

March 19, 2019

Re: Notice of Annual Meeting
Birch at Streamside Condominium Association

Dear Owner:

The 2019 Annual Meeting of Birch at StreamSide Condominium Association will be held at 1:00 p.m., Mountain time, on May 18, 2019, at Marriott's StreamSide at Vail, 2284 South Frontage Road West, Vail, Colorado 81657.

The purpose of the meeting is to review the operations of the Association, conduct any other business which may be presented at the meeting and to consider the following:

- Election/Appointment of Unit Agents
- Election of two (2) Members, by the Unit Agents, to the Board of Managers, each to serve a three-year term
- Amendment of Bylaws

The following Annual Meeting materials are included for your review:

- **Agenda**
- **Proposals** to be considered
- **Candidate Profile** of the candidate for election to the Board of Managers by the Unit Agents
- **Ballot for Unit Agent**
- **2019 Unit Agent Directed Proxy**
- **Unit Agent Directed Proxy and Ballot(s) Submission Method**

If you have any questions regarding the Annual Meeting, please contact David McDaniel, General Manager, by phone at 970-477-5150 or by email david.mcdaniel@vacationclub.com.

Sincerely,

Jennifer Kammerer

Secretary/Treasurer

Birch at StreamSide Condominium Association

**Birch at StreamSide Condominium Association
2019 Annual Meeting**

May 18, 2019 at 1:00 p.m., Mountain time

Marriott StreamSide at Vail
2284 South Frontage Road West
Vail, Colorado 81657

Agenda

- Election of Chairman
- Call to Order
- Establishment of Quorum and Roll Call – Birch Board and Unit Agents
- Appointment of Recording Secretary
- Proof of Notice of Annual Meeting
- Approval of Agenda
- Reading and disposal of any unapproved minutes and approval of 2018 Annual Meeting Minutes
- Reports of Officers
 - Highland P.U.D. Association Report
 - Birch at Streamside Condominium Association Report
- Reports of Committees
- Election of Inspector of Election
 - Unit Agents, appointment by Board if necessary
 - Nominations of Board from Floor
 - Tabulation of Votes
- Resort Operations Report
- Financial Report
- Voting Results
 - Election of 2019-2020 Unit Agents
 - Election of two (2) Members by the Unit Agents to serve on the Board of Managers for a three year-term
 - Amendment to the Bylaws for Birch at Streamside Condominium Association – Article XI, Section 2 “Electronic Communications”
- Unfinished Business
- Announcement of 2020 Annual Meeting Date
- New Business
- Adjournment

**Birch at StreamSide Condominium Association
2019 Annual Meeting**

Proposals

1. Election/Appointment of Unit Agents

Elect/appoint Unit Agents to represent each of the Units in the Birch Building. The elected/appointed Unit Agent shall represent the Unit and be empowered to act on behalf of the Unit by performing specific acts as set forth in the governing documents of the Association. One such act is to represent the Unit in electing members to serve on the Association's Board. In the event that the majority in interest of Time-Span Owners of a Unit fail to designate a Unit Agent, then the Board shall appoint such Unit Agent.

Please complete the enclosed Ballot and return to the address provided by May 18, 2019.

2. Election of two (2) Members by Unit Agents, to the Board of Managers (Item 2A on the Unit Agent Directed Proxy)

Election of two (2) Members by Unit Agents, each to serve on the Board for a three-year term. Members will be elected by the Unit Agents at the Annual Meeting.

3. Proposed Amendment to the Bylaws (Item 2B on the Unit Agent Directed Proxy)

Provisions added to Article XI, Section 2, "Electronic Communications".

(a) Records and Signatures. Whenever the governing documents require that a document, record or instrument be "written" or "in writing," the requirement is deemed satisfied by an electronic record. Whenever the governing documents require a signature on a document, record or instrument, an electronic signature satisfies that requirement only if: (i) the electronic signature is easily recognizable as a secure electronic signature which is capable of verification, under the sole control of the signatory, and attached to the electronic document in such a way that the document cannot be modified without invalidating the signature; or (ii) the Board of Managers reasonably believes that the signatory affixed the electronic signature with the intent to sign the electronic document, and that the electronic document has not been modified since the signature was affixed.

(b) Verification and Liability for Falsification. The Board of Managers may require reasonable verification of any electronic signature, document, record or instrument. Absent or pending verification, the Board may refuse to accept any electronic signature or electronic record that, in the Board's sole discretion, is not clearly authentic. Neither the Board of Managers nor the Association will be liable to any member or any other person for accepting or acting in reliance upon an electronic signature or electronic record that the Board reasonably believes to be authentic, or rejecting any such item which the Board reasonably believes not to be authentic. Any member or person who negligently, recklessly or intentionally submits any falsified electronic record or unauthorized electronic signature will fully indemnify the Association for actual damages, reasonable attorney fees actually incurred and expenses incurred as a result of such acts.

No Other Amendments. Except as amended by the terms of this Amendment and previous amendments, the By-Laws remain in full force and effect.

**Birch at StreamSide Condominium Association
2019 Annual Meeting**

Candidate Profiles

Candidates listed in alphabetical order

Name: Harry F. Bell
Home: Charleston, West Virginia
Occupation: Attorney/Digital Media
Comments: "I have severed on this Board in various capacities over the years as well as serving as the president for over 10 years for a condo regime in Kiawah Island, South Carolina. I am committed to providing the best possible Owner experience while making the operations in a cost-effective fashion. My desire is to avoid unnecessary assessments."

