

NOTICE OF CANCELLATION OF REGULAR ELECTION
BY THE DESIGNATED ELECTION OFFICIAL FOR THE
BRIARGATE CENTER BUSINESS IMPROVEMENT DISTRICT

NOTICE IS HEREBY GIVEN by the Briargate Center Business Improvement District, El Paso County, Colorado, that at the close of business on February 28, 2023 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 2, 2023, is hereby cancelled.

The following candidates are declared elected:

Debby LaMotte

Four Year Term

Christopher Crawford

Four Year Term

BRIARGATE CENTER BUSINESS
IMPROVEMENT DISTRICT

By: /s/ Crystal Schott
Designated Election Official

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**CANCELLATION OF ELECTION AND
DECLARATION DEEMING CANDIDATES ELECTED FOR
BRIARGATE CENTER BUSINESS IMPROVEMENT DISTRICT**

The Designated Election Official of the Briargate Center Business Improvement District 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, there are not more candidates than offices to be filled at the election to be conducted on May 2, 2023; and

As of the close of business on February 28, 2023, 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 2, 2023.

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

Debby LaMotte	8127 Cedarstone Lane Colorado Springs, CO 80927	Four Year Term
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Christopher Crawford	4121 South Clermont Street Englewood, CO 8013	Four Year Term
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DATED this 13th day of March, 2023.



Designated Election Official

Contact Person for District:	Timothy J. Flynn, Attorney for the District Collins Cole Flynn Winn & Ulmer, PLLC 165 S. Union Boulevard, Suite 785 Lakewood, Colorado 80228 (720) 617-0080
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RESOLUTION NO. 2022-12-4

BRIARGATE CENTER BUSINESS IMPROVEMENT DISTRICT
EL PASO COUNTY, COLORADO

**A RESOLUTION CALLING FOR THE 2023 REGULAR DISTRICT ELECTION
AND APPOINTING A DESIGNATED ELECTION OFFICIAL**

WHEREAS, the Briargate Center Business Improvement District (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 Debby LaMotta and Chris Crawford shall expire after their successors are elected at the regular special district election to be held on May 2, 2023 (the “**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 two (2) Directors to serve for a term of four (4) years.

NOW, THEREFORE, be it resolved by the Board of Directors of the Briargate Center Business Improvement District in the County of El Paso, State of Colorado that:

1. The regular election of the eligible electors of the District shall be held on May 2, 2023, 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, 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 (1) polling place at the following location:

Management Office for The Promenade Shops at Briargate
1885 Briargate Parkway, Suite 503
Colorado Springs, Colorado 80920

This polling place shall also be 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 Crystal Schott 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 provide 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 from the Designated Election Official at Collins Cole Flynn Winn & Ulmer, PLLC, 165 S. Union Blvd., Suite 785, Lakewood, Colorado, or email cschott@cogovlaw.com. All candidates must file a Self-Nomination and Acceptance form with the Designated Election Official no earlier than January 1, 2023, nor later than the close of business on Friday, February 24, 2023.

5. If the only matter before the electors is the election of Directors of the District and if, at the close of business on February 28, 2023, there are not more candidates than offices to be filled at the Election, including candidates timely filing affidavits of intent no later than February 27, 2023, 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 7th day of December, 2022.

BRIARGATE CENTER BUSINESS
IMPROVEMENT DISTRICT

DocuSigned by:
By Eric Weisenstein
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Eric Weisenstein, Chair

ATTEST:

DocuSigned by:
By Madison Wilsmann
D2B6DEFC3F044FB
Madison Wilsmann, Secretary/Treasurer