

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

A RESOLUTION APPROVING THE TRANSFER OF REAL PROPERTY AND EXECUTION OF ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE TRANSFER OF THE REAL PROPERTY

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), the Board of Directors has the power acquire real property for and on behalf of the Fire District;

WHEREAS, pursuant to the Fire District's Service Plan, the IGA, 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 Fire Stations 1 and 2 (defined below);

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 Fire Stations 1 and 2;

WHEREAS, on December 18, 2012, the City Council adopted an Ordinance approving the transfer of all right, title, and interest in and to Fire Stations 1 and 2 to the Fire District; and

WHEREAS, the Board has determined that it is in the best interests of the Fire District and its citizens, and is consistent with the terms of the Service Plan, the IGA, and the Station Lease, to approve the transfer of all right, title, and interest in and to Fire Stations 1 and 2 to the Fire District, and to authorize Board President Mary Achziger ("**President Achziger**"), or if President Achziger is unavailable, Vice President David James ("**Vice President James**"), to execute all documents necessary to accomplish the transfer of Fire Stations 1 and 2 to the Fire District.

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

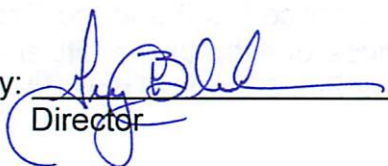
1. The Board of Directors hereby approves the transfer of Fire Station 1, located at 3916 Denver Street, Evans, Colorado ("**Fire Station 1**"), and Fire Station 2, located at 2100 37th Street, Evans, Colorado ("**Fire Station 2**"), to the Fire District, in accordance with the terms of the Service Plan, the IGA, and the Station Lease.

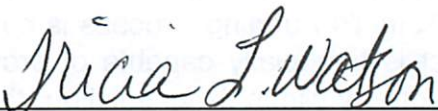
2. President Achziger, or if President Achziger is unavailable, Vice President James, is authorized for, on behalf of, and in the name of the Fire District, to execute all documents necessary to accomplish the transfer of Fire Stations 1 and 2 to the Fire District, and to take all actions reasonably necessary to carry out the intent of this Resolution;

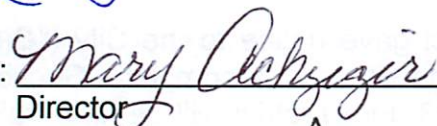
3. This Resolution shall be in full force and effect upon its passage and adoption.

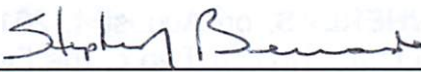
RESOLVED this 28th day of January, 2013.

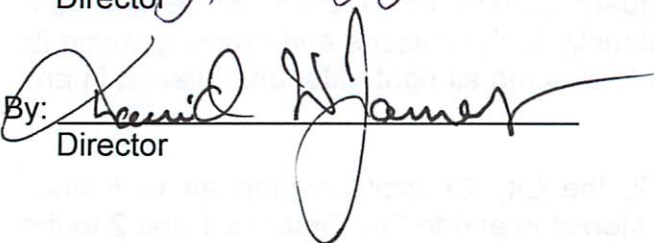
BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT

By:  _____
Director

By:  _____
Director

By:  _____
Director

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Director