

AN OPEN APPEAL TO SAVE NORTH RIVER SHORES MONEY

FORMAL REQUEST FOR VOLUNTARY RESIGNATION UNDER CHAPTER 617, FLORIDA STATUTES

TO: Dave Weston, President & Director, NRSPOA, Inc.	DATE: September 28, 2026
FROM: Concerned Voting Members in Good Standing	LOCATION: Martin County, Florida
GOVERNING LAW: Chapter 617, Florida Statutes	SUBJECT: Voluntary Resignation & Fiduciary Protection

Dear Dave,

In your recent letter enclosed within the official corporate election packet, you expressed your deep affection for North River Shores, your desire to do what is best for our non-profit corporation, and the vital importance of working together to protect our neighborhood while saving property owners money. We share those exact same values and priorities.

Because we know you care about the financial integrity and resources of North River Shores Property Owners Association, Inc., we are writing to you directly—neighbor to neighbor, member to President—to ask you to put our corporation's financial future first by voluntarily stepping down from your position as President and Director of the Association under **Florida Statutes Chapter 617**.

The Corporate & Statutory Issue Under Chapter 617:

Utilizing corporate assessment funds and official election infrastructure to distribute personal candidate recommendations, combined with pre-marking official ballots with asterisks next to favored candidates, violates fundamental non-profit corporate duties governed exclusively by Chapter 617, Florida Statutes:

Fla. Stat. § 617.0830 <i>Standards of Conduct</i>	Directors must discharge corporate duties in good faith, with ordinary care, and in the best interests of the corporation. Expending corporate assessment dollars and official ballot mailings for personal candidate advocacy breaches the statutory duty of loyalty.
Fla. Stat. § 617.0304 <i>Ultra Vires Acts</i>	Corporate powers are strictly limited to authorized corporate purposes. Employing official corporate election mailings to promote candidate slates exceeds statutory authority and constitutes an unauthorized (<i>ultra vires</i>) act.
Fla. Stat. § 617.0832 & § 617.0505 <i>Conflicts & Asset Use</i>	Diverting corporate property and assessment revenue to confer private political advantages on favored candidates violates conflict-of-interest safeguards and statutory prohibitions on improper asset distribution.
Fla. Stat. § 617.07401 <i>Derivative Liability</i>	Misapplying corporate property exposes the corporation and responsible officers to immediate member derivative lawsuits, judicial injunctions, and mandatory personal restitution of misapplied funds.

How Resigning Saves North River Shores Money Under Chapter 617:

- **Eliminates Corporate Legal Expenditures:** Defending unauthorized election procedures against derivative claims under Fla. Stat. § 617.07401 will force the corporation to expend thousands of dollars in legal fees. Every dollar spent defending improper election mailings drains community reserves.
- **Prevents Costly Re-Mailing Expenses:** Invalidated ballot packages will require the corporation to re-print, re-package, and re-mail voting materials to all 352 parcel owners at significant corporate expense.
- **Protects Assessment Revenues:** Corporate funds should be preserved for common asset maintenance, park upkeep, and neighborhood beautification—not legal disputes arising from candidate advocacy.
- **Mitigates Personal & Insurance Risk:** Under § 617.0830 and Greenwich D&O; insurance standards, intentional misapplication of corporate property risks coverage exclusions and subjects responsible directors to personal financial liability.

Dave, in your own words, you wanted to save North River Shores money and protect our neighborhood. Under Chapter 617, you have the immediate power to fulfill that commitment. By submitting your voluntary resignation before formal derivative action and corporate legal notices are served, you will single-handedly spare our non-profit corporation tens of thousands of dollars in legal fees and allow North River Shores to move forward with a lawful, transparent governance structure.

For the financial protection of our non-profit corporation and the shared best interests of all property owners, we respectfully request that you tender your written resignation as President and Director effective immediately.

Respectfully submitted by,

Homeowner Name: _____

North River Shores Property Address: _____

Signature: _____

Date: _____