

## **ORDINANCE 2023-08**

### **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF FRUITA AND THE POWER FAMILY PINON MESA LLLP FOR THE LLLP TO PURCHASE 2.0 ACRES OWNED BY THE CITY OF FRUITA AND AUTHORIZING THE CONVEYANCE THEREOF**

**WHEREAS**, the City of Fruita is the owner of approximately 2.0 acres of land located on Pinion Mesa in the County of Mesa, State of Colorado, as described as Tract 3 in that deed from Irving C. Beard and Dorothy R. Beard to the City of Fruita in that deed recorded in Book 702 at Page 474 of the Mesa County real property records (*Beginning at a point whence the Northwest Corner of Section 5, Township 14 South, Range 101 West, 6<sup>th</sup> P.M. bears North 15 degrees 45 minutes West 3070.7 feet; Thence North 435.6 feet; thence West 200.0 feet; thence South 435.6 feet; Thence East 200.0 feet to point of beginning, containing approximately 2.0 acres*), and also referred to as Mesa County Assessor Parcel No. 3223-053-00-002 (the “2 Acre Parcel”); and

**WHEREAS**, The Power Family Pinon Mesa LLLP (“Buyer”) owns land adjacent to the 2 Acre Parcel and desire to purchase the 2 Acre Parcel for \$16,000.00 in cash; and

**WHEREAS**, pursuant to Section 2.11 of the Fruita City Charter, the Fruita City Council must, by ordinance, authorize the lease or conveyance of real property of the City, and

**WHEREAS**, it is the intent of this ordinance to authorize the City Manager to execute a purchase and sale agreement pursuant to the Buyer’s offer and all other necessary documents to convey the 2 Acre Parcel owned by the City of Fruita to Buyer for the price and terms described herein above.

**NOW, THEREFORE, THE CITY OF FRUITA HEREBY ORDAINS AS FOLLOWS:**

**Section 1:** The above Recitals are true and correct and incorporated herein.

**Section 2:** The City Manager is hereby authorized to finalize and execute a purchase and sale agreement and any documents and deeds necessary to convey to the Buyer the 2 Acre Parcel for \$16,000.00 in cash paid to the City of Fruita.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
ON THE \_\_ DAY OF \_\_\_\_\_, 2023.**

City of Fruita

\_\_\_\_\_  
Mayor Joel Kincaid

ATTEST:

\_\_\_\_\_  
City Clerk