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Industrial Park Water and Sanitation District

Received
APR 25 2012
Dept. of Local Affairs

April 18, 2012

Division of Local Governments
1313 Sherman St Room 521
Denver CO 80203

Gentlemen:

Enclosed is a copy of a resolution adopted by the Board of Directors at a meeting on March 23, 2012 cancelling the election scheduled for May 8, 2012. Also enclosed is a copy of the Notice of Cancellation as published in the Metrowest newspaper.

The Board of Directors of Industrial Park Water and Sanitation District are as follows:

Mr. Steve Knight
6157 Moore St
Arvada CO 80004 4 Yr. Term

Mr. Charles Atkinson
7033 E. 49th Ave
Commerce City CO 80022 4 Yr. Term

Mr. Steven Appleman
3250 Iris Court
Wheat Ridge CO 80033 4 Yr. Term

Mr. Martin E. Brotzman
9201 E. Mississippi Ave
Denver CO 80247 2 Yr. Term

Mr. Jim Behmer
4970 Niagara St
Commerce City CO 80022 2 Yr. Term

Yours very truly,

INDUSTRIAL PARK WATER & SANITATION DISTRICT

Kearby Cotter

Kearby Cotter, General Mgr.

6625 East 49th Avenue • Commerce City, Colorado 80022 • 303-287-1624

NOTICE OF CANCELLATION
and
CERTIFIED STATEMENT OF RESULTS

1-5-208(1.5), 1-10-203, 32-1-104, C.R.S.

NOTICE IS HEREBY GIVEN by the Industrial Park Water & Sant District, Adams County, Colorado, that at the close of business on the sixty-third 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 8, 2012 is hereby canceled pursuant to section 1-5-208(1.5), C.R.S.

The following candidates are hereby declared elected:

(name)	(2 or 4 year term)	
Steve Knight	4	until May, 20 16
Charles Atkinson	4	until May, 20 16
Steven Appelman	4	until May, 20 16
		until May, 20 ___

(Signature of the Designated Election Official)

L. Kearby Cotter
(DEO's Printed Name)

Contact Person for the District: Leann Herrman
Telephone Number of the District: 303-287-1624
Address of the District: 6625 Ea. 49th Ave., Commerce City CO 80022
District Facsimile Number: 303-288-7164
District Email: industrialparkwandsdistrict@msn.com

PROCEDURAL INSTRUCTIONS: Sample only. Review with attorney. Publish (CRS 1-1-104(34) publication defined) and post at all polling places, in the office of the Designated Election Official, and in the office of the County Clerk and Recorder. File a copy of this notice with the resolution canceling the election, oaths of office, and a current faithful performance bond for each director with the Division of Local Government, 1313 Sherman St., Rm., 521, Denver, CO 80203 no later than 30 days after the date of the regular election. The board or DEO shall notify all candidates that the election was cancelled and that they have been elected by acclamation. The original notice is to be kept on file with the special district as part of the official election records.

REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
INDUSTRIAL PARK WATER AND SANITATION DISTRICT

The regular meeting of the Board of Directors of Industrial Park Water and Sanitation District was held on March 23, 2012 at 11:00 a.m. at the District offices at 6625 Ea. 49th Ave., Commerce City, Colorado.

Those present were:
Steve Knight, Chairman
Charles Atkinson, Vice President
Steve Appleman, Secretary
Marty Brotzman, Treasurer
Jim Behmer, Director
Roger Smades, District Engineer
Rick DeWitt, District Attorney
Kearby Cotter, District Manager

The meeting was called to order by Chairman Knight.

The minutes of the last meeting were discussed. Motion to approve the minutes was made by Charles Atkinson. Steve Appleman seconded the motion. Motion carried.

The Financial Statement, the Accounts Receivables, and the Accounts Payables were reviewed and discussed. In-as-much as there was nothing unusual on any of the above, motion was made by Marty Brotzman to approve the Financial Statement and pay the bills. Steve Appleman seconded the motion which passed.

It has been noted that the billing from So. Adams County Water & Sanitation to Sapp Bros. has dropped from $1,800 per month to $300 per month. South Adams County checked their meter and found that it was not working. This has resulted in a huge drop in revenue for the District. After bringing this to the attention of So. Adams County and their replacing the meter, they indicated that no changes would be made in their past billings to Sapp Bros. because they could not prove the water usage.

Mr. Cotter reported to the Board that Stout Street Foundation is still not satisfied because the District has not given them a break on water usage due to their landscaping. During the meeting each member of the Board was vehemently opposed to granting this request. Mr. Cotter was instructed to write a letter to Stout Street Foundation questioning their use of a 2" meter on such a small facility. The water that is going through their meter is going somewhere and the burden of ascertaining where is up to Stout Street and not on the District.

The May 8, 2012 Special District Election indicates that our District did not have more candidates than offices to be filled. Therefore, in accordance with CRS 1-5-208(1.5) of the Special District Election Code it is

"RESOLVED, that the election is cancelled and the candidates seeking office are hereby elected".

The Oath of Office was signed by each newly elected member of the Board.

There being no further business to come before the meeting and upon motion made by Steve Appleman, seconded by Charles Atkinson, and carried, the meeting was adjourned at 11:30 a.m.

_____
Secretary

PROOF OF PUBLICATION
COMMERCE CITY SENTINEL EXPRESS
COUNTY OF ADAMS SS.
STATE OF COLORADO

I, Allen Messick, do solemnly swear that I am the Publisher of the **Commerce City Sentinel Express** the same is a weekly newspaper printed and published in the County of Adams, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said county of Adams 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 laws 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 ONE consecutive insertion(s);** and that the first publication of said notice was in the issue of newspaper, dated **10th** day **of APRIL 2012** and the last on the **10th** day **of APRIL 2012**

Publisher, Subscribed and sworn before me, this
10th day **of APRIL 2012**

Bobi Lopez

Notary Public.

BOBI LOPEZ NOTARY PUBLIC STATE OF COLORADO
My Commission Expires
05/02/2014

NOTICE OF CANCELLATION OF REGULAR ELECTION BY THE DESIGNATED ELECTION OFFICIAL

NOTICE IS HEREBY GIVEN BY THE Industrial Park Water & Sanitation District, Adams County, Colorado, that at the close of business on the sixty-third 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 8, 2012 is hereby cancelled pursuant to 1-5-208(1.5), C.R.S.

The following candidates are declared elected:

Steve Knight 4 year term
Charles Atkinson 4 year term
Steven Appelman 4 year term

Kearby Cotter
Designated Election Official
Industrial Park Water & Sanitation District
6625 Ea. 49th Ave.
Commerce City, CO 80022
303-287-1624

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