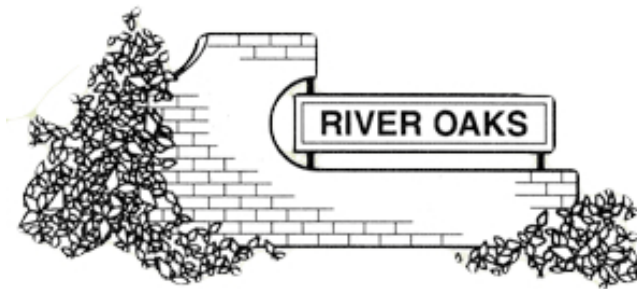


River Oaks Home Owners Association



Covenants & Restrictions Clarifications By-Laws

The attached covenants & restrictions are a reprint of the original filed in Kenosha County, WI on July 9, 1976. They cannot be changed unless as specified. However, certain clarifications of these covenants are permitted that can occur over the course of time. The listed By-Laws are the rules & regulations enacted by this association and provide the framework for its operation and management.

For the most up-to-date version of this document and general information on River Oaks Home Owners Association visit www.river-oaks.org



River Oaks Pleasant Prairie

OAK-HI AND RIVER OAKS UNIT "A" AND "B"

(Reprinted from Original Recorded July 9, 1976 in Volume "966" Records, page 92, doc.#602634 on file Kenosha County, WI)

PART A AREA OF APPLICATION

FULLY PROTECTED RESIDENTIAL AREA. The residential area covenants in Part B, in their entirety shall apply to all the premises herein above described.

PART B COVENANTS AND RESTRICTIONS (see Clarifications for updates)

B-1.LAND USE AND BUILDING TYPE

No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling of the one-floor Ranch type, one and one half story Split-level type or the two story Colonial type construction, including an immediately attached breezeway, if desired, and a two car private garage which may be attached to and immediately adjoin either the principal building or the breezeway; the said garage and breezeway, including roof, shall be of the same material and general design as the principal building.

B-2.ARCHITECTURAL CONTROL

No building, wall, well, other structure or facility shall be erected, placed, or permitted to remain and no alteration of any of the foregoing costing more than One Thousand Dollars, and no alteration of the physical conditions of any lot which would appreciably affect the appearance of the vicinity or the value of other lots shall be made, unless and until the design plans and specifications thereof, showing the nature, kind, shape, size, location, externally visible materials, colors and general appearance thereof, including the proposed landscaping of the lot, shall have been submitted to, approved in writing by, and a copy thereof as approved permanently lodged with the architectural committee (as provided in Part C). its successors or assigns. In the event said design, plans or specifications are disapproved, or that the same are not approved within thirty (30) days of their submission, then within sixty (60) days following such disapproval or following the lapse of such thirty (30) days of their submission, the owner of the lot submitting said design, plans, or specifications shall have the right to notify in writing the architectural control committee, its successors or assigns, of his intention to seek approval thereof by a committee of three architects, and by appointing in such notice the first of said architects. Within ten (10) days following receipt of such notice, the architectural control committee, its successors or assigns, shall appoint a second architect and within ten (10) days thereafter the two architects so appointed shall appoint a third; the decision of two of the three architects so appointed shall be final and conclusive. (see Clarifications for updates)

B-3. DWELLING SIZE

The floor area of the main structure, excluding garages and exclusive of any open porches, shall be as follows:

- (1) One floor Ranch type - A minimum of 1,500 square feet
- (2) One and one-half Split level type - A minimum of 1,800 square feet
- (3) Two story Colonial type - A minimum of 2,000 square feet

B-4. BUILDING LOCATION

For purposes hereof, the lot line adjoining the street shall be the "front line"; the opposite lot line shall be the "rear line"; and the other two lot lines shall be the "side lines". No building, breezeway or garage shall be erected or permitted nearer said lot lines than that which is allowable under the building, zoning or other applicable laws and regulations of the County of Kenosha.

B-5. EASEMENTS

Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

B-6. NUISANCES

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. The growing of mushrooms for commercial purposes is expressly prohibited.

