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CE

KELLY R. McCABE, P.C.
ATTORNEYS AT LAW

22 E. MAIN • P.O. BOX 1296
CORTEZ, COLORADO 81321
PH (970) 565-7209
FAX (970) 565-6355

KELLY R. MCCABE
HAZEN D. BROWN

Received
MAY 24 2010
Dept. of Local Affairs

May 20, 2010

Division of Local Government
1313 Sherman St., Room 521
Denver, CO 80203

Attn: Casey Laycock

Re: Montezuma Mosquito Control District

Dear Ms. Laycock:

Enclosed please find a copy of the Cancellation of Election and Proof of Publication regarding the director positions available for the 2010 Special District election for the Montezuma Mosquito Control District. Also enclosed are copies of the Oaths of Office for the three candidates who were elected to the Board, together with a copy of the Bond information for the District and the Director's List & District Contact Data Update form.

Please let our office know if you need anything further.

Very truly yours,

KELLY R. McCABE, P.C.

Stacy Merrifield

Stacy Merrifield
Paralegal

Enc.

CANCELLATION OF ELECTION and DECLARATION DEEMING CANDIDATES ELECTED RESOLUTION

1-5-208(1.5),C.R.S.

MONTEZUMA MOSQUITO CONTROL DISTRICT,

MONTEZUMA COUNTY, COLORADO

WHEREAS, the Designated Election Official of the District has been duly authorized by the Board of Directors to cancel the election and declare candidates elected at the close of business on the sixty-third before the election to be conducted on May 4, 2010 (date of election); and

WHEREAS, the Designated Election Official has duly certified that there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates,

Now, THEREFORE, pursuant to 1-5-208 (1.5), C.R.S., the Designated Election Official HEREBY cancels the regular election to be conducted on the 4th day of May, 2010 by formal resolution and

THE DESIGNATED ELECTION OFFICIAL DECLARES THE FOLLOWING CANDIDATES ELECTED FOR THE FOLLOWING TERMS OF OFFICE:

(name)	(address)	(year term)
Eldon A. Simmons	39036 Hwy. 160, Mancos, CO 81328	4 year
Gary Merrifield	13996 Rd. 21, Cortez, CO 81321	4 year
Kylee Mobley	1803 Aldridge Rd., Cortez, CO 81321	4 year

Signed by: Kelly R. McCabe
(Designated Election Official

Contact Person for the District: Charles A. Giannone

Telephone Number of the District: (970)565-7209

Address of the District: P.O. Box 999, Cortez, CO 81321

Proof of Publication

Cortez Journal

STATE OF COLORADO)
) ss.
County of Montezuma)

I, Peggy Daves, do solemnly swear that I am Accounts Receivable clerk for Cortez Journal, and that I have personal knowledge of the essential fact stated herein; that the same is a weekly printed, in whole or in part, and published in the County of Montezuma, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Montezuma for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second class matter under the provisions of the Act of March 3, 1879, or any amendments thereof and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the law of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 insertion(s); and that the first publication of said notice was in the issue of said newspaper dated March 6 A.D., 2010 .

and that the last publication of the said notice was in the issue of said newspaper dated March 6 A.D., 2010.

In Witness Whereof I have here unto set my hand this March 6 A.D., 2010.

Peggy Daves
Accounts Receivable Clerk

Subscribed and sworn to before me, a Notary Public in and for the County of Montezuma, State of Colorado, this 3/6/2010

Sue Patterson, Notary Public

SUE PATTERSON NOTARY PUBLIC STATE OF COLORADO (SEAL)

123 Roger Smith Avenue
Cortez, CO 81321

My commission expires September 10, 2011.

31118872

PUBLIC NOTICE CANCELLATION OF ELECTION and DECLARATION DEEMING CANDIDATES ELECTED RESOLUTION

MONTEZUMA MOSQUITO CONTROL DISTRICT, MONTEZUMA COUNTY, COLORADO

WHEREAS, the Designated Election Official of the District has been duly authorized by the Board of Directors to cancel the election and declare candidates elected at the close of business on the sixty-third before the election to be conducted on May 4, 2010; and

WHEREAS, the Designated Election Official has duly certified that there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates,

Now, THEREFORE, pursuant to 1-5-208 (1.5), C.R.S., the Designated Election Official HEREBY cancels the regular election to be conducted on the 4th day of May, 2010 by formal resolution and

THE DESIGNATED ELECTION OFFICIAL DECLARES THE FOLLOWING CANDIDATES ELECTED FOR THE FOLLOWING TERMS OF OFFICE:

Eldon A. Simmons 39036 Hwy. 160, Mancos, CO 81328 4 year

Gary Merrifield 13996 Rd. 21, Cortez, CO 81321 4 year

Kylee Mobley 1803 Aldridge Rd., Cortez, CO 81321 4 year

Signed by: Kelly R. McCabe
Contact Person for District: Charles A. Giannone
Telephone Number of the District: (970) 565-7209
Address of the District: P.O. Box 999, Cortez, CO 81321

Published in the Cortez Journal March 6, 2010.

BOARD OF DIRECTOR
OATH OF OFFICE

32-1-901, C.R.S., and
Colorado Constitution Article 12, §9

STATE OF COLORADO

MONTEZUMA
COUNTY

MONTEZUMA MOSQUITO CONTROL DISTRICT

I, _____, will faithfully support the Constitution of the United States and of the State of Colorado, and the laws made pursuant thereto, and will faithfully perform the duties of the office of Director of _____ District, upon which I am about to enter.
(name of special district)

_____
(signature of oath taker)

Subscribed and sworn to before me this 11th day of May, 2010.

