

ORDINANCE NO. 10

SERIES 1994

AN ORDINANCE AMENDING SECTION 9-2-2 OF THE BRECKENRIDGE TOWN CODE CONCERNING THE DEFINITION OF A "SUBDIVISION"; PROVIDING THAT A DIVISION OF LAND WHICH CREATES A PARCEL ACQUIRED BY THE TOWN OF BRECKENRIDGE SHALL BE EXCLUDED FROM THE DEFINITION OF "SUBDIVISION"; DECLARING AN EMERGENCY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. The introductory paragraph of Subparagraph (E) of the definition of "Subdivision" set forth in Section 9-2-2 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

E. EXCLUSIONS: Unless the method of land disposition is adopted for the purpose of evading this Chapter, the term "subdivision", as defined in this Section shall not apply to any division of land or interests in land:

Section 2. Subparagraph (5) of Subparagraph (E) of the definition of "Subdivision" set forth in Section 9-2-2 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

5. Which creates a parcel or parcels as a result of the acquisition of land by the Town.

Section 3. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Code.

Section 4. The Town Council of the Town of Breckenridge hereby finds, determines and declares that an emergency exists and that this Ordinance is necessary for the immediate preservation of public property, health, welfare, peace or safety because this Ordinance is necessary to allow for the timely completion of the following real estate transactions: (i) the Agreement To Exchange Real Estate (Without Valuations) with Breckenridge Business Center, LLC, (as described in Council Bill No. 8, Series of 1994) and (ii) the Agreement for Land/Credit Exchange with Delaware Associates, Ltd. (as described in that Resolution entitled "A Resolution Approving An Agreement For Land/Credit Exchange With Delaware Associates, Ltd"). The Town Council further determines that the adoption of this Ordinance as an emergency ordinance is in the best interest of the citizens of the Town of Breckenridge.

Section 5. Pursuant to Section 5.11 of the Breckenridge Town Code this Ordinance shall take effect and be in full force upon adoption of this Ordinance by the affirmative votes of at least five (5) members of the Town Council.

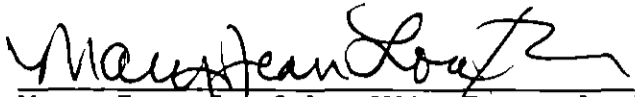
Section 6. This Ordinance shall be published in full within ten (10) days after adoption, or as soon thereafter as possible, as required by Section 5.11 of the Breckenridge Town Charter.'


ADOPTED AND APPROVED as an Emergency Ordinance this 12th day of April, 1994.

Copies of this Ordinance are available for inspection in the office of the Town Clerk.

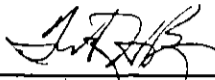
ATTEST:

TOWN OF BRECKENRIDGE

  
Mary Jean Loufek, CMC, Town Clerk

  
Stephen C. West, Mayor

APPROVED IN FORM

  
Town Attorney

4/12/94  
Date

This ordinance was published in full in The Breckenridge Journal, a newspaper of general circulation within the Town of Breckenridge, on April 21, 1994.