



GLENSHIRE
DEVONSHIRE
RESIDENTS
ASSOCIATION
15726 GLENSHIRE DR
TRUCKEE, CA 96161

*To Protect & Enhance the Quality of
Life & Property in Glenshire Devonshire*

May 18, 2022

Re: Summary of Changes in the Proposed Restated Governing Documents

Note: This is a summary of some highlights, not intended to be a comprehensive summary.

Dear Members of the Association:

In collaboration with the GDRA CC&R's Committee for more than 2 years, and with feedback from the membership, the Board has gone through the strategic process of revising our outdated governing documents.

The new Proposed Restated Governing Documents have now been carefully considered, analyzed and approved by the Board, and we now submit them to the members for your vote. The proposed restated governing documents include the following:

- (A) *Third Restated Declaration of Covenants, Conditions, and Restrictions for Glenshire/Devonshire.*
 - (B) *Third Restated Bylaws of The Glenshire/Devonshire Residents' Association, Inc.*
- (Collectively, the "Restated Governing Documents")

You can download and print the Proposed Restated Governing Documents by accessing this link: <https://bit.ly/3a0Bv3x> or visit our website at glenshiredevonshire.org. Hard copies can be provided by the Association free of charge upon request made to info@glenshiredevonshire.com or 530-587-6202.

Please review the materials and then cast your vote "for" or "against" the adoption of the Restated Governing Documents using the enclosed secret ballot.

Please keep in mind that you are being asked to cast TWO separate votes in the enclosed ballot. **FIRST**, a single vote "for" or "against" the adoption of the Restated Governing Documents. **SECOND**, a single vote "for" or "against" supplemental short-term rental language as shown in Section 4.30.3 of the Restated CC&Rs, which can only take effect if separately approved by the members, AND if the Restated CC&Rs are also approved. Please see the ballot for more details. (A single vote for the two sections is necessary to avoid inconsistent and contradictory language should one of the documents be approved and the others rejected.

Please Vote by July 22! In doing so you will be shaping the future of our community.

The proposed Restated Governing Documents incorporate the changes mandated by current California law and include provisions that, when approved, will bring our Association up to the standards applicable to California community associations today, and simplify the governance of the Association.

Key changes that you will find include (but are not limited to):

- ⇒ Fire safety provisions (4.9 and throughout)
- ⇒ Protection for our wetlands (4.7 and throughout)
- ⇒ Vehicle and parking restrictions (4.27)
- ⇒ Guidelines surrounding short term rentals (4.30.3)
- ⇒ Removal of antiquated and no longer relevant restrictions

This letter is intended to provide a general overview of the proposed Restated Governing Documents; it is not intended to replace your review of the proposed Restated Governing Documents. Accordingly, the following pages summarize certain significant provisions contained within the proposed Restated Governing Documents.

A. Proposed Restated Declaration of CC&Rs

The declaration of restrictions describes the real property subject to the Association's governing documents. It defines the interests and rights of the Association and owners with respect to the property. Further, the declaration of restrictions addresses assessment structure, use restrictions, maintenance, architectural review procedures, and compliance issues.

Overall, the proposed CC&Rs are much reduced (39 pages) from the provisions currently in force (72 pages) with many restrictions removed or made more concise (and easier to achieve and maintain compliance). Sections have been added to improve community fire resistance and protect the quality of the lake, consistent with local and state laws and regulations.

The following is a summary of some of the key changes in the proposed *Third Restated Declaration of Covenants, Conditions, and Restrictions for Glenshire/Devonshire* (the "Restated CC&Rs"):

(1) Definitions. The "definitions" portion of the Restated CC&Rs has been clarified and expanded to make the interpretation and implementation of the document easier for members.

(2) Use Restrictions. The property use regulations found in the current CC&Rs have been consolidated and clarified in Article 4 of the Restated CC&Rs. The provisions contained in Article 4 have been carefully drafted to suit the unique character and needs of the community and have been simplified. Careful attention has been devoted to ensuring that the provisions allow each owner the reasonable, fair use of his or her home, while protecting the appearance, property values, and quality of life within the community.

(3) Assessments. The assessment provisions found in the current CC&R's have been moved to Article 6 and have been updated to conform to the Davis-Stirling Common Interest Development Act and to clarify the procedures that the Association will use with regard to assessments.

(4) Maintenance. The provisions addressing maintenance responsibilities are now located in Article 8 of the proposed Restated CC&Rs. The obligations of both the Association and the owners for maintenance, repair and replacement of the many elements which make up the community have been clearly specified to avoid confusion.

(5) Architectural Review and Use Restrictions. The provisions on architectural review have been moved to Article 9 and have been revised and clarified to reflect changes made in California law regarding the procedure for architectural review.

B. Proposed Restated Bylaws

The Association's Bylaws contain rules which govern corporate matters such as membership meetings, elections of directors, and books and record keeping requirements. A corporation's bylaws contain the rules which govern organizational and "corporate" matters, as distinguished from the CC&Rs, which address real property rights, interests, obligations, and related matters. Most often changes in the Bylaws are a direct result of changes made by the California legislature.

The following is a summary of numerous noteworthy changes in the proposed *Third Restated Bylaws of The Glenshire/Devonshire Residents' Association, Inc.* (the "Restated Bylaws"):

(1) Election Procedures. The Restated Bylaws incorporate provisions from California Civil Code Section 5100. This law mandates that the Association adopt rules, provide a mechanism in which a member may nominate themselves for election to the Board, and utilize a method of secret ballot voting for certain types of membership votes. Additionally, changes have been made to comply with new laws that took effect in Civil Code Section 5100 et. seq. on January 1, 2020, and January 1, 2022. Director qualifications are also being modified to conform to new changes in the law.

(2) Budget Preparation and Annual Disclosures. Information regarding budgets and financial documents is now in Section 8 of the proposed Restated Bylaws. The budget preparation and distribution has been revised to conform to California law. Furthermore, requirements that specify when the Association must provide annual disclosures to members, such as notification of collection policies, are clearly detailed in the Restated Bylaws.

(3) Qualifications for Voting. All members can vote, regardless of any delinquencies or violations.

(4) Duties of the Board. The obligations and duties of the Board of Directors has been updated to reflect the requirements of California law and to ensure that member rights are understood.

The time taken by each member to review the proposed Restated Governing Documents is sincerely appreciated. We hope that you agree that the revised set of governing documents are not only up-to-date in terms of California law and community association regulations, but also the standards unique to our Glenshire/Devonshire community. These documents, if passed, will serve as an effective guide for owners and the Boards of Directors for many years to come.

Please Vote! At Least 679 YES Votes are needed by **7/22/2022** or our outdated Governing Docs will remain in place!

Very truly yours,

**The Glenshire/Devonshire Residents' Association,
Inc.**

Board of Directors