

NORTHTOWN HOMEOWNERS' ASSOCIATION, INC.
POLICY & PROCEDURE TO AMEND COMMUNITY DOCUMENTS: CC&R's
Revised 6/28/17

Step One: Determine what is required to amend the documents.

■ Board of directors need verify document provision(s) outlining proper procedures to amend the CC&Rs.

... *in Northtown - CC&R Article 8: "This Declaration may be amended by an instrument signed by not less than seventy-five percent (75%) of the Lot Owners."*

■ Board of directors shall form a committee to research in preparation for the proposed amendment.

... *in Northtown - Volunteers & Costs required to draft, vet, proof, print, educate, mail and tally ballots.*

■ Amendment committee shall solicit the opinions of ALL member owners regarding CC&R changes to determine the *level* of **general membership interest** in the topic or perceived need for the amendment.

... *in Northtown - Bylaw Article 2 Section 2: "Special meetings of the membership may be called at any time by the President, by the Board of Directors, ... or upon written request of twenty-five (25%) percent of the Association's membership who are entitled to vote."*

Step Two: Draft the proposed changes.

■ It is required that the association's legal counsel review the documents and assist in the drafting of proposed changes during this step so that the documents are legally proper and enforceable. It is likely that we are not the first HOA to wish such a covenant restriction, so they may have already written one.

Step Three: Educate and solicit community support of the proposed changes.

■ Amendment committee shall also budget for and use informational meetings, homeowner input forums, presentation meetings, newsletters and other printed materials to educate and inform the membership.

■ The input and comments from all owners should be discussed by the board, amendment committee and legal counsel to incorporate any final changes to the proposed amendment at this time.

Step Four: Develop a reasonable time frame for obtaining approval of the proposed amendment.

■ The board, amendment committee and legal counsel shall create strategic steps for completion (receiving returned ballots) with a time line and proposed dates for voting. Ballots should be mailed to the owners and ballot return progress should be evaluated by the board's **election committee** every 30 days.

Step Five: Finalize and record the CC&R amendment.

■ Once the amendments have been approved by receipt of the properly notarized signatures of at least 211 owners [75% of 281 lots] the CC&R amendments must be placed into final form and recorded at the county recorder's office to become enforceable. Legal counsel should also assist with this process.