

**Town of Basalt, Colorado
Ordinance No. 17
Series of 2011**

**EMERGENCY ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
BASALT, COLORADO, APPROVING THE PAN AND FORK MOBILE HOME
PARK PROPERTY MANAGEMENT AGREEMENT**

RECITALS

1. The Town of Basalt (the "Town") is a legally and regularly created, established, organized and existing municipal corporation under the provisions of Article XX of the Constitution of the State of Colorado and the home rule charter of the Town (the "Charter"); and

2. By Ordinance No. 10, Series of 2011, effective June 2, 2011, the Basalt Town Council approved the purchase of Lot 2 of the Basalt Community Campus and Basalt Park Plat ("the Property"), a portion of the Pan and Fork Mobile Home Park ("the Park").

3. Upon the purchase of the Property from the Roaring Fork Community Development Corporation ("RFCDC"), and prior to the redevelopment of the Property for public purposes, it will be necessary for the Park to continue to be managed as a mobile home park.

4. It is necessary for the Town to make appropriate arrangements for the management of the Park in the public interest and for the benefit of the residents of the Park.

5. BCC Rental, LLC ("BCC") manages the Park at this time pursuant to an agreement with RFCDC. It would be in the best interests of the Town and the Park residents for the Town to enter into an agreement with BCC for the management of the Park on an interim basis.

6. Section 4.7 of the Home Rule Charter for the Town of Basalt authorizes the adoption of an emergency Ordinance to take effect immediately upon passage where necessary for the preservation of public peace, health, or safety. An emergency Ordinance requires the affirmative vote of every member of the Council present, or by a quorum plus one, whichever is less.

After recording:
Return to Town of Basalt
101 Midland Avenue
Basalt, CO 81621

7. The approval of this Ordinance is necessary to protect the Town's interest in the Property, because without assignment of the income stream from the Property as provided in the agreement, the purchase of the Park property by RFCDC and the subsequent sale of Lot 2 to the Town may be jeopardized.

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

Section 1. The Pan and Fork Mobile Home Park Property Management Agreement attached hereto as **Exhibit A** is hereby approved and the Mayor of the Town of Basalt is hereby authorized to execute the Agreement and any ancillary documents necessary to fulfill the terms of the Agreement.

Section 2. The Town Council of the Town of Basalt, Colorado hereby finds, declares and determines that an emergency exists and that this Ordinance is necessary for the immediate preservation of the public health, safety and welfare. The adoption of this Ordinance on an emergency basis is necessary in order for RFCDC to demonstrate, in a timely manner, sufficient income from the operation of the Park to obtain financing for the purchase of the property, which is scheduled to close on August 12, 2011, without which the Town will be unable to purchase Lot 2 from RFCDC.

Section 3. The Town Clerk is directed to publish this Ordinance as soon as reasonably possible pursuant to Section 4.7 of the Basalt Town Charter.

INTRODUCED AND READ AND ADOPTED as provided by law as an emergency Ordinance by the Town Council, of the Town of Basalt, Colorado this 9th day of August, 2011.

TOWN OF BASALT, COLORADO

By: _____
Leroy Duroux, Mayor

ATTEST:

Pam Schilling, Town Clerk

FINAL adoption, passage and approval as an Emergency Ordinance, by a vote of 6 to 0, this 9th day of August, 2011 by:

- the unanimous vote of all Town Council members present; or
- a vote of a quorum plus one Council member.