

ORDINANCE NO. 1017

AN ORDINANCE DESIGNATING CERTAIN PROPERTY AS BEING REQUIRED FOR THE PUBLIC USE AND AUTHORIZING THE ACQUISITION THEREOF BY NEGOTIATION AND/OR CONDEMNATION FOR THE EXPANSION OF THE FORT MORGAN MUNICIPAL AIRPORT.

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

Section 1: The City Council hereby designates the following property situated in the County of Morgan and State of Colorado, as being needed for public use of and by the City of Fort Morgan, Colorado, a municipal corporation and home rule city:

FEE SIMPLE

Parcel A (State of Colorado)

Township 5 North, Range 58 West of the 6th P.M.

Section 36: SW $\frac{1}{4}$; West 487 feet of the SE $\frac{1}{4}$

Parcel C (Longacre)

Township 4 North, Range 57 West of the 6th P.M.

Section 6: That part of the NW $\frac{1}{4}$ West of State Highway 52

Township 4 North, Range 58 West of the 6th P.M.

Section 1: NE $\frac{1}{4}$

Section 2: The City Council hereby finds and determines that said property is needed and required for public use and public purpose, to wit: expansion of the Fort Morgan Municipal Airport.

Section 3: The City Council hereby designates and authorizes the Superintendent of Public Works (or a representative duly authorized by said Superintendent of Public Works) to conduct for and on behalf of the City, negotiations for the acquisition of the property above-described, including such efforts to acquire the same as may be required by law to be made, prior to the institution of eminent domain proceedings.

Section 4: That if the compensation to be paid for the private property cannot be agreed upon by the parties interested, or in case the owner or owners of said property are incapable of consenting or his or their names or residence addresses are unknown, or he or they be non-residents of the State, then the City Attorney for the City of Fort Morgan, Colorado, upon direction by the Mayor and the Superintendent of Public Works, is authorized and empowered to institute and prosecute to conclusion such proceedings as are available under Article 1 of Title 38, Colorado Revised States, for the exercise of the power of eminent domain.

READ, PASSED ON FIRST READING AND ORDERED PUBLISHED the 17th day of May, 2005.

THE CITY COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

[SEAL]

ATTEST:

BY: /s/ Jack L. Darnell
Mayor

/s/ Nancy J. Lockwood
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY on the 21st day of June, 2005.

THE CITY COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

[SEAL]

ATTEST:

BY: /s/ Jack L. Darnell
Mayor

/s/ Nancy J. Lockwood
City Clerk

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

CERTIFICATE

I, Nancy Lockwood, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Ordinance No. 1017** was, as a proposed **Ordinance** duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a regular meeting on the 17th day of May 2005. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 6th day of June, 2005, published in the *Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed **Ordinance** was again taken up and read a second time, duly and legally passed, approved and adopted at a regular meeting of the City Council held on the 21st day of June, 2005. Within five (5) days after its final passage, said **Ordinance** was published by title only in the *Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

/s/ Nancy J. Lockwood
City Clerk