

NOTICE OF CANCELLATION OF REGULAR ELECTION
BY THE DESIGNATED ELECTION OFFICIAL FOR THE
BROADWAY STATION METROPOLITAN DISTRICT NO. 1

NOTICE IS HEREBY GIVEN by the Broadway Station Metropolitan District No. 1, City and County of Denver, 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:

Lisa Duker-Ingle Three-Year Term to 2025

Thomas M. Berger Three-Year Term to 2025

Vacancy Three-Year Term to 2025

BROADWAY STATION METROPOLITAN
DISTRICT NO. 1

/s/ Sarah H. Luetjen

Designated Election Official

Published on: April 4, 2022

Published in: The Daily Journal

**CANCELLATION OF ELECTION AND
DECLARATION DEEMING CANDIDATES ELECTED FOR
BROADWAY STATION METROPOLITAN DISTRICT NO. 1**

The Designated Election Official of the Broadway Station 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 (63rd) 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:

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|--|-------------------------|
| Lisa Duker-Ingle 1640 N. Humboldt Street Denver, Colorado 80218 | Three-Year Term to 2025 |
| Thomas M. Berger 1747 W. Spring Water Lane Highlands Ranch, Colorado 80129 | Three-Year Term to 2025 |
| Vacancy | Three-Year Term to 2025 |

DATED this 1st day of April, 2022.



Designated Election Official

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| Contact Person for District: | Paul R. Cockrel |
| Telephone Number of District: | Cockrel Ela Glesne Greher & Ruhland, P.C. (303) 218-7200 |
| Address of District: | 44 Cook Street, Suite 620 Denver, CO 80206 |

BROADWAY STATION METROPOLITAN DISTRICT NO. 1

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

WHEREAS, the Broadway Station 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 Berger, Ingle 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 (“**Act**”) and the Colorado Local Government Election Code (“**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 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 Broadway Station Metropolitan District No. 1 in the City and County of Denver, 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.

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 W. 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. 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 25th day of October, 2021.

BROADWAY STATION
METROPOLITAN DISTRICT NO. 1

By Mark Tompkins
Chairman

ATTEST:

By Lisa Ingle
Secretary