8-7. LIVESTOCK AND POULTRY

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that two dogs or two cats or one other household pet may be kept provided that such pets are not permitted outside the owner's lot unattended. *(see Clarifications for updates)*

B-8. GARBAGE AND REFUSE DISPOSAL

No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition and in an inconspicuous place.

B-9. TEMPORARY STRUCTURES

No structures of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence or for any other purpose, whether temporarily or permanently.

B-10. DRAINAGE SWALE OR DITCH

The drainage swale or ditch adjacent to the street at the front of the property shall be maintained by the property owners at the grade established by Pleasant Prairie Township.

B-11. DRIVEWAYS

No building shall be erected or permitted on any lot unless in conjunction therewith there is constructed a hard surface driveway measuring at least eight (8) feet in width and running from

the street paving to the' garage. Before the construction of such driveway, a culvert shall be installed across the proposed driveway conforming in grade to the drainage ditch or swale adjacent to the street at the front of the property. Such culvert shall conform in size, length and material with the standards specified by Pleasant Prairie Township. In the alternative to such culvert, any driveway constructed shall follow the grade established under Restriction B-10 as it passes through the drainage swale or ditch adjacent to the street at the front of the property.

B-12.CULVERTS

No culverts shall be laid in the drainage ditch or swale by any purchaser, other than for driveways. Said culverts shall not exceed twenty-four feet (24') in length.

B-13.SIGNS

No sign of any kind shall be placed upon or in any lot except for one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by the builder or sub divider to advertise property during the sale and construction period.

B-14.CONSTRUCTION EQUIPMENT

All equipment used in clearing, excavation or construction, not rubber-tired, shall only be loaded or unloaded within the boundary lines of each lot. No truck or commercial vehicle shall be permitted upon any lot except when said truck or commercial vehicle is actually delivering or unloading personal property to and from the premises and except any truck or commercial vehicle which is restricted to the interior confines or private garage. No private vehicles shall be continuously parked on the streets or roadways, but shall be kept on the driveway of the lot or in the private garage, it being the intention to prevent obstruction of the streets by continuous parking thereon.

B-15.HOUSING OR PARKING OF TRUCKS AND TRAILERS

No tract or improvement thereon shall be used for the housing, parking-or displaying of trucks or trailers of any kind, at any time unless within the garage permitted hereunder. (see *Clarifications for updates*)

B-16.TIME OF CONSTRUCTION

No structure of any kind shall be erected or placed on the lot without the written consent of the SELLER, nor shall any soil or black dirt be sold or removed, nor shall any trees or shrubbery be cut, sold or removed until and unless the BUYER has first made all of the payments and performed all of the covenants to be made and performed by him, including the payment of the purchase price in full.

B-17.GRASS

After residential construction has been completed on any parcel embraced in the above-described real estate, the owner thereof shall, within a reasonable time after occupancy considering weather conditions, install and maintain attractive grass on that land adjacent to his parcel between his parcel and the finished street.

B-18.SOIL REMOVAL

No soil or black dirt shall be removed from subdivision without the consent of Pleasant Prairie P.U.D., a Wisconsin limited partnership, its successors or assigns. If such consent is not given, then Pleasant Prairie P.U.D. shall designate the location for the disposal of any such

soil or black dirt considered surplus by the individual lot owners.

B-19.FENCES

There shall be no fences erected by any owner without consent of the architectural control committee, and upon consent by the architectural control committee, such fences shall be erected in accordance with the ordinances of the Town of Pleasant Prairie.(see *Clarifications for updates*)

B-20.VEHICULAR ACCESS

As shown on recorded plat, Lots 1, 2,3, 4 and 5 in Oak Hi and Lots 1, 2, 3,4,5,6, 7,8,9 and 10 in Block 1 in River Oaks Unit "A" and Unit "B" shall not have direct vehicular access to County C Highway, otherwise called Wilmot Road.

B-21.LAKE AND EASEMENTS

The ownership of River Oaks Lake and pedestrian easements thereto shall be vested in the Home Owners Association to be formed as hereinafter provided and the cost of maintenance of the lake and the payment of taxes assessed hereon shall be borne equally by the shareholders thereof.

