

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE LEASE OF A 13.6 ACRE PARCEL OF CITY-OWNED LAND IN ELMWOOD CEMETERY TO PETROCCO FARMS, INC; SETTING OUT THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY**

**ORDINANCE NO. 2188**

**INTRODUCED BY: Humbert**

**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 13.6 acre parcel of land at Elmwood Cemetery (the "Elmwood 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. on the "Elmwood 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 Farms, 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., for the approximate Thirteen and 6/10 (13.6) acre parcel of City-owned land located generally in Section 25, Township 1 North, Range 67 West of the 6<sup>th</sup> P.M., County of Adams, State of Colorado (referred to as the "Elmwood 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 16<sup>th</sup> DAY OF December, 2014.**

**CITY OF BRIGHTON, COLORADO**

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**Richard N. McLean, Mayor**

**ATTEST:**

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**Natalie Hoel, City Clerk**

**APPROVED AS TO FORM:**

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**Margaret R. Brubaker, City Attorney**

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

**CITY OF BRIGHTON, COLORADO**

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**Richard N. McLean, Mayor**

**ATTEST:**

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**Natalie Hoel, City Clerk**

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