

## RESOLUTION NO. 2018-11-01

### A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT AGREEMENT WITH ALLO COMMUNICATIONS LLC

**WHEREAS**, the City of Fort Morgan and Allo Communications LLC ("Allo") have been working to develop a fiber optic network through a public/private partnership for the benefit of the community; and

**WHEREAS**, through various agreements the City of Fort Morgan owns infrastructure that is then leased to Allo for providing services; and

**WHEREAS**, some infrastructure and equipment belong to Allo which, by design of the system, is located upon City owned land; and,

**WHEREAS**, the City and Allo desire to enter into an easement agreement to ensure that Allo has proper access to the facility housing equipment for them to operate the system; and,

**WHEREAS**, the City and Allo have put their understanding into writing in the Easement Agreement attached hereto as Exhibit A which is incorporated herein.

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

**SECTION 1** The City hereby authorizes the Mayor to sign the Easement Agreement with Allo Communications LLC for the location of a "Central Office" facility for fiber optic equipment to utilize the City's infrastructure.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 6<sup>th</sup> day of November, 2018, the vote upon roll call being as follows:

Ayes: Mayor Ronald Shaver, Councilmembers Lindell, Marler and Schossow

Nays: None

Absent /Abstain: Councilmembers Anderson, Howe and Northrup, Absent (excused)

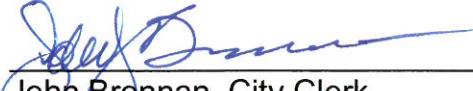


THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY:

Ronald Shaver, 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records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.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 6<sup>th</sup> day of November, 2018.



John Brennan, City Clerk