



Lough Swilly Yacht Club

Home of Sailing on Lough Swilly
Figary, Fahan, Co. Donegal

07/03/2024

Notice of EGM:

Adjourned EGM will resume for vote by poll on Friday 5th April @ 7.30pm at Lough Swilly Yacht Club to vote on an offer received by Harcourt Developments as detailed below:

1) To consider and decide upon an offer in principle from Harcourt Developments to construct a new clubhouse and grounds for Lough Swilly Yacht Club on club lands at Rinnaraw Point, Fahan, in exchange for our current clubhouse and all our lands and buildings outside of the proposed new clubhouse and grounds at Rinnaraw Point, Fahan.

Should Lough Swilly Yacht Club decide to accept this offer in principle, a Heads of Agreement with Harcourt Developments will be drawn up to protect the club's interest. The Heads of Agreement will include that Harcourt Developments will cover all professional, construction and other costs, and that no exchange will take place if the proposed new clubhouse and grounds fails to secure planning permission or other statutory approvals. Furthermore, the Heads of Agreement will state that Lough Swilly Yacht Club will vacate its current clubhouse and lands, only after completion and commissioning of the new clubhouse and grounds.

In addition, should Lough Swilly Yacht Club decide to accept this offer in principle, Lough Swilly Yacht Club will, in due course, enter into legally binding contracts to give effect to the offer in principle and reflect the terms laid out in the Heads of Agreement.

Any full adult members, family members and spouses and life members of LSYC are entitled to attend the EGM and vote on the motion or may elect a proxy following the proxy process set out below.

Eoghan Ó Gráda

Honorary Secretary

Lough Swilly Yacht Club

**Proxy
Voting**

- (1) any member of a company entitled to attend and vote at a meeting of the company shall be entitled to appoint another person (whether a member or not) as his or her proxy to attend and vote instead of him or her.
- (2) A proxy so appointed shall have the same right as the member to speak at the meeting and to vote on a show of hands and on a poll.
- (3) a member of a company shall not be entitled to appoint more than one proxy to attend on the same occasion.
- (4) The instrument appointing a proxy (the "instrument of proxy") shall be in the form provided below and signed by the appointer or his or her attorney duly authorised in writing
- (5) The instrument of proxy (and the power of attorney or other authority, if any, under which it is signed, or a notarially certified copy of that power or authority,) shall be deposited at the registered office of the company, and shall be so deposited not later than the following time.
- (6) That time is—

48 hours (or such lesser period as the company's constitution may provide) before the time appointed for the taking of the poll.
- (7) The depositing of the instrument of proxy referred to in *subsection (5)* may be effected by communicating the instrument to the company by electronic means to eoghanogrady19@hotmail.com.
- (8) If (5) or (6) *above* is not complied with, the instrument of proxy shall not be treated as valid.

Proxies must bring one of the following photographic ID as proof of identity: valid passport or valid drivers licence.

Form of Proxy

Lough Swilly Yacht Club Company Limited by Guarantee (“the Company”)

_____ [name of member] (“the Member”) of
_____ [address of member] being a member of the
Company hereby appoint/s

[name and address of proxy]

or failing him or her

[name and address of alternative proxy]

as the proxy of the Member to attend, speak and vote for the Member on behalf of the Member at the (annual or extraordinary, as the case may be) general meeting of the Company to be held on the 5th April 2024 @ 7.30p.m and at any adjournment of the meeting.

The proxy is to vote as follows:

Voting Instructions to Proxy (choice to be marked with an ‘x’)			
Number or description of resolution:	In Favour	Abstain	Against
1			
2			
3			
Unless otherwise instructed the proxy will vote as he or she thinks fit.			
Signature of member			
Dated: [date]			