

To: Cypress Island Owners

From: HOA Board of Directors

Topic: Petition submitted by Dave Jones

Dave Jones sent his self-authored by-law amendments to the board in October for inclusion at the annual meeting. The board initially rejected the amendments at that time because it was determined they were not in the best interest of the community. At that time the procedure as outlined in our by-laws using Article IV Section 3 for a homeowner to present by-law changes to the community was provided to Mr. Jones. In mid-November he sent his petition to Tetterton and the HOA president with 117 names. Once the petition was submitted there were several things that had to take place before a vote can be called. First, the names on the petition had to be validated as true and proper lot owners in Cypress Island. That has been completed, and Mr. Jones does have the required 115 certified names needed for a vote on the amendment changes. Second, the amendments need to be reviewed by our attorney to make sure they were drafted in legal language, and that none of them would conflict with current North Carolina law. Third, the board must vote on how an owners' vote should be handled. While the petition stated that the Board should conduct a mail ballot regarding these amendments instead of a called meeting, the board has a right to use a called meeting for a vote.

The Board will have to take an official vote at the January 7, 2010 meeting to handle the amendments on Mr. Jones' petition by calling a special meeting or to conduct the vote through mailed ballot. This meeting will be held at 7 PM at the club house. When these amendments are voted on, and if they are passed by the required vote (2/3 of the owners), they will then be recorded at the courthouse as written.

The last time amendments came before the owners, it took the board several months to get them prepared to be sent out. This is a long process and cannot be rushed. It is imperative that you, the owner, be given all the proper information on these proposed amendments changes.

This process costs time and money. It is estimated that with the printing, mailing, and attorney fees for this petition, we will pay approximately \$1000. Depending on what decision the board makes on the voting process, all owners will be sent the amendments and a proxy. We will also send explanations from the board and its attorney about the impact these amendments changes and modifications will have on the community. Mr. Jones is welcome to send you information on why he feels these amendments are needed. Please take the time to study them. How you vote can affect the community, its operating procedures, and your monthly fees in the future.