

**LAKE COUNTY SCHOOL DISTRICT NO. R-1  
Resolution NO. 24-23 Authorizing Sale**

WHEREAS, the Lake County School District No. R-1 (“School District”) is the owner of unimproved real property located in Lake County and more particularly described as:

The Land referred to herein is located in the County of Lake, State of Colorado, and described as follows:

Lots numbered One (1) to Sixteen (16) both inclusive in Block number Twenty-one (21) of Stevens and Leiter's Subdivision of Stevens and Leiter's Placer, U.S. Survey Number 271, same being a subdivision of the City of Leadville, County of Lake, State of Colorado.

(“Property”); and

WHEREAS, on January 31, 2024, the Board of Education (“Board”) of the School District, the Lake County Board of County Commissioners (“County”), and the Leadville/Lake County Regional Housing Authority entered into that certain Intergovernmental Agreement Regarding the Lease and Transfer of Real Property for Affordable Housing Purposes (“IGA”), pursuant to which the School District agreed to transfer the Property to the County upon construction of an affordable housing project (“Project”) on the Property in consideration for restricting a percentage of the units for School District employees; and

WHEREAS, the Property now requires environmental remediation prior to the commencement of construction of the Project for which the County is seeking funding from various government programs; and

WHEREAS, to obtain such funding, the County is required to hold title to the Property and has requested conveyance of the Property prior to completing construction of the Project; and

WHEREAS, the School District is willing to convey the Property to the County to allow for the necessary environmental remediation; and

WHEREAS, due to the timing of the County’s requested conveyance, the details of the Project, including the number and type of units and affordable housing guidelines for ownership and occupancy have not been finalized, therefore, the County desires to revise the form of deed restriction attached to the IGA; and

WHEREAS, the School District is willing to revise the deed restriction provided that 25% of the units are restricted for School District employees and provided that the County uses good faith efforts to maximize the number of District employees who are eligible to occupy the Project; and

WHEREAS, there has been presented to the Board at this meeting an amendment to the IGA that will permit the conveyance of the Property and recording of a replacement deed restriction (“IGA Amendment”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF LAKE COUNTY SCHOOL DISTRICT NO. R-1:

**Section 1.** That the Board hereby authorizes the sale of the Property to the County or the Authority as the County's permitted assignee in accordance with the IGA as amended by the IGA Amendment. All action heretofore taken, not inconsistent with the provisions of this resolution ("Resolution"), by the Board, its officers, and agents, directed toward the conveyance of the Property, is hereby ratified, approved, and confirmed.

**Section 2.** That the IGA Amendment in substantially the form presented to the Board prior to the adoption of this Resolution, is in all respects approved, authorized, and confirmed. The Board President, Superintendent of Schools, or Chief Financial Officer (each an "Authorized Officer") is hereby authorized to execute and deliver the IGA Amendment for and on behalf of the Board, with such changes consistent with this Resolution as they shall approve. The Authorized Officer is further authorized to execute and deliver, for and on behalf of the Board, any and all additional certificates, documents and other papers and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the conveyance of the Property and other matters authorized by this Resolution.

**Section 3. Ratification.** All actions heretofore taken by the Board, its officers, and agents, that were not inconsistent with the provisions of this Resolution are hereby ratified, approved and confirmed.

**Section 4. Severability.** If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

**Section 5. Repealer of Measures.** All acts, orders, resolutions or parts thereof, in conflict with this Resolution or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, or part thereof heretofore repealed.

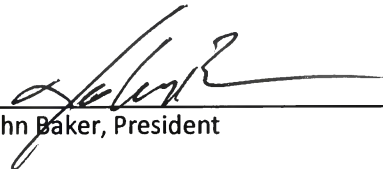
**Section 6. Effectiveness.** This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 22<sup>nd</sup> day of April, 2024.

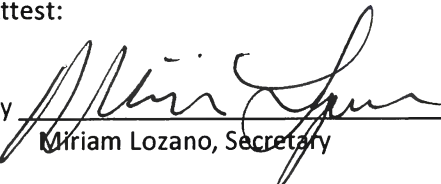
[SEAL]



LAKE COUNTY SCHOOL DISTRICT NO. R-1

By  \_\_\_\_\_  
John Baker, President

Attest:

By  \_\_\_\_\_  
Miriam Lozano, Secretary