

ORDINANCE NO. O-2011-009

**AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS,
DECLARING UNOPPOSED CANDIDATES IN THE MAY 14, 2011
GENERAL CITY ELECTION; PROVIDING A SEVERABILITY
CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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WHEREAS, a general city election was called for May 14, 2011, for the purpose of electing three (3) members to the city council; and

WHEREAS, the city secretary has certified in writing that there is no proposition on the ballot; that no person has made a declaration of write-in candidacy; and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Section 2.053(a) of the Texas Election Code authorizes the city council to declare the candidates elected to office and to cancel the election:

NOW, THEREFORE, BE IT ADOPTED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

Section 1. The following candidates, who are unopposed in the May 14, 2011 general city election are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

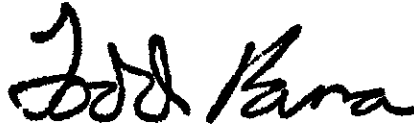
Council Position 1 Ann Sundquist for a two-year term ending May 2013; and
Council Position 2 Chris Schod for a two-year term ending May 2013;
and
Council Position 3 Jeff Chumley for a two-year term ending May 2013

Section 2. The May 14, 2011 general city election is cancelled, and the city secretary is directed to cause a copy of this ordinance to be posted on Election Day at each polling place that would have been used in the election.

Section 3. It is declared to be the intent of the city council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by judgment or decree of a court competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the city council would have enacted them without the invalid portion.

Section 4. This ordinance shall take effect upon its passage, and it is so ordained.

PASSED AND APPROVED ON THIS 12th DAY OF APRIL 2011.

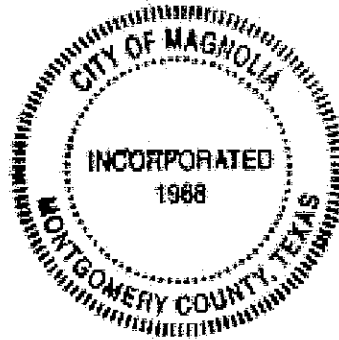


Todd Kana, Mayor

ATTEST:



Lynne George, TRMC, CPM
City Secretary



APPROVED AS TO FORM:

Leonard Schneider
City Attorney