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**WESTCHASE COMMUNITY ASSOCIATION, INC.**  
**BALLOT for REFERENDUM on PROPOSED AMENDMENTS TO WESTCHASE**  
**COMMUNITY ASSOCIATION, INC.'S DECLARATION of COVENANTS, CONDITIONS AND**  
**RESTRICTIONS AND BYLAWS**

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Dear Westchase Owner:

Proposed amendments to the CCRs and Bylaws are briefly described below. Some proposed amendments include changes to multiple sections of the CCRs or Bylaws in order to avoid inconsistent language in the Governing Documents. A complete draft of the proposed amendments is located on the website at [www.westchasewca.com](http://www.westchasewca.com) under the tab for “Documents”. In the complete draft, additions are underlined and language removed is stricken through. If you do not have internet access, you may obtain a copy of the complete amendments between 9:00 AM and 5:00 PM, Monday through Friday, at the Association’s office, located at **10049 Parley Drive, Tampa FL 33626**. Please review the complete draft of the proposed amendments before casting your vote. Please cast your vote by marking YES or NO below. If you have questions about the amendments, please contact your voting member. The Board of Directors recommends that you vote “yes” to approve all amendments.

Please complete your ballot, print your name and address, sign, and date below. Please return your completed ballot to the Association’s property manager on or before **JUNE 20, 2022**. You may mail your ballot to the Association’s office or scan and email your ballot to [manager@wcmanager.com](mailto:manager@wcmanager.com). If you would like to vote electronically, please complete and return a “Consent to E-Vote Form”. To obtain the form, please email the Association manager or stop by the office.

If you do not complete and return your ballot timely, your Voting member will cast the vote for your Unit at his or her sole discretion in accordance with Article III, Section 3 of the CCRs. The Voting Members will vote on these amendments at a Meeting to be held at the Westchase Swim & Tennis Center, 10405 Countryway Boulevard, on July 12, 2022 beginning at 7 PM.

**Amendments to Declaration of Covenants, Conditions and Restrictions for Westchase:**

1. **Art. I §20: Neighborhood.** Revises the Definition of “Neighborhood” to make the definition consistent with actual Neighborhoods in Westchase and consistent with rules for dividing Neighborhoods.  
**Art. III §2(a) – (d): Neighborhoods.** Clearly lists existing Neighborhoods in Westchase. Removes language setting forth initial requirements for Neighborhoods. Outlines procedures for subdividing or combining Neighborhoods with approval of VMs representing 66% of residents.  
\_\_\_Yes \_\_\_NO
2. **Art. I §22: Neighborhood Association.** Adds a definition of “Neighborhood Association” and renumbers subsequent definitions.  
\_\_\_Yes \_\_\_NO
3. **Art. III §1: Membership.** Removes requirement for corporations or partnerships that own Units to submit voting certificates. Specifies who may vote or run for election on behalf of a Unit owned by more than one person, by a trustee of a trust or by an entity.  
**Art. III §4(a): Eligibility.** Deletes requirement for unit owned by corporation or partnership to submit voting certificate in order to be eligible for election. Provides that eligible candidates for units owned by corporations or other entities are as specified in Article III, Section 1.

**Bylaws Art. III A §1 Governing Body; Composition.** Clarifies who is eligible to run for board when unit is owned by an entity. (References Article III, Section 1 of the Declaration.)

Yes  NO

4. **Non-substantive changes to organize Article III, “Membership and Voting Rights”**

Art. III §2: Neighborhoods. Adds subheadings and organizes information pertaining to Neighborhood Designations, Neighborhood Meetings, Additional Services, and Subdividing/Combining Neighborhoods.

Art. III §3: Voting. Reorganizes information pertaining to voting under one section.

Art. III §4: Selecting/Electing Voting Members. Creates new section and subsections to organize information pertaining to eligibility of VMs, selecting VMs in Neighborhood Associations, and electing VMs in Neighborhoods without Neighborhood Associations.

Art. III §5: Removal of Voting Members and Filling Vacancies. Creates new section to organize information pertaining to Removal of Voting Members and Filling Vacancies.

Yes  NO

5. **Art. III §3: Voting.** Removes requirement that referendum be returned 48 hours in advance.

Yes  NO

6. **Art. III §4(c): Selecting/Electing Voting Members. Electing Voting Members in Neighborhoods without Neighborhood Associations.** Specifies that if no quorum attends Neighborhood VM election, Association is not required to schedule another election and existing VM retains seat. Specifies that if no quorum attends and there is no VM to retain seat, the vacancy is filled in accordance with CCRs. Adds ability for VMs to appoint an alternate between election cycles. Specifies that up to 3 members shall serve on the Neighborhood Committee.

Yes  NO

7. **Art. IV §1 Association’s Responsibility.** Clarifies that units in a Neighborhood are responsible for cost of extra services provided by Association. Provides that Association is not responsible for maintenance obligations imposed by governmental entities if such maintenance is provided by the CDD. Provides Association may, but is not obligated to maintain street lights. Removes reference to exhibit that was never attached.

Yes  NO

8. **Art. V §1: Insurance.** Non-substantive change. Adds commas and corrects typo by removing the word “prior”.

Yes  NO

9. **Art. V §4: Disbursement of Proceeds.** Non-substantive change. Alters sentence structure to clarify meaning.

Yes  NO

10. **Art. IX §3: Rules and Regulations.** Removes Board ability to suspend services if owner is more than 30 days delinquent. Language must be removed because it conflicts with Article X, section 1, which allows suspension if owner is more than 40 days delinquent.

