

49020

March 21, 2012

VIA CERTIFIED MAIL

Division of Local Government
Attn.: Joseph McConnell
1313 Sherman Street, Room 521
Denver, CO 80203

Re: Cancellation of 2012 Starwood Metropolitan District Election

Dear Mr. McConnell:

Enclosed herewith in connection with the cancellation of the 2012 Starwood Metropolitan District election are the following documents submitted in accordance with Section 1-5-208(6), Colorado Revised Statutes:

1. Updated local government contact information as required by Section 32-1-104, Colorado Revised Statutes;
2. Copy of the Notice of Cancellation; and
3. Copy of Election Resolution No. 1 (2012) authorizing me as the Designated Election Official to cancel the election (see subsection 6).

Please call if you have any questions.

Sincerely,

Heather Dresser

Heather Dresser
Secretary and DEO, Starwood Metropolitan District



NOTICE OF CANCELLATION

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

NOTICE IS HEREBY GIVEN by the Starwood Metropolitan District, Pitkin 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 section 1-5-208(1.5), C.R.S.

The following candidates are hereby declared elected:

Robert Magoon 4 year term until May, 2016

Jerome "Jay" Webster 4 year term until May, 2016

Heather Dresser
(Signature of the Designated Election Official)

Heather Dresser
(DEO's Printed Name)

Contact Person for the District: Heather Dresser
Telephone Number of the District: 970-925-8939
Address of the District: 121 Stewart Drive, Aspen, CO 81611
District Facsimile Number: 970-925-5870
District email: heather@starwood.org

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

(If the Designated Election Official cancels election)

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

STARWOOD METROPOLITAN DISTRICT,

PITKIN 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 May 8, 2012; and
(date of election)

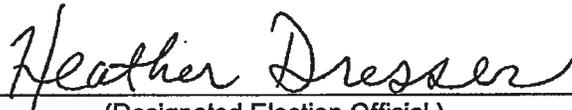
WHEREAS, the Designated Election Official has duly certified that there were not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates,

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 8th day of May, 20 12 by formal resolution and

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

<u>Jerome P. Webster Jr.</u>	<u>0574 Johnson Drive, Aspen, Colorado 81611</u>	<u>May 2012-May 2016</u>
(name)	(address)	(year term)
<u>Robert C. Magoon</u>	<u>0211 Danielson Drive, Aspen, Colorado 81611</u>	<u>May 2012-May 2016</u>
(name)	(address)	(year term)
_____	_____	_____
(name)	(address)	(year term)
_____	_____	_____
(name)	(address)	(year term)
_____	_____	_____
(name)	(address)	(year term)

Signed by: _____



(Designated Election Official)

Contact Person for the District: Heather Dresser

Telephone Number of the District: (970) 925-8939

Address of the District: 121 Stewart Drive, Aspen, Colorado 81611

PROCEDURAL INSTRUCTIONS: File this form with the Division of Local Government per §1-11-103(3).

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

**STARWOOD METROPOLITAN DISTRICT
RESOLUTION NO. 1 (2012)**

WHEREAS, the terms of office of Directors Robert C. Magoon and Jerome P. Webster will 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 two (2) Directors to serve for a term of four (4) years; and

NOW, THEREFORE, be it resolved by the Board of Directors of the Starwood Metropolitan District in the County of Pitkin, 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, two (2) Directors will be elected to serve a four-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 one polling place at the following location:

Starwood Metropolitan District Office
0121 Stewart Drive
Aspen, CO 81611

situated in the County of Pitkin, State of Colorado. The polling place located at the Starwood Metropolitan District Office 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. The Board of Directors hereby designates Heather Dresser 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 the Act, Code, TABOR or other applicable laws. The Election shall be

conducted in accordance with the Act, Code, TABOR 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. Applications for mail-in ballots (formerly known as an "absentee ballot") may be filed with the Designated Election Official at the Starwood Metropolitan District Office, no later than the close of business on the 7th day prior to the election (i.e. Tuesday, May 1, 2012), if the mail-in ballot is to be mailed to the elector, or until the close of business on the Friday immediately preceding the election (Friday, May 4, 2012), if the mail-in ballot will not be mailed to the elector.

5. The Designated Election official shall provide notice of publication of a call for nominations of the election as required by law (i.e. Wednesday February 8, 2012 through Thursday February 23, 2012). Self-Nomination and Acceptance forms are available at the Designated Election Official's office located at the above address. 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.

6. 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.

7. 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.

8. 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.

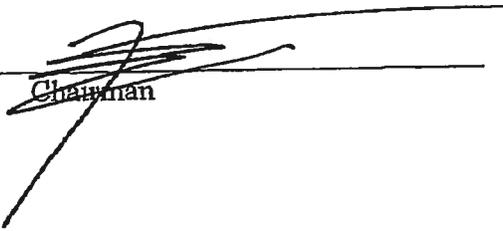
9. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

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

ADOPTED AND APPROVED this 30th day of January, 2012.

STARWOOD METROPOLITAN DISTRICT

By


Chairman

ATTEST:

By

Heather Dresser
Secretary