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AMENDED TIMBER RIDGE OF CLERMONT COUNTY HOMEOWNERS' ASSOCIATION CODE OF REGULATIONS

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Article I. INTRODUCTION

DEFINITION OF REGULATIONS

- 1.1 These regulations constitute the code of rules adopted by Timber Ridge of Clermont County Homeowners' Association, hereinafter referred to as the Corporation, for the regulation and management of its affairs.
- 1.2 This Corporation will have the purpose or powers as stated in its Articles of Incorporation and whatever powers are or may be granted by the nonprofit Corporation Law of the State of Ohio or any successor legislation.
- 1.3 It is expressly the authority of the Corporation to maintain the common areas of the Timber Ridge of Clermont County Subdivision. The Corporation has the authority, but not the duty, to collectively represent the members on any matter of community interest.
- 1.4 The Corporation has the authority to enforce the provisions of the current approved Declaration of Covenants and Restrictions for the Timber Ridge of Clermont County Homeowner's Association on file in the office of the Recorder of Clermont County, Ohio and any amendments subsequently filed.
- 1.5 This Code of Regulations amends the previous Code of Regulations which was adopted in September 2008.

Article II. OFFICES AND STATUTORY AGENT

PRINCIPAL AND BRANCH OFFICES

- 2.1 The principal place of business of this Corporation in Ohio will be located in Goshen Township, Clermont County, Ohio. In addition, the Corporation may maintain other offices either within or without the state of Ohio as its business may require.
- 2.2 The statutory agent for the Corporation shall be a current resident of the Timber Ridge of Clermont County Subdivision as appointed and approved by The Trustees.

Article III. MEMBERSHIP

DEFINITION OF MEMBERSHIP

- 3.1 The Members of this Corporation are all the owners of lots in Timber Ridge of Clermont County Subdivision.

CLASS OF MEMBERS

- 3.2 This Corporation will have one class of members. Regular members shall be all owners of one or more lots in Timber Ridge of Clermont County Subdivision. When one or more persons hold an interest in any lot; all such persons shall be members. The vote for such lot shall be exercised as they among themselves determine, but



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in no event shall more than one vote be cast for each lot. When an individual or corporation owns more than one lot, they are entitled to only one vote for their combined ownership.

MEMBER DUES

- 3.3 The annual dues payable to the Timber Ridge of Clermont County Homeowners' Association by a member will be in the amount of \$100.00 per year, per lot, payable January 1, of each year, subject to amendment by the Trustees.

ASSESSMENTS

- 3.4 The Trustees shall have the power to levy dues and assessments on each lot in order to meet current and projected expenses for maintenance, improvements, and regulations.

CREATION OF LIEN

- 3.5 Any dues or assessments unpaid by a member(s) for more than thirty days shall result in a late charge and possible lien on the lot owned by such member(s), and shall be the personal obligation of said member(s).

PLACE OF MEMBER MEETINGS

- 3.6 Meetings of members will be held in Goshen Township, Clermont County, Ohio.

ANNUAL MEMBER MEETINGS

- 3.7 The annual meeting of the Members will be held in October of each year, on a date as determined by The Trustees.

SPECIAL MEMBER MEETINGS

- 3.8 Special meetings of the Members may be called by any of the following:
- 1) The Board of Trustees
 - 2) The President
 - 3) 25% of the voting Members

NOTICES OF MEMBERS' MEETINGS

- 3.9 Written or printed notice, stating the place, day, and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called, must be delivered not less than ten or more than sixty days before the date of the members' meeting. Signs will be posted at both entrances to the subdivision and a letter will be sent to the owners who do not reside in the subdivision. If mailed, the notice will be deemed to be delivered when deposited in the United States mail addressed to the Member at the Members' address as it appears on the records of the Corporation with postage prepaid.

MEMBERS' VOTING

- 3.10 A Member in good standing may vote either in person or by proxy executed in writing by the member or his duly authorized attorney-in-fact. No proxy will be recognized as valid after eleven months from the date of its execution unless expressly provided otherwise in the proxy.



