



## Capital Assessment (Transfer) Fee

The Board, at the strong recommendation of the Finance and Long Range Planning (LRP) Committee, after much discussion and consultation with Stroemer & Company, LLC and our Hunters Ridge attorney Chris Davies, is proposing a change to the 'Second Amended and Restated Master Declaration'.

The Board and Finance and LRP Committee believe, like the majority of Country Clubs in the area (according to Stroemer & Company, LLC), that new buyers should contribute to the capital reserve fund through a Capital Assessment Fee at closing time. This would provide another source of income to replenish the fund and give some recognition to the membership for the many improvements recently paid for by current members through special assessments or years of contributions to reserve funds. The \$1,500 amount referenced in the attached ballot is the typical amount used by other communities for a similar purpose.

Listed below are some local Clubs and Associations that follow this practice:

<b>Club/Association</b>	<b>Amount</b>
Bonita National (also a CDD fee)	\$1,500
Copperleaf at the Brooks	\$2,000
Cypress Woods Golf and CC	\$250
Lighthouse Bay at the Brooks	\$1,500
Palmira Golf and CC	\$1,000
L'Ambiance Pelican Bay	\$6,000
Spanish Wells	\$2,000
Bramble Point Twin Eagles	\$1,000
Worthington	\$3,391

Attached is the recommendation and ballot.

We recommend and encourage your approval of this amendment, if you have any questions please do not hesitate to call a Board or Finance Committee member.

Sincerely,

Fred Forbes, Board President

Dick DeCoste, Board Treasurer

Jim Sido, Chairperson Finance and Long Range Planning Committee

**HUNTERS RIDGE COMMUNITY ASSOCIATION, INC.**

**NOTICE AND AGENDA OF SPECIAL MEETING OF MEMBERS  
TO VOTE ON A PROPOSED AMENDMENT TO THE SECOND AMENDED AND RESTATED  
MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
HUNTERS RIDGE TO ESTABLISH A RESALE CAPITAL ASSESSMENT**

**DECEMBER 23, 2015**

YOU ARE HEREBY NOTIFIED that a Special Meeting of the Members of Hunters Ridge Community Association, Inc. is scheduled for December 23, 2015 at 3:00 p.m., in the Hunters Ridge Activity Center, 28400 Hunters Ridge Blvd., Bonita Springs, FL 34135. The purpose of the meeting is to consider and vote on the following question:

**Should Article IV of the Second Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for Hunters Ridge be amended by creating a new Section 4.12 to allow the Board of Directors to levy a Resale Capital Assessment upon the non-exempt conveyance of every Lot, Site or Unit owned by a member as set forth in the proposed Amendment enclosed herewith and made a part of this Notice?**

The only business to be conducted at the meeting will be the counting of votes and reporting the results obtained by proxy on the proposed amendment. **IT IS VERY IMPORTANT THAT YOUR VOTE BY PROXY BE RECEIVED PRIOR TO THE BEGINNING OF THE MEETING AND A LIMITED PROXY FORM IS ENCLOSED FOR YOUR CONVENIENCE.**

Please take a moment now to mark your proxy, sign it and send the signed original to the Association in the enclosed self-addressed envelope, or deliver it to Chris Durfey at the Hunters Ridge office. Be sure to mark your limited proxy with a **YES** or **NO** vote for the question. The Board of Directors recommends a **"YES"** vote.

**AGENDA:**

1. Call to order and Proof of Notice.
2. Determination of whether a quorum exists.
3. Consideration of proposed amendment to the Second Amended and Restated Master Declaration of Covenants, Conditions and Restrictions.
4. Vote and count the proxies.
5. Adjournment (if there are insufficient votes to pass the proposed Amendment this meeting may be recessed and will reconvene on January 13, 2016 at 3:00 p.m. in the Hunters Ridge Clubhouse.

