



Website: ArrowCreek-HOA.com; Email: acservic@associasn.com

Date: 10-17-17

Dear ArrowCreek Owner,

The ArrowCreek HOA Board has learned that an anonymous group with no mailing address and limited regard for truth [calling itself "Concerned Neighbors of ArrowCreek"] is campaigning against the YES vote for the new CC&Rs/Bylaws with misleading comments and misinformation.

Here are concise, **honest** facts from your HOA Board ... which recommends you vote YES for the new CC&Rs/Bylaws....

- 1) New CC&R's do NOT change the ACHOA Board's ability to increase assessments ... whether you vote YES or NO the ACHOA Board will have the ability to raise monthly assessments by 15% and levy special assessments of 15%. You know that all ACHOA Boards have been very restrained in raising assessments and have been excellent financial stewards. There has only been ONE special assessment in the history of ArrowCreek... for an enormous snowfall about 12 years ago... and the last general assessment increase was five years ago. Lower assessment limits could put the HOA in financial jeopardy should there be a spike in inflation or if expensive emergency repairs are required by weather events or a natural disaster.
- 2) The 2018 budget is still being revised but is likely to call for only a 9% assessment increase... because ... the ACHOA Board has listened to the public response at September's Town Hall meeting and taken a more conservative path.
- 3) The 2018 ACHOA Budget to be approved at the Board's November regular meeting will be subject to resident ratification at December's HOA Annual Meeting ... as it is every year. There is no change to this procedure under either the OLD or NEW CC&Rs/Bylaws.
- 4) The NEW CC&Rs recognize **there may be benefits for ALL residents if the HOA cooperates with the Golf Club**. This is not a sinister plot to subsidize the Golf Club... it is a desire to make ArrowCreek more attractive for residents and to grow property values. *For example*, HOA Resident children were offered a Summer Camp program run by the Golf Club at the same cost as Golf Member children this year. In recognition of the value of this community-wide program, the ACHOA allowed Summer campers to use HOA athletic facilities and the Golf Club allowed campers to use golf facilities. This was a WIN-WIN **cooperation** for HOA Residents with children, for Golf Members with children, and for every resident without children who might someday sell their home to a family with children! What's the alternative to cooperation? Will you and the ArrowCreek community benefit if the Home Owners Association and the Golf Club are enemies or totally ignore each other?

The ArrowCreek HOA Board of Directors



Website: ArrowCreek-HOA.com; Email: acservice@associasn.com

DOCUMENTS REVISION BALLOT! PLEASE RETURN YOUR VOTE!

Dear ArrowCreek Owner,

The ArrowCreek HOA revised Covenants, Conditions and Restrictions (CCRs) and Bylaws are ready for your vote!

The voting ballot, a copy of the revised documents, redlined versions, and an overview of the proposed changes with explanation of the process are posted on the www.arrowcreek-hoa.com website.

THE HOA NEEDS YOU TO RETURN YOUR VOTE! RAFFLE PRIZES WILL BE REWARDED FOR THOSE WHO SEND THEIR VOTE IN! WIN UP TO A \$500 VISA GIFT CARD!

IT'S EASY...HERE'S HOW TO VOTE:

1. Please review the document revision information.
2. Mark your vote and sign the ballot. If you own more than one voting lot, please copy the ballot and return a signed ballot for each lot you own.
3. Return your signed ballot as soon as you can via one of the below options. **A prepaid, pre-addressed envelope is included for your convenience:**
 - Email your signed ballot in PDF format to ACservice@associasn.com
 - US Mail OR hand deliver your signed ballot to: ArrowCreek HOA, c/o Associa Sierra North, 10509 Professional Circle, Suite #200, Reno NV 89521
 - Hand deliver your ballot to the Residents Center and drop in the Ballot Box located on the wall across from the office

This has been a long but important project. Thank you to all who were involved in this huge undertaking! And thank you for sending in your vote!

Sincerely,

The ArrowCreek HOA
Board of Directors & Governing Documents Committee



**SUMMARY of MAJOR CHANGES to the
ARROWCREEK GOVERNING DOCUMENTS**

October 15, 2017

Both the Bylaws and CC&Rs were updated to comply with current NRS (Nevada law) and Federal Law (solar, flag) standards and removed language involving the original developer who is no longer a part of the community. Major updates are listed below. We encourage you to read the final documents for all updates and to be 100% aware of what you are voting for.

