

ORDINANCE NO. 19

Series 1998

AN ORDINANCE AMENDING ORDINANCE NO. 16, SERIES 1998, BY AMENDING THE DESCRIPTION OF THE REAL PROPERTY TO BE INCLUDED WITHIN SPECIAL IMPROVEMENT DISTRICT 98-1

WHEREAS, on May 12, 1998 the Town Council of the Town of Breckenridge adopted Ordinance No. 16, Series 1998, entitled "An Ordinance Creating Special Improvement District No. 98-1 In The Town Of Breckenridge, Colorado; Generally Describing The Nature And Location Of The Public Parking Improvements To Be Made Pursuant To Special Improvement District 98-1; Describing The Real Property To Be Included Within Special Improvement District 98-1; Establishing The Method Of Assessment To Be Used In Connection With Special Improvement District 98-1; and Providing Other Details In Connection With The Creation of Special Improvement District 98-1" ("Creation Ordinance"); and

WHEREAS, subsequent to the adoption of the creation Ordinance it has come to the attention of the Town Council that certain additional properties should be included within the description of the real property to be included within Special Improvement District 98-1; and

WHEREAS, the Town Council has determined that the Creation Ordinance should be amended so as to include within the description of the real property to be included within Special Improvement District 98-1 the hereinafter described three additional parcels.

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

Section 1. Exhibit "A" Amended. Exhibit "A" to Ordinance No. 16, Series 1998, describing the real property to be included within Special Improvement District No. 98-1 and assessed with the cost of the public parking improvements described in said Ordinance No. 16, Series 1998, is hereby amended by the inclusion of the following additional owners and actual legal descriptions:

<u>Owner Name</u>	<u>Legal Description</u>
PIETO CORPORATION	Parcel A, PARCEL A AND PARCEL B, LOT 15, BARTLETT AND SHOCK ADDITION TO THE TOWN OF BRECKENRIDGE, according to the plat thereof filed April 30, 1980 at Reception No. 206155
SRG Joint Venture	Condominium Unit 1, The Journal Building, according to the Condominium Map thereof filed under Reception No. 241922 and the Declaration thereof filed under Reception No. 241921, which filings were on July 6, 1982, in the office of the Summit County Clerk and Recorder, State of Colorado.
SRG Joint Venture	Condominium Unit 2, The Journal Building, according to the Condominium Map thereof filed under Reception No. 241922 and the Declaration thereof filed under Reception No. 241921, which filings were on July 6, 1982, in the office of the Summit County Clerk and Recorder, State of Colorado.
Michael G. Jocelyn	Commercial Condominium Unit No. 1, Building D, FRENCH RIDGE CONDOMINIUMS, as defined in the Condominium and Interval Estate Declaration recorded April 27, 1983, at Reception No. 255472, First Amendment to Condominium and Interval Estate Declaration recorded April 16, 1984, at Reception No. 276120 Second Amendment to the Condominium and Interval Estate Declaration recorded November 28, 1984, at Reception No. 288201 and Restated Third Amendment to the Condominium and Interval Estate Declaration recorded December 11, 1985, at reception No. 308736, and according to the Condominium Maps filed, respectively: Building A at Reception No. 255471; Building B at reception No. 276119; Building C at Reception No. 277186; Building D at Reception No. 305802; Building E at Reception No.

297950; and Building F at Reception No. 286005; Building G and H at Reception No. 313092; Building G at Reception No. 315947 and Buildings J and Culbreath at Reception No. 332387.

Robert R. Springer
& Russell L. Fadling

Commercial Condominium Unit No. 2, Building E, FRENCH RIDGE CONDOMINIUMS, as defined in the Condominium and Interval Estate Declaration recorded April 27, 1983, at Reception No. 255472, First Amendment to Condominium and Interval Estate Declaration recorded April 16, 1984, at Reception No. 276120 Second Amendment to the Condominium and Interval Estate Declaration recorded November 28, 1984, at Reception No. 288201 and Restated Third Amendment to the Condominium and Interval Estate Declaration recorded December 11, 1985, at reception No. 308736, and according to the Condominium Maps filed, respectively: Building A at Reception No. 255471; Building B at reception No. 276119; Building C at Reception No. 277186; Building D at Reception No. 305802; Building E at Reception No. 297950; and Building F at Reception No. 286005; Building G and H at Reception No. 313092; Building G at Reception No. 315947 and Buildings J and Culbreath at Reception No. 332387.

Breckenridge Realty
And Management

Commercial Condominium Unit No. 3, Building F, FRENCH RIDGE CONDOMINIUMS, as defined in the Condominium and Interval Estate Declaration recorded April 27, 1983, at Reception No. 255472, First Amendment to Condominium and Interval Estate Declaration recorded April 16, 1984, at Reception No. 276120 Second Amendment to the Condominium and Interval Estate Declaration recorded November 28, 1984, at Reception No. 288201 and Restated Third Amendment to the Condominium and Interval Estate Declaration recorded December 11, 1985, at reception No. 308736, and according to the Condominium Maps filed, respectively: Building A at Reception No. 255471; Building B at reception No. 276119; Building C at Reception No. 277186; Building D at Reception No. 305802; Building E at Reception No. 297950; and Building F at Reception No. 286005; Building G and H at Reception No. 313092; Building G at Reception No. 315947 and Buildings J and Culbreath at Reception No. 332387.

Section 2. Exhibit "B" Amended. Exhibit "B" to Ordinance No. 16, Series 1998, describing various parcels of real property which should have had a parking requirement pursuant to the Town's municipal parking program but which, for different reasons, did not have such obligation, is hereby amended by the deletion of the following legal descriptions and names:

Legal Description	Name	Notes	Spaces Deficient
Abbetts Blk 8 Lots 27-32	French Ridge II - 1984		7
Bartlett & Shock Lot 15N	Eighmy Building - 1984	Condition of approval - owner change	7
Bartlett & Shock Lots 66 & 85	Journal Building - 1980	Condition of approval - owner changed	16
Total			30

Section 3. Effect of Amendment. Except as specifically amended herein, Ordinance No. 16, Series 1998, shall continue in full force and effect.

Section 4. Public Hearing. A special public hearing concerning the adoption of this Ordinance shall be held pursuant to Section 9-6-7 of the Breckenridge Town Code on June 23, 1998 at 7:30 o'clock P.M., or as soon thereafter as the matter may be heard, in the Council Chambers of the Breckenridge Town Hall, 150 Ski Hill Road, Breckenridge, Colorado. Such time and place shall also be the time and place at which the Town Council will consider the adoption of this Ordinance on second reading. Notice of such special public hearing shall be given to those owners of the real property described in Section 1 of this Ordinance as provided in Section 9-6-6 of the Breckenridge Town Code.

Section 5. Severability. If any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining provisions hereof, the intention being that the various provisions hereof are severable.

Section 6. Recording and Authentication. This Ordinance shall be recorded in a book kept for that purpose, shall be authenticated by the signatures of the Mayor and Town Clerk, and shall be published in accordance with law.

Section 7. Authority. 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 Charter.

Section 8. Effective Date. This Ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 9th day of June, 1998. A public hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 23rd day of June, 1998, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building on the Town.

ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


Stephen C. West, Mayor

READ ADOPTED ON SECOND READING WITH AMENDMENTS AND ORDERED PUBLISHED BY TITLE this 23rd day of June, 1998.

A copy of this Ordinance is 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

6/23/98
Date

This Ordinance was published by title with Amendments in The Summit County Journal a newspaper of general circulation within the Town of Breckenridge, on July 2, 1998.