

CITY OF GREELEY, COLORADO
ORDINANCE NO. _____, 2022

**AN ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY LOCATED IN THE
SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 7 NORTH, RANGE 66 WEST OF THE 6TH P.M.
IN WELD COUNTY, COLORADO, KNOWN AS THE McWILLIAMS FARM**

WHEREAS, in 2016, the City of Greeley, acting by and through its Water and Sewer Board, purchased property known as the McWilliams Farm, more particularly described as Lot D of Recorded Exemption 0707-16-04 RECX15-0084, according to the map recorded October 21, 2015 at Reception No. 4151984, being a part of the SE 1/4 of Section 16, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado, also known as Parcel No. 070716400004 and consisting of approximately 135.04 acres; and

WHEREAS, since acquiring the McWilliams Farm, the City has leased the land, along with associated Water Supply and Storage Company ("WSSC") water rights, to a tenant farmer in order to sustain historical use of the water rights on the McWilliams Farm; and

WHEREAS, the City recently received an offer to purchase the McWilliams Farm and its appurtenances, but not the associated WSSC water rights; and

WHEREAS, the City will continue to lease the WSSC water rights for use on the McWilliams Farm for a limited period of time; and

WHEREAS, on November 17, 2021, the Water and Sewer Board met and approved the offer and recommended City Council authorize the sale; and

WHEREAS, pursuant to Section 17-4(C) of the City Charter, any sale of real property by the Water and Sewer Board requires approval by City Council; and

WHEREAS, the City Council has determined that the sale of the McWilliams Farm and its appurtenances to 3T, LLC ("Buyer") serves the best interests of the City of Greeley.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. The Greeley City Council determines that the McWilliams Farm and its appurtenances, are not being held or used for a governmental purpose, are surplus property and appurtenances, and are unnecessary to retain for any governmental or non-governmental purpose.

Section 2. The Greeley City Council authorizes the sale of the McWilliams Farm and its appurtenances, in accordance with the terms and conditions of the Contract to Buy and Sell Real Estate (Land) ("Contract"), attached hereto and incorporated herein as Appendix A, and authorizes the Mayor to execute the same.

Section 3. The Greeley City Council authorizes the Director of the Water and Sewer Department, or his designee, to make non-substantive amendments to the Contract,

including the extension of deadlines and description of the property; to amend or terminate in-part the farm lease agreement, in accordance with the Contract; to enter into a new irrigation water lease agreement for the WSSC water rights, in accordance with the Contract; and to execute all documents necessary to close on the Contract.

Section 4. Upon the satisfaction of all Contract terms, and any amendments thereto, the Greeley City Council authorizes: the Mayor to execute the deed conveying the McWilliams Farm to the Buyer; the Director of the Water and Sewer Department, or his designee, to execute any documents necessary to convey the McWilliams Farm appurtenances to Buyer; and the Director of the Water and Sewer Department, or his designee, to do each and every thing necessary and proper to close on the Contract.

Section 5. This ordinance shall become effective five (5) days following its final publication, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF____, 2022.

ATTEST

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor