

CARRSBROOK HOMEOWNERS ASSOCIATION, INCORPORATED

ARTICLE I

Name and Purpose

A. The name of the organization shall be the "Carrsbrook Homeowners Association, Incorporated"¹ (hereinafter the Association).

B. The purpose of the Association is

1. To promote good relations among the Carrsbrook lot owners, and the development of community interest in the beautification, improvement, and maintenance of the neighborhood;
2. To cooperate with the Carrsbrook Building Committees in the applications and enforcement of pertinent covenants and restrictions; and
3. To represent the lot owners before County and other governmental authorities with respect to zoning, enforcement of pertinent covenants and restrictions, improvement of services and utilities, and in community planning.

ARTICLE II

A. Any lot owner shall be eligible for membership and shall become a member in good standing upon payment of the annual dues. Where a lot is owned by more than one person, only one annual dues payment shall be required and all owners of such a lot shall be considered members in good standing for the year for which the annual dues are paid.

B. For purposes of membership, a lot owner shall be any person who is the legal owner of record of a lot in Carrsbrook. For such purpose, a lot in Carrsbrook shall mean any parcel designated in Sections A, B, C, D, and G, on Albemarle County Tax Map Sections 45B(1) and 45B(2), and zoned for residential use only. These lots are shown within the red boundary on a copy of these sections attached to these minutes on file with the Secretary.

C. There shall be one vote for each lot. Where a lot is owned by more than one person, only one shall be eligible to vote as representative of all owners of that lot.

D. Only a member in good standing shall be entitled to vote on questions before the membership. A vote may be cast in person, or,

1. By proxy delivered to the Chairman or Secretary before the meeting at which the vote is to be cast, or
2. By proxy voted personally by the holder thereof (who shall be a member in good standing) at the meeting at which the vote is to be cast.

E. The annual dues shall be established for each year by vote of the membership at the annual meeting. If no vote is taken, the annual dues for the next succeeding year shall be the same as the previous year.

F. A member in good standing who ceases to be a lot owner shall thereupon cease to be a member of the Association, and no part of any annual dues shall be refunded.

ARTICLE III

Meetings

A. The annual meeting of the members shall be held during the second week in April of each year at a time to be designated by the Executive Committee. The date, time, and place shall be included in the notice provided by Article V C 4.

B. Special meetings of the members may be called by the Chairman, or by a request in writing signed any ten members in good standing, or by a majority of the lot owners in a particular section, who are members in good standing.

C. A quorum shall consist of 25% of the members in good standing, and all questions (other than amendment of the by-laws) shall be decided by majority vote of a quorum. Procedure shall be governed by Roberts Rules of Order. The order of business shall be:

1. Call to order.
2. Roll call (the Secretary shall note and record the name of each member in good standing who is present in person or by proxy).
3. Determination of a quorum.
4. Reading and approval of minutes of previous meeting.

5. Unfinished business.
6. Reports.
7. New business.
8. Adjournment

D. A lot owner who pays annual dues for the coming year at the annual meeting before voting on any question, shall be considered a member in good standing.

ARTICLE IV

Officers

The officers of the Association shall consist of Chairman, a Vice-Chairman, a Secretary, a Treasurer, and a Neighborhood Watch Coordinator².

A. Nominations shall be made by a nominating committee appointed by the Chairman, and/or from the floor at the annual meeting. The slate of officers proposed by the Nominating Committee shall be distributed with the notice provided by Article V C 4.

B. Each officer shall be elected at each annual meeting, shall take office thereupon, and shall serve for one year, or until his or her successor is elected and takes office.

C. Any vacancy shall be filled by the Executive Committee and the successor shall serve out the unexpired term of the officer who vacated office.

D. At any special meeting called for that purpose, the Association may remove any officer and elect a successor.

E. Only members in good standing shall be eligible to serve as officers.

F. The officers of the Association shall serve as the Association's Board of Directors.

ARTICLE V

Duties of Officers

The duties of officers are as follows:

A. The Chairman shall:

1. Preside at all meetings:
2. Appoint all chairmen of committees⁴:
3. Represent the Association in its business relations with others, provided he cannot bind the Association, financially or otherwise, without proper authority supported by Resolution of the Association:
4. Carry out such other duties as he shall be directed by Resolution of the Association:
5. Be chairman of the Executive Committee.

B. The Vice-Chairman shall perform the duties of the Chairman, in the absence of the Chairman.

C. The Secretary shall:

1. Keep a record of the minutes of all meetings of the Association:
2. Attend to and keep a record of all correspondence of the Association:
3. In conjunction with the Treasurer, keep a record of the names and addresses of all members in good standing:
4. Notify all members in good standing of the time and place of each meeting not less than 7 days nor more than 20 days before the time set for each meeting:
5. Keep a record of all business transactions of the Association, except financial transactions:
6. Keep a record of the meetings of the Executive Committee.

