

64182

# PROOF OF PUBLICATION

STATE OF COLORADO } SS  
County of Chaffee

I, MERLE J. BARANCZYK,  
Being first duly sworn according to law, on oath depose and say, that I am, and at all the times herein mentioned, was the publisher of the Mountain Mail and that said Mountain Mail is a daily newspaper of general circulation, in said County and State, printed and published in the City of Salida, County of Chaffee and State of Colorado, and that copies of each number thereof are, and at all the times herein mentioned were, regularly distributed and delivered, by carrier or mail, to each of the subscribers said newspaper, in accordance with the customary method of business in newspaper offices.

That the annexed PUBLIC NOTICE-CANCELLATION OF ELECTION-SOUTH ARKANSAS FIRE PROTECTION DISTRICT

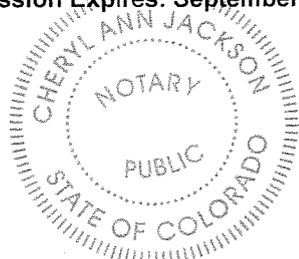
In the matter of CORDOVA LAW FIRM, LLP

This a true copy of the original, and the same was regularly published in the newspaper proper and not in a supplement, for the full period of ONE (1) INSERTION of said newspaper, and that the first publication was in the issue dated MARCH 16<sup>TH</sup>, 2012 and that the last publication of the same was in the issue dated MARCH 16<sup>TH</sup>, 2012

at the said Mountain Mail has been established, printed and published for the full period of fifty-two consecutive weeks, and continuously and uninterruptedly prior to the said date of the first publication of the notice aforesaid, in the City of Salida, County of Chaffee and State of Colorado, and is a newspaper duly qualified for the publishing of said notice within the meaning of an Act of the General Assembly of the State of Colorado, approved May 30th, 1923, and entitled "An act to Amend an Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers thereof, and to Repeal all Acts and Parts of Acts in Conflict with the Provisions of this Act'," and within the meaning of an Act amendatory thereof, approved May 18th, 1931 and entitled "An Act to Amend Section 4, of Chapter 139, Session Laws 'of Colorado, 1923, relating to Legal Notices and Advertisements," and within the meaning of any and all other Acts amendatory thereof or supplemental thereto. And further affiant saith not.

The above certificate of publication was subscribed and sworn to before me by the above named Merle J. Baranczyk who is personally known to me to be the identical person described in the above certificate, on the 16<sup>TH</sup> Day of MARCH, 2012 A.D. FEIN # 84-0718607

**CHERYL ANN JACKSON, NOTARY PUBLIC**  
My Commission Expires: September 13th, 2014



**PUBLIC NOTICE  
NOTICE OF CANCELLATION**  
1-5-208(1.5),32-1-104, C.R.S.  
NOTICE IS HEREBY GIVEN by the SOUTH ARKANSAS FIRE PROTECTION DISTRICT, Chaffee and Fremont Counties, 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:  
JAMES J. SCANGA 2 year term until May, 2014  
WES WAGNER 4 year term until May, 2016  
HAROLD STARBUCK 4 year term until May, 2016  
RICHARD C. SHOVALD 4 year term until May, 2016  
/s/ Pete Cordova  
(Signature of the Designated Election Official)  
Pete Cordova, Esq.  
(DEO's Printed Name)  
Contact Person for the District: James J. Scanga  
Telephone Number of the District: 719-539-2212  
Address of the District: P O Box 393, Salida, CO, 81201  
149 East 1st Street, Salida, CO, 81201  
District Facsimile Number: 719-539-3192  
District Email: firechief@cityofsalida.com  
Published in The Mountain Mail March 16, 2012

**CPAXLP**

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

(If the Designated Election Official cancels election)

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

SOUTH ARKANSAS FIRE PROTECTION DISTRICT  
CHAFFEE AND FREMONT COUNTIES, 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 March 8, 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 8<sup>th</sup> day of May, 2012, by formal resolution and

