

JASONVILLE FARMS HOMEOWNERS ASSOCIATION

BOARD ELECTION, ASSOCIATION MEETING, AND OWNER VOTING RULES

Effective May 15, 2025

Jasonville Farms Homeowners Association (the “Association”) is a Michigan nonprofit corporation that was formed for the purpose of managing and administering the affairs of, and to maintain, Jasonville Farms Subdivision No. 1, Jasonville Farms Subdivision No. 2, Jasonville Farms Subdivision No. 3, Jasonville Farms Subdivision No. 4, Jasonville Farms Subdivision No. 5, Jasonville Farms Subdivision No. 6, Jasonville Farms Subdivision No. 7, Jasonville Farms Subdivision No. 8, and Jasonville Farms Subdivision No. 9 (collectively, “Jasonville Farms”), according to the Declaration of Restrictive Covenants, Restrictions, and Conditions recorded against each subdivision and the Bylaws applicable to the Association.

Article III of the Bylaws contains provisions relating to the Owners’ ability to vote on Association matters. Article IV of the Bylaws contains provisions relating to the conduct of Association meetings. Article V of the Bylaws concerns the qualifications for and authority of the Board of Directors. Article V, Section 5(h) of the Bylaws and Article II (f) of the Articles of Incorporation allow the Board of Directors to adopt reasonable rules and regulations.

The Association’s Board of Directors (the “Board”) deems it necessary and appropriate to adopt these Board Election, Association Meeting, and Owner Voting Rules to clarify and explain the rights, responsibilities, and procedures that apply to the election of directors, Association meetings, and owners’ voting rights contained in the Bylaws.

NOW, THEREFORE, the Board adopts these Board Election, Association Meeting, and Voting Rules, which provide as follows:

Election for Directors at Annual Meeting

Article V, Section 1 of the Bylaws states in part that the Board “shall be comprised of not less than one nor more than seven directors as shall be fixed from time to time by the Board of Directors.” Section 505 of the Michigan Nonprofit Corporation Act, MCL 450.2505(1)(a), requires that a nonprofit corporation such as the Association must have a minimum of three Board members. To comply with the Michigan Nonprofit Corporation Act, the Board fixes the number of directors to be no less than three or more than seven.

To run for election to the Board, the individual must be a member of the Association. Each owner of a lot in Jasonville Farms is a member of the Association and no other person or entity may be a member of the Association. Ownership of a lot, and therefore membership in the Association, is established by holding legal or equitable title to a lot and recording a deed or other instrument with the Kent County Register of Deeds to show the legal or equitable title. If a corporate entity owns a lot, then the individual must be an officer, partner, trustee, employee, or agent of the corporate entity. Accordingly, any individual identified in the deed to a lot, or the representative of a corporate entity with title to a lot, is eligible to serve on the Board. Two

occupants of the same lot may serve on the Board, provided both occupants are members of the Association. A person or entity that does not have legal or equitable title to a lot in Jasonville Farms is not eligible to serve on the Board.

The Board and the Michigan Nonprofit Corporation Act recognize that service as a director is voluntary and that a director may resign from their position on the Board. To document their resignation, the director should provide written notice to the Board. The director's resignation will be effective when the Board receives the notice or at such later time as stated in the resignation notice. A director who sells their lot is deemed to have resigned.

If a vacancy occurs for any reason other than a vote of the owners to remove a director, such as when a director resigns, then the remaining directors will appoint an owner to the Board to fill the vacant position. The appointed director will serve as a director until the next annual meeting of the Association, at which time a successor will be elected to fill the position for the remainder of the original director's term.

Accordingly, directors will be elected to serve on the Board at each annual meeting. The number of seats up for election each year will equal the number of directors whose terms naturally expire plus any directors appointed to fill a vacancy in the Board that occurred since the last annual meeting.

Association Meetings

The Association must hold an annual meeting before April 30th of each year. The Board may also call a special meeting of the Association. The Board is responsible for selecting the date, time, and place of the annual meeting and any special meeting. The Board Secretary will mail each owner with notice of the annual or special meeting at least 10 days but not more than 60 days before the meeting date. An owner may allow the Association to email the meeting notice by completing and returning an email consent form to the Board.

With the notice of the annual meeting, the Board will provide a meeting packet that contains: an agenda, the budget for the fiscal year, the minutes from the previous annual meeting, an absentee ballot, a proxy, and an email consent form.

Quorum for an Association meeting is thirty-five (35%) percent of the owners qualified to vote who are present in person or by proxy. Any written ballots turned in to the Board before the meeting starts are counted for quorum purposes.

If a quorum of owners is not present at a meeting, then the owners who are present may adjourn the meeting for a later date and time. The adjourned meeting must be more than forty-eight (48) hours after the time of the original meeting.

Voting

Unless otherwise limited, each owner can cast one vote for each lot owned in Jasonville Farms. Each owner is required to designate one person as the individual representative who casts

the owner's vote at Association meetings and to whom the Association's notices will be addressed. This individual is known as the designated voting representative. Each owner must provide the Board with their designated voting representative's name and mailing address, the number of lots owned by the owner, and the name and address of the owner. The designated voting representative may be changed at any time by providing the Board with the name and address of the new designated voting representative. Although not required, the designated voting representative is often the owner of the lot. The designated voting representative is not a proxy.

The vote for each lot must be cast by the designated voting representative for that lot. There are three methods by which a designated voting representative may vote:

1. The designated voting representative may vote in-person at a meeting.
2. The designated voting representative may execute a proxy allowing the proxy holder to attend and vote in person at a meeting.
3. The designated voting representative may complete, sign, and return a written ballot when the designated voting representative is not present in person or by proxy at the meeting.

If a designated voting representative executes a proxy or votes by written ballot, then the proxy or written ballot must be given to the Board Secretary at or before the beginning of the meeting.

These Board Election, Association Meeting, and Voting Rules were adopted by the Board of Directors of Jasonville Farms Homeowners Association at its Regular Meeting on May 13, 2025.

BOARD OF DIRECTORS

Jasonville Farms Homeowners Association



By: Shaya Newquist
Its: President

