

## RESOLUTION NO. 2016-11-01

### AUTHORIZING THE MAYOR TO SIGN AN AMENDMENT TO THE ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE FORT MORGAN FARMS LLC ANNEXATION

**WHEREAS**, the Community Resources & Housing Development Corporation ("CRHDC") previously constructed a housing project within the City of Fort Morgan named "Sol Naciente" near Beaver Avenue and Linda Street; and

**WHEREAS**, Fort Morgan Farms, LLC and the City of Fort Morgan entered into a Development Agreement which was later assigned to CRHDC, which assigned the Development Agreement to its subsidiary Sol Naciente LLLP, that details the responsibilities of Sol Naciente LLLP to in regards to the development of the project; and,

**WHEREAS**, Sol Naciente LLLP desires to amend portions of the Development Agreement to reflect the status of the development and understandings of the Parties; and,

**WHEREAS**, the City Council is amenable to the amendments reflected in the AMENDMENT TO THE ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE FORT MORGAN FARMS LLC ANNEXATION attached hereto and incorporated herein.

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

**SECTION 1:** City Council hereby authorizes the Mayor to sign the AMENDMENT TO THE ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE FORT MORGAN FARMS LLC ANNEXATION.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 1<sup>st</sup> day of November 2016, the vote upon roll call being as follows:

Ayes: Mayor Shaver, Councilmembers Anderson, Castoe, Howe, Lindell, Marler and Northrup

Nays: None.

Absent / Abstain: None.



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

BY: Ronald Shaver

Mayor Ronald Shaver

ATTEST:

  
\_\_\_\_\_  
John Brennan, City Clerk

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

I, John Brennan, City Clerk for the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the Council of Fort Morgan, Colorado, 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records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.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 have affixed the seal of the City of Fort Morgan this 1<sup>st</sup> day of November, 2016.

  
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John Brennan, City Clerk