

15

BYLAWS  
OF  
GLENWOOD LAKE ESTATES HOMEOWNERS ASSOCIATION

DEFINITIONS

Certain words and terms used in these bylaws are defined as follows:

1. Glenwood Lake Estates: The Subdivision legally described as follows:
2. The Association: Glenwood Lake Estates Homeowners Association, Inc., an Illinois not-for-profit corporation; whenever used herein, the phrase "the Association" refers to the corporate entity.
3. Board of Controls: The Board of Directors of Glenwood Lake Estates Homeowner's Association, Inc. an Illinois not-for-profit corporation.
4. Eligible to Vote: All dues, both current and any past due amounts, have been paid in full and there is no current adversarial proceeding between the member and the Association.

ARTICLE 1

Membership and Dues

Section 1.1: Membership

Every person owning property in Glenwood Lake Estates is a member and has the mandatory obligation for as long as said person is such owner of property to maintain membership in good standing in Glenwood Lake Estates Homeowner's Association, Inc., an Illinois not-for-profit corporation (hereinafter referred to as the Association).

All members of said Association and all subsequent persons upon becoming a property owner in Glenwood Lake Estates, agree to accept the benefits and the burdens of membership in said Association and the bylaws and rules and regulations adopted by the Board of Controls of the Association and as from time to time amended.

## Section 1.2 Dues

For each member of the Association who owns a lot, which has frontage on Glenwood Lake Estates lake, the annual membership dues shall be \$100 for each such lot.

For each member of the Association who owns a lot, which does not have frontage on Glenwood Lake Estates lake, the annual membership dues shall be \$50 for each such lot.

All dues will be due and payable on the 1<sup>st</sup> day of April, beginning in April 2000 and continuing in each respective year. However, the first payment of dues will be payable on October 1, 1999 in the amount of one half ( $\frac{1}{2}$ ) of the annual amount. If any owner of any lot is in default for a period of 30 days either in payment of annual dues or in the payment of their proportionate share of any assessment levied by the Association, the Board of Controls of the Association may bring suit to enforce collection thereof or to foreclose the lien and there shall be added to the amount due all costs of said suit. Any delinquent and unpaid annual dues or assessments, together with interest, costs and fees shall be and become a lien against the lot of the owner involved.

No person shall be entitled to a refund, for any reason, of any portion of the dues paid by them even though such person's membership in the Association terminated prior to the expiration of the period for which said dues were paid; provided, however, that if such person's membership in the Association is terminated by reason of sale of the property that required membership in the Association, such person shall be entitled to assign to the transferee the benefit of the paid up annual dues.

## ARTICLE II

### Voting, Elections and Proxies

#### Section 2.1: Who entitled to Vote

Each owner of each lot in Glenwood Lake Estates shall have the number of votes set forth as follows:

The owner of each lot having frontage on Glenwood Lake Estates lake shall have two (2) votes (and said votes shall not be split); the owner of each lot which does not have frontage on Glenwood Lake Estates lake shall have one (1) vote. Only members in good standing shall be allowed to cast their vote(s) for any action requiring members to cast their vote(s).

Section 2.2: Proxies

Each member may vote in person or by proxy executed in writing by the member or by his duly authorized attorney-in-fact. No proxy shall be valid after eleven (11) months from the date of its execution.

- (a) Election of officers and members of the Board of Controls, except the first Board of Controls organized and in existence prior to the First Annual Meeting of the Members shall be by members and may be conducted by mail.
- (b) There shall be no right to cumulative vote.

Section 2.3:

Except as otherwise provided in these bylaws, the vote of a majority of the votes entitled to be cast by the members present or represented by proxy at a meeting at which a quorum is present, shall be necessary for the adoption of any matter voted upon by the members or the Board of Controls.

Provided, however, that:

The Board of Controls may not increase the assessment or dues unless the proposed increase in dues has received the prior approval of two-thirds (2/3) of the members of the Association eligible to vote.

The Association shall not exercise its power to mortgage, encumber, lease convey or otherwise alienate or dispose of any lake or park area or any other real estate to which the Association has title, unless such action has been approved by the vote of three-fourths (3/4) of the membership of the Association eligible to vote.

The Board of Controls shall not adopt any new bylaws, rules or regulations or change any existing bylaws, rules or regulations unless such action has been approved by two-thirds (2/3) of the membership of the Association eligible to vote. However, any such approved action by the Board of Controls of the Association with reference to Glenwood Lake Estates lake or park are binding upon the members of the Association, their guests, invitees, servants and tenants.

