

**CERTIFIED ORDER
INCLUSION OF REAL PROPERTY INTO THE
EVANS FIRE PROTECTION DISTRICT**

THIS MATTER comes before the Board of Directors ("**Board**") of the Evans Fire Protection District ("**District**") upon the Petition of Mountain Cement Company, LLC ("**Landowner**"), which is the one hundred percent (100%) fee owner of certain real property more specifically identified in the Petition attached as **Exhibit A** ("**Property**"), for inclusion of the Property into the District's jurisdiction. The Board makes the following Findings and Order:

I. FINDINGS

1. The District is a political subdivision of the State of Colorado, formed pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, to provide fire protection, fire suppression, emergency medical, rescue, and hazardous materials services (collectively, "**Emergency Services**") to the citizens and property within its jurisdiction.

2. The Property currently is located within the jurisdiction and boundaries of the LaSalle Fire Protection District ("**LaSalle FPD**").

3. The Property has been annexed into the boundaries and jurisdiction of the City of Evans ("**City**").

4. In calendar year 2011, the City entered into an Intergovernmental Agreement for the Transfer of Emergency Services ("**IGA**") with the District. Pursuant to the IGA, it is the City's and District's intent that the District's boundaries and jurisdiction shall at all times include all property located within the City's corporate boundaries, as such boundaries may be adjusted from time-to-time through annexation or otherwise.

5. The Landowner is the 100% fee owner of the Property.

6. The Landowner submitted a Petition to the District for inclusion of the Property into the District's jurisdiction.

7. Pursuant to C.R.S. § 32-1-401(1)(b), the District duly published notice of a public meeting to be held on September 22, 2025 to consider the Petition for inclusion of the Property.

8. On September 22, 2025, the Board held a public meeting to consider the Landowner's request that the Property be included within the District's jurisdiction. During the public meeting, the Board received no objection to the Landowner's request to include the Property within the District's jurisdiction.

9. The Board finds it is in the best interests of the citizens within its jurisdiction, the Property, and the Landowner, and is consistent with the District's obligations under the IGA, to include the Property within the District's jurisdiction immediately upon exclusion from LaSalle FPD's jurisdiction.

10. Having received no objection to the proposed inclusion during the public meeting, and after considering the proposed inclusion during its meeting on September 22, 2025, the Board

adopted a Resolution approving the Landowner's Petition for Inclusion of Property. A copy of the Resolution is attached as Exhibit B.

11. The District has complied with all statutory notice and hearing requirements set forth in C.R.S. § 32-1-401.

II. ORDER OF INCLUSION

Pursuant to C.R.S. § 32-1-401, *et seq.*, the Board hereby Orders inclusion of the Property specifically identified in Exhibit A immediately upon exclusion of the Property from LaSalle Fire Protection District's jurisdiction.

Pursuant to C.R.S. § 32-1-402(1)(b), after the date of inclusion into the District, the Property shall be subject to all of the taxes and charges imposed by the District and shall be liable for its proportionate share of the District's existing bonded indebtedness; however, the Property shall not be liable for any taxes or charges levied or assessed prior to its inclusion into the District, nor shall its entry into the District be made subject to or contingent upon the payment or assumption of any tax, rate, fee, toll, or charge that is not uniformly made, assessed, or levied for the entire District without the prior consent of the Landowner or approval of the electors of the Property.

DATED this 22nd day of September, 2025.

BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT


President


Secretary

CERTIFICATION

I, Martin Schanwolf, Secretary of the Board of Directors of the Evans Fire Protection District, do hereby certify that the foregoing is a true and accurate copy of the Order of Inclusion adopted by the District Board during its duly posted and held meeting on September 22, 2025.


