

RESOLUTION NO. 18-____

A RESOLUTION AUTHORIZING THE TOWN OF ERIE TO PROVIDE FIRE PROTECTION SERVICE TO CERTAIN ANNEXED PROPERTY

WHEREAS, the Town of Erie (“Town”) has annexed territories which have been historically provided with fire protection by the Frederick-Firestone Fire Protection District (“Frederick-Firestone”), more specifically described in the attached **Exhibit “A”** (the “Annexed Properties”); and

WHEREAS, the Town provides fire protection to its citizens and property through an exclusive provider Intergovernmental Agreement with Mountain View Fire Protection District (“Mountain View”), executed by the parties on September 28, 2004, and amended in 2007 (together referred to as the “Agreement”); and

WHEREAS, the Agreement requires exclusion of properties within the boundaries of the Town from any fire protection district other than Mountain View, as permitted by §32-1-502, C.R.S.; and

WHEREAS, the Annexed Properties are currently outside the boundaries of Mountain View and within the boundaries of Frederick-Firestone; and

WHEREAS, the Town seeks to provide fire protection services to the Annexed Properties pursuant to the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. In accordance with the requirements of the Agreement, the Town hereby directs the Town’s legal counsel to work with legal counsel for Mountain View to petition the District Court on behalf of the Town for the exclusion of the Annexed Properties from any fire protection district providing fire protection services within the Annexed Properties, other than Mountain View.

Section 2. The Town agrees to provide fire protection services to the Annexed Properties pursuant to the Agreement, such services to be provided by Mountain View pursuant to the Agreement, on and after the effective date of the Order for Exclusion to be issued by the District Court.

Section 3. This Resolution shall take effect immediately upon adoption. Town staff is directed to take all actions necessary to fulfill the purpose of this Resolution.

Section 4. That entering providing fire protection services to the Annexed Properties pursuant to the Agreement is found to be in the best interest of the Town of Erie, and necessary for the preservation of the public health and safety.

**ADOPTED AND APPROVED THIS _____ DAY OF _____, 2018, BY THE
BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.**

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
_____, Mayor

ATTEST:

By: _____
Jessica Koenig, Deputy Town Clerk

Exhibit A

PROPERTIES FOR EXCLUSION FROM FREDERICK FIRESTONE FIRE PROTECTION DISTRICT

COMPASS FILING 1:

BRASIER PROPERTY: A parcel of land described in Special Warranty Deed in the Real Estate records of Boulder County at Reception No. 03596907 recorded on 06/09/2017 and fully described as: That parcel of land described as Lot 11, Block 10, Compass Filing 1, according to the recorded plat thereof and according to affidavit of correction recorded March 10, 2015 under Reception no. 03432150, County of Boulder, State of Colorado. Also known as Boulder County Parcel no. 146525410011 and by street address: 1894 Wright Dr., Erie, CO 80516, Boulder County, State of Colorado.

DONLEY PROPERTY: A tract of land described in Warranty Deed, Exhibit A in the Real Estate records of Boulder County at Reception No. 00970256 on March 3, 1989 and fully described as: **PARCEL II:** A tract of land located in Section 36, Township 1 North, Range 69 West of the 6th P.M., Boulder County, Colorado, fully described as follows: Beginning at the North 1/4 corner of said Section 36, thence South 89 degrees 39'15" East, a distance of 1320 feet along the North line of said Section 26 to the true point of beginning; thence South 0 degrees 11'35" West a distance of 663.53 feet; thence North 89 degrees 49'25" West, a distance of 660 feet; thence North 0 degrees 11'35" East along the East line of a tract shown as Tract R-1 on survey recorded in Boulder County on February 15, 1966 at Reception No. 807363, a distance of 665.26 feet to a point on the North line of said Section 26; thence South 89 degrees 39'15" East along said North line of a distance of 660 feet to the true point of beginning, except that portion thereof lying within County Road, County of Boulder, State of Colorado. Also known by street and number as 12420 Arapahoe Road, Lafayette, CO 80026.

