



November 17, 2022

To: Members of Wynfield Property Owners Association, Inc.

From: Board or Directors

Re: Proposed Amendment to the POA's Declaration of Covenants, Conditions and Restrictions

Dear Wynfield POA Members:

You are receiving this note and the enclosed Written Ballot because you own a Lot in the Wynfield Subdivision. The Wynfield Property Owners Association was formed in part to preserve, protect and enhance the values and amenities of all properties in the Subdivision. Wynfield was originally developed to be an owner-occupied single family residential community. As you are no doubt aware, more and more neighborhoods in our area and across the country are having to address increasing numbers of homes that have become rental units. Neighborhoods are struggling with how to address short term rentals. Another rental related issue is the influx of corporate ownership of homes that become rental units.

In an effort to address those rental related issues, the Board of Directors recommends amending the POA's Declaration as set forth in the attached Written Ballot. It will take at least 75% of the homeowners to vote in favor of the amendments for them to pass. That is a huge task. In an effort to give the community plenty of time to reach this 75% minimum, the Board has set the "due date" on which your ballot must be received as November 15, 2023 – basically one year from now. PLEASE NOTE, however, if the 75% minimum requirement is met before the November 15, 2023, deadline, then the amendment(s) pass and there will be no need to wait until November 15, 2023. The Board is strongly urging and encouraging everyone to return your ballot on or before December 31, 2022, so the amendment can be recorded and become effective as soon as possible.

Please return your ballots to one of the following: PO Box 11906, Charlotte, NC 28220; email at admin@hawthornemgmt.com, or fax (704) 347-4475.

Thank you for your help in getting these amendments passed.

Board of Directors
Wynfield POA

WYNFIELD PROPERTY OWNERS ASSOCIATION, INC.
Action by Written Ballot
N.C.G.S. § 55A-7-08

The Board of Directors recommends that the membership of Wynfield Property Owners Association, Inc. approve the following amendments to the Declaration of Covenants, Conditions and Restrictions for Wynfield Subdivision (“Declaration”):

1. Article VII is amended to add the following new section 7.1___ (and subsections):

7.1___. Leasing. No Owner shall lease, rent or license less than an entire Lot and dwelling and no Lot or dwelling shall be used except for single-family residential purposes. Subleasing is prohibited.

Regarding the above proposed action, the undersigned Owner(s) vote as follows:

_____ **FOR**

_____ **AGAINST**

7.1___. Leasing. No Owner shall lease, rent or license the Lot and dwelling for transient or hotel purposes. All lease, rent or license agreements shall be for a lease term of not less than twelve (12) months. No Lot or dwelling shall be advertised for lease, rent or license for a period of less than twelve (12) months.

Regarding the above proposed action, the undersigned Owner(s) vote as follows:

_____ **FOR**

_____ **AGAINST**

7.1___. Leasing. Except as specifically provided below with respect to acquisitions by bequest or inheritance, no Owner who acquires title to a Lot after the effective date of this Section 7.1___ shall be permitted to rent, lease and/or license such Lot until twenty- four (24) months after the recording date of the deed conveying said Lot to such Owner. In the event that any Lot is leased, rented or licenses for any period of time in violation of this mandatory twenty-four (24) month

“Waiting Period,” the Waiting Period shall be immediately tolled and any time which elapses while the unpermitted lease remains in effect shall not count toward satisfaction of the twenty-four (24) month Waiting Period. Notwithstanding anything else to the contrary, however, the Waiting Period described herein shall not apply to any person or entity who acquires a Unit by bequest or inheritance

Regarding the above proposed action, the undersigned Owner(s) vote as follows:

_____ **FOR**

_____ **AGAINST**

The Board of Directors encourages all owners to return your Ballots by December 31, 2022. In order to be counted, however, this written ballot **must be received by the Association on or before 5:00 p.m.**, November 15, 2023. Ballots may be returned as follows: PO Box 11906, Charlotte, NC 28220; email is admin@hawthornemgmt.com; or fax (704) 347-4475.

Signature: _____
PRINTED NAME: _____

Signature: _____
PRINTED NAME: _____

Property Address:

Please note that the enumeration of the paragraphs in the amendment will depend on which, if any (or all), of the three possible amendments are passed. For example, if all amendments pass, then the new paragraph would be “7.12 Leasing” and subparagraphs (a), (b) and (c) would set forth the amendments.