

SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT

RESOLUTION NO. 2019-05

**A RESOLUTION AGREEING TO INCLUDE PROPERTY INTO
THE SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT**

WHEREAS, the South Metro Fire Rescue Fire Protection District (“Including District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS, Cunningham Fire Protection District (“Excluding District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS, the Including District and the Excluding District (jointly, the “Districts”) have entered into that certain South Metro/Cunningham Fire Rescue Authority Creation and Pre-Unification Agreement dated November 16, 2017 (“Creation Agreement”), which created the South Metro/Cunningham Fire Rescue Authority (“Authority”); and

WHEREAS, the Creation Agreement sets 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, the Board of Directors of the Excluding District has proposed that certain real property described on Exhibit A attached hereto and incorporated herein by this reference (“Property”) be excluded from the Excluding District pursuant to the provisions of Sections 32-1-501(1.5) and 32-1-501(4), C.R.S., and the Creation Agreement on the condition that the Property thereafter immediately be included within the Including District; and

WHEREAS, the Property is capable of being served by the Including District facilities; and

WHEREAS, it is deemed to be in the best interests of the Including District and the taxpaying electors thereof that such Property be included within the Including District’s boundaries; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the South Metro Fire Rescue Fire Protection District, that:

1. The Including District and the Excluding District anticipate that the Including District will certify a 2019 mill levy of 9.25 mills and the Excluding District will certify not more than 9.25 mills for the Property for 2019, each exclusive of refunds and abatements.

2. Pursuant to the provisions of Sections 32-1-501(1.5)(a) and 32-1-501(4), C.R.S., the Including District hereby agrees to serve the Property immediately after the the District Court of Arapahoe County, Colorado, in which Court an Order was entered establishing the Excluding District, enters an Order that the Property be excluded from the Excluding District, and thereafter the District Court of Douglas County, Colorado, in which Court an Order was entered establishing the Including District, enters an Order including the Property within the Including District, pursuant to Section 32-1-501(4)(b), C.R.S.

I certify that the foregoing Resolution Agreeing to Include Property into the South Metro Fire Rescue Fire Protection District was passed by a vote of 7 in favor, 0 against, and 0 abstentions, at a regular meeting of the Board of Directors of the South Metro Fire Rescue Fire Protection District, duly called and held on June 10, 2019, at the hour of 5:30 p.m., and that the undersigned are the duly acting and authorized Chairman and Secretary of the Board of Directors of the District.

SOUTH METRO FIRE RESCUE FIRE
PROTECTION DISTRICT

By 
Laura Simon, Chair

Attest: 
Ronda Scholting, Secretary

EXHIBIT A TO RESOLUTION

**All real property located within the boundaries of
Cunningham Fire Protection District (the Excluding District).**