

RESOLUTION NO. 743-08

A RESOLUTION TO REFER A BALLOT QUESTION FOR THE APRIL, 2008, ELECTION

WHEREAS, C.R.S. section 31-11-111(2) et seq. and C.R.S. § 31-15-703(a) authorized the Board of Trustees, hereinafter referred to as the "Trustees", of the Town of Fowler, Colorado, hereinafter referred to as the "Town", to refer the question contained herein and submit it to a vote of the registered electors of the Town of Fowler; and

WHEREAS, on the first Tuesday in April 2008, a town wide election will be conducted; and

WHEREAS, the Town of Fowler owns a building located at 114 E Cranston, Fowler, Colorado that was previously used as the town hall, police station and public library; and

WHEREAS, the building has been damaged by water; and

WHEREAS, the town has commenced a project to remodel Park School into a new town hall, police station and library; and

WHEREAS, the Town of Fowler Board of Trustees deems the building located at 114 E. Cranston, Fowler, Colorado to be surplus property that can best be sold and the proceeds used to benefit the Town; and

WHEREAS, Colorado law requires that the public approve the sale of any building used for a public purpose; and

WHEREAS, the Board of Trustees seeks approval to sell the building at its appraised value or the greatest amount possible.

NOW THEREFORE, BE IT RESOLVED as follows:

1. At the town wide election to be held on the first Tuesday of April, 2008, between the hours of 7:00 a.m. and 7:00 p.m., there shall be submitted to the vote of the registered electors of the Town of Fowler the questions herein authorized.
2. At said election the official ballot, including absentee ballots, shall state the substance of the question to be voted upon and so stated shall constitute the ballot title, designation and submission clause, and each registered elector voting at the election shall indicate his or her choice on the question submitted, which shall be in the following form:

SHALL THE FOWLER BOARD OF TRUSTEES BE AUTHORIZED TO SELL THE REAL PROPERTY OWNED BY THE TOWN OF FOWLER AND LOCATED AT 114 E. CRANSTON, FOWLER, COLORADO FOR ITS APPRAISED VALUE OR FOR THE GREATEST AMOUNT POSSIBLE.

YES _____

NO _____

3. If a majority of all votes cast at the election shall be for the measure, the measure shall be deemed passed, and the Fowler Board of Trustees shall be authorized to sell the real property located at 114 E. Cranston, Fowler, Colorado for its appraised value or the greatest price possible..
4. The election shall be conducted under the provisions of the Colorado Election Code.
5. The Town Clerk of the Town of Fowler, Otero County, State of Colorado, or Clerk and Recorder of Otero County, as the case may be, shall give public notice of the election on the question hereby submitted by causing a notice to be published in the Fowler Tribune as provided by law, and by mailing to “all registered voters” at each address within the Town of Fowler, Colorado, at which a voter is registered, within such time limits as permitted by law, a notice entitled “Notice of Election on a Referred Measure”. The Notice shall include only (a) the election date and hours for voting, (b) the ballot title, (c) the text of the measure to be voted upon, (d) the office address and the telephone number of the Town Clerk, and (e) two summaries, not more than five-hundred words each, one for and one against the measure, of written comments filed with the Town Clerk no later than thirty days before the election. No summary shall mention names of persons or private groups, nor any endorsement of a resolution against the measure to be voted upon. The Town Clerk shall maintain on file and accurately summarize all relevant written comments.
6. The officers of the Town are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

DATED this 25th day of February, 2008.

Ray A. Wards
Mayor

ATTEST:

Twana Klinkerman
Deputy Town Clerk

BALLOT QUESTION NO. 1

The Town of Fowler Board of Trustees adopted a resolution on the 25th day of February, 2008, authorizing the submission of the following ballot question to a vote of the people of the Town of Fowler at the town wide election to be held on April 8, 2008:

SHALL THE FOWLER BOARD OF TRUSTEES BE AUTHORIZED TO SELL THE REAL PROPERTY OWNED BY THE TOWN OF FOWLER AND LOCATED AT 114 E CRANSTON, FOWLER, COLORADO FOR ITS APPRAISED VALUE OR FOR THE GREATEST AMOUNT POSSIBLE.

YES _____

NO _____

EFFECTIVE APRIL 15, 2008