

## RESOLUTION NO. 2015-12-02

### AUTHORIZING THE CITY ATTORNEY TO FILE A JOINT PETITION TO DISSOLVE THE 1920 TRUST AGREEMENT WITH THE AMERICAN LEGION AND MORGAN COUNTY

**WHEREAS**, the City of Fort Morgan and the Harold DeHaan Post #19 of the American Legion entered into a trust agreement in 1920 concerning the ownership and maintenance of property to be utilized for public recreation purposes; and,

**WHEREAS**, the trust required the title to the property be held by the City for the use and enjoyment of the public and for the management of the property to be the responsibility of the Harold DeHaan Post #19 of the American Legion; and,

**WHEREAS**, the Harold DeHaan Post #19 has relinquished management of the trust property to the City of Fort Morgan; and,

**WHEREAS**, all the parties to the trust agreement desire to dissolve the trust and transfer all remaining property interest to the City to be held as a public park subject to the limitations for property disposition set forth in Fort Morgan Municipal Code Section 4-7-300(d); and,

**WHEREAS**, all the parties to the trust agreement have developed a Joint Petition to Dissolve Trust as set forth in Exhibit A, attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:**

**SEC. 1:** The City Attorney is hereby authorized to file the Joint Petition to Dissolve Trust on behalf of the City of Fort Morgan.

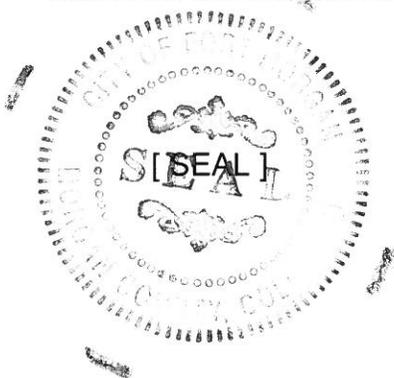
INTRODUCED, PASSED, APPROVED AND ADOPTED this 15<sup>th</sup> day of December 2015, the vote upon roll call being as follows:

Ayes: Mayor McAlister, Councilmembers Anderson, Castoe, Lindell and Northrup

Nays: None.

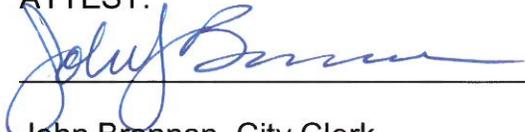
Absent /Abstain: Councilmembers Segura and Shaver absent (Excused)

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO



BY:   
Terry McAlister, Mayor

ATTEST:

  
John Brennan, City Clerk

STATE OF COLORADO )  
COUNTY OF MORGAN ) ss.  
CITY OF FORT MORGAN )

### CERTIFICATE

I, John Brennan, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 15<sup>th</sup> day of December, 2015.

  
John Brennan, City Clerk