

ORDINANCE NO. 2321  
INTRODUCED BY: Blackhurst

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A LOT LINE AGREEMENT BY AND BETWEEN THE CITY OF BRIGHTON AND BARRY K. OHLEMEIER, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAID AGREEMENT

WHEREAS, pursuant to Section 17.3 of the Brighton City Charter, City Council may not “sell, exchange, or dispose of ... real property except by ordinance...;” and

WHEREAS, Mr. Ohlemeier owns certain Adams County residential real property and improvements, which property is located at 17885 East 160<sup>th</sup> Avenue, Brighton, CO, described as being a part of the South ½ of the Southeast ¼ of Section 4, Township 1 South, Range 66 West of the 6<sup>th</sup> P.M., (“Ohlemeier Property”); and

WHEREAS, the City owns certain adjacent and abutting real property and improvements, located at 102 Telluride Street, Brighton, CO generally known as “Fairview Cemetery,” also described as being a part of the South ½ of the Southeast ¼ of Section 4, Township 1 South, Range 66 West of the 6<sup>th</sup> P.M., (“City Property”); and

WHEREAS, the Ohlemeier Property and the City Property share a common property boundary line (the “Lot Line”), the specific location of which Lot Line is and has been the subject of uncertainty; and

WHEREAS, in order to remove any uncertainty, the Parties desire and intend by the Lot Line Agreement, to agree upon, identify, and establish their common Lot Line, and to allow the City to establish certain fencing and other improvements upon and along such Lot Line; and

WHEREAS, the City Council finds and determines that it is in the best interests of the City to enter into said Lot Line Agreement.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. The Lot Line Agreement, as provided herein, is hereby approved.

Section 2. The City Manager is authorized to execute the Lot Line Agreement, in substantially the form presented at this meeting, and any other required documents not inconsistent with this Ordinance, for and on behalf of the City, with such technical additions, deletions, and variations as the City Attorney may deem necessary or appropriate and not inconsistent with this Ordinance.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED  
THIS 12<sup>th</sup> DAY OF November, 2019.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY  
TITLE ONLY THIS 3<sup>rd</sup> DAY OF December, 2019.

CITY OF BRIGHTON, COLORADO

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J.W. EDWARDS, Mayor Pro Tem

ATTEST:

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NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

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JACK D. BAJOREK, City Attorney