

# Proxy

(I)(We), \_\_\_\_\_ the owner(s) in good-standing of record of Lot(s) \_\_\_\_\_, Malvern of Madison Subdivision, do hereby appoint \_\_\_\_\_, owner in good-standing of Lot # \_\_\_\_\_, Malvern of Madison Subdivision, as my proxy, with power of substitution, to represent me/us and to vote on my/our behalf as instructed on any and all matters which may come before the Members at the Regular Meeting, to be held on Saturday, October 17, 2015 at 10:00 AM, at the **Madison Presbyterian Church**, 1236 Fishback Road, Madison, VA.

I instruct my proxy to vote as follows, and understand that my proxy is permitted to vote as they see fit on any changes, modification, additions or revisions that may arise for a vote at the meeting where this proxy is used as my vote, as indicated:

1.	Approve as amended the minutes of April 25, 2015 Annual Meeting (majority of votes cast will prevail)	Board recommends membership vote <b>in favor</b> of approval as amended	<input type="checkbox"/> In favor <input type="checkbox"/> Against
2.	Remove speed table labeled as #1 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail)	Board recommends membership vote <b>against</b> removal	<input type="checkbox"/> In favor <input type="checkbox"/> Against
3.	Remove speed table labeled as #2 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail)	Board recommends membership vote <b>against</b> removal	<input type="checkbox"/> In favor <input type="checkbox"/> Against
4.	Remove speed table labeled as #3 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail)	Board recommends membership vote <b>against</b> removal	<input type="checkbox"/> In favor <input type="checkbox"/> Against
5.	Remove speed table labeled as #4 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail)	Board recommends membership vote <b>against</b> removal	<input type="checkbox"/> In favor <input type="checkbox"/> Against
6.	Remove speed table labeled as #5 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail)	Board recommends membership vote <b>against</b> removal	<input type="checkbox"/> In favor <input type="checkbox"/> Against
7.	Remove speed table labeled as #6 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail)	Board recommends membership vote <b>against</b> removal	<input type="checkbox"/> In favor <input type="checkbox"/> Against
8.	Remove speed table labeled as #7 on the attached exhibit at an approximate cost of \$2,000 (majority of votes cast will prevail)	Board recommends membership vote <b>against</b> removal	<input type="checkbox"/> In favor <input type="checkbox"/> Against
9.	Install speed table labeled as #8 on the attached exhibit at an approximate cost of \$2,700 (majority of votes cast will prevail)	Board recommends membership vote <b>in favor</b> of installation	<input type="checkbox"/> In favor <input type="checkbox"/> Against
10.	Install speed table labeled as #9 on the attached exhibit at an approximate cost of \$2,700 (majority of votes cast will prevail)	Board recommends membership vote <b>in favor</b> of installation	<input type="checkbox"/> In favor <input type="checkbox"/> Against
11.	Allow bow-hunting of deer on individual lots in Malvern upon submission of an application to the Board (majority of votes cast will prevail)	Board takes no position on this question	<input type="checkbox"/> In favor <input type="checkbox"/> Against
12.	Approve 2016 operations budget (majority of votes cast will prevail)	Board recommends membership vote <b>in favor</b> of approval	<input type="checkbox"/> In favor <input type="checkbox"/> Against

Signature (Owner): \_\_\_\_\_ Date \_\_\_\_\_

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## DISCUSSION ABOUT SPEED TABLES ON MALVERN DRIVE AND ASHLAWN DRIVE

The membership will be asked to address the installation of speed tables during a portion of the Regular Meeting. As most members are aware by now, the Board authorized the paving contractor to install speed tables in the approximate locations shown on the exhibit below.

Granting the authorization to install the speed tables is consistent with our Articles of Incorporation which state in part that one of the purposes of the Club is to promote the health, safety and welfare of the residents.

Installation of the speed tables came at the culmination of a long, well documented history of attempts to have the speed limit and stop signs obeyed. In fact, mention of speed humps is documented as far back as 1997, well before any current member of the Board lived in Malvern. A comprehensive history can be found at <http://www.malvernofmadison.org/DocForm/TrafficSummary.pdf> for those members interested in forming their own opinion on this issue.

A part of the history was confirming the 25 mile per hour speed limit. Reference was made to State Code sections §46.2-100 and §46.2-874, the Department of Motor Vehicles drivers manual, written information provided by the Sheriff's office who had contacted the traffic engineer with VDOT, and a certification from a Virginia Professional Engineer stating the roadway signs and speed limits conformed with criteria developed by the Commonwealth Transportation Commission.

Madison County law enforcement and emergency services were contacted prior to installation and raised no concerns or objection.

Since installation, several members living along and/or using Malvern Drive have reported a noticeable adherence to the posted speed limit and therefore a greater sense of safety has been achieved.

Allowing the speed tables to remain demonstrates your awareness that residents living along high traffic roads are entitled to the same amount of safety as those who live on less traveled or lower traffic roads. Allowing them to remain is a fiscally responsible solution. Finally, having acknowledged the need to control speeding for safety reasons, their removal could increase the community's liability exposure should they now be removed.

