

BY-LAWS  
OF  
CAMERON CREEK COMMUNITY ASSOCIATION, INC.

ARTICLE I  
NAME AND LOCATION

The name of the Corporation is CAMERON CREEK COMMUNITY ASSOCIATION, INC, hereinafter referred to as the "Association." The mailing address of the Corporation shall be P.O. Box 383, New Haven, Indiana 46774. Meetings of owners and Directors may be held as such places within the State of Indiana as may be designated by the Board of Directors.

ARTICLE II

DEFINITIONS

Section 1. "Association" shall refer to CAMERON CREEK COMMUNITY ASSOCIATION, INC., its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Articles of Incorporation of the Association and the Subdivisions thereof which will be platted from time to time in the Plat Records of Allen County, Indiana, together with the Protective Restrictions, Covenants and Limitations appended thereto.

Section 3. "Common Area" shall mean all real property either owned by the Association or located within the Properties for common use and enjoyment of the owners.

Section 4. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision plat of the Properties with the exception of the Common Area.

Sections 5. "Owner" (Class A in the Restrictive Covenants) shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including owner of Tracts in Cameron Chase, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 6. Any reference to gender, as in "he", "his", or "him" shall mean a person of either gender.

Section 7. "Restrictive Covenants" shall mean and refer to the Protective Restrictions, Covenants, Limitations and Easements applicable to the various Subdivisions of the Properties appended to the plats of such Subdivisions as shown in the records of the Office of the Recorder of Allen County, Indiana.

Section 8. "Director" shall mean and refer to the duly elected members of the Board of Directors, which assumed the powers of the Developer (Class B in the Restrictive Covenants), of each Incorporated Association representing each of the Subdivisions of the Properties entitled to membership as provided in the Restrictive Covenants.

### ARTICLE III MEETINGS OF OWNERS / DIRECTORS

Section 1. Annual Meeting. The first Annual meeting of the owners and Directors shall be held within one year from the date of incorporation of the association, and each subsequent regular Annual meeting shall be held no later than February 15 of each year at 7:00 p.m.

Section 2. Special Meetings. Special meetings of the owners and Directors may be called at any time by the President of the Board of Directors, or upon written request of one fourth (1/4) the owners entitled to cast votes.

Section 3. Notice of Meetings. Written notice of each Annual meeting of the owners and Directors shall be given in the Association newsletter and shall be posted on the community sign at the front entrance at least 15 days before such meeting. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting. If the topic of the meeting includes assessments, at least 30 days notice shall be given.

Section 4. Quorum. The presence at the Annual meeting of one-tenth (1/10) of all owners entitled to cast, or of proxies entitled to cast, votes shall constitute a quorum for any action except as otherwise provided in the Article of Incorporation, the Restrictive Covenants, or these By-Laws. If however, such shall not be present or represented at any meeting from time to time without notice other than announcement at the meeting, the meeting may be continued until a quorum as aforesaid shall be present or represented.

Section 5. Proxies. At all meetings of owners and Directors, each may vote in person or by proxy. All proxies shall be in writing and filed with the Secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the owner of his Lot.

Section 1.

### ARTICLE IV BOARD OF DIRECTORS; SELECTION; TERMS OF OFFICE

Section 1. Number. The affairs of the Association shall be managed by a Board of Directors, which shall be made up of not less than three (3) and not more than fifteen (15) Directors.

Section 2. Terms of Office. Directors shall be elected for terms of one (1) year.

Section 3. Removal. Any Director may be removed from the board, with or without cause, by a majority vote of the Directors of the Association. In the event of death, resignation or removal of a Director, his successor shall be selected by the Board of Directors, and such successor shall serve for the unexpired term of his predecessor. No Director removed from his Directorship may be reappointed.

Section 4. Compensation. No Director shall receive compensation for any service he may render the Association. However, any Director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 5. Action Taken Without A Meeting. The Directors shall have the right to take any action, which could be taken at a meeting, in the absence of a meeting by obtaining the written approval of all Directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

ARTICLE V  
NOMINATION AND ELECTION OF DIRECTORS.

Section 1. Nomination. All owners who wish to present themselves as a candidate or to nominate another owner for a position on the Board of Directors must inform the Secretary of the Board by January 5 of each year. The list of candidates will be distributed to all owners by 30 days before the Annual meeting. Nominations may also be made from the floor at the Annual meeting.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. At such election, the owners or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Article of Incorporation. The person receiving the largest number of votes shall be elected.

