

**TOWN OF LYONS, COLORADO
ORDINANCE 1144**

**AN ORDINANCE OF THE TOWN OF LYONS, COLORADO
APPROVING AN AGREEMENT TO BUY AND SELL REAL ESTATE
FOR 2157 APPLE VALLEY ROAD WITH ERNEST G. SPARKS AND KATHRYN J. SPARKS**

WHEREAS, C.R.S. § 31-15-713(1)(b) provides that the Town of Lyons (the “Town”), by ordinance, may dispose of any real property not held or used for park purposes or any other governmental purpose upon terms and conditions the Town of Lyons Board of Trustees (the “Board”) may determine; and

WHEREAS, the Town owned property at 2157 Apple Valley Road (the “Property”) for a decommissioned water storage tank; and

WHEREAS, the Property is no longer used for a public purpose and was declared surplus via Resolution 2022-22; and

WHEREAS, upon being declared surplus the property was listed for sale; and

WHEREAS, the Town has negotiated an offer to sell the property to Ernest G. Sparks and Kathryn J. Sparks for \$48,500; and

WHEREAS, an offer to sell the property had been memorialized in an Agreement to Buy and Sell Real Estate in August 2022 and was approved in Ordinance 1129; and

WHEREAS, the sale was delayed and a new offer to sell the property with a closing date of 25 May 2023 has been memorialized in an Agreement to Buy and Sell Real Estate, substantially attached as **Exhibit A** and incorporated by reference (“Buy and Sell”); and

WHEREAS, the Board desires to approve the Buy and Sell and authorize the Town Administrator to execute the same and to perform all other actions necessary to sell the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Town Board of Trustees hereby approves the Buy and Sell as substantially reflected in **Exhibit A**.

Section 3. The Town Board of Trustees authorizes the Town Administrator, in consultation with the Town Attorney, to make non-material changes to the Buy and Sell which do not increase the financial obligations of the Town.

Section 4. The Town Board of Trustees authorizes the Town Administrator to execute the Buy and Sell and to perform all other actions necessary to complete the sale of the Property.

Section 5. Effective Date. This Ordinance Shall become effective thirty (30) days after publication following final passage in accordance with Lyons Municipal Code Section 2-2-160.

INTRODUCED AND PASSED ON FIRST READING THIS ____ DAY OF _____, 2023.

INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS ____ DAY OF _____, 2023.

TOWN OF LYONS, COLORADO

Hollie Rogin, Mayor

ATTEST:

Dolores M. Vasquez, CMC - Town Clerk