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

<u>James J. Scanga</u> (name)	<u>9746 County Road 156, Salida, CO, 81201</u> (address)	<u>2 year term</u> (year term)
<u>Wes Wagner</u> (name)	<u>7210 McCoy Street, Salida, CO, 81201</u> (address)	<u>4 year term</u> (year term)
<u>Harold Starbuck</u> (name)	<u>7110 County Road 125, Salida, CO, 81201</u> (address)	<u>4 year term</u> (year term)
<u>Richard C. Shovard</u> (name)	<u>716 Park Avenue, Salida, CO, 81201</u> (address)	<u>4 year term</u> (year term)

Signed by: \_\_\_\_\_  
(Designated Election Official)

Contact Person for the District: James J. Scanga

Telephone Number of the District: 719-539-2212

Address of the District: P O Box 393, Salida, CO, 81201  
149 East 1<sup>st</sup> Street, Salida, CO, 81201

**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 FOR 2012 REGULAR DISTRICT ELECTION**

**SOUTH ARKANSAS FIRE PROTECTION DISTRICT  
RESOLUTION NO. 2012-01**

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

WHEREAS, the terms of office of Directors James J. Scanga, Richard C. Shovald, Harold Starbuck and Wes Wagner shall expire after their successors are elected at the regular special District election to be held on May 8, 2012 ("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"), and the Election must be conducted to elect three (3) Directors to serve for a term of four (4) years and one (1) Director to serve for a term of two (2) years; and

NOW, THEREFORE, be it resolved by the Board of Directors of the South Arkansas Fire Protection District in the Counties of Chaffee and Fremont, State of Colorado that:

1. The regular election of the eligible electors of the District shall be held on May 8, 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 the time, three (3) Directors will be elected to serve a four-year term and one (1) Director will be elected to serve a two-year term.

2. There shall be one election precinct for the convenience of the eligible electors of the District, the boundaries of which shall be identical to the boundaries of the District, and there shall be two polling place(s) at the following location(s):

1. Buena Vista Community Center  
715 East Main Street  
Buena Vista, CO 81211
2. Heart of the Rockies Regional Medical Center  
1000 Rush Drive  
Salida, CO 81201

situated in the County of Chaffee, State of Colorado. The polling place located at Heart of the Rockies Regional Medical Center shall also be 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 the District (who are also eligible electors in other special districts with overlapping boundaries which are conducting elections on the 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.

3. Self-Nomination and Acceptance forms are available at the Designated Election Official's office located at 1604 H Street, Salida, Colorado, 81201. All candidates must file a Self-Nomination and Acceptance form with the Designated Election Official no later than the close of business (time: 5:00 p.m.) on Friday, March 2, 2012.

4. If the only matter before the electors is the election of Directors of the District and if, at the close of business on March 6, 2012, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent no later than March 5, 2012, 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.

5. 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.

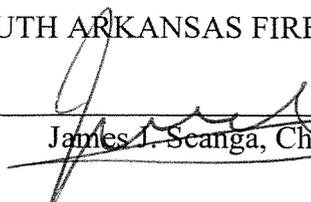
6. Any and all actions previously taken by the Designated Election Official or the Secretary of the Board of Directors or any other persons acting on their behalf pursuant to the Act, the Code or other applicable laws, are hereby ratified and confirmed.

7. 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.

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

ADOPTED AND APPROVED this 6<sup>th</sup> day of February, 2012.

SOUTH ARKANSAS FIRE PROTECTION DISTRICT

By   
James L. Scanga, Chairman

ATTEST:

By   
Wes Wagner, Secretary/Treasurer

2012-02

**RESOLUTION  
APPOINTING A DESIGNATED ELECTION OFFICIAL AND  
AUTHORIZING DESIGNATED ELECTION OFFICIAL  
TO CANCEL ELECTION**

32-1-804(2), 1-1-111(2), 1-5-208(1.5), C.R.S.

