

RESOLUTION NO. 16

SERIES 1997

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWNS OF SILVERTHORNE, DILLON AND FRISCO AND SUMMIT COUNTY CONCERNING THE EAGLES NEST GOLF COURSE

WHEREAS, the Town of Silverthorne has entered into a lease to operate the Eagles Nest Golf Course for the 1997 golf season; and

WHEREAS, the Towns of Silverthorne, Dillon, Frisco and Breckenridge and Summit County desire to provide affordable access to the Eagles Nest Golf Course for all residents of Summit County; and

WHEREAS, the Towns of Silverthorne, Dillon, Frisco and Breckenridge and Summit County desire to cooperate on countywide community issues; and

WHEREAS, governmental entities are authorized by Article XIV of the Colorado Constitution and Part 2 of Article 1 of Title 29, C.R.S., to co-operate and contract with one another to provide any function, service, or facility lawfully authorized to each of the co-operating or contracting governmental entities; and

WHEREAS, a proposed Intergovernmental Agreement between the Towns of Silverthorne, Dillon, Frisco and Breckenridge and Summit County related to the operation of the Eagles Nest golf course for the 1997 golf season has been prepared; and

WHEREAS, the Town Council has reviewed the proposed Intergovernmental Agreement and finds and determines that it would be in the best interest of the Town to enter into such Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO, as follows:

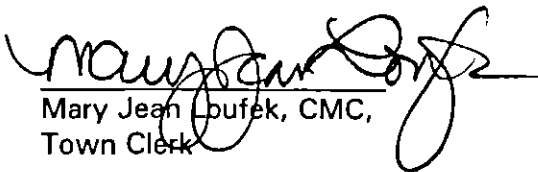
Section 1. The proposed Intergovernmental Agreement with the Towns of Silverthorne, Dillon and Frisco and Summit County related to the operation of the Eagles Nest Golf Course for the 1997 golf season ("Exhibit "A" hereto) is approved, and the Mayor is hereby authorized, empowered and directed to execute such Agreement for and on behalf of the Town of Breckenridge.

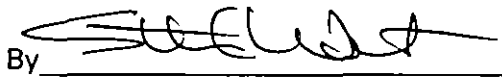
Section 2. This Resolution shall become effective upon its adoption.

RESOLUTION APPROVED AND ADOPTED THIS 27th DAY OF May, 1997.


TOWN OF BRECKENRIDGE

ATTEST:

  
Mary Jean Loufek, CMC,  
Town Clerk

By   
Stephen C. West, Mayor

APPROVED IN FORM

  
Town Attorney

5/27/97  
Date

**INTER-GOVERNMENTAL AGREEMENT  
REGARDING EAGLES NEST GOLF COURSE RATES**

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**AMONG THE TOWNS OF SILVERTHORNE, DILLON, FRISCO,  
AND BRECKENRIDGE AND THE COUNTY OF SUMMIT**

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Whereas, the Town of Silverthorne has entered into a lease to operate the Eagles Nest golf course for the 1997 golf season, known as the GOLF COURSE LEASE between REYNALDO D. GRAULTY, INSURANCE COMMISSIONER OF THE STATE OF HAWAII, AS LIQUIDATOR OF INVESTORS EQUITY LIFE INSURANCE COMPANY OF HAWAII, LTD., and THE TOWN OF SILVERTHORNE, dated April 25<sup>th</sup>, 1997 (hereinafter referred to as "Lease" and attached hereto); and,

Whereas, the Towns of Silverthorne, Dillon, Frisco, and Breckenridge and the County of Summit (hereinafter collectively referred to as 'Parties') finds that golfing is a recreational opportunity that benefits the residents throughout the County; and,

Whereas, the Towns of Silverthorne, Dillon, Frisco, and Breckenridge and the County of Summit desire to provide affordable access to the Eagles Nest Golf Course for all residents in Summit County; and,

Whereas, the Parties to this Inter-Governmental Agreement desire to cooperate on county wide community issues; and,

Whereas, Colorado Revised Statutes Annotated Section 29-1-201 *et. seq.* authorizes Towns and Counties to cooperate and contract with one another to provide recreational services;

**NOW, THEREFORE, in consideration of the payments, covenants, and promises contained herein, the Parties to this Inter-Governmental Agreement agree as follows:**

**SECTION 1: CONTRIBUTIONS**

The Towns of Dillon and Frisco and the County of Summit hereby agree to contribute \$10,000.00 (ten thousand dollars) in money each to the Town of Silverthorne. The Town of Breckenridge hereby agrees to contribute in-kind services to the Town of Silverthorne.

