

## **ORDINANCE NO. 771**

### **AN ORDINANCE OF THE TOWN OF MILLIKEN AUTHORIZING THE SALE OF REAL PROPERTY OWNED BY THE TOWN OF MILLIKEN**

WHEREAS, the Town of Milliken owns certain real property legally described in the attached **Exhibit A**, and further described as 9333 CR 52, Milliken, CO 80543 (“Property”); and

WHEREAS, C.R.S. § 38-30-141 authorizes the Board of Trustees to approve by ordinance the conveyance of any real estate owned by the Town by deed or conveyance signed by the Mayor and attested by the signature of the Town Clerk; and

WHEREAS, C.R.S. § 31-15-713(1)(b) authorizes the Board to sell and dispose of, by ordinance, any real estate not used or held for a governmental purpose; and

WHEREAS, Property has not been used or held for a governmental purpose; and

WHEREAS, the Board desires to sell the Property, in accordance with the terms, conditions and restrictions set forth in the Purchase and Sale Agreement, a copy of which is attached to this Ordinance as **Exhibit B** and is incorporated herein by reference (the “Agreement”); and

### **NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, WELD COUNTY COLORADO:**

**Section 1:** The above recitals above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

**Section 2:** The purpose of this Ordinance is to authorize the sale of the Property in accordance with the terms, conditions and restrictions set forth in the Agreement.

**Section 3:** The Board of Trustees hereby authorizes the sale of the Property and authorizes the Mayor and Town Clerk to execute and attest any and all documents, including the Agreement, Special Warranty Deed and other closing documents, as required to effectuate the sale and transfer of the Property.

**Section 4:** **Severability.** Should any one or more sections or provisions of this ordinance or enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

**Section 5:** **Effective Date:** This Ordinance shall take effect and be in force thirty (30) days after publication following final adoption.

Introduced, read, adopted, signed and ordered published in full by the Board of Trustees of the Town of Milliken this 17<sup>th</sup> day of June, 2019.

**TOWN OF MILLIKEN**

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Beau Woodcock, Mayor

ATTEST:

APPROVED AS TO FORM:

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Cheryl Powell, Town Clerk

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Linda Michow, Town Attorney

Published: \_\_\_\_\_

**EXHIBIT A**  
**LEGAL DESCRIPTION**

**EXHIBIT B**  
**PURCHASE AND SALE AGREEMENT**