

**HOTEL DE L'EAU VIVE OWNERS' ASSOCIATION, INC.**

Dear Owner,

Enclosed you will find the following:

- Notice/Agenda to Annual Owner's Meeting
- Frequently Asked Questions
- 2022 Annual Meeting Draft Minutes
- 2023 Proxy

**Please complete your proxy and return it by:**

**Mail** to 315 Tchoupitoulas Street, New Orleans, LA 70130

**Fax** to: (504) 592-0335

**Email** to: [info@hotel-deleauvive.com](mailto:info@hotel-deleauvive.com)

**Text** to: (866) 834-5444

**Please note: Any changes to the agenda will be posted on <https://hotel-deleauvive.info>**

# HOTEL DE L'EAU VIVE OWNER'S ASSOCIATION

## ANNUAL OWNER'S MEETING

December 15, 2023, 10:00 am CT

Join Zoom Meeting

<https://us06web.zoom.us/j/87974459658?pwd=ghybNj3ORHrXuOUA0vcpU6R9pGLvgu.1>

**Meeting ID: 879 7445 9658**

**Passcode: 339343**

- I. Call Meeting to Order and Establish Quorum
- II. Approval of 2022 Annual Meeting Minutes
- III. Financial Report
  - Discussion of Budget, financials, and maintenance fees.
- IV. Operations Report
- V. Election Results
- VI. Election of Officers
- VII. Old Business
- VIII. New Business
- IX. Next Meeting Date
- X. Owner's Forum
- XI. Adjournment

### To Dial in From Your Phone:

One tap mobile

+13052241968,,87974459658#,,,,\*339343# US

+13126266799,,87974459658#,,,,\*339343# US (Chicago)

Dial by your location

- +1 305 224 1968 US
- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 301 715 8592 US (Washington DC)
- +1 309 205 3325 US
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)



## **Frequently Asked Questions**

Thank you for your commitment and dedication to the positive changes at Hotel de L'Eau Vive. Let's stay engaged!

To facilitate the successful exchange of communication, we encourage you to read the entire Frequently Asked Questions. Our goal is to address many of your questions here. Additionally, there will be an "Owners Forum" segment during the Annual Meeting where you can also address your questions. If the information below does not specifically address your question, please feel free to email us at [hdlvreimagined@lemonjuice.biz](mailto:hdlvreimagined@lemonjuice.biz). The Front Desk team will handle reservation and exchange-related questions, while any questions related to restructuring must be submitted via the email address provided in the document. If a phone call is more convenient, please leave a valid phone number, and a member of the Owner Support team will return your call when time permits.

### **Q: What is Lemonjuice Solutions?**

**A:** Lemonjuice Solutions (LJS) provides strategic planning, restructuring execution, investment capital, and professional management to legacy timeshare properties. The company has extensive experience in the timeshare industry. One of our specialties is assisting distressed timeshare properties.

### **Q: Is Lemonjuice Solutions affiliated with Hotel de L' Eau Vive (HDLV)?**

**A:** Lemonjuice Solutions has been chosen by the Board of Directors as the new management company for HDLV. It's important to note that Lemonjuice Solutions is independent and not affiliated with any of the Board Members or Developers associated with HDLV.

### **Q: How do I contact Lemonjuice Solutions?**

**A:** If you are inquiring about the tender offer or future of the property, please email [hdlvreimagined@lemonjuice.biz](mailto:hdlvreimagined@lemonjuice.biz). You may also review <http://hotel-delauvive.info> for regular updates. Our team members are happy to assist you as needed.

### **Q: Where do I mail correspondence?**

**A:** Hotel de L'Eau Vive  
c/o: Lemonjuice Solutions  
Reimagination  
7041 Grand National Drive Suite # 108  
Orlando, Florida 32819

**Q: What will happen to future reservations?**

**A:** This transaction is not expected to impact 2023 or 2024 reservations or exchange deposits. If you currently have reservations weeks deposited with the exchange company, they will remain in full force and effect, as will any other benefits you have of record in your existing ownership. Hotel de L'Eau Vive is committed to ensuring that all owners continue to have the quality vacation experience that all owners deserve.

