

BYLAWS

OF THE

HIGHLAND VIEW ESTATES HOMEOWNERS
ASSOCIATION

1 July 2005

The Bylaws of the **Highland View Estates Homeowners Association (HVEHOA)** have been adopted by the 2005-6 Board of Directors and will be implemented on JULY 1st 2005. There are three legally binding documents that guide the affairs of the **HVEHOA**. There are:

1. **Declaration of Covenants, Conditions and Restrictions of Highland View Estates Homeowners Association (DCC&R),**

2. **Articles of Incorporation of Highland View Estates,**

3. **Revised Code of Washington State.**

In the event of conflicts between the Association Bylaws and the three listed documents, the **Declaration of Covenants, Conditions and Restrictions of Highland View Estates** will prevail.

MISSION: The mission of this association is:

TO enhance the quality of life in our neighborhood;

TO encourage communication, cooperation and friendliness among neighbors; and

TO express the interests and opinions of all to our local governments.

Article 1

Principle Office.

1.1 *Address.* The address of the principle office of the **HVEHOA** shall be:
17724 Upland Drive, Arlington, WA 98223.

Article 2

Membership.

2.1 Qualification. Each owner of a Lot in **Highland View Estates** shall be a member of the Association and shall be entitled to one membership for each Lot so owned. Ownership of a Lot shall be the sole qualification for membership in the Association.

2.2 Transfer of Membership. The Association membership of each Owner shall not be assigned, conveyed, pledged or alienated in any way except upon the transfer of title to the Lot

and then only to the transferee of title to such Lot. An attempt to make a prohibited transfer shall be void. Any transfer of title to a Lot shall operate automatically to transfer the membership in the Association appurtenant thereto to the new Owner thereof.

2.3 Classes. There shall be only one class of membership in the Association. Only current Lot owners of record may be members.

Article 3

Meeting of Members.

3.1. Membership Meetings. There shall be a meeting of the membership held in April to nominate candidates for Board membership. Subsequently, there shall be a general membership meeting in June for the purpose of holding an election, and to install the Board of Directors, review the past year's events, review the financial status of the Association, and to inform the membership of any future plans the Board is considering.

3.1.1. Voting. In membership voting, only one (1) voter per Lot will be allowed. All members **not** in arrears of the annual assessment will be entitled to vote.

3.1.2. Voting by Proxy. At any membership meeting, any member entitled to vote at the meeting may vote by proxy executed in writing by him/her. Such proxy may be delivered by any person of the member's choosing or mailed to the Association, and remain in force for a period of six (6) months.

3.1.3. Quorum. In all matters, excluding those matters covered in the DCC&R's, members holding one tenth (1/10th), fourteen (14), of the votes entitled to be cast at any meeting, represented in person or by proxy, shall constitute a quorum. 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 by the members. In cases of a tie vote, the President of the Board of Directors **HVEHOA** shall cast the deciding vote.

3.2. Special Meetings. Special meetings of the membership for any purpose or purposes may be called at any time by the President of the Board of Directors, at such time and place as the President or the Board of Directors may prescribe. Special meetings of the members may also be called by members having at least one-tenth (1/10th), fourteen (14), of the votes entitled to be cast at such a meeting. Upon request of such members, it shall be the duty of the Secretary/Treasurer to call such a special meeting of the membership at such time and place as the Secretary/Treasurer may fix, not less than ten (10) nor more than fifty (50) days after the receipt of such request. If the Secretary/Treasurer shall neglect or refuse to issue such a call within five (5) days of such request, the members/members making the request may issue the call, specifying the time and place of the meeting.

3.3. Votes not Cast. A homeowner, mortgagee or a mortgagor who fails to respond in writing within fifteen (15) days of a written request to approve (vote) an amendment, said homeowner, mortgagee or mortgagor, shall be deemed to have approved the amendment.

Article 4

4.1. Assessments. The membership shall be assessed dues in the amount of one hundred dollars (\$100.00) annually for the purpose of defraying expenses relative to the operation and maintenance of **Highland View Estates**. Such assessments may be paid annually, semiannually, quarterly. The amount of assessment shall be reviewed annually by the current Board of Directors.

4.2. Assessments - Non-Payment. Dues are payable on the first day of the quarter. Assessments will be considered delinquent after thirty (30) days. A late charge of twelve percent (12%) a.p.r. will be added to delinquent dues. In addition, the Board may impose a later charge in an amount not exceeding twenty-five percent (25%) of any unpaid assessment or charge which has remained delinquent for more than fifteen (15) days.

4.3. Assessment Payment. The preferred method of payment is by personal check to be mailed to HVEHOA, 17724 Upland Drive or placed in the mail box in front of the Community Park.

4.4. Assessments - Non-Payment. If any assessment or installment thereof remains delinquent for more than thirty (30) days, the Board may, upon fifteen (15) days prior written notice to the Owner of that Lot, accelerate and demand immediate payment of the entire assessment. The amount of any assessment assessed or charged to any Lot, plus interest, costs, late charges and reasonable attorney's fees and/or court costs, shall be a lien upon such Lot. A Notice of Assessment shall be recorded in the office of the Snohomish County Auditor, or it's successor. Such Notice of Assessment may be filed at any time at least fifteen (15) days following the delivery of the notice of default referred to in the DCC&R of **Highland View Estates**.

4.5. Assessment - Status Report. Homeowners shall be provided an annual report of current status of assessment payments.

Article 5

Board of Directors

5.1. **Number and Tenure.** The membership shall elect seven (7) persons, who are members of the Association, to serve as the Board of Directors. These persons elected to the Board will serve for a period of one (1) year, commencing on July 1, and ending on June 30.

