

**SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT
RESOLUTION NO. 2019-10**

**AND CUNNINGHAM FIRE PROTECTION DISTRICT
RESOLUTION NO. 2019-14**

**JOINT RESOLUTION TERMINATING THE
SOUTH METRO/CUNNINGHAM FIRE RESCUE AUTHORITY**

WHEREAS, Cunningham Fire Protection District (“Cunningham Fire”) provides fire protection services to property owners and inhabitants within its boundaries; and

WHEREAS, the South Metro Fire Rescue Fire Protection District (“South Metro”) also provides fire protection services to property owners and inhabitants within its boundaries; and

WHEREAS, pursuant to the South Metro/Cunningham Fire Rescue Authority Creation and Pre-Unification Agreement between Cunningham Fire and South Metro (the “Pre-Unification Agreement”), South Metro and Cunningham Fire (jointly, the “Districts”) established the South Metro/Cunningham Fire Rescue Authority (“Authority”) and set forth a process for permanently integrating the Districts into a single fire protection district utilizing the procedures available under Section 32-1-501(1.5), C.R.S.; and

WHEREAS, on June 10, 2019, Cunningham Fire initially adopted a Resolution and Order of Exclusion excluding all properties within its boundaries on the condition that the property be immediately included within South Metro; and

WHEREAS, by Resolution dated June 10, 2019, the South Metro agreed to include the property into South Metro immediately after the effective date of the District Court’s Order excluding the Property from Cunningham Fire; and

WHEREAS, on August 5, 2019, Cunningham Fire held a public hearing to consider the exclusion of all properties within its boundaries; and on December 2, 2019, finally adopted the Resolution and Order of Exclusion; and

WHEREAS, the Pre-Unification Agreement provides in Section VII.B. for the termination of the Pre-Unification Agreement and the Authority effective January 1 of any year following written notice not less than twelve (12) months in advance of such date, or at any time by written agreement by the Parties, and provides for termination upon such date following entry of Court orders approving the Exclusion Resolution and Order and Inclusion Resolution.

WHEREAS, South Metro and Cunningham Fire desire to terminate the Pre-Unification Agreement effective May 1, 2020, unless the Cunningham Fire is dissolved prior to May 1, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Boards of Directors of Cunningham Fire Protection District and South Metro Fire Rescue Fire Protection District as follows:

1. **Termination of South Metro/Cunningham Fire Rescue Authority Creation and Pre-Unification Agreement.** The South Metro/Cunningham Fire Rescue Authority Creation and Pre-Unification Agreement dated November 16, 2017, is terminated and the Authority is dissolved effective May 1, 2020, unless the Cunningham Fire Protection District is dissolved prior to May 1, 2020, in which case the Pre-Unification Agreement will be terminated as of the date of the dissolution.

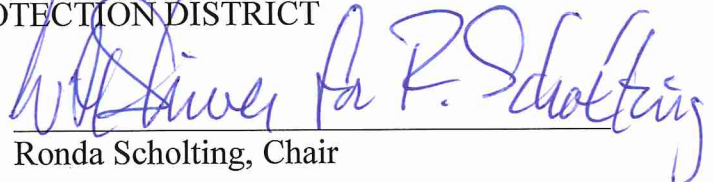
2. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

3. **Effective Date.** This Resolution shall take effect and be enforced immediately upon its approval by the District Board.

ADOPTED this 2nd day of December, 2019.

SOUTH METRO FIRE RESCUE FIRE
PROTECTION DISTRICT

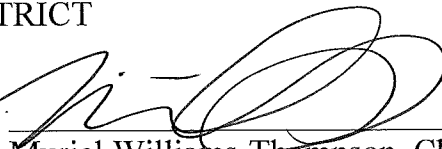
By


Ronda Scholting, Chair

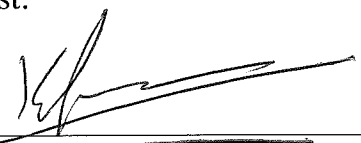
Attest:


Danny Gaddy, Secretary

CUNNINGHAM FIRE PROTECTION
DISTRICT

By 
Muriel Williams-Thompson, Chair

Attest:


Patricia Shaver, Secretary
