

# **PRINCETON HOMEOWNERS' ASSOCIATION**

**Minutes of November 15, 2007**

**Bob Byrd, Presiding**

## **CALL TO ORDER**

The meeting of the Princeton Homeowners' Association was called to order on November 15, 2007, at Corinth Baptist Church by Bob Byrd.

## **ATTENDANCE**

Of the 105 homes represented in Princeton, 20 homes and 5 proxies were present. Those in attendance received a copy of the covenant amendments and bylaws.

## **OLD BUSINESS**

Mr. Byrd reminded those in attendance that he was not an officer, but a member of a voluntary committee that was formed at Northlake Baptist Church on November 2006. These members were Bob and Barbara Byrd, Justin Greene, Frank Ray, and Nick Moore. Mr. Byrd was thanked by those in attendance for the hard work, long hours, and many tasks they had undertaken.

The purpose of this committee was to incorporate the Princeton Homeowners' Association so that the homeowners, not the developer, Mr. William H. Lathem, Jr., would carry out the bylaws and covenants of the subdivision. Members of the committee and lawyer Paul Smart worked together to proceed with bylaw changes. In July 2007 members voted and approved the changes to the bylaws. The only change to the original covenant was to take out references to the developer.

## **NEW BUSINESS**

It was reported by Mr. Byrd we are now incorporated as Princeton Homeowners' Association. A Quitclaim Deed was given to the Princeton Homeowners Association in October 2007 for the approximately 25 acres of common ground. This land can be put in an agricultural trust, making the taxes on it be considerably less. Officers are needed for the Princeton Homeowners Association in order to put the land in an agricultural trust.

The 2006 and 2007 property taxes have been paid. Some penalties had to be paid because Mr. Lathem had let fees accrue. There is nearly \$4,500 in our checking account at this time.

It was also reported that nearly half of the homeowners have not paid their 2007 homeowners association dues of \$100. We were reminded that upon purchase of a home in Princeton, it is mandatory that we join the homeowners' association and pay the dues. These dues are needed to complete repairs to the entrance of the subdivision, maintain the landscape of the common

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grounds, purchase office supplies of maintaining the association, purchase liability insurance for the subdivision, and other items.

According to the bylaws, 55% of the homeowners (one per home) must vote in an election of officers. After considerable discussion, a motion was made and approved that volunteers would be responsible for a section of homes in the subdivision for distributing ballots. Those were Shane Crider, Tony Provenson, Crickett Jarchow, Wanda Land, Don Guest, Don Landrum, and Matt Tate. If homeowners want to vote at their door, they will be given an opportunity; if they want to mail in their ballot, they will be given a self-addressed stamped envelope. All ballots must be postmarked by November 30.

Nominations were made and they are as follows: President, Bob Byrd; Vice President, Shane Crider; Secretary, Wanda Land; Treasurer, Jim Carmichael and Valerie Watkins. There will also be a place on the ballot for write-in nominations.

Votes will be counted and the officers will be announced on December 15 to begin office January 1, 2008. Those volunteering to count votes were Chris Fabian, Kevin Hooper, and Matt Tate.

With no further business, the meeting was adjourned at 9:00 PM.

Wanda Land  
4374 Old Wyndoham Court  
Gainesville, GA 30506  
(770) 532-4307

## PRINCETON H.O.A. MEETING TO ELECT OFFICERS

TO: ALL PRINCETON HOMEOWNERS:

At long last, the structure for the Princeton Homeowners' Association is in place. The Articles of Incorporation are filed with the State of Georgia, The amendments to the covenants and the Association bylaws as approved at our last homeowner's meeting have likewise been approved by the developer, and the Quit Claim deed for the common grounds has been prepared by the developer's attorney, and is in our hands. All that remains to be done is the election of officers for the Association.

