

BROOKLANE RIDGE HOMEOWNERS ASSOCIATION

BY-LAWS

ARTICLE I.

ADOPTION OF DECLARATION OF RESTRICTIONS

The Declaration of Restrictions recorded in Liber 29929, Page 2625, Wayne County Records, are hereby incorporated by reference and adopted in its entirety as a part of the By-Laws of this Association.

ARTICLE II.

MEETINGS

Section 1. Meetings of the Association shall be held at the principal office of the Association or at such other suitable place convenient to the members as may be designated by the Board of Directors. Meetings of the Association shall be conducted in accordance with Roberts Rules of Order when not otherwise in conflict with the Articles of Incorporation and By-Laws of the Association or the laws of the State of Michigan.

Section 2. The first annual meeting of the member of the Association may be convened at the call of the incorporators and may be called at any time thereafter by more than fifty percent (50%) in number of all members in the Association. The date, time and place of such meeting shall be set by the incorporators as to the first meeting and by the Board of Directors thereafter, and at least ten (10) days written notice thereof shall be given to each member. Annual meetings of the members of the Association shall be held on a date set by the Board of Directors each year. At such meetings, there shall be elected by ballot of the members a Board of Directors in accordance with the requirements of these By-Laws. The members may also transact such other business of the Association as may properly come before them.

Section 3. It shall be the duty of the president to call a special meeting of the members as directed by resolution of the Board of Directors or upon a petition signed by one-third (1/3) of the members presented to the Secretary of the Association. Notice of any special meeting shall state the time and place of such meeting and the purposes thereof. No business shall be transacted at a special meeting except as stated in the notice.

Section 4. It shall be the duty of the Secretary (or other Association officer in the Secretary's absence) to serve a notice of each annual or special meeting, stating the purpose thereof as well as the time and place where it is to be held, upon each member of record, at least ten (10) days but not more than sixty (60) days prior to such meeting. The mailing, postage prepaid, of a notice of meeting to the residential address of the member, as set forth in the files and records of the Association, shall be

deemed notice served. Any member may, by written waiver of notice signed by such co-owner, waive such notice, and such waiver, when filed in the records of the Association shall be deemed due notice.

Section 5. The presence in person or by proxy of thirty percent (30%) in number of the members qualified to vote shall constitute a quorum for holding a meeting of the members, except for voting on questions specifically required herein to require a greater quorum. The written vote of any person furnished at or prior to any duly called meeting at which meeting said person is not otherwise present in person or by proxy shall be counted in determining the presence of a quorum with respect to the questions upon which the vote is cast.

Section 6. If any meeting of members cannot be held because a quorum is not in attendance, the members who are present may adjourn the meeting to a time not less than forty-eight (48) hours from the time the original meeting was called.

Section 7. The order of business at all meetings of the members shall be as follows: (a) roll call to determine the voting power represented at the meeting; (b) proof of notice of meeting or waiver of notice; (c) reading of minutes of preceding meeting; (d) reports of officers; (e) reports of committees; (f) appointment of inspectors of election (at annual meetings or special meetings held for the purpose of election Directors or officers); (g) election of Directors (at annual meetings or special meetings held for such purpose); (h) unfinished business; and (i) new business. Meetings of members shall be chaired by the most senior officer of the Association present at such meeting. For purposes of this section, the order of seniority of officer shall be President, Vice President, Secretary, and Treasurer.

Section 8. Any action which may be taken at a meeting of the members (except for the election or removal of Directors) may be taken without a meeting by written ballot of the members. Ballots shall be solicited in the same manner as provided in Section 4 for the giving of notice of meetings of members. Such solicitations shall specify: (a) the number of responses needed to meet the quorum requirements; (b) the percentage of approvals necessary to approve the action; and (c) the time by which the ballots must be received in order to be counted. The form of written ballot shall afford an opportunity to specify a choice between approval and disapproval of each matter and shall provide that, where the member specifies a choice, the vote shall be cast in accordance therewith. Approval by written ballot shall be constituted by receipt, within the time period specified in the solicitation, of (i) a number of ballots which equals or exceeds the quorum which would be required if the action were taken at a meeting; and (ii) a number of approvals which equals or exceeds the number of votes which would be required for approval if the action were taken at a meeting at which the total number of votes cast was the same as the total number of ballots cast.

