

## **URGENT**

Please read and Reply

**Enclosed**- A Ballot to change the voting requirements in order to amend the covenants.

**History**- From 1972 until 1998 the association was run by the developer. He had sole control of the covenants and could change them at will. This was done several times. Since 1998 when the homeowners assumed control of the covenants, no changes have been made due to the difficulty in getting the required number of people to vote.

**Reason**- A number of rules in the covenants no longer apply, others are unclear and some violate state and federal law; for example, There is no longer a sub-divider yet he can still change the covenants at will, the rights of usage of the facilities are limited for owners while renters are given more leniency, and the definition of a "family" is outdated and not applicable to all homeowners.

Currently, the covenants can only be amended under two options:

- A. 66% or 2/3 of the board and 51% of the entire Membership (2414 votes)
- B. 66% or 2/3 of the entire membership (3124 votes) if the required board approval is not met

Considering the number of absentee owners, many of whom live out of state or out of country, covenant changes are almost impossible under the current standards.

**Conclusion**- The covenants will need to be changed in order to better suite our ever changing community. The existing rules make that virtually impossible. This ballot applies **only** to the number of votes required to pass any future amendments to the covenants.

**Action Requested**- Vote for or against on the enclosed ballot and return your ballot in the postage paid envelope by March 31, 2010.

**Caution**- If you do not return your ballot it will be considered a no vote.

**Please take a few moments to vote.**

**Proposal to Change  
the Consolidation of Declaration of Protective Property Rights and  
Restrictions of Holley by the Sea and Holley by the Sea Improvement  
Association, Inc.**

**Proposal**- Change voting requirements to read

- A. 66% or 2/3 of the Board of Directors and a **majority of votes cast with a minimum of 1,300 affirmative** votes of the membership
- B. 2,000 approved votes of the membership without the board approval

Vote: I am in favor of the proposal to amend requirements A&B

YES \_\_\_\_\_ NO \_\_\_\_\_

Signature \_\_\_\_\_ LOT & BLOCK # \_\_\_\_\_

Printed Name \_\_\_\_\_