

BYLAWS OF  
COUNTRY PARK COMMUNITY ASSOCIATION, INC

ARTICLE I

ASSOCIATION MEMBERS

Section 1. ANNUAL MEETING OF MEMBERS. The annual meeting of Members of the Association shall be held at the principal office of the Association, or elsewhere as designated by the current Board of Directors at an hour to be fixed by the Board, on the first Thursday in November of each year for the purpose of electing new officers and directors along with conducting any transaction of such other business as may be brought before the meeting. The Board elected at this meeting will take office on January 1<sup>st</sup> to coincide with the start of the new fiscal year. If the day fixed for the annual meeting shall be a legal holiday, such meeting shall be held on the next succeeding business day. (Revised 12/03/2012)

Section 2. SUBSTITUTE ANNUAL MEETING. If the annual meeting shall not be held on the day designated in these Bylaws, a substitute annual meeting at the principal office of the Association may be called in accordance with the provisions of Section 3 of this Article I. A meeting so called shall be designated and treated for all purposes as the annual meeting.

Section 3. SPECIAL MEETINGS OF MEMBERS. Special meetings of the members may be held at the principal office of the corporation, or elsewhere by consent of the members, whenever called in writing by the President or any member of the Board of Directors of the corporation or by members representing twenty percent (20%) of the membership entitled to vote.

Section 4. NOTICE OF MEETING. Written or printed notices stating the time and place of meeting shall be mailed or delivered by the Secretary to each member of record at the member's last known address.

The notice of each meeting shall be mailed or delivered by the Secretary not less than ten days nor more than fifty days prior to the date set for such meeting and as to special meetings, the Notice shall indicate the purpose or purposes thereof.

Section 5. QUORUM. At any meeting of the members, ten percent (10%) of the members entitled to vote, present in person or represented by proxy, shall constitute a quorum of the membership for all purposes.

If a quorum is not present, the meeting may be recessed from time to time by announcement from the chair at the time such meeting was set and such shall be sufficient notice of the time and place of the recessed meeting. The members present at a duly organized meeting may continue to transact business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum.

Section 6. ORGANIZATION. The President, or in his absence, the Vice President, shall preside over all meetings of members and the Secretary of the Association shall act as Secretary at all meetings of the members; provided, however, in the Secretary's absence the President may appoint a Secretary for the meeting of the members.

Section 7. VOTING. Each member of the Association, as defined in the Articles of Incorporation of said Association, shall be entitled to one vote on each matter submitted to a vote at a meeting of members.

The vote of a majority of the members at a meeting of members at which a quorum is present shall be the act of the members on that matter, unless the vote of a greater number is required by law or by the charter or other Bylaws of this Association. Cumulative voting shall not be allowed.

Section 8. VOTING BY PROXY. The vote allocated to a member may be cast pursuant to a dated written proxy signed by the member. A member may not revoke a proxy except by written notice delivered to the person presiding over a meeting of the Association. A proxy terminates one year after its date, unless it specifies a shorter term.

## ARTICLE II

### BOARD OF DIRECTORS

Section 1. NUMBER AND TERM OF OFFICE. The affairs of the Association shall be managed by a Board of Directors, of which will consist of no more than (7) members. The Board of Directors shall be entitled to act on behalf of the Association, in all routine, day to day operation of the association. Said Board shall consist of the President, Vice President, Treasurer, Secretary, and up to three (3) Directors of the Association. (Revised 12/03/2012)

The term of office for each Board member shall be from January 1<sup>st</sup> through December 31<sup>th</sup> to coincide with the fiscal year or until the successors to such offices shall have been duly elected and qualified as hereinafter stated. Corporate members, including the Declarant and Developer, may elect individual candidate to said officer as hereinafter provided. (Revised 03-16-11)

Section 2. COMPENSATION. No Board member shall receive compensation for any service he may render to the Association. However, with prior approval of the Board, any Board member may be reimbursed for actual expenses incurred in the performance of his duties.

