

**RESOLUTION
BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT**

A RESOLUTION APPROVING THE FORM OF QUITCLAIM DEEDS AND BILLS OF SALE RELATED TO THE TRANSFER OF FIRE STATIONS AND EMERGENCY SERVICES APPARATUS, EQUIPMENT, AND OTHER PERSONAL PROPERTY FROM THE CITY OF EVANS TO THE EVANS FIRE PROTECTION DISTRICT

WHEREAS, in July 2010, the City Council of the City of Evans ("**City**") established a project to organize the Evans Fire Protection District ("**Fire District**") pursuant to the Colorado Special District Act ("**Act**"), C.R.S. § 32-1-101 *et seq.*, to provide the fire suppression, fire prevention and public education, rescue, extrication, and emergency medical services (collectively, "**Emergency Services**") that were then being provided by the City's Fire Rescue Department;

WHEREAS, at an election held on November 1, 2011, the eligible electors of the Fire District voted to approve the Fire District's organization in accordance with its approved Service Plan, and also voted to approve the Intergovernmental Agreement for the Transfer of Emergency Services ("**IGA**") between the Fire District and the City. The Fire District was legally organized for all purposes under the Act on November 9, 2011;

WHEREAS, pursuant to C.R.S. § 32-1-1001(1)(f) and (h), the Board has the power acquire real and personal property and to manage, control, and supervise all of the Fire District's business and affairs;

WHEREAS, pursuant to the Fire District's Service Plan, the IGA, the Personal Property Lease (Fire Apparatus, Fire Equipment, and Training Equipment) between the Fire District and the City, effective June 5, 2012 ("**Property Lease**"), and the Non-Residential Real Property Lease Agreement (Fire Stations 1 and 2) between the Fire District and the City, effective June 5, 2012 ("**Station Lease**"), after Step Two of the Fire District's Funding Process is complete (Section V(2)(b), Service Plan) and the Fire District is financially capable of providing Emergency Services directly to the citizens and property within its jurisdiction, the City shall transfer to the Fire District all right, title, and interest in and to the City's Fire Stations 1 and 2, and all of the City's Emergency Services apparatus, equipment, and other personal property;

WHEREAS, on August 1, 2012, the Fire District gave notice to the City ("**City Notice**") that: (1) Step Two of the Fire District's Funding Process is complete (Section V(2)(b), Service Plan); (2) on or before January 1, 2013, Fire District will be financially capable of providing Emergency Services directly to the citizens and property within its jurisdiction; and (3) the Fire District intends to assume all right, title, and interest in and to the Fire Stations and Emergency Services apparatus, equipment, and other personal property effective January 1, 2013;

WHEREAS, in anticipation of and preparation for the transfer of the City's Fire Stations 1 and 2, and all of the City's Emergency Services apparatus, equipment, and other personal property to the Fire District, the Board directed the Fire District's Chief Staff and consultants to prepare and submit to the Board, prior to its August 27, 2012 meeting, a proposed Quitclaim Deed transferring Fire Station 1 and a proposed Quitclaim Deed transferring Fire Station 2 (collectively, "**Quitclaim Deeds**"), as well as a proposed Bill of Sale transferring Emergency Services apparatus and a proposed Bill of Sale transferring Emergency Services equipment and other personal property (collectively, "**Bills of Sale**"). Copies of the proposed Quitclaim Deeds and Bills of Sale are attached to this Resolution; and

WHEREAS, the Board has considered the attached proposed Quitclaim Deeds and Bills of Sale, and believes it is in the best interests of the Fire District, and consistent with the terms of the Service Plan, the IGA, the Property Lease, and the Station Lease, to approve the form of the Quitclaim Deeds and Bills of Sale, subject to non-material revisions required as a result of subsequent negotiation with the City's legal counsel.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EVANS FIRE PROTECTION DISTRICT, WELD COUNTY, COLORADO:

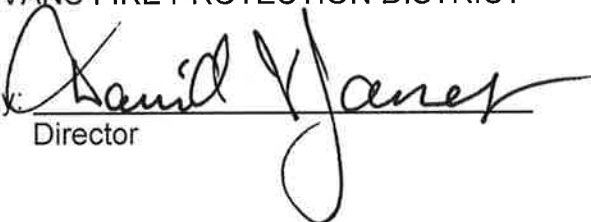
1. The Board approves the Quitclaim Deeds and Bills of Sale, each in the form attached hereto, subject to non-material revisions required as a result of subsequent negotiation with the City's legal counsel pursuant to paragraph 2 below.

2. The Fire Chief is authorized to coordinate with the Fire District's legal counsel to negotiate City approval and execution of the Quitclaim Deeds and Bills of Sale on or about January 1, 2013. Any material revisions to one or more of the Quitclaim Deeds or Bills of Sale as a result of such negotiation must be approved by the Board.

3. The Board President, Mary Achziger, is authorized for, on behalf of, and in the name of the Fire District, to sign the Bills of Sale, and the Board Secretary, Gregory Bledsoe, is authorized to attest President Achziger's signature on the Bills of Sale.

RESOLVED this 27th day of August, 2012.

BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT

By: 
Director

By: 
Director

By: Stephen J. Bernards
Director

By: Absent
Director

By: Micia L. Watson
Director