

**ORDINANCE NO. 2017-18**

**AN ORDINANCE OF THE CITY OF FRUITA, COLORADO APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF FRUITA AND IWZ, LLC FOR THE PURPOSE OF CONSTRUCTING AND OPERATING A CABLE PARK/WAKEBOARD PARK.**

**WHEREAS**, the City of Fruita is the owner of the fee simple title to a certain tract of land containing a lake, located in the City of Fruita, Mesa County, Colorado (“Property”); and

**WHEREAS**, IWZ, LLC, a Colorado limited liability company (“Lessee”), desires to lease said Property for the purpose of constructing and operating a cable park/wakeboard park venue consisting of an overhead cable system for boat-free wakeboarding including two (2) cable wakeboard systems which will be open to the public; and

**WHEREAS**, IWZ, LLC also intends to purchase and install lake obstacles, including ramps, jumps and rails and intends to construct a full starting dock on the Property; and

**WHEREAS**, the City of Fruita is willing to lease the Property to Lessee in order to further the recreation opportunities for visitors and residents as well as economic development within the City; and

**WHEREAS**, Section 2.11(D) of the Fruita City Charter requires that an ordinance be enacted approving the lease of any real estate for a period of more than one (1) year.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO:**

**Section 1.** The Lease Agreement between the City of Fruita, Colorado and IWZ, LLC, attached hereto as Exhibit “A” is hereby approved.

**Section 2.** The City Manager of the City of Fruita is hereby authorized and directed to execute the attached Lease Agreement on behalf of the City of Fruita.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS 3RD DAY OF OCTOBER, 2017.**

CITY OF FRUITA

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Lori Buck, Mayor

ATTEST:

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Margaret Sell, City Clerk