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6 Counsel for Debtor and Debtor in Possession

7 **IN THE UNITED STATES BANKRUPTCY COURT**
8 **FOR THE DISTRICT OF ARIZONA**

9 In re:

10 CONTINENTAL COUNTRY CLUB,
11 INC., an Arizona Non-profit corporation,
12 EIN 86-0414438

13 Debtor.
14

Chapter 11 Proceeding

Case No. 3:21-bk-00956-EPB

**NOTICE OF FILING VOTING
RESULTS OF HOA ASSESSMENT
PROPOSALS**

15
16 **NOTICE IS HEREBY GIVEN** that Continental Country Club, Inc., the above-
17 captioned Debtor and Debtor in Possession (“Debtor”), has concluded the count of its member
18 votes concerning the imposition of a special assessment and certain annual assessment
19 increases, necessary to support Debtor’s proposed Chapter 11 Plan of Reorganization.

20 **NOTICE IS FURTHER GIVEN** that a copy of Debtor’s announcement to its members
21 dated August 8, 2022 is attached as Exhibit A.

22 **DATED** this 10th day of August, 2022.

23 **ENGELMAN BERGER, P.C.**

24 By: /s/ Patrick A. Clisham, SBA # 023154

25 Scott B. Cohen
26 Patrick A. Clisham

27 *Attorneys for Debtor and Debtor in Possession*

1 **COPY** of the foregoing transmitted
2 via the Court's ECF system, and
3 as indicated this 10th day of August,
4 2022, to the following parties:

5 Larry L. Watson
6 OFFICE OF THE U.S. TRUSTEE
7 Email: Larry.Watson@usdoj.gov

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11 *Interested Party*

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16 Party*

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24 Jason J. Bliss
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27 *Co-Counsel for Lakeside Legionnaires in
Case No. CV 87-042997*

A copy of the foregoing document will be posted on Debtor's court-approved web portal for the benefit of all property owners who have not otherwise opted out of this form of service.

By: /s/ Alyssa C. Moomaw
Alyssa C. Moomaw
Legal Assistant

Exhibit A
HOA Vote Announcement
August 8, 2022

Continental Country Club Community,

After weeks of discussion, voting and meticulous ballot counting, we are able to announce the official results of the two ballot initiatives.

SPECIAL ASSESSMENT

**Ballot Initiative #1
Special Assessment:
Passed.**

**Ballot Initiative #2
Annual Dues Increases:
Passed.**

ANNUAL DUES INCREASES

Both the proposed dues increases and special assessment received far more than the minimum participation needed to constitute a quorum.

However, under Continental's Governing Document requirements (CC&Rs), 2/3 of all **single-family homeowners** participating in the vote must approve any dues increases or special assessments.

As it was announced in the open meeting on Saturday, July 30, 2022, the original count was statistically too close to call and our HOA legal counsel called for a recount. That recount was completed by homeowner volunteers on Tuesday, August 2,

SPECIAL ASSESSMENT

Vote	Single Family	All Others	Total
Yes	626	693	1319
No	313	156	469
Total	939	849	1788

Vote	Single Family	All Others	Total
Yes	66.67%	81.63%	73.77%
No	33.33%	18.37%	26.23%
Total	100.00%	100.00%	100.00%

**Ballot Initiative #1
Special Assessment:
Passed.**

**Ballot Initiative #2
Annual Dues Increases:
Passed.**

ANNUAL DUES INCREASES

Vote	Single Family	All Others	Total
Yes	667	680	1347
No	275	154	429
Total	942	834	1776

Vote	Single Family	All Others	Total
Yes	70.81%	81.53%	75.84%
No	29.19%	18.47%	24.16%
Total	100.00%	100.00%	100.00%

Both the proposed dues increases and special assessment received far more than the minimum participation needed to constitute a quorum.

However, under Continental’s Governing Document requirements (CC&Rs), 2/3 of all **single-family homeowners** participating in the vote must approve any dues increases or special assessments.

As it was announced in the open meeting on Saturday, July 30, 2022, the original count was statistically too close to call and our HOA legal counsel called for a recount. That recount was completed by homeowner volunteers on Tuesday, August 2, 2022. We then engaged the certified public accounting firm of Stephens & Company PLLC to perform certain agreed upon procedures to the ballots and the related homeowner volunteer counts in order to gain additional comfort as to the accuracy of