

TOWN OF BUENA VISTA, COLORADO

**ORDINANCE NO. 12
(SERIES OF 2017)**

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
APPROVING THE CONVEYANCE OF PROPERTY TO PARAGON
BUSINESS VENTURES, LLC AND AUTHORIZING EXECUTION OF
ALL CLOSING DOCUMENTS.**

WHEREAS, the Town of Buena Vista Board of Trustees desires to authorize the conveyance of property described in the Land Exchange Agreement entered into by the Town and Paragon Business Ventures, LLC dated June 13, 2017, as it may be amended from time to time (the "Land Exchange Agreement"), pursuant to C.R.S. § 31-15-713(1)(b), and to further authorize the Mayor or the Town Administrator to execute all documents required to convey the subject property with no further approval or action of the Board of Trustees being required;

WHEREAS, the subject property was dedicated to the Town by the previous owner of the property with no restrictions on its use;

WHEREAS, since that dedication, the property has not been used by the Town for any governmental purpose; and

WHEREAS, the Trustees find and determine that the Town is acting in its proprietary capacity and not in its governmental capacity, pursuant to the holding in *New Stanley Associates, L.L.P. v. Town of Estes Park*, 200 P.3d 118 (Colo. App. 2008).

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF BUENA VISTA, COLORADO:**

Section 1. The Mayor or the Town Administrator are hereby authorized to execute all documents required to purchase the property that is the subject of the Land Exchange Agreement with no further approval or action of the Board of Trustees being required.

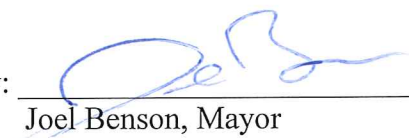
INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 11th day of July, 2017.

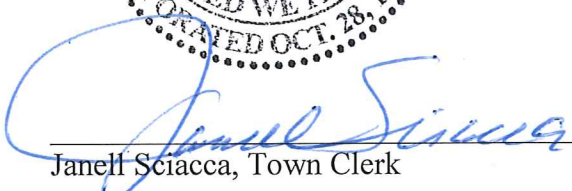
**THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM
PUBLICATION.**

TOWN OF BUENA VISTA, COLORADO



ATTEST

By: 
Joel Benson, Mayor


Janell Sciacca, Town Clerk