

CITY OF LEADVILLE, COLORADO  
RESOLUTION 20  
Series of 2016

A RESOLUTION OF THE CITY OF LEADVILLE, COLORADO  
MEMORIALIZING THE ACQUISITION OF THE TABOR OPERA  
HOUSE BY THE CITY OF LEADVILLE

WHEREAS, pursuant to C.R.S. § 31-15-101(1)(d), the City of Leadville ("City") is authorized to acquire and dispose of real property; and

WHEREAS, by Special Warranty Deed dated November 11, 2016 and recorded in the real property records of Lake County, Colorado, TABOR OPERA HOUSE, LLC, a Colorado limited liability company conveyed the following property to the City:

The South 10 feet of Lot 7, and Lots 8 and 9, Block 1,  
Leadville Improvement Company's Addition to the City of Leadville,  
County of Lake,  
State of Colorado,  
together with Improvements thereon

(the "Subject Property"); and

WHEREAS, a copy of the Special Warranty Deed is attached to this Resolution as **Exhibit A** and is incorporated herein by reference; and

WHEREAS, the Subject Property is commonly known as the Tabor Opera House and has a property address of 312 Harrison Avenue, Leadville, CO 80461; and

WHEREAS, the City Council desires to memorialize the City's acquisition of the Subject Property by and through the adoption of this Resolution.

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

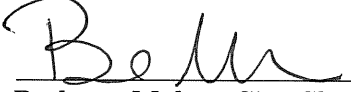
**Section 1.** The City Council hereby acknowledges the delivery and recording of the Special Warranty Deed referenced above. The City Council further desires to memorialize the acquisition of the Subject Property.


**Section 2.** This Resolution shall be effective immediately upon approval of the City Council for the City of Leadville.

ADOPTED this 15<sup>th</sup> of November, 2016 by a vote of 6 in favor, 0 against, 0 abstaining, 0 absent.

CITY OF LEADVILLE, COLORADO

ATTEST:

  
\_\_\_\_\_  
Bethany Maher, City Clerk

By   
\_\_\_\_\_  
Greg Labbe, Mayor

**Exhibit A  
Special Warranty Deed**

Following recordation, return to:

Marcus McAskin  
Michow Cox & McAskin LLP  
6530 S. Yosemite Street, Suite 200  
Greenwood Village, CO 80111

**NO DOCUMENTARY FEE REQUIRED PER C.R.S. § 39-13-104(1)(a)**

**SPECIAL WARRANTY DEED**

[Statutory Form – C.R.S. §38-30-115]

**TABOR OPERA HOUSE, LLC**, a Colorado limited liability company, having a legal address of 308 Harrison Avenue, P.O. Box 1701, Leadville, CO 80461 (“Grantor”), for the consideration of the sum of **SIX HUNDRED THOUSAND DOLLARS (\$600,000.00)** and other good and valuable consideration, in hand paid, hereby sells and conveys to the **CITY OF LEADVILLE**, a municipal corporation of the State of Colorado (“Grantee”), whose address is 800 Harrison Avenue, Leadville, CO 80461, the following real property situate in the County of Lake, State of Colorado, more particularly described as follows:

The South 10 feet of Lot 7, and Lots 8 and 9, Block 1,  
Leadville Improvement Company’s Addition to the City of Leadville,  
County of Lake,  
State of Colorado,  
together with Improvements thereon

(the “Property”). The Property is commonly known as the Tabor Opera House and has a property address of 312 Harrison Avenue, Leadville, CO 80461.

TOGETHER with all its appurtenances, and warrants the title to the same against all persons claiming by, through, or under Grantor, subject to the matters set forth on **Exhibit 1** attached hereto and made a part hereof.

**TABOR OPERA HOUSE, LLC**, a Colorado limited liability company

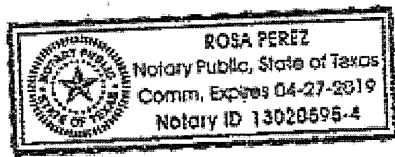
By:   
Sharon P. Bland, Member

STATE OF TEXAS  
COUNTY OF Cameron } ss.

The foregoing instrument was acknowledged before me on this 11<sup>th</sup> day of November, 2016, by Sharon P. Bland as the sole member of TAVOR OPERA HOUSE, LLC, a Colorado limited liability company. Witness my hand and official seal.

My commission expires: \_\_\_\_\_

R. Perez  
Notary Public



### Exhibit 1

1. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto; whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records or listed in this Exhibit 1.
2. Water rights, claims or title to water.
3. Property taxes for calendar year 2016, a lien not yet due and payable.
4. The effect of inclusions in any general or specific water conservancy, fire protection, soil conservation or other district or homeowners association or inclusion in any water service or street improvement area.
5. Reservation of right of proprietor of any penetrating vein or lode to extract his ore, in U.S. Patent for the Steven's and Leiter Placer, U.S. Survey No. 271, recorded December 19, 1878 in Transfer Record Book "H" at Page 1.
6. All matters as shown on the plat of Leadville Improvement Company's Addition to the City of Leadville recorded March 6, 1879 as Reception No. 1850.
7. Any and all existing leases and tenancies.
8. All matters as shown on the Improvement Location Certificate prepared by Blue River Land Surveying, dated September 29, 2016.
9. Any and all other unexpired and enforceable covenants, conditions, restrictions, easements and reservations of record, if any, affecting the subject property and in the chain of title thereto that arose prior to the Grantor's ownership.

