

**FOOTHILL HIGHL, INC.
HOMEOWNERS ASSOCIATION
RESOLUTION OF THE BOARD OF DIRECTORS
APPROVED
ELECTION RULES**


Whereas, *Board of Directors Meeting, of April 8, 2010*

Whereas, **Adopted Election Voting Rules**

RESOLUTION

It is hereby resolved by the Board of Directors for the Foothill Highland Inc. Homeowners Association **adopted the "Rules for Voting by Secret Ballot Regarding Elections"**

- *Effective April 8, 2010 all rules apply – See attached*

By: 
Board President

By: 
Board Secretary

Adopted 4/8/10

RGB
RAPKIN GITLIN
& BEAUMONT
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

RECEIVED
NOV 19 2009

BY:

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File No.: 8630

November 17, 2009

Board of Directors
FOOTHILL HIGHLAND, INC.
c/o Haven Management, LLC
2151 Convention Center Way, #222
Ontario, CA 91764

Attention: Cybil Kryszewski

RE: FOOTHILL HIGHLAND, INC.

Dear Board of Directors:

Pursuant to your request, please find enclosed the following documents:

1. Rules for Voting by Secret Ballot;
2. Candidate Nomination Form;
3. Rules for Voting by Secret Ballot Regarding Assessments, Amendments to Governing Documents and Granting of Exclusive Right to Use Common Area;
4. Secret Ballot;
5. Sample Envelopes;
6. Voting Instructions (2);
7. Election Timeline;
8. Inspectors of Election Ballot Collector Designation Form; and,
9. Resolution - Storage of Ballots.

As you know, Senate Bill 61, which took effect July 1, 2006, dramatically changed the way community associations must conduct votes on the election of Directors, voting regarding assessments, governing documents and the granting of an exclusive right to use common area. The enclosed documents will ensure your community's compliance with Senate Bill 61.

F:\WP\E - H\Foothill Highland, Inc - #8630\SB61 Wordperfect document forms\Board 081001 with Revised Election Procedures & Diskette.wpd

KERN COUNTY
4900 CALIFORNIA AVENUE
TOWER B-210
BAKERSFIELD, CA 93309
TELEPHONE: (661) 377-1929
FACSIMILE: (661) 377-1848

ORANGE COUNTY
333 CITY BOULEVARD WEST
17TH FLOOR
ORANGE, CA 92868
TELEPHONE: (714) 937-3060
FACSIMILE: (714) 938-3255

INLAND EMPIRE
8608 UTICA AVENUE
SUITE 100
RANCHO CUCAMONCA, CA 91730
TELEPHONE: (909) 373-8272
FACSIMILE: (909) 373-8241

CENTRAL COAST
1241 JOHNSON AVENUE
NO. 341
SAN LUIS OBISPO, CA 93401
TELEPHONE: (866) 788-9998
FACSIMILE: (818) 884-1087

Board of Directors
FOOTHILL HIGHLAND LLC
November 17, 2009
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Please know that the Board of Directors is required to adopt the enclosed election procedures but distribute the procedures to the members for their comment, pursuant to *Civil Code* Section 1357.130, thirty (30) days before the meeting at which the Board adopts same. Lastly, I am also enclosing a diskette containing the enclosed documents in electronic form in the event you need to modify/alter same.

LASTLY, AND VERY IMPORTANTLY, SENATE BILL 61 (CIVIL CODE SECTION 1363.03) REQUIRES ASSOCIATIONS TO ADOPT ELECTION RULES. HOWEVER, CIVIL CODE SECTION 1360.5 STATES, IN SHORT, THAT IF AN ASSOCIATION ADOPTS, AMENDS, ETC. RULES, ANY EXISTING NO-PET RULE WILL BE NULL AND VOID. I STRONGLY RECOMMEND THAT YOU SEEK LEGAL COUNSEL SHOULD YOU HAVE A NO-PET RULE.

In the meantime, please contact me should you have any questions or comments. As always, it is a pleasure serving the Association's legal needs.

Very truly yours,

RAPKIN GITLIN & BEAUMONT

JEFFREY A. BEAUMONT, ESQ.

JAB:cb
Enclosures

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FOOTHILL HIGHLAND, INC.

Rules for Voting by Secret Ballot Regarding Elections

Pursuant to California Civil Code Section 1363.03, the following rules and procedures shall apply for the Election and Removal of Directors.

1. Meeting at Which Secret Ballots Shall Be Tabulated.

1.1 The inspector(s) of election shall tabulate the ballots for the election of directors at the annual meeting of the owners or, if no quorum is present, at an adjourned meeting duly noticed. The Board of Directors shall determine the date, time and place of said annual meeting and/or adjourned annual meeting of the owners in accordance with the Association's Bylaws.

2. Nomination of Candidates.

2.1 At least sixty (60) days before the date of the meeting at which the ballots for the election of directors are to be counted, the Association shall mail to each owner a Candidate Nomination Form.

2.2 According to the Association's Bylaws "The authorized number of Directors shall be three (3) unless otherwise determined and approved by a majority of the Board Members representing a quorum. The authorized number of Directors shall remain an odd number at all times." [Bylaws Article V, Section 5.03(a)] "The terms of office of the Directors shall be as follows: (1) one (1) Director shall serve a one (1) year term, and the remaining Directors shall each serve a four (4) year term. At any election of Directors by Members where more than one (1) Director is to be elected, the candidates receiving the highest number of votes shall, in order starting with the most votes, fill the Director positions starting with the position designated with the longest term. In the event that two or more candidates receive the same number of votes and the remaining positions have different terms, the inspectors of election shall determine the manner in which the tie shall be broken." [Bylaws, Article V, Section 5.03 (b).]

2.3 "Procedures for nominations for election to the Board shall comply with Corporations Code Section 7520." [Bylaws, Article V, Section 5.15]. Owners may nominate themselves or another person; provided, however, all candidates must meet the qualifications set forth in Sections 2.2 and 2.3, hereinabove, and must confirm their willingness to run for election to the board.

2.4 Any candidate nominated by another person, prior to the deadline for nominations by the candidate nomination form, will be contacted to confirm that such candidate consents to having his or her name placed in nomination for election to the Board. Write-in candidates and candidates nominated from the floor, at the meeting, must be present to accept said nomination.

2.5 All candidates who meet the qualifications to serve on the Board, if any, and, if appropriate, have confirmed their willingness to run for election to the Board, shall be listed on the secret ballot.

2.6 The Candidate Nomination Form must be returned to the Association at the address provided on, and by the deadline stated on, such form, which deadline must be at least forty-five (45) days before the date the ballots for the election of directors are scheduled to be counted.

3. Inspector(s) of Election.

3.1 The Board shall appoint one or three independent third party(ies) as inspector(s) of election after the close of candidate nominations, but before the secret ballots are mailed to all of the owners. An independent third party includes, but is not limited to:

3.1.1 a volunteer poll worker with the county registrar of voters;

3.1.2 a licensee of the California Board of Accountancy;

3.1.3 a notary public;

3.1.4 a member of the Association provided such member is not a member of the Board of Directors or a candidate for the Board of Directors or related to a member of the Board of Directors or a candidate for the Board of Directors; and,

3.1.5 a person who is currently employed or under contract to the Association for any compensable services.

3.2 Prior to the secret ballots being mailed to all of the owners, the inspector(s) of election shall meet to determine to whom the secret ballots shall be returned (the "Ballot Collector"), which may be the Association's property manager, if any.

3.3 The inspector(s) of election shall also do all of the following:

3.3.1 determine the number of memberships entitled to vote and the voting power of each.

