**BYLAWS**

**OF**

**BULLSEYE ROAD MAINTENANCE AND IMPROVEMENT ASSOCIATION**

**MEMBERSHIP AND ASSESSMENTS**

1. Membership in the Bullseye Road Maintenance and Improvement Association, hereafter referred to as BERMA, consists of properly owners who use Larson Lane NW to access their property. (Exhibit A) Each member will have one vote in matters concerning the association. No membership shall be voted unless such member has paid all dues and assessments currently owed. ·A property owner shall attain membership in the Association only upon execution of an Agreement to Membership with the Association in the form exhibited in Attachment "A" attached hereto and incorporated herein by this reference. Upon execution of said Agreement to Membership, the agreement shall be recorded with the Kitsap County Auditor's Office so as to appear in said property owner's chain of title. Said property owner shall then be bound by all rules and regulations of the Association including but not limited to the payment of the assessments of the Association and the subjection of said property owner's real property to a lien filed by the Association for the nonpayment of said assessments.

2. Assessments necessary for specific projects and regular periodic dues to create funds for normal anticipated maintenance may be established only by a two-thirds majority vote of the membership in attendance at any annual or special meeting of the membership. Notwithstanding any other provision to the contrary, beginning in 2023, each unit of membership shall be assessed $300.00 per year for the improvement of Larson Lane and Glory Lane until such road have been developed and improved as paved roads to Kitsap County standards. Beginning in 2025, each unit of membership shall be assessed $325.00 per year for the previously described improvements. Beginning in 2027, each unit membership shall be assessed $350.00 per year for the previously described improvements.

3. The directors shall determine and supervise the expenditures for such improvements and shall give notice to each property owner of the dues and/or assessment to be paid by each property owner. All dues and assessments shall be paid within 30 days of the due date to the association at its office of record. Interest shall accrue on all past due sums at the rate of 12% per annum. The association shall be entitled to an award of all reasonable attorneys' fees incurred in the collection of any dues or assessments. Non-payment of all dues, assessments, interest, attorney's fees and other costs in collecting said dues, assessments and fees shall be paid by the member. In the event of nonpayment, a lien may be placed upon the member's property and said lien shall be enforced by foreclosure proceedings in the manner provided by the laws for foreclosure of mortgages in Washington State. However, no proceedings for the foreclosure of any said liens shall be commenced until four months after the date of mailing and notice of dues and assessments. The association is not limited in the manner in which it may collect past delinquent dues and assessments which may include the above lien and foreclosure of property, filing of action in Superior or Small Claims Courts, notification of the lender or mortgage holder on said property of a pending or existing lien, and/or submission of the account to a collection agency.

4. In the case of a claim of hardship in the nonpayment of dues and assessments the Board of Directors by a majority vote may allow payment to be made in a manner acceptable to the board and the collection of interest on the account may be set aside.

5. The repairs and maintenance to be undertaken and preformed with respect to roads subject to this agreement shall include the following and only the following, except that:

A. The paving, grading and maintenance of the road surface, filling of chuckholes, placement of culverts for drainage.

B. The Annual Assessments due for the improvement and maintenance of Larson Lane and Glory Lane may be utilized to improve all or portions of such road to a paved road meeting Kitsap county standard.

C. No capital equipment (equipment costing in excess of $200.00) shall be purchased by the association without the written consent of two-thirds of the membership of the association. This article applies only to the purchase of capital equipment such as road graders, rollers, dozers, etc., and is not meant to apply to the purchase of road maintenance materials such as asphalt, rock, culvert or the rental of equipment or payment of operators of said equipment for road maintenance.

D. In order to cover the additional wear on the roads during the construction process, the following impact fees shall be assessed: $900.00 for new home construction and $450.00 for any remodeling where a permit is issued by Kitsap County.

E. Snow removal will be scheduled when more than six (6) inches of snow fall on the road or at the discretion of the Board of Directors. Preventative and reactive winter weather maintenance will be funded via an assessment not to exceed five percent (5%) of the annual assessment (paragraph 2).

**MEETINGS**

1. Annual meetings of the members of the association shall be held at such place as the Board of Directors may select. The annual meeting shall be held in May of each year. BERMA's fiscal year will be June through May. Notice thereof shall be distributed along with the Annual Assessment invoices not less than fourteen (14) days prior to the date of the meeting.

2. Special meetings can be called by a majority of the Board of Directors or by members representing twenty percent of the property owners in the association. Notice of a special meeting, stating the purpose thereof, shall be given by the secretary by mailing such notice to each member not less than ten (10) days prior to the date on which such meeting is to be held.

3. At all annual and special meetings of the association, twenty percent (20%) of all members in good standing of the association shall constitute a quorum for the transaction of business. Each member shall be entitled to one vote per family regardless of number of parcels owned.

4. Special meetings of the Board of Directors shall be called at any time by a majority of the directors. The secretary shall give each director notice personally or by telephone of all regular and special meetings at least three (3) days prior to said meeting.

5. Where consent is provided to the Board in writing by the member prior to the meeting, notice for any Annual or Special Meeting may be accomplished via electronic mail or social media.

**DIRECTORS AND OFFICERS**

1. The corporate powers of the association shall be vested in the Board of Directors. The number of directors who shall manage the affairs of the association shall be six. At the annual meeting members shall elect a board of directors who have submitted their names as candidates and may increase or decrease the number of directors to any number but not more

than nine or less than three. The election of the Board of Directors shall be by a majority vote of the members present. Only one member of property interest will be allowed to serve as a director.