Section 9. The transactions at any meeting of members, either annual or special, however called and noticed, shall be as valid as though made at a meeting duly held after regular call and notice if a quorum is

present either in person or by proxy and if, either before or after the meeting, each of the members not present in person or by proxy signs a written waiver of notice or a consent to the holding of such meeting or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the corporate records or made a part of the minutes of the meeting.

Section 10. Minutes or a similar record of the proceeding of meetings of members, when signed by the President or the Secretary, shall be presumed truthfully to evidence the matters set forth therein. A recitation in the minutes of any such meetings that notice of the meeting was properly given shall be prima facie evidence that such notice was given.

Section 11. A member who is delinquent in the payment of assessments under the Declaration of Restrictions shall not be entitled to vote at any Association meeting and his/her vote shall not be counted in establishing the quorum for any meeting of the Association.

ARTICLE III.

BOARD OF DIRECTORS

Section 1. The affairs of the Association shall be governed by the Board of Directors all of whom must be members. No more than one director may be elected among the owners of any parcel in the Subdivision. Directors shall serve without compensation.

Section 2. The first Board of Directors designated by the incorporators shall be composed of three (3) persons and such first Board of Directors shall manage the affairs of the Association until a successor Board of Directors is elected at the first meeting of the members of the Association convened at the time required by Article II, Section 2 of these By-Laws. At such first meeting of members of the Association, three (3) directors shall be elected for staggered terms of office. The term of office of two (2) directors shall be fixed at two (2) years. The term of office of one (1) director shall be fixed at one (1) year. The terms of office shall be assigned based upon the number of votes received by each director. At the expirations of the initial term of office of each respective director, his/her successor shall be elected to serve a term of two (2) years. The directors shall hold office until their successors have been elected and hold their first meeting.

Section 3. The Board of Directors shall have all powers and duties necessary for the administration of the affairs of the Association and may do all such acts and things as are not by law, the Articles of Incorporation, or these By-Laws prohibited or directed to be exercised and done by the members.

Section 4. In addition to the foregoing duties imposed by these By-Laws or any further duties which may be imposed by resolution of the members, the Board of Directors shall be responsible specifically for the following:

- (a) To manage and administer the affairs of and to maintain Brooklane Ridge Subdivision, a residential platted subdivision (hereinafter called the "Subdivision");
- (b) To levy and collect assessments against and from the members of the Association and to use the proceeds thereof for the purposes of the Association, as set forth in the Declaration of Restrictions, to enforce assessments through liens and foreclosure proceedings when appropriate, and to impose late charges for nonpayment of assessments;
- (c) To carry insurance and to collect and allocate the proceeds thereof;
- (d) To rebuild improvements to the common areas after casualty;
- (e) To contract for and employ persons, firms or corporations to assist in the management, operation, maintenance, and administration of said Subdivision;
- (f) To make reasonable rules and regulations governing the use and enjoyment of the Subdivision by members and their tenants, guests, employees, invitees, families and pets and to enforce such rules and regulations by all legal methods, including, without limitation, imposing fines and late payment charges, or instituting eviction or legal proceedings;
- (g) To own, maintain and improve, and to buy, sell, convey, assign, mortgage, or lease (as landlord or tenant) any real and personal property, or any interest therein, including, but not limited to, any lot in the Subdivision, any easements or licenses or any other real property, whether or not contiguous to the Subdivision, for the purpose of providing benefit to the members of the Association and in furtherance of any other the purposes of the Association;
- (h) To enforce the provisions of the Declaration of Restrictions of the Subdivision and of these Articles of Incorporation and such By-Laws and Rules and Regulations of the Association as may hereafter be adopted;
- (i) To do anything required of or permitted to it as Administrator of said Subdivision by the Declaration of Restrictions, as from time to time amended;
- (j) To make and perform any contract necessary, incidental or convenient to the administration, management, maintenance, repair, replacement, and operation of said Subdivision and to the accomplishment of any of the purposes thereof.

Section 5. The Board of Directors may make, and amend from time to time, regulations respecting the use of the private parks and such other regulations as are necessary for the maintenance, repair and improvement

of said private parks. Copies of all such regulations and amendments thereto shall be furnished to all members and shall become effective thirty (30) days after mailing or delivery thereof to the designated voting representative of each member. Any such regulation or amendment may be revoked at any time by the affirmative vote of more than fifty percent (50%) of all members in number.

Section 6. Vacancies in the Board of Directors caused by any reason other than the removal of a director by a vote of the members shall be filled by vote of the majority of the remaining directors, even though they may constitute less than a quorum. Each person so elected shall be director until a successor is elected at the next annual meeting of the members.