3.3.2 determine the authenticity, validity, and effect of ballots, proxies, etc., if any;

3.3.3 receive ballots;

3.3.4 hear and determine all challenges and questions in any way arising out of or in connection with the right to vote;

3.3.5 count and tabulate all votes;

3.3.6 determine when the polls shall close;

3.3.7 determine the result of the election;

3.3.8 perform any acts as may be proper to conduct the election with fairness to all members in accordance with this section and all applicable rules of the Association regarding the conduct of the election that are not in conflict with this section.

3.4 The inspector(s) of election may appoint and oversee additional persons to count and tabulate the votes as the inspector(s) deem(s) appropriate.

3.5 An inspector of election shall perform his or her duties impartially, in good faith, to the best of his or her ability, and as expeditiously as is practical. The decision or act of a majority shall be effective in all respects as the decision or act of all.

3.6 Any report made by the inspector or inspector(s) of election is prima facie evidence of the facts stated in the report.

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3.7 The Board may remove and replace any inspector of election prior to the tabulation of ballots if an inspector of election resigns or if the Board reasonably determines that an inspector of election will not be able to perform his or her duties impartially and in good faith.

4. Secret Ballot Procedure; Record Date.

4.1 Ballots and two pre-addressed envelopes with instructions on how to return ballots shall be mailed by first-class mail or delivered by the Association to every member not less than 30 days prior to the deadline for voting.

4.2 Ballots must ensure the confidentiality of the voters.

4.2.1 A voter may not be identified by name, address, or lot, parcel, or unit number on the ballot;

4.2.2 The ballot may not require the signature of the voter;

4.2.3 The ballot itself is inserted into an envelope that is sealed. This envelope is inserted into a second envelope that is sealed. In the upper left hand corner of the second envelope, the voter prints and signs his or her name, address (separate interest identifier) with unit number if any, that entitles him or her to vote. The second envelope is addressed to the inspector(s) of election of the Association, who will be tallying the votes. Failure to do so will invalidate the ballot and member's vote.

4.3 Owners may return their secret ballot by mail, hand deliver it to the meeting or complete the ballot at the meeting; provided, only those ballots which are delivered to the inspector(s) of election prior to the polls closing shall be counted.

4.4 A member may submit a written request to the Association for a receipt for delivery of the election materials.

4.5 The record date for purposes of voting shall be the date the ballots are mailed to all of the owners.

4.6 Once cast, secret ballots cannot be revoked; they are irrevocable.

4.7 "The voting period for elections shall be one day. Unless the Board determines that the hours of polling should be expanded, The polls and [sic] and open at 8:00 a.m. and close at 6:00 p.m. The Board shall establish a means by which ballots may be returned to an inspector of election prior to the opening of the polls, on the day of voting." [Bylaws, Article III, Section 3.10(b)]

5. Campaigning.

5.1 All candidates or members advocating a point of view during a campaign, including those not endorsed by the Board, shall be provided equal access to Association media, newsletters, or Internet Web sites (if any) for purposes that are reasonably related to the election. The Association may not edit or redact any content from these communications, but may include a statement specifying that the candidate or member, and not the Association, is responsible for that content.

5.2 All candidates, including those who are not incumbents, and all members advocating a point of view, including those not endorsed by the Board, for purposes reasonably related to the election, shall be provided equal access to any common area meeting space, if any exists, during a campaign at no cost.

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6. Handling of Ballots.

6.1 As secret ballots are returned to the Ballot Collector, the Ballot Collector shall check off on a sign-in sheet that a ballot has been received for such a resident. The first secret ballot received for any residence shall be the ballot which is counted. Any subsequent ballots for the same residence which are received shall be deemed invalid and shall be discarded.

6.2 The sealed ballots at all times shall be in the custody of the inspector(s) of election, Ballot Collector, or at a location designated by the inspector(s) until delivered to the inspector(s) at the meeting for the opening of the ballots and the tabulation of the vote. After the counting of the ballots and the certification of the election results by the inspector(s) of election, the ballots shall be transferred to the Association.

6.3 No person, including a member of the Association or an employee of the management company, shall open or otherwise review any ballot prior to the time and place at which the ballots are counted and tabulated.

