

**NOTICE OF CANCELLATION OF REGULAR SPECIAL DISTRICT
ELECTION BY THE DESIGNATED ELECTION OFFICIAL**

1-13.5-513(1) and (6), C.R.S.

HORIZON METROPOLITAN DISTRICT NOS. 1 – 3

NOTICE IS HEREBY GIVEN by the Horizon Metropolitan District Nos. 1 – 3, Arapahoe County, Colorado, that at the close of business on the sixty-third (63rd) 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 3, 2022, is hereby canceled pursuant to Section 1-13.5-513(1) and (6), C.R.S.

The following candidates were declared elected by acclamation:

| | |
|---------------|---------------|
| David Crowder | May 2023 Term |
| Steven Oser | May 2023 Term |
| Karen Voit | May 2025 Term |
| Lisa Garcia | May 2025 Term |
| Jason Rutt | May 2025 Term |

HORIZON METROPOLITAN DISTRICT NOS. 1 – 3

/s/ Stacie L. Pacheco
Stacie L. Pacheco, Designated Election Official

Contact Person for the Districts:

Alan D. Pogue, Esq.
ICENOGLE SEAVER POGUE, P.C.
4725 South Monaco Street, Suite 360
Denver, Colorado 80237
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**RESOLUTION FOR CANCELLATION OF ELECTION,
DECLARATION DEEMING CANDIDATES ELECTED, AND
CERTIFICATE OF ELECTION RESULTS**

§§ 1-11-103(3), 1-13.5-513(1) and 32-1-104(1), C.R.S.

**HORIZON METROPOLITAN DISTRICT NO. 2
ARAPAHOE COUNTY, COLORADO**

WHEREAS, Stacie L. Pacheco, the Designated Election Official (“DEO”) for the Horizon Metropolitan District No. 2 (the “District”) has been duly authorized by a resolution of the Board of Directors of the District to cancel and declare candidates elected at the close of business on the sixty-third day before the special election to be conducted on May 3, 2022 (“Election”) if there are not more candidates than offices to be filled, including candidates filing affidavits of intent to be write-in candidates, a copy of which is attached hereto as **Exhibit A**; and

WHEREAS, there were not more candidates than offices to be filled, including candidates filing affidavits of intent to be write-in candidates, at the close of business on the sixty-third day before the Election.

NOW THEREFORE, the DEO hereby certifies that at the close of business on the sixty-third day before the Election there were not more candidates than offices to be filled, including candidates filing affidavits of intent to be write-in candidates. Therefore, the DEO hereby cancels the Election pursuant to Section 1-13.5-513(1), C.R.S. and declares the following candidates elected by acclamation for the following terms of office:

| <u>Name:</u> | <u>Addresses:</u> | <u>Terms:</u> |
|---------------|--|---------------|
| David Crowder | 925 N. Lincoln St, Unit 6F-S, Denver, Colorado 80203 | May 2023 |
| Steven Oser | 11861 Crescent Meadow Ave, Parker, Colorado 80134 | May 2023 |
| Karen Voit | 3125 Starling Court, Castle Rock, Colorado 80109 | May 2025 |
| Lisa Garcia | 5952 S. Vivian Court, Littleton, Colorado 8127 | May 2025 |
| Jason Rutt | 3735 Saint Paul St, Denver, Colorado 800205 | May 2025 |

HORIZON METROPOLITAN DISTRICT NO. 2


Stacie L. Pacheco, Designated Election Official

Contact Person for the District:

Alan D. Pogue, Esq.
ICENOGLE SEAVER POGUE, P.C.
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EXHIBIT A

**2022 REGULAR SPECIAL DISTRICT ELECTION
ON MAY 3, 2022**

RESOLUTION NO. 2021-12-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
HORIZON METROPOLITAN DISTRICT NO. 2
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 3, 2022**

A. The terms of the offices of Directors Garcia, Rutt and Voit shall expire upon the election of their successors at the regular election, to be held on May 3, 2022 (“**Election**”), and upon such successors taking office.

B. The terms of the offices to which Directors Crowder and Oser have previously been appointed expire upon their re-election, or the election of their successors at the Election, and upon such successors taking office.

C. In accordance with the provisions of the Special District Act (“**Act**”) and the Uniform Election Code (“**Code**”), the Election must be conducted to elect two (2) Directors to serve until the next regular election, to occur May 2, 2023, and three (3) Directors to serve until the second regular election, to occur May 6, 2025.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Horizon Metropolitan District No. 2 (the “**District**”) of the County of Arapahoe, Colorado:

1. Date and Time of Election. The Election 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 Act, Code, and other applicable laws. At that time, two (2) Directors shall be elected to serve until the next regular election, to occur May 2, 2023, and three (3) Directors shall be elected to serve until the second regular election, to occur May 6, 2025.

2. Precinct. The District shall consist of one (1) election precinct for the convenience of the eligible electors of the District.

3. Conduct of Election. The Election shall be conducted as an independent mail ballot election in accordance with all relevant provisions of the Code. The Designated Election Official shall have on file, no later than fifty-five (55) days prior to the Election, a plan for conducting the independent mail ballot Election.

4. Designated Election Official. Stacie Pacheco shall be the Designated Election Official 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, arrange for the required notices of election (either by mail or publication) and printing of ballots, and direct that all other appropriate actions be accomplished.

5. Call for Nominations. The Designated Election Official shall provide Call for Nominations as required under Section 1-13.5-501, C.R.S., as applicable.

6. Absentee Ballot Applications. NOTICE IS FURTHER GIVEN, pursuant to Section 1-13.5-1002, C.R.S., that applications for and return of absentee ballots may be filed with the Designated Election Official of the District, c/o Icenogle Seaver Pogue, P.C., 4725 S. Monaco St., Ste. 360, Denver, CO 80237, between the hours of 8:00 a.m. and 5:00 p.m., until the close of business on the Tuesday immediately preceding the Election (April 26, 2022).

7. Self-Nomination and Acceptance Forms. Self-Nomination and Acceptance Forms are available and can be obtained from the Designated Election Official for the District, c/o Icenogle Seaver Pogue, P.C., 4725 S. Monaco St., Ste. 360, Denver, CO 80237 and on the District's website at: <https://www.horizonmds.org/>.

8. Cancellation of Election. If the only matter before the electors is the election of Directors of the District and if, at 5:00 P.M. on March 1, 2022, the sixty-third day prior to the regular election, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent, 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 law.

9. 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 of Director's intention that the various provisions hereof are severable.

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

11. Effective Date. The provisions of this Resolution shall take effect as of the date adopted and approved by the Board of Directors of the District.

[SIGNATURE PAGE FOLLOWS]

**[SIGNATURE PAGE TO RESOLUTION
CALLING A REGULAR ELECTION FOR DIRECTORS
MAY 3, 2022]**

RESOLUTION APPROVED AND ADOPTED ON DECEMBER 7, 2021.

**HORIZON METROPOLITAN DISTRICT
NO. 2**

By: DocuSigned by:
Karen Voit
379D2811BD1C49D...

President

Attest: DocuSigned by:
Lisa Garcia
1B149D88D8E34D0...

Secretary