

## **Vineyard Creek Estates**

### **Process for Proposing a Change to the Governing Documents**

***If you would like to amend the Governing Documents: The Declaration Notice Form would be the first step in requesting an amendment to the Governing Documents.***

#### **Process Steps**

Any member can submit a proposal to change or modify a VCE Bylaw or Declaration of Covenants, Conditions, & Restrictions (CCR). Per Section 7.4.2 of the Bylaws, there are certain requirements needed to pursue and approve such a change. Following is a summary of the process:

1. Submit a Declaration Notice
  - Identify the existing Bylaw or CCR to be changed
  - Identify the specific language proposed for the impacted Bylaw or CCR
  - Provide any information that might assist readers with understanding the context and background of the proposed change.
  
2. Official publication of the proposed change to the VCE Membership
  - After the declaration notice has been received by the Board, the VCE Secretary will publish the proposal to the neighbors, and schedule a Special Meeting as specified in Section 7.4 of the bylaws.
  - Depending upon the nature of the Bylaw/CCR proposal, a review by the HOA attorney may be required to ensure that the proposal is compliant with all local and state laws and restrictions.
  - A one-off request to change a single bylaw or CCRs for at the request of one homeowner (instead of a complete update to benefit all stakeholders) would need to be reviewed by an attorney and that cost would be the responsibility of the proposing member.
  
3. The board will release a proxy for the requestor to solicit votes.
  - Individuals, groups, and/or the Board can also publish/distribute opposing views
  - Individuals, groups, and/or the Board can also solicit votes
  
4. At the Special Meeting, the requestor can present the proposal, open discussion can occur, and votes will be tabulated.
  - All proxies must be returned to the Secretary by the specified date for validation and counting

**Declaration Notice** on next page

**NOTICE DECLARATION**

VINEYARD CREEK ESTATES

**Proposal Topic:** \_\_\_\_\_

**Meeting Date:** \_\_\_\_\_

(HOA Secretary to schedule)

**Location:** \_\_\_\_\_

(HOA Secretary to schedule)

**Pursuant to Section 7.4. of the bylaws, public notice must be provided to all members of the HOA stating the purpose of the Special Meeting as well as the date, time, and location of the meeting. Upon full completion of this Notice Declaration, the Secretary shall schedule a meeting to vote on the proposal. Generally, the meeting will be held within 14 days, but certain logistical considerations may result in a longer period of time before the meeting is scheduled. However, the meeting must be scheduled within 30 days (pursuant to Section 7.4.2 of the bylaws).**

- a) Identify the existing Bylaw or CCR to be changed:
  
- b) Identify the specific language proposed for the impacted Bylaw or CCR:
  
- c) Provide any relevant background information about the proposal:
  
- d) **Describe the Benefits to Other HOA Members:**
  
- e) **Describe any Negatives to Other HOA Members:**
  
- f) **Quantify Any Financial Cost or Risk To HOA:**
  
- g) **Who Pays the Legal Fees to Update Bylaws:**

**Declaration Sponsor (Please Print):** \_\_\_\_\_

**Declaration Sponsor (Written):** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_