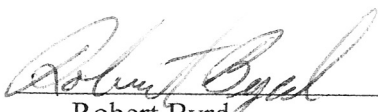
The meeting to elect officers will be held on November 15, 2007 at 7:00 P.M. at the fellowship hall of the Corinth Baptist Church located at 3590 Thompson Bridge Road, just south of the Kroger shopping center.

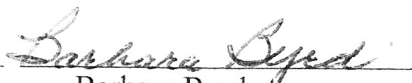
**We strongly urge each household to be present at this meeting. The revised Covenants require a minimum quorum of fifty five percent of all homeowners to be present at any meeting the purpose of which is the election of officers or to approve capital expenditures in excess of one thousand dollars. If this quorum is not met, there can be no election of officers. If officers are not elected, the only viable option to us homeowners would be to engage the services of a management company to conduct the affairs of our association, and they do not come cheaply, and this could quite possibly mean an increase of our annual dues. If you cannot attend this meeting, please give a neighbor or friend your written proxy with your instructions as to how to cast your vote. Nominations will be taken from the floor to fill the offices of President, Vice President, Secretary, and Treasurer. This meeting will be for the sole purpose of nominating and electing the aforementioned officers.**

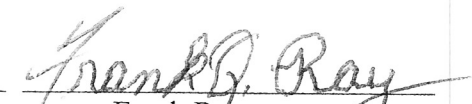
Another subject. So far this year we have received and deposited only approximately forty homeowner's association dues payments. When the developer mailed us the Quit Claim Deed, he also included the 2007 tax bill. As you all probably know, Hall County saw fit to institute an across-the board property tax increase this year. The taxes are due and payable now, with a December 1, 2007 deadline. Last year's taxes on the common grounds were approximately \$2500.00. Our 2007 taxes on the common grounds are \$4069.21. We all agreed when we purchased our homes to pay the association dues of one hundred dollars per year. If you have not paid your dues, I urge you to do so now. Let's allow our new officers to begin their administration with a clean slate instead of the distasteful chore of collecting delinquent dues, and possibly having to pursue these payments as provided for in the covenants and bylaws. You may remit your payments to The Princeton Homeowner's Association, P.O. Box 172, Murrayville, GA 30564-0172

Copies of the covenant amendments and bylaws will be available at the meeting.

Your Liaison Committee,

  
Robert Byrd

  
Barbara Byrd

  
Frank Ray

## HOMEOWNER'S MEETING ON THURSDAY, JULY 12, 2007

To All Princeton Homeowners,

Enclosed please find the following materials: Proposed amendments to our original covenants, proposed bylaws for the Princeton Homeowner's Association incorporation, and a voting proxy for your use in the event that you are unable to attend this very important meeting. The meeting will be held at the Corinth Baptist Church fellowship hall from 7:00 PM until 9:00 PM. The church is located at 3590 Thompson Bridge Rd, which is at the corner of highway 60 and Mount Vernon Rd. This location is on the east side of highway 60, and just south of the Kroger shopping center. There will be a sign in book located at the entrance to the fellowship hall. Please be sure to sign in, as our attorney has advised us that we need a written record of all homeowners, or their proxy votes, to substantiate a majority of homeowners being in attendance, and voting on the issues presented at this meeting. The purpose for this meeting is confined to voting on the proposed amendments to our original Covenants, and the proposed bylaws for incorporation.

While reviewing the original Covenants, we discovered that as they are written and recorded, the developer of Princeton Subdivision would be involved in our affairs for at least the next twenty years, and longer if the renewal clause were acted upon. We then contacted the developer, Mr. Bill Lathem, and brought this situation to his attention. Upon being made aware of this situation, he informed us that he would not prefer to be legally involved with the subdivision and granted us the permission to amend the Covenants so as to exclude him and his company. We also noted that the original covenants only required a majority of those present to elect officers of the association. It is our feeling that no officers should be elected, or capital expenditures approved, without the majority vote of a quorum of at least fifty five percent of homeowners granting that approval. One additional item proposed concerns the common areas in our subdivision. In our conversations with various homeowners concerning the common areas, it seems the general feeling is that they should be left in their natural state. This opinion has merit for several reasons; most of us bought our homes here because of the beauty and wildlife activity that is abundant in our common areas. We were informed by one of our homeowners that our taxes on the common areas could be substantially reduced by placing them in an agricultural trust. This means that as long as they are in this trust, the taxes would remain at a much lower level. Instead of having to increase our taxes, and shoulder the liability for any development of the common areas, we can foresee a possible reduction of our homeowner association fees, with occasionally no fees when the association bank balance would indicate such. At such time that officers for the corporation are elected, (after the incorporation is completed), it might be prudent for them to pursue this course of action.

