

## RESOLUTION NO. 2019-11-02

### A RESOLUTION APPROVING AN ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE BATH CORN FLAKER PROJECT

**WHEREAS**, Keith Bath ("Owner") is the owner of certain real property recently annexed by the City of Fort Morgan ("City"); and

**WHEREAS**, Owner intends to submit an application for the applicable Municipal Code processes to construct a corn flaker facility and obtain a certificate of occupancy on said property known as the "Bath Corn Flaker Project" which shall be a use by right under the City's zoning; and

**WHEREAS**, the City and the Owner desire to set forth the terms and conditions related to the City Council's annexation of said property and the development of said property within the subject Annexation and Development Agreement; and

**WHEREAS**, City Staff has drafted, negotiated and finalized the subject Annexation and Development Agreement between the City and Owner; and

**WHEREAS**, the City and Owner wish to enter into agreement and have put their understanding into writing in the attached Annexation and Development 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 Annexation and Development Agreement for the Bath Corn Flaker Project, attached hereto as Exhibit A.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 19<sup>th</sup> day of November, 2019, the vote upon roll call being as follows:

Ayes: Mayor Shaver, Councilmembers Anderson, Fowler, Howe, Lindell, Northrup

Nays: None.

Absent /Abstain: Councilmember Schossow



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

BY:



Ronald Shaver, Mayor

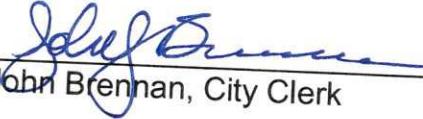
ATTEST:

  
John Brennan, City Clerk  
STATE OF COLORADO )  
COUNTY OF MORGAN )  
CITY OF FORT MORGAN ) ss.

**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 19<sup>th</sup> day of November, 2019.

  
John Brennan, City Clerk