CAVALIER NORTH PARCEL ANNEXATIONS #5 THROUGH #7 TO THE TOWN OF ERIE: Portions of the North Half of Sections 3 and 4, Township 1 North, Range 68 West of the 6th P.M., County of Weld and County of Boulder, State of Colorado, recorded in the Real Estate records of Weld County, State of Colorado as the Cavalier North Parcel Annexation Map at Reception no. 3250325 on January 6, 2005.

REIDER ANNEXATIONS #1 THROUGH #3 TO TOWN OF ERIE: A portion of the West Half of Section 15, and the East Half of Section 16, Township 1 North, Range 68 West of the 6th P.M., Weld County, State of Colorado, recorded in the real estate records of Weld County as the Reider Annexations #1 through #3 to the Town of Erie Map at Reception no. 2892725 on October 17, 2001.

RIEDER ANNEXATION # 4: (ROWs WCR 12 and W of I-25): A portion of Section 10, South Half of Section 3, Southeast Quarter of Section 4, West Half of Section 15, and the East Half of Sections 9 and 16, Township 1 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado recorded in the real estate records of Weld County as the Reider Property Annexation #4 to the Town of Erie Map at Reception No. 2892726, at pages 11-13, on October 17, 2001.

RIEDER ANNEXATION NO. #5 TO TOWN OF ERIE: A parcel of land located in the South Half of Section 3, Township 1 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado, fully described in the Reider Annexation Agreement, Exhibit A, pages 21-22, recorded in the Real Estate records of Weld County as Reception No. 2892721 on October 10, 2001; and also recorded as the Reider Property Annexation #5 to the Town of Erie Map at Reception No. 2892727 on October 17, 2001.

RIEDER ANNEXATIONS #1 THROUGH #5 TO TOWN OF ERIE:

Reider Annexations #5 through #7 to the Town of Erie, as recorded in the Real Estate records of Weld County, State of Colorado as the Rieder Annexation Agreement Exhibit A, pages 20-22 at Reception No. 2892721 on October 17, 2001.

527 LLC PROPERTY: Property described in Special Warranty Deed in the Real Estate Records of Weld County recorded at Reception No. 4259750 on December 6, 2014, more fully described in the records of the Weld County Assessor as: ERI PT N2NW4 3-1-68 (CAVALIER NORTH/SOUTH PARCEL ANNEX) BEG S0D14'W 178.8' OF NW COR SEC S0D14'W 1137.6' N89D55'E 1185' N0D14'E 1235.49' S88D56'W 1105.98' S45D07'W 112' W30.05' TO BEG (4R). Also found in Weld County records: Parcel No. 146703000004. Account No. R5673186

DOLAN PROPERTY: Property described in Joint Tenancy Warranty Deed in the Real Estate records of Weld County recorded at Reception No. 3854653 on June 25, 2012, more fully described in the records of the Weld County Assessor as: L2 RIEDER MINOR, ERIE, 3423 12 CR ERIE. Also known by property address as 3423 County Road 12 ERIE, Colorado 80516 and found in Weld County records: Parcel No. 146703322002. Account No. R6780067

ROMEY PROPERTY: Property described in Reider Minor Subdivision as a portion of the South Half Section 3, Township 1 North, Range 68 West of the 6th P.M., Town of Erie, as found in the Real Estate records of Weld County recorded at Reception No. 3784112 on August 3, 2011. More fully described in the records of the Weld County Assessor as: L3 RIEDER MINOR, ERIE, 3683 12 CR ERIE. Also known by property address as 3683 County Road 12, Erie, Colorado 80516 and found in Weld County records: Parcel No. 146703422003. Account No. R6780069

SNYDER PROPERTY: Property described in Reider Minor Subdivision as a portion of the South Half Section 3, Township 1 North, Range 68 West of the 6th P.M., Town of Erie, as found in the Real Estate records of Weld County recorded at Reception No. 3784112 on August 3, 2011. More fully described in the records of the Weld County Assessor as: L5 RIEDER MINOR, ERIE, 3801 12 CR ERIE. Also known as property address 3801 CR 12, Erie, Colorado 80516 and found in Weld County records: Parcel No. 146703422005. Account No: R6780071.