5.2. **Duties.** The Board of Directors shall manage the affairs of the Association, and assume the duties of President, Vice-President, Secretary/Treasurer, at their discretion. Such duties shall include, but are not limited to: overseeing the repairs and maintenance of the common areas.

5.3. **Meetings.** The Board of Directors shall meet once a month at a time and place of their choice. Special meetings may be convened at any time by the President or in accordance with the provisions set forth in paragraph 3.2 of these Bylaws.

5.4. **Vacancies.** Vacancies on the Board shall be filled through Board action.

5.5. **Officers.** The Directors, at their first meeting, shall apportion the duties of President, Vice-President and Secretary/Treasurer amongst themselves. These duties shall include:

5.5.1. **President.** Shall convene meetings, preside over meetings, and set the agenda for meetings.

5.5.2. **Vice-President.** Shall perform the duties of the President when he/she is absent, perform special tasks as directed by the President and act as Government Liaison for the Association.

5.5.3. **Secretary/Treasurer.**

5.5.3.1. It shall be the duty of the Secretary to keep records of the proceedings of the Board of Directors and of the membership, to administer the membership register, to sign all certificates of membership when not signed by the President and when requested by the President to do so, to sign and execute with the President all deeds, bonds, contracts, other obligations, or instruments, in the name of the Association, to keep the corporate seal, and affix the same to certificates of membership and other proper documents.

5.5.3.2. It shall be the duty of the Treasurer to have the care and custody of and be responsible for all funds and investments of the Association and shall cause to be kept regular books of accounts. The Treasurer shall cause to be deposited all funds and other valuable effects in the name of the Association in such depositories as may be designated by the

Board of Directors, and in general shall perform incident to the office of the Treasurer and to cause an outside audit of the Associations's accounts by a independent auditing firm quarterly, or as necessary.

5.6. Term Limits. There shall be no term limits.

5.7. Quorum. A majority of the Directors shall constitute a quorum for the transaction of business at Board meetings.

5.8. Transition Support Members. At least one (1) but not more than three (3), of the previous board members, to be determined by the board, will serve to provide transition assistance from the previous board to the incoming board.

Article 6

Government Liaison Agent.

6.1. Government Liaison Agent. The Vice-President of the Board of Directors of the Association shall act as Government Liaison Agent.

6.2. Duties. The Government Liaison Agent will be the primary liaison between the HVEHOA and the State of Washington, in accordance with the Revised Code of Washington RCW 24.03.

Article 7

7.1. Office. The HVEHOA shall maintain Registered Office in accordance with Revised Code of Washington RCW 24.03.

7.2. Records. The following complete and updated records must be kept in the Registered Office:

1. Articles of Incorporation.
2. Bylaws of the Association.
3. A complete record of all members of the Association, including names and addresses.
4. Correct and adequate records of accounts and finances.
5. A record of Directors and Officers, including names and addresses.

57.3. Inspection. The records shall be open, at any reasonable time, for inspection by any member of the Association.

Article 8

Indemnification.

8.1. All Directors, Officers, or Agents of the HVEHOA shall be indemnified to the full extent provided by the Washington Non-Profit Corporation Act. The Board of Directors may obtain insurance on behalf of those Directors, Officers, or Agents incurring those liabilities arising out of their status whether or not the Association would have the power to indemnify them.

Article 9

Contracts, Loans, Checks and Deposits

9.1. Contracts The Board of Directors may authorize any Officer or Agent to enter into any contract or execute and deliver any instrument in the name of the Association and such authority may be general or confined to specific instances.

9.2. Loans. No loans shall be contracted on behalf of the Association, and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board. Such authority may be general or confined to specific instances.

9.3. Checks, Drafts, etc. All checks, drafts or other orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the Association, shall be signed by two members of the Board of Directors, or in such a manner as from time to time determined by the Board of Directors.

9.4. Deposits. All funds of the Association not otherwise employed shall be deposited within seven (7) days of receipt to the credit of the Association in such banks or other depositories as may be designated by the Board.

Article 10

Standing Committees

10.1. Number of Members. The Board of Directors shall select two (2) persons from the membership at large to act as a standing committee.

10.2. Duties. The duties of the standing committee shall be at the Board's discretion. They may include such activities as overseeing landscape maintenance, and the planning, execution and monitoring of projects involving Association relating to **Highland View Estates.**

Article 11

Association Newsletter

11.1. Purpose. Under the direction of the Board of Directors, and Association newsletter shall be published for the purpose of keeping the membership informed of all pertinent information relating to **Highland View Estates**.

11.2. Frequency. The Association newsletter shall be published quarterly.

11.3. Content. The Board of Directors shall have a wide latitude in choice of content. A financial report/update shall be included in all newsletters. Articles by the membership may, at the Board's discretion, be included.

Article 12

Amendments

12.1. Amendments. These Bylaws may be altered, amended or repealed and new bylaws may be adopted by the Board at any regular or special meeting of the Board.

12.2. Copies to Membership. A copy of the Bylaws and all future amendments shall be sent to all members of the Association.


GOALS:


TO promote involvement and participation in service, functions and meetings;

TO establish and maintain an adequate line of communications between the City of Arlington and the residents of the community; and

TO recruit volunteers and sponsors to aid in the enhancement of services provided.

Adopted by the Board of Directors this 1st day of July 2005.


Scott Solla, President


Terri Strauss, Vice President/Government
Liaison