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Big Canoe POA

# Board of Directors

## A Notice from the POA Board Regarding the Ballot for the Capital Contribution Fee

On Saturday November 30, 2019, when many ballots were being delivered, a significant error was discovered. The proposed amendment was meant to be an additional section (Article VI, Section 15) to the existing Covenant. Instead, the proposed amendment indicated that the currently existing Article VI, Section 13 related to the Capital Reserve Fund and property owner votes regarding proposed capital additions, among other points, would be replaced by the proposed amendment authorizing the capital contribution fee. This is not correct and was included in the proposed amendment by counsel in error. The Board assures you that replacing current Article VI, Section 13 of the Covenants was not considered or discussed by the Board. Counsel acknowledged that he had made a drafting error, albeit a significant one.

Once this situation came to light, POA counsel was contacted and discussions about the Board's options to correct this began Sunday, December 1, 2019. The Board believes the appropriate action to take is to correct the ballot package and re-mail to all property owners with an extended due date to return the ballots. Once we know when the printer can revise and repackage the material, we will let you know specifics about timing. Counsel has agreed to reimburse the POA for all expenses associated with this re-mailing and to not bill for professional time spent dealing with this matter.