6.4 After tabulation, election ballots shall be stored by the Association in a secure place for no less than one year after the date of the election. In the event of a recount or other challenge to the election process, the Association shall, upon written request, make the ballots available for inspection and review by members or their authorized representatives. Any recount shall be conducted in a manner that shall preserve the confidentiality of the vote.

7. Tabulation of Votes; Quorum Requirement.

7.1 All votes shall be counted and tabulated by the inspector(s) of election in public at a properly noticed open meeting of the members or of the Board, at which a quorum of members or a quorum of Board members, as the case may be, must be present.

7.2 The inspector(s) of election shall confirm that no more than one ballot was returned for each residence.

7.3 Any candidate or other member of the Association may witness the counting and tabulation of the votes.

7.4 The inspector(s) of election may establish a physical boundary or buffer zone around them during the tabulation of ballots.

7.5 In order for the vote for the election of directors to be valid, ballots must be returned by at least a quorum of the owners.

8. Announcement of Results.

8.1 The results of the election shall be promptly reported to the Board of Directors and shall be recorded in the minutes of the next meeting of the Board of Directors and shall be available for review by members of the Association.

8.2 Upon certification of the election results by the inspector(s) of election, the newly elected Board members shall be deemed to have taken office.

Handwritten initials and number:
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8.3 Within 15 days of the election, the Board shall publicize the results of the election in a communication directed to all members.

9. Other Voting/Campaign Issues.

9.1 The total number of memberships entitled to vote equals the total number of residences in the Association. However, owners whose voting rights have been suspended in accordance with the Association's governing documents after notice and hearing shall not be entitled to vote.

9.2 "Cumulative voting in the election of Board Members is required for all elections in which two or more positions are to be filled and is subject to the procedural prerequisites to cumulative voting prescribed in Section 7615 (b) of the Corporations Code, which currently provides for cumulative voting only if (1) at least one member has announced an intention to cumulate votes, and (2) if candidates have been placed in nomination prior to voting. Under such voting, a member may give one candidate a number of votes equal to the number of directors to be elected, or distribute the votes among the candidates in any manner." [Bylaws, Article III, Section 3.09 (a)]

"To calculate how many votes are needed to elect a director, apply the following formula: $X = [(M \times D) / (N + 1)] + 1$, where:

X = number votes needed to elect a director
M = number of members = 60
D = number of directors to be elected (at least 2)
N = number of directors on the board

As an example, if the board has 5 directors and 2 are to be elected, $X = [60 \times 2] / 6 + 1 = 21 = 21$.

Cumulative voting is not used if there are still two classes of members or if Declarant still controls a majority of the votes, because in those situations the members other than Declarant have the right to elect at least 20% of the Board members." [Bylaws, Article III, Section 3.09 (a) footnote 1]

9.3 Association funds may not be used for "campaign purposes" in connection with any board election. The term "campaign purposes" is defined to include, without limitation, (1) "expressly advocating the election or defeat" of any candidate that is on the ballot; or (2) "including the photograph or prominently featuring the name of a candidate on a communication" from the association (except the ballot and voting materials and equal access communications sent pursuant to the Section, above, entitled "Campaigning").

9.4 The Board of Directors may enact and implement a "Meeting Code of Conduct" to govern the conduct of members at meetings.

FOOTHILL HIGHLAND, INC.

CANDIDATE NOMINATION FORM

This form is provided for owners who wish to run for the Board of Directors. You may nominate yourself. If you nominate someone else, please make sure they are willing to serve as we will be verifying that he or she wishes to have his or her name placed on the ballot. Depending upon the number of responses, we may or may not include a copy of this form, but will provide a synopsis, as an enclosure with the Secret Ballot and return envelope.

The members will be voting on _____ open positions (_____ -year terms) on the Board of Directors.

Write-in candidates, i.e., candidates written on the ballots after they are distributed by the Association, are discouraged as it does not afford such candidates the same opportunity as those candidates whose names are pre-printed on the ballots, and it complicates the election process at the time of the meeting. Please get your nominations in early!

