

THE BOARD OF DIRECTORS

ELECTRONIC DOCUMENT DELIVERY NOTICE AND RECORD RETENTION RESOLUTION

AMBER LAKES HOMEOWNERS ASSOCIATION, INC.

The following resolution has been adopted by majority vote of the Board of Directors at a special meeting of the Board of Directors.

WHEREAS, the Covenants, Conditions and Restrictions of Amber Lakes Homeowners Association require all homeowners of real property within said community to abide and adhere to all rules and regulations as outlined, and

WHEREAS, said Covenants, Conditions and Restrictions provide the Association's Board of Directors with the power and authority to take necessary action to enforce the rules and regulations as outlined, and

WHEREAS, the Board of Directors deems it to be in the best interest of the Association and all the Association's members to establish policies and practices relative to the Association's and members' rights.

WHEREAS, the Board of Directors has fully discussed and considered this matter.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby adopt the following:

A record or signature may not be denied legal effect or enforceability solely because it is in electronic form. A contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation. If a law requires a record to be in writing, an electronic record satisfies the law. If a law requires a signature, an electronic signature satisfies the law.

If parties have agreed to conduct a transaction by electronic means and a law requires a person to provide, send, or deliver information in writing to another person, the requirement is satisfied if the information is provided, sent, or delivered in an electronic record capable of retention by the recipient at the time of receipt. An electronic record is not capable of retention by the recipient if the sender or its information processing system inhibits the ability of the recipient to print or store the electronic record.

NOW, THEREFORE, BE IT FURTHER RESOLVED the board of directors does hereby adopt the following policy:

ELECTRONIC DOCUMENT DELIVERY NOTICE POLICY as outlined below:

1. Delivery method to members: Certain association documents and notices are to be delivered to its members via specified delivery methods such as:
 - a. "Individual Delivery" or "Individual Notice" -when a document or notice must be delivered to a member by "individual delivery" or "individual notice", an Association must send the document or notice by one of the following methods:
 - i. First class mail or certified mail. The document must be addressed to the recipient at the address last shown on the books of the association.
 - ii. Email, facsimile, or other electronic means (if the member has given written or email consent for electronic delivery).
 1. Examples of documents and notices that must be delivered to members by individual delivery:
 - a. The annual budget report or a summary of the annual budget report.
 - b. The annual policy resolutions.
 - c. Notices of disciplinary hearings.
 - d. Notice of assessment increases
 - e. Written ballots
 - b. Electronic Delivery – when a particular document or notice must be delivered by individual delivery or individual notice, Louisiana Uniform Electronic Transactions Act RS 9:2601, allows for the document/notice to be delivered by electronic means (i.e., email or facsimile), provided that the member has consented in writing or by email, to that method of delivery. If a document/notice is delivered by electronic means, delivery is complete at the time of transmission. A member's consent to receive individual notices by electronic means may be revoked, in writing or by email, by the member. An electronic record reflecting the individual members name, email address, and date of delivery of documents shall be kept by the Secretary or President of the Association. Such electronic record shall be stored in a format that allows for the printing of the transmitted records.

- c. "General Delivery" or "General Notice" -When a document or notice must be delivered by general delivery or general notice, an association must send the document or notice by one or more of the following methods:
 - i. Any method provided for delivery by individual delivery or individual notice.
 - ii. Inclusion in a billing statement, newsletter, or other document that is delivered by one of the methods provided for delivery by individual delivery or individual notice.
 - iii. Posting the printed document in a location designated for the posting of general notices by the association in the annual policy statement.
 - 1. Examples of documents and notices that can be delivered to members by general delivery:
 - a. Notice of a change to the association's operating rules.
 - b. Notice of board meetings.
 - 2. Right to Receive General Notices by Individual Delivery – A member may issue a written request to the association to have all general notices delivered to that member be given by individual delivery instead.
2. DELIVERY METHODS FROM A MEMBER. Any documents may be delivered to the association by any of the following methods:
- a. By email, facsimile, or other electronic means, if the association has assented to that method of delivery.
 - b. By personal delivery in the association's locking drop box, if the association has assented to that method of delivery. If the association accepts a document by personal delivery, the association must provide a written receipt acknowledging delivery of the document. The written receipt may be sent in an email to the member.
 - c. By first-class mail, certified mail, express mail, or overnight delivery.
 - i. The following documents/requests must be submitted to the association in writing:
 - 1. A request to change the member's information in the association's membership list.
 - 2. A request to add or remove second address for delivery of individual notices to the member.
 - 3. A request for individual delivery of general notices to the member, or a request to cancel a prior request for the same.

4. A request to receive a full copy of a specified annual budget report or annual policy statement.
 5. A request to receive all annual budget reports and annual policy statements in full (rather than a summary), or a request to cancel a prior request for the same.
3. **DOCUMENT DELIVERED.** When a document is delivered by mail, delivery is deemed to be complete on deposit into the US mail. When a document is delivered by “electronic means” (i.e., e-mail), the delivery is complete at the time of the transmission.
4. **ELECTRONIC VOTING.** Any requirement that any vote of the members be made by written ballot may be satisfied by a ballot submitted by electronic transmission, including electronic mail (e-mail), or electronic voting software, provided that such electronic transmission shall either set forth or be submitted with information from which it can be determined that the electronic transmission was authorized by the member. Electronic transmission shall be delivered to an address specified in writing by the member and shall be considered delivered upon transmittal.