ARTICLE VI  
MEETINGS OF DIRECTORS

Section 1. Regular meetings. Regular meetings of the Board of Directors shall be held four times a year without notice, at such place and hour as may be fixed from time to time by resolution of the board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday

Section 2. Special meetings. Special meetings of the Board of Directors shall be held when called by the President of the Association or by any two (2) Directors, after no less than three (3) days notice to each Director.

Section 3. Quorum. A majority of the number of Directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

ARTICLE VII  
POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directors shall have the power to:

- A. Adopt and publish rules and regulations governing the use of the Common Area and facilities and the personal conduct of the owners and their guests thereon, and to establish penalties for the infraction thereof;
- B. Suspend the right to vote, the right to bring business before the board or any committees, and the right to use the recreational facilities of a owner during any period in which such owner shall be in default of the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for an infraction of published rules and regulations;
- C. Exercise for the Association all powers, duties, and authority vested in or delegated to this Association and not reserved to the owners by other provisions of the these By-Laws, the Articles of Incorporation, or the Restrictive Covenants;
- D. Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent for three consecutive regular meetings of the Board of Directors; and
- E. Employ an independent contractor, a manager, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties. It shall be the duty of the Board of Directors to:

- A. Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the owners at the Annual meeting of the owners and Directors , or at any special meeting when such statement is requested in writing by one-fourth (1/4) of the owners who are entitled to vote;
- B. Supervise all officers, agents and employees of this Association, and see that their duties are properly performed;
- C. Accept fee simple title in the name of the Association as grantee to the commons and Recreation Areas at such time as a warranty deed for same is delivered and agree to pay any real estate taxes on said areas commencing with the installment due and after date of delivery of said deed;
- D. Cause payment to be made, when due, for the electrical power supply required for the illumination of the streets and Common and Recreational Areas contained within the Properties;
- E. Cause payment to be made, when due, for the electrical power supply required for the illumination of the streets and Common and Recreational Areas contained within the Properties;
- F. Cause the Common and Recreational Areas to be properly maintained;
- G. Fix the amount of the annual assessment against each Lot and Tract at least thirty (30) days in advance of each annual assessment period;
- H. Send written notice of each assessment to every owner subject thereto at least thirty (30) days in advance of each annual assessment period.;
- I. Refer for legal action any property for which assessments are not paid according to the assessment policy as outlined in Article XI.
- J. Issues or cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment;
- K. Procure and maintain adequate liability and hazard insurance on property owned by the Association;
- L. Cause all officer or employees having fiscal responsibilities to be bonded, as it may deem appropriate;
- M. Cause all of the Restrictive Covenants for any Section of Association to be adhered to and enforced.
- N. Obtain the permission of the Board of Directors for any expense over \$25.00. This may be done through e-mail notification, the decision to be made by a majority vote of the Board. The names and votes of all Directors who participate is to be reported to the Secretary, to be recorded in the minutes of the next meeting.

## ARTICLE VIII OFFICERS AND THEIR DUTIES

Section 1. Offices. The Officers of this Association shall be President and a Vice-President who shall at all times be members of the Board of Directors, a Secretary and a Treasurer, and such other officers as the board may from time to time by resolution create.

Section 2.     Nomination and Election of Officers. All who wish to present themselves as a candidate or to nominate another person for an officer position on the Board of Directors must inform the Secretary of the Board by January 5 of each year. The list of candidates will be distributed to the current Board of Directors and all candidates one week before the Annual meeting. The election of officers shall take place at the first meeting of the Board of Directors immediately following the conclusion of the Annual meeting of the owners and Directors. Any write-in candidates shall be added to the ballot.

Section 3.     Term. Each officer of this Association shall be elected annually by the Board and shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise be disqualified to serve.

Section 4.     Special Appointments. The board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the board may from time to time determine.

Section 5.     Resignation and Removal. Any officer may be removed from office with or without cause by a vote of 2/3 of the Board. Any officer may resign at any time by giving written notice to the board, the President or the Secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6.     Vacancies. A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

Section 7.     Multiple Offices. The offices of Secretary and Treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to Section 4 of this Article.

