

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 09 - SERIES 2025**

**A RESOLUTION APPROVING AN
ENCROACHMENT REMOVAL AGREEMENT**

RECITALS

- A. The Town of Minturn, in the County of Eagle and State of Colorado (the "Town"), is a home-rule municipal corporation duly organized and existing under the laws of the State of Colorado and the Town Charter (the "Charter").
- B. Chris Rhodes and Juliet Greene Rhodes (the "Rhodeses") own the property at 501 Pine Street in the Town (the "Property").
- C. The Town owns a 20-foot right-of-way (the "ROW") adjacent to the rear of the Property and known as Meadow Lane.
- D. Certain improvements, including a fence, encroach from the Property onto Meadow Lane (the "Encroachments").
- E. Accordingly, the Town and the Rhodeses wish to enter into an encroachment removal agreement attached as **Exhibit A** hereto (the "Agreement") to establish a timeline and conditions for removal of the Encroachments.
- F. The Town Council wishes to approve the Agreement and believes that doing so is in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Minturn, Colorado as follows:

- 1. Recitals. The foregoing recitals are incorporated herein as findings of the Town Council.
- 2. Encroachment Removal Agreement. The Town Council hereby approves the Agreement enclosed as **Exhibit A**, authorizing the Mayor or Town Manager to execute the same, and further directs Staff to take such actions as are necessary to execute the terms of the Agreement.
- 3. Ratification of Actions. All actions heretofore taken, not inconsistent with the provisions of this Resolution, by the Town Council and the officers, agents, and employees of the Town relating to the subject matter of this Resolution, are hereby ratified, approved, and confirmed.
- 4. Severability. If any provision of this Resolution is found to be unconstitutional or unlawful, such finding shall only invalidate that part or portion found to violate the law.

All other provisions shall be deemed severable and shall continue in full force and effect.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 5th day of March, 2025.

TOWN OF MINTURN

By: _____
Earle Bidez, Mayor

ATTEST:

Jay Brunvand, Town Clerk