

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE LEASE OF A 44.3 ACRE PARCEL OF CITY-OWNED LAND, THE “LETTERLY (ROBINSON) NORTH PROPERTY”, TO PETROCCO FARMS, INC. AND BERRY PATCH FARMS, LLC, AS CO-TENANTS; SETTING OUT THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY

ORDINANCE NO. 2191

INTRODUCED BY: Kniss

WHEREAS, pursuant to Section 17.3 of the City of Brighton Charter, the City Council may not " ... *mortgage or encumber public utilities or permanent public buildings or real or personal property except by ordinance or majority vote of the electors at the option of the Council*"; and

WHEREAS, the City owns a 44.3 acre parcel of land, the “Letterly North Property” which has been acquired for public purposes, and upon which the City deems it to be appropriate to permit farming operations, consistent with certain terms and conditions; and

WHEREAS, to that end, the City has negotiated and presents to the Council for approval, a Farm Lease with Petrocco Farms, Inc. and Berry Patch Farms, LLC (as Co-Tenants) on the "Letterly North Property"; and

WHEREAS, the City Council finds and determines that the terms of said Farm Lease are reasonable, and that it is in the best interests of the City to enter into said Farm Lease with Petrocco Farm, Inc.

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

Section 1. The Farm Lease by and between the City of Brighton and Petrocco Farms Inc. and Berry Patch Farms, LLC., for the approximate Forty Four and 3/10 (44.3) acre parcel of City-owned land located generally in Section 18, Township 1 North, Range 66 West of the 6th P.M., County of Adams, State of Colorado (referred to as the "Letterly North Property") is hereby approved.

Section 2. The City Manager is hereby authorized to execute such documents and undertake such actions as may be necessary to finalize and enforce said Farm Lease, and any extensions thereof, on behalf of the City.

INTRODUCED; PASSED ON FIRST READING AND ORDERED PUBLISHED THIS 16th DAY OF DECEMBER, 2014.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, City Attorney

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**PASSED ON SECOND AND FINAL READING AND ORDERED
PUBLISHED BY TITLE ONLY THIS 6th DAY OF January, 2015.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

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