DESERT SHORES
COMMUNITY

July 1, 2019

Dear Desert Shores Community Owner,

OUR COMMUNITY NEEDS YOUR VOTE!!!

The process of reviewing and updating our Governing Documents (CC&R's & Bylaws) and providing the enclosed ballot is two-years in the making with hundreds of volunteer hours, multiple revisions, two Town Hall Meetings and countless hours of discussion and lively debate. It's now in your hands – **The Property Owners** - to finish the process. The Board of Directors for Desert Shores has accepted the amended documents and ballot as presented and respectfully submit for your review and ask that you now approve the proposed changes.

Please take a moment to review the ballot and VOTE!

Here are a few helpful points to consider when completing your ballot:

- It will improve the HOA's abilities to work effectively and in a timely manner by ensuring documents are up to date and the content is accurate and grammatically correct.
- While most of the items on the ballot are considered housekeeping; outdated information, incorrect content or grammar, several items will have a significant impact on the HOA's ability to not only maintain the property but enhance it as well.

The proposed documents are available online at www.desertshores.org or you can request a copy be mailed or emailed by contacting the office at 702-254-1020 or you can stop by the office and request a copy. Please review the documents and ballot and please contact the office with any questions.

STEPS FOR COMPLETING BALLOTS:

1. Ballots must be completed or may render your ballot invalid.
2. Ballots can be:
   a. mailed in using the enclosed envelope to:
      Desert Shores Community - 2500 Regatta Dr. Las Vegas, NV 89128
   b. emailed to generalmanager@desertshores.org,
   c. hand delivered to the office either in person or use the drop box
   d. faxed to 702-254-1345
   e. If you have more than one property in Desert Shores you can submit a ballot for each property or list each property address on one ballot.

Please Complete the Enclosed Ballot and Mortgage/Deed of Trust Information and Return Promptly

Thank you and sincerely,
The Board of Directors for Desert Shores Community Association

DESERT SHORES COMMUNITY ASSOCIATION
PROPOSED AMENDMENTS TO GOVERNING DOCUMENTS

BALLOT

Housekeeping Changes

1. Should the Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Desert Shores ("Master Declaration") be amended to incorporate the "housekeeping" modifications as set forth in the redlined version of the proposed Amended & Restated Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Desert Shores? **These changes are shown with yellow highlights**. (Examples of the revisions include removal of the terms Declarant, Delegates, Participating Builders, and references to apartments, annexations, and First Phase of Development, and others which no longer apply, typographical errors, and gender neutral references, among others.)

☐ **YES** ☐ **NO**

Statutory Changes

2. Should the Master Declaration be amended to bring the current Master Declaration into compliance with Nevada and Federal law, as more fully set forth in the redlined version of the proposed Amended & Restated of Covenants, Conditions and Restrictions and Reservation of Easements for Desert Shores attached hereto? **These changes are shown with blue highlights.**

☐ **YES** ☐ **NO**

Substantive Changes, Non-Statutory to the Master Declaration

3. Should Sections 2.03, 3.01(c), (e) and Section 5.01(d) of the Master Declaration be amended to reflect that only a majority vote of the membership is required rather than sixty-seven (67%) or seventy-five (75%) of the membership, with respect to certain issues, such as borrowing money and easements?

☐ **YES** ☐ **NO**

4. Should Section 5.01(c) of the Master Declaration be amended to provide for newer technology in utilities, by adding solar, internet, and electric charging stations to the existing utilities?

☐ **YES** ☐ **NO**

5. Should Section 3.01(f) and Section 5.01(i) of the Master Declaration be amended to create an additional restriction on the Board's authority by allowing the Board to construct new Improvements, or to modify, relocate, or demolish existing Improvements regardless of whether the Improvement is the same or a different design without a vote of the membership if the cost is less than 5% of the budgeted gross expenses, but to require the approval of a majority of the membership to approve the expenditure if the cost is more than 5% of the budgeted gross expenses? The current

CC&Rs only allow the Board to replace the existing Improvements with an Improvement of the same design and finish without the approval of the membership regardless of cost and only require the approval of the membership if the aesthetics differ, but do not include any spending restriction.

☐ **YES** ☐ **NO**

6. Should Section 5.03(b) and 13.13 of the Master Declaration be amended to restrict the future potential use of the lakes (and the land underlying the lakes) to another Common Area use should the Las Vegas Valley Water District ever prohibit the lakes from being filled and to prohibit the sale of the lakes to any private entity? This amendment restricts the Board from being allowed to sell the land underlying the lakes properties and creates a restriction on the future use of the property. Currently, there is no restriction on the Board's authority to either sell the lakes or to keep them as Common Area if they can no longer be used as lakes.

☐ **YES** ☐ **NO**

7. Should Section 6.10 of the Master Declaration be amended to allow written notice for a Capital Improvement Assessment to be delivered via electronic means, should the Owner have provided that information?

☐ **YES** ☐ **NO**

8. Should Section 6.17 of the Master Declaration be added to provide that future buyers into the Community must pay a Capital Contribution equal to four (4) months of assessments to assist with funding the Association's reserves in the future? This provision only applies to future buyers and not existing Owners.

