

SPRING CREEK HOMEOWNER'S ASSOCIATION

P.O. BOX 4780, Jackson, WY 88001
(307) 733-8833

September 17, 2021

Dear Homeowners:

As previously communicated, in light of the health risks attendant to the COVID Virus, this year's annual meeting will take place via Zoom. **There will be no physical meeting for homeowners this year.**

You will receive an agenda and details on how to log in to the meeting shortly.

Attached are the following documents:

- Election instructions
- Proxy with voting options

We are asking all homeowners regardless of whether they intend to participate in the meeting via Zoom, to complete a Proxy to ensure that we have a quorum. Submission of the Proxy will ensure that all Owners' votes are counted. Since no homeowners will actually be in attendance, we are asking that the Proxy be awarded to Nicole Krieger, the HOA's legal counsel for quorum and voting purposes only. **This proxy form only authorizes voting in accordance with your indicated preference and will be used for establishing a quorum. It does not contain authority for any other purpose.**

Prior to September 30, 2021, please complete these eSign documents and finalize. If you prefer, you can print the forms and return to Kathi Davis at the following:

Spring Creek Ranch Homeowners Association
PO Box 4780
1600 N. East Butte Rd,
Jackson, WY 83001
Attn: Kathi Davis
Fax: 307.733.1524
E-mail: kdavis@springcreek ranch.com

All Proxies must be received by September 30, 2021

This year presents specials challenges for all concerned and we will appreciate your cooperation. We will keep you fully informed as we progress toward the meeting date.

Best regards,

Spring Creek HOA Board of Directors

SPRING CREEK HOMEOWNERS ASSOCIATION

Annual Meeting – October 2, 2021

Elections and Voting Procedures

Election of Board of Directors. The SCHOA Board of Directors consists of five members. Directors are elected to the Board for 2-year terms. Three Directors are elected in even-numbered years like 2020, and two in odd-numbered years like 2021.

Since there are two Board seats open this year, as an owner you are allowed **two (2) Director votes for each unit or lot** that you own (lock-off units in Harvest Dance do not constitute separate units for voting). You may cast all of your votes for a single candidate or divide them among candidates as you wish. If you cast more than your allowed number of votes, your vote will not be counted. The voting rights for an owner with unpaid and delinquent assessments may be suspended.

Election and Reconfirmation of Architectural Committee Members. The AC consists of a total of five members, of which three are elected by the homeowners and the other two are appointed by the Board. AC Member elections are for 2-year terms, with the requirement that incumbents be reconfirmed by the homeowners for the 2nd year of their respective terms. One Member is elected in even-numbered years like 2020, and two in odd-numbered years like 2021. As a result, at this year's Annual Meeting two AC Member positions are open for election, and one incumbent stands for reconfirmation.

Since there are two AC Members position open for election, as a homeowner you are allowed to cast **two (2) AC Member votes for each unit or lot** that you own. Since there is one AC Member incumbent subject to reconfirmation this year, you are allowed to cast for reconfirmation of **one (1) vote for each unit or lot** that you own. The same provisions for casting votes as indicated above for Directors also apply to Architectural Committee Members.

Voting Procedures. This year the election of Directors for the HOA and members of the Architectural Committee will be accomplished through votes cast by property owners via email proxy submitted to the HOA no later than September 30. Votes will be counted, and the results announced during the Annual Meeting scheduled for October 2, 2021.

Proxy Form: Please complete, sign, and submit a Proxy Form which designates Nicole Krieger, the HOA's legal counsel who will be present at the meeting to act as your proxy. This is important in order to help assure that a quorum can be established at the meeting. **As you will see this proxy form only authorizes voting in accordance with your indicated preference and will be used for establishing a quorum. It does not contain authority for any other purpose.**

Again, this year, **electronic** Proxy Forms will be used. Your electronic Proxy Form must be completed fully and signed electronically in order to be valid and counted. Your Proxy Form includes your preference for how votes are to be cast by your proxy.

If you wish to complete a Proxy Form manually instead of electronically, please contact Kathi Davis by email at kdavis@springcreekbranch.com or by phone at 307-732-8151.

The Proxy Forms received will be counted at the beginning of the Annual Meeting for the purpose of determining a quorum, and then given to Nicole Krieger named as proxy.

Voting where a Unit or Lot is Owned by More than One Person. Each vote for a particular unit or lot may be cast only as a whole; fractional votes are not allowed. If more than one proxy is submitted for a particular unit or lot, or if a proxy contains fractional votes, none of the votes of those proxies will be counted. If one owner submits a proxy representing a unit or lot owned by several, it will be presumed that such owner or proxy was acting with the authority and consent of all such owners, unless an owner or owners representing a majority in interest have filed with the Association written notice to the contrary.

Number of Votes for Residential and Commercial Units. Under the Spring Creek Ranch CC&Rs, one vote is allocated to each residential unit or lot; the number of votes allocated to the commercial units is based on the assessed value of the commercial units relative to that for the residential units. There are 159 residential units and lots at SCR. For 2021, the assessed value of the residential units/lots was 91.7% of the total, and the assessed value of the commercial units was 8.3% of the total. This results in a total of 177 votes, with 159 (or 91.7%) held by owners of residential units or lots and 18 (or 8.3%) held by the owners of the commercial units.

PROXY FORM

SPRING CREEK HOMEOWNERS ASSOCIATION

Homeowner name (or legal entity): _____

Unit(s) and/or Lot(s) owned at SCR: _____

I hereby appoint **Nicole Krieger** as my proxy to attend the Annual Meeting of the owners of the Spring Creek Homeowners Association on October 2, 2021 (and any adjournment thereof) on my behalf in the same manner and with the same effect as if I were personally present for the purposes of establishing a quorum and to cast my votes as outlined below. This proxy shall terminate on December 31, 2021, unless I revoke it before that time.

The votes represented by this Proxy are to be voted as I have indicated below. If no indication is made, then no votes shall be cast.

SPECIFIC INSTRUCTIONS TO MY PROXY (Please check one)

Please cast my vote(s) as follows.

A. Election of Directors of the Association [two (2) votes/unit]

_____ vote(s) for Marc Segal as a Director of the HOA

_____ vote(s) for Paul Pescatello as a Director of the HOA

_____ vote(s) for Leslie Schilling as a Director of the HOA

B. Election Architectural Committee Members [two (2) votes/unit]

_____ vote(s) for Carter Ohlmann as a Member of the AC

_____ vote(s) for Paul Frantz as a Member of the AC

C. Reconfirmation of Architectural Committee Members [one (1) vote/unit]

_____ vote(s) to confirm Tom Taylor as a member of the AC

_____ vote(s) to reject Tom Taylor as a member of the AC

D. Abstain

_____ Abstain from voting.

Owner Signature: _____

Date: _____