

DISTRICT COURT, ARAPAHOE COUNTY, COLORADO 7325 S. Potomac St. Centennial, CO 80112 <hr/> IN THE MATTER OF: SOUTH METRO FIRE RESCUE DISTRICT	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
Attorneys for the Division of Local Governments: CYNTHIA H. COFFMAN, Attorney General LEEANN MORRILL, No. 38742* First Assistant Attorney General MATTHEW D. GROVE, No. 34269* Assistant Solicitor General 1300 Broadway, 6 th Floor Denver, CO 80203 Telephone: (720) 508-6157 Email: leeann.morrill@coag.gov ; matt.grove@coag.gov *Counsel of Record	Case No. 1964CV09110
PETITION FOR ORDER AND CERTIFICATION OF DISSOLUTION OF SPECIAL DISTRICT	

COMES NOW the Division of Local Government (“the Division”) of the Colorado Department of Local Affairs, by and through the Colorado Attorney General and undersigned counsel, and petitions the Court to certify the Division’s Declaration of Dissolution of the South Metro Fire Rescue District. As grounds for this petition, the Division states as follows:

1. The South Metro Fire Rescue District (“the District”) is a quasi-municipal corporation and political subdivision organized pursuant to the provisions of article 1 of title 32, C.R.S.
2. Colorado law requires that Title 32 special districts file certified copies of their annual budgets with the Office of the Division of Local Government of the Department of Local Affairs and hold or properly cancel elections. Sections 29-1-116 and 32-1-801 to 835, C.R.S., respectively.
3. The Division has not received a copy of the District’s budget for the past two consecutive years, nor has the Division received a certification of the District’s election results from the most recent regular election.
4. Pursuant to § 32-1-710(2)(a), C.R.S., the Division is authorized to declare a special district dissolved if the district has failed to demonstrate to the Division that the district has performed its statutory or service responsibilities or will proceed to perform such responsibilities. Pursuant to § 32-1-710(2)(b), C.R.S., there is a presumption of such failure if the district has failed to hold or properly cancel an election, no board has been appointed

pursuant to § 32-1-905(2.5), C.R.S., and there will be no interruption of services being provided by the district.

5. The Division believes administrative dissolution of the District pursuant to § 32-1-710, C.R.S. is appropriate, because the District has failed to hold or properly cancel an election and has not provided or attempted to provide any of the services or facilities for which the District was organized for two consecutive years and because the District has not responded to the Division's letter informing the District of the Division's intent to dissolve it.
6. Pursuant to § 32-1-710(1), C.R.S., the Division notified the District by first-class certified mail of the Division's intent to certify the District dissolved. Copies of the Notice and certified mail receipt numbered 7011-3500-0002-9605-9332 are attached hereto as **Exhibit 1**, at pages 4-5. More than thirty days have passed since the Division notified the District of its intent to certify the District dissolved.
7. After the Division notified the District of its intent to certify the District dissolved, counsel for the District contacted the Division and stated that it did not object to dissolution. **Exhibit 1**, at pages 8-9.
8. The Division has declared the District dissolved. The Division's Declaration of Dissolution is filed with this Court contemporaneously with this Petition as **Exhibit 1**, at pages 1-3.
9. The Division has provided notice of its application to this Court for certification of the Division's Declaration of Dissolution by sending true and complete copies of this Petition and the Declaration of Dissolution, by first-class U.S. mail to the interested parties listed on the attached Certificate of Service in accordance with § 32-1-710(3), C.R.S.

The Division respectfully petitions the Court for certification of the dissolution of the South Metro Fire Rescue District and for an Order disposing of any of the assets of the District in accordance with § 32-1-708, C.R.S. Pursuant to § 32-1-801(3), the Division respectfully requests that the Court "make a determination on the division's declaration within thirty days after the declaration has been submitted."

Dated this 31st day of July, 2018.

CYNTHIA H. COFFMAN
Attorney General

s/ Matthew D. Grove

LEEANN MORRILL

First Assistant Attorney General

MATTHEW D. GROVE

Assistant Solicitor General

Public Officials Unit

State Services Section

Attorneys for the Colorado Department of Local

Affairs, Division of Local Governments

*Counsel of Record

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of July, 2018, I served the foregoing ***Petition for Order and Certification of Dissolution of Special District and Declaration of Dissolution*** to the interested parties herein pursuant to § 32-1-710(3), C.R.S. by causing true and complete copies of same to be deposited in the U.S. mail, first-class postage prepaid at Denver, Colorado, addressed to each of the following:

Robert G. Cole
Collins Cockrel & Cole
390 Union Blvd., Ste. 400
Denver, CO 80228

Board of Commissioners
Arapahoe County
5334 S. Prince Street
Littleton, CO 80166

Matthew R. Dalton
SpencerFane
1700 Lincoln Street, Suite 2000
Denver, CO 80203

Arapahoe County Clerk & Recorder
5334 S. Prince Street
Littleton, CO 80166

Bob Baker, Fire Chief
South Metro Fire Rescue Fire
Protection District
9195 E. Mineral Avenue
Centennial, CO 80112

Arapahoe County Assessor
5334 S. Prince Street
Littleton, CO 80166

Mike Dell'Orfano, Deputy Fire
Chief
South Metro Fire Rescue Fire
Protection District
9195 E. Mineral Avenue
Centennial, CO 80112

Board of Commissioners
Douglas County
100 Third St.
Castle Rock, CO 80104

Douglas County Clerk and Recorder
100 Third St.
Castle Rock, CO 80104

Douglas County Assessor
100 Third St.
Castle Rock, CO 80104

s/ Matthew D. Grove