☐ **YES** ☐ **NO**

9. Should Section 7.04 of the Master Declaration be amended to define "unreasonable quantities" of pets to increase from two (2) to three (3) pets over three (3) months of age consistent with the City of Las Vegas Code?

☐ **YES** ☐ **NO**

10. Should Section 7.05 of the Master Declaration be amended to more clearly define the term "nuisance" to include offensive, dangerous or unsafe activity or conduct?

☐ **YES** ☐ **NO**

11. Should Section 8.01 of the Master Declaration be amended to require that all leases may be for a term of no less than six (6) months, further prohibiting transient rentals and requiring Owners to provide a copy of the lease to the Association? The current Master Declaration only requires that leases be for no less than thirty (30) days.

☐ **YES** ☐ **NO**

12. Should Section 8.04 of the Master Declaration be amended to require that garages are used only for parking and storage, unless Owner receives approval from the Community Relations Committee to convert the garage to living space?

☐ **YES** ☐ **NO**

13. Should Section 8.07 of the Master Declaration be amended to clarify that unreasonable obstruction of views of the lake is defined in the Architectural Guidelines?

☐ **YES** ☐ **NO**

14. Should Section 12.05 of the Master Declaration be amended to specify that if a claim is made on the Association's insurance policy, the Owner making the claim and not the Association is responsible for the deductible if the claim arises as a result of the negligent or willful misconduct of the Owner, their family members, tenants, or guests?

☐ **YES** ☐ **NO**

15. Should Section 13.02 and 13.03 of the Master Declaration be amended to allow the Master Declaration to be amended with the approval of a majority of the membership instead of sixty-seven (67%) percent and to only require lenders to be put on notice and allowed to vote on amendments if they have specifically requested such notice?

☐ **YES** ☐ **NO**

16. Should Section 13.13 of the Master Declaration be amended to specifically allow the Association to bring legal claims against Las Vegas Valley Water District if they prevent the Association from filling the lakes in the future?

Amendment to the Master Association Bylaws

17. Should the Bylaws be amended to bring the current Bylaws into compliance with Nevada law, specifically the current versions of NRS 81 and NRS 116, as more fully set forth in the attached version of the proposed Amended & Restated Bylaws for Desert Shores Community Association attached hereto?

☐ **YES** ☐ **NO**

In order for the Current Master Declaration to be amended, sixty-seven percent (67%) of the voting power of the Master Association and seventy-five percent (75%) of the first Mortgagees must vote in favor of the proposed amendment. See Current Master Declaration, Article XIII, Section 13.02. Please note that Section 13.02 also provides that if the first Mortgagees do not respond within sixty (60) days of receipt of notice, then approval shall be deemed to be given.

In order for the Bylaws to be amended, fifty-one percent (51%) of the voting power of the Master Association and seventy-five percent (75%) of the first Mortgagees must vote in favor of the proposed amendment. See current Bylaws, Article VII. Please note that Article VII also provides that if the first Mortgagees do not respond within thirty (30) days of receipt of notice, then approval shall be deemed to be given.

The time for submitting a ballot may be extended for an indefinite period of time, in order to allow the Members to vote on this important issue. If the balloting is extended beyond November, 2019, for any reason, then the ballots previously submitted will remain valid for any extended period.

Member's Signature Date	Member's Signature Date
Mailing Address	Mailing Address

Property Address in Association if Different from Mailing Address

Submit a ballot for each property owned or list all property addresses on one ballot below.

Return Ballot Options:

Mail or hand deliver to: 2500 Regatta Dr. Las Vegas, NV 89128
Email to: generalmanager@desertshores.org
Fax to: 702-254-1345

DESERT SHORES COMMUNITY ASSOCIATION
PROPOSED AMENDED AND RESTATED MASTER DECLARATION
MORTGAGE/DEED OF TRUST INFORMATION

In order to adopt the Amended and Restated Master Declaration of Covenants, Conditions, and Restrictions and Reservation of Easements for Desert Shores, the Association must obtain the affirmative vote of 75% of the record holders and insurers of first mortgages or deeds of trust. In order to expedite the process and save the Association an exorbitant amount of money, the Board is requesting that each Owner provide the Association with the identity and contact information for the entity to whom your mortgage payments are directed.

Please provide the information requested below and return the information to the community management office. If you own your unit free and clear with no mortgage or deed trust, please indicate such by checking the box. No further information will be required.
The completed form may be returned by any of the following methods:

Mail or hand deliver to:	2500 Regatta Drive Las Vegas, NV 89128
Email to:	generalmanager@desertshores.org
Fax to:	(702) 254-1345

OWNER(S) NAME: _____

ADDRESS OF UNIT: _____
_____

☐ I/We own the property free and clear with no mortgage or deed of trust of record.

NAME OF LENDER: _____
ACCOUNT NUMBER: _____
ADDRESS OF LENDER: _____
_____
_____

SIGNATURE: _____

DATE: _____

Pursuant to NRS 116.31175(4)(b) and NAC 116.405 (4) the Association considers this information to be confidential and will not reproduce or distribute this information to any third party.