

Bylaws of Timberlake HOA, Inc.

Article I Purpose

These are the Bylaws of Timberlake HOA, Inc., a non-profit organization incorporated under the laws of the State of South Carolina. The business mailing address of Timberlake HOA, Inc. is 113 Timberlake Drive, Inman, S. C. 29349.

Article II Definitions

- 1) **The Corporation** shall mean and refer to Timberlake HOA, Inc., a Homeowners' Association comprised of home and land owners whose purpose is to own, maintain and regulate certain facilities within Timberlake Subdivision for social and recreational purposes; and to provide certain services and resources which benefit the Timberlake community.
- 2) **Member** or **Members** shall mean and refer to those persons entitled to membership in The Corporation as provided in Articles VI and VII of these bylaws.
- 3) **The Board** shall mean and refer to the Board of Directors of The Corporation as described in Article III.
- 4) **Officer** shall mean and refer to either the President, the Vice-President, the Treasurer, or the Secretary of The Corporation.
- 5) **Director** or **Directors** shall mean and refer to any or all members of The Board, including the Officers.
- 6) **Fiscal Year** shall refer to the fiscal year of The Corporation, and shall be from January 1 to December 31 of each calendar year.
- 7) **Lake 3** shall mean and refer to the private lake designated as **Timberlake** in the recorded plat attached to the Covenants and Restrictions, Section III, Timberlake Subdivision.

Article III The Board

Section 1

All members of the Board of Directors of the Corporation shall be Members and if any Director shall during his/her term in office cease to be a Member, his/her term shall be vacated immediately and a new Director shall be substituted in accordance with the provisions contained herein for the filling of vacancies.

- 1) The Board of Directors shall be the governing body of The Corporation and shall be elected from the membership of The Corporation.
- 2) The Board shall consist of seven (7) Members elected at each annual meeting and shall hold office for the term of one (1) year or until their successors are elected.

Section 3

- 1) The Board shall consist of seven (7) Directors, four (4) of which will also be Officers: President, Vice-President, Secretary and Treasurer with the remaining three (3) Directors: Maintenance Director, Social Director and Hospitality/Membership Director.
- 2) **President.** The President shall be elected at the annual meeting by the Members. He or she will be elected to serve both as the President and as a Director. He shall preside at all meetings of The Corporation and shall exercise general supervision and control over the affairs of The Corporation.
- 3) **Vice-President.** The Vice-President shall act in the place and stead of the President in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required by The Board.

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- 4) **Secretary.** The Secretary shall keep the minutes of The Corporation, shall have charge of the records of The Corporation, conduct the general correspondence of The Corporation and perform such other duties as required by The Board.
- 5) **Treasurer.** The Treasurer shall have charge of all moneys of The Corporation, and shall keep the accounts of The Corporation and report to The Board whenever called upon to do so by The Board. He or she shall pay all bills and accounts against The Corporation when properly authorized by The Board. All moneys of The Corporation shall be deposited in a designated bank or banks. All checks or other instruments shall be executed by the Treasurer or other Director as authorized by the President or the Board.
- 6) **Maintenance Director:** The Maintenance Director shall oversee activities related to the general maintenance and upkeep of common areas of the community. These activities include managing relationships with landscaping companies for properties owned by the association and organizing community maintenance activities with assistance of volunteers from the community. The director also is responsible for encoding and maintaining the locks for gated areas and reporting any maintenance issues to the Board.
- 7) **Social Director:** The Social Director shall plan, coordinate and/or delegate arrangements for various social activities, which may include the Annual Spaghetti Dinner, monthly Adults Night Out dinners, monthly Bunco Babes, Annual Picnic, special holiday events, and other applicable special events, for the participation, benefit, promotion of unity and interaction among the families of the Timberlake HOA. Information about those activities will be provided to the Board at monthly meetings and specifically to the Secretary for distribution and notification to the membership through the Timberlake Times newsletter and/or special e-mails.
- 8) **Hospitality/Membership Director:** The Hospitality/Membership Director will identify and visit new residents in Timberlake to welcome them, provide information about the HOA and to encourage membership. He/She will also provide information about new residents and contacts with them to the Board at regular monthly meetings. A Welcome Packet, consisting of a Timberlake Directory, which lists the By Laws and Covenants/Restrictions, and other community and local resources will also be provided to the new residents/members. Information about births, graduations, deaths, anniversaries, special announcements and other information will be requested from the membership, through the Timberlake Times Newsletter and then conveyed to the entire membership with the permission of the respective members. The Hospitality/Membership Director will directly and with the assistance of volunteers promote and solicit new and renewed memberships of residents of Timberlake on an annual and also "as needed" basis to increase the participation and involvement in the HOA.

Section 4

No Director of the Board shall incur any liability to any Member, owner or occupant for any actions taken by such Director in good faith and within the scope of his or her authority in implementing or enforcing any provision of these Bylaws and the Covenants and Restrictions.

Section 5

Any Director may be removed from the Board, with or without cause, by a two-thirds (2/3) majority of the Members that vote. In the event of the death, resignation or removal of a Director, his or her successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of the predecessor.

Section 6

A majority of the number of Directors shall constitute a quorum for the transaction of business. Every act done or decision 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.

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Article IV Meetings

Section 1

Regular meetings of The Board shall be held each month at such time and place as may be designated by the President.

Section 2

The Annual Meeting of The Corporation shall be held in December at a time and place to be designated by the President. Notice of time and place shall be given to all Members at least fifteen (15) days before said meeting. Each Member family will be entitled to one (1) vote.

Section 3

The Board may, upon their own motion, or shall, upon written request of ten (10) percent of the Members, call a special meeting of the Members by giving fifteen (15) days notice, by mail, to the last known post office address of each Member. The notice of special meetings shall state the object or objects for which it is called, and no other business shall come before the meeting.

