

**BYLAWS
of the
WINDCREST HOMEOWNERS ASSOCIATION**

**ARTICLE I
NAME**

The name of this nonprofit Corporation shall be the Windcrest Homeowners Association ("Association"). The mailing address of the Association is P.O. Box 57, South Lyon, Michigan, 48178

**ARTICLE II
PURPOSE**

The purpose of the Association is:

to uniformly administer and enforce the Declarations of Restrictions (See Attachment A),
to own, operate and maintain common properties,
to promote and assist in the developing of civic pride among the residents in Windcrest Subdivision, Green Oak Township, Livingston County, Michigan ("Windcrest Subdivision").
And to serve the general welfare of the residents of the Windcrest Subdivision, Green Oak Township, Livingston County, Michigan.

**ARTICLE III
MEMBERSHIP**

The membership ("Members") of this Association shall consist of the homeowners of the Windcrest Subdivision. See Attachment B, Plats of Windcrest Subdivision, including legal description.

**ARTICLE IV
DUES**

The annual dues of this Association shall be \$150.00 per year per household, payable on or before April 1st. Bills will be mailed on or before March 1st.

Failure to pay dues by April 15th will result in a late payment fee of \$10.00. A late notice will be mailed on April 16th. Failure to pay dues and late fee by May 15th will result in a lien being placed against the property. Any costs incurred by the Association in obtaining any lien shall be the responsibility of the Member to which the lien applies.

Additional funds for use by the Association may be obtained from such other resources, excluding assessments, as the Association may adopt from time to time. Special assessments may be made with majority vote of quorum.

**ARTICLE V
VOTING PROCEDURES**

Voting rights shall be limited to one vote per household of Members in good standing. Members in good standing shall be defined as those Members who have paid their dues and/or late fees in full prior to the start of a meeting in which a vote will be undertaken.

All voting, with the exception of election of Directors, will be conducted by show of hands, unless a secret ballot is requested by a simple majority of those present. Election of Directors will be conducted by majority vote unless more than one person is running for an office position wherein a secret ballot will be held.

Votes may be cast in person or by proxy. Proxies must be received by the Secretary of the Association forty-eight (48) hours prior to the meeting time. Proxies may be mailed or delivered to the Secretary's home address or to the address of the Association.

ARTICLE VI
ASSOCIATION MEETINGS

There shall be a minimum of one (1), with a maximum of three (3), regular Association meetings each year. The annual meeting will be the second Wednesday in May. Regular meetings will begin promptly at 7:00 P.M. and end no later than 9:00 P.M.

Members will be notified, in writing, of the time and location of the regular meetings at least fourteen (14) days in advance of all regular meetings.

The HOA will have copies of the budget for the current calendar year and a listing of the Association's Board of Directors' names, addresses and telephone numbers at the annual meeting.

Special meetings may be called by any two Directors. Members will be notified either by telephone or in writing, of the time, location, and purpose of the special meeting at least seven (7) days in advance of the special meeting.

ARTICLE VII
BOARD OF DIRECTORS' MEETINGS

There shall be a minimum of two (2) regular Board of Directors' meetings each year, one of which shall be held during the thirty (30) day period prior to the regular Association meetings. The time and location of each meeting will be mutually agreed upon. There shall be one annual Directors' meeting, which shall be held immediately following the annual Association meeting.

ARTICLE VIII
QUORUM

A quorum for Association meetings will be ten (10) Members. A quorum must be present within twenty (20) minutes of the scheduled starting time of the meeting.

A quorum for the Board of Directors' meetings will be a simple majority of the current Board of Directors. A quorum must be present with twenty (20) minutes of the scheduled starting time of the meeting.

In either case, if a quorum has not been met, no meeting or voting will take place and the meeting will be adjourned; unless approved by the Directors present at the meeting. If a meeting cannot be held because a quorum is not present, the meeting must be adjourned until not more than fourteen (14) days later. Once an adjourned meeting reconvenes, the quorum requirements shall be reduced to those Members or Directors present.

ARTICLE IX
BOARD OF DIRECTORS

The Association shall be managed by not less than five (5) and not more than seven (7) Directors.

The initial Board of Directors shall be appointed by the Incorporators and shall consist of seven (7) Directors who shall serve until their successors are elected at the annual Association meeting in May 1997.

All Directors will be elected for a one (1) year term. (Beginning on June 1st and ending on May 31st).

All Directors will be elected at the annual Association meeting held in May of each year.

All Directors shall serve until their successors are duly elected. Vacancies on the Board of Directors shall not be filled until the next annual Association meeting unless the number of Directors falls below five (5). A special Directors' meeting shall be called to fill vacancies in the event the Board of Directors falls to less than five (5) Directors. A simple majority vote of the remaining Directors shall be required to elect a replacement Director(s). Replacements on the Board of Directors shall be filled only to the extent to bring the number of Directors up to five (5). Any remaining vacancies shall remain so until the net annual Association meeting.

The Board of Directors will appoint Officers of the Association which will include a President, Vice President, Secretary and Treasurer and other Officers as it, from time to time, deems appropriate.

Directors must be homeowners and residents in Windcrest Subdivision. Directors shall receive no compensation.

ARTICLE X **OFFICERS**

There shall be a President, Vice President, Secretary, and Treasurer.

The Officers shall be elected by a simple majority vote of the Directors at the annual Directors' meeting which will be held directly after the annual Association meeting in May of each year.

Officers will be elected for a one (1) year term. (Beginning on June 1 and ending on May 31)

Officers must be homeowners and residents in the Windcrest Subdivision. Officers shall receive no compensation. Only Directors shall be elected as Officers.

