

**Town of Erie
Ordinance No. 020-025**

An Ordinance of the Town Council of the Town of Erie Approving a Purchase and Sale Agreement with Tebo Partnership LLLP and Authorizing the Related Transfer of Property to Tebo Partnership LLLP

Whereas, the Town is the owner of the real property more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

Whereas, the Property is not being used for any governmental purposes;

Whereas, Tebo Partnership LLLP has offered to purchase the Property from the Town for \$700,000, subject to the term of the Purchase and Sale Agreement attached hereto;

Whereas, on May 27, 2025, the Town Council approved by resolution a prior version of the Purchase and Sale Agreement, but intend that the version attached hereto replace the prior version; and

Whereas, § 15.01 of the Erie Home Rule Charter requires that any transfer of real property be approved by ordinance.

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. The Town Council hereby approves the Purchase and Sale Agreement in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Purchase and Sale Agreement on behalf of the Town.

Section 2. The Town Council hereby approves the transfer of the Property to Tebo Partnership LLLP under the terms of the Purchase and Sale Agreement, and authorizes the Mayor and Town Manager to execute all documents necessary for the closing of such transfer, upon approval by the Town Attorney.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance 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 Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this 8th day of July, 2025.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk

Exhibit A Legal Description

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING THAT PART OF THE PROPERTY DESCRIBED IN DEED RECORDED NOVEMBER 2, 1956 AT RECEPTION NO. 583830 LYING WEST OF COLORADO STATE HIGHWAY 287 AND SOUTH OF COLORADO STATE HIGHWAY 7, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 34; THENCE N89°59'48"W ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 538.01 FEET; THENCE S06°16'23"W A DISTANCE OF 52.71 FEET TO A POINT ON THE SOUTH LINE OF PROPERTY CONVEYED TO THE COLORADO DEPARTMENT OF HIGHWAYS BY DEED RECORDED FEBRUARY 8, 1983 AT RECEPTION NO. 532304, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N89°39'56"E ALONG SAID SOUTH LINE A DISTANCE OF 268.98 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE ALONG THE SOUTHWESTERLY LINE OF PROPERTY CONVEYED TO THE STATE HIGHWAY COMMISSION OF COLORADO BY DEED RECORDED APRIL 17, 1984 AT RECEPTION NO. 539621, AND ALONG A 210.50 FOOT RADIUS CURVE TO THE RIGHT (SAID CURVE HAVING A CENTRAL ANGLE OF 47°18'45", AND A CHORD BEARING S61°19'27"E A DISTANCE OF 168.93 FEET) AN ARC LENGTH OF 173.82 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE S00°24'09"E ALONG THE WEST LINE OF PROPERTY CONVEYED TO THE COLORADO DEPARTMENT OF TRANSPORTATION BY DEED RECORDED JANUARY 2, 1998 AT RECEPTION NO. 1759789 AND ALONG THE WEST LINE OF PROPERTY CONVEYED TO THE COLORADO DEPARTMENT OF TRANSPORTATION BY DEED RECORDED JANUARY 2, 1998 AT RECEPTION NO. 1759797 A DISTANCE OF 436.15 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID PROPERTY AT RECEPTION NO. 583830; THENCE ALONG THE BOUNDARY OF SAID PROPERTY AT RECEPTION NO. 583830 FOR THE FOLLOWING TWO (2) COURSES: 1) N54°28'37"W A DISTANCE OF 543.35 FEET: 2) N06°16'23"E A DISTANCE OF 201.14 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING 151,556 SQUARE FEET OR 3.479 ACRES, MORE OR LESS.