

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2012

COUNCIL BILL NO. CB12-0547
COMMITTEE OF REFERENCE:
4 Health, Safety, Education & Services

5 **A BILL**

6 **for an Ordinance approving the Denver Health and Hospital Authority's sale of**
7 **property formerly known as the La Mariposa Clinic.**

8
9 **WHEREAS**, the City and County of Denver ("City") and Denver Health and Hospital Authority
10 ("Authority") entered into that certain Transfer Agreement effective as of January 1, 1997, which was
11 amended by that First Amendatory Transfer Agreement dated as of January 1, 1997 (together the
12 "Transfer Agreement"), which governed the conveyance of property from the City to the Authority
13 and its subsequent disposition by the Authority; and

14 **WHEREAS**, Section 4.7 of the Transfer Agreement provides:

15 "a. The Authority may not sell or transfer any Real Property unless the sale is in
16 compliance with C.R.S. § 25-29-104(2) and unless the City Council and the Mayor
17 approve such sale or transfer. In the event that any of the Real Property is sold or
18 transferred in compliance with C.R.S. §25-29-104(2) and this section, the proceeds of
19 any such sale shall be used by the Authority as set forth more fully in section 4.7(b)
20 below.

21
22 "b. The proceeds of any sale of Real Property agreed to by the City pursuant to
23 Section 4.7(a) above shall be deposited in a separate Authority trust fund account and
24 may be used by the Authority only for the construction of new buildings and facilities
25 or otherwise for infrastructure improvements related to the development of the
26 Authority Health System."
27

28 **WHEREAS**, the Authority intends to sell the former La Mariposa Clinic located at 1020 W.
29 11th Ave., Denver, Colorado, more particularly described as follows:

30 LOTS 38 THROUGH 41, INCLUSIVE, AND THE NORTH 9 FEET OF LOT 37, BLOCK
31 22, HUNTS ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

32
33 ("Property"); and

34 **WHEREAS**, the Authority no longer needs the Property as part of its Health System; and

35 **WHEREAS**, the Authority agrees to place the proceeds of the sale into a separate trust fund
36 for construction of improvements related to the Westside Clinic.

37

1 **NOW THEREFORE,**
2 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

3
4 **Section 1.** That the Mayor and other proper officials of the City and County of Denver be
5 and they are hereby authorized, empowered and directed in the name and on behalf of the City and
6 County of Denver to approve a Consent to Transfer of the La Mariposa Clinic from Denver Health
7 and Hospital Authority to GrahamGolden Technologies, LLC, in substantially the form set forth in
8 that Consent to Transfer, filed in the Office of the City Clerk of the City and County of Denver
9 on _____, Filing No. _____, and to execute the necessary legal instruments to release
10 the City's right of reverter to the Property.

11 COMMITTEE APPROVAL: July 24, 2012

12 MAYOR-COUNCIL DATE: July 31, 2012

13 PASSED BY THE COUNCIL _____ 2012

14 _____ - PRESIDENT

15 APPROVED: _____ - MAYOR _____ 2012

16 ATTEST: _____ - CLERK AND RECORDER,
17 EX-OFFICIO CLERK OF THE
18 CITY AND COUNTY OF DENVER

19 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2012; _____ 2012

20 PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY,

21 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
22 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
23 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
24 §3.2.6 of the Charter.

25 Douglas J. Friednash, City Attorney

26
27 BY: _____, _____ City Attorney

28 DATE: _____ 2012