

Mt Holly Preserve Community Association
P.O. Box 110
Amelia, OH 45102-0110

June 5, 2005

[illegible]

Re: Community Bylaws Lot: «Lot» Phase: «Phase»

On June 17th a Community Meeting has been scheduled to vote on the amended Bylaws for the community. Attached is a copy of the amended Bylaws.

After an attorney review of the Covenants and Restrictions, it was determined that the Covenants do not contain any provision for the Community or the Association to allow deviations, nor do they provide the Association a means of review of the Community, or a means of arbitration for the community. The Bylaws have been modified to be in harmony with the Covenants.

To make sure everyone is clear, the Covenants specifically state, any owner may be pursued legally by any other owner(s), at both parties own expense, for violation of the Covenants and Restrictions.

The Board has heard complaints of violations of sections 2, 9, & 10 of the Covenants and Restrictions in the past. The Board has no control over this.

The Board recognizes that this is a major change in the Bylaws. Please come to the meeting prepared to voice any opinions. As a community, we can plan to update the Covenants and Restriction in 2010, or possibly sooner, based on Community input. Some ideas we may also want to consider is an Architectural Review Committee and / or increasing the minimum square footage of future primary structures to be consistent with the Phase I averages. The current Covenants only address the initial plans to be approved by the “Owner”, they do not address approval of modifications to the primary structure.

Please use the Community meetings as a forum to discuss community matters. Please respect the privacy of the Board members outside of these Community Meetings. Remember, the U.S. Mail and Community meetings are the official means to communicate to the Board.

All documents are available at: <http://www.MtHollyPreserve.org>

Thanks You,
The Board of Mt. Holly Preserve

BYLAWS OF THE MOUNT HOLLY PRESERVE COMMUNITY ASSOCIATION

PREAMBLE

The Mount Holly Preserve Community Association fully acknowledges the existence of the Declaration of Covenants and Restrictions (C & R) for Mount Holly Preserve and the mandate for compliance of each home / property owner.

ARTICLE I - NAME

This organization shall be known as the Mount Holly Preserve Community Association (“Community” or “MHPCA” for short), a non-profit organization organized and existing under the laws of the State of Ohio.

ARTICLE II - OBJECTIVES

The objectives of this Community shall be without particular priority:

Section 1: To actively promote and improve safety within the Community;

Section 2: To maintain an attractive and appealing neighborhood through regular maintenance and improvement of areas visually impacting on the entire community;

Section 3: To foster and encourage the beautification of individual property;

Section 4: To foster effective measures and communications in order to ensure public services (street maintenance, utility service, et al) within the Community are high quality; and

Section 5: To promote harmony within the Community and sponsor efforts and activities in order to achieve this.

ARTICLE III - ELIGIBILITY

Each home / property owner in Mount Holly Preserve is an automatic member of the Community with the payment of dues being a determining factor in the extent of membership status and the Community participation permitted.

ARTICLE IV - MEMBERSHIP

Section 1: All members of MHPCA are subject to annual and / or any special dues as approved by the Community members.

Section 2: The following are the tiers of membership in MHPCA:

Active Members: All home / lot owners, as named on the properties deed (or mortgage?), whose dues are paid in full. These members are eligible to vote (One vote per household or lot with a maximum of five votes if the owner owns more than five lots). Active members will be afforded full privileges of participation in all MHPCA functions.

Inactive Members: Members whose current or past dues have not been paid. These members are not eligible to vote, hold office or participate in any MHPCA functions.

ARTICLE V - NOMINATION / ELECTION OF OFFICIALS

Section 1: The officials of MHPCA will consist of a five member Board of Directors (board) and a three member Supervisory Committee. These officials will be elected annually. The officials must be Active Members.

Section 2: Thirty days prior to the Annual Membership meeting, the board shall appoint a Nominating Committee consisting of three members of the Community. The purpose of the Committee is to obtain and submit at least one nomination for each of the elected board and committee membership vacancies.

Section 3: The term of office for each official is one year, commencing on the first day following the annual membership election.

Section 4: Vacancies on the board or committee shall be filled by the remaining board members with the appointee holding office for the remainder of the unexpired term. In the event there are an insufficient number of nominees for the Committee, the Board members may be appointed by the Board to fill those vacancies. Only the President of the Board may reside on more than one Committee.

Section 5: No more than one member of a household may serve as an official for any given term.

ARTICLE VI - MEETINGS

Section 1: Annual meeting of the membership of the Community will be held in September for the purpose of receiving reports from the board and committee; for establishing programs and inputting ideas for the furtherance of the objectives of MHPCA; for conducting any other business that may arise; and for the election of the MHPCA officials. A simple majority of voting members present shall be considered sufficient to transact business at this meeting.

Section 2: Special meetings of the Community shall be called by the board upon receipt of a written request of twenty active members of the MHPCA. At least one week notice shall be given of the special meeting and only that business specified in the call may be transacted. The board shall have the authorization to call special meetings of the Community whenever it deems necessary.