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QUORUM OF MEMBERS

- 3.11 The number or percentage of votes represented in person or by proxy that constitutes a quorum at a meeting of Members will be greater than 51%. 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 is necessary for the adoption of any matter voted on by the Members, unless a greater proportion is required by the Nonprofit Corporation Law, the Articles of Incorporation of the Corporation, or any provision of these Regulations.

TRANSFERABILITY OF MEMBERSHIP

- 3.12 Membership in this Corporation is nontransferable and non-assignable, except upon conveyance or transfer of the lot in Timber Ridge Subdivision, at which time membership shall be transferred to the new owner(s).

TERMINATION OF MEMBERSHIP

- 3.13 Membership will terminate in this Corporation upon conveyance or other transfer of the lot in Timber Ridge of Clermont County Subdivision, at which time membership shall be transferred to the new owner(s).

Article IV. TRUSTEES

DEFINITION OF BOARD OF TRUSTEES

- 4.1 The Board of Trustees, hereinafter referred to as The Trustees, is that group of persons vested with the management of the business and affairs of this Corporation.

QUALIFICATION OF TRUSTEES

- 4.2 The qualifications for becoming and remaining a Trustee of this Corporation are as follows:
- 1) Trustees must be residents of Timber Ridge of Clermont County Subdivision.
 - 2) Trustees must be members of the Corporation, Timber Ridge of Clermont County Homeowners' Association.

NUMBER OF TRUSTEES

- 4.3 The number of trustees of this Corporation will not be less than three at any time and no more than five at any time.

TERMS OF TRUSTEES

- 4.4 The Trustees constituting the first Board of Trustees as named in the Articles of Incorporation will hold office until the first annual election of Trustees. Thereafter, Trustees will be elected for a term of three years. Each Trustee will hold office for the term for which the Trustee was elected and until a successor has been selected and qualified. Election to the Board shall be by written ballot. No cumulative voting is permitted.

VACANCIES ON THE BOARD

- 4.5 Any vacancy occurring on the Board of Trustees, and by any directorship to be filled by reason of an increase in number of Trustees, will be filled by appointment by a majority of the remaining Board of Trustees. The new Trustee appointed to fill the vacancy will serve for the unexpired term of the predecessor in office.



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LOCATION OF TRUSTEE'S MEETINGS

- 4.6 Meetings of the Board of Trustees, regular or special, will be held in Goshen Township, Clermont County, Ohio such place or places as the Board of Trustees designates by resolution duly adopted.

NOTICE OF SPECIAL TRUSTEES' MEETINGS

- 4.7 Written or printed notice stating the place, day, and hours of any special meeting of The Trustees will be delivered to each Trustee not less than two or more than five days before the date of the meeting, either personally or by first class mail, by or at the direction of the President or the Vice President, or the Trustees calling the meeting. If mailed, the notice will be deemed to be delivered when deposited in the United States mail by registered or certified mail addressed to the Trustee at the Trustee's address as it appears on the records of the corporation with postage prepaid. The notice need not state that business to be transacted at, or the purpose of, the meeting.

CALL OF SPECIAL TRUSTEE MEETINGS

- 4.8 A special meeting of the Board of Trustees may be called by either:
- 1) The President.
 - 2) Two Members.

WAIVER OF NOTICE

- 4.9 Attendance of a Trustee at any meeting of the Board of Trustees will constitute a waiver of notice of the meeting except when the Trustee attends a meeting for the express purpose of objecting, at the beginning of the meeting, to the transaction of any business because the meeting is not lawfully called or convened.

QUORUM OF TRUSTEES

- 4.10 A majority of the whole Board of Trustees will constitute a quorum. The act of a majority of the Trustees present at a meeting at which a quorum is present will be the act of the Board of Trustees unless a greater number is required under the provision of the Nonprofit Corporation Law, the Articles of Incorporation of this H.O.A., or any provision of these Regulations.

COMPENSATION

- 4.11 Members of the Board of Trustees shall serve without compensation, except that they may be reimbursed for actual expenses incurred on behalf of the Corporation.

