

TITLE VII

GENERAL AND MISCELLANEOUS PROVISIONS

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TITLE VII

GENERAL AND MISCELLANEOUS PROVISIONS

CHAPTER 1

DEFINITIONS

Section:

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7-1-1: Masculine to Include Feminine and Neuter

Words used in the masculine gender in this code or in other ordinances of the Town include the feminine and neuter unless a contrary intention plainly appears.

7-1-2: Singular Number to Include Plural and Vice Versa

Words used in the singular number in this code or in other ordinances of the Town include the plural, and the plural the singular, except where a contrary intention plainly appears.

7-1-3: "Person" Defined

The word "person", when used in this code or in other ordinances of the Town, includes natural persons, corporations (private and public), partnerships and all other unincorporated organizations, trusts, estates, government, agencies, and other legal entities, except when a contrary intention plainly appears.

7-1-4: "Town" Defined

The word "town", when used in this code or in other ordinances of the Town, shall mean the Town of Olathe, Colorado, unless a contrary intention plainly appears.

7-1-5: Statutory References

Reference to the statutes of the State of Colorado (C.R.S.) means the statutes as they are now or as they may be amended to be, and a reference to the Statutes also means the comparable provision when included in future codifications.

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CHAPTER 2

SEAL

Section:

7-2-1: Seal

The common seal of the Town of Olathe shall be circular in form, in the center of which shall be the word "SEAL" engraved thereon, and with the words "TOWN OF OLATHE, COLORADO" surrounding the word SEAL, and around the margin of said seal, engraved upon the face thereof in Roman capitals. Said seal above described is hereby established and declared to be the seal of the Town of Olathe. Said seal shall be kept in the Office of the Town Recorder, who shall be the custodian thereof. It shall be the duty of the Recorder to affix the seal to all instruments hereinafter mentioned. Provided, however, that any other person who shall have been specifically directed so to do by resolution by the Town Board of Trustees may affix the seal to any such instrument. The seal shall be affixed to all transcripts, orders, or certificates which it may be necessary or proper to authenticate under the provisions of the statutes in such cases made and provided, or any ordinance of the Town; and the seal shall be affixed to every contract or other instrument requiring the seal of the Town under any law of the State of Colorado or any ordinance of the Town.

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GENERAL AND MISCELLANEOUS PROVISIONS

CHAPTER 3

SEPARABILITY CLAUSE

Section:

7-3-1: Separability Clause: Code and Ordinances

7-3-1: Separability Clause: Code and Ordinances

If a part of this code or of any ordinance passed by the Board of Trustees after this code goes into effect is invalid, all valid parts, which are severable from the invalid parts, remain in effect. If a part of this code or of any ordinance passed hereinafter is invalid in one or more of its applications, the part remains in effect in all valid applications, which are severable from the invalid applications.

TITLE VII

**PROCEDURES FOR THE DISPOSITION OF UNCLAIMED INTANGIBLE
PROPERTY**

CHAPTER 8

Unclaimed Property

Section:

7-8-1: Unclaimed Property (Ord. 4-1992, left out of 1993
Codification)

7-8-1: Unclaimed Property

- A. Any intangible property, including any income or increment derived therefrom less any lawful charges or other amounts due the Town, that is held by or under control of the Town, which has not been claimed by its owner for a period of more than one year after it becomes payable or distributable, shall be disposed of in accordance with the procedures set out in this Section.
- B. Prior to the disposition of any unclaimed property having an estimated value of \$50.00 or more, the Town shall send a notice to the owner's last known address, if any, as shown on the records of the Town by certified mail, return receipt requested.
- C. Prior to the disposition of any unclaimed property having an estimate value of \$50.00 or less, or property concerning which no address is shown in Town records for the owner, the Town shall cause a notice to be published in a newspaper of general circulation in the Town.
- D. The notice required pursuant to Subsection (A) or (B) above shall describe the property, the name of the perceived owner, if known, the amount or estimated value of the property, and if available the purpose for which the property was deposited or held. The Notice shall state that if the owner fails to submit a written claim to the Town within sixty days of the date of mailing or publication, the property shall become the sole

property of the Town and any claim of the owner shall be forfeited.

- E. If no such claim is received within said sixty days, the property shall become the sole property of the Town and any claim of the owner to the property shall be deemed forfeited.
- F. If the Town receives a written claim within sixty days, the Town shall evaluate the claim and give written notice to the claimant within ninety days thereafter, whether the claim has been accepted or denied in whole or in part. The Town may investigate the validity of the claim and may request further supporting documentation from the claimant prior to resolving the matter.
- G. In the event there is more than one claimant for the same property, the Town may, in its sole discretion, resolve the claims in any appropriate manner
- H. In the event all claims are denied, the property shall become the property of the Town and any claim of the owner of such property shall be deemed forfeited.