

EAST SHORE ESTATES PROPERTY OWNERS ASSOCIATION BY-LAWS
(Re-typed [with known revisions] July 30, 2008)

ARTICLE I: NAME

Section 1. The name of the organization is East Shore Estates Property Owners Association.

ARTICLE II: OBJECTS

Section 1. The purpose of this organization is to maintain and improve facilities belonging to the Association, including, but not limited to, boat ramps, piers, parking lots, recreation and other related facilities.

Section 2. The Association further exists for the purpose of promoting the health, safety and welfare of the property owners including, but not limited to, upholding all restrictions on the property.

ARTICLE III: MEMBERSHIPS AND VOTING BODY

Section 1. Membership shall be limited to property owners of East Shore Estates whose assessments have been fully paid. Each member shall be entitled to one vote at all meetings of the Association, regardless of number of lots owned.

Section 2. "Property Owners" shall mean and refer to the record owner, whether one or more persons or entities of the fee simple title to any lot situated upon the properties, including contract purchases, but excluding those having such interest merely as security for the performance of an obligation.

Section 3. Board members, Trustees and members performing certain duties may be granted a refund of dues paid for the previous year by a majority vote of the Board. One of the qualifying factors should be individual performance beyond normal duties.

ARTICLE IV: MEETINGS

Section 1. The Annual Meeting. The annual meeting of the Association will be held on the fourth Sunday in April of each year. All Association members will be notified in writing to their last given address of the time and place of meeting not less than 20 days prior to the meeting but no more than 40 days.

Section 2. Special Meeting. A special meeting of the Association may be called by the President, with the concurrence of the board or by majority vote of the entire Board. When requested in writing by twenty-five percent of the membership, the President must call a meeting within 30 days. All notices will be mailed to the last given address and will include the purpose of the meeting as well as time and place of meeting.

Section 3. Quorum. The members attending any regular or special meeting of the Association shall constitute a quorum for the transaction of business.

ARTICLE V: BOARD OF DIRECTORS

Section 1. Election

(a.) The Board of Directors shall be elected from the members in good standing at the annual Association meeting.

(b.) The Board of Directors shall consist of seven members, each serving a two year term. Four directors shall be elected in even-number years and three directors shall be elected in odd-numbered years.

- (c.) Four directors shall constitute a quorum for the transaction of business
- (d.) In the event of a vacancy on the Board, the remaining directors shall appoint a successor to fill the unexpired term.

Section 2. Duties

- (a.) The Board of Directors shall have responsibility for the management of the Association and to determine policies best suited to carry out the purpose of the Association.
- (b.) **REVISED AND APPROVED APRIL 27, 1997.** The Board of Directors shall submit a request for an increase in dues to the members of the Association (along with an explanation of how the increase will be used). A vote will then be taken at the annual meeting of the Association. The Board of Directors shall submit a request, in writing, to the Association for a one-time assessment of any special project. In the submittal will be the cost of the project with a detailed reason the project is needed. A vote will be taken by the Association at the annual meeting.
- (c.) The Board of Directors shall have responsibility for the management of the fiscal affairs of the Association as well as determining the Associations depositories and signatories. The Board may cause an audit of the Association accounts if deemed necessary of desirable.
- (d.) The Board of Directors shall appoint three Trustees from the membership to serve an indefinite term. See Article VII, Section 1.
- (e.) The Board of Directors shall have the authority to call special membership meetings by a majority vote of the entire Board.
- (f.) The Board of Directors shall consider all written recommendations by the membership for improvements of the properties held for the Association and shall present to the membership all recommendations approved by them.
- (g.) Not less than forty-five days prior to the Annual meeting, the Board shall appoint a nominating committee of three members in good standing. See Article VIII.
- (h.) The Board shall appoint a Building Standards Committee, annually, consisting of three members in good standing. See Article IX.
- (i.) The Board of Directors shall have the authority to hire agents, retain counsel and enter litigation whenever deemed necessary to carry out the purpose of the association.

