

SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT

RESOLUTION NO. 2018-04

**A RESOLUTION INITIATING AN INCLUSION ELECTION
OF THE SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT FOR
PROPERTY LOCATED WITHIN THE CITY OF LITTLETON**

WHEREAS, the South Metro Fire Rescue Fire Protection District (hereinafter referred to as "District") presently provides fire protection, ambulance and emergency medical and rescue services, enforcement of fire prevention codes, hazardous materials response, and other Fire Department Services authorized by statute and typically provided by a fire protection district organized and operated pursuant to Article 1, Title 32, C.R.S. ("Fire Department Services"), to inhabitants within its boundaries; and

WHEREAS, the District recognizes that including within the District the property described in Exhibit A ("City of Littleton Property"), attached hereto and incorporated herein by this reference, is necessary to obtain needed Fire Department Services from the District and will benefit the City of Littleton Property, its owners, residents, business owners and visitors; and

WHEREAS, the Board of Directors of the District has determined that it is beneficial to include such City of Littleton Property into the District pursuant to the provisions of Section 32-1-401(2)(a)(II), C.R.S.; and

WHEREAS, no single tract or parcel of land within such area constitutes more than fifty percent (50%) of the City of Littleton Property proposed to be included into the District; and

WHEREAS, notification of a public hearing on the proposed inclusion was mailed to the property owners within the area proposed to be included within the District as listed on the records of the Douglas County, Arapahoe County and Jefferson County Assessors, pursuant to Section 32-1-401(3), C.R.S.; and

WHEREAS, the inclusion of the City of Littleton Property was originally considered by the Board of Directors at a meeting held March 21, 2018, notice of the public hearing was published in the Aurora Sentinel, Douglas County News-Press, The Villager, Columbine Courier, Englewood Herald and Littleton Independent on April 12, 2018, and the public hearing was held on May 2, 2018, at which time interested persons and municipalities and counties which may be able to provide Fire Department Services to the City of Littleton Property were allowed to show cause in writing why this resolution should not be adopted; and

WHEREAS, no municipality or county has filed a written objection to this inclusion; and

WHEREAS, final approval of the inclusion of the City of Littleton Property into the District must be granted through an election of the electors of the area to be included as directed by the District Court, pursuant to Section 32-1-401(2)(d), C.R.S.; and

WHEREAS, pursuant to the South Metro District/City of Littleton Pre-Unification and Fire Authority Member Agreement, if the voters approve the Inclusion, the City of Littleton shall reduce its property tax assessment to be collected in 2020 and shall discontinue providing Fire Department Services; and

WHEREAS, the including into the District the City of Littleton Property is deemed in the interest of the health and safety, prosperity, security and general welfare of the inhabitants of the District and of the owners of the City of Littleton Property, and for the orderly and uniform administration of District affairs.

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

1. Inclusion Election Ordered. The Board hereby orders pursuant to the provisions of Sections 32-1-402(2)(a)(II) and 32-1-402(2)(b) and (c), C.R.S. that the appropriate filings be made with the Clerk of the Douglas County District Court requesting the conduct of an election on November 6, 2018 concerning the issue of inclusion of the Littleton Fire Property, and if a majority of the votes cast at the election are in favor, the Littleton Fire Property shall be included in the District.

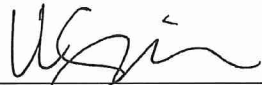
2. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

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

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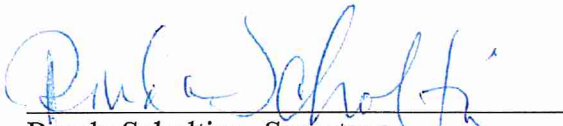
INITIALLY RESOLVED THIS 21st DAY OF MARCH, 2018, IN CONTEMPLATION THAT ALL ACTIONS RECITED HEREIN TO BE TAKEN AS OF THE FINAL APPROVAL SHALL BE TAKEN AS OF THE FINAL APPROVAL BUT HAVE NOT YET BEEN TAKEN AS OF THE INITIAL APPROVAL.

SOUTH METRO FIRE RESCUE FIRE
PROTECTION DISTRICT

By 

Laura Simon, Chairman

Attest:



Ronda Scholting, Secretary

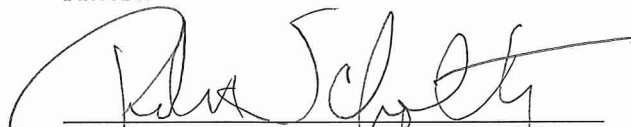
FINALLY ADOPTED this 2nd day of May, 2018.

SOUTH METRO FIRE RESCUE FIRE
PROTECTION DISTRICT

By 

Laura Simon, Chairman

Attest:



Ronda Scholting, Secretary