Section 3. ACTION WITHOUT MEETING. The Board shall have the right to take any action in the absence of a meeting which they could take at a duly held meeting by obtaining the written consent of all Board members to the action. Any action so approved shall be filed in the corporate books and records and shall have the same effect as though taken at a meeting of the Board.

Section 4. MEETINGS. Meetings of the Board shall be held quarterly without notice, at such place and hour as may be fixed from time to time by resolution of the Board. Special meetings of the Board may be called by any member of the Board after not less than five (5) days' notice to each Board member.

Section 5. QUORUM. A majority of the Board shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Board members present at a duly held meeting shall be regarded as the act of the Board.

Section 6. POWERS AND AUTHORITY OF THE BOARD OF DIRECTORS. Subject to the provisions contained herein and applicable law, the Board shall have the power and authority to exercise all the rights and powers of the Association, including, but not limited to, the following powers:

- (a) To adopt rules and regulations governing the use of the common area and facilities, the personal conduct of the members and their guests thereon, and establish penalties for the infraction thereof;
- (b) To suspend the voting rights and the right to use 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; and to suspend such rights, after notice and hearing, for infraction of published rules and regulations for a period of 60 days;
- (c) To declare the office of a member of the Board to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board;
- (d) To employ a manager, an independent contractor, or other employees as is deemed necessary, and prescribe their duties; provided, that any contract for professional management must contain a clause requiring not more than 90 days termination notice;
- (e) To procure, maintain, and pay premiums on, insurance policy(s) and equitably assess the members same for their pro rata portion of such expense;
- (f) To impose and receive any payments, fees, or charges for the use, rental, or operation of the common areas or elements other than for service provided to members;
- (g) To exercise all other powers that may be exercised in this state by legal entities of the same type as the Association;
- (h) To exercise any other powers necessary and proper for the governance and operation of the Association; and
- (i) To have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of North Carolina by law may now or hereafter have or exercise.

Section 7. DUTIES OF THE BOARD OF DIRECTORS. It shall be the duty of the Board to do the following:

- (a) To cause the common elements to be maintained, repaired, and replaced as necessary, and to assess the members to recover the cost of the upkeep of the common elements;
- (b) To serve as the architectural committee;
- (c) To keep a complete record of all acts and corporate affairs and present a statement thereof to the members at the annual meeting when such statement is requested in writing by 20% of the members;

(d) To supervise all officers, agents and employees of the Association, and see that their duties are properly performed;

(e) To prepare a proposed budget for ratification by the membership within the first thirty days of the start of the fiscal year. To fix the amount of the annual assessment at least three (3) months in advance of each annual assessment period. The annual assessment is to be based on the current budget and reasonable budget projections for the next annual assessment period, and pursuant to the provisions set forth in the Declaration of Covenants, Conditions and Restrictions. Each sitting Board will prepare a proposed budget for the next fiscal for consideration by the incoming Board; (Revised 03-16-2011)

(f) To send written notice of each assessment to every member at least thirty (30) days in advance of the due date for each annual assessment;

(g) To foreclose any unpaid assessments and liens resulting there from against any property for which assessments are not paid within thirty (30) days after due date or to bring action at law against the member personally obligated to pay the same;

(h) To issue, or have issued, for a reasonable charge, a certificate setting forth whether or not any assessment has been paid; provided, however, that if a certificate states that an assessment has been paid, such certificate shall be conclusive evidence of such payment as to all parties except the member and lot owner as of the date of the assessment;

(i) To procure and maintain, at all times, adequate hazard insurance on the property owned by the Association and all property for which the Association has a duty to maintain, and sufficient liability insurance to adequately protect the Association as provided in the Declaration of Covenants, Conditions and Restrictions; and

(j) To cause all officers or employees, including officers and employees of professional management, having fiscal responsibilities to be bonded, as it may deem appropriate.