Key changes proposed are:

REVISED BYLAWS:

Added a Vice President position since we have had one for at least 7 years; and
Added the ability to work with the Non Resident Owner (golf course). (Prime example of this is the HOA working with the Non Resident Owner and the County to collectively secure almost \$300k in grant money to mitigate fire fuels in and around our community. (Please think about Napa/Sonoma, CA). We also are now sharing outdoor and indoor (wintertime) PickleBall court(s) and the LOL singles club.
Despite false rumors, NO FINANCING of the golf course has been added.

REVISED CC&R's:

NO CHANGE to budget/dues/assessment requirements;
Added a 30-day period for voting and property ownership change;
NEW language now better protects the community should the Non Resident Owner ever try to develop its land into housing – Right now, there is NO PROTECTION. The proposed language says that if Washoe County gives its permission to rezone and develop, then the developer would be bound by the CC&R's including ADRC guidelines and minimum 2500 sq. ft. requirements. (The Articles of Incorporation (which have not been revised) Article IV prohibits the HOA from representing lot holders and residents on issues of land use, planning, etc. and as such the HOA may not advocate in front of the Planning Commission and the County Commissioners.);
Removed horse property and the RV park;
Removed an unknown Non Resident Owner;
Added Solar and updated Flag requirements;
Non Resident Owner added an easement to allow the HOA to share the use of their PIT for storage of material and equipment;
Delineated ADRC Appeal process;
Removed outdated County section;
Updated fuels mitigation/compliance paragraph and added same language to the Non Resident Owner's section;
Added to the list of rodents that can be removed;
Simplified the equivalent lot definition for the Non Resident Owner. (NO CHANGE to current rate, but as golf's success grows, they will increase the amount they pay for shared road/gate access;) and
Added/clarified definition section and performed numerous edits to clean the document up.

PLEASE VOTE!!!



Website: ArrowCreek-HOA.com; Email: acservic@associasn.com

Date: 9/25/17

OVERVIEW OF PROPOSED CHANGES TO YOUR ARROWCREEK GOVERNING DOCUMENTS

ALL OWNERS --- PLEASE RETURN THE ENCLOSED BALLOT!

WHAT ARE THE GOVERNING DOCUMENTS, AND WHERE DO THEY COME FROM?

The Governing Documents of ArrowCreek directly affect YOUR property. The Covenants, Conditions and Restrictions (CC&RS) define the basic guidelines that governing YOUR real property. The ByLaws are organizational rules that govern homeowner affairs.

WHY UPDATE THE GOVERNING DOCUMENTS?

The CC&Rs and ByLaws by which the ArrowCreek Homeowners Association (ACHOA) is bound, were drafted in 1997. They are outdated.

1. The "Declarant" that is referred to in Governing Documents is the original developer. The Declarant no longer exists. That corporation, referenced throughout the original Documents, dissolved years ago.
2. The Governing Documents have not been updated over the past 20 years to meet changes in the Nevada Revised Statutes.
3. The CC&Rs define the relationship between the "Nonresidential Owner" (the owner of the golf course) and the ACHOA. The Nonresidential Owner is a signatory to the CC&Rs and is bound by the Articles that refer to it. The original Documents were drafted by the developer Declarant and inadequately define the relationship.

HOW DO WE UPDATE THE GOVERNING DOCUMENTS?

The ACHOA Board of Directors tasked a Committee to update the Governing Documents. The Committee has been working on the update for more than 2 years. The updates are now being referred to the ArrowCreek Community for a vote. In order to change the Documents, 50% plus one of all lot owners must accept or reject the update.

YOUR VOTE IS NEEDED!

All lot owners are encouraged to vote. A drawing will be held at the close of voting, which will include all lot owners who vote (regardless of whether the vote is “Yes” or “No”) as follows:

1. All votes received on or before October 31, 2017, will be entered into a drawing for a \$500 Visa gift card.
2. All votes received after October 31, 2017, will be entered into a drawing for a \$250 Visa gift card.

WHAT ARE THE PROPOSED CHANGES TO THE CC&RS?

The proposed changes to the CC&RS are generally as follows:

1. The CC&Rs were brought into conformance with current Nevada Revised Statutes.
2. Articles I and II contain updated definitions. Article II specifically allows the ACHOA to cooperate with owners of the golf course (referred to “Nonresidential Owner” in the CC&RS) where it is in the interest of the ACHOA. Article II, Section 5 in the original CC&Rs (which allows the Declarant to “control” the Association) was deleted.
3. Article III contains minor language updates.
4. Articles IV and VII improve fire fuel management to include the Nonresidential area and simplify the formula for assessing the Nonresidential owner for use of ACHOA roads and landscaping.
5. Article VI adds and clarifies the procedure to appeal decisions of the ArrowCreek Design Review Committee.
6. Articles X and Article XI Section 8, were deleted because they were based on the rights and responsibilities of the Declarant, which no longer exists.
7. To the extent feasible, the Articles and Sections in the proposed CC&Rs track the categories of Articles and Sections in the original CC&Rs to allow you to compare the two.