Yes  NO

11. **Art. XI §1(a): Modifications Committee.** Changes Modifications Committee from 3 to 5 members with up to 2 alternates to 3 to 7 members with deletion of alternate language.

Yes  NO

12. **Art. XI §6: No Liability.** Clarifies that Association is not responsible for ensuring Unit Owner alterations do not affect water retention on Lots.  
 Yes  NO
13. **Art. XII §1: Signs.** Allows pesticide signs and permit boxes on Lots.  
 Yes  NO
14. **Art. XII §2(a): Parking.** Specifies hours for overnight parking restrictions. Provides that parking areas, other than driveways, must be designated by the Board of Directors. Prohibits parking that impedes ingress and egress.  
 Yes  NO
15. **Art. XII §2(b): Prohibited Vehicles.** Allows conversion vans for transporting disabled persons. Allows additional first responder vehicles and vehicles owned by County or law enforcement agency. Allows protective vehicle covers for less than fourteen days if maintained in good condition and valid plate is visible.  
 Yes  NO
16. **Art. XII §6(d): Unsightly and Unkempt Conditions.** Non-substantive change. Removes the word “members” from sentence requiring maintenance of “windows, doors and trim members” for clarity.  
 Yes  NO
17. **Art. XII §7(a): Antennas.** Removes the word “yard” to clarify that satellite dishes may only be installed or attached in rear of Property or Unit.  
 Yes  NO
18. **Art. XII § 2: Pools and Spas.** Specifies that setbacks are in Guidelines.  
 Yes  NO
19. **Art. XII §14 Tents, Trailers and Temporary Structures.** Allows for extension of time for PODS and dumpsters with staff or Board approval.  
 Yes  NO
20. **Art. XII §15 Drainage and Septic Systems.** Provides that Association is not required to take action to alter drainage and water flow on or within Units  
 Yes  NO
21. **Art. XII §20 Lighting.** Authorizes seasonal decorations and refers to Guidelines for details.  
 Yes  NO
22. **Art. XII §32 Awnings.** Allows retractable awnings subject to Guidelines  
 Yes  NO
23. **Art. XII §35 Westchase Residential Guidelines.** Adds the mention of two more committees in the first paragraph. Allows INSG changes by Section rather than Neighborhood. Specifies who can initiate an INSG change—Neighborhood Committee, Committee Chaired by VM, Board of Neighborhood Association or petition signed by 20% of the residents. Specifies procedure for drafting language of INSGs. Revises the process for amending Master Guidelines and INSGs to only require one vote by the VMs instead of two so that only one mailing is required. Allows Owner approval for INSGs by written consent or vote at meeting called by the VM. Specifies notice requirements for meetings where

amendments to INSGs and Guidelines will be considered. Allows delivery of meeting notices through Association newsletter for owners who reside in Westchase.

Yes  NO

24. **Art. XIII §11 Perpetuities.** Eliminates section addressing Rule against Perpetuities and changes subsequent section numbers.

Yes  NO

25. **Art. XIV §1(b) Notices of Action.** Adds language to clarify that only eligible holders of 1<sup>st</sup> position mortgages who send a written request are entitled to notice of owner's 60 day default in performance.

Yes  NO

26. **Art. XIV §4(b) Amendments to Documents.** Eliminates higher approval threshold for various types of amendments so that approval process for amendments is more uniform.<sup>1</sup>

Yes  NO

27. **Exhibit A to Declaration:** Corrects legal descriptions of lands submitted to the Declaration.

Yes  NO

**Amendments to Bylaws for Westchase:**

28. **Art. II §§2, 5 and 6: Association: Membership, Meetings, Quorum, Voting Proxies.** Makes changes to allow option for meetings by online video conferencing or other remote communication in addition to or in lieu of a physical location. Specifies notice requirements for meetings where attendance is permitted via remote communication.

Yes  NO

29. **Art. II §13 and Art. III §12: Conduct of Meetings.** Clarifies options for setting an agendas for VM and Board meetings.

Yes  NO

30. **Art. III A §5 Removal of Directors.** Removes provision for automatic removal of a Director for missing too many meetings. (This amendment does not affect the provision allowing VMs to remove a Director with or without cause.) Changes the period after which a director's delinquency will result in director's abandonment of board seat from 30 to 90 days in order to comply with Florida Statutes.

Yes  NO

31. **Art. III §20 Enforcement.** Provides for owner to receive notice and opportunity for hearing when fines are proposed against tenants, occupants, and guests of owner's unit. Makes owner jointly and severally liable for fines imposed against tenants, occupants and guests.

Yes  NO

32. **Art. III §20(a) Notice of Violation.** Removes requirement for notice and opportunity to cure when proposed fine pertains to behavior of any person.

Yes  NO

33. **Art. III §20(b) Board of Directors Vote.** Allows Board to levy fine where owner has received more than one letter pertaining to the violation in any twelve (12) month period (even if owner previously cured the violation).

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<sup>1</sup> This amendment must be approved by VMs representing at least 75% of votes cast in order to pass.

Yes  NO

34. **Art. III §20(g) Fees and Costs.** Adds language that allows the WCA to recover fees and costs incurred in enforcing the Governing Documents

Yes  NO

35. **Art V §3 Neighborhood Committees.** Provides that VM for a Neighborhood serves as chair of the Neighborhood Committee.

Yes  NO

**SUBMITTED BY:**

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
SIGNATURE(S) OF OWNER(S)

\_\_\_\_\_  
PRINT ADDRESS

\_\_\_\_\_  
PRINT NAMES(S) OF OWNER(S)