THE ESCAPE

The Escape Property Owners Association, Inc.
PO Box 282, Greentown, PA 18426
Phone# 570-857-9090 Fax# 570-857-0490
Email annmarie@theescapeepoa.com
Website www.theescapeepoa.com
Facebook The Escape POA
Property Manager Ann Marie Miller

CONSTITUTION AND BY-LAWS

Approved by Membership on October 23, 2026

LIFE IS BETTER AT THE LAKE

AMENDED CONSTITUTION AND BY-LAWS
THE ESCAPE PROPERTY OWNER'S ASSOCIATION INC.

(Approved by the Membership on October 23, 2026)

Article 1 - NAME

The name of the organization shall be "The Escape Property Owners Association, Inc." This Corporation is registered in the State of Pennsylvania.

Article 11- PURPOSE

The purpose for which this Association is organized is to secure a closer official and personal relationship among property owners throughout The Escape; to secure unity of action in matters coming before the Association; to devise and suggest ways and means for advancement and perfection of the Association; and to promote cooperation between the property owners. It is also the purpose of the Association to have all of the rights, privileges, etc., bestowed on it by the developer and through the restrictive covenants, as well as all of the powers and privileges provided by law, specifically with the power to set and collect assessments, fines, dues and/or maintenance monies and maintain lawsuits for maintenance fees, dues, assessments and fines.

Article III - **GOALS**

Section 1: Provide for proper and continued Sewer and Water maintenance services.

Section 2: Provide Code Enforcement Service/Security, with special emphasis on regulation of vehicles, including vehicles other than automobiles.

Section 3: Oversee the timely collection, spending, etc., of the maintenance fees and dues with respect to the association.

Section 4: Provide for the maintenance and improvements of all roads within the Escape properties including, but not limited to, snow removal, lights, etc.

Section 5: Restriction of pets.

Section 6: Restriction of solicitors and unauthorized non-Escape residents from use of any Escape amenities/properties.

Section 7: To take steps to abate any public nuisance, health and safety hazards, including court action to force such abatement, with all costs to be paid by the violating party.

Section 8: Proper display of street signs.

Section 9: To require contractors who are performing any exterior work on a property in the Escape to show proof of commercial liability insurance before commencement of any work. To restrict hours of work as per the Rules and Regulations.

Section 10: The Board of Directors has the authority to make the Rules and Regulations of the Escape Property Owners Association. Changes will not take effect until notification is made to all members.

Section 11: The Board of Directors have the authority to set fines (as published in the Rules and Regulations) to a property owner when said owner is not in compliance with the Rules and Regulations, By-laws, Covenants or Restrictions.

Article IV - MEMBERSHIP

Section 1: The Association membership shall be composed of all property owners of the Escape.

Section 2: Members are entitled to all rights and privileges of membership, and are subject to all dues, fees, maintenance levies, assessments, and fines established by the Association; and to such Rules and Regulations as from time to time may be adopted by the Board of Directors.

Section 3: A property owner shall not be a member in good standing of the Escape Property Owners Association, Inc., nor be entitled to the rights of that Corporation, if in default in payment of dues, fees, maintenance levies, assessments, and/or fines owed to the Escape Property Owners Association, Inc., or if in violation of any rules, regulations or restrictive covenants.

Section 4: The right to vote and to hold office shall be limited to members in good standing. It shall be understood that each lot shall generate one vote only, whether that lot be held singly or jointly. It shall be understood that one Association member in good standing shall generate one vote for all lots owned.

Section 5: A member not in good standing may be reinstated to a member in good standing upon payment of all monies in default to a current status, and shall be entitled to the rights of that Corporation when in compliance with the Rules and Regulations as set forth by the Escape Property Owners Association, Inc.

Section 6: Should it become necessary to refer for collection a Property Owner 's delinquent dues, assessments, or other charges, all Attorney fees, filing costs, service costs, and all other costs of collection shall be added to the amount submitted for collection, and become the responsibility of the delinquent Property Owner.

Section 7: Only members in good standing are entitled to vote and enjoy all privileges/amenities of the Escape Property Owners Association.

Section 8: The dues and maintenance fees of the Association are subject to a budget set forth by the Board of Directors, which shall bind the membership unless defeated by a 51% of the eligible voters.

Section 9: Non-Payment of Escape Property Owners Association Utilities, i.e., Water, Sewer, Maintenance Fees, Dues, Fines and Assessments, by a property owner as set down by the Board of Directors of the Escape Property Owners Association is subject to fines and/or discontinuance of water service after due notification:

(A) Notification shall be by certified mail to the Property Owner and if the property is rented or leased, also to the renter.

(B) The certified mail shall be deemed issued and received at date of delivery or at the expiration of fifteen (15) days of its mailing via certified mail, regardless of whether the certified mail is accepted by the offending owner.

(C) If satisfaction of the unpaid fees for the utilities, i.e., Water, Sewer, Maintenance Fees, Fines, Dues and Assessments, are not paid within ten (10) days of receipt of the certified letter or as noted in the above Section 9(8), the Association will have the right to shut off the utilities to the owner's property, and the offending owner and renter, if applicable, will also lose the use of the amenities until such time as the fees and fines are paid.

