section 1. That the Mayor and City Clerk are hereby authorized to execute the attached Agreement and to execute each and every other document necessary or desirable to effectuate the sale of the Property in accordance with the terms and conditions of the Agreement.

Section 2. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. Repeal. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 5. Effective Date. This ordinance shall become effective five (5) days after final publication.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this 19th day of July, 2018.

/s/ Laura Keegan
Laura Keegan, Mayor

ATTEST:

/s/ L Pedroza
Lenore Pedroza, City Clerk

READ AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED
this 2nd day of August, 2018.

/s/ Laura Keegan
Laura Keegan, Mayor

ATTEST:

/s/ L Pedroza
Lenore Pedroza, City Clerk

APPROVED AS TO FORM:

/s/ Thad Renaud
Thad Renaud, City Attorney