



## **Belews Landing Homeowners Association Voting Rights**

This document summarizes the rights of members in elections and other ballots held by the Belews Landing Homeowners Association (Association).

### **Voting in Association Elections and All Other Association Business**

The Association has consistently held that only members paying assessments may vote in the business of the Association. This business includes, but is not limited to, election of board members, changes in bylaws, increases in assessment, and special assessments. This position has been applied to all members of the Association, including the Declarant (Belews Landing Development Company). However as provided in the Belews Landing CCRs,<sup>1</sup> during the *Declarant's Development Period*<sup>2</sup> the Declarant must approve any changes to the CCRs.

**NOTE:** During the *Period of Declarant Control*<sup>3</sup> the Declarant was paying assessments and was a voting member of the Association. After the Period of Declarant Control ended in 2012, the Declarant has not paid assessments.

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<sup>1</sup> Belews Landing CCRs (February 2010): Article X, Section 3.

<sup>2</sup> "Declarant's Development Period" shall mean and refer to the period of time commencing on the date this Declaration is recorded in the Office of the Register of Deeds, Rockingham County, North Carolina, and continuing for so long as Declarant shall have the right to annex any portion of the Additional Property pursuant to the provisions of Article X, Section 4 hereof or Declarant or any affiliate of Declarant shall own any portion of the Properties. Belews Landing CCRs (February 2010): Article I, Section 4. **NOTES:** (1) Currently (July 2016) the Declarant still owns properties and therefore the Declarant's Development Period is still in effect; (2) The membership approved amendments in 2013. As the Declarant's Development Period was still in effect, the approval of the Declarant was sought and was obtained on August 30, 2013. The amendments were filed with Rockingham County on December 9, 2013.

<sup>3</sup> "Period of Declarant Control" shall mean and refer to the period of time commencing on the date this Declaration is recorded in the Office of the Register of Deeds, Rockingham County, North Carolina, and continuing until the earlier of (i) ten (10) years from the date the Original Declaration was recorded (April 20, 2005) in the Office of the Register of Deeds, Rockingham County, North Carolina; or (ii) such time as all of the lots shown on the Master Plan have been conveyed by Declarant or an affiliate of Declarant, to an Owner other than Declarant or an affiliate of Declarant or an assignee of Declarant's development rights or (iii) at such time as the "Class A" Votes equal or exceed the "Class B" Votes. Belews Landing CCRs (February 2010): Article I, Section 10. **NOTE:** The Period of Declarant Control ended on February 22, 2012.