Section 7. At any regular or special meeting of the Association duly called with due notice of the removal action proposed to be taken, any one or more of the directors may be removed with or without cause by the affirmative vote of more than forty percent (40%) in number of all of the members and a successor may then and there be elected to fill any vacancy thus created. The quorum requirement for the purposes of filling such vacancy shall be the normal forty percent (40%) requirement set forth in Article II, Section 5. Any director whose removal has been proposed by the members shall be given an opportunity to be heard at the meeting.

Section 8. The first meeting of a newly elected Board of Directors shall be held within ten (10) days of election at such place as shall be fixed by the directors at the meeting at which such directors were elected, and no notice shall be necessary to the newly elected directors in order legally to constitute such meeting, providing a majority of the whole board shall be present.

Section 9. Regular meetings of the Board of Directors may be held at such times and places as shall be determined from time to time by a majority of the directors, but at least two such meetings shall be held during each fiscal year. All members shall be advised in advance of the two required regularly scheduled meetings of the Board of Directors in the same manner as the Directors are advised of any additional regular meetings that are to be held. Notice of regular meetings of the Board of Directors shall be given to each director, personally, by mail, telephone or telecopy, at least ten (10) days prior to the date named for such meeting.

Section 10. Special Meetings of the Board of Directors may be called by the President on three (3) days notice to each director, given personally, by mail, telephone or telecopy, which notice shall state the time, place and purpose of the meeting. Special meetings of the Board of Directors shall be called by the President or Secretary in like manner and on like notice on the written request of two directors.

Section 11. Before or at any meeting of the Board of Directors, any director may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a director at any meetings of the Board shall be deemed a waiver of notice by him of the time and place thereof. If all the directors are present at any

meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

Section 12. At all meetings of the Board of Directors, a majority of the directors shall constitute a quorum for the transaction of business, and the acts of the majority of the directors present at a meeting at which a quorum is present shall be the acts of the Board of Directors. If at any meeting of the Board of Directors, there be less than a quorum present the majority of those present may adjourn the meeting from time to time. At any such adjourned meeting, any business which might have been transacted at the meeting as originally called may be transacted without further notice. The joinder of a director in the action of a meeting by signing and concurring in the minutes thereof shall constitute the presence of such director for purposes of determining a quorum.

Section 13. The Board of Directors shall provide written notice of the planned budget and associated annual dues assessment to each member no later than thirty (30) days prior to the beginning of each fiscal year of the Association, although the failure to deliver a copy of the budget to each member shall not affect or in any way diminish the liability of the member for any existing or future assessments. An annual assessment may not be increased or decreased by more than 10% of the annual assessment for the preceding year without the assent of two-thirds (2/3) of the votes of members who are then entitled, voting in person or proxy at a meeting duly called for that purpose.

Section 14. Street Trees - The following rules and regulations shall apply effective immediately:

(a) Maintenance – the homeowner is responsible for all street tree maintenance, such as fertilizing, insecticide treatments and trimming;

(b) Notice – in the event that a street tree is overgrown, damaged, diseased, dead or dying and is deemed by the Association to require maintenance or replacement, the homeowner shall be given written notice including the Association's maintenance or replacement tree costs, and given thirty (30) days to either provide a written contract to have the tree maintained or replaced with an approved replacement tree within sixty (60) days in the growing season (defined as April 1st through November 1st) or agree to allow the Association to maintain or replace the tree;

(c) Replacements by Association – the homeowner shall be assessed \$300 per tree or sixty percent (60%) of the replacement cost (whichever is greater), and shall be provided an approved replacement tree of at least three inch (3") caliper. The Association shall manage a list of acceptable replacement trees and required tree locations. Homeowners wishing to add, remove, replace or move a street tree for any reason must obtain written approval from the Association Board of Directors prior to doing so;

(d) Replacements by Homeowners – homeowners who were notified to replace street trees, but chose to replace street trees on their own shall be granted a credit for tree costs exceeding sixty percent (60%) of the Association's replacement cost; the credit shall not exceed forty percent (40%) of the Association's replacement cost. Homeowners requesting a credit must provide a paid receipt within ninety (90) days of installation. The Association may defer

homeowner credits in part or in whole over the three (3) years after the tree was planted, as deemed appropriate by the Association;

(e) Additional Remedies – In addition to any other remedies provided within the Declarations of Restrictions, and amendments thereto, or under applicable law, after providing thirty (30) days notice, the Association has the right to enter upon any lot within the Subdivision and perform maintenance and/or replacement of street trees, as deemed necessary by the Association. The Association shall be entitled to recover the costs, expenses and/or damages from the lot owner including the reasonable costs incurred to enforce this provision, including, recording fees and attorney fees. The rights of the Association contained herein shall not create an obligation on the Association to perform the obligations of the lot owner who is violating the provisions herein.

