

# LIMITED PROXY

The undersigned owners or the designated voter of Unit \_\_\_\_\_ in **Vita Townhomes at Heritage Bay Association, Inc.** appoints: **\*\***(Check one)

\_\_\_\_\_ (a) Secretary, on behalf of the Board of Directors, or

\_\_\_\_\_ (b) \_\_\_\_\_ (if you check "b", write the name of your proxy holder.)

as my proxy holder\* to attend the Annual Meeting of Vista Townhomes at Heritage Bay Association, Inc., to be held **March 27<sup>th</sup>, 2025, at 5:30 p.m. at Seacrest Southwest Conference Room, 1044 Castello Dr Suite #206 Naples, FL 34103.** The proxy holder named above has the authority to vote and act for me to the same extent that I would if personally present, with the power of substitution, except that my proxy holder's authority is limited as indicated below:

**LIMITED POWERS FOR YOUR VOTE TO BE COUNTED ON THE FOLLOWING ISSUES, YOU MUST INDICATE YOUR PREFERENCES THE BLANK(S) PROVIDED BELOW.**

**I SPECIFICALLY AUTHORIZE AND INSTRUCT MY PROXY HOLDER TO CAST MY VOTE IN REFERENCE TO THE FOLLOWING MATTERS ONLY AS INDICATED BELOW:**

## **VISTA TOWNHOMES BUILDING COLOR CHANGE**

**HISTORY:** *The Neighborhood Associations of the Vista Commons is the MASTER ASSOCIATION of the Vista Townhomes (104 Units), Vista III (46 Units) Vista I (40 Units). Each neighborhood has an ongoing obligation to financially reserve and perform periodic building maintenance pursuant to the Governing Documents to include painting and caulking of their respective buildings. The painting was previously completed in 2016 and then required every 7 years based on useable life and planned for early 2025. Painting will take place regardless of the color change. The painting color palette currently on the buildings is approaching 20 years is outdated and fading and due to the dark color palette. The maintenance requirement for this color palette has led to challenges with color matching for touch up. This will also include a concrete surface touchup at entryways, which is yet to be determined.*

- 1. PAINTING SCOPE OF WORK:** If the color change is approved, lanai painting will be included for every unit and incorporated into the painting project. If the color change is not approved owners will be responsible for the expense of painting their own lanais as they are considered a limited common element. A color change to the buildings is considered a material alternation which requires a member vote. **Please vote YES if you support changing the color of the building to be decided by polling the membership at large;** polling is pursuant to the Governing Documents for the Neighborhoods. **Vote NO: if you would like the paint to remain the same color,** which owners will be responsible for painting their lanai (limited common element). **COLOR SELECTION IS ON THE SECOND PAGE.**

☐

YES

☐

NO

- 2. CARRYOVER:** Any excess membership income over membership expenses for the year ended December 31, 2024 as defined in IRS Sec. 277 shall be applied against the subsequent tax year member's assessments, as provided by IRS Revenue Ruling 70-604. **(If not carried forward, the excess would be subject to Corporate Income Tax)**

☐

YES

☐

NO

**THE BOARD RECOMMENDS A "YES" VOTE**

3. May the Association borrow reserve funds for operating purposes to meet temporary cash flow needs?

☐

YES

☐

NO

**THE BOARD RECOMMENDS A "YES" VOTE**

DATED: \_\_\_\_\_, 2025

ALL OWNERS OF THE UNIT, OR THE DESIGNATED VOTER

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME

\*\*Failure to check either (a) or (b), or if (b) is checked and failure to write in the name of your proxy holder, shall be deemed an appointment of the Secretary of the Association as your proxy holder

**SUBSTITUTION OF NOMINEE**

The undersigned Proxy, who is the Proxyholder named on the above Proxy, does hereby designate \_\_\_\_\_ as the undersigned Proxy's substitute nominee, to act as Proxy as set forth in the foregoing Proxy.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Proxy

Please email to [proxy@swpropmgt.com](mailto:proxy@swpropmgt.com) or mail to Seacrest Southwest in the return envelope enclosed.

# PAINT COLOR OPTIONS

## CHECK ONE

OPTION 1 (ONE) ☐



OPTION 2 (TWO) ☐