(D) Authorized representatives of the Escape Property Owners Association, their successors, and assigns, shall share a right of entry and access upon any private property or common area for the purpose of enforcing the provisions of the Constitution, By-laws, Covenants, and Rules and Regulations of the Escape Property Owners Association, as well as the correction of violations and the right to terminate the Escape Utilities. This must be done with reasonable suspicion or probable cause.

Section 10: Votes may be cast in person or by proxy. All proxies shall be in writing, signed and dated by the person who is entitled to vote. All proxies shall be notarized and delivered to the Secretary at least ten (10) days prior to the meeting at which they are intended to be used.

Section 11: Escape Owned Personal Property, i.e., trucks and NOT REAL property i.e. land, can be sold or leased, without a vote. Property Manager will determine the dollar amount. Property Manager will sign for land sales.

Section 12: Property Owners are responsible for their guests, visitors and users of their property.

Article V - BOARD of DIRECTORS

Section 1: Members in good standing of the Association shall elect a Board of Directors, which shall consist of seven (7) active members of which no more than one (1) person per property shall be allowed to serve as a Board Member.

Section 2: Directors shall be elected annually for a three (3) year term, to take office on January 1st following the election. The exception to this would be in the case of filling an unexpired term.

Section 3: The President shall be elected from among the members of the Board by the Board at their first meeting in January. The Officers of the Association shall be elected annually by the Board of Directors at the organizational meeting of each newly constituted Board of Directors to be held as soon as possible after the first of the year. The Executive Board shall consist of the President, Vice-President, Secretary, and Treasurer.

Section 4: All members in good standing interested in serving on the Board of Directors shall submit his or her name to the Association Secretary at least thirty (30) days before the Fall Meeting of the Association in the year of the election. Employees of the Escape may not serve on the Board of Directors.

Section 5: Any Board Member or President completing his or her respective term may be elected for a successive term or terms.

Section 6: Directors can and shall hold such meetings of the Board of Directors at any time upon request of the President or any four (4) Board Members. When possible, the Secretary shall give notice of such meeting to all Members of the Board of Directors by e-mail, telephone, or fax.

Section 7: Four (4) or more Directors constitute a quorum.

Section 8: A Board Member shall attend all Directors meetings and Association meetings. If three (3) meetings are missed consecutively without good cause, said member is automatically dismissed and another member shall be appointed in accordance with Article VII, Section 2.

Section 9: Any member in good standing may attend any regularly scheduled meeting of the Board of Director's. The President may allow comments or questions during the meeting. Members at large may present their concerns at the conclusion of business.

Section 10: Other than members in good standing, only the Property Manager or his/her designee may attend the Board of Directors meetings. No contractor, vendor, employee or other non-member shall be present while the Board is conducting its meeting, unless that individual is specifically authorized to be there by the Board.

Section 11: Immediately after the fall meeting, written election ballots shall be sent to all members. The ballots shall be returned within 30 days in the self-addressed envelope provided. The ballots of members not in good standing at the time of ballot counting will be invalidated. Results of the election shall be announced in the newsletter and posted at the Association office. In the event that there is no contest, the Secretary shall cast the ballot.

Article VI- REMOVAL OF OFFICERS AND/OR DIRECTORS

Any Officer or Director may be removed from office when, in the judgment of the Board, the best interest of the Association will be served by such removal. Such Officer or Director can only be removed by an absolute majority vote of the Board, which would require at least four (4) affirmative votes plus council. A board member must remain in good standing to continue to serve their term on the board. Any member who has been removed from office in the past or present shall be ineligible to serve on the Board at any time in the future.

Article VII - VACANCIES

Section 1: Any vacancies occurring within the offices of the President, Vice President, Secretary, and Treasurer shall be filled by a majority vote of the Board from among the remaining Board members.

Section 2: Vacancies occurring within the Board of Directors may be filled by any member in good standing by a majority vote of the remaining Board following an application and interview process. The appointee will only serve until the next regular Board of Directors Election.

Article VIII - OFFICERS AND THEIR DUTIES

Section 1: It shall be the duty of the President to preside at all meetings of the Board of Directors and of the General Membership. He/she shall appoint, with Board approval, such committees as he/she feels appropriate to deal with any aspect of the Association business. He/she shall be empowered, with Board approval and an additional officer's signature, to execute all legal documents and bind the Association thereto. In addition to powers above

enumerated, he/she shall also be vested with powers and duties generally incident to the office of the President of a non-profit corporation, except as otherwise determined by the Board or as otherwise set forth in these By-laws.

Section 2: The Vice President is empowered to act and shall thereupon be vested of all powers and duties of President in the absence of the President or in the event of the President's inability or refusal to act.

Section 3: The Secretary shall keep minutes of business and other matters transacted at meetings of the General Membership and the Board of Directors. He/she shall mail, or cause to be mailed, all notices required under the By-laws. He/she will oversee the corporate seal, non-financial records, a list of all members and their addresses, and perform all other duties incident to position of Secretary. All records, minutes, and documents pertinent to the Association shall be kept in a designated place in the EPOA office.

