

CROSS CREEK NORTH OWNERS ASSOCIATION, INC.

**RESOLUTION ESTABLISHING ONLINE VOTING SYSTEM
PER FLA. STAT. § 720.317**

THIS RESOLUTION is made this 22 day of September, 2025, by the Board of Directors of Cross Creek North Owners Association, Inc., a Florida not-for-profit corporation ("Association").

RECITALS:

WHEREAS, the Association desires to establish an Internet-based online voting system to increase membership participation in matters which permit or require membership votes, including elections, and to potentially reduce costs associated with mailing notice packages; and

WHEREAS, Section 720.317 of the Florida Statutes provides that the Association may conduct elections and other membership votes through an Internet-based online voting system if a member consents, in writing, to online voting.

NOW, IT IS RESOLVED that the Association hereby authorizes the establishment of an Internet-based online voting system in accordance with the following provisions:

1. Authorization to Conduct Elections and Membership Votes Electronically. The Association may conduct elections and membership votes for any matter which permits or requires a vote of the membership through an Internet-based online voting system (the "System"). The Board of Directors shall have the authority to select the System to be used and change it periodically provided that the System chosen complies with Section 720.317 of the Florida Statutes. The authorization to conduct elections and membership votes electronically shall permit, but not obligate, the Association to conduct elections and membership votes electronically in any particular instance.

2. Member Consent. Each member who desires to participate in elections or other membership votes through the System must consent, in writing, to online voting and to receive notices of meetings and other matters for which a membership vote is permitted or required electronically. The written consent must include: (i) a statement indicating that the member consents to online voting and to receive notices of meetings and other matters for which a membership vote is permitted or required electronically; (ii) the Cross Creek North property address for which the written consent is given; and (iii) one email address designated for the purpose of receiving Association notices. The Association shall not be obligated to transmit notices to more than one email address per Lot in Cross Creek North.

3. Deadline for Providing Written Consent. Members may provide written consent to participate in voting through the System at any time before the Association is required to provide the first notice for any matter for which the members are permitted or entitled to vote. If the Association receives a member's written consent to participate in voting through the System after the Association provides the first notice for any matter for which the members are permitted or

entitled to vote, the Association shall not be obligated to permit the member to vote through the System for the matter indicated in the first notice, but the Association may permit the member to vote through the System notwithstanding the belated written consent if feasible in the Board's discretion. Otherwise, the member's written consent shall be deemed effective for the next matter for which the members are permitted or entitled to vote. The Association shall not be obligated to provide any instructions or other notice to a member who provides a belated written consent regarding the permissible method of voting for the matter contemplated by the first notice, and unless the Association provides notice to the member who provides a belated written consent stating otherwise, the permissible method of voting for such member for the matter for which the Association provided a first notice before receiving the member's written consent shall be the traditional voting method (i.e., not through the System).

4. Revocation of Consent. A member may revoke consent previously given pursuant to Section 2 by providing written notice to the Association clearly stating the member's desire to revoke his or her consent to participate in electronic voting through the System, which must be mailed or delivered to Association Management via certified mail or other method which provides confirmation of delivery. Consent to vote through the System and to receive notices of meetings and other matters for which a membership vote is required or permitted shall remain effective until expressly revoked in writing in the manner provided by this Section. If revocation of consent is given after the Association provides the first notice for any matter for which the members are permitted or entitled to vote, the revocation of consent shall not be effective as to the matter indicated in the first notice but shall be effective for all matters occurring after the matter indicated in the first notice.

5. Electronic Voting Constitutes Meeting Attendance. A member who votes electronically shall be counted as being in attendance at the meeting for the purposes of determining a quorum irrespective of whether the member has submitted a proxy or personally attends the meeting.

6. Submission of Vote. A member who consents to voting through the System may cast the vote beginning at the time voting is opened through the System until closed by the System. If the Association is unable to close voting immediately following last call for votes or ballots at the meeting due to unavailability of internet access at the meeting location or otherwise, balloting shall be deemed closed when announced at the meeting after last call. The Association is not required to accept any ballots submitted through the System after the announcement that balloting has been closed and any such ballots attempted to be cast shall be invalid, even if they are accepted by the System. The Association may open balloting or voting through the System beginning at the time the Association sends the first notice of the matter for which members are permitted or entitled to vote and members may submit their vote through the System at any time before the Association announces that voting has been closed at the meeting. In the event a meeting is adjourned and continued to a later date, the Association may keep voting through the System open, and any votes submitted from and after the Association originally opened voting through the System shall remain valid and effective for any adjournments of the meeting for which the vote was originally given until voting is closed. **Once a vote is cast through the System, it is final and may not be modified or revoked unless modification or revocation is permitted by the System software.**

7. Persons Authorized to Cast Votes. Only eligible members and their duly-appointed proxies may cast a vote through the System. Proxy holders may only vote through the System on behalf of the member for matters for which votes by proxy are permitted. All proxies shall be in writing and provided to the Association before the last call for ballots or closing of voting through the System. Members shall not provide the information necessary to cast a vote through the System, including passwords, to any person other than a duly appointed proxy when voting by proxy is permitted. Members, and not the Association, are responsible for providing the information necessary for proxyholders to access and cast a vote through the System.

8. System Requirements. To the extent required by applicable law, as amended periodically, the System shall meet the following requirements:

- a. The Association must provide each consenting member with a method to authenticate the member's identity to the System.
- b. The Association must provide each member with a method to confirm, at least fourteen (14) days before the voting deadline, that the member's electronic device can successfully communicate with the System.
- c. The System must be consistent with the election and voting procedures set forth in the Association's Bylaws.
- d. The System shall be able to authenticate the validity of each electronic vote to ensure the vote is not altered in transit.
- e. The System shall be capable of transmitting a receipt from the System to each member who casts an electronic vote.
- f. The System shall be capable of permanently separating any authentication or identifying information from the electronic election ballot, rendering it impossible to tie an election ballot to a specific member. This paragraph only applies if the Association's Bylaws require secret ballots for the election of directors.
- g. The System shall be capable of storing and keeping electronic ballots accessible to election officials for recount, inspection, and review purposes.

9. Voting Disputes. If a member alleges that his or her vote was properly submitted through the System but not counted, the member shall provide a copy of the receipt provided by the System indicating that the vote was cast. The Association shall not be obligated to investigate any allegation of a vote not being counted if the vote was allegedly submitted through the System but the member does not provide a receipt generated by the System to the Association.

10. Disclaimer. Aside from ensuring that the System complies with the System requirements set forth above, the Association shall not be responsible for any malfunction of the System, temporary inability to access the System due to System maintenance by the provider or otherwise, internet accessibility issues or outages, issues associated with the user's email service provider, or any issues associated with members' or their proxies' ability to access and use the System. Members providing written consent to vote through the System shall be responsible for ensuring availability of access to the internet and for obtaining a device, or access to a device, as necessary to access and use the System. By providing written consent to vote through the System, each consenting member agrees to hold the Association harmless for any issues associated with the user's ability to access and use the System

contemplated by this Section except for the Association's obligation to ensure compliance with the System requirements.

RESOLVED on the date written above by the Board of Directors of Cross Creek North Owners Association, Inc.

Cross Creek North Owners Association, Inc.



President

Matthew Abbott

Printed

Attest:


Secretary

Lindsay DeLon

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