**SECTION 2: RATES**

In consideration for the contributions in SECTION 1 the Town of Silverthorne agrees to provide a County wide rate to all citizens in Summit County, including the incorporated areas of Silverthorne, Dillon, Frisco, Breckenridge, and all other incorporated and unincorporated areas in Summit County for the entire 1997 golf season at the Eagles Nest Golf Course. Furthermore, the Town of Silverthorne agrees to provide the Silverthorne Pass Rate (\$120.00 three 18 hole punch pass, \$25 per round thereafter) to the first 50 pass purchasers each from Dillon, Frisco, Breckenridge, and the remainder of Summit County residents. The rate for Summit County residents shall be the Summit rate as set forth in Exhibit A attached hereto.

**SECTION 3: LIABILITY**

This Inter-Governmental Agreement shall not be construed to create any liability for operations or obligation regarding operations on the part the Towns of Dillon, Frisco, and Breckenridge and the County of Summit. The Town of Silverthorne hereby agrees to indemnify and save harmless the Towns of Dillon, Frisco, and Breckenridge and the County of Summit from any suit arising from the Town of Silverthorne's operation of the Eagles Nest Golf Course or otherwise arising from the Lease.

**SECTION 4: SUBJECT TO LEASE TERMS**

The rates and availability for Summit County residents are subject to the terms of the Lease, including but not limited to, the obligation to close the golf course for up to two days for the benefit of the lessor, termination of the Lease upon default by lessor or lessee, or election by lessee per the Lease terms to terminate the Lease or cease operation of the golf course. All contributions received shall be non-refundable in the event the Lease is terminated or lessee elects to cease operation of the golf course.

**SECTION 5: EFFECTIVE DATE**

The effective date of this Inter-Governmental Agreement shall be the day upon which the duly authorized signatures of all Parties hereto have been obtained and the money contributions from the Towns of Dillon and Frisco and the County of Summit have been received by the Town of Silverthorne. The Town of Silverthorne shall promptly send notice of the effective date upon receipt of all required signatures and monies.

**SECTION 6: FUTURE OPPORTUNITIES**

The Parties to this Inter-Governmental Agreement hereby acknowledge that this intergovernmental cooperation promotes the welfare of the regional community and further acknowledge that building cooperative relationships may lead to future opportunities to provide golf for the regional community.

**THIS INTER-GOVERNMENTAL AGREEMENT IS UNDERSTOOD, ACCEPTED, AND ENTERED INTO:**

**TOWN OF SILVERTHORNE, COLORADO**

[town seal]

By: Charles P. Bear  
Charles P. Bear, Mayor

Date: 6/12/97

Attest: Patty McKenny  
Patty McKenny, Town Clerk

Date: 6/12/97



TOWN OF DILLON, COLORADO

[town seal]

By: C. Julian Harris  
C. Julian Harris, Mayor

Date: 6/12/97

Attest: Jan Thomas  
Carri McDonnell, Town Clerk  
Jan Thomas

Date: 6/12/97

TOWN OF FRISCO, COLORADO

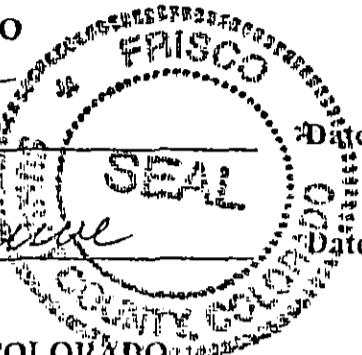
[town seal]

By: M. L. Etie  
Tex Etie, Mayor

Date: 6-13-97

Attest: Vivian Touve  
Vivian Touve, Town Clerk

Date: 6-13-97



TOWN OF BRECKENRIDGE, COLORADO

[town seal]

By: Stephen West  
Stephen West, Mayor

Date: 6/19/97

Attest: Mary Jean Loufek  
Mary Jean Loufek, Town Clerk

Date: 6/19/97

COUNTY OF SUMMIT, COLORADO

[county seal]

By: William Wallace  
William Wallace, County Commissioner

Date: 6/16/97

By: Thomas Long  
Thomas Long, County Commissioner

Date: 6/16/97

By: Gary Lindstrom  
Gary Lindstrom, County Commissioner

Date: 6/16/97

Approved as  
to form  
[Signature]  
Legal

Attest: Doris Brill  
Doris Brill, County Clerk

Date: 6/16/97