

# LINCOLNSHIRE EAST ASSOCIATION

## BY-LAWS

(REVISED OCTOBER 5, 1999)

### ARTICLE I ORGANIZATION

A non-profit, non-political organization to be known as the Lincolnshire East Association.

### ARTICLE II OBJECTIVES

The objectives and purposes of the Lincolnshire East Association shall be as follows:

- a. To foster, protect and promote the development of a desirable residential community.
- b. To advance the interests of the membership in person and property.
- c. To take preventive action on all items detrimental to the membership and/or community.

### ARTICLE III AREA

The geographical limitations covering the interests of this association shall be that area in the City of Farmington Hills known as the Lincolnshire East Subdivision.

### ARTICLE IV MEMBERSHIP

1. The membership of this association shall consist of:
  - a. Active members - Home owners actually residing within the geographical boundaries as outlined in Article III. Owners of residential property within the area but residing elsewhere will also be considered as active members.
  - b. Associate members - Residents, renting or leasing in the area.
  - c. Membership current - On payment of annual dues.
2. Associate members shall not be entitled to hold office in the Association.
3. Each adult whose name (maximum of two (2)) appears on the membership card shall carry a voting membership.

ARTICLE V

DUES

1. The dues of each household shall be seventy five (75) dollars per year, payable in advance. Two members from each household will be considered as Active Members.

2. The dues of the Associate Members shall be seventy five (75) dollars per year, payable in advance.

3. Dues for the calendar year are collectible as of January 1.

4. Any member whose dues remain unpaid at the time of the annual election shall be ineligible to vote at the annual meeting.

5. Those moving into the subdivision between January 1 and September 30, shall be assessed the full annual dues if the dues have not already been paid by the previous homeowner. Those moving into the subdivision between October 1 and December 31 shall be considered as members of the Association with all rights and privileges including voting rights on any matter which may properly come before the general membership between October 1 and December 31.

ARTICLE VI

1. The Officers of the Association shall consist of the following:

- a. President
- b. Vice-President
- c. Secretary - Recording
- d. Secretary - Corresponding
- e. Treasurer

2. The Executive Council of this organization shall consist of five (5) officers and four (4) trustees.

3. The five (5) Officers and three (3) Trustees shall be elected annually by the membership of the Association at its annual meeting on the first Tuesday of October and shall hold their respective offices for a period of one (1) year, beginning at the time of their election and continuing until their successors are elected and have qualified, unless previously removed by the Association. The fourth Trustee shall be the immediate Past-President, however, if the President is re-elected or is elected to another office, then the fourth Trustee shall be elected at the meeting.

4. Not later than August 1 of each year, the President shall appoint a nominating committee whose duty shall be to select nominees for the five Officers and three Trustees. The nominating committee shall report their selections at a special meeting of the Association to be held on or before the second Tuesday of September of each year.

5. In addition to persons nominated by the nominating committee, nominations for any office may be made by mailing a letter of intent, signed by five (5) members, to the Executive Council prior to the August meeting. Further nominations may be made from the floor at the time of the Special Nominating Meeting.

6. Elections will be held at the Annual Meeting on the first Tuesday in October and shall be by secret ballot. A majority vote of the members voting shall be required to elect. All ties will be decided by drawing lots. Ballots will be distributed to each person on the voting membership list prior to the Annual Meeting and in sufficient time to complete them and turn them over to the Election Inspectors, or they can be deposited in the ballot box at the Annual Meeting.

7. With the exception of the Secretaries, terms of Officers and Trustees are limited to 2 consecutive years in the same capacity unless no other nominations are received.

ARTICLE VII  
DUTIES AND AUTHORITY OF OFFICERS AND TRUSTEES

PRESIDENT

1. Shall preside at all meetings of the Association.

2. Shall appoint all standing and Special Committees including but not limited to those outlined in Appendix A attached hereto and made a part of these by-laws, and shall be an ex-officio member of such committee.

3. Shall call meetings of the Executive Council, and/or membership at such times as he may deem necessary.

4. Shall call special meetings of the Executive Council and/or the membership at the written request of not less than four members of the Executive Council.

5. Shall be his duty to carry out the will of the Council and the Association as expressed at their respective meetings and in general to conduct the affairs of the Association in a manner consistent with the authority and responsibility pertaining to his office.

## VICE-PRESIDENT

In the absence of the President, or in the event of his inability to act, the Vice-President shall discharge the duties of the President.

## RECORDING SECRETARY

The Recording Secretary shall attend all meetings of the Executive Council and the Association and shall keep a true and accurate record of the proceedings.

## CORRESPONDING SECRETARY

1. Shall carry on all the correspondence of the Association as instructed by the Executive Council, the President or the Association.
2. Shall give notice of all meetings of the Executive Council and/or the Association.

## TREASURER

1. Shall collect all monies due the Association and shall keep account of all monies received by and expended by or on behalf of the Association.
2. All expenditures shall be approved by the Executive Council and checks issued may be signed by any two of five officers.
3. The Executive Council is authorized to pay all utility bills and landscaping bills when they come due without prior approval of the membership.
4. The Treasurer shall keep a complete list of all members of the Association, their addresses and telephone numbers.
5. On leaving office, the Treasurer shall deliver to his successor all monies, books, papers, and other property belonging to the Association, which may then be in his possession or under his custody or control, and in the absence of, or for want of such successor, he shall deliver the same to the Recording Secretary.
6. In the case of the absence or the inability of the Treasurer to act, the Executive Council may authorize the President or any other one of the Officers of the Association to issue checks or perform such other duties of the Treasurer as may in the event become necessary. All books, papers and other property in the custody of the Treasurer shall be kept by

him in a safe place to be approved by the Executive Council. The Treasurer may at any time be required to give a bond in such sum as the Executive Council may deem advisable; the cost of such bond to be paid out of the funds of the Association. All monies of the Association shall be deposited in a bank approved by the Executive Council in the name of the Association. The Treasurer's accounts shall be audited annually and more often if deemed necessary by the Executive Council, by a competent auditor or committee, to be selected by the Executive Council.

