

RESOLUTION NO. 79-08

**A RESOLUTION AMENDING RESOLUTION 53-08 REGARDING
THE SALE OF REAL PROPERTY LOCATED
AT 236 MAIN STREET, 238 MAIN STREET AND
AN ADJOINING UNNUMBERED PARCEL**

RECITALS:

Resolution 53-08 was approved by City Council at its May 19, 2008 meeting. The Resolution ratified the sale of city-owned property located at "238 Main Street". City staff has subsequently become aware that the property description on both the sale contract and Resolution 53-08 was inaccurately stated and does not accurately represent the entire property owned by the City and intended for sale to Western Hospitality, LLC.

In order to proceed and close on the property, it is necessary to correct the sale contract and amend Resolution 53-08 to accurately represent the property on all associated contract and public documents.

The City-owned property to be sold and conveyed to Western Hospitality, LLC, by general warranty deed for the price of \$656,250.00, is accurately described as: Lots 17 through 23, inclusive, Block 101, City of Grand Junction, County of Mesa, State of Colorado, also known as 236 Main Street, 238 Main Street and an unnumbered vacant parcel, all in Grand Junction, Colorado 81501.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, THAT:

1. The City Manager shall be authorized to make all necessary changes to correct the property description on appropriate documents, including the sale contract.
2. The City Manager is authorized to prepare and sign a letter of acknowledgement to be delivered to Abstract & Title Co. of Mesa County, Inc., acknowledging the changes and actions to be made to correct property description discrepancies.
3. Resolution 53-08 is hereby amended to correct and replace any references to "238 Main Street" with "236 Main Street, 238 Main Street and an unnumbered vacant parcel".
4. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the sale of the described property. Specifically, City staff is directed to effectuate this Resolution and the amended Sales Contract, including the execution and delivery of the deed and such documents as are necessary to complete the sale.

PASSED and ADOPTED this 16th day of June, 2008.

ATTEST:

/s/ Gregg Palmer
President of the Council

/s/ Stephanie Tuin
City Clerk