

# Formal Notice of Proposed Replacement of Mallard Cove CC&Rs & Owner Vote by Written Consent

1-24-2026

Dear Mallard Cove Owners,

NOTICE IS HEREBY GIVEN that the record owners of property within Mallard Cove are being asked to consider and vote on the **adoption of a new Declaration of Protective Covenants (CC&Rs)** that will **replace the existing CC&Rs originally recorded in 1971**, as amended.

This notice is provided to ensure owners are fully informed of the nature of the proposed action, the approval process required by the existing CC&Rs, and how owners may participate.

## Proposed CC&R Action – Full Replacement

The Board of Directors, with the assistance of legal counsel, has prepared a **new Amended and Restated Declaration of Protective Covenants for Mallard Cove**.

If approved, the new CC&Rs will:

- **Replace the existing 1971 CC&Rs in their entirety;**
- Establish a single, modern governing document written to reflect current usage, practices, and Washington law; and
- Govern property use, restrictions, and obligations within Mallard Cove going forward.

Owners are strongly encouraged to review the proposed CC&Rs carefully, as they are a **comprehensive replacement**, not a line-by-line amendment.

The **full proposed CC&R document** and a **plain-language summary** are available at: **[website link]**

or by request at **[association email]**

## Approval Process Required by the Existing CC&Rs

Under the amendment provisions of the currently recorded CC&Rs, adoption of a replacement declaration requires:

- An **instrument signed by record owners representing at least sixty-five percent (65%) of the total area of Mallard Cove**, and
- **Recording** of that instrument with the Clallam County Auditor.

Accordingly:

- Approval is based on **ownership of lots / area as platted**, not on one-owner-one-vote;
- Attendance at a meeting is **not required** to approve or reject the proposal; and
- Owner approval is given **only by signed Written Consent**, not by a vote taken at a meeting.

## How Owners May Vote

Owners who wish to approve the proposed replacement CC&Rs may do so by completing and signing the **Written Consent to Amend Declaration of Protective Covenants**.

Written Consents may be returned by:

- Email (PDF or clear photo)

Only **valid Written Consents executed by record owners** will be counted toward the required 65% approval threshold.

## Informational Meeting (Discussion Only)

The Board will hold an **informational meeting** to review the proposed CC&Rs and answer owner questions:

**Date:** 2/3/2026

**Time:** 5:30pm

**Zoom Link:** Will be sent via email and text on 2/3/2026

Please note:

- This meeting is **for discussion and questions only**;
- **No votes will be taken** at the meeting; and
- Approval is determined solely by **written owner consents**.

Attendance is optional and not required to approve or reject the proposed CC&Rs.

### **Effectiveness of the New CC&Rs**

If Written Consents representing at least **65% of the total area of Mallard Cove** are obtained:

- The approval will be certified; and
- The new CC&Rs will be **recorded with the Clallam County Auditor**, at which time they will become effective and replace the existing CC&Rs.

All owners will be notified once the process is complete.

### **Questions**

Owners with questions or who would like additional information before deciding are encouraged to contact:

**[association email]**

Thank you for your time, attention, and participation in this important community decision.

Sincerely,

**Board of Directors**

Mallard Cove Maintenance & Recreation Commission