

## **RESOLUTION NO. 2022-04-01**

### **A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY WITHIN THE FIEBIG FARM SUBDIVISION**

**WHEREAS**, the City of Fort Morgan (“City”) purchased property now platted as the Fiebig Farm subdivision in 2018, which was previously used as a farm ground within the City, and has been subdivided for development and uses beneficial to the City, its residents and customers; and

**WHEREAS**, SFP-E, LLC, an Oregon limited liability company based in Bend, intends to purchase around two (2) acres of real property, at Lot 2 of the Fiebig Farm Subdivision, Filing No. 2, a minor subdivision of Lot 1, Block 1 of the Fiebig Farm Subdivision (the “Property”), to develop, construct and operate an automotive and retail Les Schwab Tire Center; and

**WHEREAS**, the Fort Morgan City Council (“Council”) is duly authorized to sell, develop, own or maintain the Fiebig Farm subdivision, which includes the subject Property designated in the Contract to Buy and Sell Real Estate, attached hereto within Exhibit A; and

**WHEREAS**, the City Council authorizes the sale of a portion of that Fiebig Farm subdivision, through the execution of a Contract to Buy and Sell Real Estate, attached hereto as Exhibit A, and the execution of all necessary documents associated with the sale and closing of the subject Property; and

**WHEREAS**, City Staff and the City Attorney have drafted, negotiated and finalized the attached Contract to Buy and Sell Real Estate, between the City and purchaser, attached hereto as Exhibit A and incorporated herein, and City Council desires to approve and authorize said Contract to Buy and Sell Real Estate, attached hereto as Exhibit A.

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

**SECTION 1.** The City Council authorizes the Mayor to sign the Contract to Buy and Sell Real Estate for this Property, attached hereto as Exhibit A.

**SECTION 2.** The City Council additionally authorizes the Mayor to execute all necessary documents associated with the sale and closing of the Property.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 5<sup>th</sup> day of April, 2022, the vote upon roll call being as follows:

Ayes: Mayor Lyn Deal, Councilmembers Anderson, Garcia, Kaper, Parks, Schossow and Urdiales

Nays: None

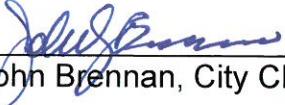
Absent /Abstain:None



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY:   
Lyn Deal, 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 5<sup>th</sup> day of April, 2022.

  
John Brennan, City Clerk

**Exhibit A**  
**Contract to Buy and Sell Real Estate**