### ARTICLE III

#### OFFICERS

Section 1. OFFICERS. Said Board shall consist of the President, Vice President, Treasurer, Secretary. (Revised 12/03/2012)

Section 2. ELECTION OF OFFICERS. Each office shall be elected from member candidates nominated from the floor at the annual meeting of the Association. Election shall be by secret ballot and by a majority of the members present at such meeting provided that a quorum is present. Corporate members, including the Declarant and Developer, may elect individual candidates to said offices. Cumulative voting shall not be allowed. Each officer shall serve until the next annual election or until his successor shall have been elected and qualified.

Section 3. POWERS AND DUTIES OF THE EXECUTIVE OFFICERS.

(a) The President shall preside at all meetings of the Board; he/she shall see that orders and resolutions of the Board are carried out; he/she may sign all leases, mortgages, deeds and other written instruments. It is also the responsibility of the president (or two other officer designees)

to sign all checks and promissory notes. (b) The Vice President shall act in the place of the President in the event of his/her absence, or his/her inability or refusal to act, and shall exercise and discharge such other duties as may be required of him/her by the Board. (Revised 12/03/2012)

(c) The Secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; he/she shall keep the associate seal and affix it to all papers requiring said seal; he/she shall serve notice of meetings of the Board and of the members; he/she shall keep appropriate current records showing members of the Association together with their addresses; he/she shall prepare, execute, certify, and record amendments to the Declaration of Covenants, Conditions and Restrictions on behalf of the Association; and he/she shall perform such other duties as required by the Board.

(d) The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association, (within two weeks of receipt), and disburse such funds as directed by the Board. It is also the responsibility of the treasurer (or two other officer designees) to sign all checks and promissory notes (such checks and promissory notes to be co-signed by the President or other person designated by the Board) of the Association. The Board will designate three officers, two of which will be the President and Treasurer to sign all checks and promissory notes. All checks are to be signed by two of the three officers designated to sign checks and promissory notes. The treasurer shall keep proper books of account; he/she shall keep accurate records of all cash receipts and expenditures and all assets and liabilities and submit them for an audit by an internal audit committee which shall consist of no less than two Board members who are not authorized to sign checks (such review to take place no more than thirty days from the end of the fiscal year); and he/she shall prepare an annual budget and statement of income and expenditures to be available to the membership no later than 30 days upon completion of the audit. The Treasurer will be reimbursed for mileage for two trips to the bank per month at the current government rate for mileage. (Revised 12/03/2012)

Section 4. ACTION WITHOUT MEETING. The officers shall have the right to take any action in the absence of a meeting which they could take at a duly held meeting by obtaining the written consent of all the Officer members to the action. Any action so approved shall be filed in the corporate books and records and shall have the same effect as though taken at a meeting of the Officers.

Section 5. REMOVAL. Any Executive Officer may be removed with or without cause, by a vote of at least sixty-seven percent (67%) of all members present and entitled to vote at any meeting of the members at which a quorum is present. In the event of death, resignation or removal of an executive officer, his successor shall be selected by the Board to serve until the next annual meeting of the members at which election of officers shall be had when his successor shall be elected.

ARTICLE IV

BOOKS AND RECORDS

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member or a mortgagee of any member. The Articles of Incorporation and the Declaration of Covenants, Conditions and Restrictions and Bylaws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

ARTICLE V

FORMS OF PROXY AND WAIVER

Section 1. FORMS OF PROXY. The following form of proxy shall be deemed sufficient, but any other form may be used which is sufficient in law:

COUNTRY PARK COMMUNITY ASSOCIATION, INC.

Know all men by these presents that the undersigned member of Country Park Community Association, Inc., hereby constitutes and appoints the attorney and proxy of the undersigned to annual and special meeting of the members of Country Park Community Association, Inc., at which I am not present, until the secretary of the Association receives from me a letter revoking this proxy and for and on behalf of the undersigned to vote as the undersigned would be entitled to vote if personally present, hereby ratifying and confirming all that said attorney and proxy shall do in the premises, and giving and granting unto said attorney and proxy full power of substitution and revocation.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Member

\_\_\_\_\_  
Witness

Section 2. FORM OF WAIVER OF NOTICE. The following form of waiver of notice shall be deemed sufficient, but any other form may be used which is sufficient in law:

COUNTRY PARK COMMUNITY ASSOCIATION, INC.

