

ORDINANCE NO. 735

AN ORDINANCE AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY THE TOWN OF HAYDEN AND LEGALLY DESCRIBED AS LOTS 3, 4, 5, 7, 8, 9, 10, 11 & 13, NORTHWEST COLORADO BUSINESS PARK FILING 2, TO THE NORTHWEST COLORADO GENERAL IMPROVEMENT DISTRICT (1-2022).

WHEREAS, the Town of Hayden, Colorado (the "Town"), is a Colorado home rule municipality, duly organized and existing under its home rule charter; and

WHEREAS, pursuant to Section 10-2 of the home rule charter and C.R.S. § 31-15-713(b), the Town, acting through its Town Council (the "Council"), is authorized to convey real property upon such terms and conditions as the Council may determine; and

WHEREAS, the Town is the sole owner of certain real property legally described as Lots 3, 4, 5, 7, 8, 9, 10, 11 & 13, Northwest Colorado Business Park Filing 2 (the "Property"); and

WHEREAS, the Town subdivided the various lots that constitute the Property for the purpose of sale and use as a business park (the "Project"), and in connection therewith, formed the Northwest Colorado General Improvement District (1-2022) (the "District") to finance and construct public infrastructure necessary for the Project; and

WHEREAS, the Town Council of the Town is *ex-officio* the Board of Directors of the District; the presiding officer of the Town Council is *ex-officio* the presiding officer of the District; and the Town Clerk is *ex-officio* the Secretary of the District; and

WHEREAS, the Council has determined that it is in the best interests of the Town to convey the Property, as a whole or in parts, to the District in exchange for an unsecured promissory note or notes equal in value to the appraised value of the Property, or its various parts so conveyed, which promissory note(s) shall have such terms and conditions as are described in that certain Intergovernmental Agreement between the Town and the District, dated August 15, 2024, (the "Intergovernmental Agreement"); and

WHEREAS, pursuant to the Intergovernmental Agreement, the District will use the Property to secure obligations that it may incur to finance the construction of public infrastructure for the Project.

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

Section 1. Recitals Incorporated. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Council.

Section 2. Conveyance of Property Approved. Pursuant to Charter Section 10-2 and C.R.S. § 31-15-713(b), the Council hereby approves the conveyance of Property, as a whole or

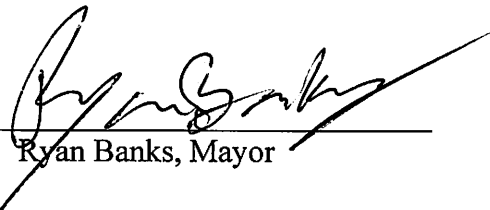
in parts, to the District in exchange for a promissory note or notes that conform to the requirements of the Intergovernmental Agreement.

Section 3. Severability. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. Effective Date. This Ordinance shall take effect, after publication after second reading in accordance with Section 3-3 of the Home Rule Charter, and shall be recorded in the Town Book of Ordinances kept for that purpose, authenticated by the signatures of the Mayor and Town Clerk.

Section 6. Public Hearing on Ordinance No. ____. A public hearing on this Ordinance will be held on August 15, 2024 at the regular meeting of the Hayden Town Council beginning at 7:30 p.m. at the Hayden Town Hall, 178 West Jefferson Avenue, Hayden, Colorado.

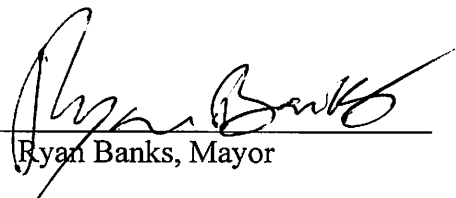
INTRODUCED, READ, APPROVED ON FIRST READING AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3(d) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ON AUGUST 1, 2024, AND SETTING A PUBLIC HEARING FOR AUGUST 15, 2024 AT THE COUNCIL CHAMBERS OF THE HAYDEN TOWN HALL, LOCATED AT 178 WEST JEFFERSON AVENUE, HAYDEN, COLORADO.

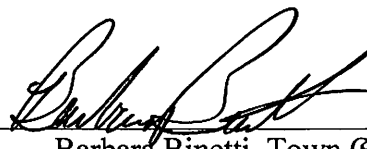
BY: 
Ryan Banks, Mayor

ATTEST: 
Barbara Binetti, Town Clerk



FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3-3(h) OF THE HAYDEN HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF HAYDEN, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF HAYDEN, ON THE 15 DAY OF AUGUST, 2024.

BY: 
Ryan Banks, Mayor

ATTEST: 
Barbara Binetti, Town Clerk

