

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THAT CERTAIN PURCHASE AND SALE AGREEMENT (“AGREEMENT”) BETWEEN THE CITY AND THE CITY OF BRIGHTON HOUSING AUTHORITY, FOR THE PURCHASE AND SALE OF CERTAIN ADAMS COUNTY REAL PROPERTY LOCATED AT 781 S. 5TH AVE, BRIGHTON, COLORADO; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO TAKE SUCH ADDITIONAL ACTIONS AS ARE REASONABLY NECESSARY TO CARRY OUT THE AGREEMENT FOR THE CITY.

RESOLUTION NO. 2015-126

WHEREAS, the City of Brighton Housing Authority has offered for the sale the property located at 781 S. 5th Ave to the City of Brighton to be used as a Community Garden; and

WHEREAS, at the City Council’s direction, the Director of Parks & Recreation and City Attorney’s Office have negotiated an Agreement with the Owner and Seller, for the purchase and sale of approximately 0.219 acres of land in Adams County, generally located 781 S 5th Ave., Brighton, Colorado, (collectively, the “Property”); and

WHEREAS, pursuant to the Agreement, attached as **Exhibit A** and incorporated by reference, the City would acquire title to the Property, free and clear of any liens or encumbrances, in exchange for the total Purchase Price of Fifty Thousand Dollars (\$50,000.00); and

WHEREAS, the City will pay for the existing 3/4” water tap in the amount of \$18,633; and

WHEREAS, the City would fund the acquisition using City funds budgeted in the Recreation Capital Improvement Budget in the amount of Sixty Eight Thousand Six Hundred Thirty Three dollars (\$68,633); and

WHEREAS, the City Council therefore finds that the acquisition and preservation of the Property is in the best interests of the City, and would benefit the health, safety and welfare of the citizens of Brighton by a Community Garden Site; and

WHEREAS, the City Council further finds and determines that the terms and provisions of the attached Agreement are fair and reasonable to the City, and that it is in the best interests of the City to enter into said Agreement for the purpose of acquiring and preserving the Property.

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, that the attached Agreement is hereby approved, and the City Manager is authorized to execute the Agreement for and on behalf of the City; and further, that the City Manager or his designees are hereby authorized to undertake such additional actions and execute such further documents as are reasonably necessary and proper to implement and perform the Agreement for the City; and

RESOLVED THIS 20th DAY OF OCTOBER, 2015.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

**Margaret R. Brubaker
City Attorney**