



Name and

Return Address

BELFAIR ACREAGE TRACTS  
P.O. Box 756  
BELFAIR, WA 98528

DOCUMENT TITLE (S)

Bylaws of BELFAIR ACREAGE TRACTS (~~AMENDED~~)

REFERENCE NUMBER (S) of related documents

376576 - 367345 - 366040 - 366041 - 366042 - 358895  
Additional Reference #'s on page 8

GRANTOR (S) Last, First and Middle Initial

BELFAIR ACREAGE TRACTS ASSOCIATION

Additional Grantors on page \_\_\_\_\_

GRANTEE (S) Last, First and Middle Initial

TO THE PUBLIC

Additional Grantees on page \_\_\_\_\_

LEGAL DESCRIPTION (Abbr. Form: quarter/quarter, section, township & range, plat, lot, & block)

TRACT MAP 366040 - SECTION 7 TOWNSHIP 22 RANGE  
1 WEST

Additional Legal Descriptions on page \_\_\_\_\_

PARCEL NUMBER

12207-75-00010 Thru 12207-75-00680



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BYLAWS  
OF  
BELFAIR ACREAGE TRACTS ASSOCIATION

ARTICLE I.

DEFINITIONS

Section 1. "Association" shall mean and refer to the Belfair Acreage Tracts Association, a nonprofit corporation organized and existing under the laws of the State of Washington. The corporations Unified Business Identifier number is 601 241 122.

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Section 2. "The Properties" shall mean and refer to Belfair Acreage Tracts and such additions thereto as may hereafter be brought within the jurisdiction of the Association by annexation as provided in Article VI herein.

Section 3. "Common Properties" shall mean and refer to those areas of land shown on any recorded subdivision map of The Properties and intended to be devoted to the common use and enjoyment of the owners of the Properties. "Common Properties" include all easements of way recorded on the Reservation of Easement filed with the Mason County Auditor, Record number 366041.

ARTICLE III.

LOCATION

Section 1. The principal office of the Association shall be Belfair Acreage Tracts, P.O. Box 756, and Belfair, Washington 98528.

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### ARTICLE III.

#### MEMBERSHIP

Section 1. Every person or entity who is a record owner of a fee or undivided fee interest in any tract or any subdivision thereof, which is subject by Covenants of record to assessment by the Association shall be a member of the Association, provided that any such person or entity who holds such an interest merely as a security for the performance of an obligation shall not be a member.

Section 2. The rights of membership are subject to the payment of annual and special assessments levied by the Association, the obligation of which assessments is imposed against each owner of and becomes a lien upon the property against which such assessments are made as provided by Article VII of the Declaration of Covenants and Restrictions to which The Properties are subject and recorded with the Mason County Auditor, record number 366042, recorded on August 27, 1979.

Section 3. This original section caused two levels of membership to be made. (Those who had paid the annual assessment and those who had not.) That is against State law. This section was removed by a vote of the membership in 2003.

### ARTICLE IV.

#### VOTING RIGHTS

Section 1. The Association shall have one class of voting membership. Members shall be all those owners as defined in Section 1 of Article III above. Members shall be entitled to one vote for each tract or subdivision thereof in which they hold the interest required for a membership by Section 1 of Article III. When more than one person holds such interest or interests in any tract or subdivision, all such persons shall be members, and the vote for such tract or subdivision shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any such tract or subdivision.

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ARTILCE V.

PROPERTY RIGHTS AND RIGHTS OF ENJOYMENT OF COMMON  
PROPERTY

Section 1. Each member shall be entitled to the use and enjoyment of the common properties as provided by Article IV, Declaration of Covenants applicable to The Properties.

Section 2. Any member may delegate his rights of enjoyments in the Common Properties to the members of his family who reside upon The Properties or to any of his tenants who reside thereon under a leasehold interest for a term of one year or more. Such member shall notify the Secretary in writing of the name of such person and of the relationship of the member to such person.

ARTICLE VI.  
ASSOCIATION PURPOSES AND POWERS.

Section 1. The Association has been organized for the following purposes:

- (1) To promote the recreation, health, safety and welfare of the residents of BELFAIR ACREAGE TRACTS ASSOCIATION, as recorded on Tract map, record number 366040 with the Mason County Auditor, recorded on 27 Aug 1979.
  - (2) To care for, maintain and improve for the use and enjoyment of all residents of BELFAIR ACREAGE TRACTS ASSOCIATION, the private roads and property situated adjacent thereto, legally described on the recorded Declaration of Easement, record number 366041 with the Mason County Auditor, recorded on 27 Aug 1979.
  - (3) Removed when Reid Realty went to IRA's and 401K's.
  - (4) To fix assessments to be levied against the properties.
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- (5) To enforce any and all covenants restrictions and agreements applicable to the properties.
- (6) To own, buy, sell, rent, lease, mortgage or otherwise acquire, dispose of or deal in real and personal property.
- (7) To borrow money and to issue notes as evidence thereof, and to secure the same by a mortgage or pledge of any or all of its assets.
- (8) Insofar as is permitted by law and all covenants, to do any other thing that in the opinion of the Board of Directors will promote common benefit and enjoyment of the properties.

