

**RESOLUTION NO. 9
SERIES 2009**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, REFERRING TWO BALLOT QUESTIONS AUTHORIZING THE SALE OR CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY OF GUNNISON TO THE QUALIFIED ELECTORS OF THE CITY OF GUNNISON AT THE CITY OF GUNNISON REGULAR MUNICIPAL ELECTION TO BE HELD MAY 12, 2009.

WHEREAS, the Board of County Commissioners of Gunnison County has requested that the City of Gunnison grant and convey to the Board of County Commissioners of Gunnison County a permanent roadway easement, permanent maintenance easements, and temporary construction easements over and across the City of Gunnison Mountain Park in Taylor Canyon for the purpose of making road improvements to the Taylor Canyon Road and establishing and maintaining public parking facilities; and

WHEREAS, the City of Gunnison has the opportunity to obtain approximately 1,254 lineal feet of permanent trail easement connecting the Van Tuyl Ranch property to the Riverwalk Estates trail easements as a portion of the City of Gunnison's Bridge-to-Bridge trail project, in exchange for the conveyance of a parcel of land which is 2.14 acres of the Van Tuyl Ranch property owned by the City of Gunnison; and

WHEREAS, Section 11.2 of the City of Gunnison Municipal Home Rule Charter requires an affirmative vote of a majority of the qualified electors of the City of Gunnison voting at a regular or special election prior to any such sale or conveyance of real property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, THAT:

Section 1. The City Council of the City of Gunnison hereby refers the following two ballot questions to the qualified electors of the City of Gunnison at the City of Gunnison regular municipal election to be held on Tuesday, May 12, 2009:

SHALL THE CITY OF GUNNISON BE AUTHORIZED TO CONVEY TO THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO, FOR NO MONETARY CONSIDERATION, PERMANENT ROADWAY EASEMENTS, PERMANENT MAINTENANCE EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENTS OVER AND ACROSS THE SE¹/₄SE¹/₄, SECTION 11, AND THE SW¹/₄SW¹/₄, SE¹/₄SW¹/₄, AND LOT 3, SECTION 12, ALL IN TOWNSHIP 51 NORTH, RANGE 1 EAST, NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF GUNNISON, STATE OF COLORADO, (THE CITY OF GUNNISON MOUNTAIN PARK IN TAYLOR CANYON) FOR THE PURPOSES OF CONSTRUCTING AND MAINTAINING ROAD IMPROVEMENTS TO THE TAYLOR CANYON ROAD AND PUBLIC PARKING FACILITIES?

Yes

No

SHALL THE CITY OF GUNNISON BE AUTHORIZED TO CONVEY A 2.14 ACRE PARCEL LOCATED IN THE SE¹/₄SE¹/₄SE¹/₄, SECTION 23, AND THE NE¹/₄NE¹/₄NE¹/₄, SECTION 26, TOWNSHIP 50 NORTH, RANGE 1 WEST, NEW MEXICO PRINCIPAL MERIDIAN, GUNNISON COUNTY, COLORADO (A PORTION OF THE VAN TUYL RANCH PROPERTY) IN EXCHANGE FOR THE CITY OF GUNNISON BEING GRANTED A PERMANENT EASEMENT FOR A PUBLIC TRAIL, BEING 20 FEET IN WIDTH AND APPROXIMATELY 1,250 FEET IN LENGTH, CONNECTING THE VAN TUYL RANCH PROPERTY AND THE RIVERWALK ESTATES TRAIL EASEMENTS, A PORTION OF THE CITY OF GUNNISON BRIDGE-TO-BRIDGE TRAIL PROJECT?

Yes

No

Section 2. The City Clerk of the City of Gunnison is hereby authorized and directed to place the foregoing two ballot questions on the ballot for the City of Gunnison regular municipal election to be held as a mail ballot election on Tuesday, May 12, 2009.

Section 3. For the purposes of C.R.S. §1-11-203.5, this resolution shall serve to set the title and content of the ballot issues set forth herein, and the ballot titles for such ballot issues shall be the text of the ballot issues themselves. Any petition to contest the form or content of the ballot titles may be filed with the District Court and a copy served on the City Clerk within five days after the title of the ballot issues are set by City Council upon passage and adoption of this resolution.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the City Council of the City of Gunnison, Colorado, held this 24th day of March, 2009.

Mayor Stu Ferguson

(SEAL)

City Clerk Gail A. Davidson