### ARTICLE III

#### Meetings

##### Section 3.1: Place of Meetings

Any and all meetings of the members, and of the Board of Controls of this corporation shall be held at Glenwood Lake Estates subdivision except pursuant to bylaw or resolution adopted by the Board of Controls.

##### Section 3.2: Annual Meeting of Members

The first annual meeting of members will be within thirty days of the acceptance and recordation of the Glenwood Lake Estates Homeowner's Association, Inc. bylaws. At the first annual meeting, The President and 1<sup>st</sup> Vice President of the Board of Controls will be elected to serve until the first Tuesday in May 2001. All remaining officer's terms will expire the first Tuesday in May 2000. All future annual meetings of the members shall be held once each year on the first Tuesday in May, at 7:00 P.M., one of the purposes of which shall be the election of a Board of Controls.

Section 3.3: Notice of Annual Meeting of Members

✓ At least ten (10) days prior to the date fixed by section 2 of this article for holding of the annual meeting of members, written notice of the time and place of such meeting shall be delivered, either personally or by mail, as hereinafter provided, to each member entitled to vote at such meeting.

Section 3.4: Delayed Annual Meeting

If, for any reason, the annual meeting of the members shall not be held on the day designated in this article, such meeting may be called and held as a specific meeting, and the same proceeding may be had at said meeting as at an annual meeting, provided however, that the notice of such meeting shall be the same as required for the annual meeting, namely not less than ten (10) days prior to the meeting.

Section 3.5: Order of Business at Annual Meeting

The order of business at the annual meeting of the members shall be as follows:

- (a) Roll call
- (b) Reading notice and proof of delivery (mailing)
- (c) Reading of minutes of last preceding meeting
- (d) Report of President
- (e) Report of Secretary
- (f) Report of Treasurer
- (g) Election of members of Board of Controls
- (h) Transaction of other business mentioned in the notice and
- (i) Adjournment

Provided that in the absence of any objection, the presiding officer may vary the order of business at discretion.

Section 3.6: Special Meeting of Members

Special meetings of members may be called at any time by the president or by a majority of the Board of Controls or by members having one-tenth (1/10) of the votes entitled to be cast at such meeting.

Section 3.7: Notice of Special Meeting of Members

At least ten (10) days prior to the date fixed for the holding of a special meeting of members, written notice of the time, place and purpose of such meeting shall be delivered, either personally or by mail, to each member entitled to vote at such meeting. No business not mentioned in the notice shall be transacted at such meeting.

Section 3.8: Organization Meeting of Board of Controls

At the place of holding the annual meeting of members, the incorporators of Glenwood Lake Estates Homeowner's Association, Inc. shall convene for the purpose of organizing the first Board of Controls.

Section 3.9: Regular Meeting of the Board of Controls

Regular meeting of the Board of Controls shall be held not less frequently than once in each month at such time and place as the Board of Controls shall from time to time determine. No notice of regular meetings of the Board of Controls shall be required.

Section 3.10: Special Meetings of the Board of Controls

Special meetings of the Board of Controls may be called by the president at any time by means of such written notice of the time, place and purpose thereof to each director, as the president, in their discretion, shall deem sufficient, but action taken at any

such meeting shall not invalidate for want of notice if such notice shall be waived as hereinafter provided.

#### Section 3.11: Notice and Mailing

All notices required to be given by any provision of these bylaws shall state the authority pursuant to which they are issued (as "by order of the President" or "by order of the Board of Controls"). Every notice shall be deemed duly served when in the case of personal delivery, actually received by the recipient or, in the case of mail, when the same has been deposited in the United States mail, with postage fully prepaid, properly addressed to the sendee at his or her last address appearing on the membership record of this corporation.

#### Section 3.12: Waiver of Notice

Notice of the time, place and purpose of any meeting of the members of the Board of Controls may be waived in writing either before or after such meeting has been held.

