

# Hot Springs Village Property Owners Defeat Proposed Amendment Changes

## Description

### 2018 DECLARATION & ARTICLES OF INCORPORATION VOTE RESULTS

**Total Votes Cast: 14,151**

**POA Lots Votes Cast 3,000**

**Quorum Met: YES**

- **Proposal 1 — % FOR 44 % AGAINST 56**

To amend Article II, Secs. 2-3 of the Association's Declaration to remove the current exclusive right of the Developer (Cooper Communities) to expand the boundaries of Hot Springs Village and to require the Association's consent to expand those boundaries.

- **Proposal 2 — % FOR 47 % AGAINST 53**

To amend Article III, Sec. 2 of the Association's Declaration to equalize Class B voting rights (currently held by Cooper Communities) with other property owners' Class A voting rights. After amendment, both classes will have one vote per Lot or Living Unit.

- **Proposal 3 — % FOR 43 % AGAINST 57**

To amend Article VI, Sec. 1 of the Association's Declaration to provide that the Association is not obligated to begin water and sewer improvements until at least 24 months after property is made subject to the Declaration and to permit for-profit entities to contribute to the cost of that construction

- **Proposal 4 — % FOR 46 % AGAINST 54**

To amend Article VI, Sec. 2 of the Association's Declaration to retain the property developer's obligation to construct and pave streets but to provide that the Association has no obligation to accept the permanent maintenance responsibility for a street unless it is constructed to standards adopted by the Association

- **Proposal 5 — % FOR 45 % AGAINST 55**

To amend Article VI, Sec. 3 of the Association's Declaration to require the developer of a neighborhood to maintain at its expense for a period of 5 years any golf course, lake or park constructed by it, and to permit the Association to create construction standards for those amenities that must be satisfied by the developer before the Association is required to accept it for permanent maintenance after the 5-year period expires.

- **Proposal 6 — % FOR 44 % AGAINST 56**

To amend Article VIII, Sec. 3(c) of the Association's Declaration to allow penalties to continue if the infraction continues.

- **Proposal 7 — % FOR 43 % AGAINST 57**

To amend Article VIII, Sec. 3(i) of the Association's Declaration to change the approval required to transfer Common Property to eliminate separate approval by the Class A members and by the Class B member (currently Cooper Communities. After amendment, a majority vote of the combined Class A and Class B members will be required.

- **Proposal 8 — % FOR 40 % AGAINST 60**

To add a new Article VIII, Sec. 3(k) to the Association's Declaration to create a process by which the Association can sell or abandon certain minor Common Property after specified property owner notification and approval

- **Proposal 9 — % FOR 35 % AGAINST 65**

To amend Article X, Sec. 3 of the Association's Declaration to change the cap on the amount the annual assessment may be increased from the percentage increase in the Consumer Price Index to a stated maximum amount of 5%, unless otherwise determined by property owner vote.

- **Proposal 10 — % FOR 38 % AGAINST 62**

To amend Article X, Secs. 4-6 of the Association's Declaration to eliminate separate approval by the Class A members and by the Class B member (currently Cooper Communities) to authorize a special assessment or increase the annual assessment greater than the applicable cap. After amendment, a majority vote of the combined Class A and Class B members will be required.

- **Proposal 11 — % FOR 39 % AGAINST 61**

To amend Article XI, Sec. 1 of the Association's Declaration to strengthen the standards and processes related to architectural control.

- **Proposal 12 — % FOR 42 % AGAINST 58**

To amend Article XIV, Sec. 1 of the Association's Declaration and to add a new Section 6 to Article XIV to separate the Declaration's combined duration and amendment provisions into separate sections. After amendment, the duration will remain at 7 years, while amendments may be approved by property owners at any time and become effective as designated by property owner vote. The requirement of approval by two-thirds of those voting in the amendment election will not be changed by this amendment.

- **Proposal 13 — % FOR 43 % AGAINST 57**

To amend and restate the Association's Articles of Incorporation with such amendment and

restatement to be effective as of January 1, 2019, for the purpose of electing for the Association to be governed by the provisions of the Arkansas Nonprofit Corporation Act of 1993 as opposed to the provisions of the 1963 Arkansas Nonprofit Corporation Act, which currently governs the Association.

