

**VIA U.S. MAIL AND CERTIFIED MAIL**

**Bonnie Brae HOA  
C/O HOA Community Management  
400 Regent Part Ct, Suite 100,  
Greenville SC 29607**

**Attn: President of the Board.**

**Tuesday, March 01, 2016**

**Dear Mr President and members of the board,**

**Pursuant to SC code of law 33-31-702, of the South Carolina Nonprofit Corporation Act;**

**SECTION 33-31-702. Special meetings.**

(a) A corporation with members shall hold a special meeting of members:

(1) on call of its board or the person or persons authorized to do so by the articles or bylaws; or

(2) except as provided in the articles or bylaws of a religious corporation, if the holders of at least five percent of the voting power of any corporation sign, date, and deliver to any corporate officer one or more written demands for the meeting describing the purpose or purposes for which it is to be held.

(b) The close of business on the thirtieth day before delivery of the demand or demands for a special meeting to any corporate officer is the record date for the purpose of determining whether the five percent requirement of subsection (a) has been met.

(c) If a notice for a special meeting demanded under subsection (a)(2) is not given pursuant to Section 33-31-705 within thirty days after the date the written demand or demands are delivered to a corporate officer, regardless of the requirements of subsection (d), a person signing the demand or demands may set the time and place of the meeting and give notice pursuant to Section 33-31-705.

(d) Special meetings of members may be held in or out of this State at the place stated in or fixed in accordance with the bylaws. If no place is stated or fixed in accordance with the bylaws, special meetings must be held at the corporation's principal office.

(e) Only those matters that are within the purpose or purposes described in the meeting notice required by Section 33-31-705 may be conducted at a special meeting of members.

HISTORY: 1994 Act No. 384, Section 1.

**The concerned members of the Bonnie Brae Homeowners Association demand to call a special meeting in accordance with SC code of law 33-31-702 (a)(2).**

**The purpose of the meeting is**

**A) The removal of one or more of the Bonnie Brae Homeowners Association directors pursuant to SC code of law 33-31-808.**

**SECTION 33-31-808. Removal of directors elected by members or directors.**

(a) The members may remove one or more directors elected by them without cause.

(b) If a director is elected by a class, chapter, or other organizational unit or by region or other geographic grouping, the director may be removed only by the members of that class, chapter, unit, or grouping.

(c) Except as provided in subsection (i), a director may be removed under subsection (a) or (b) only if the number of votes cast to remove the director would be sufficient to elect the director at a meeting to elect directors

(d) If cumulative voting is authorized, a director may not be removed if the number of votes, or if the director was elected by a class, chapter, unit or grouping of members, the number of votes of that class, chapter, unit or grouping, sufficient to elect the director under cumulative voting is voted against the director's removal.

(e) A director elected by members may be removed by the members only at a meeting called for the purpose of removing the director and the meeting notice must state that the purpose, or one of the purposes, of the meeting is removal of the director.

(f) In computing whether a director is protected from removal under subsections (b) through (d), it should be assumed that the votes against removal are cast in an election for the number of directors of the class to which the director to be removed belonged on the date of that director's election.

(g) An entire board of directors may be removed under subsections (a) through (e).

(h) A director elected by the board may be removed without cause by the vote of two-thirds of the directors then in office or such greater number as is set forth in the articles or bylaws. However, a director elected by the board to fill the vacancy of a director elected by the members may be removed without cause by the members, but not the board.

(i) If, at the beginning of a director's term, the articles or bylaws provide that the director may be removed for reasons set forth in the articles or bylaws, the board may remove the director for such reasons. The director may be removed only if a majority of the directors then in office vote for the removal.

(j) The articles or bylaws of a religious corporation may:

(1) limit the application of this section; and

(2) set forth the vote and procedures by which the board or any person may remove with or without cause a director elected by the members or the board.

(k) For purposes of this section, "members" refers to members entitled to vote for directors.

HISTORY: 1994 Act No. 384, Section 1.

**B) The election of one or more directors pursuant to SC code of law 33-31-804 and the Bonnie Brae Homeowners Association, Inc. Bylaws, Article III section A, 3.5.**

**SECTION 33-31-804.** Election, designation, and appointment of directors.

(a) If the corporation has members entitled to vote for directors, all the directors, except the initial directors, must be elected at the first annual meeting of members, and at each annual meeting thereafter, unless the articles or bylaws provide some other time or method of election, or provide that some of the directors are appointed by some other person or designated.

(b) If the corporation does not have members entitled to vote for directors, all the directors, except the initial directors, must be elected, appointed, or designated as provided in the articles or bylaws. If no method of designation or appointment is set forth in the articles or bylaws, the directors, other than the initial directors, must be elected by the board.

HISTORY: 1994 Act No. 384, Section 1.

