

RESOLUTION NO 8 05 01

AUTHORIZING THE MAYOR TO EXECUTE THE PRIVATE UTILITY EASEMENT AGREEMENT AND THE EXCLUSIVE ACCESS EASEMENT AGREEMENT

WHEREAS, the Property known as the Axman Right-of-Way has historically been used as a road that provides the only access owned and used by the City; and,

WHEREAS, Edward E. and Edward B. Pagel ("Pagels) are willing to grant to the City an Exclusive Easement over and across Pagel's land to allow the continued use and access to the City's property; and,

WHEREAS, the Pagels require a Utility Easement for private utilities owned and operated by the Pagels installed or to be installed across the City's property; and,

WHEREAS, the parties have outlined the terms and conditions of these easements in the **Exclusive Access Easement Agreement** and the **Private Utility Easement Agreement** both of which are attached hereto and incorporated herein by this reference; and.

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

SEC. 1: The Mayor is hereby authorized to execute the **Exclusive Access Easement Agreement** and the **Private Utility Easement Agreement**.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 6th day of May 2008, the vote upon roll call being as follows:

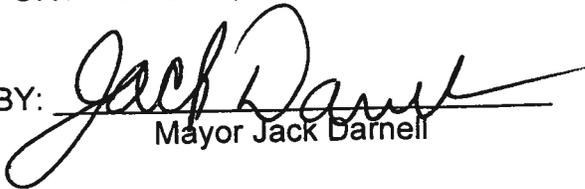
Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer, Shaver and Simmons

Nays: None.

Absent/Abstain: None.

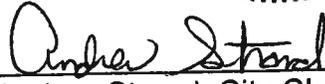


THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

BY: 

Mayor Jack Darnell

ATTEST:


Andrea Strand, City Clerk

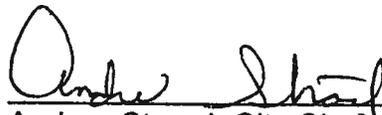
STATE OF COLORADO)
COUNTY OF MORGAN)
CITY OF FORT MORGAN)

ss.

CERTIFICATE

I, Andrea Strand, 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 6th day of May, 2008.



Andrea Strand, City Clerk