Article V. OFFICERS

ROSTER OF OFFICERS

- 5.1 The Officers of this Corporation will consist of the following personnel:
- 1) President
 - 2) Vice President
 - 3) Secretary
 - 4) Treasurer
 - 5) Trustee/Sergeant of Arms



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- 5.2 Each of the Officers of the Corporation will be elected and appointed every three years by the majority of the votes cast by members attending the annual meeting. Each Officer will remain in office until a successor to the office has been selected and qualified.

PRESIDENT

- 5.3 The president is the chief executive officer of this Corporation and will, subject to the control of The Trustees or any Committees, supervise and control the affairs of the Corporation. The president will perform all duties incident to the office and any other duties that may be required by these Regulations or prescribed by The Trustees. The president is responsible to attend all set, emergency, (all) meetings or gatherings pertaining to the corporation's business, with only emergencies as an exception.

VICE PRESIDENT

- 5.4 Carries the same duties as the president, with only the president setting the full authority of The Trustees. In the event the president is absent, the vice president is responsible for the duties of the president and only carrying that authority for only the limited absences of the president.

SECRETARY

- 5.5 The secretary will keep minutes of all meetings of Members and of The Trustees, be the custodian of the corporate records, give all notices as are required by law or by these Regulations, and generally, perform all duties incident to the office of secretary and any other duties as may be required by law, by the Articles of Incorporation, or by these Regulations, or that may be assigned by The Trustees.

TREASURER

- 5.6 The treasurer will have charge and custody of all funds of this corporation. These duties include depositing the funds as required by The Trustees, keeping and maintaining adequate and correct accounts of the corporation's properties and business transactions, and rendering reports and accountings to the Trustees and to the Members as required by The Trustees, Members, or by law. The treasurer will perform in general all duties incident to the office of these Regulations, or that may be assigned by The Trustees.

SERGEANT AT ARMS

- 5.7 It is the duty of the sergeant at arms to patrol the subdivision for violations of the rules and regulations and report them immediately to The Trustees.

REMOVAL OF OFFICERS

- 5.8 Any Officer elected or appointed to office may be removed by the persons authorized under these Regulations to elect or appoint Officers whenever in their judgment the best interest of this H.O.A. will be served. However, any removal will be without prejudice to any contracts rights of the Officer so removed.



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Article VI. INFORMAL ACTION

WAIVER OF NOTICE

- 6.1 Whenever any notice is required to be given under the provision of the Nonprofit Corporation Law, the Articles of Incorporation of this Corporation; or these Regulations, a waiver of the notice, whether before or after the time stated in the waiver, will be deemed equivalent to the giving of the notice. The waiver must, in the case of a special meeting of Members, specify the general nature of the business to be transacted.

ACTION BY CONSENT

- 6.2 Any action required by law or under the Articles of Incorporation of this Corporation or these Regulations, or any action that otherwise may be taken at a meeting of either the Members or The Trustees, may be taken without a meeting if a consent in writing, setting forth the action taken, is signed by all the persons entitled to vote with regard to the subject matter of the consent, or all Trustees in office, and filed with the Secretary of the Corporation.

Article VII. OPERATIONS

FISCAL YEAR

- 7.1 The fiscal year of this corporation will be the calendar year.

EXECUTION OF DOCUMENTS

- 7.2 Except as otherwise provided by law, checks, drafts, promissory notes, orders for the payment of money, and other evidences of indebtedness of this Corporation will be signed by the treasurer and countersigned by the president. Contracts, leases, or other instruments executed in the name of and on behalf of the Corporation will be signed by the secretary and countersigned by the president and will have attached copies of the resolutions of The Trustees certified by the secretary authorizing their execution.

BOOKS AND RECORDS

- 7.3 This Corporation will keep correct and complete books and records of account, and will also keep minutes of the proceedings of its Members and Board of Trustees. The Corporation will keep, at its principal place of business, a membership register giving the names, addresses, and other details of the membership of each member, and the original or copy of its Regulations including amendments to date certified by the secretary of the Corporation.

INSPECTION OF BOOKS AND RECORDS

- 7.4 All books and records of the Corporation may be inspected by any Member, or the Member's agent or attorney, for any proper purpose at any reasonable time on written demand under oath stating the purpose of the inspection.

