

ORDINANCE NO. 41

Series 2019

AN EMERGENCY ORDINANCE AUTHORIZING THE SALE OF TOWN-OWNED REAL  
PROPERTY  
(Condominium Unit 163, Building L, Gold Camp II Condominiums)

WHEREAS, the Town of Breckenridge is the owner of the following described real property:

CONDOMINIUM UNIT 163, BUILDING L, GOLD CAMP II CONDOMINIUMS,  
ACCORDING TO THE ELEVENTH SUPPLEMENT TO THE CONDOMINIUM  
MAP RECORDED SEPTEMBER 27, 1972 UNDER RECEPTION NO. 128795  
AND SUBJECT TO THE AMENDED AND RESTATED CONDOMINIUM  
DECLARATION RECORDED AUGUST 23, 2017 UNDER RECEPTION NO.  
1149565, COUNTY OF SUMMIT, STATE OF COLORADO

("Property")

; and

WHEREAS, the Town desires to sell the Property to Trevor Birdwell; and

WHEREAS, the Town Manager has entered into a contract on behalf of the Town to sell  
the Property to Trevor Birdwell; and

WHEREAS, the Town Council finds and determines that it would be in the best interest of  
the Town and its residents for the Town to sell the Property to Trevor Birdwell pursuant to the  
sales contract; and

WHEREAS, Section 15.3 of the Breckenridge Town Charter provides that the Town  
Council may authorize the sale of Town-owned real property by ordinance.

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

Section 1. The sale of the Property to Trevor Birdwell pursuant to the sales contract is  
approved.

Section 2. The Town Manager is authorized to take all necessary and appropriate action to  
close the sale of the Property to Trevor Birdwell. In connection therewith, the Town Manager shall  
have full power and authority to do and perform all matters and things necessary to the sale of the  
Property to Trevor Birdwell, including, but not limited to, the following:

1. The making, execution, and acknowledgement of settlement  
statements, closing agreements and other usual and customary  
closing documents;
2. The execution, acknowledgement and delivery to Trevor Birdwell of  
the deed of conveyance for the Property; and
3. The performance of all other things necessary to the sale of the  
Property to Trevor Birdwell.

Section 3. If any person properly exercises the right of first refusal to which the Property is  
subject, and such person lawfully becomes the purchaser of the Property, all of the provisions of  
this ordinance shall apply to the sale of the Property to such person.

Section 4. The Town Council hereby finds, determines, and declares that it has the power  
to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX  
of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

Section 5. The Town Council finds, determines, and declares that an emergency exists  
and that this ordinance is necessary for the immediate preservation of public property, health,  
welfare, peace or safety. The approval of this ordinance as an emergency ordinance will allow the  
Town to close the sale of the Property described above within the time frame provided for in the  
sales contract. The sale could not be closed within the time frame provided for in the sales contract  
if this ordinance was not adopted as an emergency ordinance. The Town Council further  
determines that the adoption of this ordinance as an emergency ordinance is in the best interest of  
the citizens of the Town of Breckenridge.

Section 6. Pursuant to Section 5.11 of the Breckenridge Town Charter this ordinance shall take effect and be in full force upon adoption of this ordinance by the affirmative votes of at least five (5) members of the Town Council.

Section 7. This ordinance shall be published in full within ten (10) days after adoption, or as soon thereafter as possible, as required by Section 5.11 of the Breckenridge Town Charter.

ADOPTED AND APPROVED as an Emergency Ordinance this 10th day of December, 2019.

TOWN OF BRECKENRIDGE, a Colorado  
municipal corporation

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

ATTEST:

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

APPROVED IN FORM

\_\_\_\_\_/s/\_\_\_\_\_  
Town Attorney