

TOWN OF
MAGNOLIA SPRINGS

Resolution 2016-07

Resolution for Officer Elected Without Opposition

**STATE OF ALABAMA
BALDWIN COUNTY
TOWN OF MAGNOLIA SPRINGS**

WHEREAS, Sections §11-46-20 through §11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Sections §11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections §11-46-20 through §11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the Mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and


WHEREAS, said Section §11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the Town of Magnolia Springs has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying that fact that only one person filed a statement of candidacy for the office of Council Place 5 prior to the deadline and that the name of that person who filed such statement was Ben Dykema


NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Magnolia Springs, Alabama that Ben Dykema be and he is hereby declared duly elected to the office of Council Place 5 in the Town of Magnolia Springs for the term of office commencing on the first Monday in November, 2016, and

BE IT FURTHER RESOLVED, that the Mayor of the Town of Magnolia Springs be and he is hereby directed to issue a certificate of election to Ben Dykema for the office of Council Place 5 for such term pursuant to the provisions of Section §11-46-25, as amended.

Adopted this the 26th day of July, 2016


Kenneth D. Underwood – Mayor

ATTEST:


Karen S. Biel – Town Clerk