**WHEREAS**, pursuant to 32-1-804(2), C.R.S., the Board of Directors of the South Arkansas Fire Protection District, Chaffee and Fremont Counties, Colorado is authorized to designate a Designated Election Official to exercise the authority of the Board in conducting the election, and

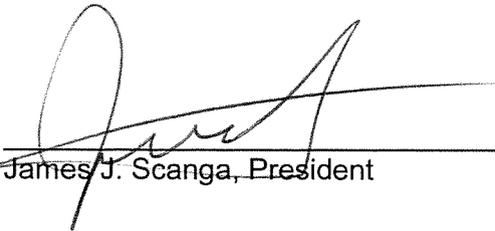
**WHEREAS**, pursuant to 1-5-208, C.R.S., the Board can authorize the Designated Election Official to cancel the election upon certain conditions;

**NOW THEREFORE**, be it resolved by the Board of Directors of the South Arkansas Fire Protection District, Chaffee and Fremont Counties, Colorado that:

1. the Board hereby has named Pete Cordova, Esq., of the Cordova, Law Firm, LLP as the Designated Election Official for the regular special district election scheduled for the 8<sup>th</sup> day of May, 2012.
  
2. the Board hereby authorizes and directs the Designated Election Official, if the only matter before the electors is the election of persons to office, to cancel said election and declare the candidates elected, if at the close of business on the sixty-third day before the election there are not more candidates than offices to be filled, including candidates filing affidavits of intent to run as write-in candidates.
  
3. the Board further authorizes and directs the Designated Election Official to publish and post a Notice of Cancellation of Election at each polling place and in the offices of the Designated Election Official, the County Clerk and Recorder of Chaffee and Fremont, each county in which the district is located, and file with the Division of Local Government. The Designated Election Official shall also notify the candidates that the election was cancelled and they are elected by acclamation.

Adopted and approved this 6<sup>th</sup> day of February, 2012, by the Board of Directors of the South Arkansas Fire Protection District, Chaffee and Fremont Counties, Colorado.

(SEAL)



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James J. Scanga, President



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Wes Wagner, Secretary/Treasurer

# PROOF OF PUBLICATION

STATE OF COLORADO } SS

County of Chaffee

I, MERLE J. BARANCZYK,

Being first duly sworn according to law, on oath depose and say, that I am, and at all the times herein mentioned, was the publisher of the Mountain Mail and that said Mountain Mail is a daily newspaper of general circulation, in said County and State, printed and published in the City of Salida, County of Chaffee and State of Colorado, and that copies of each number thereof are, and at all the times herein mentioned were, regularly distributed and delivered, by carrier or mail, to each of the subscribers said newspaper, in accordance with the customary method of business in newspaper offices.

That the annexed PUBLIC NOTICE-CALL FOR NOMINATIONS-SOUTH ARKANSAS FIRE PROTECTION DISTRICT

In the matter of CORDOVA LAW FIRM, LLP

This a true copy of the original, and the same was regularly published in the newspaper proper and not in a supplement, for the full period of ONE (1) INSERTION of said newspaper, and that the first publication was in the issue dated FEBRUARY 16<sup>TH</sup>, 2012 and that the last publication of the same was in the issue dated FEBRUARY 16<sup>TH</sup>, 2012

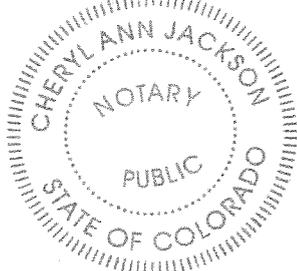
at the said Mountain Mail has been established, printed and published for the full period of fifty-two consecutive weeks-, and continuously and uninterruptedly prior to the said date of the first publication of the notice aforesaid, in the City of Salida, County of Chaffee and State of Colorado, and is a newspaper duly qualified for the publishing of said notice within the meaning of an Act of the General Assembly of the State of Colorado, approved May 30th, 1923, and entitled "An act to Amend an Act Entitled 'An Act Concerning Legal Notices, Advertisements and Publications and the Fees of Printers and Publishers thereof, and to Repeal all Acts and Parts of Acts in Conflict with the Provisions of this Act,'" and within the meaning of an Act amendatory thereof, approved May 18th, 1931 and entitled "An Act to Amend Section 4, of Chapter 139, Session Laws 'of Colorado, 1923, relating to Legal Notices and Advertisements," and within the meaning of any and all other Acts amendatory thereof or supplemental thereto. And further affiant saith not.