Section 4

The President may call special meetings of the Members at any time, giving a fifteen (15) days notice by U. S. Postal mail.

Section 5

Quorum. A Quorum for a meeting of Members will be met if one-third (1/3) of the Members will be present or will have submitted proxies for the meeting.

Section 6

Proxies: At all meetings of Members, each Member may vote either in person or by proxy. All proxies shall be in writing, signed, dated and filed with the Secretary prior to the counting of the votes at the meeting. Any proxy shall be revocable and shall automatically cease to be valid if the respective Member(s) is present at the meeting and conveys this decision to the Board, prior to the counting of the votes.

Article V Committees

The President shall appoint, subject to approval of The Board, such committees as The Board may deem advisable. Each committee shall, from time to time, make and publish, subject to approval of The Board, such rules and regulations as may be deemed wise for the proper control, management and direction of the activities of The Corporation under its charge.

Article VI Membership

Section 1

Membership in The Corporation is voluntary and shall be extended to persons who own residential lots within the Timberlake Subdivision, and who are fully current in their dues and assessment obligations. A property owner who ceases to be an owner of a residential lot in Timberlake is no longer eligible for membership.

Section 2

In the event a member sells his or her residential lot, the membership is automatically transferred to new owner in The Corporation for the unexpired term of the membership.

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Section 3

Guests: The facilities of The Corporation are primarily for the pleasure of its Members. Guests that Members invite to the facilities should not inconvenience or unreasonably encroach upon Members' use and enjoyment. Since the Member is responsible for the conduct of the guest, the Member should accompany the guest whenever possible. Should the Member not be able to accompany the guest, the guest must be able to provide the name and phone number of the hosting member. Guests who cannot provide the requested information will be required to leave the facilities.

Section 4

At its sole discretion, The Board may extend an honorary membership to a person who has, in the opinion of The Board, made a significant contribution to the welfare of the Timberlake neighborhood. An honorary membership carries no voting privileges and will be reviewed annually by The Board.

Section 5

Conduct. Any member whose conduct, in the opinion of The Board, is detrimental to the welfare, interest or character of the Corporation, or whose conduct is in violation of the rules and regulations of The Corporation shall be notified in writing to appear before The Board who will take necessary corrective action. The Board may revoke a membership when a Member is in violation of rules and regulations.

Article VII Dues and Assessments

Section 1

The Board shall recommend the amount of dues and assessments for the proper operation of the facilities, but such recommendations must be approved by two-thirds (2/3) of the Members who vote before being enforced. Dues and assessments are non-refundable.

Section 2

If a resident property owner has allowed his or her membership to lapse, he or she may renew their membership by paying dues for the ensuing (current fiscal) year.

Section 3

New resident property owners may join the Timberlake HOA at any time during the current fiscal year. Membership Dues will be assessed on a pro-rated basis, beginning at ownership of Timberlake property for the remainder of that fiscal year.

Article VIII Rules and Regulations

Section 1

The only boats that will be permitted on Lake 3 are row boats, paddleboats, canoes, sailboats or any other electrically propelled boats. No gasoline motors shall be used. All boats used on Timberlake shall contain at least one life preserver for each occupant thereon.

Section 2

There shall be no housed or covered docks erected on Lake 3.

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Section 3

Docks, including walkways, shall not exceed 27 feet in length and 16 feet in width and walkways not less than four feet wide, and shall be made of salt treated timber, redwood or cypress, and shall be erected at least 10 feet from side property lines.

Section 4

Any swimming area shall not be deeper than two feet at shore line and shall have consistent fall until a depth of six feet is reached. There shall be no drop-offs or holes allowed inside the six-foot depth.

Section 5

No toilet facility shall be allowed to drain or empty into the lake waters or its tributaries. No person shall construct or allow to be constructed any septic tank or other sewage disposal nearer the lake shore than 50 feet. Each sewerage disposal unit shall be inspected by the State or County Board of Health before being closed and put into operation.

Section 6

All repairs and improvements to be made to the facilities of The Corporation shall be paid for by the Corporation from the treasury of The Corporation.

Section 7

In the event it shall be necessary to draw the water from the lakes for the purpose of improvements, this shall be done at the discretion of The Board.

Section 8

All flood lights or spot lights at the recreational facilities shall be extinguished by midnight.

Section 9

No hunting or shooting shall be permitted within The Corporation's facilities.

Section 10

No member shall take away from The Corporation grounds or buildings, any property belonging to The Corporation.

Section 11

Any member who causes the destruction, defacement, or injury of whatever nature to any Corporation property, or who is responsible for the same, or whose guest is responsible for same, shall pay the cost of repairing or replacing the said property, unless released from so doing by The Board.

Section 12

Any posted regulations on Corporation properties shall be observed.

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**Article IX
Amendments**

These Bylaws may be amended from time to time by a two-thirds (2/3) majority of the Members who vote at any meeting or by proxy thereof, provided that a notice of such meeting, the purpose thereof and the proposed amendments have been mailed to all members of The Corporation at least fifteen (15) days prior to such meeting.

**Article X
Dissolution**

In case of dissolution of The Corporation, no Member or group of Members will receive any benefits from the assets of The Corporation. Assets will be turned over to another eleemosynary corporation which itself is exempt from tax. This article is irrevocable.

April 28, 2002

**Article XI
Addendum**

Assets: The disposition of real assets (land) owned by The Corporation or the acquisition of real property by The Corporation must be approved by a two-thirds (2/3) majority of the Members who vote at any meeting or by proxy thereof, provided that a notice of such meeting, the purpose thereof and the proposed amendments have been mailed to all members of The Corporation at least fifteen (15) days prior to such meeting.

May 4, 2003