

**TOWN OF PALMER LAKE, COLORADO**

**RESOLUTION NO. 55-2023**

**A RESOLUTION TO AUTHORIZE A LEASE AGREEMENT AND OPTION TO PURCHASE AGREEMENT WITH ECOSPA TO ALLOW ECOSPA TO SEEK TO AMEND THE PUD FOR LAND USE OF 2.8 ACRES AT THE TOWN ELEPHANT ROCK PROPERTY, HWY 105, PALMER LAKE, COLORADO**

**WHEREAS**, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

**WHEREAS**, the Town Board of Trustees has authority over Town property; and

**WHEREAS**, the Town Board and EcoSpa LLC desire to enter into a Lease Agreement and Option to Purchase Agreement to allow EcoSpa the use of 2.8 acres of the Elephant Rock Property, located at Hwy 105, as a tenant to the Town of Palmer Lake; and

**WHEREAS**, the tenant will need to amend the current Planned Unit Development (PUD) on the property with said PUD amendment following all Town processes including being reviewed and approved by the Board of Trustees at a public meeting for which the Town will require a further Redevelopment Agreement with the tenant.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:**

1. The Town Board of Trustees hereby authorizes signature to a Lease Agreement and Option to Purchase Agreement with EcoSpa, LLC as attached herein, including exhibits thereto.
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

**INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 28th DAY OF SEPTEMBER 2023.**

ATTEST:

TOWN OF PALMER LAKE, COLORADO

\_\_\_\_\_  
Dawn A. Collins  
Town Administrator/Clerk

BY: \_\_\_\_\_  
Glant Havenar  
Mayor