B-22.HOMEOWNERS ASSOCIATION

Homeowners owning property in Oak Hi and River Oaks Unit "A" and "B" will by virtue of such ownership automatically become members of a Home Owners Association to be incorporated as a not for profit Wisconsin corporation to be known as River Oaks Home Owners Association. Each lot in said subdivision shall represent one voting share in said corporation. Upon sale of 80% of the lots in said subdivision the shareholders of said corporation shall hold an organization meeting and elect directors and officers of said corporation. Said Association shall thereupon adopt rules and regulations as to the use of River Oaks lake including types of boats to be permitted thereon, hours of usage, swimming privileges, fishing privileges and other rules to insure the maximum enjoyment of said lake by all property owners.

B-23.

Among such rules and regulations shall be those adopted by the Board of Directors of said Association, and shall also include the following stipulations:

B-24.LAKE USE

Only families residing in Oak Hi and River Oaks Unit "A" and "B" and their guests may use the lake facilities.

B-25.BOATING

(a) No motorboats or boats propelled by means other than wind or man power are to be permitted on the lake.

(b) Boats must be anchored at shoreline or on shore.

(see *Clarifications for updates*)

B-26.FISHING

- (a) No member of the Association or their guests shall be permitted to catch more than 10 fish per day.
- (b) No dead fish shall be thrown in water but must be disposed of in the trash disposal.

B-27.SWIMMING

- (a) All swimmers must wear reasonably proper swimming attire at all times.
- (b) Hours for swimming shall be limited from 8:00 A.M. to 10:00 P.M.

B-28.ISLAND

- (a) No one shall be permitted on the island from 10:00 P.M. to 5:00 A.M.
- (b) All persons using the island must dispose of the litter brought by them by carrying it back to the mainland for trash disposal.
- (c) No type of shelter, shed, or other structure may be constructed on the island.

B-29.WATER

- (a) No chemicals, fertilizers or weed killers shall be permitted to defile or pollute the lake.
- (b) No piers or wharfs shall be permitted to be constructed in the lake without the consent of the majority of the Association members.

PART C ARCHITECTURAL CONTROL COMMITTEE

C-1.MEMBERSHIP

The Architectural Control Committee is composed of William Dean of Park Ridge, Illinois; Roy G. Gronke of Arlington Heights, Illinois; and Donald A. Mitroff, of Mount Prospect, Illinois. A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, the General Partner of Pleasant Prairie, P.U.D., a Wisconsin limited partnership, shall have full authority to designate a successor. Neither the members of the Committee nor its designated representative shall be entitled to any compensation for its services performed pursuant to this covenant. (*see Clarifications for updates*)

PARTD GENERAL PROVISIONS

D-1.TERM AND ENFORCEMENT

The covenants herein set forth shall run with the land and bind the owner, it's successors and assigns, and all parties claimed by, through or under it shall be taken to hold agree, and covenant with the owner of said building sites, its successors and assigns, and with each of them, to conform to and observe said restrictions as to use of building sites, and the construction of improvements thereon, but no restrictions herein set forth shall be personally binding on any corporation, person or persons except in respect to breaches committed during

its, his or their use of, or title to said land, the owner or owners of any of the above land shall have the right to sue for and obtain an injunction prohibitive or mandatory, to prevent the breach of or to enforce the observance of the restrictions above set forth, in addition to ordinary legal action for damages, and the failure of the owner of any other lot or lots or building sites hereby restricted to enforce any of the restrictions herein set forth at the time of its violation, shall in no event be deemed to be a waiver of the right to do so as to any subsequent violation. The violation of these restrictions shall not defeat nor render invalid the lien or any mortgage made in good faith and for value.

D-2.SEVERABILITY

Invalidation of anyone one of these covenants or any part thereof by judgments or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

NOTICE

This restatement of the River Oaks P.U.D., Inc. Covenants and Restrictions in no way supersedes the original recorded documents as outlined at the beginning of this document. Some corrections have been made to typographical errors and the format for clarification purposes only.