By: Hazen D. Brown.
(Person authorized to administer oaths, i.e. County Clerk and Recorder, Clerk of the Court, Chairman of the Board of Directors, or any other person authorized to administer oaths)

IF SWORN OR AFFIRMED BEFORE A NOTARY THE FOLLOWING SHOULD BE COMPLETED.

STATE OF COLORADO)
) ss.
COUNTY OF Montezuma)

Subscribed and sworn to before me this 11th day of May, 2010.

4/25/2012
(notary commission expiration)

Hazen D. Brown
(notary signature)

NOTARY PUBLIC
HAZEN D. BROWN
STATE OF COLORADO

BOARD OF DIRECTOR
OATH OF OFFICE

32-1-901, C.R.S., and
Colorado Constitution Article 12, §9

STATE OF COLORADO

MONTEZUMA
COUNTY

MONTEZUMA MOSQUITO CONTROL DISTRICT

I, ELDON A. SIMMONS, will faithfully support the Constitution of the United States and of the State of Colorado, and the laws made pursuant thereto, and will faithfully perform the duties of the office of Director of Montezuma Mosquito Control District, upon which I am about to enter.
(name of special district)

Gary Merrifield
(signature of oath taker)

Subscribed and sworn to before me this 11th day of May, 2010.

By: Hazen D. Brown.
(Person authorized to administer oaths, i.e. County Clerk and Recorder, Clerk of the Court, Chairman of the Board of Directors, or any other person authorized to administer oaths)

IF SWORN OR AFFIRMED BEFORE A NOTARY THE FOLLOWING SHOULD BE COMPLETED.

STATE OF COLORADO)
) ss.
COUNTY OF Montezuma)

Subscribed and sworn to before me this 11th day of May, 2010.

4/25/2012
(notary commission expiration)

Hazen D. Brown
(notary signature)

SEAL
NOTARY PUBLIC
HAZEN D. BROWN
STATE OF COLORADO

BOARD OF DIRECTOR
OATH OF OFFICE

32-1-901, C.R.S., and
Colorado Constitution Article 12, §9

STATE OF COLORADO

MONTEZUMA
COUNTY

MONTEZUMA MOSQUITO CONTROL DISTRICT

I, KYLEE MOBLEY, will faithfully support the Constitution of the United States and of the State of Colorado, and the laws made pursuant thereto, and will faithfully perform the duties of the office of Director of Montezuma Mosquito Control District, upon which I am about to enter.
(name of special district)

Kylee Mobley
(signature of oath taker)

Subscribed and sworn to before me this 11th day of May, 2010.

By: Hazen D. Brown.
(Person authorized to administer oaths, i.e. County Clerk and Recorder, Clerk of the Court, Chairman of the Board of Directors, or any other person authorized to administer oaths)

IF SWORN OR AFFIRMED BEFORE A NOTARY THE FOLLOWING SHOULD BE COMPLETED.

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

Subscribed and sworn to before me this 11th day of May, 2010.

4/25/2012
(notary commission expiration)

Hazen D. Brown
(notary signature)

NOTARY PUBLIC
HAZEN D. BROWN
STATE OF COLORADO

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 5/19/2010

PRODUCER (970)565-8043 FAX: (970)565-4216
CoWest of Cortez
P.O. Box 1437

Cortez CO 81321

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Montezuma Mosquito Control District
PO Box 999

Cortez CO 81321

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Continental Western Group	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	CWP2578622-25	7/9/2009	7/9/2010	EACH OCCURRENCE	$ 300,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
						MED EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 300,000
						GENERAL AGGREGATE	$ 600,000
						PRODUCTS - COMP/OP AGG	$ 600,000
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS / OTH-ER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

CERTIFICATE HOLDER
(970)565-6355

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Josh McHenry

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Director's List & District Contact Data Update for:

Montezuma Mosquito Control District, County(ies) of Montezuma, State of Colorado

PLEASE SEND BY MAIL OR FAX TO:

District Election Specialist
Division of Local Government
1313 Sherman St., Rm 521
Denver CO 80203
Facsimile: 303-866-4819
Tel: 30-866-2156

Our board has: 5 or 7 members. (Circle one)

District Contact Update

District Name: Montezuma Mosquito Control District

District Contact Person: Charles A. Giannone

District Business Address: P.O. Box 999
Cortez, CO 81321

District Telephone: 970-565-7209 **Fax:** 970-565-6355

District Email: krmpc @ beyondbb . com

Director's Full Name (Please do not use nick names.)	Title (E.g. Chair, Treasurer)	Address	Elected or Appointed (E or A)	Current Term Expiration Year	Length of Term (1-4 yrs)	Oath on file with DLG (√)	Bond on file with DLG (√)
Eldon A. Simmons	Chair	18877 Road 19, Lewis, CO 81327	E	2014	4		
James Russell Garlinghouse		39036 Hwy. 160, Mancos, CO 81328	E	2012	4		
Gary Merrifield	Vice-Chair	13996 Road 21, Cortez, CO 81321	E	2014	4		
Kylee Mobley		2220 Rampart, Cortez, CO 81321	E	2014	4		
Charles A. Giannone	Sec.- Treas.	21276 Road P.3, Cortez, CO 81321	A	2012	2		

Note: This is NOT to be used in lieu of the SB09-087 transparency notification requirement nor the January 15th filing requirement. This form should be submitted to DLG shortly after a special district election to update district information and can also be used intermittently throughout the year if any changes occur to a district's board.

District Contact Signature — Date: 5/11/10

Division of Local Government – Department of Local Affairs – Revised 6/15/2009