

CONSTITUTION and BY LAWS
of the
PINE MOUNTAIN LAND OWNERS ASSOCIATION

PREAMBLE: The owners of the lots of Phase II, Spring City Rancheros (sheets 1-6 amended plat) and Sky-Hi have expressed a desire to organize and act co-operatively in the operation and use of their respective properties and to cooperate in the respect to be shown to his or her neighbor's properties. For this purpose we have founded this Association to help in the organization of such efforts to meet problems that may occur and to limit, as much as possible, any one individual's commitment.

It is the desire of this Association to protect, assist, provide, and in any way make the occupation of this subdivision a most pleasant experience.

ARTICLE I OVERVIEW

SECTION I: The name of the Association shall be: "Pine Mountain Land Owners Association", herein referred to as the Association.

SECTION II: The purpose of the Association shall be as follows:

- (a) To provide security and protection of the properties involved.
- (b) To provide for the maintenance of all roads owned by the Association. Land owners causing any damage to the roads, will be fully responsible for restoring the damaged section of road to meet Association standards and may require a signed approval from an Association board member. Any work done by a land owner on the road must first receive approval from said board member.
- (c) To provide information for water and power to all subscribers
- (d) To provide, as much as possible, a measure of fire protection and prevention.
- (e) To maintain an atmosphere of friendly relations between the lot owners; between the lot owners and the neighboring communities, and between the lot owners and City, County, and State organizations.
- (f) To establish general rules of safety and courtesy regarding the use of intermediary properties where necessary.
- (g) To maintain and enhance the natural beauty of the area.

ARTICLE II MEMBERSHIP

SECTION III: Irrespective of the number of legally recorded owners for any given lot within the subdivision, there is only one voting voice for the specific lot owner or group of owners. If an individual or group of individuals own more than one lot, that individual or group of individuals, still only have one voting vote during the conducting of any association business.

In order to participate in the business and voting of the association, the member(s) must be in good standing with the association. The term, *in good standing*, refers to the member's dues and fees being paid in full and there not being any unresolved disciplinary actions between said owner(s) and the Association.

ARTICLE III DUES

SECTION IV: The dues for each membership shall be fixed at \$100.00 per member per year, payable June 1st of each year. To change the membership dues it will require a board meeting of the trustees to discuss the necessities and passed by majority vote at the annual membership meeting.

SECTION V: An independent tax accounting of the funds of the Association shall be held each year with records available to membership.

SECTION VI: Members who are delinquent in payment of dues shall not be entitled to vote and, in time, as determined by the Board of Directors, such delinquent dues shall become a lien against their property and/or the authority to collect such dues may be placed with a collection agency.

SECTION VII: The Association shall be a non-profit, non-political, non-racial, non-sectarian organization.

ARTICLE IV: OFFICERS

SECTION VIII: The Association members shall hold each and every officer or committee member harmless and shall provide any and all protection to each and every officer or committee member in the prudent and well meaning actions and decisions of any officer or committee member, while fulfilling the duties of the official assignment for and in behalf of the Association, pertaining to the well being of the Association and its members. If any officer or committee member intentionally acts outside of the prescribed assignment with the intent of causing harm to the Association or its members, then such officer or committee member automatically releases themselves from any such protection and will solely hold the responsibility of his or her actions to the Association, its members, and officers.

SECTION IX: The formal governing body of the Association shall consist of not more than Seven (7) directors, with five (5) directors forming a Quorum; from which the President and Vice-President shall be selected. The Board shall then appoint a Secretary- Treasurer, or a Secretary and a Treasurer. Other board members may be given specific responsibilities to direct association needs or projects. The Board may also appoint sub-committees, as required, for specific projects.

SECTION X: Any officer may be replaced by a majority vote of trustees when due cause is presented and he or she is notified in writing. A temporary replacement is to occur immediately and for the duration of the term. Then a replacement would need to be elected at annual membership meeting.

SECTION XI: A member of the Board of Directors can succeed himself or herself, by popular vote at the annual membership meeting.

SECTION XII: The Board of Directors shall meet each year immediately following the annual election to form committees for the function of the Association.

