

**TOWN OF MINTURN
ORDINANCE 1 – SERIES 2009**

**AN ORDINANCE AUTHORIZING THE LEASE OF REAL PROPERTY
FOR TEMPORARY STORAGE OF FLATBED TRAILERS**

WHEREAS, the Town of Minturn entered into negotiations with Stresscon Corp., a Corporation (referred to herein after as “Stresscon”) concerning the lease of real property; and

WHEREAS in accordance with those negotiations, Stresscon made a proposal to the Town of Minturn for terms of a proposed lease of Town owned property which was authorized by the Town Council on May 21, 2008; and

WHEREAS, the Home Rule Charter of the Town of Minturn, Colorado, the Minturn Municipal Code and C.R.S. § 31-15-101, as amended, authorize the Town to enter into such agreements.

NOW, THEREFORE, THE TOWN OF MINTURN, COLORADO, ORDAINS:

Section 1. The Town Manager is authorized to negotiate and the Town Officials are authorized to sign an agreement and such other documents as are reasonably necessary with Stresscon Corp., a Corporation, concerning the lease of Town owned real property for its storage of Flatbed trailers.

Section 2. This Ordinance shall not take effect until the agreement is signed by the representatives of all of the necessary parties hereto.

Section 3. Severability. If any part, section, sub-section, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the Town Council for the Town of Minturn, Colorado hereby declares it would have passed this ordinance and each part, section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, sub-sections, sentences, clauses or phrases be declared invalid.

Section 4. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper for the health, safety and welfare of the Town of Minturn and the inhabitants thereof.

Section 5. The repeal or the repeal and re-enactment of any provision of the Minturn Municipal Code as provided in this ordinance shall not affect any right which has accrued, and duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision repealed or repealed and re-enacted. The repeal of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

INTRODUCED, TITLE READ IN FULL, APPROVED ON FIRST READING AND ORDERED PUBLISHED IN FULL THE 21 DAY OF JANUARY, 2009. The 4th DAY OF FEBRUARY, 2009, AT 7:00 P.M. IS SET FOR PUBLIC HEARING HEREON AT THE TOWN CENTER, MINTURN, COLORADO.

Handyue Flaherty

Mayor

Attest:

[Signature]

Town Clerk



THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE READ BY TITLE, ENACTED AND ORDERED PUBLISHED BY TITLE ONLY ON SECOND READING THIS 6th DAY OF February, 2009.

Handyue Flaherty

Mayor

Attest:

[Signature]

Town Clerk