Section 2. The total debts of the corporation, including the principal amount of such mortgages, outstanding at any time, shall not exceed the total of one year's assessments current at he time, provided that authority to exceed said maximum in any particular case may be given by an affirmative vote of two-thirds of the votes of the members who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be mailed to all members at least thirty (30) day in advance and shall set forth the purpose of the meeting.

Section 3. The corporation shall have power to dispose of its real properties only as authorized under the recorded covenants and restrictions applicable to said properties.

#### ARTICLE VII.

##### BOARD OF DIRECTORS.

Section 1. The affairs of the corporation shall be managed by a Board of five (5) directors who need not be members of the corporation. The initial board of directors shall consist of three (3) directors who shall hold office until the election of their successor for the terms stated in Article XVI of the Article of incorporation. Beginning with the annual meeting to be held on 18 may 1991, members shall elect two (2) directors for a term of three (3) years. Two directors shall be elected for a term of two (2) years and one (1) director shall be elected

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for a term of one (1) year. Subsequent elections will be held to follow this sequence of terms annually.

Section 2. Vacancies in the Board of Directors shall be filled by the remaining directors, any such appointed director to hold office until his successor is elected by the member, who make such election at the next annual meeting of those members or at any special meeting duly called for that purpose.

## ARTICLE IX.

### POWERS AND DUTIES OF THE BOARD OF DIRECTORS.

Section 1. The Board of directors shall have the power:

- (a) To call special meetings of the members whenever it deems necessary and it shall call a meeting at any time upon written request of one-fourth (1/4) of the voting membership, as provided in Article IV, Section 1.
- (b) To appoint and remove at pleasure all officers, agents and employees of The Association, prescribe their duties.
- (c) To establish, levy and assess and collect the assessments or changes referred to in Article III, Section 2.
- (d) To adopt and publish rules and regulations governing the use of common properties and facilities.
- (e) To exercise for the Association all powers, duties and authority vested in or delegated to the Association, except those reserved to the meeting or to members in covenants.
- (f) In the event that any member of the Board of Director of this Association shall be absent from three (3) consecutive regular meetings of the Board of Directors, the Board may by action taken at the meeting during which said third absence occurs, declare the office of said absent Director to be vacant.

Section 2. It shall be the duty of the Board of Directors:

- (a) To cause to be kept, a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting.
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- (b) To supervise all officers, agents and employees of this Association, and to see that their duties are properly performed.
- (c) As more fully provided in Article V of the Declaration of Covenants applicable to the Properties:
  - (1) To fix the amount of the assessment against each tract or subdivision for each assessment period at least thirty (30) days in advance of such date or period and, at the same time;
  - (2) To prepare a roster of the properties and assessments applicable thereto which shall be kept by the Association Accountant and shall be open to inspection by any member, and at the same time;
  - (3) To send written notice of each assessment to every owner subject thereto.
- (d) To issue, or to cause an appropriate officer to issue, upon demand by any person a certificate setting forth whether any assessment has been paid. Such certificate shall be conclusive evidence of any assessment therein stated to have been paid.

ARTICLE X.  
DIRECTORS' MEETINGS.

Section 1. A regular meeting of the Board of Directors shall be held following the annual meeting, provided that the Board of Directors may, by resolution, change the day and hour of holding such regular meeting.

Section 2. The Board of Directors regular meeting will be held on the second (2<sup>nd</sup>) Saturday of each month in the Belfair Timberline Library at 6:00 o'clock PM unless changed by resolution.

Section 3. Special meetings of the Board of Directors shall be held when called by any officer of the Association or by two directors after not less than three (3) days' notice to each director.

Section 4. The transaction of any business at any meeting of the Board of Directors, however called and noticed, or wherever held, shall be as valid as though made at a meeting duly held after regular call and notice if a quorum is present and, if either before or after the meeting, each of the directors not present signs a written waiver of

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notice, or a consent to the holding of such meeting, or an approval of minutes thereof. All such waivers, consents or approvals shall be filed with the corporate records and made part of the minutes of the meeting.

Section 5. The majority of the board of Directors shall constitute a quorum thereof.

Section 6. No Director shall receive any compensation for his services as such, but nothing herein contained shall deem to limit the right of any member of the Board of Directors to perform services incident to the profession or trade of said member for the corporation, or to sell property of any kind or nature to said corporation.

#### ARTICLE XI. OFFICERS.

Section 1. The officers shall be a President, Vice-President and Secretary-Treasurer. All officers may be members of the Board of Directors.