We the undersigned (Board or Association Members) of Country Park Community Association, Inc., do hereby severally waive notice of the time, place, and purpose of (the annual or a special) meeting of the Board or Association members of the said association, and consent that same be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ o'clock M., and we do further consent to the transaction of any and all business of any nature that may come before the meeting.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

## ARTICLE VI

### GENERAL PROVISIONS

Section 1. AMENDMENTS. Except as otherwise provided herein or in the Declaration of Covenants, Conditions and Restrictions, these Bylaws may be amended or repealed and new bylaws may be adopted by the affirmative vote of a majority of the Board then holding office at any regular or special meeting of the Board; at a regular or special meeting of the members at which a quorum is present, by a vote of the majority of the members.

Section 2. ASSOCIATION SEAL. A seal with the words "COUNTRY PARK COMMUNITY ASSOCIATION, INC." on the outer circle and the date "1999" within the circle, shall be the common corporate seal of the Association and shall be in the custody of the secretary.

### COUNTRY PARK COMMUNITY ASSOCIATION

WHEREAS the Declaration or Master Covenants Conditions and Restrictions For Country Park ARTICLE II, Section 3. Rules and Regulations empowers the Community Association to formulate, publish and enforce reasonable rules and regulations concerning the use and enjoyment of the common area and,

WHEREAS the Bylaws of Country Park Community Association, Inc. charges the Board of Directors with the responsibility of exercising all rights and powers of the Association including, but not limited to adopting rules and regulations,

NOW THEREFORE, the Board of Directors hereby establishes this set of rules which becomes addenda to the Bylaws of Country Park Community Association, Inc.

Each rule shall be numbered and future rules adopted by the Board will be added to these addenda as may be necessary.

**Rule .001 Parking and Prohibited Vehicles.** In addition to the restrictions set forth in ARTICLE III, Section 7. of the Covenants, no motor vehicle (car or truck) will be parked upon the streets of Country Park, except that motor vehicles may be parked upon the streets on a temporary basis to facilitate social or other lawful gatherings at the homes of Country Park residents, (which are generally a single day event). Residents planning any event of longer duration will notify the Board in advance of such event, if it necessitates on-street parking. Violations may result in the vehicle(s) being towed.

In order for Country Park to remain a quiet, tranquil, and serene residential community, the following type vehicles are hereby prohibited from remaining parked on the residential streets or upon any portion of any Lot in Country Park, except for the purpose of loading and/or unloading cargo: Any truck tractor; any truck tractor and semi-trailer combination; and any van type truck of two ton capacity or greater. Continued violation of this rule, after having been warned by the Board of Directors, shall result in the Board pursuing further legal action to have the vehicle(s) removed. Any costs incurred by the Board for such action may be assessed against and billed to the owner of the Lot on which the vehicle is parked. (Adopted 07-09-2005) (Revised 09-21- 2007)

**Rule.002 Pools** All pools require prior approval of the Architectural Control committee. All applications for approval must meet the requirements of the county's regulations governing pools. (Adopted 07-09-2005)

**Rule .003 Community Ponds Water Usage.** Country Park lot owners may utilize water from the east (upper) pond in the common area for personal use, provided that the following requirements are met: the water level on the vertical overflow pipes in either pond should not be below the top of the vertical overflow pipe by one inch or more. No water shall be taken from the west (lower) pond without prior approval of the board. (Adopted 10-15-05) (Revised 07-23- 09)

**Rule .004 Remedies for Nonpayment of Assessments:** Any assessments which are not paid in full when due shall be delinquent. The Association will not accept partial payments. If the assessment is not paid within thirty (30) days after the due date, there will be a penalty of up to twenty five (25) dollars assessed to the account for each quarterly assessment in arrears. In addition, the assessment may bear interest daily from the date of delinquency at the maximum rate allowed by the State of North Carolina.