NONPROFIT OPERATIONS

- 7.5 This Corporation will not have or issue shares of stock. No dividends will be paid, and no part of the income of this Corporation will be distributed to its Members, Trustees, or Officers.



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LOANS TO MANAGEMENT

- 7.6 This Corporation will make no loans to any of its Trustees or Officers.

Article VIII. AMENDMENT

MODIFICATION OF REGULATIONS

- 8.1 The authority to alter, amend, or repeal all regulations and bylaws or to adopt new regulations and bylaws to the extent allowed by law is vested in the homeowners. Proposals to make any modifications must be brought to The Trustees, but must be held until the annual meeting. At that time, the proposed modification will be brought to a vote by the homeowners in which all voting rules will apply.

Article IX. RESOLUTIONS OF FINES

- 9.1 Be it resolved by The Trustees of the Timber Ridge of Clermont County Homeowners' Association that effective May 6, 2014, The Trustees formally adopt the following schedule of written warnings, fines and liens for violations pursuant to the Articles of Incorporation of the bylaws of the Timber Ridge of Clermont County Homeowners' Association. All actions leading to warning, fines, and liens are a fair warning process, to allow the violator ample time to correct any and all violations in a fair and timely manner and to avoid any related fines or liens.
- 9.2 It is The Trustees' sincere hope that there will never be a need to write a single warning notice, much less a fine issued or a lien placed on any property. These rules and resolution of fines were written with the hope of maintaining the quality of life in our community. Unfortunately there may be those who do as they will without thought, concern, or regard for those around them. Therefore, these warning notices, fines, and liens have been set in place. All fines, expenses, and liens collected will be added to the Timber Ridge of Clermont County Homeowners' Association account along with the annual home owners' association fees.

WARNING NOTICE, FINES, AND LIEN PROCEDURE:

- 9.3 STEP 1. Once a complaint is received, via the official form (The Complaint Filing Form can be found on the HOA website at www.site.timberridgeloveland.org), the homeowner will be sent a first class letter notifying them of the violation and the action needed to correct that violation. The homeowner has fourteen days from the date the letter was mailed to correct the violation and notify The Trustees of completion. If any issues arise, the homeowner may contact The Trustees for an extension, but progress must have been made to resolve the violation.
- 9.4 STEP 2. If no correction has been made after fourteen days, a certified letter will be sent to the homeowner along with notice of the resulting fines (unless an extension has been approved by The Trustees). Starting on the fifteenth day, fines will start accruing at \$10 per day until the violation is corrected. Upon resolution, all fines incurred must be paid within ninety days of the initiation of Step 1.
- 9.5 STEP 3. After ninety days if the violation is not corrected, a lien will be placed on the homeowner's property. The homeowner will be responsible for all daily fines, the cost of placing and releasing the lien, and any expenses incurred by The Trustees including attorney fees.



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ADOPTION OF REGULATIONS

The President of the Association hereby certifies that this Code of Regulations for Timber Ridge of Clermont County Homeowners' Association has been approved by a majority of the homeowners attending the Special Meeting held May, 6, 2014 in Goshen, Ohio.

IN WITNESS WHEREOF, the President of the Association on behalf of the Owners approving these Regulations hereby executes this document on this 24th day of June, 2014.

TIMBER RIDGE OF CLERMONT COUNTY HOMEOWNERS' ASSOCIATION

David F. Stroup, Witness
Treasurer
Timber Ridge of Clermont County
Homeowners' Association

BY:

Kerby W. Richmon, President
Timber Ridge of Clermont County
Homeowners' Association

William O. Blalock, Witness
Vice President
Timber Ridge of Clermont County
Homeowners' Association

STATE OF OHIO, COUNTY OF CLERMONT

On this 24th day of June, 2014, before me, a notary public in and for said county, personally came the Timber Ridge of Clermont County Homeowners' Association, through its President, Kerby Richmon, and acknowledged the signing thereof to be his voluntary act and deed.

Witness my official signature and seal on the day last above mentioned



FRANCISCO MERLO
Notary Public, State of Ohio
My Comm. Expires Oct. 2, 2016

Notary Public