ARTICLE V MEETINGS

SECTION XIII: The annual meeting of all members of the Association shall be held on the second Saturday of each June at a time and place selected by the Board of Directors. General voting happens during this meeting and the majority vote of those present will carry the business issue or election of a board member(s). **Members who are unable to attend the annual meeting may send proxy voting authority to any one member with a notarized copy of such document to be delivered to the Board of Directors prior to any voting.**

SECTION XIV: The Board of Directors shall meet immediately following the general annual meeting as noted in Article III, Section XI and at any other time the Board of Directors may deem a meeting necessary for the proper function of the Association.

SECTION XV: All minutes taken at the Board of Directors meetings and the annual meeting can be obtained upon request. The cost for providing the board meeting minutes to any association member will be paid from the yearly due's fund.

SECTION XVI: The meetings shall be conducted in a fair and orderly fashion.

ARTICLE VI: AMENDMENTS

SECTION XVII: This Constitution and by-laws can be amended in whole, or in part, at any General Annual Meeting by popular vote, including proxy votes of members not in attendance. All proposals for changes and amendments must be forwarded to each voting member of the Association 30 days in advance of the annual meeting in which that change or amendment is to be voted upon. The Association board members, as a quorum, have the authority to make additions or

changes to the Association By-laws as a need requires. These additions or changes will then be voted on by the Association membership at the annual meeting for the permanent adoption of said additions or changes.

ARTICLE VII: COMMITTEES

SECTION XVIII: All committees formed for the function of the Association shall meet at their own convenience, and each Chairman of each Committee is responsible for informing the President of the Association of the results of said meeting. The President of the Association will forward such information to the Secretary for inclusion in annual letter to membership

SECTION XIX: Any person appointed to a committee must refuse, in writing, if he or she desires not to serve thereby precluding any misunderstanding of their intent.

ARTICLE VIII: REGULATIONS

SECTION XX: All recreational vehicle dwelling units defined as travel trailers, 5th wheel trailers, or motor homes, may be on the owner's property within the Association for no longer than 210 days per calendar year and then must be removed from said property, unless protected as described in SECTION XXV. Disciplinary action by the Association may be taken upon violation of this regulation which may include the removal of the travel trailer, 5th wheel trailer, or motor home dwelling unit, by the Association, at the land owner's expense.

SECTION XXI: Land owners causing any damage to the roads owned by the Association will be fully responsible for restoring the damaged section of road to meet Association standards and may require a signed approval from an Association board member before work is commenced on the road and after the restoration is complete. Any immediate and further repair or maintenance required by the association and not completed by the land owner to stabilize the area disturbed by the land owner will be at the land owner's expense and enforced by the Association.

SECTION XXII: All electricity supply lines will be installed underground unless otherwise approved by the Association board.

SECTION XXIII: Violation of Association membership requirements and/or regulations with the intent of not correcting the violation in a timely and approved manner may bring some disciplinary action against said owner(s), by the Association, potentially in the form of monetary damages to the amount of the cost of making the required correction(s) and any collection agency fees, if required, in order to collect such funds.

SECTION XXIV: All the costs of legal action, including attorney fees, required to be taken by the Association towards an Association member who has made it known that said owner(s) is/are not going to comply with Association requirements and regulations shall be the entire responsibility of said property owner(s).

SECTION XXV: With the written approval and submission of the proposed construction of at least two board members, a land owner(s) may have the right to construct a permanent pavilion on their property for the purpose of covering their recreational vehicle. The request and drawing must be approved by the board members prior to any construction. Non compliance gives the association the right to demand removal of the structure. See SECTIONS XXIII and XXIV.

The pavilion must be constructed in such a manner to withstand the snow loads as prescribed by county snow load requirements. The pavilion's purpose is to protect the recreational vehicle from snow load damage. The recreational vehicle(s) must be maintained to be mobile at all times.

Recreational vehicles damaged by the weather (snow loads, etc.) must be removed from the association property, by the land owner, as soon as the weather permits. If proper action is not taken by the land owner in this matter, it will be deemed a violation and SECTIONS XXIII and XXIV will apply.

(March 25, 1980) (Revised October 19, 2002) (Revised August 2004) (Revised March 5, 2010)

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