

**PROPOSED
2010 LANDOWNER ELECTION PROTOCOLS
FOR
NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT**

1. Annual Landowner's Meeting.

In accordance with the provisions of Chapter 2000-467, Laws of Florida, as amended, and applicable provisions of Chapter 298, it is required that a meeting of the owners of real property (the "Landowners") within the District be held each year during the month of November for the purpose of hearing reports of the Board of Supervisors and every two (2) years for the purpose of electing Supervisors to specified Board positions. The Landowners when assembled are to organize by electing a Chairperson who shall preside at the meeting, and the Secretary of the District's Board of Supervisors shall serve as the Secretary for the Landowners meeting.

Those Landowners present or voting by proxy shall constitute a quorum at the Landowners Meeting.

2. Voting at Election of Supervisors.

At each Landowners meeting held for the purpose of electing one or more Supervisors, each and every acre, or any fraction thereof, of land in the District shall represent one share, and each Landowner shall be entitled to vote either in person or by written proxy for every acre, or any fraction thereof, of land owned by the Landowner within the District.

3. Registration for Casting of Election Ballots.

The registration process for the casting of election ballots by Landowners or their representatives holding their proxies, shall be as follows:

- (A) **VERY IMPORTANT** - During the month of **October 2010**, but preceding the day of the Landowners meeting, proxies may be submitted to and registered with the District's Auditor. **Landowners and those collecting proxies are STRONGLY encouraged to deliver proxies to the District's Auditor in October and no later than 4 p.m. on Friday, November 12, 2010 by using ONE (1) of the following recommended formats:**

- **Direct delivery to the Auditor's West Palm Beach office;**
 - **2) Fax as instructed in "i" below; or**
 - **3) Scan as instructed in "ii" below.**
- i) **Fax the proxies to the District Auditor at (561) 833-3235. After faxing said proxies, group the original proxies together and indicate that they**

have been faxed. DO NOT COMINGLE FAXED PROXY ORIGINAL FORMS WITH PROXIES THAT HAVE NOT BEEN PREVIOUSLY SUBMITTED TO THE DISTRICT AUDITOR.

******* OR *******

- ii) **Scan the proxies and submit via email to the District Auditor's email address of MFutterman@rachlin.com. After scanning and emailing said proxies, group the original proxies together and indicate that they have been scanned and emailed. DO NOT COMINGLE SCANNED AND EMAILED PROXY ORIGINAL FORMS WITH PROXIES THAT HAVE NOT BEEN PREVIOUSLY SUBMITTED TO THE DISTRICT AUDITOR.**
- iii) **Segregate faxed, emailed/scanned, and directly delivered proxies from proxies that have not been previously submitted.**
- iv) **For accurate tabulation, proxies should be fully completed legibly with actual acreage provided. Do not round acreage.**
- v) **Exhibit C is a recommended spreadsheet to summarize proxy submittals. If you have more than 24 proxies, the District Auditor strongly encourages completion of this spreadsheet to be submitted with the proxies in electronic format, such as an Excel spreadsheet, to assist with accurate tabulation.**

(B) On the morning of the day of the Landowners meeting and prior to the commencement of the casting of election ballots for each Board of Supervisors position, each Landowner or their representative, if proxies are being submitted in lieu thereof, shall be directed to register their acreage and proxies, if they have not done so already, with the District Auditor, who will be in attendance at the meeting.

(C) On the day of the Landowners meeting, each Landowner or the holder of their proxy, as the case may be, shall be provided one ballot, per election, on which the District Auditor will fill in the number of votes that such Landowner or their proxy holder claims to be entitled to cast during each election.

(D) All proxies shall be collected at the time of their registration and retained by the District Auditor for subsequent certification or verification, if required.

(E) The ballots for each election shall be color coded and pre-numbered, with ballot numbers 1 through 99 to be provided to each holder of a proxy and ballot numbers 100 through 199 to be provided to those Landowners who are appearing in person and intend on only voting their own acreage.

4. Casting of Ballots.

Registration and the issuance of ballots for the election of a Supervisor shall cease once everyone present at the commencement of the Landowners meeting has had the opportunity to register and

the Chairperson calls for the commencement of the casting of ballots for the election of a Supervisor for the subject position.

The Landowners or their representatives, as the case may be, will be required to cast their ballots using the appropriate color coded ballot for each particular election. Once the ballots for a particular election have been cast, the Chairperson will call for a collection of said ballots by the District Auditor.

5. Counting of Ballots.

The District Auditor shall be responsible for the tabulation of ballots for each election in order to determine the total votes cast for each candidate that is seeking election in that particular election.

The candidate receiving the highest number of votes for the Supervisor position for which the election was held shall be announced Supervisor by the Chairperson upon the District Auditor's submission of the tabulation for that election.

6. Contesting of Election Results.

Following each election and announcement of the candidate receiving the highest number of votes for a Supervisor position, the Chairperson shall ask the Landowners present and those representatives holding proxies for Landowners whether they wish to contest the election results. If the election's not contested at that time, the election results shall thereupon be certified by the District Auditor and the candidate receiving the highest number of votes shall be sworn in and seated as a member of the District's Board of Supervisors during the next regular meeting of the District's Board of Supervisors.

If there is an election contest, the nature of the contest must be addressed to the Chairperson and if it is as to the validity of one or more ballots, the parties who voted same will be required to provide proof of ownership of the acreage for which they voted at the election within five (5) business days following the Landowner meeting and during said period the Landowners meeting shall be in recess until a time certain. The proof of ownership must be delivered to the District Auditor who will thereupon consult with the District's general counsel and together they will review the material provided and attempt to determine the validity of the contested ballots. The Chairperson shall reconvene the Landowners meeting at the time set at the prior meeting and thereupon the Auditor shall present their findings. If these findings resolve the contest, the candidate that has received the highest number of valid votes shall be announced by the Chairman and thereafter sworn in as set forth above.

7. Recessing of Landowners Meeting.

The Landowners meeting may be recessed by a vote of the majority of Landowners comprising a quorum at such meeting to a future time certain date and location but in no event may a meeting be recessed more than once or for longer than two (2) weeks from the advertised date of the initial meeting without re-advertising the holding of such a recessed meeting.

8. Miscellaneous Provisions.

(A) Each Landowner shall be entitled to vote in person or by written proxy through a representative who must be present at the meeting in order to cast said Landowner's votes.

(B) Proxies do not have to have proof of acreage ownership attached hereto. Rather, such proof of ownership must be provided to the District Auditor within five (5) business days if the proxy is contested.