NOW, THEREFORE, BE IT FURTHER RESOLVED the board of directors does hereby adopt the following policy:

RETENTION OF ELECTRONIC RECORDS POLICY as outlined below:

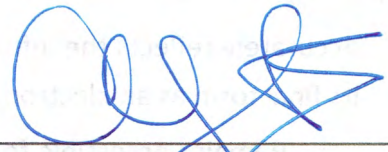
1. If a law requires that a record be retained, the requirement is satisfied by retaining an electronic record of the information in the record which:
 - a. Accurately reflects the information set forth in the record after it was first generated in its final form as an electronic record or otherwise.
 - i. Remains accessible for later reference.
 - b. A requirement to retain a record in accordance with Subsection (a) of this Section does not apply to any information the sole purpose of which is to enable the record to be sent, communicated, or received.
 - c. A person may satisfy this requirement by using the services of another person.
 - d. If a law requires a record to be presented or retained in its original form, that law is satisfied by an electronic record retained in accordance with Subsection (a) of this Section.
 - e. If a law requires retention of a check, that requirement is satisfied by retention of an electronic record of the information on the front and back of the check in accordance with Subsection (a) of this Section.
 - f. A record retained as an electronic record in accordance with Subsection (a) of this Section satisfies a law requiring a person to retain a record for evidentiary, audit, or like purposes.
2. NOTIFICATION TO OWNERS. The Association shall cause all owners to be notified of this resolution and the methods of individual or general delivery and receipt of written documents, notices, and records retention by electronic means. All other policies and procedures set forth in this resolution shall be effective immediately.
3. ONGOING EVALUATION. Nothing in this resolution shall require the Association to take specific actions other than to notify homeowners of the adoption of these policies and procedures. The Association has the option and right to continue to evaluate the effectiveness and ease of these Electronic Document Delivery Notice and Record Retention Resolution Policy. The Board of Directors may make amendments to these rules and procedures, by their discretion, at any time and by majority vote of the Board.

BE IT FURTHER RESOLVED THAT the board shall retain the right to amend or repeal this resolution.

IN WITNESS WHEREOF, the undersigned have executed this resolution the 1st day of
September, 2020.



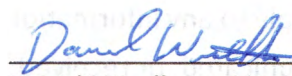
Patti Harrell, President



Anissa Rodney, Secretary



Amber Haley, Treasurer



David Windham, Vice-President



Huey Haley, Safety & Security Officer



Ryan Garcia, ACC Chairman

ELECTRONIC DISCLOSURE AUTHORIZATION FORM

**Amber Lakes Homeowners Association, Inc.
P.O. Box 87234, Baton Rouge, LA 70879
Email: info@magnoliabr.com**

Owner Name (Please Print): _____ (Each owner must sign and submit his or her own Electronic Transmission Agreement. Owners sharing email addresses must submit an individual form but will receive only one message).

Owner Address: _____

Telephone Number: _____ **Email Address:** _____

In consideration for the ability and convenience of using electronic transmission, I hereby give unconditional permission to **AMBER LAKES HOMEOWNERS ASSOCIATION, INC.** its officers, directors, agents, attorneys, representative property manager and agents of the property management collectively referred to herein as the "Association" to send me notices and other Association-related documentation and information by electronic transmission using the above email address. This permission is intended to be broad and may include, without limitation, transmission of meeting notices, ballots, proposed and final annual budgets, financial statements and reports, audit notices of annual regular assessments and special assessments, proposed changes in rules and regulations, amendments to the governing documents, violation notices, penalties and fines, hearing notices, information about my assessment account and other association documentation and information including, without limitation, documentation and information I have a right to receive pursuant to the Association's governing documents or any federal, state or local law or regulation. I hereby waive my right to receive any and all such documentation and information by mail, hand delivery or any other delivery method.

I represent that I am an Owner of the property identified above and the above email address is my email address and I have full authority to use it for the intended purpose. I agree that any and all emails, including the attachments received by the Association from the above email address shall be considered my electronic signature and shall satisfy any requirement for a signature under the governing documents, or any other federal or state law.

I agree to use the Association's designated email address only for its intended purposes and shall not send emails to such email addresses which are not associated to Association business. I further agree to be courteous and respectful in any email communications and shall not use offensive, vulgar or profane language or make any discriminatory, disparaging or abusive comments or statements. I further agree and understand that the ability to send and receive Association information and documentation by email is a privilege and that the board may revoke such privilege at any time with or without cause and without notice.

I understand that there are risks involved with electronic transmissions and that the Association cannot guarantee the security and confidentiality of email communications. I hereby assume all such risks and fully release, discharge and shall hold harmless the Association from any and all claims, liability and damage of any nature whatsoever including, but not limited to, attorneys' fees, resulting from, arising out of or in any way related to this agreement, the use of my email address, the failure of emails to be delivered/received or to be delivered/received in a timely manner, misdirected emails, disclosure of email addresses or the contents of emails to third parties, and/or the transmission of malware, viruses or other malicious programs and software.

I understand and agree that I am obligated to inform the Association if my email address or any other contact information changes and hereby waive my right to receive notices and other Association information and documentation if I fail to provide such updated contact information. I also agree that the Association shall have at least ten (10) business days from receipt of new contact information to update its records. I also understand and agree that the permission granted hereunder gives the Association the right, but not the obligation, to use my email address. This agreement shall be effective until terminated in writing by certified mail to the other party.

Date: _____ **Signature of Owner:** _____