Section 8.     The duties of the officers are as follows:

A.     President. The President may delegate these duties to other Directors. The President shall:

1.     preside at all meetings of the Board of Directors;
2.     represent the association at public events;
3.     see that orders and resolutions of the Board are carried out;
4.     sign all written instruments;
5.     co-sign all checks and promissory notes.

B.     Vice-President. The Vice-President shall:

1.     assist the President in all aspects of the position, including chairing meetings and representing the association at public events;
2.     be consistently informed about all major issues;
3.     serve as President when the President is absent or unable to serve;
4.     exercise and discharge such other duties as may be required of him by the Board.

C.     Secretary. This position may be held by one person.

1.     The Recording Secretary shall:

- a.     ensure that minutes of the Board of Directors are properly recorded including time and place of meeting, names of the Board members present, purpose of any special meetings and record the activities and motions of the meeting;
- b.     oversee, prepare and maintain official Association records of:
  - (1) the agenda, to be prepared by the template and from input received from committees and Directors, and distributed 5 days prior to the meeting;
  - (2) minutes and actions;

- c. serve notice of meetings of the Board and of the members;
  - d. perform such other duties as required by the Board.
- 2. The Administrative Secretary shall:
  - a. oversee, prepare and maintain official Association records of:
    - (1) Association owner lists;
    - (2) Articles of Incorporation, Restrictive Covenants, ByLaws;
    - (3) policies and procedures;
    - (4) signatory list.
  - b. perform such other duties as required by the Board.
- D. Treasurer. The Treasurer shall:
  - 1. receive and deposit in appropriate bank accounts all monies of the Association;
  - 2. disburse such funds as directed by resolution of the Board of Directors;
  - 3. sign all checks and promissory notes of the Association, keep proper books of account;
  - 4. cause an annual audit of the Association's books to be made by certified public accountant at the completion of each fiscal year;
  - 5. report all financial information to the Directors and the owners on a regular basis;
  - 6. prepare an annual budget and a statement of income and expenditures to be presented at its regular annual meeting, and provide a copy of each to the owners;
  - 7. prepare assessments and notices for payment of dues;
  - 8. notify and recommend to the Assessment Committee if legal action needs to be placed on delinquent accounts.;
  - 9. maintain a file of the following: financial audits; approved budgets; insurance policies, and contracts.

## ARTICLE IX COMMITTEES

The Board of Directors shall establish such committees as may be deemed appropriate in carrying out the purposes of the By-Laws, as prescribed in the Restrictive Covenants.

### Section 1. Membership and Procedures for committees.

- A. Membership of committees:
  - 1. The chair is to be appointed by the Board of Directors.
  - 2. Other members will be solicited either by the Board or the chair.
  - 3. At least one member is to be on the Board of Directors, as liaison.
- B. Procedures:
  - 1. Each committee is to provide a written report to the Board of Directors at every meeting, provided to the Secretary, and others as necessary.
  - 2. Each committee is to make recommendations to the Board of Directors for actions involving the designated area of responsibility. The chair is to obtain the approval of members of the committee in advance of this.
  - 3. For any items requiring a vote by the Board, each committee must: provide the proposal by e-mail at least one week before the meeting (Emergencies are obvious exceptions to this); bring copies of a short written summary of the proposal and an oral or written motion to the Board meetings.
    - a. The committee chair or a member presents the proposal, and debate commences.
    - b. The committee chair or member makes the motion for acceptance of the proposal.

4. Committee chairs may communicate directly with residents on matters relating to the duties of their respective committees.

Section 2. Architectural committee, composed of three owners.. The committee shall:

- A. Review all architectural control requests from homeowners and present them to Board of Directors for approval;
- B. Verify standards are in compliance with Restrictive Covenants;
- C. Maintain copies of all requests/approvals.

Section 3. Maintenance committee, composed of three or more owners including the Maintenance Director who serves on the Board. The committee shall:

- A. Accept bids for lake care, lawn care, landscaping and street light maintenance, and evaluate the bids to stay within the Annual Budget established by the Board of Directors;
- B. Make recommendations to the Board and owners regarding contracts pertaining to maintenance for approval;
- C. Be the contact person for communication with vendors for any issues with maintenance;
- D. Maintain common grounds including, but not limited to, the street lights, front entry, signage (solicitor signage, street signs), drainage, and sidewalks in common areas;
- E. Maintain records of maintenance;
- F. Consult the Maintenance Committee on the above.