### ARTICLE IV

#### QUORUM

##### Section 4.1: Quorum of Members

Presence in person or by proxy of members representing one tenth (1/10) of the eligible voting rights of this corporation shall constitute a quorum at any meeting of the members

##### Section 4.2: Quorum of Board of Controls

A majority of the members of Board of Controls shall constitute a quorum

## ARTICLE V

### BOARD OF CONTROLS

#### Section 5.1: Number and Term of Members of Board of Controls

The Board of Controls shall have 5 members on the board. The business, property and affairs of this corporation shall be managed by a Board of Controls composed of persons who shall be members of this corporation. Each Director shall hold office for the term for which they are elected and until their successor is elected and qualified. Each member of the Board of Controls shall hold office for a period of two (2) years, with the exception of the first Board of Controls. The first Board of Control members will be elected with their terms expiring as follows:

President May 2001

1<sup>st</sup> Vice President May 2001

2<sup>nd</sup> Vice President May 2000

Secretary May 2000

Treasurer May 2000

After the election of the first Board of Controls, election of specific members shall be held on an annual basis based upon the expiration of their respective terms.

Members of the Board of Controls shall receive no compensation for their services. However, any officer shall receive reimbursement for any actual expenses incurred in the performance of their duties. Any expense exceeding \$50 shall have the prior approval of the Board of Controls. All expenses less than \$50 shall be reimbursed upon delivery of the paid receipt to the Treasurer.

**Section 5.2: Vacancies**

Vacancies in the Board of Controls shall be filled by the appointment made by the remaining members of the Board of Controls. Each person so appointed to fill a vacancy shall remain a member of the Board of Controls until a successor has been elected by the members of the Association at the next annual meeting or at any special meeting duly called for that purpose and held prior to the next annual meeting following the vacancy.

**Section 5.3: Power to Make Bylaws**

The Board of Controls shall NOT have the power to make or alter any bylaw without prior approval of two-thirds (2/3) of the members of the Association eligible to vote.

**Section 5.4: Action by Unanimous Written Consent**

If and when the members of the Board of Controls shall severally and collectively consent in writing to any action to be taken by the Association, such action shall be a valid corporate action as though it had been authorized at a meeting of the Board of Controls.

**Section 5.5: Election of Officers**

The officers on the Board of Controls shall consist of a President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Secretary and a Treasurer and said officers shall be elected by the membership of the Association.

**Section 5.6: Removal of Elected Officers**

Any Board member may be removed from office by the affirmative vote of at least two-thirds (2/3) of the votes of the membership eligible to cast votes at any

meeting called for that purpose. A successor to fill the remaining term of the removed Board member will be appointed by the remaining members of the Board of Controls.

Section 5.7: Power to Appoint Other Officers and Agents

The officers on the Board of Controls shall have the power to appoint such other officers and agents as the Board of Controls may deem necessary for transaction of the business of the corporation. This shall include, but not be limited to, the formation of committees to research, advise and/or recommend a course of action to the Board of Controls. In each appointment, the Board of Controls shall state the authority level assigned to that appointment.

Section 5.8: Removal of Officers and Agents

The Board of Controls may remove any appointed officer or agent whenever in the judgement of the Board, the business interests of the corporation will be served thereby.

Section 5.9: Special powers with Respect to Glenwood Lake Estates Lake and Park Area and Other Property Owned by the Association

- (a) The Board of Controls shall formulate rules and regulations for the administration, management and operation of the Glenwood Lake Estates Lake and Park areas and other areas owned by the Association, provide for publishing of those rules and shall provide for the maintenance, repair, alteration and improvement of the park and lake areas and other areas owned by the Association and shall pay all costs in connection with the Association affairs. The Board shall have the authority to employ any person or corporation to act as manager or managing agent for same and to insure

Glenwood Lake Estates Lake and Park areas and other property owned by the Association.

- (b) The Board of Controls shall have authority to obtain and pay for insurance for the Glenwood Lake Estates Lakes and Parks areas and other real and personal property of the Association, insuring such property of the Association against loss or damage by fire or other hazard and the Board shall obtain and pay for comprehensive liability insurance in the amount of one million dollars (\$1,000,000.00) in connection with Glenwood Lake Estates Lakes and Parks areas and other property and equipment owned by the Association.
- (c) All funds collected by the Board shall be held, administered and expended in accordance with and for the purpose designated in this declaration and bylaws.
- (d) The Board shall not mortgage, encumber, lease, convey or otherwise alienate or dispose of any lake or park area or other property owned by the Association unless such action has been approved by the vote of 3/4ths of the membership of the Association eligible to vote.