The proposed bylaws for our non profit corporation have been put together with the idea being to keep them simple, readable, and easy to understand. They are designed with the protection of the homeowner in mind, and controls that will prevent possible abuses by any of us. Various sources, and examples, of homeowner association corporate bylaws have been reviewed by us. Our attorney, Mr. Paul Smart, has been consulted every step of the way for his legal opinion, and the document that you now have is the end result. You may note that the bylaws do not contain any information regarding a board of directors. A board of directors dictates to the officers of a corporation that which they may, and may not, choose to do. Under these bylaws, the board of directors is the homeowners; thereby the necessity for a quorum of homeowners to be present for any vote that may be required.

Please take the time to review the Covenant amendments, while comparing them to the original document that you signed when you purchased your home. Also, please read the proposed bylaws, and if you should have any questions please feel free to contact any of the undersigned people.

Also included in this package is a ballot form for casting your vote regarding the proposed Covenant amendments, and the proposed corporate bylaws. Please bring your ballot to the meeting, or if you are unable to attend, please give it to one of the undersigned or mail it to; Princeton Homeowner's Association, P.O. Box 172, Murrayville, GA 30564-4147, in the enclosed envelope.

**NOTE: OUR HOMEOWNERS FEE, \$100.00, IS DUE. PLEASE MAIL IT TO THE ABOVE ADDRESS.** Should you wish to review the financial standing of the Princeton homeowners, Bob and Barbara Byrd are holding the check and accounting books pending the election of association officers, after the incorporation is complete. They will be happy to show you the books.

Sincerely,

Bob Byrd,  
770 531-1476

Barbara Byrd  
770-531-1476

Frank Ray  
678 989-0631

June 29, 2007



BY-LAWS OF  
PRINCETON HOMEOWNERS' ASSOCIATION, INC

ARTICLE I Name and Location

Section 1. Name. The name of the association is Princeton Homeowners' Association, Inc., a Georgia nonprofit membership corporation, hereinafter referred to as the "Association".

Section 2. Location. The principal office of the Association shall be located in Hall County, Georgia. Meeting of members and officers may be held at such places within the State of Georgia, Hall County as may be designated from time to time by the Officers.

ARTICLE II Purpose

Section 1. Purpose

The primary purposes of the Association shall be (a) to enforce the provisions of the articles of incorporation, bylaws, and covenants; (b) to preserve all common areas in their natural state (c) to provide for the continued maintenance and preservation of the subdivision entrance and other street-side common areas.

ARTICLE III Membership and Voting Rights

Section 1. Membership. Each homeowner will automatically be a member of the Association, which shall continue during the period of ownership by such homeowner.

Section 2. Voting Rights. The Association shall have one class of voting membership which consists of all homeowners. Such owners shall be entitled to exercise voting rights as provided in the Princeton Subdivision Protective Covenants ("Declaration") and as prescribed herein. When more than one person holds such interest in any home, all such persons shall be members and the vote for such home shall be exercised as they may among themselves determine, but in no event shall more than one vote be cast with respect to any home.

Section 3. Suspension of Voting Rights. Voting rights may be suspended if member has failed to pay when due any assessment and/or penalties for violation of the covenants imposed upon him or her until such assessment or penalty has been paid.

