

**AS APPROVED ON FIRST READING – FEB. 26**

COUNCIL BILL NO. 5

Series 2019

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY  
(Sawmill Station Square Commercial Building No. 1 Condominium)

WHEREAS, the Town of Breckenridge is a home rule municipality organized and existing pursuant to Article 20, Section 6 of the Colorado Constitution; and

WHEREAS, the Breckenridge Town Hall is located immediately adjacent to the real property described below and the Town Council finds, determines, and declares that the future expansion of Town Hall offices, meeting rooms, and other municipal facilities into the building located upon such real property would serve a public use and purpose; and

WHEREAS, the Town intends to construct a large parking structure on real property located immediately to the north of and adjacent to the real property described below, and the Town Council further finds, determines, and declares that the use of the real property described below in connection with the construction, use, and operation of the parking structure would serve a public use and purpose; and

WHEREAS, the Town is vested with the power of eminent domain pursuant to the Breckenridge Town Charter, the Constitution of the State of Colorado, and the statutes of the State of Colorado.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. The Town Council hereby declares its intent to acquire fee simple title in and to the following described real property situate in the Town of Breckenridge, County of Summit, and State of Colorado:

All of the Sawmill Station Square Commercial Building No. 1 condominium as shown on the plat thereof recorded January 7, 1980 under Reception No. 201810 and the Condominium Declaration recorded January 7, 1980 at Reception No. 201809 and Amendment recorded September 14, 1984 at Reception No. 284378, all in the records of the Clerk and Recorder of Summit County, Colorado, including, but not limited to, condominium units 1-12, inclusive; all general and limited common areas of the Sawmill Station Square Commercial Building No. 1 condominium; and all easements and reciprocal easements owned by or appurtenant to the Sawmill Station Square Commercial Building No. 1 condominium.

Section 2. Acquisition of such real property is necessary for the public uses and purposes set forth in the second and third "Whereas" clauses of this ordinance, which provisions are hereby declared to be of substance and not merely recitals.

Section 3. Town staff and consultants, and the Town Attorney, are authorized to take all necessary steps as required by all applicable laws, rules, regulations, and requirements, for the acquisition of all interest in the above described real property including, without limitation, good faith negotiations with the owners of such property and their representatives, and the initiation of legal proceedings, including eminent domain or other legal actions, if required, for such acquisition

Section 4. The Town Manager shall have the authority to amend the legal description of the real property described in Section 1 of this ordinance as deemed necessary or appropriate, and any such amendments are hereby ratified, confirmed, and approved in advance.

Section 5. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 26th day of February, 2019. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 12<sup>th</sup> day of March, 2019, at 7:00 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

TOWN OF BRECKENRIDGE, a Colorado  
municipal corporation

By: \_\_\_\_\_/s/\_\_\_\_\_  
Eric S. Mamula, Mayor

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Helen Cospolich, CMC, Town Clerk