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From: "Kyna K. Glover" <KGlover@lgkhlaw.com>
To: "margaret.vigil@state.co.us" <margaret.vigil@state.co.us>
CC: "dtinsely@southgatedistricts.org." <dtinsely@southgatedistricts.org>, ...
Date: 6/14/2010 11:54 AM
Subject: Southgate Water District-Election 2/2/10-Inclusion
Attachments: 20100202 Election documents SGWD.pdf

Dear Margaret:

Attached on behalf of **Southgate Water District** (as requested) are the election documents for the February 2, 2010 inclusion election held by Southgate Water District:

- A-Proof of publication of election notice
- B-Sample ballot,
- C-Board of Canvassers and Judges Certificate of Election Results.
- D-Affidavit of DEO

Please confirm receipt of these documents and let me know if you need any further documentation. Thank you.

Kyna Glover, Paralegal
LYONS GADDIS KAHN & HALL, PC
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Longmont, CO 80502-0978
303-776-9900; Facsimile 303-776-9100
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PUBLISHER'S AFFIDAVIT

STATE OF COLORADO,)
) SS.
COUNTY OF ARAPAHOE)

I, Robert Sweeney, do solemnly affirm that I am the Publisher of THE VILLAGER; that the same is a weekly newspaper published in Greenwood Village, County of Arapahoe, State of Colorado, and has a general circulation therein; that said newspaper has been continuously and uninterruptedly published in said County of Arapahoe for a period of at least 52 consecutive weeks prior to the first publication of the annexed notice, that said newspaper is entered in the post office at Englewood, Colorado, as periodical class mail matter and that said newspaper is a newspaper within the meaning of the Act of General Assembly of the State of Colorado, approved March 30, 1923, and entitled "Legal Notices and Advertisements," with other Acts relating to the printing and publishing of legal notices and advertisements. That the annexed notice was published in the regular and entire issue of said newspaper for the period of ONE consecutive insertions; that the first publication of said notice was in the issue of said newspaper dated:

January 21, 2010

and the last publication of said notice, was in the issue of said newspaper dated:

_____, 2010

Robert Sweeney
Publisher

Subscribed and affirmed to before me, a Notary Public.

This 21st day of January A.D., 2010

Sara Rae Downey
Notary Public

My Commission expires:

SARA RAE DOWNEY
Notary Public
State of Colorado

My Commission Expires 03/11/2012

NOTICE OF ELECTION

TO WHOM IT MAY CONCERN, and, particularly, to the eligible electors of the area to be included into the Southgate Water District of Arapahoe County, Colorado.

NOTICE IS HEREBY GIVEN that a special election will be held on the 2nd day of February, 2010, between the hours of 7:00 a.m. and 7:00 p.m. The Board of Directors of the Southgate Water District has designated the following polling place: 6380 South Fiddler's Green Circle, Suite 400, Greenwood Village, Colorado. The area for inclusion is located within the Greenwood Plaza Water District, Arapahoe County, Colorado.

At said election, the eligible electors of the Greenwood Plaza Water District ("Greenwood District") which is the area to be included into the Southgate Water District shall vote on the following ballot question as certified by the Designated Election Official:

Ballot Question No. SA:
"Shall the following described area become a part of the Southgate Water District upon the following conditions, if any?"

Description of Area: The area currently contained within the boundaries of the Greenwood Plaza Water District

Summary of Conditions: Consummation of Inclusion/Service agreements with the District and the Denver Water Board.
For inclusion
Against inclusion"

NOTICE IS FURTHER GIVEN that an eligible elector of the area for the purpose of said election is a person who, at the time of election, is registered to vote in general elections in the State of Colorado, pursuant to the "Uniform Election Code of 1992" as amended, and (1) who has been a resident of the Greenwood District for not less than thirty (30) days; or (2) who or whose spouse owns taxable real or personal property situated within the boundaries of the Greenwood District, whether said person resides within the Greenwood District or not. A person who is obligated to pay general taxes under a contract to purchase taxable property within the Greenwood District shall be considered an owner of taxable real property for the purpose of qualifying as an elector. Each eligible elector shall be required to execute an affidavit as to his or her qualifications for voting before being allowed to vote. Identification as required by law must be furnished to vote at the polls.