Duties of the President shall include:

- presiding over all Directors' and Association meetings,
- co-signing all legal documents with Secretary
- and co-signing of checks with the Treasurer (over \$1200).

Duties of the Vice President shall include:

- Performing all duties of President in the President's absence

Duties of the Secretary shall include:

- keeping of all official Association records,
- co-sign all legal documents with President,
- making periodic visits to South Lyon post office for the purposes of retrieving mail from Association's mailbox or designating someone else to go if the Secretary is not available, preparing and distributing all meeting notices in accordance with these By-laws,
- acting as Resident Agent for corporation,
- overseeing the maintenance of an accurate and complete Member list

Duties of the Treasurer shall include:

- preparing and distributing all invoices for annual dues,
- receiving and depositing monies in the appropriate bank account,
- disbursing all monies as shall occur during the ordinary course of business,
- disbursing all monies as directed by Board of Directors' resolution,
- signs all checks excepting those over \$1200 those to be co-signed with the President,
- keeping proper books of account,
- and coordinating the preparation of the annual budget and other financial statements or reports as requested.

The Officers shall carry out any other duty or duties as the Board of Directors, from time to time, requests.

ARTICLE XI **COMMITTEES**

Committees shall be formed annually. Committee members will be appointed by the Directors in May of each year.

The standing committees of the Association shall be as follows: Communications, Welcome/Social, Architectural/Beautification, and such other committees as may be established by the Directors from time to time.

Each committee shall have at least three (3) members. One of the three (3) members will be appointed Chairperson by the committee members. Committee members must be residents of Windcrest Subdivision.

The duties of the Communications Committee shall include maintaining communications with the Members and/or residents of Windcrest Subdivision, presenting periodic status reports to the Directors, attend Directors' meeting as requested and any other activity as requested by the Directors. All Communications Committee activities must have prior Directors' approval.

The duties of the Welcome/Social Committee shall include coordinating social activities for the Members and/or residents of Windcrest Subdivision as requested, presenting periodic status reports to the Directors and any other activity as requested by the Director.

The duties of the Architectural/Beautification Committee shall include approving all structural changes to home in Windcrest Subdivision, overseeing the maintenance of common areas, presenting periodic status reports to the Board of Directors and any other activity as requested by the Board of Directors. Details of all proposed structural changes to any home in Windcrest Subdivision must be submitted to the Architectural/Beautification Committee for approval. All details should be submitted prior to the commencement of any work on the proposed changes. The Committee will respond within seven (7) days of receiving such details. All Architectural/Beautification Committee activities must have prior Directors' approval.

ARTICLE XII **FINANCIAL AND/OR CONTRACTUAL OBLIGATIONS**

All contracts must be presented to and approved by the entire Board of Directors prior to execution.

No Director, Officer, Association Member or resident of Windcrest Subdivision may obligate or contractually bind the Association to any expenditure which exceeds the then currently available Association funds. In the event such a situation arises, a detailed proposal must be presented to the Board of Directors during any regular or special Directors' meeting. After careful review of the proposal, the Directors will be required to vote on the proposal. A majority affirmative vote by the Directors is required before presenting the proposal to the Association at a regular or special Association meeting at which time a vote will be undertaken. A simple majority vote by the Members will determine what course of action will be rendered.

ARTICLE XIII **AMENDMENTS TO BYLAWS**

These Bylaws may be amended, altered, or changed in any way by the affirmative vote of a simple majority of the Directors at any regular or special Director's meeting.

ARTICLE XIV **SUBDIVISION DECLARATIONS OF RESTRICTIONS**

In the event a conflict ever arises between the Declarations of Restrictions (see Attachment A), the Articles of Incorporation and these Bylaws, the Declarations of Restrictions will take precedence over any conflict. The Declarations of Restrictions will take precedence over any future rule or regulation enacted by the Windcrest Homeowners Association.

ARTICLE XV **DEED RESTRICTION VIOLATIONS AND FINES**

Deed Restriction violations notifications will be issued to the homeowner identifying the nature of the violation. The first notification will carry no fine. Fines begin with the second and every subsequent violation period as follows:

Deed Restriction #8 - Fences – 30 days to remove. Second notice (60 days) creates a \$25 fine. Third notice (90 days) creates a \$50 fine. Fourth notice (120 days) creates a \$100 fine. Each subsequent 30 days creates an additional \$100 fine.

Deed Restriction #12 - Vehicle Storage – 7 days to remove. Second notice (14 days) creates a \$25 fine. Third notice (21 days) creates a \$50 fine. Fourth notice (28 days) creates a \$100 fine. Each subsequent 7 days creates an additional \$100 fine.

Deed Restriction #19 - Signs – 7 days to remove. Second notice (14 days) creates a \$25 fine. Third notice (21 days) creates a \$50 fine. Fourth notice (7 days) creates a \$100 fine. Each subsequent 7 days creates an additional \$100 fine.

Restriction	1st Notice	2nd Notice	3rd Notice	4th Notice	Subsequent Notices
FENCES	Warning to remove within 30 days	60 days; \$25 fine	90 Days \$50 fine	120 days \$100 fine	Additional \$100 fine each 30 days
Vehicle Storage:	Warning to remove within 7 days	14 days; \$25 fine	21 days; \$50 fine	28 days; \$100 fine	Additional \$100 fine each additional 7 days
SIGNS	Warning to remove within 7 days	14 days; \$25 fine	21 days; \$50 fine	28 days; \$100 fine	Additional \$100 fine each additional 7 days

Failure to pay the fines will result in a lien on the property.

Windcrest Homeowners Association Bylaws

May 11, 2016

/s/Patricia Mead, HOA Secretary