

**ORDINANCE NO. 14  
SERIES 2016**

**AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY  
ALONG SNOWBERRY DRIVE, IN EXCHANGE FOR THE PURCHASE  
OF REAL PROPERTY ALONG SNOWBERRY DRIVE**

WHEREAS, the Town has discovered that a portion of Snowberry Drive encroaches onto private property;

WHEREAS, to correct this issue, the Town and Gary P. and Jeane M. Manchester, the owners of Lot 16, Block 9, Vail Intermountain Subdivision, have agreed to a land exchange, subject to approval of the Town Council;

WHEREAS, Section 4.8 of the Vail Town Charter requires that the Town Council authorize the sale of real property by ordinance;

WHEREAS, the Town Council finds and determines that the sale of a portion of the real property shown as Tract C on **Exhibit A**, attached hereto and incorporated herein by this reference to Gary P. and Jeane M. Manchester, in exchange for the purchase of the real property shown as Tracts A and B in **Exhibit A**, attached hereto and incorporated herein by this reference, is in the best interest of the public health, safety and welfare; and

WHEREAS, based on information received from Town staff, the Town Council finds and determines that the fair market value of Tract C is roughly equivalent to the fair market value of Tracts A and B, and therefore, an even exchange is appropriate.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL, COLORADO, THAT:**

Section 1. Pursuant to Section 4.8 of the Vail Town Charter, the Town Council hereby authorizes the sale of Tract C to Gary P. and Jeane M. Manchester, in exchange for the purchase by the Town of Tracts A and B, pursuant to the terms of a purchase and sale agreement between the parties in a form approved by the Town Attorney. No consideration other than the exchange of the two parcels of real property shall be necessary.

Section 2. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not effect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 3. 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 Vail and the inhabitants thereof.

Section 4. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 21<sup>st</sup> day of June, 2016 and a public hearing for second reading of this Ordinance set for the 5<sup>th</sup> day of July, 2016, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

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David Chapin, Mayor

ATTEST:

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Patty McKenny, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED this 5<sup>th</sup> day of July, 2016.

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David Chapin, Mayor

ATTEST:

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Patty McKenny, Town Clerk

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