**Proposals 1 – 12 requires 67% to pass**

**Proposal 13 requires majority of members**

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### 2018 Declaration and Articles of Incorporation Vote

Total Votes Cast 14,151

POA Lots Votes Cast 3,000

Quorum Met YES \_\_\_\_\_ NO \_\_\_\_\_

	% FOR	% AGAINST	PASS
Proposal 1	<u>44</u>	<u>56</u>	_____

To amend Article II, Secs. 2-3 of the Association's Declaration to remove the current exclusive right of the Developer (Cooper Communities) to expand the boundaries of Hot Springs Village and to require the Association's consent to expand those boundaries.

Proposal 2	<u>47</u>	<u>53</u>	_____
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To amend Article III, Sec. 2 of the Association's Declaration to equalize Class B voting rights (currently held by Cooper Communities) with other property owners' Class A voting rights. After amendment, both classes will have one vote per Lot or Living Unit.

Proposal 3	<u>43</u>	<u>57</u>	_____
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To amend Article VI, Sec. 1 of the Association's Declaration to provide that the Association is not obligated to begin water and sewer improvements until at least 24 months after property is made subject to the Declaration and to permit for-profit entities to contribute to the cost of that construction

Proposal 4	<u>46</u>	<u>54</u>	_____
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Proposal 5	<u>45</u>	<u>55</u>	_____
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To amend Article VI, Sec. 3 of the Association's Declaration to require the developer of a neighborhood to maintain at its expense for a period of 5 years any golf course, lake or park constructed by it, and to permit the Association to create construction standards for those amenities that must be satisfied by the developer before the Association is required to accept it for permanent maintenance after the 5-year period expires.

Proposal 6	<u>44</u>	<u>56</u>	_____
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To amend Article VIII, Sec. 3(c) of the Association's Declaration to allow penalties to continue if the infraction continues.

Official Vote Tally  
Hot Springs Village People

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	% FOR	% AGAINST	PASS
<b>Proposal 7</b>	<u>43</u>	<u>57</u>	<u>      </u>

To amend Article VIII, Sec. 3(i) of the Association's Declaration to change the approval required to transfer Common Property to eliminate separate approval by the Class A members and by the Class B member (currently Cooper Communities. After amendment, a majority vote of the combined Class A and Class B members will be required.

<b>Proposal 8</b>	<u>40</u>	<u>60</u>	<u>      </u>
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To add a new Article VIII, Sec. 3(k) to the Association's Declaration to create a process by which the Association can sell or abandon certain minor Common Property after specified property owner notification and approval

<b>Proposal 9</b>	<u>35</u>	<u>65</u>	<u>      </u>
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To amend Article X, Sec. 3 of the Association's Declaration to change the cap on the amount the annual assessment may be increased from the percentage increase in the Consumer Price Index to a stated maximum amount of 5% unless otherwise determined by property owner vote.

<b>Proposal 10</b>	<u>38</u>	<u>62</u>	<u>      </u>
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To amend Article X, Secs. 4-6 of the Association's Declaration to eliminate separate approval by the Class A members and by the Class B member (currently Cooper Communities) to authorize a special assessment or increase the annual assessment greater than the applicable cap. After amendment, a majority vote of the combined Class A and Class B members will be required.

<b>Proposal 11</b>	<u>39</u>	<u>61</u>	<u>      </u>
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To amend Article XI, Sec. 1 of the Association's Declaration to strengthen the standards and processes related to architectural control.

<b>Proposal 12</b>	<u>42</u>	<u>58</u>	<u>      </u>
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To amend Article XIV, Sec. 1 of the Association's Declaration and to add a new Section 6 to Article XIV to separate the Declaration's combined duration and amendment provisions into separate sections. After amendment, the duration will remain at 7 years, while amendments may be approved by property owners at any time and become effective as designated by property owner vote. The requirement of approval by two-thirds of those voting in the amendment election will not be changed by this amendment.

<b>Proposal 13</b>	<u>43</u>	<u>57</u>	<u>      </u>
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To amend and restate the Association's Articles of Incorporation with such amendment and restatement to be effective as of January 1, 2019, for the purpose of electing for the Association to be governed by the provisions of the Arkansas Nonprofit Corporation Act of 1993 as opposed to the provisions of the 1963 Arkansas Nonprofit Corporation Act, which currently governs the Association.

Proposals 1 – 12 requires 67% to pass

Proposal 13 - requires majority of members

Footer Tagline

Official Vote Tally  
Hot Springs Village People

## HSV Property Owners Defeat All 13 Proposed Amendments

### Category

1. HSV News

### Tags

1. hot spring village. HSV Board of Directord
2. hot springs village
3. hot springs village board of directors
4. Hot springs village people
5. hot springs village vote
6. hsv POA
7. lesley nalley
8. proposed declarations vote

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12/01/2018

### Author

joe

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