

CHATFIELD EAST PROPERTY OWNERS ASSOCIATION
BOARD CONSENT TO ACTION
2/21/23

PROCESS:

On 2/18/23 the following email was sent to all Board Members by Mary Gross, Secretary:

This is a request for an email vote, pursuant to C.R.S. § 7-128-202. Any action that may be taken at a board meeting may be taken without a meeting by this process.

1. The proposed action:

Vote to approve CEPOA's legal counsel to file a motion to intervene in the pending lawsuit between the Hoffmans and McMakin to make sure the Association's interests are represented in any ruling by the court or resolution of the parties should McMakin reject the offered compromise regarding the access to McMakin property through Lot 32.

2. The time by which a board member must respond:

Your response deadline is February 21, 2023, at 3:00 p.m. MST.

Failure to respond by the date and time stated in this notice will have the same effect as abstaining in writing by the date and time stated in this notice and failing to demand in writing by the time stated in the notice that action not be taken without a meeting.

Please respond to me before the date and time indicated with one of the following:

1. Vote by email in favor of the proposed action;
2. Vote by email against the proposed action;
3. Abstain by email from voting; or
4. Demand by email that action not be taken without a meeting.

Please ensure that your response allows the Association to determine who you are by stating your name with one of the 4 response choices above.

The matter shall be approved only if, by the date and time stated above, the number of affirmative votes received and not revoked equal or exceed the minimum number of votes that would be necessary to take action at a meeting at which all of the directors currently in office were present and voted and NO director has responded with a demand that the action not be taken without a meeting unless that demand has been revoked by the date and time stated above.

RESULTS:

On 2/21/23 at 3:00, the response was as follows:

- a. Kathy Kirchner - YES

- b. Mark Hochstedler - YES
- c. Mary Gross - YES
- d. Katrina Swenson - YES
- e. Teresa Spencer – Abstained

Therefore CEPOA's legal counsel will file a motion to intervene in the pending lawsuit should McMakin reject the offered compromise.