COVENANT CLARIFICATIONS & UPDATES

COVENANT	DESCRIPTION	UPDATE
B-2	Architectural Control	Building or Property Alteration requiring Board approval increased to Five Thousand Dollars. (Spring, 2012)
B-2	Architectural Control Solar Panels	<p>The River Oaks Homeowners Association is committed to the rights of its residents to help alleviate rising energy costs, but at the same time wishes to ensure the continued visual beauty of our neighborhood. In that spirit, these Guidelines have been put in place to help guarantee that River Oaks remains a beautiful, yet progressive place to live.</p> <p>APPLICATION REQUIREMENTS All solar energy systems require Architectural Control Committee (ACC) approval. The following documents must be included along with the required request form:</p> <ul style="list-style-type: none"> • Plans showing visibility of the system from areas open to common or public access (e.g., public streets, neighboring lots, or association properties or common areas); A drawing (with dimensions) showing the proposed location of the system and how the equipment will be mounted, including an elevation drawing showing the panel mounting angle and the panel offset distance from the roof surface as well as a description of any visible auxiliary equipment, and; Photographs or manufacturer literature for all proposed system components including specifications, color, materials, etc., including a color rendering showing the panel mounting locations, color and roofing color. Colors of the solar system and roof should match or complement each other as closely as possible. • Plans for any landscape, tree removal or other visible property areas affected must be submitted to the ACC and the ACC will give special consideration to the <u>limited</u> removal of trees on the applicant's property. • All hardware must be commercially available, UL Certified and installed by licensed installers. <p>Following submission of these materials, the ACC will either approve, request additional materials, recommend changes, or deny the system design and location as proposed. If the ACC fails to render a decision on the proposed system design and location within thirty (30) days after the submission of all required application materials, the application reverts to appeal process in B-2.</p> <p>SYSTEM DESIGN AND PLACEMENT REQUIREMENTS To the maximum extent possible, a roof-mounted solar energy system shall be installed so as to minimize its exposure when viewed from</p>

		<p>areas open to common or public access (e.g., public streets, neighboring lots, or association properties or common areas). <u>Ground-mounted systems are not permitted in the River Oaks subdivision.</u></p> <p>Solar panels on front-facing or side-facing roof surfaces visible from areas open to common or public access must be mounted in the plane of the roof surface minimizing stand-off distance from roof. All panels must be located entirely within a boundary defined by the roof eaves and peak. Visibility of the underside of the panels shall be minimized from areas open to common or public access. A maximum offset distance of 24 inches from the top surface of the PV panel to the roof surface will be allowed, to allow for some panel tilting for optimal power output.</p> <p>Efforts must be made to make the solar energy system an integral and harmonious part of the architectural design of the residence. Visibility of any plumbing, wiring, or auxiliary equipment should be minimized as much as possible. All system components visible from areas open to common or public access and not involved in energy production should be painted to blend with roof coloring.</p> <p>Exceptions to these system design and placement requirements shall be made if compliance with one or more of these requirements will result in either a significant increase in the cost of the system or a significant decrease in its efficiency or specified performance. For purposes of this exception, “significant” means an amount exceeding ten (10) percent of the cost of the system, or decreasing efficiency or performance by an amount exceeding ten (10) percent, as originally specified and proposed.</p> <p>The ACC may require the applicant to provide a written statement by an independent solar energy expert documenting these cost or efficiency and performance impacts. In this case, the ACC may permit variances to these requirements to the minimum extent necessary to avoid significant increases in system costs or significant decreases in system efficiency or performance. (August 2016)</p>
COVENANT	DESCRIPTION	UPDATE
B-7	Livestock & Poultry	No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that homeowners are allowed to keep or possess up to three house pet animals including but not limited to dogs, cats, or small animals older than 180 days, provided that such pets are not permitted outside the owner's lot unattended. (October 2015)

