**BC Hotel A Residences Owners Association, Inc.**

**Board of Directors Meeting** **March 6, 2025**

A regular meeting of BC Hotel A Residences Owners Association, Inc. Board of Directors was held on March 6, 2025, via Microsoft Teams, hosted from The Residences at Park Hyatt Beaver Creek, 136 East Thomas Place, Avon, Colorado 81620.

**Present from the Board of Directors were:** Eric Swartz, President; Sean Buchholtz, Secretary and Treasurer; Kristen Padberg, Director and Tammy Conner, Director

**Absent from the Board of Directors was:** Jonathan Burke, Vice President

**Present from the Management Company were:** Samantha Barry, Director of Operations; Jami Champagne, Market Vice President, Resort Operations; Brandon Weilenmann, Assistant Vice President, Finance; Jonathan Barkett, Regional Director, Finance; Mio Kim, Manager, Financial Analysis; Todd Lebow, Director, Architecture and Construction and Colleen Keane, Specialist, Association Management

**CALL TO ORDER**
Eric Swartz, President, called the meeting to order at 10:05 a.m. Mountain time.

**APPOINTMENT OF CHAIRPERSON**
**A motion was made by Eric Swartz to appoint Eric Swartz as meeting chairperson. The motion was seconded by Kristen Padberg and unanimously carried.**

**ESTABLISHMENT OF QUORUM**
Mr. Swartz announced with four of five Board Members present, quorum was met.

**APPOINTMENT OF RECORDING SECRETARY**
Mr. Swartz appointed Colleen Keane to serve as Recording Secretary.

**PROOF OF NOTICE OF BOARD OF DIRECTORS MEETING**
Notice of Board Meeting was emailed to all Board Members on November 18, 2024 and posted on-site as required by the governing documents.

**APPROVAL OF AGENDA**
**A motion was made by Kristen Padberg to approve the Agenda as presented. The motion was seconded by Tammy Conner and unanimously carried.**

**APPROVAL OF BOARD OF DIRECTORS MEETING MINUTES**
**A motion was made by Eric Swartz to approve the November 14, 2024 Board of Directors Meeting Minutes as presented. The motion was seconded by Tammy Conner and unanimously carried.**

**ACKNOWLEDGEMENT OF PRIOR UNANIMOUS WRITTEN CONSENT**
The Board of Directors acknowledges the Unanimous Written Consents, dated December 5, 2024, December 17, 2024 and December 20, 2024, as approved by the Board of Directors and attached to the minutes of record as Exhibit A.

**RESORT OPERATIONS REPORT**
Samantha Barry presented an update on resort operations. Highlights included:

- Owner and guest satisfaction scores were reviewed
- Hotel projects were reviewed
  - Room renovation for the remainder of hotel rooms anticipated to take place May through November
  - Residence and Mezzanine elevation conversion/modernization renovation is ongoing
  - Resurfacing hot tubs
  - New flooring in 8100 Restaurant and Crooked Hearth
- Occupancy was reviewed:

- 2024 occupancy was 83.60%
- 2025 forecasted occupancy is 83.40%
- Occupancy by reservation and usage type from 2019 to 2025 was reviewed

- Feedback on the renovation was shared and discussed
  - Owner preference for benches in bedrooms
  - Hutch/buffet next to dining room in certain unit types
  - Foot pedal switches for floor lamps not well received
  - Lack of console tables in certain unit types

**FINANCIAL REPORT**

Jonathan Barkett presented the financial report. Highlights included:

2024 Year-to-Date Financials

- 2024-year end fund balance was ($32,053)
- As of December 31, 2024, year-to-date surplus was $93,661 driven by:
  - Income Taxes: unfavorable ($48,344) due to increased investment income on the reserves driving the overage in estimated income tax expense
  - Hotel A Dues: unfavorable ($13,420) due to higher than anticipated dues to recover from their 2023 operating loss
  - Insurance: favorable $26,251 due to lower than anticipated insurance rates
  - Acquisition Revenue: favorable $77,951 due to sale of HOA owned inventory
  - Administrative and General: favorable $86,658 due to variance in wages and benefits due to the elimination of the General Manager allocation
- January 31, 2025 surplus was $6,291 primarily driven by:
  - Unfavorable variance in operating investment interest ($2,230)
  - Favorable variances in Administrative and General, Hotel A, Insurance and Credit Card expense

