

**Town of Basalt, Colorado  
Ordinance No. 10  
Series of 2011**

**ORDINANCE OF THE TOWN COUNCIL OF BASALT,  
COLORADO, APPROVING A CONTRACT FOR THE  
PURCHASE FROM THE ROARING FORK COMMUNITY  
DEVELOPMENT CORPORATION REAL PROPERTY  
IDENTIFIED AS LOT 2 OF THE BASALT COMMUNITY CAMPUS  
AND BASALT PARK PLAT (ALSO KNOWN AS A PORTION OF  
THE PAN AND FORK MOBILE HOME PARK).**

RECITALS

A. The Roaring Fork Community Development Corporation, a non profit corporation (hereinafter "RFCDC"), is under contract to purchase certain real property located near the Town of Basalt, Eagle County, Colorado, identified as the Basalt Community Campus and Park Plat (Also currently known as the Pan and Fork Mobile Home Park) and as part of the program to redevelop the property is seeking to sell Lot 2 to the Town of Basalt, which is more particularly described in **Exhibit A** attached hereto (the Property").

B. The Town has identified the removal of mobile homes from the floodway of the Roaring Fork River and the implementation of the 2002 River Stewardship Master Plan as key goals of the Town, and has identified the redevelopment of Lot 2 as a park as implementing several objectives of the Town of Basalt.

C. These objectives can be achieved by the Town if it purchases the Property.

D. Upon acquisition of the Property, the Town Council would also enter into a management agreement with the RFCDC for the maintenance of the Property until the Property is redeveloped.

E. The Town of Basalt desires to purchase the Property from the RFCDC and the Town Council of the Town of Basalt has the authority pursuant to C.R.S. 31-15-101(d) and C.R.S. 31-25-201(1) to purchase the Property.

F. At a public meeting on April 26, 2011, the Town Council considered this ordinance on first reading and scheduled a public hearing and second reading for this

Ordinance on May 10, 2011 for a meeting beginning no earlier than 6:30 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

G. At a public hearing and second reading on May 10, 2011, the Town Council heard evidence and testimony as offered by the Town Staff and members of the public.

H. The Town Council finds and determines that it is in the best interests of the Town to approve this Ordinance. The Town Council finds and determines that this Ordinance is reasonable and necessary to promote the legitimate public purposes of the public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF BASALT, COLORADO, AS FOLLOWS:

Section 1. The Town Council hereby authorizes an appropriation of \$1,200,000 for the acquisition of the Property as described in **Exhibit A**, attached hereto. The Town allocates all of the funds from the Town's Open Space and Sales Tax.

Section 2. The Town Council hereby approves the Contract to Buy and Sell Real Estate for the purchase of the Property from the RFCDC attached hereto as **Exhibit B**, (the "Contract"), contingent upon RFCDC'S acquisition of the Property.

Section 3. Town Staff and the Town Attorney are hereby directed to negotiate a Management Agreement with RFCDC for the use and maintenance of the Property prior to its redevelopment for park purposes.

Section 4. The Mayor of the Town of Basalt, Colorado, is hereby authorized to execute the Contract, and any ancillary documents on behalf of the Town of Basalt, as necessary to fulfill the terms of the Contract.

Section 5. This Ordinance, upon full execution, shall be recorded in the records of the Clerk and Recorder of Eagle County.

Section 6. If any part, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and each part, section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON May 10, 2011, by a vote of 5 to 0 on May April 26, 2011.

READ ON SECOND READING AND ADOPTED, by a vote of 6 to 0 on  
May 10, 2011.

TOWN OF BASALT, COLORADO

By: \_\_\_\_\_  
Leroy Duroux, Mayor

ATTEST:

\_\_\_\_\_  
Pamela K. Schilling, Town Clerk

Date of first publication: May 5, 2011  
Date of second publication: May 19, 2011  
Effective date: June 2, 2011

**Exhibit A**

**Description**

Lot 2 as shown on the proposed Basalt Community Campus and Basalt Park Plat as approved by the Town Council on April 26, 2011, said parcel being a portion of Lot K, of the Ute Center Subdivision, according to the Ute Center Subdivision Plat recorded at Reception No. 434185 in the Eagle County Clerk and Recorder's Office. Excepting therefrom a parcel of land from Lot K that was conveyed to the Town as recorded at Reception No. 645039 in the Eagle County Clerk and Recorder's Office and any property currently owned by the Town of Basalt.

**Exhibit B**

Contract to be Provided here