

COPY

ORDINANCE NO. 43B

AN ORDINANCE APPROVING THE MUNICIPAL LEASE AND OPTION AGREEMENT FOR THE PURCHASE OF NEW WATER METER SYSTEM FOR THE TOWN OF STRATTON.

WHEREAS, the Town of Stratton (the "Town") is a municipal corporation and body politic, organized under the laws of the State of Colorado and possessing the maximum powers, authority, and privileges to which it is entitled under Colorado law;

AND WHEREAS, §31-15-103, C.R.S., authorizes the Board of Trustees of the Town of Stratton, (the "Board") to make and publish ordinances which are necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and convenience of the Town and the inhabitants thereof;

AND WHEREAS, §31-15-801, C.R.S., authorizes a municipality to enter into long-term rental or leasehold agreements which may include an option to purchase and acquire title to such leased or rented property for a period of time not to exceed the useful life of such property; and

AND WHEREAS, the Board of Trustees has determined to purchase new water meter system for the Town of Stratton from National Meter & Automation, Inc.;

AND WHEREAS, §31-15-801, C.R.S. mandates that this ordinance shall take effect thirty days after its passage.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, COLORADO:

Section 1. Purpose. The purpose of this ordinance is to approve the Municipal Lease and Option Agreement with Nation Meter & Automation, Inc., on the terms and conditions set forth therein.

Section 2. Adoption of Amendment. The Board of Trustees of the Town of Stratton has reviewed the Municipal Lease and Option Agreement with National Meter & Automation, Inc. The Board of Trustees of the Town of Stratton hereby approves the aforementioned Municipal Lease and Option Agreement to be effective on April 23, 2011. Further The Board of Trustees of the Town of Stratton authorizes the Mayor to sign and the Clerk to attest to his signature thereto, on behalf of the Town of Stratton. The Municipal Lease and Option Agreement will be attached to this Ordinance and be incorporated herein.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the

remaining sections, sentences, clauses or phrases of this Ordinance and they shall remain in full force and effect, it being the intent that this Ordinance shall stand, notwithstanding the invalidated or unconstitutionality of any part thereof.

Section 4. Immediate Effect. It is hereby declared that an emergency exists and that this Ordinance is necessary for the immediate preservation of the public health, peace, welfare and safety of the residents of the Town of Stratton, Colorado, and shall be in full force and effect after its passage and publication as provided for by law.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 25 day of March, 2011.

Richard Mann, Mayor

Attest:

Maxine A. Rogers
Maxine A. Rogers, Town Clerk



[seal]

STATE OF COLORADO)
COUNTY OF KIT CARSON)ss.
TOWN OF STRATTON)

CLERK'S CERTIFICATE

I, Maxine A. Rogers, the official Town Clerk of the Town of Stratton, do by these presents say that the foregoing Ordinance No. 43B was passed and adopted by a three-quarters majority of the Board of Trustees of the Town of Stratton on the 24 day of March, 2011, and that the above-entitled Ordinance is true, correct and a full copy of the Ordinance as show in the records of the Town of Stratton, Colorado.

Dated this 25 day of March, 2011.

Maxine A. Rogers
Maxine A. Rogers, Town Clerk

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