NAME OF NOMINEE:

ADDRESS:

STATE REASONS FOR YOUR NOMINATION:

GOALS FOR HOA:

ACCEPTANCE OF NOMINATION:

Signature of Nominee

Address of Nominee

Phone Number of Nominee

This form must be received by the Association by mail or personal delivery by 5:00 p.m. on _____, 20____, at the following address:

Foothill Highland, LLC.
c/o Haven Management, LLC
2151 Convention Center Way, #222
Ontario, CA 91764

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FOOTHILL HIGHLAND, INC.

Rules for Voting By Secret Ballot Regarding Assessments, Amendments to Governing Documents and Granting of Exclusive Right to Use Common Area

Pursuant to new Civil Code Section 1363.03(e), when owners are to vote to approve assessments, amendments to governing documents and/or granting the exclusive use of common area to a member, the following must occur:

1. **Meeting at Which Secret Ballots Shall Be Tabulated.**

1.1 Unless the vote is being taken in connection with an annual meeting of the owners, the inspector(s) of election shall tabulate the ballots for the vote to approve assessments, amendments to governing documents and/or granting the exclusive use of common area to a member shall be tabulated at a duly noticed (regular or special) meeting of the Board of Directors. The Board of Directors shall determine the date, time and place of said Board meeting.

2. **Inspector(s) of Election.**

2.1 The Board shall appoint one or three independent third party(ies) as inspector(s) of election before the secret ballots are mailed to all of the owners. An independent third party includes, but is not limited to:

2.1.1 a volunteer poll worker with the county registrar of voters;

2.1.2 a licensee of the California Board of Accountancy;

2.1.3 a notary public;

2.1.4 a member of the Association provided such member is not a member of the Board of Directors or a candidate for the Board of Directors or related to a member of the Board of Directors or a candidate for the Board of Directors; and,

2.1.5 a person who is currently employed or under contract to the Association for any compensable services.

2.2 Prior to the secret ballots being mailed to all of the owners, the inspector(s) of election shall meet to determine the location to whom the secret ballots shall be returned (the "Ballot Collector"), which may be the Association's property manager, if any.

2.3 The inspector(s) of election shall also do all of the following:

2.3.1 determine the number of memberships entitled to vote and the voting power of each.

2.3.2 determine the authenticity, validity, and effect of ballots, proxies, etc., if any;

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2.3.3 receive ballots;

2.3.4 hear and determine all challenges and questions in any way arising out of or in connection with the right to vote;

2.3.5 count and tabulate all votes;

2.3.6 determine when the polls shall close;

2.3.7 determine the result of the vote;

2.3.8 perform any acts as may be proper to conduct the vote with fairness to all members in accordance with this section and all applicable rules of the Association regarding the conduct of the vote that are not in conflict with this section.

2.4 The inspector(s) of election may appoint and oversee additional persons to count and tabulate the votes as the inspector(s) deem(s) appropriate.

2.5 An inspector of election shall perform his or her duties impartially, in good faith, to the best of his or her ability, and as expeditiously as is practical. The decision or act of a majority shall be effective in all respects as the decision or act of all.

2.6 Any report made by the inspector or inspector(s) of election is prima facie evidence of the facts stated in the report.

2.7 The Board may remove and replace any inspector of election prior to the tabulation of ballots if an inspector of election resigns or if the Board reasonably determines that an inspector of election will not be able to perform his or her duties impartially and in good faith.

3. **Secret Ballot Procedure; Record Date.**

3.1 Ballots and two pre-addressed envelopes with instructions on how to return ballots shall be mailed by first-class mail or delivered by the Association to every member not less than 30 days prior to the deadline for voting.

