

# **The Aviara Premier Collection**

## REPORT OF INSPECTOR OF ELECTION

I am the duly appointed and selected Inspector of Elections for the Annual Meeting of the Members of The Aviara Premier Collection, ("Association"), duly noticed for and held on March 24, 2022 ("Meeting"), made each of the following determinations and took the following actions, as required by Civil Code Section 5100 and Corporations Code Section 7614, and do hereby report as follows:

1. The number of Homeowners entitled to vote on matters reported below at the Meeting was 297.
2. There were present, in person, by proxy or by Secret Ballot, at said Meeting, 165.
3. It was determined that a quorum was obtained at the Meeting.
4. I verified the owner's information and signatures on the outside of each envelope and registered all ballots/envelopes received.
5. No person opened any ballot prior to the time and place where I counted and tabulated the ballots at the Meeting.
6. I opened the envelopes and then counted and tabulated votes cast in public at a properly noticed meeting of the Members. The tabulation is as follows:

### **Election of Directors**

Larry Cohen	100
Kristopher Garrett	21
Tom Leyva	50
Karen Turk	149

### **IRS Revenue Ruling 70-604 Election**

For: 125 Against: 7 Abstain: 28

### **Design Guideline Changes:**

*Add to the Design Guidelines the option of replacement residential windows of any make/Manufacturer with black window frames so long as it is complimentary to the corresponding color scheme.*

For: 97 Against: 59 Abstain: 6

*Add to the Design Guidelines the option of replacing existing residential wood fencing with Trex brand fencing, Winchester Grey (color closest to existing approved color Sherwin Williams Iron Ore)*

For: 98 Against: 56 Abstain: 8

## Enforcement Policy Changes

### ARC violations

Unauthorized Improvements (after hearing)	\$500.00
Per day until cured	\$100.00

### All other violations

1 <sup>st</sup> notice (after hearing)	\$250.00
2 <sup>nd</sup> notice (after hearing-same violation)	\$500.00
3 <sup>rd</sup> Notice (after hearing-same violation)	\$750.00
Continuing (same violation) Per day until cured	\$100.00

For: 53    Against: 97    Abstain: 12

I hereby certify and declare under penalty of perjury, that I counted, tabulated and determined the results of the votes at the Meeting. I performed all acts and have conducted the vote with fairness to all Members in accordance with the California Civil and Corporations Codes and all applicable rules of the Association regarding conduct of the election, including Civil Code Section 5100 *et seq.* I have performed my duties impartially, in good faith, to the best of my abilities and as expeditiously as is practical and that the count of ballots and the information contained in this Report and Certificate is accurate in all respects.

I have fulfilled all my legal duties pursuant to California Corporations Code Sections 7517, 7614 and all other applicable Corporations Code and Civil Code requirements.

### **INSPECTOR OF ELECTIONS**

Signature: 

Name: Lauren K. Roll

Date: March 24, 2022