**Q: What are the plans for the property?**

**A:** The goal is to provide a course of action that will protect all owners and provide value for their timeshare ownership.

**Q: Why is this happening to HDLV?**

**A:** As indicated in the letter dated November 10, 2023, HDLV is currently facing financial hardship. Furthermore, after years of diminishing ownership and deferred maintenance, HDLV is unable to collect sufficient maintenance fees to sustain its operations. Increasing maintenance fees would likely lead to more owners discontinuing payments. This is the principal reason the Board of Directors enlisted the services of Lemonjuice Solutions.

**Q: How long is this process going to take?**

**A:** It is currently anticipated that the full restructuring and sale process will take about two years, but that time depends a lot on many factors and is not guaranteed. Once the sales process is complete, timeshare owners can only receive proceeds from the sale of the property if they are current with their assessments at the time of the sale. Additionally, all paying owners are expected to have occupancy for 2024, but usage for 2025 and later is not expected to be available.

**Q: Who is included in the tender offer?**

**A:** Lessees who are current and Deeded Owners who are active. Owners who abandoned their weeks are not included in the tender offer.

**Q: If I decide to move forward with the tender offer, how much will I receive for my week?**

**A:** Each owner will receive an offer commensurate to the relative value of their week and their unit. For example, if the relative unit value for a Standard Week is \$3000 per interval, Weeks 9 (Mardi Gras) recipients will receive 3.5 times the value of a Standard Week. Event weeks 15 (French Quarter), 17 (Jazz Fest), 18 (Jazz Fest), and 52 (Sugar Bowl) will receive 2 times the value of a standard week. In this example, a week 9 Mardi Gras recipients will receive \$10,500.

Relative unit value is comprised of the unit's size value per square foot and percentage value of common elements attributed to your unit.

**Q: What about the tender settlement process and costs?**

**A:** If you send to us your tender offer choice costs, the closing company will send to you a settlement form and a deed. All persons on the deed need to sign it in front of a notary. Any US state, territory or Department of State notary is acceptable.



We will pay closing cost, including title work and title insurance. However, if there is cloud on the title of your deed (if you do not have marketable title for any reason), you would need to clear-up that title. The term "cloud on the title" refers to any potential issue or discrepancy that affects the ownership or legal rights associated with a property. In this context, it means that if there is any problem with the title of the deed you are selling or transferring, and it is not deemed as clear and marketable, you, as the owner, would be responsible for resolving or clearing up that issue. An example of a title issue could be if a previous deed was not properly prepared or notarized or if the week was sold to two different people.

2024 maintenance fees and outstanding balance will be deducted at settlement.

**Q: If I decide to move forward with the tender offer, how long is this process going to take?**

**A:** If you decide to sell, pending the receipt of all signed and notarized transfer documents and approval from Quality Control, the processing of your check and deed transfer can take about 30 days.

**Q: My ex-spouse and I purchased the interval, and following the divorce, I was awarded the property. However, the attorney never transferred the ownership into my name. I have been the sole contributor to the fees each year, but now, as I want to take advantage of the tender offer, will you require my ex-spouse's signature since their name is still on the deed?**

**A:** Yes, all parties listed on the deed must sign and notarize the transfer documents to facilitate the title transfer. Separate documents can be sent to each party so that, if the parties are not amicable, the documents can be signed without the other party being present.

**Q: If I use my timeshare in 2024, will there be adequate maintenance, administrative and housekeep staff available to operate the resort?**

**A:** We will strive to ensure that there is a satisfactory level of staffing available.

**Q: What if I decide not to accept the tender offer?**

**A:** The tender offer is voluntary. Lemonjuice is making the investment because we anticipate value by purchasing weeks from owners who chose not to continue with timeshare. By not accepting the offer, you will be required to continue paying future year's maintenance and taxes to cover future expenses and debt. All remaining owners will receive their pro-rata share of the net proceeds after the sale of the property.

**Q: What about owners that have listed units for rent in 2023 with hotel? Will there be a detailed accounting?**

**A:** We are currently conducting a comprehensive examination of the rental agreement and policies to address this issue. Additional information will be provided soon.