**ARTICLE III. Board of Directors: Number, Powers, Meetings.**

**A. Composition and Selection.**

3.5. Election and Term of Office. Owner-elected directors shall be elected and hold office as follows:

(a) After the Declarant's right to appoint directors and officers terminates, the Association shall call a special meeting to be held at which Owners shall elect three directors.

(b) Thereafter, directors shall be elected at the Association's annual meeting. All eligible members of the Association shall vote on all directors to be elected, and the candidate(s) receiving the most votes shall be elected.

At the special meeting in which the Owners initially elect directors, two directors shall be elected to two-year terms and one director shall be elected to a one-year term. At the expiration of the initial term of office of each

respective Owner-elected director, a successor shall be elected to serve for a term of two years. The directors shall hold office until their respective successors shall have been elected by the Association.

**You will find attached to this cover, the signatures of concerned members which exceed the number required by SC code of law 33-31-702 (a)(2), as above.**

**Accordingly, as per the Bonnie Brae bylaws, Article II, section 2;**

**ARTICLE II. Association: Meetings, Quorum, Voting, Proxies.**

2.4. Notice of Meetings. It shall be the duty of the Secretary to mail or cause to be delivered to the owner of each Lot (as shown in the records of the Association) a notice of each annual or special meeting of the Association stating the time and place where it is to be held and in the notice of a special meeting, the purpose thereof. If an Owner wishes notice to be given at an address other than the Lot, the Owner shall designate by notice in writing to the Secretary such other address. The mailing or delivery of a notice of meeting in the manner provided in the Section shall be considered service of notice. Notices shall be served not less than ten nor more than 60 days before a meeting.

**We hereby request that you give proper notice, and as the annual meeting did not meet the quorum to conduct business, we request the meeting is held not more than 30 days from the date of this request.**

**Signed:**



**Roman Kanach  
43 Brockmore Drive**



**Tom Wells  
5 Sandy Lane**

**cc: Bonnie Brae (President), (Secretary)**

**To the Secretary of Bonnie Brae HOA: Special Meeting Petition**

We, the undersigned qualified residents of Bonnie Brae, petition for the holding of a special meeting pursuant to SC code of law 33-31-702 (a)(2).

**STATEMENT OF REASON FOR SPECIAL MEETING**

**To remove one or more of the board of directors and elect one or more directors as successor.**

Each for himself or herself says: I have personally signed this petition; I am a resident of the Homeowner's Association known as Bonnie Brae in the City of Greenville, SC; my registered voting address at which I live is correctly written.

	Name (Signature)	Date	Registered Voting Address	Name (Printed)
1		2/28/16	45 Brockmore Drive Greenville SC 29605	Whitney Abbate
2		2/28/16	41 Brockmore Drive Greenville, SC 29605	Jeremy Murdy
3		2/29/16	49 Brockmore Dr Greenville, SC	Richard R Knudsen
4		2/29/16	47 Brockmore Dr	Diane Ballard
5		2/29/16	46 Brockmore Dr	Ross E. Galt
6		2/29/16	57 Sandy Lane	Thomas F Wells
7		2/29/16	59 Brockmore Dr	Oscar Campos
8		2/29/16	65 Brockmore Dr.	Paulo Polacio
9		2/29/16	175 Bonnie woods Dr.	Patricia M Crocker
10		2/29/16	42 Brockmore dr	Jason Klear
11		2/29/16	36 Brockmore Dr	Gregory Slott
12		2-29-16	34 Brockmore Dr.	GREY SYLVESTER
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I certify that each of the above signed his or her name thereto in my presence; I believe that each has stated his or her name and voting address correctly, and that each signer is a resident of Bonnie Brae, Greenville County, and the City of Greenville.

Signature of Affiant

43 Brockmore Dr. Greenville, SC  
Address of Affiant  
29605

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	Name (Signature)	Date	Registered Voting Address	Name (Printed)
1		02/29/16	43 Brockmore Dr.	Roman Karadz
2		2/29/16	29 Bonnie Woods Dr.	Ginny Angradi
3		2/29/16	227 Bonnie Woods Dr	Bombiera Petzel
4		2/29/16	234 Bonnie Woods Dr	Steve Huch
5		2/29/16	180 Bonnie Woods Drive	John P Wells
6		2/29/16	159 Bonnie Woods Drive	Dawn Lavoie
7		2/29/16	157 Bonnie Woods Drive	Alana Stoddard
8		2/29/16	71 Brockmore Drive	Niki Usher
9		2/29/16	26 Birkhall Cir	Beruice Bucinska
10		2/29/16	19 Sandy Ln	Nancy Gresh
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I certify that each of the above signed his or her name thereto in my presence; I believe that each has stated his or her name and voting address correctly, and that each signer is a resident of Bonnie Brae, Greenville County, and the City of Greenville.

Signature of Affiant

5 Sandy Lane Greenville S.C. 2960  
Address of Affiant