

RESOLUTION NO. 2018 - 4

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BLACK FOREST FIRE RESCUE PROTECTION DISTRICT  
INITIATING PROCESS FOR THE EXCLUSION OF REAL PROPERTY**

**WHEREAS**, the Black Forest Fire Rescue Protection District (the "District") and the City of Colorado Springs, Colorado (the "City") have by agreement provided mutual and automatic aid response to certain properties located along the boundary of the District and City; and

**WHEREAS**, the City has annexed certain parcels of property identified in the attached Exhibit A, located generally within Range 65 West, Township 13 South, Section 5 and 6, known as the "Annexation Area," creating a dual response and taxation zone for residents within the Annexation Area; and

**WHEREAS**, pursuant to Section 32-1-502(1)(a), C.R.S., the City may unilaterally petition the District Court to exclude the properties located with the Annexation Area from the District or the parties may enter in to an agreement concerning the orderly exclusion of such properties from the boundaries of the District; and pursuant to Section 32-1-502(2), C.R.S., the Court shall hold a hearing on the petition and order the territory described in the petition excluded upon a showing that the City will provide adequate fire protection services; and

**WHEREAS**, the City and District have commenced discussion to formalize agreement on the procedure for filing a consent petition for exclusion of the Annexation Area; and

**WHEREAS**, the District desires to formally approve the process of initiating such agreement with the City pursuant to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Black Forest Fire Rescue Protection District as follows:

1. **Initiation of Process for Exclusion of Properties in Annexation Area.** The Board of Directors of the District ("Board") directs staff to commence negotiations with the City to prepare an agreement regarding the process for processing exclusion of the Annexation Area and service being fully provided to such area by the City. Such agreement shall be presented to the Board for further review and approval before it shall be enforceable.

2. **Authorization.** The Board designates the Chairman, or his designee, to work with District staff and attorneys to initiate completion of the above-referenced

agreement for further Board approval and to take such additional action as reasonably necessary consistent with this Resolution.

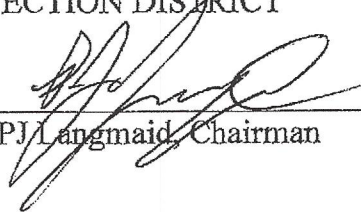
3. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

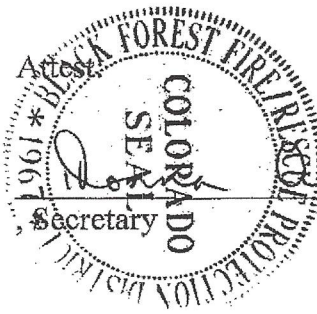
4. **Effective Date.** This Resolution shall take effect and be enforced immediately upon its approval by the District Board.

ADOPTED this 18<sup>th</sup> day of July, 2018.

BLACK FOREST FIRE RESCUE  
PROTECTION DISTRICT

By

  
P.J. Langmaid, Chairman



**EXHIBIT A**

**Map of Annexation Area**



# El Paso County Assessor's Office

7204 KILLEARN WAY  
SCHEDULE: 5232102008  
OWNER: MACDONALD THOMAS I  
MACDONALD BRIND

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