ARTICLE IV MEETINGS OF MEMBERS

Section 1. Annual Meeting. An annual meeting of the members of the Association shall be held in the month of \_\_\_\_\_ on a date, time, and place as determined by the officers. The meeting will be for the purpose of hearing reports from Association officers and electing officers for the ensuing year.

Section 2 Special Meetings of the members may be called at any time by the President or by written request of 35% of membership.

Section 3. Notice of Meetings. Written notice of each meeting shall be given by, or by the direction of, the Secretary or authorized person to call the meeting at least 14 days in advance of any annual scheduled meeting and at least 7 days prior to any other meeting, stating the time, place and agenda of such meeting. Such notices shall be hand delivered or sent by US mail to all members of record at such address as member has designated, or if no address has been designated at the address of their respective house.

Section 4. Quorum. For any action to be taken at any regular or special meeting, there must be a quorum of at least 55% of the voting members and /or proxies of the association members present at the meeting. If less than a majority are present, discussion of such matters on the agenda may be had, but any action on such matters must be delayed until a later meeting or taken by a mail ballot distributed by the Officers of the association. Such mail ballots shall not be valid unless a majority of eligible voters return at least 55% of the ballots.

Section 5. Proxies. Subject to provisions of Article 3, Section 2, hereof, at all meetings of the members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the Secretary by the commencement of the meeting. Each proxy shall be revocable, shall automatically cease upon conveyance of a home, and shall be effective only for the meeting specified therein and any adjournment thereof.

Section 6 Order of Business. The order of business at all annual meetings of members shall be as follows:

- (A) Proof of notice of meeting
- (B) Reading of the minutes of preceding meeting
- (C) Reports of officers
- (D) Election of officers.
- (E) Unfinished business.
- (H) New business

Section 8. Conduct of the Meetings. The President shall preside over all meetings of the members and the Secretary shall keep the minutes of the meeting and record in a minute Book all resolutions duly adopted as well as a record of all transactions occurring at such meetings. The latest edition of Robert Rules of Order shall govern the conduct of all meetings of the members.

## ARTICLE V OFFICERS

Section 1 Number and Qualifications. The officers of the Association shall be President, Vice President, Secretary, Treasurer. One person may hold the office of Secretary and Treasurer simultaneously. The Vice President may also act as assistant secretary and perform the functions thereof in the absence of the Secretary. They shall be Homeowners in good standing of the association.

Section 2 Election of Officers. The officers shall be elected at the annual business meeting. They are elected by a quorum, majority vote of the membership. They shall hold office for one year. They may be re-elected.

Section 3 Meetings of the Officers. The meetings of the officers shall be held whenever necessary at a time and place of their choosing. A notice of the meeting, time and place, shall be provided to all homeowners either by hand delivery or mail at least 5 days prior to the meeting. Homeowners may attend all meetings as observers.

Section 3 Vacancy. A vacancy may be filled by a special meeting of the Association by a quorum, majority vote, and or proxies, of the members. They shall remain in office until the next annual Association meeting.

Section 4 Resignation and Removal of Officers. Upon the affirmative vote, and or proxies of a quorum majority of the Association, either with or without cause, and his/her successor may be elected at a special meeting of the Association called for such purpose. Any officer of the Association may resign at any time by delivering his/her resignation to the officers. His/her successor may be elected at a special meeting of the Association.

Section 5 Multiple Offices. The offices of Secretary and Treasurer may be held by the same person.

Section 6 President. The President shall preside over all the meetings. He/she will execute contracts, orders and other documents (as allowed by the members of the association) in the name of the association as its agent. He/she may not borrow money or make any major monetary decisions without the majority vote of the members of the association. He/she may be approached about any concerns of the homeowners.

Section 7 Vice President. The Vice President shall take the place of the President and perform his/her duties whenever the President shall be absent or unable to act. He/she will be responsible for the maintenance of the subdivision entrance and street-side areas of the common grounds through procurement of a lawn service. This service may, alternatively, be provided by member-volunteers.