Martin Schanwolf, Secretary

**PETITION TO THE EVANS FIRE PROTECTION DISTRICT
FOR INCLUSION OF PROPERTY**

WHEREAS, the undersigned Petitioner is the 100% fee owner of certain real property, the legal description of which is attached hereto as Exhibit A ("Property");

WHEREAS, the Property has been annexed to the City of Evans ("City"). The Property also currently is within, and receives fire and emergency services from, the LaSalle Fire Protection District ("LaSalle FPD");

WHEREAS, in 2011 the City organized the Evans Fire Protection District ("Evans FPD") to provide fire and emergency services to all property then annexed to, or that in the future may be annexed to, the City;

WHEREAS, as a condition of the Annexation Agreement entered into by and between the Petitioner and the City, the Petitioner is required to exclude the Property from LaSalle FPD's jurisdiction and include the Property into Evans FPD's jurisdiction; and

WHEREAS, Petitioner has petitioned the Board of Directors of LaSalle FPD to exclude the Property from LaSalle FPD's jurisdiction, and desires to include the Property into Evans FPD's jurisdiction immediately upon its exclusion from LaSalle FPD, stating:

1. The Petitioner assents to and requests the inclusion of the Property into Evans FPD's jurisdiction;

2. The Petitioner understands and agrees that, pursuant to C.R.S. § 32-1-401(1)(c)(I), the Evans FPD Board may grant or deny this Petition in whole or in part, and with any conditions it deems necessary and appropriate;

3. The Petitioner understands and agrees that, pursuant to C.R.S. § 32-1-402, upon inclusion into Evans FPD, the Property shall be subject to all of the taxes and charges imposed by Evans FPD and shall be liable for its proportionate share of existing bonded indebtedness of Evans FPD; but the Property shall not be liable for any taxes or charges levied or assessed prior to its inclusion into Evans FPD; nor shall inclusion of the Property be made subject to or contingent upon the payment or assumption of any tax, rate, fee, toll, or charge, other than the taxes, rates, fees, tolls and charges which are uniformly made, assessed or levied for all of Evans FPD, without the prior consent of the Petitioner. The Property shall also be liable for its proportionate share of annual operation and maintenance charges and the cost of facilities of Evans FPD and taxes, rates, fees, tolls or charges shall be certified and levied or assessed therefore;

4. The Petitioner understands and agrees that, pursuant to C.R.S. § 32-1-402(1)(c), the Petitioner may be required to pay a one-time processing fee incident to inclusion of the Property within Evans FPD. If a fee is required, Petitioner agrees to pay the fee contemporaneously with the filing of this Petition; and

5. The Petitioner understands and agrees it cannot withdraw this Petition without the consent of the Evans FPD Board of Directors after Evans FPD has published notice of a public hearing on the Petition.

NOW THEREFORE, pursuant to C.R.S. § 32-1-401(1), the Petitioner respectfully petitions the Board of Directors of the Evans FPD to include the Property into Evans FPD's jurisdiction immediately upon its exclusion from LaSalle FPD's jurisdiction.

Dated: 8-26-25

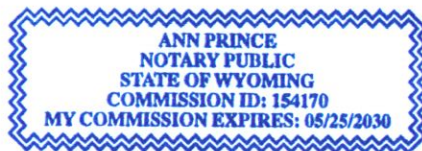
Property Owner:

By: [Signature]
Title: VP Operations
Address: 5 Sand Creek Rd
Laramie, WY 82070

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 26 day of August, 2025,
by Ben Butmack, (on behalf of Mountain Cement Co. LLC).

Witness my hand and official seal.



[Signature]
Notary Public
My commission expires: 05/25/2030

**RESOLUTION OF THE BOARD OF DIRECTORS OF
EVANS FIRE PROTECTION DISTRICT
FOR INCLUSION OF REAL PROPERTY**

THIS MATTER comes before the Board of Directors ("**Board**") of the Evans Fire Protection District ("**District**") upon the Petition of Mountain Cement Company, LLC ("**Landowner**"), which is the one hundred percent (100%) fee owner of certain real property more specifically identified in the Petition attached as **Exhibit A** ("**Property**"), to include the Property into the District's jurisdiction pursuant to C.R.S. § 32-1-401 of the Special District Act.

