

# THIRD WALNUT CREEK MUTUAL

BALLOT COUNT MEETING FOR P49 RE-VOTE ON PROPOSED MASTER CC&RS  
FRIDAY, DECEMBER 7, 2018 AT 10:00 A.M.  
GATEWAY BOARD ROOM  
1001 GOLDEN RAIN DRIVE, WALNUT CREEK, CA 94595

## **Call to Order**

The meeting was called to order at 10:00 a.m.

## **Tabulation of Ballots for P49 Re-Vote on Proposed Master CC&Rs**

A secret ballot in the matter of a re-vote on whether to adopt the proposed Master CC&Rs in Project 49 was mailed on October 30, 2018 for a vote of the membership. Ballots were opened during an Open Ballot Count Meeting on Friday, December 7, 2018 at 10:00 a.m. in the Board Room at Gateway. (1001 Golden Rain Road, Walnut Creek, CA 94595)

The quorum requirement set in the current governing documents requires a supermajority (75%) approval of the members of Project 49 for adoption (i.e., at least 60 out of 80 members must vote "For"). A majority (more than 50% but less than 75%) approval of the members of Project 49 for adoption will allow the project to petition the superior court for approval of the Master CC&Rs pursuant to Civil Code section 4275 (the section of the Davis-Stirling Act which authorizes the petition process where supermajority approval is required by existing CC&Rs but only majority approval is achieved).

**The following is a report prepared by the Inspector of Elections:**

**Total Ballots Received: 69**

**Total Invalid Ballots: 5**

**Total Valid Ballots: 64**

**Total Votes For: 52**

**Total Votes Against: 12**

**Number of Manors: 80**

**The re-vote for adopting the Proposed Master CC&Rs has: FAILED (to receive Supermajority)**

The election and election results were certified by John McDonnell who served as the Inspector Elections for P49.

The vote did achieve majority approval, allowing the Project to join the petition group requesting approval by the court.

## **Members Forum**

Residents were afforded the opportunity to express their concerns and make comments.

## **Adjournment**

There being no further business, the Ballot Count Meeting was adjourned at 10:30 a.m.

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**Secretary's Certificate**

I hereby certify that the foregoing is a true and correct copy of the approved minutes of the Board of Director's meeting.

A handwritten signature in blue ink, appearing to read "Kelly Patterson".

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**Assistant Secretary**

Third Walnut Creek Mutual