The Community Association will bring action at law against the owner personally obligated to pay any assessments and interest, and if necessary, foreclose the lien created herein in the same manner as prescribed by the laws of North Carolina.008a for the foreclosure of Deeds of Trust. Costs and reasonable attorney's fees (as set forth in ARTICLE VI, Section 1 of the Covenants for Country Park) of any action shall be added to the assessment. (Adopted 4-19-07)

**Rule .005 Pools:** In addition to Rule .002, in which all pools require prior approval by the Architectural Committee, no permanent above ground pools may be permitted. For clarification, seasonal “blow up” or “kiddie” type pools are permitted. (Adopted 4-19-07)

**Rule .006 Fines for Returned Checks:** Any check payment submitted to the Country Park Community Association that is returned due to insufficient funds (NSF) shall cause the owner of said check to incur a penalty fee of \$15.00 in addition to the original amount due and any bank charges incurred. (Adopted 4-19-07)

**Rule .007 Usage of Ponds and other Community Property:** The safety and well being of all residents and their guests while enjoying the Association’s ponds and other community property is of utmost importance to the Country Park Community Association. Due to the potential for personal injury or death by drowning, residents and their guests (adults and children) are hereby prohibited from entering the ponds for swimming, wading or otherwise playing in the water. The lot owner/s, parents and/or legal guardians of minor children, or others of diminished mental capacity (elderly, etc.) shall be held solely responsible for the safety and conduct of their minor children and/or guests by ensuring compliance of this rule by their minor children and/or guests. Therefore, minor children or anyone of diminished mental capacity should be accompanied and supervised by a parent or legal guardian at any time their minor children or guests are on community property and near the water. (Adopted 8-06-08)

**Rule .008 Mowing of unoccupied lots:** All unoccupied lots must be maintained (mowed) a minimum of once every thirty (30) days during the growing season. Also, if more than 50 % of the unoccupied lot is more than one foot high at any time the lot must be mowed to abide by the guidelines set forth by the covenants. (Adopted 0-23-09)

**Rule .009 Use of Off Road Vehicles Within Country Park Subdivision**

In order to maintain the quiet serenity desired by the residents of Country Park Community, it has become necessary to prohibit the use of any motorized, gasoline powered off road type vehicles (trail bikes, four wheelers, etc.) from operation anywhere within the Country Park Subdivision’s common areas. This includes any streets and common areas within the Country Park Subdivision.

**The only exception to this rule is vehicles used solely for the purpose of necessary lawn care and landscaping.** Violations of this rule on the streets may result in criminal prosecutions in the state courts. Violators elsewhere within Country Park Subdivision will be subject to a fine not to exceed one hundred dollars (\$100) for each such offense. Such fines shall be assessments secured by liens under G.S. 47F-3-116 of the **North Carolina Planned Community Act. Adopted 03-16-2011**

**Rule .010 - Use of Common Areas and Trails:**

For the safety and well-being of all residents and their guests while enjoying the Association’s common areas and walking trails, dangerous and vicious animals/dogs are prohibited from entering the common areas and the walking trails. Violators will be subject to a fine not to exceed one hundred dollars (\$100) for each such offense. Such fines shall be assessments secured by liens under **G.S. 47F-3-116 of the North Carolina Planned Community Act. Adopted 2-25-2021.**

**Rule .011 - Maintenance of the ponds :**

In order to preserve the beauty and natural habitat in and surrounding the ponds, it shall be the sole responsibility of the Board to carry out the maintenance of the pond. **Adopted 2-25-2021.**

CERTIFICATION

I the undersigned, do hereby certify: That I am the duly elected and acting Secretary of COUNTRY PARK COMMUNITY ASSOCIATION, INC., a North Carolina corporation; and that the foregoing Bylaws of said Association, as adopted by the Board of Directors on the 3rd day of December, 2012.

IN WITNESS WHEREOF, I hereunto subscribe my name and affix the seal of said Association this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Secretary, Brenda Mallow

SEAL: