

RESOLUTION NO. 2024-08-01

A RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND EL JACAL, CORP. REGARDING PROPERTY AT 1275 BADGER AVENUE, FORT MORGAN

WHEREAS, the City of Fort Morgan ("City") sold 1.5 acres of real property located at 1275 Badger Avenue, Fort Morgan, Colorado, and entered into a Development Agreement with El Jacal, Corp., dba Grid Iron, LLC, which actions and agreements were authorized by Fort Morgan City Council Resolution 2022-02-01 on February 1, 2022; and

WHEREAS, El Jacal, Corp, a local Fort Morgan business, still intends to develop, construct and operate a sports bar and grill at the subject property; and

WHEREAS, since the execution of the Development Agreement between the parties, conditions exist that have resulted in the Owner El Jacal Corp. revising the anticipated construction period and completion date of the restaurant and bar; and

WHEREAS, Owner El Jacal Corp. has requested the subject amendments; and

WHEREAS, City Council agrees with the requested amendments in order to facilitate the continued development, local business success and anticipated sales tax revenue; and

WHEREAS, City Staff and the City Attorney have drafted, negotiated and finalized the attached First Amendment to Development Agreement between the City and El Jacal Corp., dba Grid Iron, LLC, attached hereto as Exhibit A and 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 First Amendment to Development Agreement, attached hereto as Exhibit A.

SECTION 2. The City Council additionally authorizes the Mayor to execute all necessary documents associated with this First Amendment to Development Agreement, as long as such documents are reviewed and approved by the City Attorney.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 6th day of August, 2024, the vote upon roll call being as follows:

Ayes: Mayor Protem John Kaper, Councilmembers Boyett, Garcia, Morford, Parks and Schossow

Nays: None

Absent /Abstain: Mayor Lindell (absent) excused

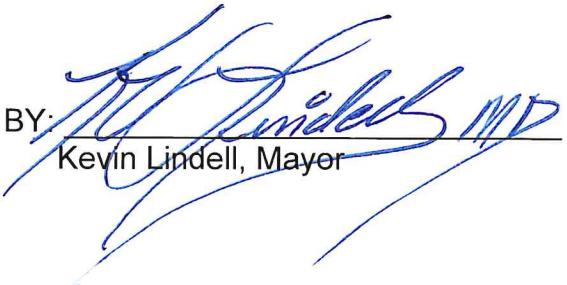


ATTEST:


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

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

BY:


Kevin Lindell, Mayor

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 6th day of August, 2024.


John Brennan, City Clerk

Exhibit A
First Amendment to Development Agreement