

**RESOLUTION #2024-08**

**RESOLUTION OF THE CITY OF FRUITA AUTHORIZING THE CITY MANAGER TO EXECUTE THE COOP TOWER FACADE LEASE AGREEMENT AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE LEASE.**

**WHEREAS**, Sparks Fly Ltd., a Colorado limited liability company (“Sparks Fly”), is under contract to purchase the real property described on **Exhibit A** and commonly known as **COOP Grain Tower** Fruita, Colorado (the “**Property**”); and

**WHEREAS**, the Property includes an abandoned grain tower that is a prominent feature of the City of Fruita skyline viewed from I-70 (the “**Tower**”); and

**WHEREAS**, the City has historically used the Tower to hang banners promoting the City and the activities associated therewith; and

**WHEREAS**, the City wishes to formalize an agreement with Sparks Fly for the City’s exclusive use of the east and west facades of the Tower; and

**WHEREAS**, Sparks Fly and the City desire to enter into a Lease to the City of the east and west facades of the Tower to be effective upon closing of Sparks Fly’s purchase of the Property.

**NOW, THEREFORE**, the City Council of the City of Fruita hereby resolves as follows:

Section 1. The above recitals are true and correct.

Section 2. The Fruita City Council hereby authorizes the City Manager to execute the COOP Tower Facade Lease Agreement, pursuant to the general terms set forth in **Exhibit B** attached hereto, and all documents necessary to effectuate said lease. The Fruita City Council authorizes the City Manager to work with the City Attorney to make changes to Exhibit B as may be necessary to finalize the same.

Section 3. This Resolution shall be effective upon closing of Sparks Fly’s purchase of the Property.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
THIS 5<sup>TH</sup> DAY OF MARCH 2024**

ATTEST:

City of Fruita

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Margaret Sell, City Clerk

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Joel Kincaid, Mayor