

**ORDER DECLARING UNOPPOSED CANDIDATES ELECTED
TO OFFICE AND CANCELING DIRECTORS ELECTION**

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 §

WHEREAS, Coats Rose, P.C., the attorney for East Montgomery County Municipal Utility District No. 5 (the “District”), is the authority responsible for having the official ballot prepared for the District’s May 6, 2023 directors election (the “election”); and

WHEREAS, pursuant to the provisions of Section 2.052, Texas Election Code, as amended, Coats Rose, P.C. has certified in writing to the Board of Directors of the District that the candidates to be listed on the ballot for the election are unopposed, i.e., only one candidate’s name will appear on the ballot for each open position and no candidate’s name will be placed on a list of write-in candidates for the office of director of the District; and

WHEREAS, pursuant to the provisions of Section 2.053, Texas Election Code, as amended, the Board of Directors of the District has the authority to declare unopposed candidates elected to office; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 THAT:

Section 1: The Board of Directors of the District hereby declares the following unopposed candidate elected to the office of director of the District:

B. Layne Mashburn
Charles Prause

The candidate declared elected to office shall serve until the directors election in the year 2027, or until their successors have been duly elected or appointed and have qualified.

Section 2: Each candidate declared elected to office under this Order shall enter into the duties of his/her office and shall begin to serve his/her term of office after May 6, 2023, and upon posting bond in the amount of \$10,000, upon taking the constitutional oath of office, and upon acceptance of the bond and oath of office by the District’s Board of Directors.

Section 3: Pursuant to the provisions of Section 2.053(b), Texas Election Code, as amended, the election will not be held. A copy of this Order will be posted on election day at each polling place that would have been used in the election.

Section 4: The President and Secretary of the District's Board of Directors and Coats Rose, P.C. are hereby authorized and directed to take any action necessary to carry out the provisions of this Order.

PASSED AND APPROVED this 22nd day of February, 2023.

/s/ John Patterson
President, Board of Directors

ATTEST:

/s/ B. Layne Mashburn
Secretary, Board of Directors