3.2 Ballots must ensure the confidentiality of the voters.

3.2.1 A voter may not be identified by name, address, or lot, parcel, or unit number on the ballot;

3.2.2 The ballot may not require the signature of the voter;

3.2.3 The ballot itself is inserted into an envelope that is sealed. This envelope is inserted into a second envelope that is sealed. In the upper left hand corner of the second envelope, the voter prints and signs his or her name, address (separate interest identifier) with unit number if any, that entitles him or her to vote. The second envelope is addressed to the inspector(s) of election, who will be tallying the votes.

3.3 Owners may return their secret ballot by mail, hand deliver it to the meeting or complete the ballot at the meeting; provided, only those ballots which are delivered to the inspector(s) of election prior to the polls closing shall be counted.

3.4 A member may submit a written request to the Association for a receipt for delivery of the election materials.

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3.5 The record date for purposes of voting shall be the date the ballots are mailed to all of the owners.

3.6 Once cast, secret ballots cannot be revoked; they are irrevocable.

3.7 The polls shall open on the date the ballots are mailed, and close when the voting period is officially closed at the annual membership meeting.

4. **Campaigning.**

4.1 All members advocating a point of view during a campaign, including those not endorsed by the Board, shall be provided equal access to Association media, newsletters, or Internet Web sites (if any) for purposes that are reasonably related to the vote. The Association may not edit or redact any content from these communications, but may include a statement specifying that the candidate or member, and not the Association, is responsible for that content.

4.2 All members advocating a point of view, including those not endorsed by the Board, for purposes reasonably related to the vote, shall be provided equal access to any common area meeting space, if any exists, during a campaign at no cost.

5. **Handling of Ballots.**

5.1 As secret ballots are returned to the Ballot Collector, the Ballot Collector shall check off on a sign-in sheet that a ballot has been received for such a residence. The first secret ballot received for any residence shall be the ballot which is counted. Any subsequent ballots for the same residence which are received shall be deemed invalid and shall be discarded.

5.2 The sealed ballots at all times shall be in the custody of the inspector(s) of election, Ballot Collector, or at a location designated by the inspector(s) until delivered to the inspector(s) at the meeting for the opening of the ballots and the tabulation of the vote. After the counting of the ballots and the certification of the vote results by the inspector(s) of election, the ballots shall be transferred to the Association.

5.3 No person, including a member of the Association or an employee of the management company, shall open or otherwise review any ballot prior to the time and place at which the ballots are counted and tabulated.

5.4 After tabulation, the ballots shall be stored by the Association in a secure place for no less than one year after the date of the vote. In the event of a recount or other challenge to the voting process, the Association shall, upon written request, make the ballots available for inspection and review by members or their authorized representatives. Any recount shall be conducted in a manner that shall preserve the confidentiality of the vote.

6. **Tabulation of Votes; Quorum Requirement.**

6.1 All votes shall be counted and tabulated by the inspector(s) of election in public at a properly noticed open meeting of the Board, at which a quorum of Board members must be present.

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6.2 The inspector(s) of election shall confirm that no more than one ballot was returned for each residence.

6.3 Owners who have not previously submitted a ballot may complete one at the meeting and return it to the inspector(s) of election prior to the polls closing.

6.4 Any member of the Association may witness the counting and tabulation of the votes.

6.5 The inspector(s) of election may establish a physical boundary or buffer around them during the tabulation of ballots.

6.6 In order for the vote on the proposal to be valid, ballots must be returned by at least a quorum of the owners and the requisite percentage of owners must vote to approve the proposal.

7. **Announcement of Results.**

7.1 The results of the vote shall be promptly reported to the Board of Directors and shall be recorded in the minutes of the next meeting of the Board of Directors and shall be available for review by members of the Association.

7.2 Within 15 days of the vote on the proposal, the Board shall publicize the results of the vote in a communication directed to all members.

8. **Other Voting Issues.**

8.1 The total number of memberships entitled to vote equals the total number of residences in the association. However, owners whose voting rights have been suspended in accordance with the Association's governing documents after notice and hearing shall not be entitled to vote.

8.2 The Board of Directors may enact and implement a "Meeting Code of Conduct" to govern the conduct of members at meetings.

