

# MORAVIAN FOREST ASSOCIATION - BY-LAWS

## ARTICLE I - NAME

The name of said corporation shall be the Moravian Forest Association, Inc. It shall be a non-profit corporation.

## ARTICLE II - PURPOSE

Section 1: The purpose of the Association shall be:

- a) General improvement of the community, such as procuring the construction of necessary public improvements and to ensure their proper maintenance within said district.
- b) To promote the interests, welfare, educational opportunities, safety and advancement of the property and residents of said community in accordance with the restrictions of the property and zoning laws of Clinton Township, Macomb County, and the general laws of the State of Michigan.
- c) To carry out all duties and provisions described in the restrictions for the Moravian Forest Subdivision as recorded in Macomb County Records and appended to each deed. The above restrictions shall become part of this document.
- d) To obtain necessary funds, acquire necessary property, and to otherwise conduct business incidental and necessary to accomplish the above purposes.

Section 2: The boundary lines constitute that within the area (as in title).

## ARTICLE III - MEMBERSHIP

Section 1: Membership in the Association shall be confined to resident deed holders, contract purchasers, as recorded on the mortgage and land title ("Homeowner"). Legal proof may be required by the Board.

Section 2: Any homeowner household desiring to become a member of the Association shall present their application to any member of the Executive Board or their agents, accompanied by \$5.00 Member Fee.

Section 3: In addition to the Annual Maintenance Fund of \$95.00 for all residents as prescribed on the Restriction, the annual dues for membership in the Associate shall be \$5.00 per household per calendar year payable in advance by the first day of January. The combined amount due per household will be \$100.00 annually.

Section 4: Special assessments may be levied by the Executive Board of the Association whenever in their judgment such assessments may be necessary or expedient, but the total of such special assessments in one calendar year may not exceed five dollars (\$5.00) per family.

Section 5: Membership shall give individual voting privilege to each Homeowner, as defined in Section 1. Any Member in default of their annual dues or maintenance fees shall not be entitled to voting privileges until such default has been corrected.

#### **ARTICLE IV - MANAGEMENT**

- Section 1: The affairs of the Associations shall be in the charge of an Executive Board consisting of 10 Directors and eight Officers. Only members in good standing, holding no political office, are eligible to serve on the Board.
- Section 2: Members of the Executive Board shall be elected by the general membership at the Annual Election Meeting. The Board of Directors shall be elected one from each designated area.
- Section 3: In the event of the inability to attend by a Director, secondary homeowner as recorded constitutes an alternate.
- Section 4: The officers of this Association shall consist of a President, two Vice Presidents, Recording Secretary, Corresponding Secretary, Treasurer, Assistant Treasurer and a Sergeant at Arms.
- Section 5: Vacancies in Board membership, excluding officers, may be filled at any regular meeting in the same manner as at the Annual Election Meeting. Vacancies among the officers may be temporarily filled by the election of the Board.
- Section 6: It shall be the duty of the Executive Board to care for the property and interests of the Association and to determine the policies for the conduct of its affairs consistent with such specific instructions as the Board may receive from the Association. The Executive Board shall have the power to raise and expend funds to promote the welfare of the Association and to employ all such means, not in conflict with these Articles, or with the laws of the land as it may deem proper and expedient to secure the objectives for which the Association is organized.
- Section 7: The name of the Association shall not be used to support any political candidate.
- Section 8: The list of Members of the Association shall not be given to any person or organization with the approval of the Board.

#### **ARTICLE V - MEETINGS**

- Section 1: The annual Election Meeting of the Association shall be held in November or as designated by the Executive Board for any given calendar year. A notice shall be sent by mail to each member of the Association.
- Section 2: There shall be no less than four (4) business membership meetings per year. All social membership meetings will be held at the discretion of the Social Committee with the consent of the Board.

#### **ARTICLE VI - QUORUMS**

- Section 1: Ten Executive Board members or alternates shall constitute a quorum at meetings of the Executive Board.
- Section 2: Forty members in good standing shall constitute a quorum in any general meeting of the Association. No proxy vote will be accepted on any motions or business in any meeting of the Association.

## **ARTICLE VII - DUTIES OF THE OFFICERS**

- Section 1: It shall be the duty of all Officers to attend Executive Board of Directors and General Meetings.
- Section 2: The President shall preside at all meetings of the Association and the meetings of the Executive Board. He shall appoint the Chairman of the standing committees exclusive of the Social Committee and shall cooperate with the Chairmen in appointing the members of the various committees. He shall call any meetings of the Executive Board at such time as he may deem advisable or on request of not less than three (3) members of the Board. It is his duty to carry out the will of the Board and of the Association as expressed at their respective meetings and, in general, conduct the affairs of the Association in a manner consistent with the authority and responsibilities of his office.
- Section 3: There shall be two Vice Presidents, one as Director of Community Relations, the other shall be in charge of the Social Committee. The Director of Community Relations shall act in the absence of the President.
- Section 4: The Recording Secretary shall attend all General and Executive Board Meetings and keep a true and accurate record of the proceedings therein.
- Section 5: The Corresponding Secretary shall give individual notice to the Executive Board, to all members in good standing, and all residents with any meeting pertaining to any of the above is called. The corresponding secretary shall carry on the correspondence of the organization as directed by the Board.
- Section 6: The Treasurer shall collect all monies received by the expended for the use of the Association in accordance with Article VIII. He shall keep a true and accurate record of all paid up members and of the Maintenance Fund. He shall be prepared to give a financial report at Board or General Meetings. When his term of office expires, he shall deliver all monies, books, papers, and other property upon the order and direction of the Board.
- Section 7: The Assisting Treasurer shall assist the Treasurer in any manner necessary on business of the Association.
- Section 8: The Sergeant at Arms shall maintain order at all membership meetings.
- Section 9: Officers and Directors shall serve without compensation.