Section 4. Financial committee.

- A. The Treasurer serves as chair.
- B. The committee members shall be Directors or owners with appropriate professional background and shall assist the Treasurer in areas including, but not limited to:
  1. assisting in preparation of the Annual Budget by collecting information and any recommendations from officers and committees for expenditures;
  2. assisting and advising the Treasurer on matters pertaining to the budget;
  3. assisting in sending out assessments.

Section 5. Assessment Committee, composed of two or more Directors. The committee shall:

- A. Advise the Treasurer on the establishment of the Assessment Policy, for recommendation to the Board of Directors;
- B. Advise the Treasurer on the enforcement issues relating to the Assessment Policy.

Section 6. Neighborhood Watch Committee. The committee is responsible for any activities relating to the security concerns of the association, including but not limited to:

- A. Acting as liaison with the New Haven Police Department.
- B. Acting as liaison with surrounding communities in matters involving security.
- C. Providing regular education information for the Association regarding security.
- D. Organizing activities such as the Halloween Booth.

Section 7. Welcoming committee, composed of three or more members. The committee is responsible for welcoming and informing new neighbors in the community by personally going to their homes, while also providing personal assistance in acquiring knowledge about our community's activities by providing helpful information and specific written guidelines. These include providing:

- A. A Welcome Card with all of the Committee members' contact information;

- B. A form so they may be added to the Directory, to be distributed only to the Board of Directors;
- C. The latest newsletter and calendar of events;
- D. The web address for the association, and a hard copy if no internet access is available, of Architectural Guidelines, ByLaws and Restrictive Covenants;
- E. Association dues information including the amount/due date and Treasurer's contact information;
- F. A special treat such as homemade bread or cookies.

Section 8. Complaint committee, composed of two Directors. The committee shall:

- A. Recommend to the Board of Directors the process for handling complaints, including the forms for communication with owners for those making complaints and those against whom complaints are being made;
- B. Investigate the validity of a complaint, when necessary;
- C. Communicate personally with owners regarding complaints, when necessary.

Section 9. Newsletter committee. The committee shall be responsible for creating, printing and distribution of quarterly newsletter in a timely and professional manner. In order to accomplish this, the following will be done:

- A. Collect information to be published;
- B. Provide draft copy to the Board of Directors for revision;
- C. Prepare copies for mailing or distribution.

## ARTICLE X BOOKS AND RECORDS

The book, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any owner. The Restrictive Covenants, the Articles of Incorporation and the By-Laws of the Association shall be available for inspection by any owner at the principle office of the Association where copies may be purchased at reasonable cost.

## ARTICLE XI ASSESSMENTS

Section 1. All association assessments must be postmarked on or before February 28<sup>th</sup> of each year.

Section 2. Any assessment not paid by the due date is subject to a late fee of \$25.00, the interest rate specified in the Restrictive Covenants plus associated administrative costs.

Section 3. Any owner, who has not paid their assessment after 90 days, will be turned over to an attorney for legal action. This will result in additional reasonable attorney fees for the owner.

Section 4. Any owner who has not paid by the due date will be considered a member not in good standing in the Association as outlined in Section 2.1.2 of the Restrictive Covenants. All voting rights and architectural approvals will be suspended. This will remain in effect until the assessment and late charges are paid.

Section 5. Unpaid late charges will be placed on the next annual assessment. After 2 unpaid late fees are incurred, the matter will be turned over to an attorney and accumulate additional fees.



Section 6. All returned checks will incur a \$25.00 service fee.

This policy will be reviewed annually.

## ARTICLE XII AMENDMENTS

Section 1. These By-Laws may be amended at a regular or special meeting of the owners and Directors by a vote of the majority of a quorum of owners present in person or by proxy; provided, however, the provisions herein relating to the Allen County Drainage board or its legal successor may not be amended without the consent of said Board or its legal successor.

Section 2. The case of any conflict between the Articles of Incorporation and these By-Laws, the Articles shall control; and in case of any conflict between Restrictive Covenants and these By-Laws, the Restrictive Covenants shall control.

## ARTICLE XIII ALLEN COUNTY DRAINAGE BOARD

The Association shall be bound by the rules and regulations, orders or mandates of the Allen County Drainage Board or its legal successor with respect to the maintenance of the Common or Recreational Areas within the Properties.