

**MOUNTAIN RANCH ESTATES HOMEOWNERS ASSOCIATION  
RESOLUTION OF THE BOARD OF DIRECTORS**

**Electronic Notice, Transactions and Voting**

WHEREAS, the Board of Directors of the Mountain Ranch Estates Homeowners Association is empowered to govern and administer the affairs of the Association and to establish rules and regulations from time to time;

WHEREAS, the Utah Community Association Act, specifically Utah Code Ann. § 57-8a-214, authorizes an association to provide notice to its members by electronic means, including text message, email, or the website of the association, if provided in a rule of the Association;

WHEREAS, it is in the best interests of the Association to adopt a policy governing the use of electronic methods of delivering notice, documents and other records, including ballots.

**NOW, THEREFORE, IT IS RESOLVED** that the following policy and rule is hereby adopted by the Association.

**Section 1 - Electronic Notice**

1.1 Except as provided in paragraphs 1.2 and 1.4 below, notice of any meeting of the members of the Association and any other notice required or permitted to be given to any member under the law or under the provisions of the Declaration, Bylaws or rules shall be deemed to have been properly given if such notice is e-mailed to the e-mail address of the member on record with the Association at the time notice is to be given.

1.2 Notice shall always be given by regular mail to notify a member of (a) failure to pay an assessment, (b) a fine levied against the member, or (c) any other action being taken by the Association directly against the member.

**1.3 Each member must either: (1) provide an e-mail address to the Association within 45 days of the date of this Resolution for the purpose of receiving notice from the Association (if an e-mail address has not already been so provided); or (2) opt out of receiving notice by e-mail by sending a written request to receive notice by regular mail to the Association.** E-mail addresses may be provided to, and updated with, the Association by sending an e-mail from the e-mail address to MountainRanchEstates@gmail.com and by putting Electronic Notice in the subject line and the full name and address of the member in the body of the e-mail. Each member may submit more than one e-mail address, but not more than three. If an existing e-mail address needs to be removed from the Association's records, please make that clear in the subject line or body of the email.

1.4 Upon receiving a request in writing from a member to receive all notices by mail, the Association shall deliver all notices by regular first class mail to the member.

## Section 2 - Transactions, Voting

2.1 Any transaction or action involving the business or affairs of the Association, including but not limited to voting and providing notice or records, may be conducted by electronic means.

2.2 The Association may accept any vote, consent, written ballot, waiver, proxy appointment, or proxy appointment revocation (regardless of the form) as the act of the member if the Board does so in good faith and has no reason to believe it is not the act of the member.

2.3 A communication or writing may be delivered in an electronic medium or by electronic transmission, and may be signed by photographic, electronic, or other means. An electronic record or electronic signature is attributable to a person if it was the act of the person. An electronic signature may consist of a mark, symbol, character, letter, or number or any combination thereof upon, attached to, or logically associated with a record and executed or adopted by a person with the intent to sign the record and the same shall be considered the signature of such person. An electronic transmission communicating a vote or proxy appointment may be given effect by the Board as the act of the member, and is considered to be written, signed, and dated, if the electronic transmission is delivered with information from which the Association can determine that the electronic transmission is transmitted by the person (e.g., from a sender's known email account or via a website designated for such purpose by the Association), and the date on which the electronic transmission is transmitted. The date on which an electronic transmission is transmitted is considered the date on which the vote, abstention, demand, or revocation is signed.

2.4 A writing includes any document, record, vote, ballot, proxy, or instrument required or permitted to be transmitted by a member or by the Association.

2.5 In accordance with Utah's Uniform Electronics Transactions Act, if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement; and no transactions or signatures in records may be denied legal effect solely because they are conducted, executed, or prepared in electronic form.

2.6 To the fullest extent allowed by law, all members' email addresses shall be kept confidential and private and shall not be distributed or made known to any person or entity (including members of the Association) other than the Board or the Association manager.

The undersigned hereby certify and attest that this Resolution has been duly adopted by the Mountain Ranch Estates Homeowners Association:

Dated this 14 day of April, 2015.

Sign: \_\_\_\_\_

Print: Anna Gras

President