

## RESOLUTION No. 2017-04-02

### AUTHORIZING THE MAYOR TO EXECUTE AN IMPROVEMENTS AGREEMENT WITH EVANS EARLY CHILDHOOD CENTER LLC

**WHEREAS**, Evans Early Childhood Center LLC, a Colorado Limited Liability Company, is seeking to obtain certain real property located in Morgan County, Colorado, that belongs to the City of Fort Morgan; and,

**WHEREAS**, Evans is in the process of obtaining said property for the development of a childcare facility and has sought economic development incentives; and,

**WHEREAS**, the City has found that the development will provide public benefits; and,

**WHEREAS**, the Parties have set forth the terms of their agreement for the economic incentives and transfer of property in the draft **Improvements Agreement for the Evans Childcare Center Project** (a copy of which is attached hereto and incorporated herein by this reference) and in the draft **Grant Agreement Concerning the Transfer of Real Estate** (a copy of which is attached hereto and incorporated herein by this reference).

**WHEREAS**, time is of the essence and additional negotiations to resolve outstanding concerns may be needed in addition to finalization of the exhibits to the Improvements Agreement and the Grant Agreement.

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

**SECTION 1:** The City Council hereby authorizes the Mayor to execute an **IMPROVEMENTS AGREEMENT FOR THE EVANS CHILDCARE CENTER PROJECT** upon final negotiations of terms and preparation of exhibits to the agreement.

**SECTION 2:** The City Council hereby authorizes the Mayor to execute a **GRANT AGREEMENT CONCERNING THE TRANSFER OF REAL ESTATE** upon final negotiations of terms and preparation of exhibits to the agreement.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of April 2017, the vote upon roll call being as follows:

Ayes: Mayor Shaver, Councilmembers Anderson, Castoe, Howe, Marler and Northrup

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 )  
CITY OF FORT MORGAN )

ss.

**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 4th day of APRIL, 2017.

John Brennan  
John Brennan, City Clerk