Name: Jennifer Nooney Kammerer
Home: Newport Beach, California
Occupation: Market Director of Finance for Marriott Vacation Club
Comments: "I have served on Birch at Streamside Condominium Association Board of Directors since 2016 and I have been a Birch owner for over 13 years; regularly visiting Birch, Streamside at Vail and the surrounding Eagle County area. I am currently a Director of Finance in the hospitality industry and during my tenure in this profession I have been responsible for the financial management of twenty-two resort associations. I provide a valuable resource to the board with my strong understanding of the reserve study process and cash flow funding. Additionally, I am well versed in the financial reporting process associated with a timeshare resort and appreciate what the annual budget and audit process entails from a Board of Directors standpoint. I believe my background provides a valuable perspective for the board and it would be my privilege to continue to serve the owners of Birch at Streamside Condominium Association."

Name: Dennis B. Rogers
Home: Stuart, Florida
Occupation: Sales-Vacation Ownership
Comments: "I have had 15+ years' experience with Marriott Vacation Club. Four years as Sales Manager at StreamSide at Vail. Owner in Birch Building. Two years as Sales Manager-Desert Springs Villas, Desert Springs, California, 4.5 years as Senior Sales Executive-St. Thomas, United States Virgin Islands, 2 years Sales Executive-Hilton Head, South Carolina, 3 years Senior Sales Executive-Ocean Palms, Florida. I know the weeks world and points world very well and would be an asset to Marriott Vacation Club."

Unit Agent Directed Proxy and Ballot(s) Submission Method

The accompanying Notice of Annual Meetings describes important issues affecting the Association. To submit your Unit Agent Directed Proxy and Ballot(s):

By Mail

- a. Mark your selections on the enclosed Unit Agent Directed Proxy and Ballot(s).
- b. Date and sign your name exactly as it appears on your Unit Agent Directed Proxy and Ballot(s).
- c. If you will not be able to attend the Annual Meeting, please appoint a Unit Agent to vote on your behalf. You may appoint the designated Unit Agent named on your Unit Agent Directed Proxy, or you may write in the name of another person that you wish to act as your Unit Agent. The person you designate must be in attendance at the Annual Meeting for your vote to be counted.
- d. Mail the Unit Agent Directed Proxy and Ballot(s) in the enclosed postage-paid envelope.

UNIT AGENT DIRECTED PROXY

**Birch at Streamside
Condominium Association
2019 Unit Agent Directed Proxy**

Date Signed: _____
Unit Number: _____
Unit Agent Signature
(X): _____

NOTE: FOR THIS PROXY TO BE VALID, THE PROXY GIVER MUST PROVIDE THE DATE THAT THE PROXY IS GIVEN AND HIS OR HER SIGNATURE. PLEASE SIGN AND RETURN YOUR DIRECTED PROXY ON OR BEFORE MAY 13, 2019 TO THE SECRETARY OF THE ASSOCIATION. PLEASE NOTE, HOWEVER, THAT VOTES WILL BE COUNTED IF CAST IN PERSON OR OTHERWISE PROPERLY RECEIVED ON OR BEFORE MAY 18, 2019.

1. The above signed, as a Unit Agent of a Unit in the **Birch at Streamside Condominium Association** (the Association), does hereby appoint **EITHER** (indicate **only one** choice by filling in the circle at (1) or (2); and if (2), print name of Unit Agent):

(1) **Al Batey**, President of the Association, or any Unit Agent of the Association in attendance he so designates in his absence; **OR**

(2) _____
(Insert name of Unit Agent who **MUST** be in attendance at the Annual Meeting in order for your vote(s) to be counted),

as my true and lawful attorney-in-fact and proxy holder, hereby revoking all previous proxies, to vote in my place and stead on my behalf as though I myself were present and voting, with power of substitution, at the **Annual Meeting of Birch at StreamSide Condominium Association**, to be held at 1:00 p.m., Mountain time, on May 21, 2018, at Marriott's StreamSide at Vail, 2284 South Frontage Road West, Vail, Colorado 81657.

2. **AGENDA ITEMS. (FOR YOUR VOTE TO BE COUNTED ON THE FOLLOWING ISSUES, YOU MUST MARK THE CIRCLES PROVIDED BELOW. IF YOU LEAVE ANY ITEM IN THIS SECTION BLANK, YOUR PROXY HOLDER WILL NOT CAST A VOTE ON SUCH ITEM.)**

- A. Appointment of two (2) Members to the Association's Board of Managers, each to serve a three-year term. See the Candidate Profiles for a summary of the candidates. Please select no more than two (2) candidates. A selection of more than two (2) candidates will invalidate your vote.

- Harry F. Bell
 Jennifer Nooney Kammerer
 Dennis B. Rogers

B. Vote to add provisions to Article XI, Section 2, "Electronic Communications", (a) Records and Signatures and (b) Verification and Liability for Falsification.

- For
- Against

THIS DIRECTED PROXY IS REVOCABLE BY THE UNIT AGENT, ONLY BY ACTUAL NOTICE OF REVOCATION TO THE ASSOCIATION, AND IS VALID ONLY FOR THE MEETING FOR WHICH IT IS GIVEN AND ANY LAWFUL ADJOURNMENT THEREOF. IN NO EVENT IS THIS DIRECTED PROXY VALID FOR MORE THAN 11 MONTHS.

Return Envelope

**Marriott's Streamside at Vail, Birch
2284 South Frontage Road West
Vail, Colorado 81657
Attention: Deborah Rudell, Inspector of Election**

