



# Homeowner Association Directed Proxy Voting Form

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Homeowner Name: \_\_\_\_\_

Homeowner Address: \_\_\_\_\_

I direct The Association (Poudre Overlook HOA of Fort Collins, a non-profit corporation) to vote on my behalf at the Special Homeowners Member Meeting on March 19, 2024 in the exact manner described below. The Chair of the Meeting must place the votes/ballots without conditions when votes are called for each item.

1. AMEND BYLAWS: To to approve an amendment to the Association Bylaws to codify the manner and method of nominations and conduct of elections.

Article VI section 4 of the Association's Bylaws is amended to include the following:

"Nominations, including their seconds, for election to the Board of Directors shall be made from the floor at the meeting (Annual Members or otherwise) in which the election is held and may only be changed by the Board under extenuating circumstances (including but not limited to natural disaster or other county, state, or national emergency). Elections shall be by secret ballot of those present in person or by proxy. The person receiving the largest number of votes shall be elected. If the election is not contested, the nomination will convert to a motion to elect and the Director elected by a majority vote in favor of the motion. Cumulative voting is not permitted."

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

2. REGARDING ANY AMENDMENTS TO THE PROPOSED AMENDED BYLAW IN (1):

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

3. REGARDING ANY SUBSEQUENT AMENDED VERSIONS OF THE PROPOSED AMENDED BYLAW IN (1):

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

4. ELECTION OF DIRECTOR: "Hold an election for the currently vacant 2-year Director position"

We demand our ballot be cast for the following candidate whether nominated or not because nominations are not required by CCIOA, the Colorado Non-Profit Act, or POHOA Governing Documents:

NAME OF MEMBER TO BE DIRECTOR: \_\_\_\_\_

SIGNATURE OF VOTING MEMBER(S): \_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_

This form may be submitted in person at the meeting or transmitted via Telegram, Teletype, or other Electronic Means per POHOA Bylaws Article V Section 3(b)(2):

- 2) A member may appoint a proxy by transmitting or authorizing the transmission of a telegram, teletype, or other electronic transmission providing a written statement of the appointment to the proxy or to the Association; except that the transmitted appointment shall set forth or be transmitted with written evidence from which it can be determined that the member transmitted or authorized the transmission of the appointment.