WHEREAS, the District is a political subdivision of the State of Colorado, formed pursuant to C.R.S. § 32-1-101, *et seq.* of the Special District Act, to provide fire suppression, fire prevention, rescue, hazardous materials, and emergency medical services (collectively, "**Emergency Services**") to the citizens and property within its jurisdiction;

WHEREAS, the Property currently is located within the jurisdiction and boundaries of the LaSalle Fire Protection District ("**LaSalle FPD**");

WHEREAS, the Property has been annexed into the jurisdiction and boundaries of the City of Evans ("**City**");

WHEREAS, in calendar year 2011, the City entered into an Intergovernmental Agreement for the Transfer of Emergency Services ("**IGA**") with the District. Pursuant to the IGA, it is the City's and District's intent that the District's boundaries and jurisdiction shall at all times include all property located within the City's corporate boundaries, as such boundaries may be adjusted from time-to-time through annexation or otherwise;

WHEREAS, pursuant to C.R.S. § 32-1-401(1)(b), the District duly published notice of a public meeting to be held on September 22, 2025 to consider the Landowner's Petition for Inclusion. The Notice of Public Meeting is attached as **Exhibit B**;

WHEREAS, on September 22, 2025, the District Board held a public meeting to consider the Landowner's request that the Property be included within the District's jurisdiction;

WHEREAS, during the September 22, 2025 public meeting, the District Board received no objection to the Landowner's request that the Property be included within the District's jurisdiction; and

WHEREAS, the Board of Directors has determined it is in the best interests of the District, the District's constituents, the Property, and the Landowner, and is consistent with the District's obligations under the IGA, that the Property be included within the District's jurisdiction immediately upon exclusion from LaSalle FPD's jurisdiction.

NOW THEREFORE, pursuant to C.R.S. § 32-1-401, the District Board hereby approves the inclusion of the Property identified in **Exhibit A** within the boundaries and jurisdiction of the

Evans Fire Protection District immediately upon exclusion of the Property from LaSalle Fire Protection District's jurisdiction.

Pursuant to C.R.S. § 32-1-402(1)(b), after the date of inclusion into the District, the Property shall be subject to all of the taxes and charges imposed by the District and shall be liable for its proportionate share of the District's existing bonded indebtedness; however, the Property shall not be liable for any taxes or charges levied or assessed prior to its inclusion into the District, nor shall its entry into the District be made subject to or contingent upon the payment or assumption of any tax, rate, fee, toll, or charge that is not uniformly made, assessed, or levied for the entire District without the prior consent of the Landowner or approval of the electors of the Property.

ADOPTED this 22nd day of September, 2025.

BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT



President



Secretary

EXHIBIT "A"

Lot A of Recorded Exemption No. 1057-3-4 RE-3237 according to the map recorded August 28, 2002 at Reception No. 2982237 of Weld county records, being a part of the Southeast Quarter of Section 3, Township 4 North, Range 66 West of the 6th Principal Meridian, County of Weld, State of Colorado.

NOTICE OF PUBLIC MEETING
ON PETITION FOR INCLUSION OF PROPERTY INTO
EVANS FIRE PROTECTION DISTRICT

PLEASE TAKE NOTICE that at 6:30 p.m. on Monday, September 22, 2025, the Board of Directors of the Evans Fire Protection District will hold a public meeting to consider a Petition by Mountain Cement Company, LLC ("Petitioner") to include into the District's jurisdiction and boundaries the following parcel of real property, which is currently located within the jurisdiction of the LaSalle Fire Protection District:

Lot A, Recorded Exemption No. 1057-3-4 RE-3237 recorded August 28, 2002 at Reception No. 2982237 being a part of the SE1/4 of Section 3, Township 4 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado;

also known as: 23151 County Road 33, La Salle, Colorado 80645.

The meeting will be held at 2100 37th Street, Evans, Colorado 80620. Final information regarding attendance at the public hearing and public comment procedures will be included with the District's meeting notice and agenda, which will be available on the District's website in advance of the meeting at <https://www.evansfiredistrict.org/agendas-meetings/>.

A copy of the Petition is available for public inspection at the address above. Questions prior to the public meeting should be directed to Sharon Bowles, (970) 339-3920 ext. 202.

All interested persons, municipalities, or counties shall appear at the public meeting and show cause in writing why the Board of Directors of the Evans Fire Protection District should not adopt a final resolution and order approving inclusion of the above-described real property. The Board of Directors may continue the public meeting to a subsequent meeting. The failure of any person within the Evans Protection District to file a written objection shall be taken as an assent on his or her part to the inclusion of the property into the Evans Fire Protection District's jurisdiction.

BY ORDER OF THE BOARD OF DIRECTORS OF
EVANS FIRE PROTECTION DISTRICT

By: /s/ Martin Schanwolf
Secretary