

**CANCELLATION OF ELECTION AND  
DECLARATION DEEMING CANDIDATES ELECTED FOR  
THREE SPRINGS METROPOLITAN DISTRICT NO. 1**

The Designated Election Official of the Three Springs Metropolitan District No. 1 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 (63<sup>rd</sup>) day before the election or thereafter, there are not more candidates than offices to be filled at the election to be conducted on May 3, 2022; and

As of the close of business on March 1, 2022, or thereafter, 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 1-13.5-513(1), C.R.S., the Designated Election Official hereby cancels the regular election to be conducted on May 3, 2022.

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

|   |                         |
|---|-------------------------|
| Jeff Miller<br>715 Prospector Avenue<br>Durango, Colorado 81301 | Three-Year Term to 2025 |
|---|-------------------------|

|  |                         |
|--|-------------------------|
| Patrick Morrissey<br>210 Valley View Circle<br>Durango, Colorado 81301 | Three-Year Term to 2025 |
|--|-------------------------|

|   |                         |
|---|-------------------------|
| Jon Penny<br>493 Monarch Crest Trail<br>Durango, Colorado 81301 | Three-Year Term to 2025 |
|---|-------------------------|

|  |                       |
|--|-----------------------|
| Mick Souder<br>266 River Birch Street<br>Durango, Colorado 81301 | One-Year Term to 2023 |
|--|-----------------------|

DATED this 7<sup>th</sup> day of March, 2022.



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Designated Election Official

Contact Person for District:

Paul R. Cockrel

Telephone Number of District:

Cockrel Ela Glesne Greher & Ruhland, P.C.  
(303) 218-7200

Address of District:

390 Union Boulevard, Suite 400  
Lakewood, Colorado 80228

**NOTICE OF CANCELLATION OF REGULAR ELECTION**  
**BY THE DESIGNATED ELECTION OFFICIAL FOR THE**  
**THREE SPRINGS METROPOLITAN DISTRICT NO. 1**

NOTICE IS HEREBY GIVEN by the Three Springs Metropolitan District No. 1, La Plata County, Colorado, that at the close of business on the sixty-third (63rd) day before the election or thereafter 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 3, 2022, is hereby cancelled.

The following candidates are declared elected:

|                   |                         |
|-------------------|-------------------------|
| Jeff Miller       | Three-Year Term to 2025 |
| Patrick Morrissey | Three-Year Term to 2025 |
| Jon Penny         | Three-Year Term to 2025 |
| Mick Souder       | One-Year Term to 2023   |

THREE SPRINGS METROPOLITAN  
DISTRICT NO. 1

/s/ Sarah Luetjen  
\_\_\_\_\_  
Designated Election Official

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## THREE SPRINGS METROPOLITAN DISTRICT NO. 1

### A RESOLUTION CALLING FOR THE 2022 REGULAR DISTRICT ELECTION AND APPOINTING A DESIGNATED ELECTION OFFICIAL

**WHEREAS**, the Three Springs Metropolitan District No. 1 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Article 1, C.R.S.; and

**WHEREAS**, the terms of office of Directors Morrissey, Penny, Vaughn and one vacancy shall expire after their successors are elected at the regular special district election to be held on May 3, 2022 (“**Election**”) and have taken office; and

**WHEREAS**, in accordance with the provisions of the Special District Act (the “**Act**”) and the Colorado Local Government Election Code (the “**Code**”) (the Act and the Code being referred to jointly as the “**Election Laws**”), the Election must be conducted to elect three (3) Directors to serve for a term of three (3) years and one (1) Director to serve for a term of one (1) year pursuant to Section 1-13.5-111, C.R.S., which moves the regular special district elections to May of each odd-numbered years commencing in May, 2023 and, in connection therewith, adjusts the length of terms served by Directors elected in 2020 and 2022 in order to implement the new election schedule.

**NOW, THEREFORE**, be it resolved by the Board of Directors of the Three Springs Metropolitan District No. 1 in the County of La Plata, State of Colorado that:

1. The regular election of the eligible electors of the District shall be held on May 3, 2022, between the hours of 7:00 a.m. and 7:00 p.m. pursuant to and in accordance with the Election Laws, and other applicable laws. At that time, three (3) Directors will be elected to serve a three-year term and one (1) Director to serve a one-year term.

2. The Election shall be conducted as a mail ballot election in accordance with all relevant provisions of the Election Laws. The Designated Election Official shall prepare the Plan for conducting the mail ballot Election. There shall be no election precinct or polling place. All mail ballots shall be returned to the Designated Election Official’s office, located at 4662 West Oxford Avenue, Denver, Colorado 80236.

3. The Board of Directors hereby designates Sarah H. Luetjen as the Designated Election Official for the conduct of the Election on behalf of the District and she is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Election Laws or 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, 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 the above address or email [sluetjen@cccfirm.com](mailto:sluetjen@cccfirm.com). All candidates

must file a Self-Nomination and Acceptance form with the Designated Election Official no earlier than January 1, 2022, nor later than the close of business on Friday, February 25, 2022.

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 1, 2022, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent no later than February 28, 2022, 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, the Secretary of the Board of Directors, or any other persons acting on their behalf pursuant to the Election Laws 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 this 8<sup>th</sup> day of December, 2021.

THREE SPRINGS  
METROPOLITAN DISTRICT NO. 1

By  Digitally signed by Patrick Morrissey  
Date: 2022.01.10 11:18:27 -07'00'  
Chairman

ATTEST:

By  Digitally signed by Jon Penny  
Date: 2022.01.10 12:03:35 -07'00'  
Secretary