

**BY LAWS  
BEAVER GLEN ASSOCIATION, INC.**

**Article I  
NAME AND LOCATION**

The name of the corporation is Beaver Glen Association, Inc., hereinafter referred to as the "Association". The principal office of the corporation shall be 101 Club View Drive, Warner Robins, Georgia, but meetings of members and directors may be held at such places within the State of Georgia, County of Houston, as may be designated by the Board of Directors.

**Article II  
DEFINITIONS**

Section 1. "Association" shall mean and refer to Beaver Glen Association, Inc, its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

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

Section 4. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties with the exception of the common areas.

Section 5. "Owner" 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 contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 6. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the office of the Clerk of Houston Superior Court.

Section 7. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration of Covenants Beaver Glen Subdivision.

**Article III  
MEETING OF MEMBERS**

Section 1. Annual Meetings. The first annual meeting of the members was held June 10, 1974. Regular annual meetings of the members shall be held in January of each year.

Section 2. Special Meeting. Special meetings of the members may be called at any time by the President or by the Board of Directors, or upon written request of one fourth of the members who are entitled to vote:

Section 3. Notice of Meetings. Written notice of each meeting of the members shall be given by, or at the direction of, the Secretary or person authorized to call the meeting, by way of the Beaver Glen Newsletter. 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.

Section 4. Quorum. The presence at the meeting of members entitled to cast one-tenth (1/10) of the votes of the membership, shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these By-Laws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have the power to adjourn the meeting from time-to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

#### **Article IV BOARD OF DIRECTORS/SELECTION/TERM OF OFFICE**

Section 1. Number. The affairs of this Association shall be managed by a Board of nine (9) Directors, who must be members of the Association.

Section 2. Term of Office. At the annual meeting the members shall elect five (5) Directors one year and four (4) Directors the next year, each to serve a term of two years. By using staggered terms of office, the Board will be assured of continuity.

Section 3. Removal. Any director may be removed from the Board, with cause, by a majority of the entire membership of the Association at a called meeting. In the event of death, resignation or removal of a director, the successor shall be selected by the remaining members of the Board, and shall serve only until the next annual meeting.

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

Section 5. Action Taken Without a Meeting. The directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the approval of a majority of the 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. Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The nominating committee shall consist of a chairman, who shall be a member of the Board of Directors, and two or more members of the Association. The nominating committee shall be appointed by the Board of Directors prior to each annual meeting of the members, to serve until the close of the annual meeting. The nominating committee shall make as many nominations for election to the Board of Directors as it shall, in its discretion, determine, but not less than the number of vacancies that are to be filled.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. The persons 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 monthly at such place and hour as may be fixed from time to time by resolution of the Board.

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 five (9) directors.

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 members and their guests thereon, and to establish penalties for the infraction thereof;

B. Suspend the voting rights and right to use of the recreational facilities of a member during any period in which

such member shall be in default in 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 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 membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration;

D. Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent without prior coordination from three (3) consecutive regular meetings of the Board of Directors:

E. Employ a manager, an independent contractor, a lifeguard for the pool, or such other employees as they deem necessary, and to prescribe their duties;

F. To perform any and all lawful acts to promote the general welfare of the Beaver Glen Association, Inc.

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 which will be made available to members through publication of the Beaver Glen Newsletter;

B. Supervise all officers, agents and employees of this association and to see that their duties are properly performed;

C. As more fully provided in the Declaration to

1. Fix the amount of the annual assessment against each lot at least thirty (30) days in advance of each annual assessment period;

2. Send written notice of each assessment to every owner subject thereto, by any reasonable means adopted by the Board of Directors, at least thirty (30) days in advance of each annual assessment period; and

3. The Board of Directors, in its discretion, may foreclose the lien against any property for which assessments are not paid within thirty (30) days after due date or to bring an action at law against the owner personally obligated to pay the same. All collection expenses will be paid by the delinquent homeowner in addition to the basic assessment.

D. Procure and maintain adequate liability and hazard insurance on property owned by the Association;

E. Cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;

F Cause the common area to be maintained

**Article VIII**  
**OFFICERS AND THEIR DUTIES**

Section 1. Enumeration of Offices. The officers of this Association shall be a president, vice-president, secretary and treasurer who shall at all times be members of the Board of Directors and such other officers as the Board may create by resolution from time to time.

Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the members.

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

Section 4. Resignation and Removal. Any officer may be removed from office with cause by the Board. Any officer may resign at any time giving written notice to the Board. Such resignation shall take effect on the date of receipt of such notice or at any later date specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 5. Vacancies. A vacancy in any office shall be filled by a vote of the Board members.

Section 6. Multiple Offices. No person shall simultaneously hold more than one office. No person shall concurrently hold Board of Director membership with their spouse.

Section 7. Duties. The duties of the officers are as follows:

President

The President shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments. To assure continuity, the President will normally be elected from a member of the previous years Board.

### VICE-PERESIDENT

The Vice-President shall act in the place and stead of the President in the event of his/her absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required by the Board.

### Secretary

The Secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; publish foregoing information in the Beaver Glen Newsletter within fifteen (15) days following all such meetings; serve notice of meetings of the Board and of the members.

### Treasurer

The Treasurer, with the assistance of a professional accountant, shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; keep proper books of account; provide a monthly financial accounting of all expenditures for the Board. meeting; prepare an annual budget and a statement of income and expenditures to be published in the Beaver Glen Newsletter at the close of the fiscal year; keep appropriate current record showing the members of the Association together with their addresses

### Committees

The Association shall appoint an Architectural Control Committee, as provided in the Declaration, and a Nominating Committee, as provided in these By-Laws. In addition, the Board shall appoint other committees as deemed appropriate in carrying out its purpose. In each instance, a director will be designated by the Board to represent each designated committee.

### **Article XI ASSESSMENTS**

As more fully provided in the Declaration, each member is obligated to pay to the Association., annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of eight (8) percent per annum, and the Association may bring an action at law against the owner personally. obligated to pay the. same or foreclose the lien against the property. Interest,

costs and reasonable attorneys fees or collection fees of any such action shall be added to the amount of the assessment. No owner may waive or otherwise escape liability for the assessments provided for herein by nonuse of the common area or abandonment of his lot.

**Article XII**  
**AMENDMENTS**

Section 1. These By-Laws may be amended at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person.

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

**Article XIII**  
**MISCELLANEOUS**

The fiscal year of the Association shall begin on the first day of July and end on the 30th day of June of every year.