COVENANT	DESCRIPTION	UPDATE
B-15	Trailer / Truck Parking	<p>No recreational vehicles, campers, camper on/off a vehicle, boats, snow mobiles, jet skis, mobile homes, utility trailers or other trailers, tractors, motor homes or trucks 1 ton or larger may be stored in such a manner as to be visible from the street or any other property for longer than 72 hours. Periodic movement of the vehicle for the purpose of circumventing this standard shall not qualify the vehicle for an exception to this standard. The purpose of the 72 hour hours is to load and unload the vehicle, not to provide storage/parking for the unit. Longer parking/storage may be arranged in advance with the River Oaks Board, and will be considered on a case by case basis. The maximum parking/storage time allowed, WITH Board approval will be two weeks. (June 2016)</p>
B-18	Fences	<p>There shall be no fences erected by any owner without the consent of the architectural control committee, and upon consent by the architectural control committee, such fences shall be erected in accordance with the ordinances of the town Village of Pleasant Prairie.</p> <p>In general, no permanent fencing has been approved within River Oaks. Exceptions are for placement along property lines that run parallel along Highway C, (<i>fencing may only be placed along such property line adjoining Hwy C</i>) not extending beyond the rearmost boundary of the primary residence structure, homes with swimming pools and/or similar as required by the Village of Pleasant Prairie, and fences existing prior to the adoption of the River Oaks By-Laws. Fences may be of wood or vinyl in an earth tone color or decorative wrought iron or aluminum. Critter guard fencing (max 2' high) for gardens: privacy divider (max 8'length 6' high) as example by a hot tub and near the residence structure, or a split rail fence (max 2 sections 8'long) to accent their property lines will be considered by the architectural committee. Viable alternatives within individual property lines to consider may be: landscaping implemented for screening purposes, "invisible" pet fences. (<i>June, Spring 2016</i>) (<i>simplified Nov, 2019</i>)</p>
B-24	Lake Use	<p>All guests using the lake or park facilities must be accompanied by a resident or carry written consent with date included, provided by the resident. Written consent is for one calendar day only. (May, 2016)</p>

B-25	Boating	No motorboats or boats propelled by means other than wind or manpower, ATV snow mobile or other motorized vehicles are to be permitted on the lake. (2005)
C-1	Architectural Control Membership	For architectural control, submit any plans to the Board.(Spring, 2012)

RIVER OAKS PROPERTY OWNERS ASSOCIATION

BY-LAWS

ARTICLE I IDENTIFICATION

SECTION 1.01 - NAME

The name of the corporation is River Oaks Property Owners Association, Inc. A Not For Profit Corporation

SECTION 1.02 - FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of November and end on the last day of October each year.

SECTION 1.03 - PURPOSE

The purpose of the corporation shall be for the common good of the property owners of River Oaks/Oak High Subdivision, and for the maintenance of all areas owned by the subdivision, and such other and further duties as it may assume or be required to partake in. The existence of the corporation shall further assure the continued adherence to the restrictive covenants which run with each parcel of land within the subdivision.

SECTION 1.04 - DURATION

The period of duration of the corporation shall be perpetual.

ARTICLE II MEMBERSHIP

SECTION 2.01 - QUALIFICATION FOR MEMBERSHIP

Membership in the corporation is limited to all persons who are shown of record to be an owner of a fee interest in a numbered residential lot in River Oaks/Oak High. All such owners shall by their ownership of property have membership and related privileges and obligations to the corporation.

SECTION 2.02 - EVIDENCE OF MEMBERSHIP

The Board of Directors of the Corporation shall have the power (but not the duty) to cause the issuance of evidence of membership in the corporation to the members thereof in such form as the Board of Directors may prescribe.

SECTION 2.03 - PRIVILEGES OF MEMBERSHIP

The members of the corporation (and any person who belongs to the family or a member and

has the same residence as the member to whose family he belongs, and any person who is a guest of a member of the corporation) shall have the privilege of using the areas designated as parks, commons, or pedestrian easements in the plots of the project, know as River Oaks/Oak High, and any other recreational facilities within the project that are owned by the corporation, in accordance with the restrictive covenants for the project and such other rules for the use of such facilities adopted from time to time by resolutions of the Board of Directors of the corporation.

