

## **RESOLUTION NO. 2025-12-06**

### **A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR REAL PROPERTY AT LOT 1, BLOCK 1 OF THE FIEBIG FARM SUBDIVISION**

**WHEREAS**, the City of Fort Morgan (the "City") purchased property now platted as the Fiebig Farm subdivision ("Property") 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**, the City and the Fort Morgan Property, LLC ("Fort Morgan Property") entered into a Development Agreement on May 17, 2022 for the development of the Property;

**WHEREAS**, the original Development Agreement approved by the Fort Morgan City Council (the "Council") on February 15, 2022, through Resolution No. 2022-02-03, was set to expire on December 31, 2024, however, the City agreed to enter into an Amended Development Agreement with Fort Morgan Property due to market practicalities and architectural plan delays;

**WHEREAS**, under the Amended Development Agreement approved by the City Council on December 5, 2024, through Resolution No. 2024-12-02, Fort Morgan Property was required to finish the first phase of construction by December 31, 2025, however Fort Morgan Property requires additional time but remains committed to completing the project;

**WHEREAS**, the City wishes to allow Fort Morgan Property additional time to develop the Property and therefore wishes to amend the Amended Development Agreement;

**WHEREAS**, City Staff and the City Attorney have drafted, negotiated, and finalized the Second Amendment to the Development Agreement between the City and Fort Morgan Property; and

**WHEREAS**, the City Council desires to approve and authorize the Second Amendment to Development Agreement, 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 Second Amendment to the Development Agreement, attached hereto as Exhibit A.

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

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

Nays: None

Absent/Abstain: None



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY:   
Kevin Lindell, Mayor

ATTEST:

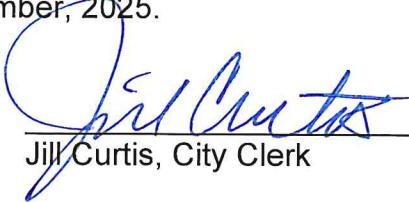
  
Jill Curtis, City Clerk

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 December, 2025.

  
Jill Curtis, City Clerk

**Exhibit A**  
**Second Amendment to Development Agreement**