

**Resolution 2008-13**

**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**, Sections §11-46-43 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 Town Council, Place 2 prior to the deadline and that the name of that person who filed such statement was Joseph Sankey.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Magnolia Springs, Alabama that Joseph Sankey be and he is hereby declared duly elected to the office of Town Council, Place 2 in the Town of Magnolia Springs for the term of office commencing on the first Monday in November, 2008, 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 Joseph Sankey for the office of Town Council, Place 2 for such term pursuant to the provisions of Section §11-46-25, as amended.

Adopted this the 22<sup>nd</sup> day of July, 2008

  
Charles S. Houser – Mayor

ATTEST:

  
Karen S. Biel – Town Clerk