Section 8 Secretary. The Secretary is responsible for keeping and maintaining a record of all meetings of the officers and the association and is the custodian for most of the official records of the association. The Secretary, along with the other officers, will be in charge of giving all of the required notices of association meetings. In the event he/ she is unable to attend a meeting he/ she must find someone who will act as recorder. As the custodian of the minutes and the other official records of the association, the secretary is

responsible for ensuring access to those records by the members. Any one wishing to review the records should make an appointment. The acting Secretary at the time of election passes all official records to the incoming Secretary.

Section 9. Treasurer. The Treasurer shall have the responsibility for Association funds and securities and shall be responsible for keeping full and accurate financial records and books of account showing all receipts and disbursements, and for the preparation of all required financial data. He/she shall be responsible for the deposit of all monies and other valuable effects in the name of the Association in such depositories as set up by the officers, and he/she shall, in general, perform all the duties incident to the office of treasurer of a corporation.

Section 10. No officer shall receive compensation from the Association for acting as such, but shall be entitled to reimbursement from the Association as a common expense for reasonable out-of-pocket disbursements made by him/her in performance of his/her duties. No officer shall be obligated to make any such disbursements.

#### ARTICLE VI GENERAL PROVISIONS OF OFFICERS

Section 1. CONTRACTS. No contracts shall be let by the Association officers unless prior approval by a quorum, majority vote, and or proxies, is obtained at a special called meeting. Any contractual expenditure exceeding \$1000.00 must not be made until at least three bids by disinterested parties have been received. No relative of any serving officer shall be eligible to bid on any Association contract.

Section 2. Indemnification. The Association officers shall be indemnified personally against any legal action brought against them by a homeowner while serving the Association in accordance with the Covenants, and these bylaws.

#### ARTICLE VII BUDGET, FINANCES AND INSURANCE

Section 1. Budget/financial report. The budget sets forth the proposed expenditures of funds for maintenance of the properties under the Association's control and for the management and operation of the Association itself. The budget should be prepared annually by the officers and presented to the Association at the annual meeting. A copy of last year's budget and the projected budget should be sent out to all the Association members prior to the annual meeting. A majority vote of the quorum is required to adopt the budget. Upon the adoption of the budget the required annual assessment of each property is set simultaneously.

Section 2. Financial filings. The Association is required to file an annual income tax return with the Internal Revenue Service.

Section 3. Time for payment and delinquency. The Association members shall be notified each year in \_\_\_\_\_ of their assessed payment. The payment should be sent

to the Association's PO Box within 60 days after receipt of assessment. If assessed funds have not been received by the 60 day time limit, the Association member will be delinquent.

Section 4 Enforcement of delinquent members The Association member will receive a written notice of being delinquent. If funds are not received within 30 days, this will constitute a lien against the affected property.

#### ARTICLE VIII ENFORCEMENT OF COVENANTS.

Section 1 The Covenants will be enforced as outlined in the Declaration. If the homeowner who is in alleged violation of the Covenants chooses not to comply after being verbally notified by another homeowner, or officer of the Association, that he is in violation of the Covenants, he/she will be sent a certified letter by an Association officer specifying the violation, and the deadline for compliance. If compliance is not initiated by the published deadline, a second certified letter will be sent informing the homeowner of the penalties being imposed for noncompliance with the Covenants, in accordance with the Schedule of Penalties. If left unpaid, these penalties will constitute a lien against the subject property.

Section 2. Schedule of Penalties. The penalty for Covenant violations will be as follows: Twenty five, (\$25.00), dollars for the day the second certified notification of penalty letter is delivered to the homeowner who is in violation, and twenty five, (\$25.00), dollars per day thereafter until such time the violator demonstrates to two of the Association officers that compliance with the Covenants has been initiated, with assurances of acceptable completion. At their discretion, the officers may establish a reasonable time frame for completion of compliance.