The above certificate of publication was subscribed and sworn to before me by the above named Merle J. Baranczyk who is personally known to me to be the identical person described in the above certificate, on the 16<sup>TH</sup> Day of FEBRUARY, 2012 A.D. FEIN # 84-0718607



**CHERYL ANN JACKSON, NOTARY PUBLIC**  
My Commission Expires: September 13th, 2014



## PUBLIC NOTICE A CALL FOR NOMINATIONS (NOTICE BY PUBLICATION OF)

32-1-804.1; 32-1-804.3, 1-1-104(34),  
32-1-905(2), C.R.S.

**TO WHOM IT MAY CONCERN,** and, particularly, to the electors of the SOUTH ARKANSAS FIRE PROTECTION DISTRICT of CHAFFEE AND FREMONT County(ies), Colorado.

**NOTICE IS HEREBY GIVEN** that an election will be held on the 8TH day of May, 2012, between the hours of 7:00 a.m. and 7:00 p.m. At that time, 3 directors will be elected to serve 4-year terms and 1 director will be elected to serve 2-year\* term. Eligible electors of the South Arkansas Fire Protection District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official (DEO):

Pete Cordova, Esq. (Designated Election Official)

1604 'H' Street  
Salida, CO 81201  
(719) 539-6679

The Office of the DEO is open on the following days: Monday through Friday from 9:00 a.m. to 5:00 p.m.

If the DEO determines that a Self-Nomination and Acceptance form is not sufficient, the eligible elector who submitted the form may amend the form once, at any time, prior to 3:00 p.m. on **Friday, March 2, 2012**. The deadline to submit a Self-Nomination and Acceptance is close of business on Friday, March 2, 2012 (not less than 67 days before the election). Earlier submittal is encouraged as the deadline will not permit curing an insufficient form. Affidavit of Intent To Be A Write-In-Candidate forms must be submitted to the office of the designated election official by the close of business on **Monday, March 5, 2012** (the sixty-fourth day before the election).

**NOTICE IS FURTHER GIVEN,** an application for a mail-in ballot shall be filed with the designated election official no later than the close of business on **Friday, May 4, 2012**, except that, if the applicant wishes to receive the mail-in ballot by mail, the application shall be filed no later than the close of business on **Tuesday, May 1, 2012**.

SOUTH ARKANSAS FIRE PROTECTION DISTRICT  
/s/ Pete Cordova  
Designated Election Official Signature  
Published in The Mountain Mail February 16, 2012

# AFFIDAVIT OF PUBLICATION

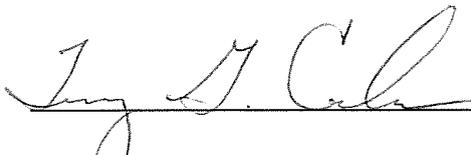
# DAILY RECORD

State of Colorado  
 County of Fremont

I, the undersigned agent, do solemnly swear that the CANON CITY DAILY RECORD is a daily newspaper published in the City of Canon City, County of Fremont, State of Colorado, and which has general circulation therein and in parts of Fremont, Park and Chaffee Counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of 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 daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

That the annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated

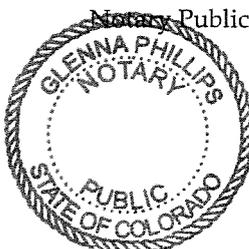
February 9, 2012.

  
 \_\_\_\_\_  
 Agent

Subscribed and sworn to before me this 9th day of February, 2012.

