

SPECIAL POWER OF ATTORNEY (PROXY)

(We) (name(s)) _____, owner(s) of Lot _____

Cloverdale Heights, hereby appoint Thomas Klug, President, or as his alternate Roy A. (Andy) Grega, Secretary, of the Cloverdale Heights Homeowner's Association, Inc., as my(our) attorney-in-fact ("Agent"). My(our) agent shall have full power and authority to act on my(our) behalf but only to the extent permitted by this Special Power of Attorney. My(our) agent's power shall be limited to the power to vote on my(our) behalf concerning a resolution to amend the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CLOVERDALE HEIGHTS, Article X, Section 10.1, paragraph (21), by deleting the sentence "This limitation shall expire on December 31, 2000"; and to authorize the President of the Association to have prepared and to record an amendment to this effect. This Power may be revoked by me(us) at any time and is void if I(we) choose to attend an Association meeting to be announced for vote on this amendment and vote in person. This Power expires one year from the below date of signature.

The Directors recommend a YES vote.

My(our) agent's power shall be limited to the power to vote

YES _____ NO _____ ABSTAIN _____

UNIT OWNER(S) SIGNATURE(S)

DATE

ARTICLE X, Section 10.1 (21) of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CLOVERDALE HEIGHTS is quoted below. The sentence being deleted is in italics.

21) No dwelling or other improvement shall be erected until the plans and specifications including exterior color design, have been submitted to and approved in writing by the Developer, its successors or assigns or their authorized agents. *This limitation shall expire December 31, 2000.* Approval of plans and specifications shall not be arbitrarily or unreasonably withheld. Further, any building commenced on said property shall be completed within one year of said commencement date.

[One both of owners of the property may execute this proxy. Only one name and signature is required. Name and signature must be exactly as recorded on the deed to the property.]

*MINUTES OF THE
UNIT OWNER'S SPECIAL MEETING
CLOVERDALE HEIGHTS HOMEOWNER'S ASSOCIATION, INC*

A special meeting of the above association was held on August 26, 1999 at 10:00 A.M. at the Old Charles Town Library, Association, President Thomas Klug presiding.

Notice of meeting was mailed to unit owners who had not submitted proxies prior to the mailing, and was posted on three bulletin boards in the subdivision on August 9, 1999.

A quorum was declared present based on the presence of 16 unit owners in person or by proxy

The following resolution was **approved by votes as follow:**

103	yes, voting by proxy
8	yes, voting in person
4	no, voting by proxy
1	abstain, voting by proxy

“The president of the Cloverdale Heights Homeowners’ Association, Inc. shall have prepared and recorded an amendment to the Declaration of Covenants, Conditions and Restrictions for Cloverdale Heights such that the sentence “This limitation shall expire on December 31, 2000.” in Article X, Section 10 Paragraph (21) is deleted and that thereafter Paragraph (21) will be as follows

(21) No dwelling or other improvement shall be erected until the plans and specifications including exterior color design, have been submitted to and approved in writing by the Developer, its successors or assigns or their authorized agents. Approval of plans and specifications shall not be arbitrarily or unreasonably withheld. Further, any building commenced on said property shall be completed within one year of said commencement date.”

The being no other business, the meeting was duly adjourned at 10 A.M.

By _____

Titl _____

Dat _____

CLOVERDALE HEIGHTS HOMEOWNERS ASSOCIATION, INC
142 Cloverdale Heights, Charles Town, WV 25414

SPECIAL MEETING NOTICE

The Executive Board has voted to submit to the Association the following proposal to amend Article X, Section 10.1 (21) of the Declaration of Covenants, Conditions and Restrictions for Cloverdale Heights.

Text to be removed is printed in strike-through type words or text are to be added.

(21) No dwelling or other improvement shall be erected until the plans and specifications including exterior color design, have been submitted to and approved in writing by the Developer or its successors or assigns or their authorized agents. ~~This limitation shall expire December 31, 2000.~~ Approval of plans and specifications shall not be arbitrarily or unreasonably withheld. Further, any building commenced on said property shall be completed within one year of said commencement date.

If approved, the President of the Association is authorized by the resolution to have prepared and recorded an amendment to this effect.

A special meeting of the Unit Owners of Cloverdale Heights Homeowners' Association, Inc. will convene on **August 26, 1999 at 11:00 AM** in the meeting room of the **Old Charles Town Library, 200 E. Washington St., Charles Town, WV**, for the purpose of voting on approval of this amendment, in accordance with the Bylaws of the Association. You may vote in person or by forwarding a proxy for each lot you own to the Secretary prior to the meeting. No other business will be transacted at this meeting.

Thomas L. Klug, President



August 9, 1999

The Executive Board Statement:

All covenants, as well as the complete Declaration, remain in effect in perpetuity or for the life of Cloverdale Heights. The review and approval provided by Article X, Section 10.1 (21) is considered necessary and highly desirable for maintaining the high quality and character of Cloverdale Heights and should remain in effect. Removal of the time limit imposed by the sentence will avoid expense of litigation and owner remedial actions when non complying improvements, construction or alterations are done on a property. The text change in this amendment affects only this paragraph. This amendment will be approved if sixty-seven percent (67%) of the owners vote YES in person or by proxy.