#### ARTICLE IX RIGHTS AND RESPONSIBILITIES OF INDIVIDUAL OWNERS.

Section 1. General Upon purchasing each homeowner shall be provided with the covenants and the bylaws prior to the purchase of their home.

#### ARTICLE X MISCELLANEOUS

Section 1. In the event of any conflict between the Declaration and these Bylaws, the Declaration shall be the superior document.

Section 2 The Association shall have a seal in circular form having within it's circumference the words "Princeton Homeowners Association, Inc."

Section 3 The fiscal year of the Association shall begin on the first day of January, and end on the last day of December every year, except that the first fiscal year shall begin on the date on which the Association was incorporated under the laws of the state of Georgia.

Section 4. All checks issued by the Association must be signed by two of the serving officers



AFTER RECORDING PLEASE RETURN TO:  
Hulsey, Oliver and Mahar, LLP  
P O Box 1457  
Gainesville, GA 30503  
ATTENTION: Paul B. Smart

**FIRST AMENDMENT TO**  
**PRINCETON SUBDIVISION PROTECTIVE COVENANTS**

Comes now, Highway 53 Properties, Inc., (the "Declarant"), by and through its duly authorized officers, and hereby files this its first amendment to Princeton Subdivision Protective Covenants ("Covenants") for Princeton subdivision, which Covenants are recorded at Deed Book 4440, Pages 536-541, Hall County, Georgia, Deed Records, and amends the Covenants as follows:

1.

Declarant hereby amends the sixth and seventh sentences of the first paragraph of that portion of the Covenants entitled "Princeton Homeowners Association," to delete said sentence in its entirety and to substitute thereof the following:

"Homeowners Association decisions shall be based upon the majority vote of a quorum of at least fifty five percent of Princeton homeowners, and or proxies, present at any given meeting. By this method all officers of the Princeton Homeowners Association shall be elected, or reelected, annually. A homeowner, by virtue of owning property subject to this declaration, shall be a member of the Princeton Homeowners Association, provided however, that any person or entity who holds any such interest merely as security for the performance of any obligation shall not be entitled to membership."

2.

Declarant hereby amends the last sentence of the first paragraph of that portion of the Covenants entitled "Princeton Homeowners Association," to delete said sentence in its entirety

3.

Declarant hereby amends the third paragraph of that portion of the Covenants entitled "Princeton Homeowners Association," to delete said paragraph in its entirety and to substitute thereof the following:

"The primary purposes of the Association shall be (a) to enforce the provisions of the within declaration; (b) to preserve all common areas in their natural state; (c) to provide for the

continued maintenance and preservation of the subdivision entrances; and (d) immediately assume all functions heretofore performed by Developer."

4

Declarant hereby amends the last sentence of that paragraph of the Covenants entitled "Term," to delete said sentence in its entirety and to substitute thereof the following:

"During the term of these Covenants, they may be modified by a majority vote of the homeowners as described above, and shall only be effective upon recording thereof in the Office of the Clerk of Superior Court of Hall County, Georgia."

5

Declarant hereby amends the second paragraph of the Covenants entitled "Severability," to delete said paragraph in its entirety and to substitute thereof the following:

"The Architectural Control Committee will be maintained by the Real Estate Agent until such time that homes are erected on all available lots in the Princeton subdivision."

6

Without affecting the enforceability or effectiveness of the amendment stated at paragraphs 1 and 2, Declarant hereby surrenders any incidents of membership, including voting rights and assessments in the Princeton Homeowners Association to the homeowners of the Princeton subdivision, and consents to the formation and operation of said association, including the incorporation of said association as a non-profit corporation.

Except as expressly amended herein, the Covenants shall remain fully enforceable and effective as filed.

This \_\_\_\_ day of \_\_\_\_\_, 2007.

**Highway 53 Properties, Inc.**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
William H. Lathem, Jr.  
President

\_\_\_\_\_  
Notary Public

Attest: \_\_\_\_\_  
William L. Early, M.D.  
Secretary

My Commission expires: