

**ORDINANCE 19**  
**SERIES 2014**

**AN EMERGENCY ORDINANCE AUTHORIZING THE CONVEYANCE OF A PARCEL OF LAND OWNED BY THE TOWN OF JAMESTOWN IN EXCHANGE FOR THE CONVEYANCE TO THE TOWN OF A PARCEL OF LAND OWNED BY JAMESTOWN COMMUNITY CHURCH**

WHEREAS, the Town is the owner of certain real property consisting of 7,662 square feet, more or less, legally described as Lot 29, Block 7, Town of Jamestown, County of Boulder, State of Colorado ("Lot 29"); and

WHEREAS, in September 2013, the Town experienced significant flooding, which prompted formal declarations of disaster and emergency by local, state and federal government officials in Boulder County, Colorado, and as a result of such flooding, many properties in the Town, including Lot 29, were severely damaged or destroyed; and

WHEREAS, the Board of Trustees has determined that because of the flooding, Lot 29 has ceased being used for park purposes or any other governmental purpose and that Lot 29 is unsuitable and inadequate to be used for such purposes; and

WHEREAS, the Jamestown Community Church is the owner of certain real property consisting of 8,644 square feet, more or less, legally described as Lot 30, Block 7, Town of Jamestown, County of Boulder, State of Colorado ("Lot 30"); and

WHEREAS, Andersen Hill Road, a public, Town-owned street, was severely damaged during the floods, and the Town wishes to rebuild such street; and

WHEREAS, a portion of the reconstructed Andersen Hill Road is proposed to be located on Lot 30; and

WHEREAS, it has been proposed that the Town and Jamestown Community Church exchange Lot 29 for Lot 30; and

WHEREAS, the Board of Trustees finds that Lot 30 will better serve the interests of the Town in that it can be utilized for the location of a portion of the newly reconstructed Andersen Hill Road, and that the exchange of Lot 29 for Lot 30 will be consistent with the Town's plans for the reconstruction and recovery efforts in Jamestown; and

WHEREAS, pursuant C.R.S. § 31-15-713, the Board of Trustees desires to convey Lot 29 to Jamestown Community Church upon Jamestown Community Church's conveyance of Lot 30 to the Town, and upon the other terms and conditions set forth herein;

**THEREFORE; BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF JAMESTOWN, COLORADO:**

**Section 1.** The Board of Trustees hereby approves the conveyance from the Town of Jamestown (the "Town") to Jamestown Community Church (the "Church") of that certain real property legally described as Lot 29, Block 7, Town of Jamestown, County of Boulder, State of Colorado ("Lot 29"), upon the terms and conditions set forth in this ordinance.

**Section 2.** Such conveyance of Lot 29 to the Church shall be for and in consideration of the Church's conveyance to the Town of that certain real property legally described as Lot 30, Block 7, Town of Jamestown, County of Boulder, State of Colorado ("Lot 30"). Lot 29 shall be conveyed to the Church by quit claim deed and in "as is" condition. The Mayor is authorized to execute on behalf of the Town a quit claim deed for the conveyance of Lot 29 to the Church, which deed shall be consistent with the provisions of this ordinance; provided, however, that: (1) such deed conveying Lot 29 to the Church shall not be executed and delivered to the Church until an authorized signatory for the Pilot Trust has executed and delivered to the Town a quit claim deed, or other such instrument acceptable to the Town, releasing the deed restrictions on Lot 29 and such deed or other instrument has been recorded in the real property records of the Boulder County Clerk and Recorder; and (2) such deed shall not be delivered to the Church until the Church has executed and delivered to the Town, either previously or concurrently with the Town's delivery, a quit claim deed conveying Lot 30 to the Town in compliance with the terms and conditions of this ordinance.

**Section 3.** The Mayor and Town Staff are further authorized to execute and deliver such additional documents as may be reasonably required with respect to conveyance of the Lot 29 to the Church.

**Section 4.** If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance, and the Board of Trustees hereby declares that it would have passed this ordinance and each such other part hereof irrespective of the fact that any one part be declared invalid.

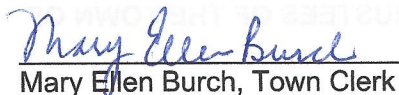
**Section 5.** The Board of Trustees herewith finds, determines and declares that this ordinance is necessary for the immediate preservation of the public health, safety and welfare in order to expedite reconstruction and recovery efforts within the Town. Therefore, the Board of Trustees herewith further finds, determines and declares that it is necessary for this ordinance to take effect immediately upon adoption, provided the same has been adopted and signed by the Mayor and approved by three-fourths of the entire Board of Trustees.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED <sup>IN BY TITLE</sup>  
FULL THIS 17 DAY OF NOVEMBER, 2014.

TOWN OF JAMESTOWN, COLORADO

  
Tara Schoedinger, Mayor

ATTEST:

  
Mary Ellen Burch, Town Clerk