D. The Treasurer shall:

1. Keep the financial accounts and records of the Association, and report same at the annual and other meetings and when called upon by the Chairman:

2. Collect dues assessed by the Association and, in conjunction with the Secretary, keep a record of all members in good standing, to include the the date and the amount paid by each such member;
3. Maintain the Association bank account and make disbursements for authorized expenditures. To be valid, all checks shall be signed by the Treasurer and, for any amount in excess of . \$100.00, countersigned by another officer. Arrangements to implement this limitation shall be made with the bank.

E. The Neighborhood Watch Coordinator shall:⁵

1. Lead in recruiting persons to serve as Block Captains;
2. Act as liaison between the Association and the Police Department;
3. Attend informational meetings held by the Police Department and disseminate information germane to the safety and welfare of Carrsbrook residents;
4. Make recommendations to the Association for enhancement of the safety and protection of its members and their property;
5. Assist the Association Secretary with the distribution of newsletters and other materials.⁵

ARTICLE VI

Committees

There shall be two types of committees, standing committees, which shall be permanent, and special committees which may be established by resolution of the Association for such purposes and duration as the Association shall determine to be appropriate. The Chairman also shall have the power to appoint other special committees on an ad hoc basis to assist him in the performance of his duties.

A. There shall be four standing committees, each of which, except the Executive Committee, shall consist of at least three members:

1. The Maintenance and Improvement Committee shall make plans and recommendations to the Association for the maintenance of roads, signs, utilities, and other facilities in the neighborhood and for the prevention of vandalism, for projects to beautify and improve the neighborhood, and shall arrange for the carrying out of such measures as the Association shall by resolution shall approve.
2. The Membership and Welcome Committee shall identify, call upon, and make welcome new lot owners who become residents of the neighborhood, and notify the Secretary and Treasurer of the name, address and telephone number of each new member.
3. The Social Committee shall make plans and recommendations for social gatherings and make arrangements for such events as the Association by resolution shall approve.
4. The Executive Committee shall consist of the five⁶ officers of the Association and the chairmen of the other three standing committees. The primary function of the Executive Committee shall be to coordinate and supervise the activities of the various other committees between annual meetings, and to carry out such projects as the Association by resolution shall direct. It shall have the authority to exercise all powers of the Association to achieve these purposes, but, except as authorized by resolution, shall have no power to increase the annual dues, obligate more funds than are at any time in the Treasury, borrow money, initiate any legal proceedings, or bind the Association or any of its members to any contract or agreement other than incidental purchases of routine supplies, stationery, postage, and other such items. All questions before the committee shall be decided by majority vote of the members.

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See Notes

B. The Chairman shall appoint a special Audit Committee who shall audit the Treasurer's books and accounts at least once a year, at any time there is a change in Treasurer, and at such other times as directed by the Chairman or by the Association. The Audit Committee shall promptly report the results of each audit to the Executive Committee, and also to the Association at its next meeting.

C. Only members in good standing shall be eligible to serve as members of any committee.

ARTICLE VII

Representative Relations

A. Subject to the provisions of Article VI A 4, the Executive Committee shall represent the Association in its dealing with County and other governmental authorities in furtherance of the Association's purposes as described in Article I, and may employ counsel and such other assistants as it determines to be appropriate.

B. Upon receipt of information the Executive Committee deems credible, that a lot owner is planning to violate or has commenced to violate any covenant or restriction pertinent to his lot or any zoning ordinance or regulation pertaining to his lot, the Chairman, or his designate, shall promptly discuss the matter informally with such lot owner with a view to resolving the issues amicably. If amicable resolution appears improbable or the lot owner refuses to cooperate, the Executive Committee shall report the matter to the appropriate Building Committee and to the Association, and a special meeting shall be called promptly to decide what course of remedial action shall be taken.

ARTICLE VIII

These by-laws have been adopted by a majority vote of all the members of the Asssociaton in good standing, and may be amended only by majority vote of all such members.

Adopted this ____ day of _____, 1980

Chairman

Secretary

These by-laws have been amended by a majority vote of Association members in good standing present at the Annual Meeting on this the 22nd day of April, 1993. The changes and additions are duly recorded in the minutes of the Annual Meeting of April 22, 1993, and are part of the Secretary's permanent record.

*Superscripts 1 through 6 denote said changes and additions.

Nikolai Bares
Chairman

Anna B. Beckenstein
Secretary