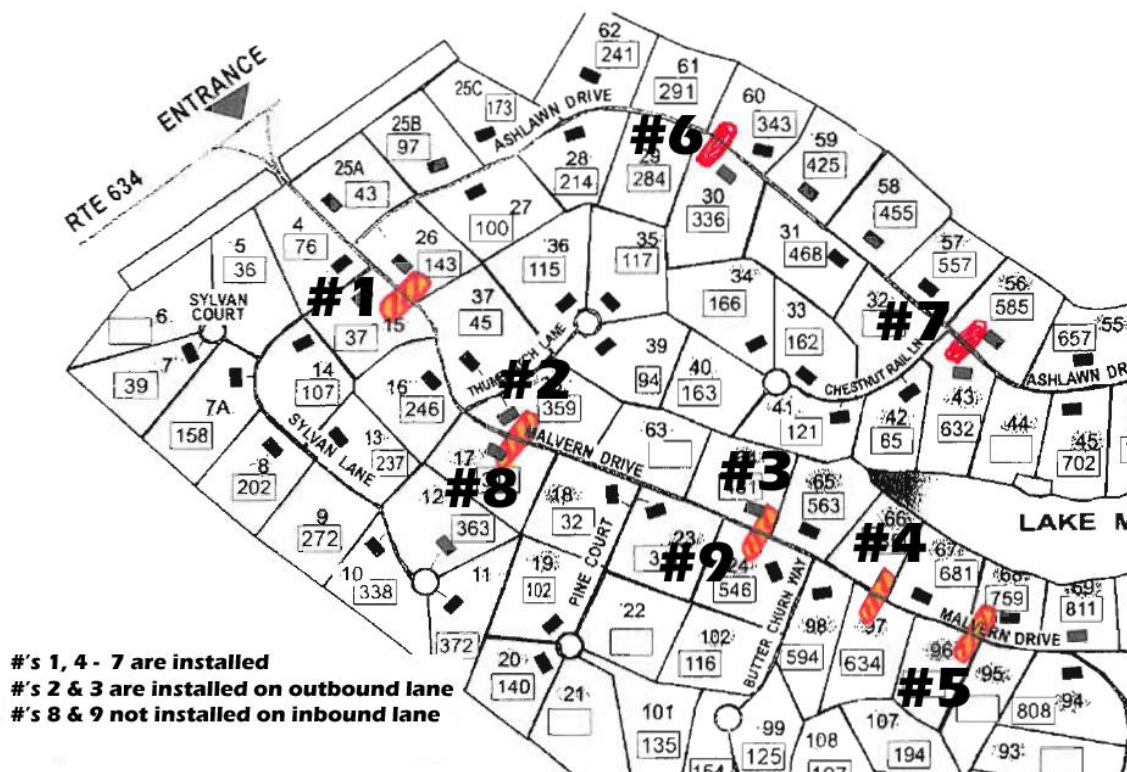


Exhibit Showing Approximate Location of Speed Tables

## PROPOSED APPLICATION TO ALLOW DEER HUNTING WITHIN MALVERN

The membership will be asked to consider and allow hunting of deer on his/her property after agreeing to certain conditions such as those specified in the application below.

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### APPLICATION FOR HUNTING DEER

This application is required for the Malvern Club, Inc. Board of Directors to consider a request from a member to be authorized to hunt deer on his property. The Board of Directors may only consider said request within defined areas of the Malvern of Madison subdivision upon submission of a formal request by lot owner.

To be considered the request must adhere to the following:

- Be submitted by the lot owner, not by any tenant
- Specify the name of the person(s) proposed to be engaged in hunting
- Show proof that the person engaged in hunting has a valid VA State hunting license (per State law)
- Provide a plat or map defining the area within the lot(s) where the hunting will take place
- Mark the corners of the lot where hunting is to take place
- Provide proof that the lot owner has notified adjoining lots that hunting is to take place and provide written proof that adjoining lot owners will allow the hunter to enter their property to retrieve a dead or injured deer (per State law)
- Provide a signed Assumption of Risk and Indemnification to the Malvern Club, Inc. and agree to abide by all requirements of VA State Hunting Laws
- Must hunt with archery tackle only (crossbows included) – no firearms are allowed

**Approval may be granted for the current hunting season only. Member is required to submit a new application for each subsequent hunting season.**

### ASSUMPTION OF RISK AND INDEMNIFICATION

I, \_\_\_\_\_ (print name), the undersigned, assume all risks and shall be responsible for all personal or bodily injury to myself and others; and damage to my property or adjoining properties arising from the hunting activities I may be approved to conduct.

Furthermore, I agree to indemnify and defend the Malvern Club, Inc. and hold it harmless from and against any and all claims, suits, damages, liabilities and expenses, including attorney fees and the Malvern Club, Inc. cost of defense in connection with loss of life, personal or bodily injury and/or damage to or loss of property that arises from my participation in the deer hunting activities I may be approved to conduct.

\_\_\_\_\_  
Signature of lot owner

\_\_\_\_\_  
Date

Furthermore, the applicant agrees to abide by these requirements:

- Archery tackle must be discharged from an elevated position. Manufactured tree stands are accepted on a temporary basis only for the hunting season. Homemade tree stands are not allowed.
- Deer are the only animals to be hunted
- Hunters must abide by all VA State Hunting regulations and local ordinances
- Hunting must be conducted no less than 75 feet from any roadway and 150 feet from any bus stop or any common area of the Association
- Field dressing will be performed only on lot approved for the hunt or outside of Malvern property; proper disposal of remains is required; no hanging of deer in plain sight of other residences; deer should be covered completely while transporting from the subdivision.

\_\_\_\_\_  
Signature of lot owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
VA State License # of hunter