## ARTICLE VI

### Officers

#### Section 6.1: President

The president shall be elected by and from the membership of the Association and shall be the chief executive officer of the corporation. The president shall preside over all meetings of the Board and of the membership. The president shall have general and active management of the business of the corporation and shall see that all orders and resolutions of the Board are carried into effect. The president shall have the general powers and duties of supervision and management usually vested in the office of president of a corporation.

Section 6.2: 1<sup>st</sup> Vice President

The 1<sup>st</sup> Vice President shall be elected by and from the membership of the Association and shall perform the duties and exercise the powers of the president during the absence or disability of the president. The 1<sup>st</sup> Vice President will be the Board liaison with the Grounds and Maintenance Committee.

Section 6.3: 2<sup>nd</sup> Vice President

The 2<sup>nd</sup> Vice President shall be elected by and from the membership of the Association and shall be responsible for performing the compliance inspections and the creation and delivery of the compliance inspection certificate upon completion of any residence in Glenwood Lake Estates subdivision. The 2<sup>nd</sup> Vice President will be the liaison with the Architectural Committee.

Section 6.4: Secretary

The Secretary shall attend all meetings of the members and of the Board of Controls and shall preserve in books of the corporation true minutes of the proceedings of all such meetings. Such Secretary shall safely keep in their custody the seal of the corporation and shall have authority to affix the same to all instruments where its use is required. The Secretary shall give notice required by statute, bylaw or resolution and shall perform other duties as may be delegated by the Board of Controls.

Section 6.5: Treasurer

The Treasurer shall have custody of all corporate funds and shall keep in books belonging to the corporation full and accurate accounts of all receipts and disbursements; and shall deposit all monies and other valuable effects in the name of the corporation in such depositories as may be designated for that purpose by the Board of Controls. The Treasurer shall disburse the funds of the corporation as may be ordered by the Board of

Controls and shall render to the president and directors at the regular meetings of the Board and whenever requested by them, an account of all transactions and of the financial condition of the corporation.

**Section 6.6: Multiple Offices**

No elected officer shall simultaneously hold more than one of the elected offices, except in the case of special offices created pursuant to section 5.7 of these bylaws.

**ARTICLE VII**

**Special Conditions Relating to Use of Lake, Park and All Other Property, Both Real and Personal, Owned by the Association**

**Section 7.1:**

Each member of the Association and their guests, invitees, servants and tenants shall be subject to and bound by the bylaws of the Association, especially these special conditions relating to the use and enjoyment of the Lake and Park and all other property, both real and personal, owned by the Association.

**Section 7.2:**

Glenwood Lake Estates lake is primarily a fishing lake; no boats or other watercraft of any type whatsoever of more than 18 feet in length may be placed or used on Glenwood Lake Estates Lake. No boat or other watercraft, equipped with any internal combustion engine shall be placed or used on Glenwood Lake Estates Lake.

Section 7.3:

All boat docks, bulkheads, piers, wharves and other water structures shall be prohibited. However, a concrete pad, not to exceed fifteen (15) square feet and not extending beyond twelve (12) inches of the water line may be constructed with the prior written approval of the Architectural Committee.

Section 7.4:

There shall be no obstruction of the lake and park and other property owned by the Association nor shall anything be stored on said property without the prior consent of the Association except as expressly provided in these bylaws.

Section 7.5:

Nothing shall be done or kept on the lake and park and other property, both real and personal, owned by the Association which will increase the rate of insurance thereon, or result in the cancellation of insurance on said areas, or which would be in violation of any law. No waste will be permitted in these areas.

Section 7.6:

Nothing shall be altered or constructed on or removed from the lake and park or other property, both real and personal, owned by the Association except upon written consent of the Association.

Section 7.7:

No noxious or offensive activity shall take place on the lake and park and other property, both real and personal, owned by the Association nor shall anything be done

thereon, either willfully or negligently, which may be or become an annoyance or nuisance to the owners and occupants of Glenwood Lake Estates.

**Section 7.8: Guest Passes for Usage of Common Areas**

All guests, invitees, servants and tenants of any member of Glenwood Lake Estates Homeowner's Association, Inc. shall have a guest card in their possession at any time they are on or using the lake, park and all other property, both real and personal, owned by Glenwood Lake Estates Homeowner's Association, Inc. Each card shall be signed and dated by the member who is entertaining said guests, invitees, servants or tenants and shall be good for one calendar day only.

James M. Agro Pres.  
9-16-99