

## RESOLUTION NO. 2022-10-01

### A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY LOCATED AT LOT 2, BLOCK 2 OF BARLOW ROAD AND BEAVER AVENUE, FORT MORGAN AND AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 19975 COUNTY RD S, FORT MORGAN

**WHEREAS**, the City of Fort Morgan ("City") owns certain property 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**, J. P. Harris Holdings, LLC, a Fort Morgan-based Colorado limited liability company, intends to purchase 18.73 acres located at Lot 2, Block 2 of Barlow Road and Beaver Avenue, Fort Morgan CO 80701, ("Property A"), to develop, construct and operate a Cold Storage Facility;

**WHEREAS**, the City Council is duly authorized to sell Property A, which is the subject property designated in the Purchase and Sale Agreement, attached hereto as Exhibit A;

**WHEREAS**, the City Council authorizes the sale of said Property A through the execution of the Purchase and Sale Agreement, attached hereto as Exhibit A, and the execution of all necessary documents associated with the sale and closing of the subject Property;

**WHEREAS**, the City also intends to purchase property platted within Jensen Farms Subdivision, which was previously used as a cold storage facility located at 19975 County Rd S, Fort Morgan CO 80701, ("Property B"), from J. P. Harris Holdings, LLC;

**WHEREAS**, the City Council is duly authorized to purchase Property B, which is the subject property designated in the Purchase and Sale Agreement, attached hereto as Exhibit B;

**WHEREAS**, the City Council authorizes the purchase of Property B, through the execution of the Purchase and Sale Agreement, attached hereto as Exhibit B, and the execution of all necessary documents associated with the sale and closing of the subject Property;

**WHEREAS**, City Staff and the City Attorney have drafted, negotiated, and finalized both Purchase and Sale Agreements between the City and J. P. Harris Holdings, LLC, a Colorado Limited Liability Company; and

**WHEREAS**, the City Council now desires to approve and authorize the Purchase and Sale Agreement, attached hereto as Exhibit A, and the Purchase and Sale Agreement attached hereto as Exhibit B, both of which are incorporated herein.

**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 Purchase and Sale Agreement to sell the property located at Lot 2, Block 2 of Barlow Road and Beaver Avenue, Fort Morgan, Colorado, attached hereto as Exhibit A.

**SECTION 2.** The City Council authorizes the Mayor to sign the Purchase and Sale Agreement to purchase the property located at 19975 County Rd S, Fort Morgan, Colorado, attached hereto as Exhibit B.

**SECTION 3.** The City Council further authorizes the Mayor to execute all necessary documents associated with the sale and closing of the Properties.

INTRODUCED, PASSED, APPROVED, AND ADOPTED this 18<sup>th</sup> day of October, 2022, the vote upon roll call being as follows:

Ayes: Mayor 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  
Lyn Deal, Mayor

ATTEST:

John Brennan  
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 18 day of October 2022.

  
John Brennan, City Clerk

**Exhibit A**  
**Purchase and Sale Agreement**

**Exhibit B**  
**Purchase and Sale Agreement**