

**ORDINANCE NO. 2012-09**

**AN ORDINANCE OF THE CITY OF FRUITA, COLORADO, AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF FRUITA TO PEACHTREE HARDWARE, INC., A COLORADO CORPORATION.**

**WHEREAS,** the City of Fruita is the owner in fee simple of the real property described in Exhibit "A", attached hereto and incorporated herein by this reference; and

**WHEREAS,** the City of Fruita has applied to subdivide the property described in Exhibit "A" into three (3) separate lots; and

**WHEREAS,** the City of Fruita intends to enter into a Contract to Buy and Sale Real Estate with Peachtree Hardware, Inc., a Colorado corporation, whereby the City will sell and convey to Peachtree Hardware, Inc. what will be known as Lot 3 of the proposed Little Salt Wash Minor Subdivision, City of Fruita, County of Mesa, State of Colorado, which is contained in the property described in Exhibit "A"; and

**WHEREAS,** pursuant to Section 2.11 of Article II of the Fruita City Charter, the City Council, by ordinance, must authorize the conveyance of any real property of the City; and

**WHEREAS,** the property to be known as Lot 3, Little Salt Wash Minor Subdivision has not been used or held by the City of Fruita for any governmental or recreation purpose.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO THAT:**

Section 1. The City of Fruita is hereby authorized to enter into a Contract to convey real property to be known as Lot 3, Little Salt Wash Minor Subdivision, City of Fruita, County of Mesa, State of Colorado to Peachtree Hardware, Inc., a Colorado corporation. Lot 3 is 82,637 square feet and the purchase price is \$177,079, thus the per square foot price is \$2.14/square foot.

Section 2. The City Manager of the City of Fruita is hereby authorized and directed to execute the subject Contract to Buy and Sale Real Estate, a General Warranty Deed conveying the subject property to Peachtree Hardware, Inc. as well as all other necessary or appropriate documents to effect the conveyance of the subject property.

Section 3. The City Manager is authorized to make modifications and adjustments to contract, that are within the intent of the City Council, necessary to its efficient and effective execution of the contract.

**AMENDED, PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Fruita, Colorado, held on \_\_\_\_\_, 2012.

CITY OF FRUITA, COLORADO,

By: \_\_\_\_\_  
Lori Buck, Mayor

ATTEST:

\_\_\_\_\_  
Margaret Steelman, City Clerk