

RESOLUTION

AUTHORIZING THE MAYOR TO EXECUTE THE TEMPORARY EASEMENT AGREEMENT AND CONCERNING THE FORT MORGAN GOLF COURSE.

WHEREAS, the City Council has given the City Attorney the authority to settle the pending litigation filed in Morgan County District Court, specifically Case No. 06 CV 135; and

WHEREAS, as part of resolution of the litigation, the City needs to acquire a temporary use easement from the Fort Morgan Country Club("FMCC"); and

WHEREAS, FMCC is willing to grant temporary use and access to FMCC's property so that the City may have access or a limited time; so the City can determine alternate access to the City's Golf Maintenance Facility. FMCC has agreed to a **Temporary Easement, Stipulation and Agreement**;

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

SECTION 1: The Council of the City of Fort Morgan hereby authorizes the Mayor to sign the **Temporary Easement, Stipulation and Agreement** (attached hereto and incorporated herein by this reference).

INTRODUCED, PASSED, APPROVED AND ADOPTED this 4th day of September, 2007, the vote upon roll call being as follows:

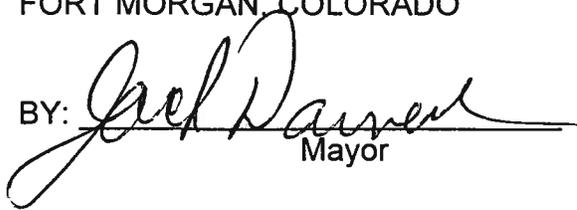
Ayes: Mayor Darnell, Aldermen Baltazar, McAlister, Powers, Schafer, Shaver and Simmons

Nays: None.

Absent /Abstain:

[SEAL]

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

BY: 
Mayor

ATTEST:


City Clerk

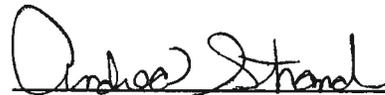
STATE OF COLORADO)
COUNTY OF MORGAN)
CITY OF FORT MORGAN)

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records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.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 5th day of September, 2007.



Andrea Strand, City Clerk