

RULES

60-Day Ballot Initiative

The following rules were adopted by unanimous consent at the Annual Membership Meeting on October 21, 2014.

I. PREPARATION

The Board of Directors shall prepare the ballots, oversee their distribution, ensure the security and integrity of the ballots collected, conduct the count to tally the votes, and report the results to the Members in accordance with these rules.

II. DISTRIBUTION

- a. The initiative shall begin on January 10, 2015 which is the date determined by the Board.
- b. All ballots shall be distributed in person, by certified mail, or electronically with evidence (written, printed or electronic) of receipt verification.

III. VOTING

- a. Proxy votes are prohibited.
- b. Voting instructions shall be included with each Ballot initiative.
- c. Each Ballot shall:
 - i. include a Voter ID number that is unique from all other owners which makes it possible to track an owner to their ballot should a recount be required where proof of homeowner participation is in question, AND
 - ii. include a front signature page with (1) the owner's name, (2) the address of the lot, and (3) the Voter ID number.
- d. The voting Member must sign the cover sheet for their votes to be valid.
- e. Any overarching vote to amend the CC&Rs, either in totem, by article, or by section shall be overruled by a contrasting vote to amend a specific article, section or subsection. Where an article, section or subsection is not voted, the overarching vote shall be counted as the prevailing vote.
 - i. For example, where a vote is cast both to approve all proposed amendments covering the entire instrument, and a vote or multiple votes are cast to disapprove specific subsections, then the votes cast to disapprove shall be counted as disapproved and all others shall be counted as approved.

IV. PERIOD OF VOTING

- a. Every homeowner shall be afforded as much as sixty (60) days to vote, after which time a homeowner forfeits their right to vote on the Initiative.
- b. Voting on initiatives shall remain open no fewer than ten (10) business days and

end when one of the following conditions is met;

- i. the sixtieth (60) day from the date of the last Ballot delivery and/or postmark of receipt confirmation or its return as either undeliverable or refused; or
- ii. the initiative meets the necessary number to pass; or
- iii. the Board establishes that the number of outstanding votes to pass is insufficient.

V. COLLECTION

- a. A special identifiable sealable self-addressed return envelope with return instructions shall accompany the Ballot(s).
 - i. **A mailbox located at 308 Partridge Drive, Rockwall, Texas, 75032, the home of the Board Secretary Glenna Brown, is the designated ballot repository.** *This mailbox is a securely locked box where homeowners may hand deliver or mail-in their ballots to this address.*
- b. All Ballots shall remain sealed, unopened in their return envelopes and remain unopened until the Board convenes for the purpose of tallying ballot votes.

VI. TALLYING BALLOTS

- a. The Board shall tally the votes in an open environment where Members may observe the proceedings during a Regular or Special meeting of the Board where the mater of tallying the votes is included as part of the agenda.
 - i. The Board may tally votes throughout the 60-day time period in accordance with these rules.
- b. Upon opening the return envelope containing the ballot:
 - i. the signature page shall be verified and validated to ensure that the printed name matches the signature on the signature page and the Ballot ID# number on the signature page matches the number on the ballot pages.
 - ii. The signature page shall first be removed and filed separately before the vote tally begins.

VII. NOTIFICATION OF RESULTS

- a. Within ten (10) days after voting ceases and the results on an initiative have been established, the Board will report the results to the Members via; (i) email and (ii) on the Homeowners' Association website.
- b. For approved initiatives & amendments, the Board shall include a copy or copies as attachments, downloadable files, or links to the website with the reported results.
- c. Members shall receive access to a copy or copies of instruments within fifteen-days (15) after the County records and returns the amended instrument.