## **ARTICLE VIII - MONIES**

- Section 1: The Treasurer shall maintain an account or accounts in a depository as designated by the Executive Board for the purposes of depositing promptly all monies received by him in the name of the Association.
- Section 2: A separate Maintenance Fund account shall be maintained, to be disburse at the discretion of the Board of Directors.
- Section 3: Checks shall be signed by either the Treasurer or Assistant Treasurer and counter signed by either the President or Director of Community Relations.
- Section 4: Single expenditures of over \$200.00 must be approved at a meeting of the Executive Board.
- Section 5: A special Committee appointed by the President from the General Membership shall conduct an Audit prior to the Annual Election Meeting.

## **ARTICLE IX - COMMITTEES**

- Section 1: All committee chairmen with the exception of the Social Committee shall be appointed by the President. The Chairman of each committee shall be chosen from the Board of Directors. The other members may be chosen from within or outside the Board. These committees shall consist of not less than (2) members.
- Section 2: The standing committees shall be appointed to serve throughout the year. These committees shall be as follows:
- a. Social
  - b. Community Compliance
  - c. Membership
  - d. Education
  - e. Publicity
  - f. Finance
  - g. By-Laws
  - h. Recreation
- Section 3: Special committees shall be appointed by the President as the occasion demands.
- Section 4: Additional powers and duties may be delegated to any committee in addition to any prescribed in the By-Laws, as the Board deems necessary.
- Section 5: No committee shall incur any expense or financial obligation without the expressed authorization of the Board.

## **ARTICLE X- AMENDMENTS**

- Section 1: The above Articles or By-Laws may be amended in the following manner: Any member or group of members may file with the Chairman of the By-Laws Committee such amendment or amendments as he may deem advisable. The By-Laws Committee, after due consideration, shall submit this amendment or amendments to the Executive Board, who in turn shall give due an thorough consideration and report to the Association at its next meeting with a recommendation for or against adoption or the Board may recommend alterations, additions or omissions. A two-thirds vote of the membership present at a regular meeting or a special meeting shall be required for the adoption of any amendments.

## **ARTICLE XI – MEMBER RESTRICTIONS**

1. Homeowners engaged in a “Garage or Estate Sale” independent of any subdivision-sponsored activity may temporarily display appropriate signage advertising the event during active hours of operation, provided the Homeowner has advised the Moravian Forest Association. Signage at the subdivision entrances will be limited to the hours of operation for any “Garage Sale” or “Open House” activity held by a Homeowner and promptly removed thereafter.
2. Satellite dishes may be erected only if the Homeowner maintains a current commercial service agreement. Such dish should be no larger than 39” in diameter or conform to current FCC regulations as amended. Satellite dishes may be properly affixed in any area behind the rear lot line of the home, away from the front of the residence and not visible from the street, unless the Homeowner can show no suitable signal being received in those areas. If

no contract is in effect, the dish shall be considered ornamental in nature and subject to such conditions as stipulated under the Land Use Restrictions.

3. The parking of any vehicle or trailer shall be strictly prohibited on any traffic island or curb median under the control of the Homeowners' Association. Violators will be subject to citation from the municipal authority and their vehicle will be towed at the vehicle owner's expense, with or without prior notice being given by the Homeowners' Association. The Moravian Forest Homeowners' Association will not be responsible for any damage or loss to property on any traffic island or curb median in the subdivision.
4. Storage sheds may be permitted to be erected on the property by the Homeowner provided they are constructed of professional grade materials or packaged kits designed for such purposes, and the Homeowner adheres to provisions of Section 2 of the Land Use Restrictions under the approval of the Board. The Homeowner will be responsible to ensure the structure conforms to current township ordinances governing storage sheds. Prior to erection, the Homeowner shall advise the Moravian Forest Association as stipulated under Section 2, together with adjoining neighbors to allow for any objections or other concerns to be heard; no permission shall be unreasonably denied by the Board provided the Homeowner has satisfied any esthetic issues or other concerns.
5. In any matter where the Moravian Forest Association is required to act upon a violation matter where a request for correction has not been followed and reasonable efforts otherwise executed, the Association may levy a service fee not to exceed \$50.00 against efforts and services performed. Monies from such service fees will be added to the general fund. In addition, Homeowner may be required to reimburse the Association for any actual cost incurred in the remedy of such violation.

END OF BY-LAWS