Accounts Receivable

- As of December 31, 2024, 0.41% of 2024 maintenance fees were unpaid
- As of February 28, 2025, 2025 maintenance fees were 6.56% unpaid, representing 24 delinquent members
- Lien notices will be distributed the second week of March
- There are no accounts currently pending foreclosure

Association Owned Inventory

- Four units have been sold from Association owned inventory
- Association rentals generated $13,325 in 2024 and $10,250 2025 year to date

**RESERVES**

Mr. Barkett, Ms. Barry and Todd Lebow presented an update on Reserves. Highlights included:

- Reserve cash flow scenarios were reviewed
- A resort overview was provided:
  - Park Hyatt Hotel: 35 years-old
  - Residences at Park Hyatt: 18 years-old
  - Major renovation: Anticipated for 2032
  - Residences elevator: Anticipated for 2025
  - Corridor renovation: Fall 2025
- A status update on 2024 Reserve Projects was provided:

| 2024 Reserve Projects | Approved Budget | Actual 2024 Spend | Forecast Project Total | Carryover | Update |
|---|---|---|---|---|---|
| Travertine tile floor | $51,500 | $26,103 | $26,103 | $0 | Complete in November; final invoices pending |
| Showerheads and sink faucets | $21,630 | $14,412 | $14,412 | $0 | Shower heads complete; final sink to be completed once shut off valve is replaced |
| Design fee for Forrest Perkins mock unit | $66,028 | $1,485 | $1,485 | $0 | Close out costs with release of $1,485 commitment |
| D'Amore soft goods design fee | $37,654 | $34,267 | $34,267 | $0 | Completed and closed in 2024 |
| Wi-Fi equipment | $34,479 | $16,107 | $34,479 | $18,372 | Hotel anticipates $16,107 allocated to Residences. No invoices received |
| Soft Good renovation and appliances (15 units) | $2,538,095 | $1,985,966 | $2,538,095 | $522,099 | Spring: televisions, dishwashers, remaining lamps, and window treatments<br>Fall: carpet and remaining illuminated mirrors |
| Housewares | $15,000 | $11,144 | $15,050 | $3,906 | Carry forward remaining balance for 2025 |
| Corridor renovation | $124,823 | $5,450 | $124,823 | $0 | Design fee was paid; final estimate and design pending |
| Total | $2,889,209 | $2,094,964 | $2,788,714 | $574,377 | |

**A motion was made by Sean Buchholtz to move $574,377 from the 2024 Reserve Fund to the 2025 Reserve Fund for the approved projects as presented. The motion was seconded by Kristen Padberg and unanimously carried.**

- Ms. Barry reviewed the 2025 Reserve Projects
  - Property Management System - $102,765; this is a placeholder and will be reviewed at a later date for approval
  - Reserve Study - $10,036; approved and anticipated for late April/early May
  - Corridor design and renovation - $124,823; approved and carried forward from 2024

<u>Soft Goods Renovation</u>

Mr. Lebow provided updates on the pending items relating to the renovation. Highlights included:

- Review of the most recent sample bedroom carpets received from the manufacturer which appear to be a close match to the designer's original intent. Mr. Lebow will work with the designer on the final approvals for the carpet selection.
- Living room and master bedrooms in XX51, XX54 & XX55 units will remain with 55" televisions due to limited space. All other bedrooms will be increased to 65" televisions,
- Benches will be purchased to be placed at the foot of the beds.
- A new tapestry, buffet tables for the XX52 units and hutches for the XX53 units will be purchased after final design approval.
- Proposal for roman valances, footstools and decorative pillows for the daybeds in XX55 units were reviewed and the board declined to proceed with these items.