2. Directors shall be elected to serve for one year and must be a member in good standing in

the association. The Board of Directors shall serve without compensation.

3. At the first meeting of the Board of Directors, after each annual meeting, the board shall select a chairperson, secretary/treasurer and other officers as the board may deem appropriate to serve for one year. An officer of the board may be removed by a majority vote of all of the directors.

4. A vacancy occurring in the Board of Directors shall be filled by appointment by a majority of the remaining directors. The person so appointed shall hold office until the next regular meeting of the members of the association.

5. To qualify to serve on the Board of Directors, a member must be current on the payment of all Annual and Special Assessments. This provision may be waived temporarily by a minimum 2/3rd approval by the Board.

**DUTIES OF DIRECTORS**

1. Subject to limitations in the Articles of Incorporation and the Bylaws and the laws of the State of Washington, all powers of the association shall be exercised by or under the authority of the Board of Directors while conducting the business and affairs of the association. It is hereby expressly declared that the directors shall have the following powers:

A. To select and remove all officers, agents and employees of the association and prescribe such powers and duties as may be appropriate for said officers, agents and employees.

B. To conduct, manage and control the affairs and business of the association, and to make such rules and regulations as long as such rules and regulations are not inconsistent with Washington State Law, the Articles of Incorporation or existing Bylaws of the association.

C. To cause to be kept a complete record and accounting of all funds received by the association and a full accounting of the expenditure of all funds. A full accounting of funds received and expended shall be available to all members at the annual membership meeting.

D. To cause to be kept a complete record of all minutes of meetings and of actions taken by the Board of Directors and to provide a copy of said minutes to any member who may request such record.

**DUTIES OF OFFICERS**

1. Chairperson. The chairperson shall preside at all meetings of the Board of Directors and members. The chairperson shall sign all contracts or other instruments in writing authorized by the Board of Directors for association business. The chairperson may, when deemed necessary, call special meetings of the Board of Directors and shall exercise, under the direction of the Board of Directors, the general supervision of the business of the association.

2. Secretary. The secretary shall issue all notices to the membership and Board of Directors of the place and times of all meetings and shall attend and keep the minutes of all meetings. The secretary will maintain a copy of the Application for Membership file.

3. Treasurer. The treasurer shall keep safely all moneys and securities of the association in a bank selected by the Board of Directors and disburse the same under the direction of the Board of Directors. At each annual meeting of the members and at the time directed by the board, the treasurer shall issue and present a full statement showing in detail the condition of the affairs of the association. The treasurer will maintain the Application for Membership file with a copy maintained by the Secretary. The treasurer shall have charge of all corporate books, records and papers and shall perform such other duties as are incidental to the office.

4. Any officer, other than the chairperson, may occupy two offices concurrently with the

approval of the Board of Directors.

5. To qualify to serve as an officer on the Board of Directors, a member must have been a member of the Board for two (2) years; and is current on the payment of all Annual and Special Assessments. This provision may be waived temporarily by a minimum 2/3rd approval by the Board.

**AMENDMENTS TO BYLAWS AND REMOVAL OF DIRECTORS**

1. These Bylaws may be amended by the affirmative vote of not less than two-thirds of the votes received at any annual meeting of the membership. However, notice of such proposed amendment must be given in writing to all members at least thirty (30) days prior to said meeting. If a member is not able to attend the annual meeting they may request, upon receipt of the notice of proposed amendments, an absentee ballot. All absentee ballot requests must be received at least ten (10) business days prior to said meeting. All submitted absentee ballots must be received at least three (3) business days prior to the annual meeting.

2. These Bylaws shall be reviewed and reevaluated every five (5) years beginning in 2025. This review shall include, but not be limited to, the sufficiency of the Annual Assessment to improve and maintain the roadways within BERMA.

3. Any director may be removed from office by a majority vote of the Board of Directors at any meeting of the directors. Such meetings of the directors shall be preceded by ten (10) days written notice to all the directors stating the reason or reasons for the proposed removal.

**ADDRESS OF OFFICE OF THE ASSOCIATION**

BERMA

P. O. Box 426

Seabeck, WA 98380

These Bylaws have been amended consistent with the procedures detailed within these Bylaws. By signature below, the Chairman and Secretary do hereby attest that these amendments were lawfully adopted by a two-thirds vote of the membership present at the Annual meeting of the membership held on Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed this \_\_\_th day of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 , Chairman

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 , Secretary

BERMA Road Maintenance Description

Exhibit A

Bullseye Road Maintenance and Improvement Association

Description of Roads Maintained

That road described as Larson Lane NW in Kitsap County Washington which begins at the intersection of NW Northwoods Street and extends in a Southeasterly direction lying within Section 28, Section 29, and Section 33 Township 25, Range 1W W.M. , Kitsap County and ending adjacent to 6192 Larson Lane NW in the NE Quarter of Section 33 Township 25, Range 1W W.M. Kitsap County.

That road described as Glory Lane NW which extends West from the intersection with Larson Lane NW in Section 33 Township 25, Range 1W, W.M. and ending adjacent to 5001 Glory Lane NW in the South half of the SW quarter of the SE quarter of the NW quarter of Section 33 Township 25, Range 1W W.M.