

RESOLUTION NO. 3-97

A RESOLUTION AUTHORIZING THE ACQUISITION OF LAND FOR THE PURPOSE OF A FUTURE COMMUNITY RECREATIONAL FACILITY

WHEREAS, the Board of Trustees in accordance with the Comprehensive Plan of the Town of Berthoud has determined that it is in the Town's best interest to acquire land for a site for a municipal recreational facility to be constructed at some future date; and,

WHEREAS, Title 38, Article 6, Part 1 of the Colorado Revised Statutes (C.R.S.) authorizes the Town of Berthoud to acquire land and improvements thereon through negotiation or condemnation for the purposes, among other things, of constructing parks, playgrounds, public buildings or other public works or public improvements; and,

WHEREAS, pursuant to Title 38, Article 1, Part 1, C.R.S., the Town is required to give notice to the landowners of its intent to acquire an interest in property owned by the landowners;

NOW, THEREFORE, be it resolved by the Board of Trustees of the Town of Berthoud that notice shall be given to persons and entities owning real property within the Town of Berthoud which properties are deemed suitable for sites for the construction of a recreation facility. The notice shall state that the Town of Berthoud, pursuant to Title 38, Articles 1-6, C.R.S., is authorized to acquire, if possible by purchase at fair market value and if negotiations fail permits the condemning authority to appraise and institute eminent domain proceedings.

The Town's staff, on behalf of the Board of Trustees, is hereby directed to sequentially provide written notice to the landowners of the three sites currently under consideration for a future public recreation facility.

Because each of the properties in which the Town intends to acquire an interest are estimated to exceed \$10,000, the Town's staff is directed to give notice of the Town's intent to acquire one or more of these three properties and shall also notify each property owner that they may retain an appraiser of their choosing to appraise their property at the expense of the Town.

At a special meeting of the Board of Trustees of the Town of Berthoud on the 1st day of April, 1997, the Board of Trustees by a vote of 5 in favor and 2 opposed approved this resolution.

TOWN OF BERTHOUD:



Richard Strachan, Mayor

ATTEST:



Mary K. Cowdin  
Mary K. Cowdin, Town Clerk

Published: \_\_\_\_\_