8.3 Proxies will be accepted so long as they meet the requirements of all applicable laws and the Association's governing documents, and they are consistent with the secret ballot election process. Directed proxies and proxy envelopes are prohibited.

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FOOTHILL HIGHLAND, INC.

SECRET BALLOT

ELECTION OF DIRECTORS

California law now requires that all directors be elected via secret ballot. You have one vote for each vacancy on the Board. There are _____ vacancies.

Voting: CUMULATIVE VOTING is permitted by the bylaws

You may vote your _____ votes in any manner you wish. You may vote _____ votes for one candidate, or divide your votes in any manner among candidates; however, if your ballot contains in excess of _____ votes, or fractional votes, no such votes will be counted. The candidates receiving the highest number of _____ votes shall be deemed to have been elected.

Write-in candidates, i.e., candidates written on the ballots after they are distributed by the Association, and nominations from the floor, are discouraged as they do not afford such candidates the same opportunity as those candidates whose names are pre-printed on the ballot, and it complicates the election process at the time of the meeting.

	<u>Nominees</u>	<u>Number of Votes</u>
(1)	_____	_____
(2)	_____	_____
(3)	_____	_____
(4)	_____	_____
(5)	_____	_____

I do not wish to vote. This ballot is to be used for quorum purposes only.

ONCE CAST, THIS SECRET BALLOT CANNOT BE REVOKED; IT IS IRREVOCABLE.

IRS REVENUE RULING 70-604

To comply with IRS Revenue Ruling 70-604, and in order to avoid negative tax liabilities, if the Association has a surplus of membership income at the end of its fiscal year, the membership must vote to apply any excess funds to the reserve funds.

For

Against

Abstain

*Please return your ballot according to the enclosed Voting Instructions. Please ensure your name, address, signature, etc. is on the outside of the return envelope, but not on this form. In order to be counted, this Secret Ballot must be received by the Inspectors of Election **by mail** (c/o of the ballot collector) **or hand delivery no later than the close of registration for the polls.***

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FOOTHILL HIGHLAND, INC.

Voting Instructions for Election and Removal of Directors

There are two envelopes included in this package for your use. Recent changes to California law require that all Directors be elected by Secret Ballot. The ballot must be voted by the owner, placed in the ballot envelope and sealed. We cannot accept unmarked ballots as they will be voided. The ballot envelope will not be opened until the meeting referenced above, and then in public. Please follow the directions below to ensure that your vote is counted:

First Envelope:

Please vote your Secret Ballot by placing it inside the smaller of the two envelopes and seal the envelope. These envelopes will be opened by the inspector(s) of election at the public meeting. Make no marks on this envelope that would identify your vote in any way. This applies to voting by mail or at the meeting.

Second Envelope:

After the ballot itself is inserted into the ballot envelope, which is then sealed, this envelope is inserted into a second envelope that is sealed and addressed to the inspector(s) of election of the Association. In the upper left hand corner of the second envelope, the voter prints and signs his or her name, address (separate interest identifier) with unit number if any, that entitles him or her to vote. The inspector(s) of election will tally the votes. If your address is not on this envelope the inspector(s) of election cannot count it and will show it as voided. The Ballot Collector (as defined in the Association's Election Rules) will mark off the secret ballots that it has received prior to the meeting on the sign-in sheet. If you have voted your ballot by mail, you will not receive another ballot at the meeting.

Please feel free to contact the Association with any questions regarding this process as it is important that you vote, and that your vote counts! A quorum of members must return ballots in order for the election to be valid.

A handwritten signature, possibly "A", is written above the number "11".

FOOTHILL HIGHLAND, INC.