Section 15. Sidewalk Rules & Regulations – the following rules and regulations shall apply effective immediately:

- (a) Installation – each lot (including vacant and lots under construction) is required to have a concrete sidewalk across the entire width of the front of the lot, and on the side of the lot for corner lots, which shall be of a size and location as directed and approved by the Association so as to be uniform throughout the Subdivision and connected to adjoining lots' sidewalks. The Association shall have the right (but not the duty) to enter upon any lot within the Subdivision and install a sidewalk, when the sidewalk as determined by the Association, does not meet the provisions herein, which shall be done at the lot owner's expense. The Association shall be entitled to recover the costs, expenses and/or damages from the violating lot owner including reasonable costs incurred to enforce this provision, including, recording fees and attorney fees;
- (b) Maintenance – each lot owner is required to provide basic maintenance for the sidewalk on their lot, this shall include snow removal and/or salting, as weather requires. The Association may review sidewalks periodically and may repair or replace the sidewalk as needed or as directed by Northville Township to have the sidewalk maintained in a good, safe and attractive condition. In the event that a sidewalk is determined by the Association to require repair or replacement, the homeowner shall be assessed \$50 per section or twenty five (25%) of the repair and/or replacement cost (whichever is greater), and the Association shall provide sidewalk repairs and/or replacement, unless the Association deems the sidewalk conditions and/or damage was done by the neglect or abuse of the lot owner, in which case the Association shall be entitled to recover the costs, expenses and/or damages from the violating lot owner including reasonable costs incurred to enforce this provision, including, recording fees and attorney fees;
- (c) Additional Remedies – in addition to any other remedies provided within the Declaration of Restrictions, and amendments thereto, or under applicable law, the Association shall have the right to enter upon any lot within the Subdivision and install, repair or replace sidewalk, when the sidewalk as determined by the Association is not in a condition as required by the provisions herein. The Association shall be entitled to recover the costs, expenses and/or damages from the violating lot owner including the reasonable costs incurred to enforce this provision, including, recording fees and attorney fees. The rights of the Association contained herein shall not create an obligation on the Association to

perform the obligations of the lot owner who is violating the provisions herein.

Section 16. Mailbox Rules & Regulations – ‘Mailbox’ as defined herein shall pertain to all parts of the mailbox system, including: the post, support beams, inner metal box, outer decorative housing, and newsletter slot. The owner of the mailbox is the lot owner for which the mailbox provides mail service for, independent of where the mailbox may actually be located. In cases where common mailbox parts (posts and support beams) are shared amongst several lot owners, the affected lot owners shall bear an equal share of any responsibility and/or costs. The following rules and regulations shall apply effective immediately:

- (a) Installation – each lot owner is required to have a mailbox installed per the approved post office plan, within thirty (30) days of occupancy. Mailboxes shall be of a size, shape, color and construction as approved by the Association so as to be uniform throughout the Subdivision;
- (b) Maintenance – each lot owner is required to provide basic maintenance for their respective mailbox; this shall include caulking, cleaning, and the basic repairs and/or adjustments to maintain functionality. The Association may review mailboxes periodically and may perform maintenance including painting to have the mailboxes maintained in a good and attractive condition. The costs and expenses of mailbox painting shall be borne by the Association, unless the Association deems the mailbox condition was caused by the neglect or abuse of the lot owner, in which case the Association shall be entitled to recover the costs, expenses and/or damages from the lot owner;
- (c) Repair and Replacement – the Association shall have the right to repair and/or replace a mailbox, when the mailbox as determined by the Association, does not meet the provisions herein. In the event that a mailbox is determined by the Association to require repair or replacement, the lot owner shall be assessed \$25 or twenty five percent (25%) of the repair and/or replacement cost (whichever is greater), and the Association shall provide mailbox repairs and/or a replacement mailbox in part or in whole, unless the Association deems the mailbox condition and/or damage was done by the neglect or abuse of the lot owner, in which case the Association shall be entitled to recover all costs, expenses and/or damages from the lot owner;
- (d) End of Useful Life – with the assent of two-thirds (2/3) of the votes of members who are then entitled, voting in person or proxy at a meeting duly called for that purpose, the Association may declare the end of an existing mailbox’s useful life for the Subdivision as a whole, and subsequently order replacement mailboxes (of a similar or entirely new design) for the entire Subdivision. Any new design shall be reviewed with the members, and approved with the assent of two-thirds (2/3) of the votes of members who are then entitled, voting in person or proxy at a meeting duly called for that purpose. The Association shall recover all costs and expenses for new mailboxes via a special assessment shared equally by all lot owners;
- (e) Additional Remedies – In addition to any other remedies provided within the Declaration of Restrictions, and amendments thereto, or under applicable law, the Association shall have the right to enter upon any lot within the Subdivision and install, maintain, repair or replace a mailbox,

