

**AMENDMENT TO THE BYLAWS OF  
THE RESERVE AT PATTERSON CREEK HOMEOWNERS ASSOCIATION**

**A) The first sentence of Section 3.6.6 Balloting is amended as follows:**

On each vote cast by written or electronic ballot, the Designated Voting Representative shall identify on the ballot the Lot number(s) for which the vote is cast.

**B) Section 3.6.8 Voting by Mail is deleted in its entirety and replaced with the following new Section 3.6.8 Voting by Mail or Electronic Transmission:**

3.6.8 Voting by Mail or Electronic Transmission. With regard to any matter for which Lot Owner approval is required, the Board may decide that voting shall be conducted without a meeting by mail, email, or other Electronic Transmission. In that event, the following requirements apply:

(a) The Association must notify the Lot Owners that the vote will be taken by ballot.

(b) The notice must state:

(i) The time and date by which a ballot must be delivered to the Association to be counted, which may not be fewer than fourteen (14) days after the date of the notice, and which deadline may be extended in accordance with (g) of this Section;

(ii) The percent of votes necessary to meet the quorum requirements;

(iii) The percent of votes necessary to approve each matter other than election of board members; and

(iv) The time, date, and manner by which Lot Owners wishing to deliver information to all Lot Owners regarding the subject of the vote may do so.

(c) The Association must deliver a ballot to every Lot Owner with the notice.

(d) The ballot must set forth each proposed action and provide an opportunity to vote for or against the action.

(e) A ballot cast pursuant to this section may be revoked only by actual notice to the Association of revocation. The death or disability of a Lot Owner does not revoke a ballot unless the Association has actual notice of the death or disability prior to the date set forth in (b)(i) of this subsection.

(f) Approval by ballot pursuant to this subsection is valid only if the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action.

(g) If the Association does not receive a sufficient number of votes to constitute a quorum or to approve the proposal by the date and time established for return of ballots, the Board may extend the deadline for a reasonable period not to exceed eleven (11) months upon further notice to all Owners in accordance with (b) of this subsection. In that event, all votes previously cast on the proposal must be counted unless subsequently revoked as provided in this section.

(h) A ballot or revocation is not effective until received by the Association.

(i) The Association must give notice to Lot Owners of any action taken pursuant to this Section within a reasonable time after the action is taken.

(j) When an action is taken pursuant to this Section, a record of the action, including the ballots or a report of the persons appointed to tabulate such ballots, must be kept with the minutes of meetings of the Association.

**C) Section 5.1 Number and Election is deleted in its entirety and replaced with the following:**

The Association shall be administered and managed by a Board of Directors consisting of five (5) directors. The term of office for the Board members shall be two (2) years, and elections shall be held in a manner that preserves staggered terms. For example, two (2) directors are elected at each annual meeting held in an even numbered year and three (3) directors are elected at each annual meeting held in an odd numbered year. Any director may be elected for an additional term or terms. Directors shall take office upon election and shall hold office until their successors have been elected.

***This amendment to the Bylaws shall take effect upon adoption. Except as modified and amended hereby, the Bylaws shall remain in full force and effect. If any portion of this amendment is deemed ineffective, it shall not operate to invalidate the entire amendment. The terms of this amendment shall control over and implicitly amend any inconsistent provision of the Bylaws or Rules and Regulations of the Association.***

***The Board hereby ratifies the existing Bylaws and confirms they have been adhered to since the date of their initial adoption.***

**CERTIFICATE OF ADOPTION**

The undersigned President and Secretary of The Reserve at Patterson Creek Homeowners Association certifies that this Amendment to the Bylaws was duly adopted by a majority vote of the Board of Directors and approved by sixty-nine percent (69%) of Owners who participated in the vote.

DATED this 26<sup>th</sup> day of SEPTEMBER, 2023

**THE RESERVE AT PATTERSON CREEK HOMEOWNERS ASSOCIATION**

By: Sanjay Tikku

Print Name: SANJAY TIKU, President

By: Alison Levensgood

Print Name: Alison Levensgood, Secretary