  
 \_\_\_\_\_  
 Notary Public

FEE \$ 32.64



MY COMMISSION EXPIRES 07/17/2012

**CALL FOR NOMINATIONS  
 (NOTICE BY  
 PUBLICATION)**  
 32-1-904.1; 32-1-904.3  
 1-1-104(34), 32-1-905(2), C.R.S.  
**TO WHOM IT MAY CONCERN,** and particularly, to the electors of the SOUTH ARKANSAS FIRE PROTECTION DISTRICT of CHAFFEE AND FREMONT Counties, Colorado

**NOTICE IS HEREBY GIVEN** that an election will be held on the 8th day of May, 2012, between the hours of 7:00 a.m. and 7:00 p.m. At that time, 3 directors will be elected to serve 4-year terms and 1 director will be elected to serve 2-year\* term. Eligible electors of the South Arkansas Fire Protection District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official (DEO):  
 Pete Cordova  
 1604 'H' Street  
 Salida, CO 81201  
 (719) 593-6679

The office of the DEO is open on Monday through Friday from 9:00 a.m. to 5:00 p.m. If the DEO determines that a Self-Nomination and Acceptance form is not sufficient, the eligible elector who submitted the form may amend the form once, at any time, prior to 3:00 p.m. on Friday, March 2, 2012. The deadline to submit a Self-Nomination and Acceptance form is close of business on Friday, March 2, 2012 (not less than 67 days before the election). Earlier submittal is encouraged as the deadline will not permit curing an insufficient form. Affidavit of Intent to Be a Write-In Candidate forms must be submitted to the office of the Designated Election Official by the close of business on Monday, March 5, 2012 (the 64th day before the election).

**NOTICE IS FURTHER GIVEN** that application for an absentee (mail-in) ballot shall be filed with the Designated Election Official no later than the close of business on Friday, May 4, 2012, except that, if the applicant wishes to receive the mail-in ballot by mail, the application shall be filed no later than the close of business on Tuesday, May 1, 2012.

**SOUTH ARKANSAS FIRE PROTECTION DISTRICT**  
 /s/ Pete Cordova, DEO  
 Published in the Canon City Daily Record on February 9, 2012.  
 Ad # 5539906

# AFFIDAVIT OF PUBLICATION

# DAILY RECORD

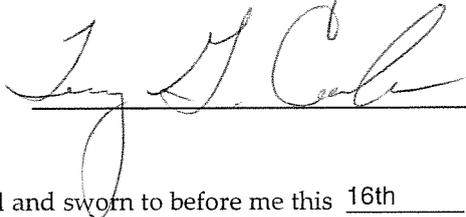
State of Colorado

County of Fremont

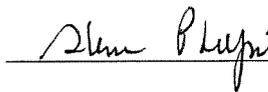
I, the undersigned agent, do solemnly swear that the CANON CITY DAILY RECORD is a daily newspaper published in the City of Canon City, County of Fremont, State of Colorado, and which has general circulation therein and in parts of Fremont, Park and Chaffee Counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of 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 daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

That the annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated

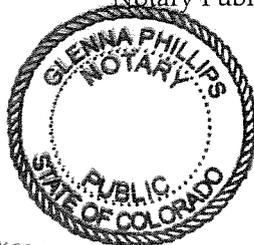
March 16, 2012.

  
Agent

Subscribed and sworn to before me this 16th day of  
March, 2012.

  
Notary Public

FEE \$ 23.12



MY COMMISSION EXPIRES 07/17/2012

#### NOTICE OF CANCELLATION

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

NOTICE IS HEREBY GIVEN by the SOUTH ARKANSAS FIRE PROTECTION DISTRICT, Chaffee and Fremont Counties, 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:

JAMES J. SCANGA,  
2 year term until May, 2014

WES WAGNER, 4 year term until May, 2016

HAROLD STARBUCK,  
4 year term until May 2016

RICHARD C. SHOVALD,  
4 year term until May, 2016

is/ Pete Cordova, Esq.,  
Designated Election Official

Contact Person for the District: James J. Scanga  
Telephone Number of the District: 719-539-2212  
Address of the District: P O Box 393, Salida, CO 81201  
149 East 1st Street, Salida, CO 81201  
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Published in the Canon City Daily Record on March 16, 2012. Ad # 5543468