when the mailbox as determined by the Association is not in a condition as required by the provisions herein. The Association shall be entitled to recover the costs, expenses and/or fees identified above from the lot owner including the reasonable costs incurred to enforce this provision, including, recording fees and attorney fees. The rights of the Association contained herein shall not create an obligation on the Association to perform the obligations of a lot owner who is violating the provisions herein.

ARTICLE IV.

OFFICERS

Section 1. The principal officers of the Association shall be a President who shall be a member of the Board of Directors, a Vice President, a Secretary and a Treasurer, all of whom shall serve without compensation. The directors may appoint an assistant Treasurer, and an assistant Secretary, and such other officer as in their judgement may be necessary. Any two officers except that of President, Vice President and Secretary may be helped by one person.

Section 2. The officers of the Association shall be elected annually by the Board of Directors at the organizational meeting of each new Board and shall hold office at the pleasure of the Board.

Section 3. Upon an affirmative vote of a majority of the members of the Board of Directors, any officer may be removed either with or without cause, and his/her successor elected at any regular meeting of the Board of Directors, or at any special meeting of the Board called for such purpose. No such removal action may be taken, however, unless the matter shall have been included in the notice of such meeting. The officer who is proposed to be removed shall be given an opportunity to be heard at the meeting.

Section 4. The President shall be the chief executive officer of the Association. He/She shall preside at all meetings of the Association and of the Board of Directors. He/She shall have all of the general powers and duties which are usually vested in the office of the President of an association, including but not limited to the power to appoint committees from among the members from time to time as he/she may in his/her discretion deem appropriate to assist in the conduct of the affairs of the Association.

Section 5. The Vice President shall take the place of the president and perform his/her duties whenever the President shall be absent or unable to act. If neither the President nor the Vice President is able to act, the Board of Directors shall appoint some other member of the Board to fill in on an interim basis. The Vice President shall also perform such other duties as shall from time to time be imposed upon him/her by the Board of Directors.

Section 6. The Secretary shall keep the minutes of all meetings of the Board of Directors and the minutes of all meeting of the members of the Association; he/she shall have charge of such books and papers as the Board of Directors may direct; and he/she shall, in general, perform all duties incident to the office of the Secretary.

Section 7. The Treasurer shall have responsibility for Association funds and securities and shall be responsible for keeping full and accurate accounts of all receipts and disbursements in books belonging to the Association. He/She shall be responsible for the deposit of all monies and other valuable effects in the name and to the credit, of the Association, in such depositories as may from time to time be designated by the Board of Directors.

Section 8. The officers shall have such other duties, powers and responsibilities as shall, from time to time, be authorized by the Board of Directors.

ARTICLE V.

OBLIGATIONS OF THE MEMBERS

Members shall not make any modification or alteration to the private parks of the Association without having previous written approval of the Board of Directors.

ARTICLE VI.

FINANCE

Section 1. The fiscal year of the Association shall be a calendar year, commencing January 1 of each year and ending December 31. The commencement date of the fiscal year shall be subject to change by the Board for accounting reasons or other good cause.

Section 2. The funds of the Association shall be deposited in such bank as may be designated by the Board of Directors, shall be withdrawn only upon the check or order of such officers, employees or agents as are designated by resolution of the Board from time to time, and shall be handled in accordance with the Declaration of Restrictions and these By-Laws. The funds may be invested from time to time in accounts or deposit certificates of such bank or savings association savings as are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation and may also be invested in interest-bearing obligations of the United States Government.