SECTION 2.04 - TERMINATION OF MEMBERSHIP

Membership of individuals (persons) in the corporation shall terminate and lapse when an individual member ceases to be the owner of a numbered residential lot in River Oaks/Oak High at Pleasant Prairie, Wisconsin, which is subject to the Declaration of Covenants and Restrictions set forth above.

ARTICLE III MEETINGS OF MEMBERS

SECTION 3.01 - PLACE OF MEETINGS

Any meetings of the members of the corporation may be held at any place within Kenosha County, Wisconsin. The place at which the meeting is to be held shall be stated in the notice of the meeting.

SECTION 3.02 - ANNUAL MEETING

The annual meeting of the members of the corporation for the election of Directors whose terms have expired and for the election of directors whose terms have expired and for the transaction of such other business as may properly come before the meeting shall be held on the second Tuesday of November of each year, upon notice given to the members as provided herein. In the event the annual meeting is not held on the day provided for herein, then in that event it may be held as soon thereafter as possible.

SECTION 3.03 - SPECIAL MEETINGS

A special meeting of the members of the corporation may be called by the President, by a majority of the Board of Directors, or by a written petition signed by a person who has, or persons who have the right to cast one-half (1/2) of the votes on any question upon which the vote of the membership of the corporation shall be required or desirable.

SECTION 3.04 • NOTICE OF MEETINGS

A written or printed notice stating the place, day, and hour of the meeting, and the purpose of which such meeting shall have been called shall be delivered or mailed by the Secretary to each member at least ten (10) days before the date of the meeting. Unless the Secretary shall have been otherwise notified in writing, adequate notice of a meeting shall be deemed to have been given to any member if said notice is mailed to the address of the member supplied by such member to the corporation for the purpose of notice or address on record with the town tax department. Notice of any meeting of the members may be waived in writing filed with the Secretary of the corporation before the time of the meeting, at the time of the meeting, or by attendance in person.

SECTION 3.05 - VOTING AT MEETINGS

Clause 3.051 Voting Rights -

The individual member or members of the corporation owning a numbered lot shall be entitled to cast one vote for such lot upon any question when the vote of the membership is required or desirable. Any individual, partnership, company or corporation owning more than one lot in River Oaks/Oak High shall have one vote for each lot owned. In no event shall more than one vote be cast with respect to any lot. Multiple owners of a single lot may not split their vote.

Clause 3.052 - Proxies

Any person who is entitled to vote as previously described, at any meeting of the members of the corporation, may vote in person or by proxy shall be valid after eleven (11) months from the date of its execution unless a longer time is expressly provided for upon the face of the proxy instrument.

Clause 3.053 - Quorum

A quorum shall be deemed to be present at any meeting of the members of the corporation, if, at such meeting, the owners of not less than 20 of the numbered lots in the project are present. For the purpose of this clause, the owner of a lot shall be deemed to be present at a meeting if any owner of that lot is present in person or by proxy or by attorney in fact.

ARTICLE IV THE BOARD OF DIRECTORS

SECTION 4.01 - QUALIFICATION AND ELECTION

The affairs of the corporation shall be managed by a Board of Directors, each of whom shall be a member of the corporation. Directors shall be elected by the members of the corporation, voting in accord with these By-Laws, at each annual meeting of members. Of the first Board of Directors elected, after the adoption of these By-Laws, five (5) members shall serve for one year, and four (4) shall serve for two years. Thereafter, each director shall serve for a term of two years. A director shall hold his office until his successor shall have been chosen and qualified.

SECTION 4.02 - VACANCIES

Any vacancy that shall occur in the Board of Directors, for any reason, shall be filled by a majority vote of the remaining directors, and the person so chosen shall serve the unexpired portion of the term for which the person whom he is replacing shall have been elected or chosen.

SECTION 4.03 - ANNUAL MEETINGS

The Board of Directors shall hold an annual meeting immediately following the annual meeting of the members of the corporation, for the purposes of organization, election of officers, and the consideration of any business that properly may be brought before the meeting.

