

1. Exhibit E Plaintiff Email

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From: Lisa Marx <aimtodogood@gmail.com>
Sent: Thursday, September 25, 2025 12:34 AM
To: markgottmann@gmail.com; tara-condos; dennisanderson1945@gmail.com; sbuschart5@gmail.com; tricia_rah2@yahoo.com; Dave & Debra Farley
Subject: meeting needs to be called to turn in ballots and changes
Flag Status: Flagged

Tara Board,

As a condominium association, the Condominium Act takes precedence over the Not-for-Profit Corporation Act as the Condominium Act are the more specific rules for a condominium. ARS 33-1250. [Voting; proxies; absentee ballots; applicability; definition](#) states:

C. Notwithstanding any provision in the condominium documents, after termination of the period of declarant control, votes allocated to a unit may not be cast pursuant to a proxy. The association shall provide for votes to be cast in person and by absentee ballot and, in addition, the association may provide for voting by some other form of delivery, including the use of e-mail and fax delivery. Notwithstanding section 10-3708 or the provisions of the condominium documents, any action taken at an annual, regular or special meeting of the members shall comply with all of the following if absentee ballots or ballots provided by some other form of delivery are used:

1. The ballot shall set forth each proposed action.
2. The ballot shall provide an opportunity to vote for or against each proposed action.
3. The ballot is valid for only one specified election or meeting of the members and expires automatically after the completion of the election or meeting.
4. The ballot specifies the time and date by which the ballot must be delivered to the board of directors in order to be counted, which shall be at least seven days after the date that the board delivers the unvoted ballot to the member.
5. The ballot does not authorize another person to cast votes on behalf of the member.
6. The completed ballot shall contain the name, the address and either the actual or electronic signature of the person voting, except that if the condominium documents permit secret ballots, only the envelope shall contain the name, the address and either the actual or electronic signature of the voter.

7. Ballots, envelopes and related materials, including sign-in sheets if used, shall be retained in electronic or paper format and made available for unit owner inspection for at least one year after completion of the election.

D. Votes cast by absentee ballot or other form of delivery, including the use of e-mail and fax delivery, are valid for the purpose of establishing a quorum.

Therefore: a meeting needs to be called to turn in ballots, NOT Action By Written Consent. With the changes in boundaries, certain amendments require a unanimous vote of the members.

ARS 33-1227 (D). Except to the extent expressly allowed or required by other provisions of this chapter, an amendment shall not create or increase special declarant rights, increase the number of units or change the boundaries of any unit, the allocated interests of a unit or the uses to which any unit is restricted, in the absence of unanimous consent of the unit owners.

Please make the required changes to the package.

**Thank you,
Lisa Marx**