

**CITY OF GREELEY, COLORADO
ORDINANCE NO. 18, 2021**

AN ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY LOCATED IN SECTION 22, TOWNSHIP 8 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, CONTAINING 282.00 ACRES OF LAND, MORE OR LESS, COMMONLY REFERRED TO AS THE HASBROUCK FARM AND CITY-OWNED PROPERTY LOCATED IN SECTION 28, TOWNSHIP 8 NORTH, RANGE 65 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, CONTAINING 156 ACRES OF LAND, MORE OR LESS, COMMONLY REFERRED TO AS THE VARRA FARM.

WHEREAS, in 2016, the City of Greeley ("City"), acting by and through its Water and Sewer Board ("Board"), purchased three parcels of land located in Section 22, Township 8 North, Range 65 West, 6th P.M., Weld County, Colorado, commonly referred to as the Hasbrouck Farm, along with two and one-quarter shares of the stock in the Water Supply and Storage Company ("WSSC"). That same year, the Board authorized and the City purchased another parcel of land located in Section 28, Township 8 North, Range 65 West, 6th P.M., Weld County, Colorado, commonly referred to as the Varra Farm, along with two shares of the stock in WSSC (collectively, the "Farms"); and

WHEREAS, since 2016, the City has leased the Farms, along with the respective water rights, to tenant farmers in order to sustain the beneficial use of the water rights on the historically irrigated land; and

WHEREAS, Water and Sewer Department staff ("W&S Staff") negotiated the purchase and sale of five and one-sixth shares of WSSC (among other terms and conditions), in exchange for the payment of ten million five hundred thousand dollars and the Farms (but not the associated WSSC shares); and

WHEREAS, on May 19, 2021, W&S Staff presented the terms of the purchase and sale to the Board. The Board subsequently approved the associated Purchase and Sale Agreement ("Agreement"), by and between Longs Peak Dairy, a Colorado limited liability company and the City, acting by and through its water enterprise, and recommended that City Council authorize the conveyance of the Farms (but not the associated WSSC Shares) as contemplated within the Agreement; and

WHEREAS, pursuant to 17-4(c) of the City Charter, City Council must approve the sale or exchange of any land authorized by the Water and Sewer Board; and

WHEREAS, pursuant to C.R.S. §31-15-713(b), City Council has the authority, by ordinance, to approve the sale of real property that is not being used for a governmental purpose.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. That the Farms are not being held or used for a governmental purpose, are surplus property, and are unnecessary to retain for any governmental or non-governmental purpose.

Section 2. That the sale of the Farms is approved, in accordance with the terms and conditions of the Agreement, attached hereto as Exhibit A.

Section 3. That the Director of Water and Sewer, or his designee, is authorized to enter into minor amendments to the Agreement, including but not limited to the deadline extensions, and to execute all documents necessary to close on the Agreement.

Section 4. That, upon the satisfaction of all terms under the Agreement and any amendments thereto, the Mayor is authorized to execute the deeds and any other document necessary to convey the Farms.

Section 5. This ordinance shall take effect five days after its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS 6TH DAY OF JULY, 2021.



ATTEST

City Clerk

THE CITY OF GREELEY

Mayor