

**THE HARBORS AT LAKE CHESTERFIELD HOMEOWNERS ASSOCIATION
RESOLUTION FOR VOTING PROCEDURE**

**COLLECTION OF BALLOTS FOR AMENDMENT OF INDENTURE AND ADOPTION OF
“DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS”**

THIS RESOLUTION is adopted this 21st day of June, 2021 by the Board of Directors (“Board”) of The Harbors at Lake Chesterfield Homeowners Association (“Association”), at a special meeting duly called and a quorum of directors being present.

WHEREAS, The Harbors at Lake Chesterfield (“Subdivision”) exists by virtue of the Indenture of Trust, The Harbors at Lake Chesterfield, St. Louis Missouri” recorded in Book 8055, Page 1865 and its associated SubIndenture and amendments thereto, in the records of St. Louis County, Missouri (“Indenture”); and

WHEREAS the Association is incorporated as a nonprofit corporation with the State of Missouri pursuant to Chapter 355 RSMo (“NPA”)with Charter Number N00037388; and

WHEREAS the Subdivision shall be administered by the Board pursuant to the Indenture and the NPA; and

WHEREAS, the Board wishes to adopt voting procedures for the collection of proxies for the proposed amendment of the Indenture and adoption of the “Declaration of Covenants, Conditions and Restrictions”.

NOW THEREFORE, the Association hereby adopts the following procedure for the administration of voting by the Owners on the proposed Declaration:

1. Voting will be conducted by collection of directed proxies which will serve as ballots for the collection of written approval of the amendment; They will serve as a directed proxy for the purpose of meeting quorum.
2. Each address will be designated a corresponding number. Every address will receive 1 ballot and 1 envelope with their corresponding number printed on it.
3. Notice of a Special Meeting stating the place, date and time will be posted to the website and emailed to all owners thirty days prior to the meeting.
4. Ballots will be held at the clubhouse for pickup; Ballots that have not been picked up after ten (10) days will be mailed to the Owners.
5. Owners will seal their ballot in the corresponding envelope and may return their ballot in person, or by mail to the clubhouse (150 Waterside Drive, Wildwood, MO 63040).
6. All ballots will be stored in a clear plastic box sealed with tamper evident tape.
7. Email reminders will be sent weekly to all owners.
8. At the meeting, the votes will be opened and read and tallied by a disinterested third-party individual. This individual shall be neither a member of The Harbors at Lake Chesterfield Homeowners Association nor a resident and shall have no stake in the outcome. Each ballot will be opened and the corresponding number will be read along with the result of the vote. This process will be recorded.

9. If the votes approving the amendment meet or exceed 453 (67% of 676 Owners), the amendment shall be deemed approved pending verification of the votes cast. If the votes rejecting the amendment meet or exceed 223 the amendment shall be deemed rejected pending verification of the votes cast. The pending tally of the votes and a new meeting date will be announced at the meeting, posted to the website and an email notice will be sent to the Owners announcing the pending outcome of the vote.
10. In the event that the votes tallied are not adequate to approve or reject the amendment, or in the event that after verification the votes tallied are not adequate to approve or reject the amendment, ballots will continue to be collected. The votes will be tallied on a weekly basis in the process described above. Each week the tally will be announced, posted to the website and an email notice will be sent to the Owners.
11. The results shall be certified by the third parties and their certification shall be acknowledged and recorded.
12. Ballots shall be retained as part of the official records of the Association.
13. Incomplete ballots will be set aside and the Owner will be notified in order to provide a complete ballot. If the corrected ballots would not impact the outcome of the vote tally, this step may be skipped.
14. Depending on the duration of this process, the disinterested third-party may vary for the purpose of tallying the votes.
15. A disinterested third party may require compensation for their time and participation in this process.

General Rules pertaining to ballots and voting include:

- 1 address equals 1 vote. If an Owner owns more than one address, he/she will receive a ballot for each address.
- Ballots must be cast and signed by the Owner of record on the date the ballot was signed.
- Notices/ballots will be mailed to the Owners according to the records of the Association. Verification of an Owner's mailing address may be conducted if a mailing is returned undeliverable or a ballot has not yet been cast.
- Only 1 vote per address may be counted. If multiple votes are received related to an address, the vote first dated shall be counted and the other marked as invalid. If neither are dated, then the first tallied vote shall be counted.

- If the address is in a trust, only the beneficiary of that trust is considered an Owner for the purposes of voting.
- If the address is in the name of a company or corporation, an authorized agent or officer is considered the owner for the purposes of voting.
- Renters are not permitted to vote.
- Ballots must be filled out in ink.
- Ballots received via fax or email will be rejected and the Owner will be asked to re-cast his/her vote as an original copy.
- Upon discovery of any Ballots cast without an envelope, the ballot will be placed in an envelope with the address' corresponding number printed on the outside.
- Ballots must have printed names and signatures.
- Ballots received with a vote and no signature will be deemed "incomplete".
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- Ballots received with no printed name will still be counted as long as they have a vote and a signature.
- All votes will be opened by a third party in a recorded session.
- All votes will be kept in a clear plastic box and sealed with tamper evident tape.
- The Board reserves the right to exercise any other fair and equitable means for soliciting votes from the Owners including but not limited to knocking on doors or placing phone calls.
- The Board may exercise any other rights and authority pursuant to the Indenture and the NPA in conducting this voting process that is not specifically stated herein including but not limited to accepting and/or rejecting votes in good faith.

THIS RESOLUTION is approved by the Board of Directors. This resolution shall be effective upon its execution and shall be published to the membership.