

RESOLUTION

AUTHORIZING THE MAYOR TO EXECUTE THE SPECIAL CONTRACT SERVICES AGREEMENT CONCERNING GAS TRANSPORTATION FOR DAIRY FARMERS OF AMERICA.

WHEREAS, the City owns and operates a natural gas distribution system located within and adjacent to the City limits; and,

WHEREAS, DFA owns and operates a dairy products manufacturing facility located at 2301 East Bijou Avenue, Fort Morgan, Colorado (the "Plant"); and,

WHEREAS, the City currently provides natural gas service to DFA at the Plant in the Fort Morgan Industrial Park; and,

WHEREAS, DFA is not currently eligible for natural gas transportation service pursuant to the terms contained in the Natural Gas Tariff of Rates and Regulations of the City of Fort Morgan, Colorado ("Tariff"), but is eligible for Special Contract Service as provided in Rate Schedule SC of the Tariff; and,

WHEREAS, DFA desires to have the City purchase natural gas specifically for the Plant which is currently served by the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fort Morgan, Colorado that:

SECTION 1: That the Mayor is hereby authorized to sign the **Special Contract Services Agreement** (attached hereto and incorporated herein by this reference).

INTRODUCED, PASSED, APPROVED AND ADOPTED this 21st day of August, 2007, the vote upon roll call being as follows:

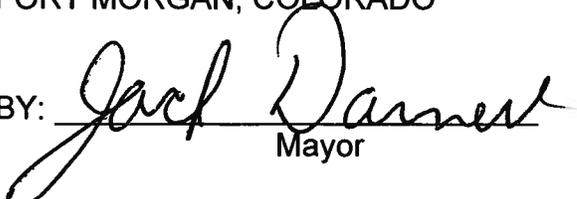
Ayes: Mayor Darnell, Aldermen Baltazar, McAlister, Powers, Schafer, Shaver and Simmons

Nays: None.

Absent /Abstain:

[SEAL]

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

BY: 

Mayor

09.400.

ATTEST:

Andrea J. Strand
City Clerk

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

ss.

CERTIFICATE

I, ANDREA STRAND, 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records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.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 21st day of August, 2007.

Andrea Strand
Andrea Strand, City Clerk