**POSTED** at Hunters Ridge Community Association, Inc. on this \_\_\_\_ day of \_\_\_\_\_, 2015.

**HUNTERS RIDGE COMMUNITY ASSOCIATION, INC.**

**LIMITED PROXY  
SPECIAL MEMBERS' MEETING ON DECEMBER 23, 2015 TO VOTE ON A  
PROPOSED AMENDMENT TO THE SECOND AMENDED AND RESTATED  
MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR HUNTERS RIDGE TO ESTABLISH A RESALE CAPITAL ASSESSMENT**

The undersigned, as owner or designated voter for Unit/Property No. \_\_\_\_\_, in Hunters Ridge, appoints \_\_\_\_\_, or Fred Forbes, President of the Association, as my proxyholder to attend the Special Meeting of the Members of Hunters Ridge Community Association, Inc., to be held on December 23, 2015, at 3:00 p.m., in the Hunters Ridge Activity Center, 28400 Hunters Ridge Blvd., Bonita Springs, FL 34135. (Note: If no other proxyholder is named above, the President shall be the proxyholder). The proxyholder named above has the authority to vote and act for me to the same extent that I would if personally present, with power of substitution, except that my proxyholder's authority is limited as indicated below:

■ **LIMITED POWERS:** (For your vote to be counted on the following question, you must indicate your preference in the blanks provided below).

**I SPECIFICALLY AUTHORIZE AND INSTRUCT MY PROXYHOLDER TO CAST MY VOTE IN REFERENCE TO THE FOLLOWING QUESTION AS INDICATED BELOW:**

**Should Article IV of the Second Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for Hunters Ridge be amended by creating a new Section 4.12 to allow the Board of Directors to levy a Resale Capital Assessment upon the non-exempt conveyance of every Lot, Site or Unit owned by a member?**

**YES** \_\_\_\_\_

**NO** \_\_\_\_\_

DATED: \_\_\_\_\_, 2015

\_\_\_\_\_  
Signature of OWNER or DESIGNATED VOTER

**SUBSTITUTION OF PROXYHOLDER**

The undersigned, appointed as proxyholder above, designates \_\_\_\_\_ to act as substitute proxyholder for me if I am unable to attend the meeting for which the proxy is given.

DATED: \_\_\_\_\_, 2015

\_\_\_\_\_  
Signature of PROXYHOLDER

THIS PROXY IS REVOCABLE BY THE UNIT OWNER AND IS VALID ONLY FOR THE MEETING FOR WHICH IT IS GIVEN AND ANY LAWFUL ADJOURNMENT. IN NO EVENT IS THE PROXY VALID MORE THAN NINETY (90) DAYS FROM THE DATE OF THE ORIGINAL MEETING FOR WHICH IT WAS GIVEN.

**PROPOSED AMENDMENT TO THE  
SECOND AMENDED AND RESTATED MASTER DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR HUNTERS RIDGE**

1. **Article IV of the Second Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for Hunters Ridge shall be amended by creating a new Section 4.12 as follows:**

4.12 Resale Capital Assessment.

A. The Board of Directors of the Association shall levy a Resale Capital Assessment upon the non-exempt conveyance of every Lot, Site or Unit owned by a Member.

B. The amount of the Resale Capital Assessment shall be \$1,500.00 which shall be collected at closing of the conveyance by the settlement agent on behalf of Hunters Ridge Community Association, Inc. The Resale Capital Assessment shall be the obligation of the transferee/buyer unless the transferor/seller and transferee/buyer otherwise expressly agree in writing. Any non-exempt conveyance which occurs and payment of the Resale Capital Assessment is not made within thirty (30) days of the conveyance shall be grounds for the Association to record a claim of lien against the subject property and bring an action to foreclose the lien as further provided in Section 4.07, above.

C. For purposes of this Section 4.12, the following definition shall apply:

The term "conveyance" shall mean the non-exempt transfer of record legal title to a Lot, Site or Unit by deed or other authorized means of conveyance for valuable consideration, and shall also refer to the transfer of possession and beneficial Ownership for valuable consideration by means of an agreement for deed, transfer of an interest in a land trust or similar conveyance of beneficial interest.

The following conveyances shall be exempt from payment of the Resale Capital Assessment: (1) between and among co-owners of the same lot or unit being transferred; (2) to the owner's estate, surviving spouse or other heirs, resulting from the death of an owner; (3) to a trustee or the owner's current spouse solely for bona fide estate planning or tax reasons; (4) between spouses as a result of a divorce proceeding; (5) to a transferee/buyer when the transfer is a gift from the transferor/seller; (6) to a mortgagee or the Association pursuant to a Final Judgment of Foreclosure or Deed in Lieu of Foreclosure; and (7) to a transferee/buyer who is, at the time of the transfer, already an owner of another Lot, Site or Unit within Hunters Ridge.

D. This Amendment shall become effective on the date of recording in the Public Records of Lee County, Florida.