

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

**RESOLUTION OPPOSING THE PASSAGE OF AMENDMENT 74 TITLED "JUST
COMPENSATION FOR REDUCTION IN FAIR MARKET VALUE BY GOVERNMENT
LAW OR REGULATION".**

WHEREAS, the Colorado Constitution currently requires that governmental entities provide just compensation for any taking or damaging of private property; and

WHEREAS, state voters will have the opportunity at the November 6, 2018, statewide general election to vote on Amendment 74 which would expand this well-established concept by requiring the government - i.e., the taxpayers - to compensate private property owners for virtually any decrease in the fair market value of their property traceable to any government law or regulation; and

WHEREAS, Amendment 74 would create uncertainty because it is not clear what the language actually means or how it can be applied; and

WHEREAS, Amendment 74 would severely limit the ability of Colorado's state and local governments to do anything that might indirectly, unintentionally, or minimally affect the fair market value of any private property; and

WHEREAS, Amendment 74 would place Douglas County ordinances and regulations designed to protect public health and safety, our natural resources, public infrastructure, and other public resources in jeopardy; and

WHEREAS, Amendment 74 would directly impact zoning, density limitations, and planned development; and

WHEREAS, Douglas County would be vulnerable to lawsuits for almost every decision to regulate or not to regulate, making regular government function prohibitively expensive for the taxpayer; and

WHEREAS, similar efforts have been attempted and defeated or overturned in other states, such as Washington and Oregon; and

WHEREAS, individuals filed several thousand claims against state and local governments with an estimated value in excess of several billions of dollars in claims in Oregon before the residents repealed the takings initiative three years after its passage; and

WHEREAS, there remain additional provisions of the Ballot Measure with yet undefined, but potentially far reaching and unintended consequences, which will likely impact Douglas County's ability to fund other services and programs; and


WHEREAS, provisions of state law allow Douglas County to put forth this resolution as a statement of opposition to the ballot question;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, COLORADO, that the Board opposes the passage of Amendment 74 and urges our citizens to vote against this ballot question at the General Election.

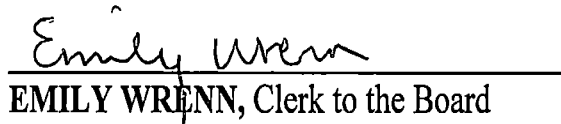
PASSED AND ADOPTED this 9th day of October, 2018, in Castle Rock, Douglas County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

BY:


LORA L. THOMAS, Chair

ATTEST:


EMILY WRENN, Clerk to the Board

