

**ORDINANCE 2014-10**

**AN ORDINANCE APPROVING A LONG TERM LEASE AGREEMENT WITH THE COLORADO DEPARTMENT OF TRANSPORTATION FOR STATE HIGHWAY RIGHT OF WAY LOCATED NORTH OF THE COLORADO RIVER AND WEST OF STATE HIGHWAY 340 FOR USE AS A BOAT LAUNCH**

**WHEREAS**, the Colorado Department of Transportation (CDOT) desires to relocate the existing boat launch located north of the Colorado River and east of State Highway 340 to minimize conflicts between use of the private road for hauling from gravel pits and launching of boats, and

**WHEREAS**, CDOT is the owner of State Highway right of way property located on the west side of State Highway 340 north of the Colorado River directly across from the existing boat launch and haul road,

**WHEREAS**, CDOT and the City of Fruita desire to enter into a long term lease agreement for the highway right of way property located on the west side of SH 340 north of the Colorado River for use as an access to the Colorado River for a boat launch to replace the existing boat launch, and

**WHEREAS**, the City of Fruita will enter into a maintenance agreement with the users of the haul road to construct and maintain a boat launch on the leased property, and

**WHEREAS**, pursuant to Section 2.11 of the Fruita City Charter, the Fruita City Council must, by ordinance, authorize the long term lease or conveyance of real property of the City.

**WHEREAS**, it is the intent of this ordinance to authorize the City Manager to execute the necessary documents to enter into a long term lease agreement with CDOT for highway right of way for the purpose of a boat launch and river access.

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

**Section 1:** The City Manager is hereby authorized to execute the highway right of way lease agreement with the Colorado Department of Transportation attached hereto as Exhibit A.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
ON THE 16<sup>th</sup> DAY OF SEPTEMBER, 2014**

City of Fruita

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Lori Buck, Mayor

ATTEST:

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City Clerk