**A motion was made by Sean Bucholtz to affirm the approval to pay $5,450 to D'amore for the corridor design fees and authorize additional expenses to include three hotel nights at the best available rate at the Park Hyatt Hotel and a per diem of $100 per day during the project. The motion was seconded by Tammy Conner and unanimously carried.**

Mr. Lebow reviewed the proposed design and costs from D'Amore Interiors. Highlights included:

- Original reserve plan scope includes replacement of carpet, artwork, lighting and furnishings along with baseboard trim repairs for a budget of $124,823
- Proposed designer scope include replacement of carpet, artwork, lighting and venetian plaster changed to vinyl wall covering for an estimated budget of $459,819
- The Board requested alternative scope options to reduce the estimated cost closer to the original reserve plan budget before approving to proceed with the project

**A motion was made by Sean Buchholtz to affirm the Board's email approval, authorizing the management company to secure additional inventory from 10/18/2025 to 10/25/2025 for the completion of the corridor renovation and unit carpet installation. The motion was seconded by Kristen Padberg and unanimously carried.**

**A motion was made by Eric Swartz to affirm the approval of the purchase of the replacement attic stock washer and dryer in the amount of $2,300. The motion was seconded by Sean Buchholtz and unanimously carried.**

**A motion was made by Kristen Padberg to approve $15,000 from the 2025 Reserve Fund for an electrical panel repair project, as presented. The motion was seconded by Sean Buchholtz and unanimously carried.**

## UNFINISHED BUSINESS

Float Point Changes and Owner Communications

Jami Champagne reviewed current state point values and future allotment point values for float and fixed weeks along with planned Board and Hyatt Vacation Club communications to owners in April.

Corporate Transparency Act

Colleen Keane provided an update on the Corporate Transparency Act. Highlights included:

- As of March 3, 2025 the Corporate Transparency Act is indefinitely suspended for U.S. citizens and companies
- U.S. entities will have no reporting obligations under the CTA, unless and until: (i) the final revised rules are not as expansive as described; or (ii) the government announces a subsequent change to its enforcement policy.
- No further action is needed by the board at this time

## NEW BUSINESS

Announcement of Next Meeting Dates

- Board of Directors Meeting, Friday, May 02, 2025 at 10:00 a.m. Mountain time
- Board of Directors Meeting, Thursday, August 21, 2025 at 10:00 a.m. Mountain time
- Board of Directors and Annual Meetings, Friday, October 17, 2025 at 9:00 a.m. and 11:00 a.m. Mountain time

## ADJOURNMENT

**There being no further business to come before the Board, a motion was made by Kristen Padberg to adjourn the meeting at 12:53 p.m. The motion was seconded by Sean Buchholtz and unanimously carried.**

Submitted by:

05.02.25

Approved by:

ericswartz@equiplace.com
ericswartz@equiplace.com (May 2, 2025 16:32 EDT)

05/02/25

| | | | |
|---|---|---|---|
| Colleen Keane<br>Recording Secretary | Date | Eric Swartz<br>President | Date |

EXHIBIT A

**ACTION TAKEN BY UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF BC HOTEL A RESIDENCES OWNERS ASSOCIATION, INC.**

**Dated as of December 03, 2024**

Pursuant to the Bylaws of BC Hotel a Residences Owners Association, Inc., a Colorado nonprofit corporation (hereinafter, "Association"), the undersigned, being all of the members of the Board of Directors ("Board") of the Association, do hereby consent to the adoption of the following resolutions, in lieu of a meeting of the Board, and direct that this Action Taken by Unanimous Written Consent be filed with the minutes of the proceedings of the Association as if duly adopted at a meeting of the Board.