ARTICLE VII.

INDEMNIFICATION OF DIRECTORS, OFFICERS, COMMITTEE MEMBERS, EMPLOYEES, AND AGENTS

Every director, officer, committee member, employee, and agent of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him/her in connection with any proceeding to which he/she may be a party, or in which he/she may become involved, by reason of his/her being or having been a director, officer, committee member, employee, and agent of the Association, whether or not he/she is a director, officer, committee member, employee, or agent at the time such expenses are incurred, except in such cases wherein the director, officer, committee member, employee, and agent is adjudged guilty of willful misfeasance or malfeasance, willful and wanton misconduct or gross negligence in the performance of his/her duties; provided, that, in the event of any claim for reimbursement or indemnification hereunder based upon a settlement by the director, officer, committee member, employee, or agent seeking such reimbursement or indemnification, the indemnification herein shall only apply if the Board of Directors (with the director seeking reimbursement abstaining) approves such reimbursement as being in the best interest of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such director, officer, committee member, employee, or agent may be entitled. Ten (10) days written notice of any proposed action by the Association to indemnify a director, officer, committee member, employee, or agent shall be given to all members. Further, the Board of Directors is authorized to carry directors' and officers' liability insurance covering acts of the directors, officers, committee members, employees, or agents of the Association in such amounts as it shall deem appropriate.

ARTICLE VIII.

COLLECTION OF ASSESSMENTS AND CHARGES

Section 1. Assessments shall be due at such times established by the Board of Directors, either quarterly or annually. All other charges for services rendered by the Association shall be due when billed.

Section 2. The Board of Directors shall establish a procedure for collection of delinquent assessments and charges, and shall set a schedule of actions to be taken and a penalty fee for each action. These penalty fees shall approximate the actual costs to the Association, so the additional expense incurred in the collection of delinquent assessments will be borne by the delinquent members and not by all members. This procedure shall be reviewed and updated periodically to reflect changing conditions and expenses.

Section 3. Assessments and charges in default shall bear an interest rate of not less than seven percent (7%) per annum. The Board of Directors shall be authorized to approve an interest rate surcharge. The interest rate and interest rate surcharge combined, applying to delinquent

accounts, shall not exceed the limit set by usury laws of the State of Michigan. The interest charges shall be compounded monthly on the unpaid balance of all delinquent accounts.

ARTICLE IX.

AMENDMENTS

Section 1. These By-Laws may be amended by the Association at a duly constituted meeting for such purpose, by an affirmative vote of at least 60% of members.

Section 2. Amendments to these By-Laws may be proposed by the Board of Directors of the Association acting upon the vote of the majority of the Directors or by one-third (1/3) or more in number of the members whether meeting as members or by an instrument in writing signed by them.

Section 3. Upon any such amendment being proposed, a meeting for consideration of the same shall be duly called in accordance with the provision of Article II of these By-Laws.

Section 4. At any meeting held to consider such amendment or amendments to these By-Laws, the written vote of any members shall be recognized if such member is not in attendance at such meeting or represented thereat by proxy, provided such written vote is delivered to the Secretary of the Association at or prior to such meeting.

ARTICLE X.

VIOLATION PROCEDURE

Section 1. The Board of Directors of the Association shall enforce the Declaration of Restrictions and these By-Laws in a fair and impartial manner.

Section 2. Violations of the Declaration of Restrictions by any member, and/or resident of record, shall be brought to the attention of the Board of Directors in writing signed by the complainant, except in cases of emergency.

Section 3. The Board of Directors shall send a letter to the member, and/or resident of record, citing the violation and the remedial action necessary.

Section 4. If remedial action or compliance has not taken place within thirty (30) days, the member, and/or resident of record, shall be given the opportunity to meet with the Board of Directors to discuss the reason for non-compliance.

Section 5. This meeting shall take place at the next regularly scheduled Board of Directors meeting; or at a designated time set by the

Board of Directors or upon written request of the member and/or resident of record.

Section 6. If the issue has not been resolved, with the foregoing steps, the Board of Directors shall refer the matter to its attorney. The Board of Directors shall notify the member, and/or resident of record, by mail of the action taken by it.

Section 7. All attorney fees and costs incurred in enforcing the Declaration of Restrictions will be charged to the owner of the parcel involved in the violation.

Section 8. Any officer of the Association shall be empowered to act as agent to enforce and implement the decision of the Board of Directors, as necessary.