

**ORDINANCE NO. 2023-1161**

**INTRODUCED BY: CHRIS CERETTO**

**AN ORDINANCE OF THE CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO, AUTHORIZING THE REAL ESTATE PURCHASE AGREEMENT OF REAL PROPERTY OWNED BY LARRY L MCMILLAN FOR THE PROPERTY LOCATED AT 1025 1<sup>ST</sup> STREET**

**WHEREAS**, the City Council of the City of Fort Lupton, Colorado (City), has determined that it is necessary and advisable to purchase real property from Larry L McMillan, the property which has a street address of 1025 1<sup>st</sup> Street., Fort Lupton, Colorado, 80621; and

**WHEREAS**, in accordance with C.R.S. § 31-15-801 the City is further authorized to purchase the necessary land, building, equipment, and other property for governmental or proprietary purposes; and,

**WHEREAS**, in accordance with C.R.S. § 31-15-101 Municipalities may enter into contracts and may acquire, hold, lease, and dispose of property, both real and personal; and,

**WHEREAS**, an offer to purchase was made and contract was tendered subject to Council's approval; and,

**WHEREAS**, the purchase price of the Real Property is determined to be \$460,000.00; and,

**WHEREAS**, the legal description of the parcel is attached as Exhibit A; and,

**WHEREAS**, Section C.R.S. § 31-15-801 requires that the Agreement and the terms thereof shall be concluded by an ordinance enacted by the City; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO AS FOLLOWS:**

**Section 1.** The City Council has reviewed the proposed Real Estate Purchase Agreement between Larry L. McMillan "Seller" and the City of Fort Lupton "Buyers" including but not limited to, the purchase price and the terms of the contract and has found the proposed contract to be acceptable.

**Section 2.** The City Administrator is hereby authorized to affix his signature to the Agreement and forward the signed agreement to Larry L. McMillan.

**Section 3.** Closing shall be within 60 days of execution of the Agreement.

**INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED** this 21<sup>st</sup> day of November 2023.

**PUBLISHED** in the Fort Lupton Press the 30<sup>th</sup> day of November 2023.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED PUBLISHED BY TITLE ONLY this 19<sup>th</sup> day of December 2023.

PUBLISHED BY TITLE ONLY the 28<sup>th</sup> day of December 2023.

EFFECTIVE (after publication) the 27<sup>th</sup> day of January 2024.

CITY OF FORT LUPTON



Zo Hubbard, Mayor



ATTEST:



Maricela Peña, City Clerk

APPROVED AS TO FORM:



Andy Ausmus, City Attorney

## EXHIBIT A

### **PROPERTY LOCATION**

Northwest corner of 1st Street and Harrison Avenue, Fort Lupton, Colorado.

Parcel located in the Northeast Quarter, Section 5, Township 1N, Range 66 West of the 6th P.M. Weld County, Colorado

### **LEGAL DESCRIPTION.**

Lots 11-14, Block 2, Aichelmanns Subdivision

A subdivision of the City of Fort Lupton

County of Weld

State of Colorado

### **WELD COUNTY ASSESSOR INFORMATION**

Owner: Larry L. McMillan

Weld County Parcel: 147105225010

Subdivision: Aichelmanns

Section: 5 Township: 1N Range: 66W

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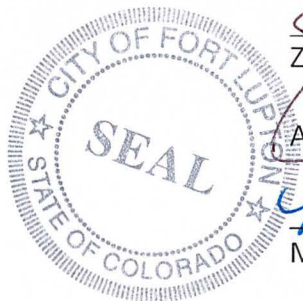
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Andy Ausmus, City Attorney