

**RESOLUTION NO. 4**  
**(Series of 2024)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT TO BUY AND SELL REAL ESTATE WITH FARM LLC FOR 169 S. MULBERRY STREET.

**WHEREAS**, the City of Fruita is the owner of real property described as Lots 12, 13 and 14, Block 13 of the Town of Fruita, Mesa County, Colorado also referred to 169 S. Mulberry Street, Fruita, Colorado 81521 (the “Property”); and

**WHEREAS**, FARM LLC, a Colorado limited liability company has submitted an offer to purchase the Property which offer includes a cash payment and nonmonetary contributions, including the creation and lease of public parking spaces and redevelopment of the Property through agreements with the City, totaling a value of \$640,000.00 (the “Offer”); and

**WHEREAS**, the City has prepared a counteroffer to the Offer to clarify terms and conditions for the redevelopment and parking agreements (the “Counteroffer”); and

**WHEREAS**, the Offer and Counteroffer, with Exhibit A, constitute the Contract to Buy and Sell Real Estate (“Contract”) and are attached hereto as **Exhibit 1**; and

**WHEREAS**, in order for FARM LLC to be able obtain financing for the purchase of the Property and completion of the nonmonetary obligations under the Contract and to fulfill the terms of Exhibit A thereto, the Contract must be fully executed; and

**WHEREAS**, the closing of the Contract and sale of the Property is fully contingent upon Council’s adoption of Ordinance 2024-08 at second reading.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CITY OF FRUITA, COLORADO:

Section 1. That the City Manager is authorized to execute the Contract attached hereto as Exhibit 1 and any amendments thereto.

INTRODUCED, READ, PASSED, AND ADOPTED at a regular meeting of the City Council of the City of Fruita, Colorado, held on February 6, 2024.

CITY OF FRUITA, COLORADO

By: \_\_\_\_\_  
Joel Kincaid, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk