



1901 Camino Vida Roble, Suite 100
Carlsbad, California 92008

74-900 Highway 111, Suite 222
Indian Wells, California 92210

(844) 4DELPHI ♦ Fax: (760) 820-2696 ♦ www.DelphiLLP.com

September 1, 2022

IMPORTANT - PLEASE READ AND RESPOND

RE: Americana Gardens Homeowners Association
Our File No. 5256

Dear Members:

As you know, the Board of Directors of Americana Gardens Homeowners Association (“Association”) has spent the last year diligently working with legal counsel to develop new governing documents (CC&Rs and Bylaws) for the community. A Town Hall was held on August 15, 2022, to field questions about the proposed Second Restated Declaration of Covenants, Conditions and Restrictions (“Second Restated CC&Rs”) and Second Restated Bylaws of Americana Gardens Homeowners Association (“Association”). The Board wishes to extend its appreciation to all who attended.

The Board subsequently considered the comments and input provided by Owners at the Town Hall and determined to revise the draft Second Restated CC&Rs. We have prepared for your review the enclosed “Changes Document,” which clearly identifies these revisions.

The Board of Directors is now requesting that you use the enclosed ballot and envelopes to vote on the proposed Second Restated CC&Rs and Second Restated Bylaws. Copies of the proposed Second Restated CC&Rs and Second Restated Bylaws are also enclosed. The Summary of Changes, which was previously circulated, is available for download at pro-ei.com/hoa/americana or AmericanaGardens.com. While the Summary identifies many differences between the current governing documents and the proposed restatements, we caution you against solely relying on the Summary.

Please understand that while there may be some provisions that are not desired by every homeowner, we encourage you to review the documents as a whole and cast your vote with the goal of protecting and enhancing aesthetics and property values within the community.

IT IS IMPORTANT FOR YOU TO PARTICIPATE IN THE VOTING SO THE ASSOCIATION CAN AVOID THE EXPENSE AND TIME INVOLVED IN SENDING REMINDER MAILINGS.

Voting on the proposed restatements must be conducted by secret ballot. *Please carefully follow the instructions contained on the ballot as ballots returned in the wrong envelope, or otherwise not in compliance with the instructions, may not be counted.* Please return the ballot to the Inspector of

Elections, as indicated on the pre-addressed return envelope, no later than **5:00 p.m.** on **November 11, 2022**. Once submitted, ballots cannot be revoked.

To pass, the Second Restated CC&Rs and Second Restated Bylaws must be approved by at least a majority of the total voting power of the Association (or 73 out of 144 Units).

The tabulation of the ballots is currently scheduled to take place at the Board meeting on **November 14, 2022**, at **2:00 p.m.** at the onsite Clubhouse and via Zoom as follows:

<https://us02web.zoom.us/j/89718221642?pwd=K2JyYzlYdWxiTGdMvR3BtSDNWcGhzQT09>

Meeting ID: 897 1822 1642
Passcode: 792203

Dial by your location:
+1-669-900-6833 US (San Jose)
+1-669-444-9171 US

However, please note that if an insufficient number of ballots is received, the deadline for voting will be extended and the tabulation date will be postponed.

Thank you for your participation in this important matter.

Sincerely,

DELPHI LAW GROUP, LLP

A handwritten signature in blue ink that reads "Christina Baine DeJardin".

Christina Baine DeJardin, Esq.

Encl.