**WHEREAS**, the BC Hotel A Residences Owners Association, Inc. Board of Directors authorized the foreclosure on Unit 4052, week 13 and Unit 2054, week 47; and

**WHEREAS**, the Association will take ownership of Unit 4052, week 13 and Unit 2054, week 47; and

**WHEREAS**, the BC Hotel A Residences Owners Association, Inc. Board of Directors wishes to designate an officer of the Association to represent the interests of the Association in completing required closing documents.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of the Association does hereby direct and authorize Eric Swartz, President of the Association, to complete any required closing and settlement documents on behalf of the association related to Unit 4052, week 13 and Unit 2054, week 47; and

**FURTHER RESOLVED,** that any and all actions heretofore or hereinafter taken on behalf of the Association by any of said persons or entities within the terms of the foregoing resolutions, are hereby approved, confirmed and ratified as the acts and deeds of the Association.

**FURTHER RESOLVED**, that this Action Taken by Unanimous Written Consent may be executed in separate counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument and facsimile or electronic signatures shall have the same effect as original signatures.

Execution of this Action Taken by Unanimous Written Consent by the undersigned, as described above, waives any requirement of a formal meeting of the Board to adopt the resolutions referred to herein and ratifies and affirms the actions taken herein.

EXHIBIT A

**IN WITNESS WHEREOF**, the undersigned, in their capacity as members of the Board, have executed this Action Taken by Unanimous Consent as of the date written first above.

Eric Swartz
Eric Swartz (Dec 5, 2024 12:57 EST)

Eric Swartz

Dr. Jonathan Burke
Dr. Jonathan Burke (Dec 4, 2024 12:57 EST)

Jonathan Burke

Sean Buchholtz (Dec 5, 2024 04:41 CST)

Sean Buchholtz

Kristen Padberg
Kristen Padberg (Dec 5, 2024 10:28 MST)

Kristen Padberg

Tammy Conner (Dec 5, 2024 11:45 CST)

Tammy Conner

# ACTION REQUIRED | The Residences at Park Hyatt - Unanimous Written Consent

Final Audit Report 2024-12-05

| | |
|---|---|
| Created: | 2024-12-04 |
| By: | Brandon Elliott (brandon.elliott@vacationclub.com) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAVdiVSoCVu1IIH-5JnIGv-sUAbO5QGngD |

## "ACTION REQUIRED | The Residences at Park Hyatt - Unanimous Written Consent" History

Document created by Brandon Elliott (brandon.elliott@vacationclub.com)
2024-12-04 - 5:47:33 PM GMT

Document emailed to Eric Swartz (ericswartz@equiplace.com) for signature
2024-12-04 - 5:47:38 PM GMT

Document emailed to Sean Buchholtz (buchholtz_rphbc@outlook.com) for signature
2024-12-04 - 5:47:39 PM GMT

Document emailed to Kristen Padberg (kpadberg@comcast.net) for signature
2024-12-04 - 5:47:39 PM GMT

Document emailed to Dr. Jonathan Burke (facefixerupper@comcast.net) for signature
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2024-12-04 - 5:47:40 PM GMT

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2024-12-04 - 5:47:57 PM GMT

Email viewed by Tammy Conner (tammy@connerbros.com)
2024-12-04 - 5:48:56 PM GMT

Email viewed by Dr. Jonathan Burke (facefixerupper@comcast.net)
2024-12-04 - 5:57:15 PM GMT

Document e-signed by Dr. Jonathan Burke (facefixerupper@comcast.net)
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2024-12-05 - 10:26:41 AM GMT

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Document e-signed by Tammy Conner (tammy@connerbros.com)
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2024-12-05 - 5:47:40 PM GMT

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2024-12-05 - 5:56:45 PM GMT

Document e-signed by Eric Swartz (ericswartz@equiplace.com)
Signature Date: 2024-12-05 - 5:57:17 PM GMT - Time Source: server