Section 2. The officers shall be chosen by a majority vote of the Directors.

Section 3. All officers shall hold office during the pleasure of the Board of Directors.

Section 4. The President shall preside at all meeting of the Board of Directors, shall see that orders and resolutions of the Board of Directors are carried out and sign all notes, checks, leases, mortgages, deeds and all other written instruments.

Section 5. The Vice-President shall perform all the duties of the President in his absence.

Section 6. The Secretary-Treasurer shall be the secretary of the Board of Directors, shall record the vote and keep the minutes of all proceedings in a book or computer file kept for this purpose. He shall keep he records of the Association. He shall record in a book kept for that purpose the names of all the members of the Association together with their addresses as registered by such members. He shall receive and deposit in appropriate bank accounts all monies of the Association

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and shall disburse such funds as directed by resolution of the Board of Directors, provided, however, that a resolution of the Board of Directors shall not be necessary for disbursements made in ordinary course of business conducted within limits of a budget adopted by the Board. He may sign all checks and notes of the Association, provided that the President or Vice-President authorizes such checks and notes. He shall render to the Board of Directors whenever same shall be required, and shall render to the members at the annual meeting, an account of receipts, disbursements and financial condition of the Association.

ARTICLE XII.  
MEETING OF MEMBERS.

Section 1. The regular annual meeting of the members shall be held on the 2<sup>nd</sup> Saturday of May each year, at the hour of 6:00 o'clock PM.

Section 2. Special meetings of the members for any purpose may be called at any time by the President, the Vice-President, the Secretary-Treasurer, or by any two or more members of the Board of Directors, or upon the written request of the members who have a right to vote one-fourth of all of the votes of the entire membership pursuant to ARTICLE III.

Section 3. Notice of any meetings shall be given to the member by the Secretary. Notice may be given to the member either personally, or by sending a copy of the notice through the mail, postage thereon fully prepaid to address appearing on the books of the corporation. Each member shall register his address with the secretary, and notices of such meetings shall be mailed to him at such address. Notice of any meeting regular or special, shall be mailed at least six (6) days in advance of the meeting and shall set forth in general the nature of the business to be transacted, provided, however, that if the business of any meeting shall involve an election governed by ARTICLE VIII or any action governed by ARTICLES OF INCORPORATION or by the COVENANTS applicable to The Properties, notice of such meeting shall be given or sent therein provided.

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ARTICLE XIII.  
PROXIES.

Section 1. At all corporate meetings of members, each member may vote in person or by proxy.

Section 2. All proxies shall be in writing and filed with the Secretary. No proxy shall extend beyond a period of eleven (11) months, and every proxy shall automatically cease upon sale by a member of his home or other interest in The Properies.

ARTICLE XIV.

BOOKS AND PAPERS.

Section 1. The books and records and papers of the Association shall at all times, during reasonable business hours, be subject to the inspection of any member.

ARTICLE XV.

AMENDMENTS.

Section 1. These Bylaws may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy, provided that those provisions of these Bylaws which are by the ARTICLES OF INCORPORATION may not be amended except as provided in the ARTICLE OF INCORPORATION or applicable law; and provided further that any matter stated herein to be or which is in fact governed by the COVENANTS AND RESTRICTIONS applicable to The Properties may not be amended except as provided in such COVENANTS AND RESTRICTIONS.

Section 2. In case of any conflict between the ARTICLES OF INCORPORATION and these Bylaws. The ARTICLES shall control; and in the case of conflict between the COVENANTS AND RESTRICTIONS applicable to the Properties referred to in Section 1 and these Bylaws, the COVENANTS AND RESTRICTIONS shall control.

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EXHIBIT 1.

LEGAL DESCRIPTION OF PROPERTY NOW INCLUDED IN BELFAIR  
ACREAGE TRACTS.

Real estate located in the State of Washington, County of  
Mason described as follows:

The Northwest quarter of the Northwest quarter of Section 7,  
Township 22 North, Range 1 West, W. M.

The Southwest quarter of the Northwest quarter of Section 7,  
Township 22 North, Range 1 West, W. M.

The Southeast quarter of the Northwest quarter of Section 7,  
Township 22 North, Range 1 West, W. M.

The Northwest quarter of the Southwest quarter of Section 7,  
Township 22 North, Range 1 West, W. M.

The Northeast quarter of the Southwest quarter of Section 7,  
Township 22 North, Range 1 West, W. M.

The North half of the Southeast quarter of the Southwest  
quarter of Section 7, Township 22 North, Range 1 West, W. M.

The East one-half of the Northwest quarter Section 18, Township  
22 North, W. M.

The following 40 acre acre parcel is owned by Developers and  
may be supplemented to the BELFAIR ACREAGE TRACTS at a later  
time:

The Southwest quarter of the Southeast quarter of Section 6,  
Township 22 North, Range 1 West, W. M.

August 27, 1979