

**RESOLUTION NO. 128-02**

**AMENDING AND EXTENDING THE FARM LEASE OF THE  
SACCOMANNO PARK PROPERTY  
TO ROBERT H. MURPHY**

WHEREAS, pursuant to that certain Farm Lease Agreement dated the 1<sup>st</sup> day of January, 2002, as authorized by City Resolution No. 04-02, the City leases to Robert H. Murphy the privilege to conduct farming operations upon the following described real property in the City of Grand Junction, County of Mesa, State of Colorado:

Lot 4 of the Replat of Lot 2 of Saccomanno Minor Subdivision, situate in the Northwest  $\frac{1}{4}$  of Section 35, Township 1 North, Range 1 West of the Ute Meridian, commonly known as the "Sacomanno Park Property"; and

WHEREAS, the above referenced lease is due to expire on December 31, 2002;  
and

WHEREAS, the City and Robert H. Murphy are desirous of entering into an agreement for the purposes of amending and extending the terms and conditions of the above referenced lease.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

That the City Manager, on behalf of the City and as the act of the City, is hereby authorized to execute and enter into the attached Farm Lease Extension and Amendment Agreement with Robert H. Murphy, amending the types of crops to be farmed upon the property and extending the term of said lease through December 31, 2003.

PASSED and ADOPTED this 18<sup>th</sup> day of December, 2002.

Attest:

/s/: Cindy Enos-Martinez  
President of the Council

/s/: Stephanie Tuin  
City Clerk

## FARM LEASE EXTENSION AND AMENDMENT AGREEMENT

This Farm Lease Extension and Amendment Agreement is made and entered into as of the 1<sup>st</sup> day of January, 2003, by and between the City of Grand Junction, a Colorado home rule municipality ("the City"), and Robert H. Murphy ("Lessee").

### Recitals

A. By that certain Farm Lease Agreement dated the 1<sup>st</sup> day of January, 2002, the City has leased to Lessee and Lessee has leased from the City the privilege to conduct farming operations upon the following described real property in the City of Grand Junction, County of Mesa, State of Colorado: Lot 4 of the Replat of Lot 2 of Saccomanno Minor Subdivision, situate in the Northwest ¼ of Section 35, Township 1 North, Range 1 West of the Ute Meridian, ("the Property").

B. The term of the above reference Lease is due to expire December 31, 2002, and it is the desire of both parties to extend and amend the terms of said Lease in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the recitals above and the terms, covenants, conditions and restrictions contained herein, the parties agree as follows:

1. The term of the Lease is hereby extended to a period commencing on January 1, 2003, and continuing through December 31, 2003, on which date the Lease shall expire.
2. The first sentence of Paragraph 5.1 of the Lease is hereby amended as follows: "The type(s) of crop(s) to be grown, harvested and/or cultivated upon and from the Property shall be as mutually agreed upon between the City and Lessee."
3. All other terms, covenants, conditions, restrictions, duties, obligations and responsibilities as they appear in that Farm Lease Agreement between the parties dated the 1<sup>st</sup> day of January, 2002, shall continue in full force and effect during the term of this Farm Lease Extension and Amendment Agreement.

Dated the day and year first above written.

Attest:

For the City of Grand Junction,  
a Colorado home rule municipality

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

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Robert H. Murphy, Lessee