

66178

**CANCELLATION OF ELECTION AND
DECLARATION DEEMING CANDIDATES ELECTED FOR
TIMBER CREEK WATER DISTRICT**

The Designated Election Official of the Timber Creek Water District has been duly authorized by the Board of Directors to cancel and declare candidates elected if, at the close of business on the sixty-third (63rd) day before the election, there are not more candidates than offices to be filled at the election to be conducted on May 4, 2010; and

As of the close of business on March 2, 2010, there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates.

Pursuant to Section 1-5-208(1.5), C.R.S., the Designated Election Official hereby cancels the regular election to be conducted on May 4, 2010.

THE ELECTION IS CANCELLED AND THE FOLLOWING CANDIDATES ARE DECLARED ELECTED FOR THE FOLLOWING TERMS:

<u>Mark Petty</u> Name	<u>2526 S. Xenon Way</u> <u>Lakewood, CO 80228</u> Address	<u>4 (four)</u> Year Term
<u>Larry Nelson</u> Name	<u>0127 Whispering Pines Circle</u> <u>Blue River, CO 80424</u> Address	<u>4 (four)</u> Year Term

DATED this 3rd day of March, 2010.

Contact Person for District:	<u>Kathleen Neel</u> Designated Election Official <u>James P. Collins</u> <u>Collins, Cockrel & Cole</u>
Telephone Number of District:	<u>303-866-1551</u>
Address of District:	<u>390 Union Blvd. Suite 400</u> <u>Denver, CO 80228</u>

NOTICE OF CANCELLATION OF REGULAR ELECTION
BY THE DESIGNATED ELECTION OFFICIAL FOR THE
TIMBER CREEK DISTRICT

NOTICE IS HEREBY GIVEN by the Timber Creek Water District, Summit County, Colorado, that at the close of business on the sixty-third (63rd) day before the election there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates; therefore, the election to be held on May 4, 2010, is hereby cancelled pursuant to Section 1-5-208(1.5), C.R.S.

The following candidates are declared elected:

Mark Petty _____ 4 (four) _____ Year Term
Name

Larry Nelson _____ 4 (four) _____ Year Term
Name

Kathleen Neel
Designated Election Official
for Timber Creek Water District

Published on: March 12, 2010
Published in: Summit County Journal

Posted: District's polling place(s)
Designated Election Official's office
County Clerk and Recorder's office

Filed: Division of Local Government



TIMBER CREEK WATER DISTRICT

**A RESOLUTION CALLING FOR THE
2010 REGULAR DISTRICT ELECTION**

WHEREAS, the terms of office of Directors Larry Nelson and Sandra Peif shall expire after their successors are elected at the regular special district election to be held on May 4, 2010 ("Election") and take office; and

WHEREAS, in accordance with the provisions of the Special District Act ("Act") and the Uniform Election Code of 1992 ("Code"), the Election must be conducted to elect two (2) Directors to serve for a term of four (4) years.

NOW, THEREFORE, be it resolved by the Board of Directors of the Timber Creek Water District in Summit County, Colorado that:

1. The regular election of the eligible electors of District shall be held on May 4, 2010, between the hours of 7:00 A.M. and 7:00 P.M. pursuant to and in accordance with the Act, Code, and other applicable laws. At that time, two (2) Directors will be elected to serve a four-year term.

2. The Election shall be conducted as a mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall notify the Colorado Secretary of State of the District's determination and submit a Plan for conducting the mail ballot Election, which shall be based on the standard plan adopted by the Secretary of State. There shall be no election precinct or polling place. All mail ballots shall be returned to the Designated Election Official's office.

3. The Board of Directors hereby designates KATHY NEEL as the Designated Election Official of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code or other applicable laws. The Election shall be conducted in accordance with the Act, Code and other applicable laws. Among other matters, the Designated Election Official shall publish the call for nominations, appoint election judges as necessary, appoint the Canvass Board, arrange for the required notices of election, and printing of ballots, and direct that all other appropriate actions be accomplished.

4. Self-Nomination and Acceptance forms are available at the Designated Election Official's office located at _____, Colorado _____. All candidates must file a Self-Nomination and Acceptance form with the Designated Election Official no later than the close of business on Friday, February 26, 2010.

5. If the only matter before the electors is the election of Directors of the District and if, at the close of business on March 2, 2010, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent no later than March 1, 2010, the Designated Election Official shall cancel the Election and declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with the Code.

6. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

7. Any and all actions previously taken by the Designated Election Official or the Secretary of the Board of Directors or any other persons acting on their behalf pursuant to the Act, the Code or other applicable laws, are hereby ratified and confirmed.

8. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

9. The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this 15th day of January, 2010.

TIMBER CREEK WATER DISTRICT

By: Michael [Signature]
Chairman

Attest:

[Signature]
Secretary