**Hotel De L'Eau Vive**  
**Annual Board Meeting**  
**August 4, 2022**

The meeting was called to order by Treasurer Larry Kaufman at 10:30 am. Roll call was taken and guests on the phone introduced. Election results were announced, and new board member John Marincic was seated.

Present: Larry Kaufman, Beth DeSousa, Mike Janiel, Mike Cagle, John Marincic and Kathe Hayes

Excused: Anthony Rimes

A quorum was established.

Guests on the phone: Peter Haggins, Rosemary and George Patavano, Bobbie Gross, Christine Goldworth, Jean Gross, Bill and Barb Shannon, Marette St John Tom Bowes and Jan Murillo represented management.

Guests Present: Frances and Robert Ivey

A motion to elect a new slate of officers was made by Mike Cagle as follows:

Larry Kaufman – President

Beth DeSousa – Treasurer

Kathe Hayes – Secretary

The motion was seconded by Mike Janiel and carried.

Larry welcomed the guests and offered them an opportunity to ask questions and voice their concerns. Most of the concerns raised were related to the fiscal status of the hotel and why the taxes have not been paid. The need for more communication with owners, especially financial information, was also expressed. Board members described plans to address the problems identified. The actual amount of taxes owed changes daily due to interest added. It is expected that the upcoming maintenance fee call will provide the cash needed to pay last year's taxes.

Board members explained the issues contributing to our situation. It was noted that bankruptcy is not an option for this property. Sales plans were in place prior to the pandemic and had to be postponed several times. We are also facing the loss of ownership; some owners have stopped paying fees and have not responded to any efforts to contact them. The weeks these people own are referred to as clouded weeks. The loss of owners has decreased the operating capital of the hotel and affected what upgrades and repairs can be accomplished. Time shares sales are not as popular as they once were.

It was agreed that board communication with the owners must be increased. The web site will be used for sharing factual and timely information including financial reports. We will ask our CPA for timely finance reports.

We will have a sales team associated with Tom's new hotel. As a legacy hotel and with the number of clouded weeks, we are not able to sustain our own team. We hope the sales team will be activated by October or November.

The number of weeks Tom owns was discussed. Tom will be selling weeks and as they are sold the money from those sales will go to the association.

Financial Report: The budget was presented. Maintenance fees were discussed. Mike Cagle moved to maintain the fee at \$1,000. Mike Janiel second and the motion carried.

New Business: No business to discuss, moved to next agenda item.

Operation as a hotel. As time share sales have decreased, we have learned that many time share operations are using hotel type rentals to bring in money. While this has been done to some extent here, it is proposed that we make a more vigorous effort to make the availability of our units for hotel use known. Gail will be asked to pursue this. Tom recalled that Mr. Callaghan had suggested someone with an expertise in this area. Tom will follow up with this contact.

Job Descriptions: Tom is being asked to provide the board with Job descriptions for all staff. He said he has them and will provide them.

Succession Plan: There are two years remaining on Tom's contract and Tom was asked to develop a succession plan for management of the hotel. He will have it for the next board meeting.

Expectations of the Board: Clearly the sentiments of the owners indicated the need for more clear and frequent communication from the board. It was agreed that greater transparency is necessary and will be addressed as much as possible. Meeting minutes and financial statements will be shared. We need to identify staff capable of managing the web page. Jan will see if Twila can do this.

How does HDLV fit into Tom's new project: Tom described how the sales team will focus on both properties. For every four sales a clouded week will be sold. [Technically these properties will not be sold but will be leased as they are still owned by the delinquent owners.] Resources will also be shared. HDLV will provide check-in for both properties and will maintain the 24-hour front desk. The plan is for laundry services to be done at the new property. Agreements for this sharing will be developed.

Other New Business: It was asked that the TV in the lobby be tuned to neutral channels.

Old Business: No old business to discuss, moved to next agenda item.

Unit 408: It was agreed to table the purchase of unit 408 at this time.

