

**TOWN OF LYONS, COLORADO  
RESOLUTION 2017-50**

**A RESOLUTION APPROVING A REVOCABLE LICENSE AGREEMENT BY AND BETWEEN  
THE TOWN OF LYONS AND THE OWNER OF 216 E. MAIN STREET, CURRENTLY DOING  
BUSINESS AS MOJO TAQUERIA**

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 commonly known as 2nd Avenue ("Town Property"); and

WHEREAS, the owner 216 E. Main Street (the "Subject Property"), being 5930 Washington Ave LLC, a Wisconsin limited liability company (the "Licensee") desires to obtain a revocable encroachment license for the purpose of maintaining a portion of the eastern exterior wall of the existing single-story structure and to construct and maintain a deck where the pre-existing wooden deck now sits and was partially destroyed during the March 21, 2017 fire; and

WHEREAS, the deck will be built in compliance with Town of Lyons building codes and will feature a metal railing for safety; and

WHEREAS, the Town desires to grant the revocable encroachment license to Licensee to permit the Licensee to continue to maintain the existing improvements within a portion of Town Property 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 \_\_\_\_ DAY OF MAY, 2017.

TOWN OF LYONS, COLORADO

\_\_\_\_\_  
Connie Sullivan, Mayor

\_\_\_\_\_  
Deb Anthony, MMC -Town Clerk

**Exhibit 1**

Revocable License Agreement – 216 E. Main Street  
(5930 Washington Ave LLC - MOJO TAQUERIA - attached)