



TOWN BOARD SPECIAL MEETING

March 3, 2014 – 6:00 p.m.

First Floor Conference Room, 301 Walnut Street, Windsor, CO 80550

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

AGENDA

A. CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

B. BOARD ACTION

1. Resolution No. 2014-11 – A Resolution Approving the Purchase of Real Property, Authorizing the Town Manager to Serve as the Town’s Representative, and Authorizing the Town Manager to Execute Various Documents Necessary for the Closing Scheduled for March 4, 2014
 - Legislative action
 - Staff presentation: Ian McCargar, Town Attorney

C. ADJOURN

TOWN OF WINDSOR

RESOLUTION NO. 2014 - 11

A RESOLUTION APPROVING THE PURCHASE OF REAL PROPERTY, AUTHORIZING THE TOWN MANAGER TO SERVE AS THE TOWN'S REPRESENTATIVE, AND AUTHORIZING THE TOWN MANAGER TO EXECUTE VARIOUS DOCUMENTS NECESSARY FOR THE CLOSING SCHEDULED FOR MARCH 4, 2014

WHEREAS, the Town of Windsor ("Town") is a Colorado home rule municipality with all powers and authority vested by Colorado law; and

WHEREAS, the Town entered into that certain Contract to Buy and Sell Real Estate (Land) ("Contract") dated July 8, 2013, under which the Town agreed to purchase the real property described in the attached Exhibit A, incorporated herein by this reference as if set forth fully, consisting of a quarter section of land located at the northwest corner of Weld County Road 13 and Colorado State Highway 392; and

WHEREAS, the Town Board hereby intends to ratify the Contract, and all amendments thereto, and authorize the Town Manager to take all steps necessary to close the transaction in accordance with the Contract's terms, as amended.

NOW, THEREFORE, be it resolved by the Town Board for the Town of Windsor, Colorado, as follows:

1. The foregoing recitals are incorporated herein as if set forth fully.
2. The Town Board hereby ratifies the Contract to Buy and Sell Real Estate (Land) dated July 8, 2014, between the Town and River Bluffs Ventures, LLC ("Contract"), together with the eight (8) amendments thereto.
3. The Town Board hereby affirms the Town's authority and intention to purchase the real property described in the attached Exhibit A.
4. Town Manager Kelly E. Arnold is hereby expressly authorized to take all steps necessary to satisfy the closing requirements of Land Title Guaranty Company, including:
 - a. The execution of deeds, easements and other instruments of conveyance; and
 - b. The execution of settlement sheets, acknowledgments, releases and disclaimers; and

- c. The execution and delivery of checks, drafts and wire transfer authorizations in the amount of Two-Million Seven-Hundred-Fifty-Thousand dollars (\$2,750,000.00), subject to adjustment as provide in the Seventh Amendment to the Contract, together with the Town's share of closing costs as described in the Contract; and
- d. Any other measures required to close the transaction

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted at a Special Meeting convened pursuant to Section 4.2 of the Home Rule Charter held this 3rd day of March, 2014.

TOWN OF WINDSOR, COLORADO

By: _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

EXHIBIT A

THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, EXCEPT PORTION CONVEYED FOR HIGHWAY IN BOOK 1085 AT PAGE 552, COUNTY OF LARIMER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: CONSIDERING THE EAST LINE OF SAID SOUTHEAST QUARTER AS BEARING SOUTH 00 DEGREES 34 MINUTES 07 SECONDS EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE ALONG SAID EAST LINE OF SAID SOUTHEAST QUARTER NORTH 00 DEGREES 34 MINUTES 07 SECONDS WEST 110.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE NORTH 00 DEGREES 34 MINUTES 07 SECONDS WEST 2512.56 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER SOUTH 89 DEGREES 48 MINUTES 25 SECONDS WEST 2601.05 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER SOUTH 00 DEGREES 08 MINUTES 53 SECONDS EAST 2557.21 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED RECORDED IN BOOK 1085, AT PAGE 552 RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTH LINE OF SAID BOOK 1085, PAGE 552 THE FOLLOWING THREE COURSES AND DISTANCES: NORTH 89 DEGREES 55 MINUTES 22 SECONDS EAST 2549.20 FEET; NORTH 44 DEGREES 39 MINUTES 22 SECONDS EAST 70.40 FEET; NORTH 89 DEGREES 57 MINUTES 57 SECONDS EAST 20.68 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER AND THE TRUE POINT OF BEGINNING.