Section 3: Regular and special meetings of the Board of Directors shall be held as needed. The president of the board shall call a meeting after providing at least seven days notice of time and place.

Section 4: The majority of the Board of Directors or Committee shall constitute a quorum at any meeting.

Section 5: If a quorum, at any meeting, does not exist, the Board may opt for voting by sealed proxy ballot, or deferred to another meeting. The Board will be responsible for the counting of the proxy ballots.

ARTICLE VII - FEES AND DUES

Section 1: The fiscal year of the Community shall be January 1 through December 31. The annual budget shall cover the fiscal year and shall be prepared on the projection of dues collected for the coming fiscal year.

Section 2: The initial annual dues shall be thirty dollars (\$30.00) per home / lot owner with a maximum assessment fifty dollars (\$150.00) where multiple properties are owned. Henceforth, future dues shall be established by the members at the annual meeting. All dues are payable within 30 days of notice. Delinquent dues shall be assessed interest at a 12 percent annual rate. Dues are to be mailed to MHPCA, PO Box 110, Amelia, OH 45102.

Section 3: The MHPCA may assess special dues as the occasion merits with the approval of the voting members present at a meeting.

Section 4: Members who are delinquent on their dues may be pursued per the procedure outlined in Section 15 of the Declaration of Covenants and Restrictions.

ARTICLE VIII - BOARD OF DIRECTORS

Section 1: The board shall perform the duties prescribed in these bylaws and in other related documents. The board shall consist of five members (president, vice-president, treasurer, secretary, and director).

Section 2: The president shall be the chief executive officer and the official spokesperson of the MHPCA and shall have general supervision of the affairs of the Community. The president shall preside at all meetings of the board and members. He/she shall have the power to appoint committees to address matters involving the affairs of the Community. The president shall cosign with the treasurer all checks, notes, and other written instruments, except for meeting minutes. All minutes will be signed by the president and secretary. The vice-president will fulfill the duties and responsibilities of the president in her / his absence.

Section 3: The treasurer shall have charge of the receipt, deposit, and disbursement of all Community funds. Disbursements require a cosigner as specified in Section 2. Funds are to be maintained in the name of MHPCA and disbursements shall only be made as directed by the board. The treasurer shall maintain proper accounting and records of all involved activities. The treasurer shall provide written / oral reports to the board and members as directed by the board.

Section 4: The secretary shall be ex-officio, Secretary of the Board of Directors. She / he shall record the votes and keep the minutes of all board and members' meetings in a book kept for that purpose and ensure the minutes are properly signed. The secretary shall also maintain all other records, correspondence and documents of the Community. The secretary shall maintain all records pertaining to the registration of MHPCA members.

He / she shall also notify officers and committee chairpersons of votes, orders and proceedings affecting or pertaining to their duties.

ARTICLE IX - SUPERVISORY COMMITTEE

Section 1: The supervisory committee shall consist of three elected officials. A chair and secretary will be established by the committee and so inform the board secretary.

Section 2: This committee shall act as the internal auditors of the MHPCA. Sufficient oversight shall be provided through periodic audits, reviews and investigations to ensure that all MHPCA records, funds handling, and policies are following sound practices and complying with written and unwritten mandates of the Community.

Section 3: By unanimous vote, the supervisory committee may suspend until the next meeting of the members any elected director or committee member. In the event of any such suspension, the supervisory committee must call a special meeting of the members to act upon the suspension which meeting must be held not fewer than seven nor more than 14 days after the suspension. The chair of the supervisory committee acts as the chair of the membership meeting unless the members select another person.

ARTICLE X - PARLIAMENTARY AUTHORITY

The rules contained in Robert's Rules of Order Revised shall govern this organization if not specifically addressed within these bylaws.

ARTICLE XI - REMOVAL

Section 1: Any Committee member may be suspended pending review, from office, with or without cause, by the Board.

Section 2: Any Board member may be removed from office by a majority vote of the members of the Community.

ARTICLE XII - NOTICES AND DEMANDS

Section 1: Any notice by the Board or by the Officers to a Member shall be deemed to be duly given, and any demand upon him / her shall be deemed by him / her to have been duly made, if delivered in writing to him / her personally, or if mailed by first class mail, postage prepaid, addressed to him / her at the Lot address, and any notice by a Member to the Association shall be deemed to have been duly made, if in writing and delivered to an Officer of the Association.

ARTICLE XIII - AMENDMENTS

Section 1: These bylaws may be amended at any annual or special meeting of the Community called for that purpose. The amendment(s) shall be approved by a simple majority of the members present at the meeting. Notice of change shall be made available to the members one week in advance of the meeting.

Section 2: Unless otherwise provided prior to its adoption or in the motion to adopt, an amendment shall become effective upon adjournment of the meeting at which it is adopted.

ARTICLE XIV - INDEMNIFICATION

Section 1: Indemnification shall be per the Additional Provisions outlined within the Articles of Incorporation.

Amended - Preliminary 5-26-05
