

RESOLUTION NO. 2025-09-03

A RESOLUTION AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY WITHIN THE JENSEN FARMS MINOR SUBDIVISION AND APPROVING A DEVELOPMENT AGREEMENT FOR SAID PROPERTY

WHEREAS, the City of Fort Morgan (the "City") purchased Lot 3 of the Jensen Farms Subdivision, which Lot was previously used in conjunction with other Lots in the Jensen Farms Subdivision by a private party as a cold storage facility;

WHEREAS, FM Land I LLC, a Colorado limited liability company, intends to purchase Lot 3 of JENSEN FARMS MINOR SUBDIVISION, located in Section 5, Township 3 North, Range 57 West of the 6th P.M., Morgan County, Colorado comprised of 4.36 acres (the "Property"), for the development and construction of three (3) retail pad establishments with access off Barlow Road and East Riverview Avenue that will increase sales tax revenue in the City, including a gas station with a convenience store and two (2) food and beverage establishments with drive-throughs;

WHEREAS, the City Council is duly authorized to sell, develop, own, or maintain the Property and the Jensen Farms Minor Subdivision, which includes the subject Property designated in the Development Agreement, attached hereto as Exhibit A;

WHEREAS, the City Council authorizes the sale of the Property, through the execution of a Contract to Buy and Sell Real Estate, attached hereto as Exhibit B, and the execution of all necessary documents associated with the sale and closing of the subject Property;

WHEREAS, FM Land I LLC and the City intend to be subject to a Development Agreement, which shall be executed at the closing of the applicable Contract to Buy and Sell Real Estate transaction, to incentivize the development of the Property, to stimulate local small business growth, and for the resulting tax revenue to the City;

WHEREAS, City Staff and the City Attorney have drafted, negotiated, and finalized the Development Agreement between the City and FM Land I LLC; and

WHEREAS, the City Council desires to approve and authorize the Development Agreement, attached hereto as Exhibit A, and the Contract to Buy and Sell Real Estate, 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 Development Agreement, attached hereto as Exhibit A, at the closing of the Contract to Buy and Sell Real Estate transaction.

SECTION 2. The City Council authorizes the Mayor to sign the Contract to Buy and Sell Real Estate for this Property, 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 Property.

INTRODUCED, PASSED, APPROVED, AND ADOPTED this 16th day of September, 2025, the vote upon roll call being as follows:

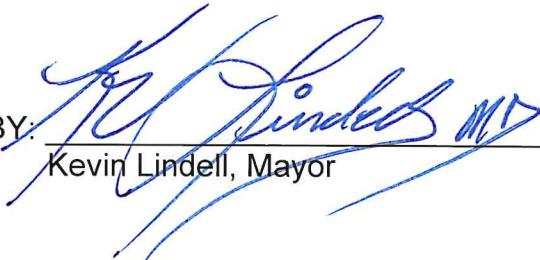
Ayes: Mayor Lindell, Councilmembers Kaper, Morford, Parks, Schossow

Nays: None

Absent/Abstain: Councilmembers Boyett, Garcia (Excused)



THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

BY: 
Kevin Lindell, Mayor

ATTEST:


Jill Curtis, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss.
CITY OF FORT MORGAN)

CERTIFICATE

I, Jill Curtis, 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 16th day of September, 2025.

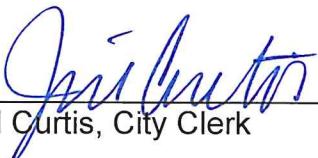

Jill Curtis, City Clerk

Exhibit A
Development Agreement

Exhibit B
Contract to Buy and Sell Real Estate