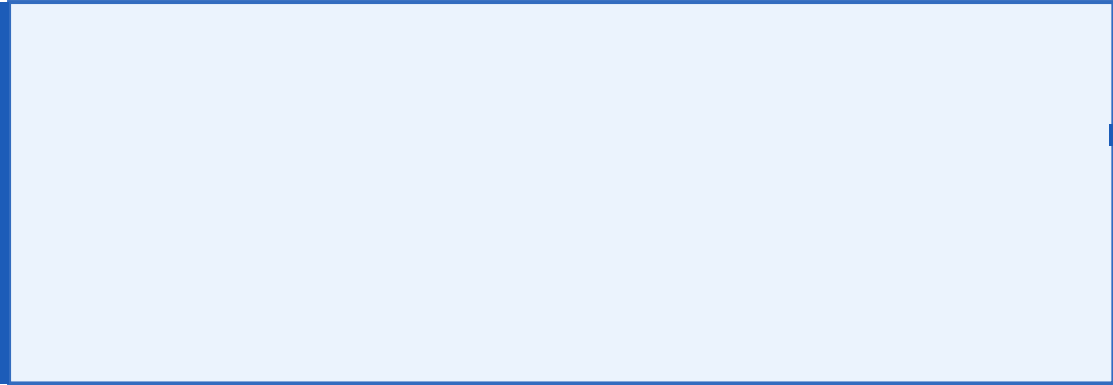


Section 2. - Sample Provision Excerpt (Public Preview)

IN WITNESS WHEREOF, we the undersigned officers of McFarland Farms Property Owners' Association, Inc., do hereby execute this First Amendment to the Declaration of Restrictions of McFarland Farms and certify that at least a majority of the owners of lots in McFarland Farms development voted to approve this First Amendment to the Declaration of Restrictions...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 2. (p. 7): Voting and governance provisions omit the mandatory 180-day proxy expiration limit and proxy/ballot retention requirements under Ind. Code §§ 32-25.5-3-3(i) - (j) and 32-25.5-3-9.

Statutory / Legal Reference: **Ind. Code § 32-25.5-3-3(i) - (j) & 32-25.5-3-9**

Statutory Comparison: Under Ind. Code § 32-25.5-3-3(i), a member proxy is void unless it contains the member's name, address, signature, date of signing, and a termination date not more than 180 days from the date of execution, and all proxies and amendment consents must be retained for inspection.

CURRENT WORDING IN DOCUMENT:

IN WITNESS WHEREOF, we the undersigned officers of McFarland Farms Property Owners' Association, Inc., do hereby execute this First Amendment to the Declaration of Restrictions of McFarland Farms and certify that at least a majority of the owners of lots in McFarland Farms development voted to approve this First Amendment to the Declaration of Restrictions...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

In accordance with Ind. Code §§ 32-25.5-3-3(i) - (j) and 32-25.5-3-9, no proxy shall be valid for more than one hundred eighty (180) days from the date of execution, and the Association shall retain all proxies, ballots, and amendment consents for...