SECTION 4.04 - SPECIAL MEETINGS

Special meetings of the Board of Directors may be called at any time by the President and shall be called on the written request of any two directors.

SECTION 4.05 - NOTICE OF MEETINGS

A written or printed notice stating the place, day, and hour of the annual or a special meeting shall be delivered or mailed by the Secretary to each director at least three (3) days before the date of the meeting. Notice of any meeting of directors may be waived by any director in writing with the secretary before the time of the meeting, at the time of the meeting, or after the time of the meeting, or by attendance in person.

SECTION 4.06 - PLACE

All meetings of the Board of Directors of the corporation shall be held at such place as may be specified in the respective notices, or waivers of notices thereof.

SECTION 4.07 - QUORUM

A majority of the whole Board of Directors shall be necessary to constitute a quorum thereof, except for the filling of vacancies, which shall require a majority of the existing directors for a quorum. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

SECTION 4.08 - POWERS, DUTIES, AND RESPONSIBILITIES OF DIRECTORS

Clause 4.081 Powers -

The powers of the Board of Directors shall include (but not be limited to):

- a. The power to adopt and publish rules and regulations governing the use of those parts of the project that are or will be owned by, or are otherwise under the control of, the corporation.
- b. The power to exercise for the corporation all the powers and duties of the corporation whose exercise is not reserved or committed to the membership of the corporation. by the By-Laws.

Clause 4.082 Duties -

The duties of the Board of Directors shall include (but not be limited to) the duty to recommend prior to the first day in December in each year, the amount of the annual Charge that is to be made against each member of the corporation in accordance with the Declaration of Covenants and Restrictions.

Clause 4.083 Responsibilities -

The Covenants and Restrictions are an inherent part of the value of each property. The responsibility of the Board of Directors is to assure adherence and compliance with those Covenants and Restrictions.

SECTION 4.09 – OMITTED

SECTION 4.10 - ADOPTION OF RULES AND REGULATIONS

The Board of Directors may adopt rules and regulations relating to the use and enjoyment of the parks, pedestrian easements, roads and grounds, architectural control, lake maintenance, budget and finance, other recreational facilities within the project, and other affairs of the corporation.

SECTION 4.11 - COMMITTEES OF DIRECTORS

The Board of Directors, by majority resolution, may designate committees, each of which shall consist of two or more Directors, which committees, to the extent provided in said resolution, shall have and exercise the authority of the Board of Directors in the management of the corporation; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed upon it or him by law.

Clause 4.111 Standing Committees -

Standing Committees shall be established for (but are not limited to) business relating to:

- a. Roads and Grounds
- b. Architectural Control
- c. Lake Maintenance
- d. Budget and Finance

Clause 4.112 Quorum -

A majority of the whole committee shall constitute a quorum.

Clause 4.113 Rules -

Each committee may adopt rules for its own activities which are consistent with these By-Laws or rules adopted by the Board of Directors.

ARTICLE V OFFICERS OF THE CORPORATION

SECTION 5.01 - NUMBER

The officers of the corporation shall be a President, Vice-President, Secretary, and Treasurer.

SECTION 5.02 - ELECTION AND TERM OF OFFICE

At its annual meeting, the board of Directors shall choose from its own membership the officers of the corporation. Each officer shall hold his office for one year or until his successor shall have been chosen and qualified.

SECTION 5.03 - REMOVAL

Any officer may be removed, with or without cause, at any time, by a vote of the majority of the Directors, at a special meeting called for the purpose of considering the removal.

SECTION 5.04 - VACANCIES

Any vacancy in any office shall be filled for the unexpired portion of the term by a person chosen by the Board of Directors.

SECTION 5.05 - PRESIDENT

The President shall have active executive management of the corporation, subject, however, to the control of the Board of Directors. He shall, in general, perform all duties as may be assigned to him by the Board of Directors.

SECTION 5.06 - VICE-PRESIDENT

The Vice-President shall have such powers and perform such duties as may be assigned to him by the Board of Directors, or as delegated to him by the President. In case of the absence or inability to act of the President, the Vice-President shall temporarily act in his place.