Voting Instructions For Assessments, Amendments To Governing Documents, and Granting Exclusive Right to Use Common Area

There are two envelopes included in this package for your use. Recent changes to California law require that votes on assessments, amendments to governing documents, and granting exclusive right to use common area be voted on by Secret Ballot. The ballot must be voted by the owner, placed in the ballot envelope and sealed. We cannot accept unmarked ballots as they will be voided. The ballot envelope will not be opened until the meeting referenced above, and then in public. Please follow the directions below to ensure that your vote is counted:

First Envelope:

Please vote your Secret Ballot by placing it inside the smaller of the two envelopes and seal the envelope. These envelopes will be opened by the inspectors of election at the meeting. Make no marks on this envelope that would identify your vote in any way. This applies to voting by mail or at the meeting.

Second Envelope:

After the ballot itself is inserted into the ballot envelope, which is then sealed, this envelope is inserted into a second, larger envelope that is sealed and addressed to the inspectors of election of the Association. In the upper left hand corner of the second envelope, the voter prints and signs his or her name, address (separate interest identifier) with unit number if any, that entitles him or her to vote. The inspectors of election will tally the votes. If your address is not on this envelope the inspectors of election cannot count it and will show it as voided. The Ballot Collector (as defined in the Association's Voting Rules) will mark off the secret ballots that it has received prior to the meeting on the sign-in sheet. If you have voted your ballot by mail, you will not receive another ballot at the meeting.

Please feel free to contact the Association with any questions regarding this process as it is important that you vote, and that your vote counts! A quorum of members must return ballots in order for the vote to be valid.

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FOOTHILL HIGHLAND, INC.

Election Timeline

Meeting Date: _____, 2009

EVENT	DEADLINE	DAYS BEFORE ELECTION	COMMENTS
Appoint Nominating Committee (if required)	By _____, 2009	Per Bylaws	Per Bylaws
Mailing of Candidate Form	By _____, 2009	60	See qualifications for candidates, if any exist in Bylaws, etc.
Candidate Form Return	By _____, 2009	45	Candidates' names received after this date will not be included on ballot
Appointment of Inspector(s)	By _____, 2009	30	1 or 3 inspector(s) must be appointed prior to ballots being mailed, at open Board meeting
Appointment of Ballot Collector	By _____, 2009	30	Inspector(s) of Election must appoint – may be manager – at open Board meeting
Secret Ballot Mailing	By _____, 2009	30	Also mail meeting notice and general proxy form
Annual Meeting / Election	By _____, 2009	0	Conduct annual meeting and election
Publication of Election Results	By _____, 2009	+15 (days after election)	

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FOOTHILL HIGHLAND, INC.

Inspector(s) of Election

Ballot Collector Designation Form

The Inspector(s) of Election do(es) hereby designate the following as the official "Ballot Collector" for the purpose of receiving ballots for all Association matters; therefore, the ballots will be mailed to:

Ballot Collector
c/o Haven Management, LLC
9231 Archibald Avenue
Rancho Cucamonga, CA 91730

The Ballot Collector will collect all ballots and hold them, unopened, until the time designated to be transferred to the Inspector(s) of Election.

Inspector Signature

Inspector Signature

Inspector Signature

Date

**RESOLUTION OF THE
FOOTHILL HIGHLAND, INC.**

RECEIPT OF BALLOTS - INSPECTORS OF ELECTION

WHEREAS, Foothill Highland, Inc. is a California corporation duly organized and existing under the laws of the State of California; and,

WHEREAS, the Board of Directors desires that the corporation shall act in full accordance with the Association's Bylaws;

WHEREAS, *Civil Code* §1363.03(c)(3)(C)&(h) requires the Inspectors of Election, pursuant to Section 7527 of the *California Corporations Code*, to designate a location to store the ballots until the time for challenging the election has expired (nine months following the date of the election);

NOW, THEREFORE, the Inspectors of Election hereby adopt the following resolution:

RESOLVED, that the location where the irrevocable secret ballots shall be stored during the challenge period will be _____, after which time the ballots will be transferred to the Association.

This Resolution is adopted and made a part of the Minutes of the Meeting of _____.

	Inspector (1)	Inspector (2)	Inspector (3)
Print Name:	_____	_____	_____
Signature:	_____	_____	_____
Date:	_____	_____	_____

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