WHAT ARE THE PROPOSED CHANGES TO THE BYLAWS?

The proposed changes to the ByLaws are generally as follows:

1. The ByLaws were brought into conformance with current Nevada Revised Statutes.
2. A Governing Law Section (1.04) was added

3. The definition of ACHOA membership between ByLaws and CC&Rs Article II was synchronized.
4. Section 3.03 clarified elections and terms of office to reflect current membership involvement.
5. Article III was revised and condensed to reflect current ACHOA responsibilities.
6. Article V was condensed to reflect the maturity of the ACHOA without a Declarant.
7. To the extent feasible, the Articles and Sections in the proposed ByLaws track the categories of Articles and Sections in the original ByLaws to allow you to compare the two.

HOW DO I VOTE?

Votes may be sent through e-mail, U.S. mail or hand delivered to Associa Sierra North or dropped in the ballot box at the ArrowCreek Residents' Center. Your vote automatically includes your name in the drawing described above, regardless of you how vote. Once a lot owner has returned the ballot, that ballot will be final. Should a lot change ownership and a ballot has not yet been returned for that lot, the new owner is entitled and encouraged to vote.

The voting closes when 50% plus one of lot owners either accept or reject the revised documents.

DOES ONE VOTE INCLUDE BOTH CC&RS and BY LAWS?

Because the CC&Rs and ByLaws refer to each other, your acceptance or rejection includes both CC&Rs and BYLAWS. You cannot accept one and reject the other.

If you have any questions about the voting process or the document changes, we encourage you to contact the Governing Documents Committee via email at ACservice@associasn.com.

Thank you for your vote!

The ArrowCreek HOA
Board of Directors & Governing Documents Committee



TO ALL ARROWCREEK HOMEOWNERS

Official Ballot Pursuant to NRS 116.2117

The individual(s) voting in this ballot is/are the record owner(s) of a Unit located within the ArrowCreek Homeowners Association and, with submission of this ballot, vote(s) on the following issues:

Vote Re: Whether to Adopt the Second Amended and Restated CC&Rs and Second Amended Bylaws

_____ **Yes**, I agree that the Association should adopt the ARROWCREEK SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS **and** should adopt the SECOND AMENDED BYLAWS FOR THE ARROWCREEK HOMEOWNERS ASSOCIATION.

_____ **No**, I prefer for the Association not to adopt the ARROWCREEK SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS **and** not to adopt the SECOND AMENDED BYLAWS FOR THE ARROWCREEK HOMEOWNERS ASSOCIATION.

Voting Requirements: Pursuant to NRS 116.2117, in order for the Association to amend its CC&Rs, there must be a vote or agreement of Units owners of units to which at least a majority of the votes in the association are allocated, or any larger majority the declaration specifies. According to Article XIII, Section 4 of the ArrowCreek Declaration of Covenants, Conditions, and Restrictions dated October 15, 1997, the Association needs to obtain the support of the majority of owners in order to amend its CC&Rs. Under Section 5.04 of the Bylaws dated May 13, 1997, the Association needs to obtain the support of the majority of owners in order to amend its Bylaws.

IMPORTANT: When signing as executor, attorney, administrator, trustee, guardian or in some other representative capacity, please specify your title. Once a lot owner has returned the ballot, that ballot will be final. Should a lot change ownership and a ballot has not yet been returned for that lot, the new owner is entitled and encouraged to vote.

This Ballot is to be signed. Pursuant to Article XIII, Section 4 of the ArrowCreek Declaration of Covenants, Conditions, and Restrictions, only one of the Owners for a Lot with more than one Owner shall be deemed sufficient for signature. The signed ballot must be returned to Associa Sierra North for counting by December 1, 2017. Note, since this is not a secret ballot and since we need a majority plus one to vote one way or the other to proceed, there may be several counting dates. Extensions to return ballots will be provided until a decision is reached.

Returning the Signed Ballot. The ballot may be returned via **e-mail** (pdf attachment with signature) to **ACservice@associasn.com**, U.S. Mail or hand deliver to: ArrowCreek HOA c/o Associa Sierra North, 10509 Professional Circle #200, Reno, NV 89521 or dropped at the Resident Center into the locked ballot box.

Signature: _____ Date: _____

Print Name: _____ Lot Address: _____

Title (Trustee, Executor, Guardian) _____