

**TOWN OF LYONS, COLORADO
RESOLUTION 2016-109**

**A RESOLUTION APPROVING A RECOVABLE LICENSE AGREEMENT BY AND
BETWEEN THE TOWN OF LYONS AND LYONSHEART LLC**

WHEREAS, the Town of Lyons (“Town”) is authorized to enter into contracts for lawful purposes for the protection of the health, safety, and welfare; and

WHEREAS, the Town owns certain public right of way generally known as 2nd Avenue and related public utility easements (the “Town Property”); and

WHEREAS, Lyonsheart LLC, a Colorado limited liability company (“Licensee”) desires to obtain a revocable encroachment license for the purpose of constructing and maintaining a building and dumpster area within a portion of the Town Property; and

WHEREAS, the Town desires to grant the revocable encroachment license to Licensee under the terms and conditions set forth in that certain Town of Lyons Revocable Encroachment License Agreement, a copy of which is attached to this Resolution as **Exhibit 1** and is incorporated by reference (the “Revocable License Agreement”),

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. The Town Board of Trustees hereby approves the Revocable License Agreement in substantially the form attached to this Resolution as **Exhibit 1**; authorizes the Town Administrator, in consultation with the Mayor and the Town Attorney, to make such changes as may be needed to correct any nonmaterial errors or language that do not increase the obligations of the Town, and authorizes the Town Administrator to execute the Revocable License Agreement on behalf of the Town.

Section 2. This Resolution shall take effective immediately.

ADOPTED THIS 5th DAY OF DECEMBER, 2016.

TOWN OF LYONS, COLORADO

Connie Sullivan, Mayor

Deb Anthony, MMC -Town Clerk