SECTION 5.07 - SECRETARY

The Secretary shall keep, or cause to be kept, in books that shall be provided for the purpose and remain in the Secretary's custody, the minutes of the meetings of the members of the corporation and for the Board of Directors. He shall at all times keep an accurate list of all the names of the members of the corporation. He shall attend to the giving of notices in accordance with these By-Laws, and shall, in general, perform all such duties as may be assigned by the President and Board of Directors.

SECTION 5.08 - TREASURER

The Treasurer shall be the financial officer of the corporation. He shall keep or cause to be kept, in books provided for that purpose and remaining in the Treasurer's custody, complete records showing the financial condition of the corporation. He shall keep a separate financial account of each member in the corporation. He shall have charge and custody of, and responsibility for all funds of the corporation and shall deposit all such funds in banks or other depositories as selected by the Board of Directors. He shall receive and give receipts for moneys due and payable to the corporation in accordance with the instructions of the Board of Directors. He shall upon request report on all financial matters to the Board of Directors and to the membership of the corporation, and shall, in general, perform all duties assigned to him by the President and the Board of Directors.

SECTION 5.09 - COMPENSATION

Directors as such shall not receive any salaries or compensation for their services as Directors. Nothing herein shall be construed to preclude any Director from serving the corporation in any other manner or capacity and receiving compensation therefore.

ARTICLE VI DUES

SECTION 6.01 - ANNUAL DUES

The Board of Directors may determine from time to time the amount of initiation fee, if any, and annual dues payable to the corporation by the members of the corporation. Annual dues shall be presented in conjunction with the proposed annual budget at the annual meeting of the membership, and shall be approved by the membership by simple majority.

SECTION 6.02 - PAYMENT OF DUES

Dues shall be payable in advance on the first day of February in each year. Dues of a new member shall be prorated from the first day of the month in which such new member becomes a part of the corporation. Members leaving the corporation shall prorate their annual dues with new buyers of their property. Such proration shall be done on a monthly basis as above. Determined membership dues shall be paid in accord with each voting share. One voting

share equals one owned lot.

Clause 6.021 Arrears in Dues -

Members in arrears in payment of annual dues shall relinquish voting rights on all organizational issues, and shall relinquish all other privileges of membership.

SECTION 6.03 - DEFAULT AND TERMINATION OF MEMBERSHIP

When any member shall be in default in the payment of dues for a period of sixty (60) days from the beginning of the period for which such dues become payable, the Board of Directors, on behalf of the corporation, may file a statement indicating the same, which statement shall become a lien upon the real property located within the subdivision. Said unpaid dues shall bear interest as shall be determined by the membership at its annual meeting.

**ARTICLE VII
EXECUTION OF CHECKS AND CONTRACTS**

SECTION 7.01 - EXECUTION OF CHECKS

Every check for the payment of money by the corporation, and every promissory note of the corporation shall, unless otherwise ordered by the Board of Directors or required by law, be signed by the Treasurer and President of the Corporation.

SECTION 7.02 - EXECUTION OF CONTRACTS

Every contract (in addition to those mentioned above, in these By-Laws) to which the corporation shall be a party, shall be executed in it's name by the President or Vice-President and attested by the Secretary.

**ARTICLE VIII
AMENDMENTS**

SECTION 8.01 - IN GENERAL

The power to add to, alter, amend, or repeal (wholly or in part) these By-Laws is vested in the membership. The affirmative vote of not less than a two-thirds (2/3) majority shall be necessary to effect any addition to, or alteration. amendment or repeal of these By-Laws. A copy of any proposed Change in the By-Laws shall be submitted in writing to each Director by petition of not less than ten (10) percent of the numbered members, not less than two (2) weeks prior to the meeting at which it is to be presented. The petitioned change shall be presented to the next scheduled meeting of the membership. If the majority in attendance at the membership meeting approve of the proposed amendment it shall then be mailed to the entire membership together with a ballot indicating a "yes" or "no" vote with an envelope for its return to the Secretary, and with instructions as to the time and manner for voting.