



**Indian Village Community Association, Inc.**

2214 Wawonaissa Trail \* Fort Wayne, IN 46809

260-747-7141

October 17, 2014

Dear Indian Village Resident,

On October 8, 2014, Indian Village Community Association attempted to hold its Semiannual Meeting and Annual Election. Unfortunately, that meeting was disrupted before any action could take place, and there were not enough people in attendance to act on *unscheduled* matters. Therefore, we are rescheduling the Semiannual Meeting and Annual Election to be held on Wednesday, November 12, 2014, at 7pm, in the Indian Village Elementary School gymnasium. Please find the Agenda to that meeting on the back of this letter.

Regarding the information that was hand delivered to all residents on October 16, 2014. The “minutes” you received were taken from an illegal meeting held *after* Loretta Watkins adjourned the October 8 Semiannual Meeting due to out of control attendees. Please read the attached letters for a full explanation.

There will also be a Protective Covenants signing that night beginning at 6:30pm. We will have 3 notaries available to notarize your signatures. It is *vital* that we get these signings completed **ASAP**. Please read through the letter from IVCA Attorney, Grant Shipley, and familiarize yourself with the attached Protective Covenants as they currently stand. You will understand, after reading the attached letter and material, *why* it is so important to complete these signings.

If you are unable to attend the meeting, but want to sign the Protective Covenants, please call Dorothy “Dot” Robinson at 312-8048. Dot will be more than happy to stop by your house and notarize your signature(s) at no charge to you.

If you have any questions, please do not hesitate to contact a Board Member.

Sincerely,

Indian Village Community Association, Inc.

Board of Governors

Loretta Watkins, Vice-president

Sarah Didier, Secretary/Treasurer

Chuck Chapman

Brent Davis

Stan Robinson



Indian Village Community Association  
Semiannual Meeting Agenda  
November 12, 2014

- Call Meeting to Order
- Guest Speaker
  - ♦ Grant Shipley, Shipley & Associates, IVCA Attorney
- Approval of March 20, 2014 Semiannual Meeting Minutes
- Approval of October Financial Report
- 2015 Proposed Budget
- Resident Concerns
- Election - Nominees are as follows:
  - ♦ Stan Robinson, Incumbant
  - ♦ Bill Branstrator
  - ♦ Linda Ralston
  - ♦ Ron Sheron
  - ♦ Debbie Loudenslager - dropped out due to unforeseen family obligations
- Adjournment

**UNTITLED**

**SHIPLEY & ASSOCIATES  
233 WEST BAKER STREET  
FORT WAYNE, IN 46802-3413**

**OCTOBER 9, 2014**

**GRANT F. SHIPLEY ATTORNEY AT LAW,**

**DEAR MR. SHIPLEY,**

**AT THE INDIAN VILLAGE COMMUNITY ASSOCIATION MEETING HELD  
ON OCTOBER 8, 2014, A MOTION WAS MADE AND SECONDED FOR THE  
REMOVAL OF THE CURRENT OFFICERS OF THE BOARD.  
A VOTE WAS MADE IN THAT FAVOR.**

**BEFORE THAT WAS DONE, THE PRESIDENT WAS ASKED TO STEP  
DOWN AND THE MEETING TURNED OVER TO THE VICE PRESIDENT.  
SHE REFUSED TO LEAD THE MEETING AND THE OFFICERS LEFT THE  
MEETING.**

**ALL BOAED MEMBER DO NOT HAVE AUTHORIZATION TO CONDUCT  
ANY BUSINESS IN THE NAME OF INDIAN VILLAGE COMMUNITY  
ASSOCIATION.**

**VERY TRULY YOURS,**

*William C. Branstrator*

**WILLIAM C BRANSTRATOR, PRO TEM  
2214 INDIAN VILLAGE BLVD.  
FORT WAYNE, IN 46809-1412  
260/478-5627**

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# SHIPLEY & ASSOCIATES

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Fort Wayne, Indiana 46802-3413  
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Grant F. Shipley  
gfs@gshipley.com

October 10, 2014

William C. Branstrator  
2214 Indian Village Blvd.  
Fort Wayne, IN 46809-1412

And via e-mail:  
williambranstrator1703@comcast.net

**Re: Indian Village**

Dear Mr. Branstrator:

I have received your letter of October 9, 2014.

None of the Directors or Officers of Indian Village Community Association, Inc. have been removed. There is a procedure required under the Indiana Non-profit Corporation Act for removal of Officers and Directors. That procedure was not followed.

I will take up the question with the Board of Directors whether the President was properly elected. If he was not eligible to be elected, I will discuss the alternatives with the Board.

If you are "Pro Tem" something, you are out of line. If you and those who conducted this fake meeting continue to hold themselves out as being authorized to act on behalf of Indian Village Community Association, Inc., I will have no choice but to recommend that suit be brought under various Indiana statutes.

I am in the process of preparing a detailed Memorandum, at the request of the Board of Directors, pointing out all of the deep legal problems facing Indian Village Community Association, Inc.

I trust you will talk with an attorney about the fact that Indian Village Community Association, Inc. is an Indiana non-profit corporation. Any meeting, whether an annual meeting, a semi-annual meeting, or a regular meeting of members, is preceded by giving a Meeting Notice to all members. And unless at least 1/3 of the members (each lot is one member) is present in person or by proxy, the only matters that can be voted upon at the meeting are those described in the meeting notice. There was no notification that the Officers or Directors would be removed from office. I encourage your lawyer to look IC 23-17-11-4. Any such vote was illegal.

The Indiana Code also says, specifically how you remove a director. Under IC 23-17-12-8(e), if the members want to remove a director (namely, a director that was elected by the members), that action may be taken "only at a meeting called for the purpose of removing the

*To: William C. Branstrator*  
*Date: October 10, 2014*  
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director. The meeting notice must state that the purpose of the meeting is the removal of the director." No such notice was sent out. Any action to remove any director was void.

Your letter states that a motion was made to remove the officers. The members do not have the right to remove officers. Only the Board of Directors may remove an officer. See IC 23-17-14-3(c).

In other words, everything that was done at that meeting was illegal. I don't know whose idea it was, but this is not a high school club. It is an Indiana corporation. Its conduct is governed by the laws of the State of Indiana.

I will be meeting with the Board of Directors shortly, to determine what course the duly-elected Board members wish to take. I do not know who was behind this little move, but it was void, illegal, and an insult to the members of Indian Village who want to see proper governance of their Association.

If you have a lawyer involved, please refer this letter to that attorney and have him/her give me call.

Very truly yours,

**Shipley & Associates**



Grant F. Shipley

GFS/mml