Agreement completed.
2024-12-05 - 5:57:17 PM GMT

Adobe Acrobat Sign

EXHIBIT A

**ACTION TAKEN BY UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF BC HOTEL A RESIDENCES OWNERS ASSOCIATION, INC.**

**Dated as of December 17, 2024**

Pursuant to the Bylaws of BC Hotel a Residences Owners Association, Inc., a Colorado nonprofit corporation (hereinafter, "Association"), the undersigned, being all of the members of the Board of Directors ("Board") of the Association, do hereby consent to the adoption of the following resolutions, in lieu of a meeting of the Board, and direct that this Action Taken by Unanimous Written Consent be filed with the minutes of the proceedings of the Association as if duly adopted at a meeting of the Board.

**WHEREAS**, the BC Hotel A Residences Owners Association, Inc. Board of Directors on behalf of the association, approve the sale of Unit 2053 – Week 47, Unit 2054 – Week 3, and Unit 4054 – Week 14; and

**WHEREAS**, the BC Hotel A Residences Owners Association, Inc. Board of Directors may designate a member to represent the interest of the association in completing required closing documents,

**NOW, THEREFORE, BE IT RESOLVED** that the officers and directors of the Association, do hereby direct and authorize Eric Swartz, to complete required closing and settlement documents on behalf of the association for Unit 2053 – Week 47, Unit 2054 – Week 3, and Unit 4054 – Week 14; and

**FURTHER RESOLVED,** that any and all actions heretofore or hereinafter taken on behalf of the Association by any of said persons or entities within the terms of the foregoing resolutions, are hereby approved, confirmed and ratified as the acts and deeds of the Association.

**FURTHER RESOLVED**, that this Action Taken by Unanimous Written Consent may be executed in separate counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument and facsimile or electronic signatures shall have the same effect as original signatures.

Execution of this Action Taken by Unanimous Written Consent by the undersigned, as described above, waives any requirement of a formal meeting of the Board to adopt the resolutions referred to herein and ratifies and affirms the actions taken herein.

**IN WITNESS WHEREOF**, the undersigned, in their capacity as members of the Board, have executed this Action Taken by Unanimous Consent as of the date written first above.

EXHIBIT A

Eric Swartz
Eric Swartz (Dec 17, 2024 13:19 EST)

Eric Swartz

Dr. Jonathan Burke
Dr. Jonathan Burke (Dec 17, 2024 13:23 EST)

Jonathan Burke

Sean Buchholtz

Kristen Padberg
Kristen Padberg (Dec 19, 2024 18:57 MST)

Kristen Padberg

Tammy Conner (Dec 17, 2024 17:14 CST)

Tammy Conner

# Park Hyatt UWC - Authorization to Sign Resale Documents - 12.17.24

Final Audit Report 2024-12-20

| | |
|---|---|
| Created: | 2024-12-17 |
| By: | Brandon Elliott (brandon.elliott@vacationclub.com) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAm7seFfGhzLgirBM7uVue-zvAA8dUxrSt |

## "Park Hyatt UWC - Authorization to Sign Resale Documents - 12.17.24" History

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2024-12-17 - 6:15:32 PM GMT

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2024-12-17 - 6:15:37 PM GMT

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2024-12-17 - 6:18:53 PM GMT

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2024-12-17 - 6:22:22 PM GMT

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Signature Date: 2024-12-17 - 6:23:07 PM GMT - Time Source: server

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2024-12-17 - 11:14:32 PM GMT

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2024-12-18 - 1:38:59 PM GMT

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2024-12-20 - 1:56:39 AM GMT

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Signature Date: 2024-12-20 - 1:57:32 AM GMT - Time Source: server

Agreement completed.
2024-12-20 - 1:57:32 AM GMT

Adobe Acrobat Sign

EXHIBIT A

**ACTION TAKEN BY UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF BC HOTEL A RESIDENCES OWNERS ASSOCIATION, INC.**

**Dated as of December 20, 2024**

The undersigned, being all of the members of the Board of Directors ("Board") of BC Hotel A Residences Owners Association, Inc., a Colorado nonprofit corporation ("Association") do hereby consent to the adoption of the following resolutions, in lieu of a meeting of the Board, and direct that this Action Taken by Unanimous Written Consent be filed with the minutes of the proceedings of the Association as if duly adopted at a meeting of the Board.