7. The Treasurer shall prepare an annual report immediately after September 30 of each year and submit it to the Auditing Committee. The report is to cover the fiscal year, which is October 1 through September 30. This report is to be supported by proper records, bills, receipts, etc., and after being approved shall be read at the Annual Meeting.

#### TRUSTEES

Trustees shall attend all meetings of the Executive Council and represent the membership in a manner suitable to their office.

#### EXECUTIVE COUNCIL

1. It shall be the duty of the Executive Council to care for the property and interests of the Association and to determine policies for the conduct of its affairs. The Executive Council shall have the power to raise and expend funds to promote the welfare of the Association and to employ any and all lawful means it may deem proper and expedient to secure the objects unless specifically authorized by a majority of the membership present and voting at a meeting called for the purpose.

2. The Executive Council shall meet within the State of Michigan and may meet as often and at such times and places as the Council may deem advisable; provided, however, the Council must meet at least once every three (3) months.

3. The Executive Council is authorized and empowered to fill any vacancy which may occur on the Council until the next election of the Association, and is hereby authorized and empowered to fill any vacancy in office for the balance of the unexpired term so filled.

4. The immediate Past-President shall for one (1) year after expiration of his term of office as President, serve as the fourth (4th) Trustee and a member of the Executive Council.

5. All Officers and Trustees shall serve without compensation, but the Association or the Executive Council may provide from Association funds for the reimbursement of any necessary incidental expenses as may be properly incurred by the Officers or Trustees in the transaction of Association business.

6. Two-thirds (2/3) of the Executive Council, present in person, shall constitute a quorum at all called meetings of the Executive Council.

7. All Officers and Trustees shall have equal voting rights.

ARTICLE VIII  
MEETING OF THE ASSOCIATION

1. The Annual Meeting of the Association shall be held on the first (1st) Tuesday of October at such time and place within the State of Michigan as the Executive Council shall determine. Reports of the various officers and all committee chairmen for the year just ended shall be submitted to the membership at the Annual Meeting.

2. Special meetings of the Association may be called by the President or by a majority of the Council whenever they shall deem a meeting necessary or advisable. Special meetings shall also be called by the Secretary on the written request of not less than ten active members of the Association.

3. At the will of the President or of the majority of the Executive Council, a special vote of the Association or of the Executive Council may at any time be taken by a delivered ballot on any matter, without the formality of calling or assembling a special meeting; provided, however, that no proposition submitted to the Association in this manner shall carry without a majority vote of the members casting ballots.

4. Prerequisite to taking a vote under this section, the Secretary shall mail a written ballot to each member and/or to each Officer and Trustee, on each of which ballots shall be clearly stated the proposition or propositions to be voted upon and a distinct statement as to the date on or before which such ballots must be returned in order to be counted. Any decision made, as provided above, either by the Executive Council or by the Association, shall have the same force and effect as if enacted at a regularly convened meeting.

5. Notices of all meetings, both special and regular, shall be delivered to all members of the Association at least ten (10) days prior to the date of said meeting and shall set

forth the time and place thereof and the business to be transacted at such meeting.

ARTICLE IX  
MISCELLANEOUS

1. Fifteen members of the Association, in good standing, shall constitute a quorum for the transaction of business at any meeting of the Association, provided written notice of such meeting is given to all members.

2. The By-laws of the Association may be amended or repealed at any regular meeting of the Association provided, however, that such proposed amendment is made in writing and a notice of such amendment is given to all members by the Corresponding Secretary. The proposed amendment shall be read and voted on at the next regular meeting. Two-thirds of the votes cast shall be required for the adoption of any such amendment.

3. The Association may remove from office any Officer or Trustee whenever, in its judgment, the welfare of the Association requires such removal, provided that a statement signed by at least twenty (20) members in good standing, setting forth the intention to ask for such removal, shall be filed with the Secretary or with the President and shall be read by him at a stated meeting of the Association. Thirty (30) days after the reading of the removal request a special meeting of the Association shall be called to determine by secret ballot whether or not such removal shall be put into effect. An affirmative vote of at least 50% of the membership present shall be required for removal.

ARTICLE X  
RULES OF ORDER

1. All meetings of the Association and/or the Executive Council shall be conducted in accordance with the latest revised edition of Robert's Rules of Order.

2. The following order of business shall be observed in the conduct of such meetings:

- a. Call meeting to order
- b. Read minutes of the last regular or special meeting for approval.
- c. Reports of Officers and Committees.
- d. Elections (if Annual Meeting).
- e. Unfinished business.
- f. New business.
- g. Adjournment.

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APPENDIX A

1. Architectural Control.
2. Road Maintenance, Traffic and Safety.
3. Sanitation and Drainage.
4. Membership and Publicity.
5. Social.
6. Athletic Director.
7. Landscaping and Beautification.
8. Association Protection.

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