

Notice of Meeting Cancellation and Intent to Reschedule

To: Members of the River Birch Homeowners Association

From: Board of Directors, River Birch Homeowners Association

Date: March 29, 2026

Subject: Cancellation of Upcoming Association Meeting and Rescheduling to Address Member Concerns

Dear Members of the River Birch Homeowners Association,

This notice is to formally advise the membership that the Homeowners Association meeting scheduled for **April 2, 2026** has been **cancelled**.

The Board of Directors has received written correspondence from homeowners raising substantive questions and concerns regarding matters proposed for consideration, including Association governance, interpretation and potential amendment of covenants, maintenance obligations, financial assessments, and potential legal and financial implications for the Association and its members.

Under **North Carolina law**, the Board of Directors owes fiduciary duties to the Association and its membership. In particular:

- **N.C. Gen. Stat. § 47F-3-103** (North Carolina Planned Community Act) charges the executive board with the administration, management, and operation of the association on behalf of its members; and
- **N.C. Gen. Stat. § 55A-8-30** requires directors of nonprofit corporations to act in good faith, with the care an ordinarily prudent person would exercise under similar circumstances, and in a manner reasonably believed to be in the best interests of the association.

In light of these statutory obligations, the Board has determined that proceeding with the scheduled meeting before fully reviewing and evaluating the issues raised would not be consistent with its fiduciary responsibilities or with prudent governance practices.

Accordingly, the Board wishes to clearly confirm that no votes, approvals, covenant amendments, assessments, expenditures, or other binding actions will be taken by the Association until the concerns and questions raised by homeowners have been fully reviewed, addressed, and openly discussed with the membership at a properly noticed meeting. Any future vote or board action related to these matters will occur only after adequate notice, explanation, and opportunity for member input, in accordance with the Association's governing documents and North Carolina law.

The cancelled meeting will therefore be **rescheduled at a later date**, with an agenda expressly structured to address the specific complaints, questions, and concerns raised in the homeowner correspondence. Notice of the rescheduled meeting, including date, time, location, and proposed agenda, will be provided to all members in the manner and timeframe required by the governing documents and applicable statutes.

The Board appreciates the engagement of the membership and recognizes the importance of transparency, due diligence, and informed decision-making—particularly where proposed actions may affect member rights, financial obligations, or long-term Association responsibilities. The purpose of cancelling and rescheduling this meeting is to ensure that any future decisions are deliberate, lawful, and in the best interests of the community as a whole.

Members who wish to submit additional written comments, documentation, or questions for Board consideration prior to the rescheduled meeting may do so.

Thank you for your attention to this notice and for your continued participation in the River Birch Homeowners Association.

Sincerely,

Board of Directors

River Birch Homeowners Association