

RESOLUTION NO. 2016-03-03

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE EASEMENT AGREEMENT WITH CARGILL MEAT SOLUTIONS CORPORATION FOR THE PURPOSE OF CONSTRUCTING A WATER PIPELINE

WHEREAS, the City of Fort Morgan ("City"), through operation of its water enterprise, is responsible for the construction and operation of water distribution lines within city limits; and,

WHEREAS, Cargill Meat Solutions Corporation ("Cargill") owns certain real property ("Cargill's Property") in Fort Morgan, Colorado, legally described in the **Easement Agreement** attached hereto and incorporated herein by this reference; and,

WHEREAS, securing this easement will assist in the construction and operation of one or more water pipelines and all related or appurtenant facilities, structures, or utilities along Cargill's property and the right to connect to and join in the use of any applicable facilities located on Cargill's property; and,

WHEREAS, the City seeks a 20-foot wide easement on, over, across and under a portion of Cargill's property so construction of the water line will minimize disruptions to the portions of streets utilized by the public, including Cargill; and,

WHEREAS, Cargill has agreed to grant a non-exclusive perpetual easement to the City in an effort to avoid delays, complications, or other disruptions to its operations that would be caused if the City was required to close streets for the placement of the water line(s); and,

WHEREAS, City staff has recommended that the City proceed with the execution of the **Easement Agreement** for the acquisition of the aforesaid water line easement.

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

Section 1: The Mayor is hereby authorized to execute the Easement Agreement for the purpose of acquiring the aforementioned easement for the operation of one or more water pipelines constructed along Cargill's property.

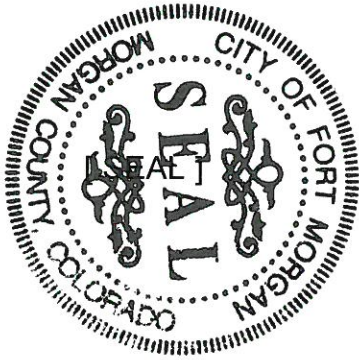
INTRODUCED, PASSED, APPROVED AND ADOPTED this 15th day of March 2016, the vote upon roll call being as follows:

Ayes: Mayor Shaver, Councilmembers Anderson, Castoe, Marler, Northrup and Segura.

Nays:None.

Absent /Abstain: Councilmember Lindell (absent excused)

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO



BY: *Ronald Shaver*

Ronald Shaver, 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 15th day of March, 2016.

John Brennan
John Brennan, City Clerk