Update on Tom's new project: The sales lounge will be 30% of the new project first floor. The initial construction involves eliminating some use of the parking area and termination of parking leases. Tom believes he will have the sales lounge completed by late October. Before that the sales force can be developed, obtain the required permits for the kids on the street and find places to live for those conducting the sales.

Delinquent Taxes: Taxes are due on September 26th, or the property goes up for tax sale. Billing goes out for maintenance fees next week. The expectation is that payment of these fees will provide the resources to pay the taxes.

The next board meeting will be February 23<sup>rd, 2023</sup>, at 10:00 am.

Larry moved to adjourn the meeting which was seconded by Mike Janiel.

**HOTEL DE L'EAU VIVE OWNERS' ASSOCIATION, INC.  
315 Tchoupitoulas Street, New Orleans, LA 70130**

**PROXY STATEMENT**

The enclosed proxy is solicited for and on behalf of the management of Hotel De L'Eau Vive Owner's Association, Inc. ("Association") for use in connection with the annual meeting of the members of the Association to be held:

**Friday, December 15, 2023, 10:00am CT  
at 315 Tchoupitoulas Street, New Orleans, Louisiana**

The matters to be considered and acted upon at such a meeting are enclosed in this mailing. If the enclosed proxy is properly executed and returned, all interests of the Unit Owner represented thereby will be voted. If the member specifies in the manner stated in the proxy how such interests shall be voted on the matter hereinafter mentioned, they will be voted thereon as so specified. If no such specification is made in the proxy, the interests represented thereby will be voted as recommended by the board. The member giving the proxy may revoke it by notifying the Secretary of the Association in writing or by statement in an open meeting, at any time prior to voting the proxy.

**PROXY SOLICITATION**

The expense of printing and mailing proxy material is borne by the Association. Solicitation will be made by mail and the directors, officers and employees of the Association may follow up on the mailing with personal, telephone solicitation to ensure the success of this annual meeting. Proxies may be assigned to any owner who will be at the meeting and agree to serve. The Secretary of the Association, 315 Tchoupitoulas Street, New Orleans, LA 70130, must receive proxies no later than Thursday, December 14, 2023.

HDLVOA,Secretary

**SEE PROXY BELOW \* PLEASE DETACH, SIGN, AND MAIL PROMPTLY TO:  
HOTEL DE L'EAU VIVE, 315 Tchoupitoulas Street, New Orleans, LA 70130**

Dated: \_\_\_\_\_

**REVOCABLE PROXY BALLOT  
Annual Meeting of HOTEL DE L'EAU VIVE OWNERS' ASSOCIATION, INC.  
Friday, December 15, 2023, 10:00am CT**

I, the undersigned owner(s) of one or more unit/weeks at Hotel de L'Eau Vive (jointly and severally referred to herein as the "Owner") hereby revoke all previous proxies and acknowledge prior receipt of the Notice of the Annual Meeting of Hotel de L'Eau Vive Owners' Association, which will be held Friday, December 15, 2023, 10:00am at the Hotel de L'Eau Vive, 315 Tchoupitoulas Street, New Orleans, Louisiana.

Proxies not voted in person must be received by the Secretary of the Association, 315 Tchoupitoulas Street, New Orleans, LA 70130, no later than Thursday, December 14, 2023.

- I will be unable to attend the Annual Meeting in person. (Check one of the following)
- I assign my proxy to \_\_\_\_\_, the owner of Unit \_\_\_\_ Week \_\_\_\_ to be voted on my behalf, as directed by me (us).
- I assign my proxy to be voted by the Board.

**Voting your proxy is imperative so that the Annual Meeting will have a quorum and be able to proceed.**

Print Name: \_\_\_\_\_

Sign Name: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Sign Name: \_\_\_\_\_ Date: \_\_\_\_\_

Unit/ Weeks Owned: \_\_\_\_ / \_\_\_\_; \_\_\_\_ / \_\_\_\_; \_\_\_\_ / \_\_\_\_; \_\_\_\_ / \_\_\_\_; \_\_\_\_ / \_\_\_\_.

Total Unit/Weeks Owned: \_\_\_\_\_