**ARTICLE VI: OFFICERS
ELECTION AND DUTIES**

Section 1. The officers of the Association shall be a President, a Vice-President, Secretary, and a Treasurer, each of whom shall be a member of and elected by the Board of Directors. In the event of a vacancy in any office, the vacancy shall be filled for the unexpired term by the Board.

Section 2. Duties

- (a.) President. The President shall preside at all meetings of the Association and of the Board of Directors. The President shall have the authority to appoint persons or committees to carry out the objectives of the Association. He shall perform other duties generally associated with the office.
- (b.) Vice-President. The Vice-President shall assist the President in the discharge of his/her duties and shall preside at all meetings in the absence of the President.

(c.) Secretary. The Secretary shall keep the minutes of all meetings and shall carry on correspondence and other duties usually associated with this office.

(d.) Treasurer. The Treasurer shall have custody of all funds of the Association, shall collect and issue receipts, keep a full and accurate account of all monies and refunds, shall pay out funds only as authorized by the Board of Directors, and shall present a financial report at each meeting of the Association. A list of property owners by name and lot number shall be made available to each Board Member and Trustee by the July Board meeting indicating membership status. See Article III, Section 3.

ARTICLE VII: TRUSTEES

Section 1. Appointment. Trustees shall be appointed as provided in Article V, Section 2, paragraph (d.). Their term shall expire by resignation, removal by the board of failure to qualify as member in good standing.

Section 2. It is the duty of the Trustees to hold title to the real properties of the Association as fiduciary for the benefit of the members and custodian of permanent records of the Association.

ARTICLE VIII: NOMINATING COMMITTEE

Section 1. The nominating committee shall be appointed as provided in Article V, Section 2, paragraph (g.). The purpose of this committee is to present a slate of nominees for election to the Board of Directors at the annual meeting. The report of this committee should be included in the annual meeting notice.

ARTICLE IX: BUILDING STANDARDS COMMITTEE

Section 1. This committee shall be appointed as provided in Article V, Section 2, paragraph (h.). It is the purpose of this committee to determine that all structures erected in East Shore Estates conform to all deed restrictions applicable to the property, and generally enhances the desirability of East Shore Estates as a residential and recreational community.

Section 2. Building plans shall be approved by this committee and a copy of an approved permit shall be provided to the property owner and to permanent records of the Association.

ARTICLE X: CARE AND UPKEEP

Section 1. **REVISED AND APPROVED APRIL 22, 2007.** All property owners shall keep their yards mowed. Dead trees shall be REMOVED on all improved lots. Property owner shall REMOVE dead/DOWNED trees on unimproved lots if the Board of Directors deems it a safety hazard. Piles of scrap lumber, PVC pipe and other items not piled for burning shall be stacked so as not to be seen from street or adjacent lots. No wrecked or inoperable vehicles shall be kept that can be seen from the street or adjacent lots. If complaint is received, via certified mail, the board will review and take appropriate action. If board deems action is required, the property owner in violation will have 30 (thirty) days to bring property into compliance. The property owner will be given 15 (fifteen) additional days to correct the violation. Property owner(s) not in compliance after second notice will incur enforcement action.

ARTICLE XI: FISCAL YEAR

Section 1. The fiscal year of the Association shall begin the 4th Sunday of April of each year and end on the following 4th Sunday of April. Annual assessments shall be due on the 4th Sunday of April, and shall be paid prior to the annual meeting in April.

ARTICLE XII: PARLIMENTARY AUTHORITY

Robert's Rules of Order, Revised shall govern this Association in all cases in which they are applicable and in which they are not in conflict with these By-laws.

ARTICLE XIII: AMENDMENTS

Section 1. These By-laws may be altered, amended or repealed at any annual meeting of the members or at any special meeting of the members if notice of such proposed action be contained in the notice of such special meeting.

ARTICLE XIV: USE OF ASSOCIATION PROPERTIES

Section 1. The pavilion and other association property, including boat ramps and piers shall be used only by Association members and their guest. See Article XV for exceptions.

ARTICLE XV: EXCEPTIONS

Section 1. Three Board Members or Trustees may grant permission for use outside the membership. A nominal fee to cover utilities must be collected in advance and the property must be left clean and in good order. A no fault clause should be signed by the user.