**WHEREAS**, the Association's Board previously authorized the foreclosure on contract 14-2055-47, week 47, unit 2055 (hereinafter, "Residence"); and

**WHEREAS**, the owner of the Residence has requested mediation; and

**WHEREAS**, the owner of the Residence has offered to settle the account balance for $43,447; and

**WHEREAS**, the Board deems it in the best interests of the Association to attempt to settle the foreclosure lawsuit prior to expending additional time and money in mediation and litigation, and

**WHEREAS**, the Board desires to authorize counsel to negotiate a settlement prior to mediation; and

**WHEREAS**, the Board desires to designate an officer of the Association to represent the interests of the Association, including settlement authority, in the mediation if a settlement is not reached.

**NOW, THEREFORE, BE IT RESOLVED** that the Board does hereby direct and authorize the Association's legal counsel to offer a settlement amount of $55,000 to settle the account in full through payment year 2024, with authority to negotiate payment in full through payment year 2024 as low as $43,447, prior to mediation; and

**FURTHER RESOLVED**, any agreed upon settlement amount must include an additional payment of $11,098.65 for the 2025 maintenance fees which are due by January 1, 2025; and

**FURTHER RESOLVED**, that Eric Swartz, Association President, is hereby appointed and authorized to represent the Association at the mediation if a settlement is not reached prior to mediation; and

**FURTHER RESOLVED**, that Eric Swartz has settlement authority for the Association and can negotiate as he deems in the best interest of the Association; and

EXHIBIT A

**FURTHER RESOLVED,** that any and all actions heretofore or hereinafter taken on behalf of the Association by any of said persons or entities within the terms of the foregoing resolutions, are hereby approved, confirmed and ratified as the acts and deeds of the Association; and

**FURTHER RESOLVED**, that this Action Taken by Unanimous Written Consent may be executed in separate counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument and facsimile or electronic signatures shall have the same effect as original signatures.

Execution of this Action Taken by Unanimous Written Consent by the undersigned, as described above, waives any requirement of a formal meeting of the Board to adopt the resolutions referred to herein and ratifies and affirms the actions taken herein.

**IN WITNESS WHEREOF**, the undersigned, in their capacity as members of the Board, have executed this Action Taken by Unanimous Consent as of the date written first above.

Eric Swartz (Dec 20, 2024 18:16 EST)

Eric Swartz

Dr. Jonathan Burke (Dec 22, 2024 18:44 EST)

Jonathan Burke

Sean P. Buchholtz

Sean Buchholtz

Kristen Padberg

Kristen Padberg (Dec 22, 2024 23:23 MST)

Kristen Padberg

Tammy Conner (Dec 20, 2024 15:01 CST)

Tammy Conner

# UWC | Park Hyatt - Settlement Offer / Authority

Final Audit Report 2024-12-23

| | |
|---|---|
| Created: | 2024-12-20 |
| By: | Brandon Elliott (brandon.elliott@vacationclub.com) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAObHEYs6bUNXIHqHM0htGMMY4-iIff87z |

## "UWC | Park Hyatt - Settlement Offer / Authority" History

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2024-12-20 - 8:58:51 PM GMT

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2024-12-20 - 9:01:22 PM GMT

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2024-12-20 - 11:15:03 PM GMT

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2024-12-21 - 2:35:53 PM GMT

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2024-12-22 - 11:44:13 PM GMT

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2024-12-23 - 6:21:43 AM GMT

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Signature Date: 2024-12-23 - 6:23:52 AM GMT - Time Source: server

Agreement completed.
2024-12-23 - 6:23:52 AM GMT

Adobe Acrobat Sign