

## RESOLUTION No. 2018-04-03

### AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT WITH ZKL & JEJ PROPERTIES, LLC

**WHEREAS**, ZKL & JEJ PROPERTIES, LLC, a Colorado limited liability company, is in the process of obtaining certain real property located in Morgan County, Colorado; and,

**WHEREAS**, ZKL & JEJ PROPERTIES, LLC is in the process of finalizing the design for the development of said property and has sought economic development incentives from the City to build an eye care center; 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 in the draft **Improvements Agreement for the Loomis Eye Care Center Project** (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.

**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 LOOMIS EYE CARE CENTER PROJECT** upon final negotiations of terms and preparation of exhibits to the agreement.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 17<sup>th</sup> day of April 2018, the vote upon roll call being as follows:

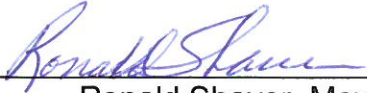
Ayes: Mayor Shaver, Councilmembers Anderson, Howe, Lindell, Marler and Northrup

Nays: None.


Absent/Abstain: Councilmember Schossow – Absent (excused)



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY:   
Ronald Shaver, Mayor

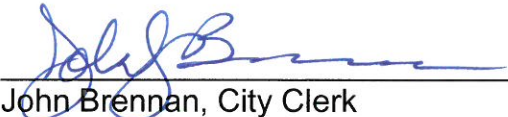
ATTEST:

  
John Brennan, City Clerk

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

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 17<sup>th</sup> day of April, 2018.

  
John Brennan, City Clerk