NOTICE IS FURTHER GIVEN that eligible electors who wish to vote by mail-in ballot may apply for a ballot in writing or by fax, using the application form furnished by the Designated Election Official, or in the form of a letter which includes the applicant's signature, residence address, and date of birth. If the mail-in ballot is to be mailed to the elector, the application must be made to the Designated Election Official, 1700 Lincoln Street, Suite 3800, Denver, Colorado 80203, telephone number (303) 839-3612, no later than Tuesday, January 26, 2010. If the ballot is not to be mailed, but instead picked up by the elector at the office of the Designated Election Official, the application must be made no later than Friday, January 23, 2010, at the address of the Designated Election Official listed above. Mail-in ballots may be returned to the office of the Designated Election Official between the hours of 8:00 a.m. and 6:00 p.m. on weekdays through February 1, 2010, and from 7:00 a.m. to 7:00 p.m. on February 2, 2010, the day of the election. On the day of the election, mail-in ballots will also be accepted at the polling location. Mail-in ballots shall be in the hands of the Designated Election Official not later than the hour of 7:00 p.m. on the day of the election. An elector unable to go to the polls because of conditions arising after the closing date for mail-in ballot applications which will result in his or her absence from the Greenwood Plaza Water District on election day, may apply for an emergency mail-in voter's ballot in accordance with law.

SOUTHGATE WATER DISTRICT
By/ Susan J. Schledorn
Designated Election Official

Published in The Villager
Published: January 21, 2010
Legal # 1080



Ballot No. _____

SAMPLE

Ballot No. _____

OFFICIAL BALLOT

FOR
SPECIAL ELECTION
OF
SOUTHGATE WATER DISTRICT
ARAPAHOE AND DOUGLAS COUNTIES, COLORADO
FEBRUARY 2, 2010

Susan J. Schledan
Designated Election Official

SAMPLE
SOUTHGATE WATER DISTRICT BALLOT QUESTION #A

Shall the following described area become a part of the Southgate Water District upon the following conditions, if any?

For inclusion:

Description of Area: The area currently contained within the boundaries of the Greenwood Plaza Water District

Against inclusion:

Summary of Conditions: Consummation of Inclusion/ Service agreements with the District and the Denver Water Board.

SAMPLE

EXHIBIT
B

**BOARD OF CANVASSERS
CERTIFICATE OF ELECTION RESULTS**

**SOUTHGATE WATER DISTRICT
FEBRUARY 2, 2010 SPECIAL ELECTION**

It is hereby certified by the undersigned members of the Canvass Board that the following is a true and correct statement of the results of the special election for the Southgate Water District held February 2, 2010, at which time eligible electors of the area proposed for inclusion into the Southgate Water District voted as indicated on the Judges' Certificate of Election Returns as attached, and that the results are as follows:

For ballot question submitted:

SOUTHGATE WATER DISTRICT BALLOT QUESTION 5A:

"Shall the following described area become a part of the Southgate Water District upon the following conditions, if any?"

Description of Area: The area currently contained within the boundaries of the Greenwood Plaza Water District

Summary of Conditions: Consummation of Inclusion/ Service agreements with the District and the Denver Water Board."

For Inclusion: 9

Against Inclusion: 0

WITNESS WHEREOF, we have hereunto set our hands this 4th day of February, 2010.

By:

Kevin C. Herbolsch
Member of Canvass Board

John J. Herbolsch
Member of Canvass Board

Susan J. Schledern
Designated Election Official

Contact Person for the Election:
Matthew R. Dalton

Business Address:
c/o Grimshaw & Haring, PC
1700 Lincoln St., Ste. 3800
Denver, CO 80203

Telephone Number:
(303) 839-3800

Contact Person for the District:
Duane Tinsley

Business Address:
3722 East Orchard Road
Centennial, CO 80121-3156

Telephone Number:
(303) 779-0261



**JUDGES' CERTIFICATE OF ELECTION RETURNS AND STATEMENT
SOUTHGATE WATER DISTRICT
FEBRUARY 2, 2010 SPECIAL**

1-7-801, C.R.S.

POLLING PLACE: 6380 South Fiddler's Green Circle, Suite 400
Greenwood Village, Colorado

It is hereby certified by the undersigned who conducted the special election held by SOUTHGATE WATER DISTRICT on Tuesday, the 2nd day of February, 2010, that, after subscribing and swearing to the oath of office, they opened the polling place at 7:00 a.m. and kept the polls open continuously until the hour of 7:00 p.m. on election day, after which time they counted the ballots cast.

That the votes cast for and against each ballot question submitted were as follows:

SOUTHGATE WATER DISTRICT BALLOT QUESTION 5A:

"Shall the following described area become a part of the Southgate Water District upon the following conditions, if any?"

