

The Highlands Community Association, Inc.

ANNUAL MEETING PROXY SEPTEMBER 19, 2023

5:00pm Registration and 7:00pm Meeting

The Reserve, 8136 Highland Glen Drive

Homeowner(s): If you do not plan to attend the Annual Meeting, please complete this Proxy and return it to ACS West, Inc. (PO Box 11361 Richmond, VA. 23230, fax 804-282-9590), samk@acswest.org, give it to someone attending the meeting or submit it electronically with Get Quorum.

PROXY/BALLOT STATEMENT for

Homeowner Signature: _____ Printed Name: _____

Homeowner Signature: _____ Printed Name: _____

Highlands Address: _____ Date: _____

Please choose one of the following:

_____ As a member of The Highlands Community Association, I hereby appoint the President, John Theobald, as my **Proxy Holder**, for and in my name, with full power of substitution, and with all powers I would possess if personally present, to attend the Annual Meeting of The Highlands Community Association.

_____ I authorize the person named below to cast my vote or votes at such meeting and at any postponements thereof, with all the powers the undersigned would possess if personally present.

I (WE) ACKNOWLEDGE THAT I (WE) HAVE BEEN INFORMED AND UNDERSTAND THAT:

1. The Proxy is REVOCABLE by the Owner or by either of the owners (if more than one) should they attend the Meeting.
2. The decision of the Secretary of the Association as to the validity of any Proxy shall be binding on the owner(s).
3. The Proxy may vote for any matter that arises in such meeting or continuance thereof on my (our) behalf.
4. This Proxy shall terminate automatically upon the adjournment of the Annual Meeting.

Please note that your **Proxy Holder** should be someone who will be attending the Annual Meeting. Please do not write in your name as the proxy holder. Thank you.

Proxy Holder Name: _____ **Address:** _____

HIGHLANDS COMMUNITY ASSOCIATION, INC
BALLOT
September 26, 2022

PLEASE VOTE FOR NO MORE THAN TWO

There are two (2) open seats on the Highlands Community Association Board of Directors. Members will vote by putting a check mark next to the names of not more than two candidates listed below or up to two write-in names. Ballots cannot have more than a combination of two votes between the named candidates and write-in candidates. Members may vote cumulatively for any candidate on the ballot or individually for each up to two votes.

Candidates will select their desired Board positions after the ballots have been totaled, based on the number of votes each candidate receives (highest vote count selects first).

The biographies have been provided in your notice package to help you make your decision.

	Vote 1	Vote 2
Jim Hale		
Jenee Peyton		
Write In		
Write In		
Write In		
Write In		
Write In		
Write In		

*****You're voting process is not complete! Please see next page for the Amendment vote.**



AMENDMENT VOTE

Article V of the Association Declaration is hereby amended by the addition of a new Section 14, so that the amended version of Article V, Section 14 of the Association Declaration, in its entirety, is as follows:

Upon acquisition of record title to a Lot, a contribution shall be made by or on behalf of the purchaser to the working capital of the Association in the amount to be determined annually by the Board, not to exceed two times the annual assessment for the upcoming fiscal year. This amount shall be in addition to, not in lieu of, the annual assessment levied on the Lot and shall not be considered an advance payment of any portion thereof. This amount shall be deposited into the purchase and sales escrow and disbursed therefrom to the Association for use in covering operating expenses and other expenses incurred by the Association pursuant to the terms of this Declaration and the Bylaws. This contribution shall not be required upon acquisition of record title to a Lot if the purchaser of that Lot is relocating directly from another Lot that is subject to the Association Declaration for which the purchaser had previously made a capital contribution upon acquisition of record title.

HOMEOWNER NAME PRINTED _____

ADDRESS _____

I/We vote in favor of the Amendment:

Signature Date

Signature Date

I/We do not vote in favor of the Amendment:

Signature Date

Signature Date



AMENDMENT VOTE

The HOA needs 400 votes on the proposed amendment in order to meet quorum rules. This vote CANNOT be submitted via proxy, and must be filled out and signed by BOTH residents. Below is a brief explanation of what the amendment entails.

It states, "in the amount to be determined by the Board, not to exceed two times the annual assessment for the upcoming fiscal year." It does not say two times the amount, it says not to exceed. It could be one dollar up to a max of \$930 (2023 dues of \$465). It could be any amount between \$1 and \$930.

The "contribution shall be made by or on behalf of the purchaser"- this fee is charged to the purchaser at closing. Charged to the purchaser not us as homeowners.

Here are a couple examples of Chesterfield subdivisions with this contribution fee at closing charged to the buyer:

- Magnolia Green - \$1,228 a year for HOA, \$614 contribution fee at closing
- Cascade Creek - \$640 a year for HOA, \$495 contribution fee
- Rivers Bend - \$660 a year for HOA, \$330 contribution fee
- Meadowville Landing - \$1,160 a year for HOA, \$500 contribution fee
- Rountrey - \$1,000 a year for HOA, \$365 contribution fee
- Harper's Mill - \$800 a year for HOA, \$300 contribution fee
- Westerleigh - \$1,080 a year for HOA, \$450 contribution fee
- Woodlake - \$1,220 a year for HOA, \$690 contribution fee
- Brandermill - \$700 a year for HOA, \$358 contribution fee
- Ironmill - \$2,100 a year for HOA, \$1,500 contribution fee

A few others around Richmond area with contribution fees at closing charged to the purchaser Stony Point Green, Boundary Run, Mosaic at West Creek, Wyndam, Twin Hickory, Castleton, Ballard Ridge, Woodson Hills, Honey Meadows, Luck Farm, Riva Ridge, and several others.

Everyone wants nice amenities and upgrades throughout The Highlands but those things cost money. This is a way for the community to increase \$ coming in without doing special assessments to current residents, and significantly raising our annual HOA dues. You can see from examples above that our dues of \$465 currently are very low/reasonable compared to other comparable subdivisions around town.

The developer for years was charging a fee of \$650 on every new home sale. When the previous board negotiated the purchase of Seaview Section 1 Lot 1 (the pool complex), the board requested that the new home fee collected at closing continue in place but as part of the purchase contract, the HOA now collects that fee. To date, the HOA has collected \$84,500 on 130 new home sales since May of 2022 when the pool became ours.

Although this is great, at some point there will not be any more new homes. This proposed amendment will solve that problem when we are no longer bringing in \$ on new home sales.

Lets just say this amendment was in place, and lets just say the board decided to keep the \$650 as the number for the capital contribution fee on resales. The HOA would have collected another \$48,100 on 74 resales.

The average sale in The Highlands year to date is \$608,002. A small fee at closing will not deter any buyers thinking about moving into our beautiful subdivision. Hope this info helps answer any questions. Feel free to comment below any questions and the board or myself will try to answer anything you don't understand. Hope you will continue to support the current board as they continue to make decisions that are in the best interest of The Highlands.