

RESOLUTION 2024 - 6
OF THE BOARD OF DIRECTORS OF THE
DONALA WATER AND SANITATION DISTRICT

A RESOLUTION APPROVING A PETITION FOR EXCLUSION OF CERTAIN REAL PROPERTY FROM THE INSTITUTIONAL BOUNDARIES OF THE DONALA WATER AND SANITATION DISTRICT.

WHEREAS, there was filed with the Board of Directors of Donala Water and Sanitation District (the “**District**”) a duly acknowledged Petition, a copy of which is attached hereto as **Exhibit A** and incorporated herein by this reference, signed on behalf of Bill Hancock and Vickie Hancock, co-trustees of the Bill and Vickie Hancock Living Trust, one hundred percent (100%) of the fee owners of the real property described in the Petition, requesting that the Board of Directors exclude such property from the District; and

WHEREAS, such Petition was heard at a public meeting of the Board of Directors of the District on July 18, 2024, at the hour of 1:30 p.m. at the Upper Monument Creek Regional Wastewater Treatment Facility located at 14650 Jumping Moose View, Colorado Springs, Colorado 80921, after publication of notice of the filing of such Petition, the place, time and date of such meeting, the name and address of the Petitioner, and a general description of the property to be excluded, in the *Colorado Springs Gazette* on June 28, 2024 and in the *Tri Lakes Tribune* on July 3, 2024 and July 10, 2024, copies of such proof of publication are attached hereto as **Exhibit B** and incorporated herein by this reference; and

WHEREAS, no written objection to the exclusion was filed by any person; and

WHEREAS, the Board of Directors, having reviewed such Petition and all relevant information related thereto, hereby determines that:

A. The exclusion of such property will be in the best interests of all of the following: (i) the property itself; (ii) the District; and (iii) the county in which the District is located;

B. The relative costs and benefits to such property justify exclusion from the District’s services;

C. The ability of the District to provide economical and sufficient service to both the property to be excluded and all of the properties within the District’s boundaries will not be adversely affected;

D. The District will be able to provide services at a reasonable cost, but the costs that would be imposed by other entities in the surrounding area to provide similar services are also reasonable;

E. There will be no effect from either granting or denying the Petition on employment and other economic conditions in the District and surrounding area;

F. There will be no economic impact on the region, District, surrounding area, or State as a whole if the Petition is granted or denied;

G. There are economically feasible alternative services available from other entities in the surrounding area;

H. The additional cost to be levied on other property within the District as a consequence of the exclusion is nominal; and


I. If the District currently has outstanding bonded indebtedness for which such property is liable, such property will remain liable for such outstanding bonded indebtedness.

WHEREAS, it is deemed to be in the best interest of the District and the Petitioner that such property be excluded from the District.

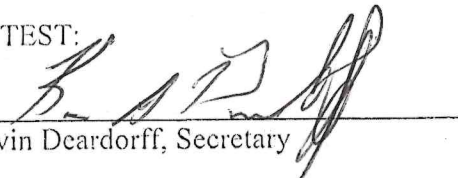
IT IS THEREFORE ORDERED that such Petition be granted as to the real property described herein, subject to the continuing obligation of such property to retire its proportionate share of all outstanding bonded indebtedness of the District and interest thereon existing immediately prior to the effective date of the Court's Order of Exclusion, pursuant to the provisions of Section 32-1-503(1), C.R.S.; and that the boundaries of the District shall be altered by the exclusion of the real property described herein; and that the District Court of El Paso County, Colorado, in which Court an Order was entered establishing this District, be requested to enter an Order that such real property be excluded from the District.

DONALA WATER AND SANITATION
DISTRICT

By:


Wayne Vanderschuere, Chairman

ATTEST:


Kevin Deardorff, Secretary