Description of Area: The area currently contained within the boundaries of the Greenwood Plaza Water District

Summary of Conditions: Consummation of Inclusion/ Service agreements with the District and the Denver Water Board."

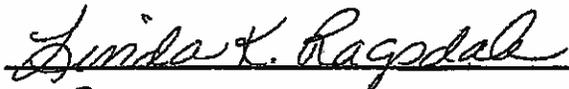
SOUTHGATE WATER DISTRICT BALLOT QUESTION 5A:	Numeric	Spelled Out
For Inclusion		
Votes Cast at Polling Place	0	zero
Mail-in Votes Cast	9	Nine
Total For	9	Nine
Against Inclusion		
Votes Cast at Polling Place	0	zero
Mail-in Votes Cast	0	zero
Total Against	0	zero

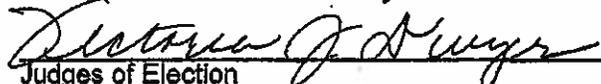
It is hereby identified and specified that:

	Numeric	Spelled Out
TOTAL Number of Ballots Received from the DEO prior to the election:		
Official Ballots:	10	Ten
Substitute Ballots (made by DEO):	0	Zero
Total Number of Voted Sealed Mail-In Ballots Received from mail-in ballot voters throughout the day	9	Nine
Total Number of Voted Sealed Emergency Mail-In Ballots Received from DEO:	0	Zero
Total Unofficial Ballots (made by judges on site):	0	Zero
TOTAL BALLOTS RECEIVED:	9	Nine
TOTAL Number of Ballots Delivered to Voter and Cast		
Official:	0	Zero
Challenged:	0	Zero
Substitute:	0	Zero
Unofficial:	0	Zero
Mail-In:	9	Nine
Emergency Mail-In:	0	Zero
TOTAL CAST BALLOTS:		
Total Voted Provisional Ballots in Provisional Ballot Envelopes (Separate count required if total is over 25, otherwise, include with total number of official ballots counted.)		
TOTAL PROVISIONAL IN ENVELOPES:	0	Zero
Delivered to Voter, Not Cast		
Spoiled:	0	Zero
Rejected Mail-In:	0	Zero
TOTAL SPOILED/REJECTED BALLOTS:		
Not Delivered to Voter, Not Cast (Unused):		
Official:	10	Ten
Substitute:	0	Zero
Unofficial:	0	Zero
Defective:	0	Zero
Mail-In:	0	Zero
Provisional:	0	Zero
TOTAL UNUSED:	10	Ten
TOTAL BALLOTS RETURNED:	19	Nineteen

That all of said ballots counted were cast at said election by those eligible electors of the area proposed for inclusion who were eligible to vote at general elections in this State pursuant to the Uniform Election Code of 1992, as amended, and who either had been a resident of the area proposed for inclusion for not less than thirty days, or who or whose spouse own taxable real or personal property within the boundaries of the area proposed for inclusion, whether said person resides within the area proposed for inclusion or not, and that no person possessing proper qualifications was refused the privilege of voting at said election.

IN WITNESS WHEREOF, we have hereunto set our hands this 2nd day of February, 2010.





Judges of Election

All unused ballots, spoiled ballots, and stubs of ballots voted shall be returned with the statement.

AFFIDAVIT OF SUSAN J. SCHLEDORN, DEO

STATE OF COLORADO)
) ss
COUNTY OF ARAPAHOE)

I, Susan J. Schledorn, being first duly sworn upon my oath, do state and affirm as follows:

1. On or about January 21, 2010 a Notice of Election was published in *The Villager*, a newspaper of general circulation within the District.
2. On or about December 4, 2009, the content of the ballot was certified.
3. On or about December 18, 2009, election judges were appointed for the election. All election judges attended a training of election judge duties.
4. On or about December 31, 2009, the official ballots were printed and in my possession as the designated election official.
5. On or about February 1, 2010, the registration records, all necessary registration supplies, the official ballots, and all other election supplies and materials were in the hands of the supply judge.
6. On February 2, 2010, the Southgate Water District inclusion election was conducted in accordance with all respects of the requirements of the Colorado Uniform Election Code of 1992, as amended, § 1-1-101, et seq., C.R.S. and pursuant to Court Order.

Further sayeth affiant not.

Dated: February 17, 2010.

Susan J. Schledorn
Susan L. Schledorn, Designated Election Official

SUBSCRIBED AND SWORN TO before me this 17th day of February, 2010, by Susan J. Schledorn, designated election official.

My commission expires: 19 January 2013

Kimberli K. Brown
Notary Public

