

**TOWN OF LYONS, COLORADO
ORDINANCE 1162**

**AN ORDINANCE OF LYONS, COLORADO APPROVING THE FIRST AMENDMENT
TO A LEASE OF TOWN PROPERTY ADJACENT TO 4100 AND 4196 UTE HWY,
LYONS, COLORADO 80540 TO SPIRIT HOUND DISTILLERS**

WHEREAS, the Town of Lyons ("Town") has the authority to enter into contracts, and specifically contracts for the lease of Town-owned land; and

WHEREAS, the Board of Trustees ("Board") of the Town possesses the authority to enter into lease agreements for real property owned by the Town when deemed by the BOT to be in the best interest of the Town; and

WHEREAS, the BOT is specifically authorized by C.R.S. § 31-15-801 to enter into long-term rental or leasehold agreements; and

WHEREAS, C.R.S. 31-15-713(l)(c) requires any lease of Town property for a period of more than one year or more to be approved by ordinance; and

WHEREAS, Spirit Hound Distillers, LLC ("Spirit Hound") is a local business which creates and distributes distilled alcoholic products; and

WHEREAS, the Town owns property legally described as:

THENCE, S 75° 38' 28.7" W FOR A DISTANCE OF 98.7006 FEET TO A POINT ON A LINE.

THENCE, N 54° 54' 39.1" W FOR A DISTANCE OF 59.9034 FEET TO A POINT ON A LINE.

THENCE, N 69° 27' 05.0" W FOR A DISTANCE OF 18.0300 FEET TO A POINT ON A LINE.

THENCE, N 88° 45' 32.3" W FOR A DISTANCE OF 9.8300 FEET TO A POINT ON A LINE.

THENCE, N 54° 54' 37.3" W FOR A DISTANCE OF 199.9281 FEET TO A POINT ON A LINE.

THENCE, N 34° 50' 22.7" E FOR A DISTANCE OF 84.9982 FEET TO A POINT ON A LINE.

THENCE S 54° 54' 37.3" E A DISTANCE OF 349.9873 FEET TO THE POINT OF BEGINNING;

SAID AREA CONTAINING 0.595 ACRES.

(the "Property") which is adjacent to 4100 Ute Hwy and 4196 Ute Hwy., Lyons, Colorado 80540 which the Town has previously leased to Spirit Hound pursuant to Ordinance 1153; and

WHEREAS, Spirit Hound and the Town have negotiated a First Amendment to a Lease Agreement Between Spirit Hound Distillers and the Town of Lyons ("First

Amendment"), attached hereto as **Exhibit A** and incorporated by reference, to provide Spirit Hound more time to modify the existing building on the property; and

WHEREAS, the Board desires to approve the First Amendment.

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

Section 1. The above recitals are incorporated by reference.

Section 2. The Board hereby approves the First Amendment.

Section 3. The Mayor or Mayor Pro Tem are hereby authorized to execute the First Amendment.

Section 4. The Town Administrator, in consultation with the Town Attorney and the Mayor, is hereby authorized to make non-material alterations to the First Amendment which does not increase the financial obligations of the Town.

Section 5. Effective Date: This Ordinance shall become effective thirty days after publication following the final passage.

INTRODUCED AND PASSED ON FIRST READING THIS ____ DAY OF _____ 2024.

INTRODUCED, PASSED, ADOPTED, AND ORDERED PUBLISHED THIS ____ DAY OF _____ 2024.

TOWN OF LYONS

Mayor Hollie Rogin

ATTEST:

Dolores M. Vasquez, CMC – Town Clerk

EXHIBIT A