

RESOLUTION NO. 2, 2014

A RESOLUTION OF THE CITY OF DELTA, COLORADO AUTHORIZING EXECUTION OF CLOSING DOCUMENTS RELATED TO THE PROPERTY EXCHANGE AGREEMENT BETWEEN THE CITY OF DELTA AND THE UNION PACIFIC RAILROAD.

WHEREAS, the City has previously approved and executed a Property Exchange Agreement dated May, 29, 2013, with Union Pacific Railroad Company (“UPRR”) for the purpose of exchanging property needed for the construction of the City’s Alternate Truck Route (the “Agreement”); and

WHEREAS, the closing of the property exchange is scheduled for September 26, 2014; and

WHEREAS, the City Council desires to pass this Resolution to direct City Staff to proceed with the closing and to authorize the Mayor and City Clerk to execute documents related to the closing is needed.

NOW, THEREFORE, IT IS RESOLVED by the City Council of Delta, Colorado as follows:

Provided that UPRR is in compliance with the Agreement and that all conditions of closing per the Agreement have been satisfied by the closing date as determined by the City Manager, the City Council hereby authorizes the Mayor and the City Clerk to sign any and all documents needed to close the property exchange with UPRR and to pay such sums to the closing agent as may be required in accordance with the Agreement previously approved by Council, and the Council authorizes and directs the City Staff to take such steps and to prepare any such additional documents to be executed by the Mayor and Clerk as may be customary, necessary, and appropriate to close the transaction in accordance with the terms of the Agreement.

ADOPTED THIS _____ DAY OF _____, 2014.

CITY OF DELTA, COLORADO

ATTEST:

City Clerk

By: _____
Mayor