

12007

Fort Garland Water & Sanitation District
P. O. Box 309
711 Narcisso Avenue
Fort Garland, CO 81133
719-379-2660
fgwsd@gojade.org

May 15th, 2012

Attn: Casey Lagoon
Division of Local Government
1313 Sherman Street, Room 521
Denver, CO 80203

Re: Notice of Cancellation of Regular Election

Dear Division of Local Government,

Enclosed is the notice of cancellation of the regular election for the Fort Garland Water & Sanitation District. with the resolutions. These were posted at five locations throughout town along with our office. The call for nominations were also posted at the same five locations throughout town along with our office. There are copies of the oath of office enclosed, the seal did not come out on the copies but the notary republic information is there.

If there are any questions please call or email at the adrees above.

Sincerely,

Patrick Allaart
Designated Election Official

**CANCELLATION OF ELECTION and
DECLARATION DEEMING CANDIDATES ELECTED
RESOLUTION**

(If the Designated Election Official cancels election)

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

Fort Garland Water
Sanitation District

_____ Costilla _____ 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 8th May 2012; and
(date of election)

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 8th day of May, 2012 by formal resolution and

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

<u>Robert Espinoza</u>	<u>305 6th Ave. Fort Garland, CO 81133</u>	<u>4 Year Term</u>
(name)	(address)	(year term)
<u>William Dixon</u>	<u>502 4th Ave. Fort Garland, CO 81133</u>	<u>4 Year Term</u>
(name)	(address)	(year term)
<u>Sidney DeHerrera</u>	<u>420 St. Vrain Ave. Fort Garland, CO 81133</u>	<u>4 Year Term</u>
(name)	(address)	(year term)
_____	_____	_____
(name)	(address)	(year term)
_____	_____	_____
(name)	(address)	(year term)

Signed by: Electronic Signature
(Designated Election Official)

Contact Person for the District: Patrick Allaart

Telephone Number of the District: (719)379-2660

Address of the District: 711 Narcisso, Fort Garland, CO 81133

PROCEDURAL INSTRUCTIONS: Sample form only. Review use with attorney. Publish and post Notice of Cancellation in order to inform the electors of the District. Must post at all polling places, in the office of the Designated Election Official, County Clerk and Recorder, and file with the Division of Local Government.

**ELECTION RESOLUTION
POLLING PLACE Election**

32-1-804, 1-1-111, C.R.S.

WHEREAS, the term of office of Director(s) Robert Espinoza, William Dixon and Sidney Deherrera, shall expire after their successors are elected at the Regular Special District election ("Election") to be held on May 8th, 2012 and take office.

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 3 Director(s) to serve for a term of four years.

NOW, THEREFORE, be it resolved by the Board of Directors of the Fort Garland Water and Sanitation in Costilla County, State of Colorado that:

1. The regular election of the eligible electors of District shall be held on May 8th, 2012, 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, 3 Directors will be elected to serve a **four**-year term and 0 Director will be elected to serve a **two**-year term.

2. The Board hereby certifies the questions in substantially the form set forth in Exhibit A.

3. District shall consist of 1 election precinct(s) for the convenience of the eligible electors of District, the boundaries of which are identical to the boundaries of the District, and there shall be one polling place at the following location: 711 Narcisso, Fort Garland, CO 81133

situated in Costilla County, State of Colorado. The polling place located at 711 Narcisso, Fort Garland, CO. 81133 shall also be the polling place for disabled electors and for eligible electors not residing within the District. If the Designated Election Official deems it to be more expedient for the convenience of the eligible electors of District (who are also eligible electors in other special districts with overlapping boundaries which are conducting elections on Election Day), the Election may be held jointly with such special districts in accordance with coordinated election procedures as set forth in an agreement between all participating special districts. In such event, the election precincts and polling places shall be as set forth in such agreement. The Designated Election Official is authorized to execute such agreement on behalf of the District, which agreement shall include provisions for the allocation of responsibilities for the conduct and reasonable sharing of costs of the coordinated Election.

PROCEDURAL INSTRUCTIONS: This is a sample resolution only. Please review use with your attorney.

4. Patrick Allaart shall be the Designated Election Official on behalf of District and 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 appoint election judges as necessary, appoint the Board of Canvassers, arrange for the required notices of election and printing of ballots, and direct that all other appropriate actions be accomplished.

5. Applications for mail-in voter's ballots may be filed with the Designated Election Official at: 711 Narcisso, Fort Garland, Co 81133 not earlier than March 8th, 2010, nor later than 5:00 P.M. on April 27th, 2010, if the Election is conducted as a polling place election.

6. Self-Nomination petitions are available at the Designated Election Official's office located at the above address. All candidates must file a self-nomination petition with the Designated Election Official no later than 3 pm on March 2nd, 2012.

7. If the only matter before the electors is the election of Directors of District and if, at 3 pm on March 6th, 2012, there are not more candidates than offices to be filled at the Election, including candidates timely filing of affidavits of intent to be a write-in, the Designated Election Official shall cancel the Election and by Resolution declare the candidates elected. Notice of such cancellation shall be published and posted in accordance with the Code.

8. Severability. 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.

9. Repealer. 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.

10. Effective Date. The provisions of this Resolution shall take effect immediately.

ADOPTED AND APPROVED this 3 day of February 2012.

Secretary

(SEAL)

Fort Garland Water and Sanitation District
Costilla County, Colorado

Election Day May 8th, 2012

Use the questions received for the election from counsel

PROCEDURAL INSTRUCTIONS: This is a sample resolution only. Please review use with your attorney.