

**RANCHO SANTA TERESA SWIM AND RACQUET CLUB
OFFICIAL BALLOT TO RESTATE CC&Rs AND BYLAWS**

Pursuant to *Corporations Code* §7513 and *Civil Code* §5115, a Member of RANCHO SANTA TERESA SWIM AND RACQUET CLUB, a California nonprofit corporation, votes this secret written ballot with the authority of the owners of his/her respective Lot, with respect to the matter described below:

**APPROVAL OF RESTATED BYLAWS OF
RANCHO SANTA TERESA SWIM AND RACQUET CLUB**

The Restated Bylaws of Rancho Santa Teresa Swim and Racquet Club, in the form presented to me with this ballot should be adopted:

| |
|------------------|
| YES _____ |
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|-----------------|
| NO _____ |
|-----------------|

VOTING INFORMATION – please also review the enclosed Voting Instructions and F.A.Q.

Quorum: The minimum quorum necessary for votes to be counted is 20% of all members. If the quorum is not met at the meeting, a majority of the Members present at the meeting may adjourn to another date within 30 days, or the Inspector may extend the voting period pursuant to Civil Code §5110.

Mailing Instructions and Deadlines to Vote: To be counted, a secret ballot must be returned to the Inspector of Elections as directed on the enclosed voting instructions. If you mail your ballot, it must be received by the Inspector no later than 5:00 p.m. on Thursday, April 11, 2019. Otherwise, you may hand deliver your ballot to the Inspector, no later than the end of the voting period, at the ballot counting meeting which is presently set to being at 7 p.m. on Friday, April 12, 2019 at 286 Sorrento Way, San Jose, CA 95119.

Meeting Date and Time: Ballots will be opened and counted at a meeting set for 7 p.m. on Friday, April 12, 2019 at 286 Sorrento Way, San Jose, CA 95119.

Approval Requirements: Two-thirds (2/3) of all submitted ballots must be in favor to approve the Restated Bylaws, and at least 20% of Members must have submitted ballots in order for the ballots to be counted. Alternatively, the amendment will be approved if there are at least 381 votes in favor (i.e. more than 50% of all members vote in favor).

**OFFICIAL VOTING INSTRUCTIONS
AND FREQUENTLY ASKED QUESTIONS
RANCHO SANTA TERESA SWIM AND RACQUET CLUB
BALLOT TO RESTATE THE BYLAWS**

VOTING INSTRUCTIONS

1. Your election packet should include the proposed Restated Bylaws, the OFFICIAL BALLOT, these Voting Instructions, the Frequently Asked Questions, and two envelopes. The smaller envelope is for your secret ballot. The larger envelope is what you place your ballot envelope in and return to the Inspector of Elections. PLEASE READ THESE ENTIRE INSTRUCTIONS COMPLETELY BEFORE VOTING!
2. The Association is seeking approval of the Restated Bylaws for Rancho Santa Teresa Swim and Racquet Club. The purpose of the restatement is to remove confusing or unnecessary provisions, conform to current law, make the documents easier to read and understand, and establish and clarify obligations of the Members and the Association. You may cast your vote “YES” or “NO” as to whether the restatement should be adopted. Please cast your vote by marking your ballot on the appropriate box.
3. After you have finished voting, place your completed ballot into the envelope entitled smaller ballot envelope and seal it. Do not sign your ballot or put any identifying marks on either the ballot or the smaller ballot envelope.
4. Then place the smaller ballot envelope (containing your completed ballot) into the larger envelope. It should have your address already listed on it. Then seal the larger addressed envelope and make sure your name, address and lot number are in the upper left-hand corner of the front of the envelope. You may print, type or use a label to provide this information. Finally, SIGN YOUR NAME ON THE LARGER ADDRESSED ENVELOPE in the space beneath your address. The envelope should include the phrase: *By signing, my vote shall act as my written approval or disapproval of the pending ballot measure.*
5. The completed larger addressed envelope (which contains your smaller ballot envelope and your secret ballot) must then be mailed or personally delivered to the Inspector of Election by any of the following ways: (1) Place your completed envelopes in the U.S. Mail with proper postage, (2) deliver your completed envelopes to the Inspector of Election at 286 Sorrento Way, San Jose, CA 95119, or (3) deliver your completed envelopes to the Inspector of Election at the meeting to count ballots during the voting period. Any ballot (within the two envelopes) that is mailed or personally delivered must actually be received by the Inspector of Election no later than the end of the voting period allowed at the meeting to count the ballots. The meeting is set to start at 7 p.m. on and will be held at 286 Sorrento Way, San Jose, CA 95119. If you choose to mail your ballot, make sure you do so early enough for it to be received by the voting deadline. Otherwise it should be personally delivered.
6. All ballots timely received will be counted and tabulated by the Inspectors of Election in public at the meeting to count ballots set for 7 p.m. on Friday, April 12, 2019 at 286 Sorrento Way, San Jose, CA 95119.

FREQUENTLY ASKED QUESTIONS

1. **How do I vote my ballot?**

Refer to the instructions on the ballot and the Voting Instructions, items 1 through 6, above.

2. **Do I sign the ballot?**

No.

3. **Do I sign the larger addressed envelope?**

Yes! If you do not sign the larger address envelope, your vote will not be counted. The larger address envelope must also indicate your name, address and unit number. Failure to include all this information will mean your ballot does not get counted.

4. **Do I sign the smaller ballot envelope?**

No.

5. **When must I return my voted ballot?**

Please see Voting Instructions, item 5 above.

6. **If I want to change my vote before the ballots are counted, can I revoke my ballot and cast a new ballot?**

Once a ballot has been received by the Inspectors of Election, it is irrevocable. However, if your ballot was never received by the Inspectors of Election as of the time of the meeting to count the ballots (never delivered or mailed, lost in the mail, or mailed too late) you may cast a ballot at the meeting.

7. **If the ballot that was sent to me was lost or never received by the Inspectors of Election, can I get another one?**

Yes. Contact the office or the Board of Directors to request another ballot. The office or the Board of Directors can be reached as follows: by phone at (408) 227-5758, or by e-mail at office@ranchosantateresa.org or directors@ranchosantateresa.org. If a member loses his/her ballot, he or she may request another ballot, along with the appropriate envelopes from the Inspector of Election. The requesting member must sign a statement, under penalty of perjury that the original ballot was either lost, destroyed or never received. The Inspectors of Election shall maintain a record of each such request and, if it is determined that the member voted twice, within the time allowed for voting, even by mistake, neither ballot will be counted.

8. **How are ballots counted?**

Ballots are counted and tabulated by the Inspectors of Election, and any designated assistants, in public at the meeting to count ballots. Any member of the association may witness the counting and tabulation of the votes.

9. **If I mailed my ballot and it was received by the Inspectors of Election, do I need to attend the meeting to count ballots?**

No. Your ballot will be counted without you being present. Your ballot will also count toward any necessary quorum.

10. **If I cannot decide or want to abstain, can I send a blank ballot or write abstain on it?**

Yes. Any ballot received, even blank, will count toward the quorum.

11. **If I return the signed larger address envelope with an empty smaller ballot envelope, will that count toward a quorum?**

No. Only ballots actually received, or proxies actually received, or persons present at the meeting count toward the quorum.