

**ORDINANCE NO. 2006-1**  
**TOWN OF OPHIR**  
**AUTHORIZING THE SALE OF LOTS 3 AND 4 OR LOTS 5 AND 6,**  
**BLOCK 4, TOWN OF OPHIR**

**WHEREAS**, the San Miguel Conservation Foundation purchased the Gamebird Mining Claims for the purpose of preserving such mining claims as open space and with the understanding that the Town of Ophir would reimburse San Miguel Conservation Foundation for such acquisition;  
**WHEREAS**, the Town of Ophir owns Lots 3, 4, 5 and 6, Block 4, Town of Ophir ; and,  
**WHEREAS**, C.R.S. §31-15-101(1)(d) authorizes municipalities to dispose of real property; and,  
**WHEREAS**, the General Assembly finds that disposition of the Property will provide funds to reimburse San Miguel Conservation Foundation for the acquisition of the Gamebird Mining Claims; and,

**WHEREAS**, the General Assembly finds that the sale of one home site (2 town lots) will promote the health, safety and general welfare of the Ophir community by preserving more Open Space in the Ophir Valley;

**NOW, THEREFORE, BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, COLORADO**, the following:

**SECTION 1. DISPOSITION OF PROPERTY AUTHORIZED**

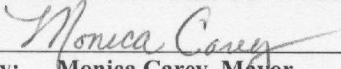
The Mayor, Town Clerk, Town Treasurer and Town Attorney are authorized to execute such documents as may be necessary to sell Lots 3 and 4, Block 4, or Lots 5 and 6, Block 4, Town of Ophir, San Miguel County, Colorado, and are further authorized to execute a contract for the sale of the property and all documents associated with closing and selling the property. Such authorization is specifically limited to selling either Lots 3 and 4, Block 4, *or* Lots 5 and 6, Block 4, but shall not include the authorization to sell all four lots. The sale of Lots 3 and 4, or Lots 5 and 6, Block 4, shall be for a minimum price of \$285,000.00 (two hundred eighty five thousand dollars). The Mayor, Town Clerk and Town Treasurer are authorized to conduct a sealed bid auction(s) with reserve to attempt to secure a higher sales price than the minimum sales price set forth herein. The Mayor and Town Clerk are further authorized to execute a Power of Attorney permitting the Town Attorney or other designee to execute all closing documents on the Property.

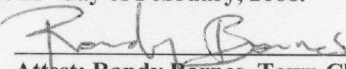
**SECTION 2. EFFECTIVE DATE.** This Ordinance shall be effective 30 days after final adoption.

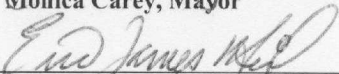
**SECTION 3. PUBLISHING.** Notice of final adoption of this Ordinance shall be published in the Telluride Daily Planet along with a brief description of the ordinance.

**INTRODUCED, READ, APPROVED AND ADOPTED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR on the 17<sup>th</sup> day of January, 2006.**

**READ AND APPROVED ON SECOND AND FINALLY READ BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR on the 21<sup>st</sup> day of February, 2006.**

  
By: **Monica Carey, Mayor**

  
Attest: **Randy Barnes, Town Clerk**  
[Town Seal]

  
Approved as to Form: **Eric James Heil, Esq., Town Attorney**