Section 4: The Treasurer shall have custody of the funds of the Association. He/she shall supervise the collection of monies due, paying obligations of the Association out of its funds, and perform such other duties as are incident to the office of Treasurer. The Treasurer shall also have the power to sign checks, together with the designated check signers, pertaining to the Maintenance and other Association accounts. All records shall be kept and preserved, and turned over to the succeeding Treasurer. The President, Treasurer, and any other person or persons authorized by the Board to sign checks, must be insured or bonded. Monies belonging to the Association shall be deposited in banks designated by the Board of Directors and in the name of the Association. Withdrawals on the accounts will require the signatures of two executive officers. The financial records shall be audited annually by an independent accountant.

Section 5: Association Records will be made available pursuant to 68 Pa. CSA 5316 and 15 Pa. CSA 5508. Committees appointed by the Board of Directors shall have access to all necessary financial documents in order to perform assigned duties. Payroll records and personal records for employees shall not be included.

Article IX - AMENDMENTS

Any member in good standing shall have the right to propose the alteration, amendment or revision of this Constitution and By-laws. Said proposal shall be presented in writing to the Secretary and referred to the By-laws Committee for review and comment. The Committee shall either recommend approval or disapproval of the proposal, in whole or in part. The Board will vote on the recommendation of the Committee, and any amendments approved by the Board will be submitted to the membership for approval. The Constitution and By-laws shall not be altered, amended, or revised except by the members in good standing, who are entitled to vote, this being done by electronic voting or ballot and passed by a 51% majority of eligible voters.

Article X - MEMBERSHIP MEETINGS

General Membership Meetings shall be held at least twice per year, but can be quarterly, at such times and places designated by the Board. General Membership Meetings shall be held on a Saturday or Sunday, and at a location to be decided upon according to availability. Only such official action put forth by the Board shall be voted on at such General Membership Meetings; however, Property Owners shall have the right, subject to reasonable time limitations, to express their opinions on issues pertaining to the membership.

Article XI - PROPERTY MANAGER

The affairs of the Association shall be administered by a Property Manager and such other personnel as are, from time to time, authorized by the Board of Directors. The Property Manager shall be the Chief Operating and Administrative Officer of the Association and shall be responsible to the Board of Directors for the management of the affairs of the Association and the execution of the polices and decisions of the Board of Directors. The Property Manager shall sign documents for sales of the Escape lots for the agreed amount by the Board of Directors. The Property Manager shall be chosen by the Board of Directors. The Property Manager at no time may be a director.

Article XII - DUES

Section 1: The annual mandatory membership dues shall be paid by the end of the first quarter of each year. The Board of Directors has the authority to increase the dues as deemed necessary.

Section 2: A Capital Improvement Fee shall be imposed at the time of any transfer of property, as per Pennsylvania Act 180.

Section 3: A connection fee to the main water and sewer lines shall be charged by the Association as per Pennsylvania Act 180. This fee must be paid prior to the property owner building or bringing in a manufactured home.

Article XII - COMMITTEES

Section 1: The President, with the Board of Directors ' approval, shall appoint all committees. All Committee Chairpersons shall be Board Members and shall report directly to the Board, who will refer concerns to the proper channels for action. Such Committees are advisory only, and members serve at the discretion of the Board.

Section 2: The following are Standing Committees: Finance, Grievance and Appeals, Community Watch, Physical Plant (covers building, roads, utilities), Architectural (enforces the Covenants), Ballot Committee, Recreation, By-Laws, Dock and other additional committee the board/property manager deems necessary.

Article XIV-PARLIAMENTARY AUTHORITY

At all membership meetings, said meeting shall be conducted in accordance with an agenda set forth by the President or Chairperson at the meeting. The Chairperson of the meeting shall determine the conduct during the meeting.

The ABCs of Parliamentary Procedures, promulgated by the Community Association Institute (CAI), shall govern the Parliamentary Procedure in all cases where they are not inconsistent with these By-laws.

Article XV- DIRECTORS LIABILITY

INDEMNIFICATION OF OFFICERS AND DIRECTORS:
The Association shall indemnify, hold harmless, and defend every Director and Officer, their respective heirs, executors, administrators, against all loss, costs and expenses, including

counsel fees, reasonably incurred in connection with any action, suit, claim or other proceeding to which the Officer or Director may be made a party by reason of being or having been a Director or Officer of the Association. The Association shall have no duty, however, to indemnify, hold harmless or defend any Officer or Director for any matter in which the Officer or Director shall be found by a court or other tribunal to have acted or failed to act in a manner that constitutes recklessness, gross negligence or intentional misconduct. In the event of any settlement, the duty to indemnify shall encompass only the matters resolved by the settlement, and then only if the Association is advised by counsel that the person to be indemnified had not committed any acts or omissions constituting recklessness, gross negligence or intentional misconduct in the matter. The forgoing rights shall not be exclusive of other rights to which the Director or Officer may be entitled. All liability, loss, damage, costs and expenses incurred or suffered by the Association by reason of, ensuing out of, or in connection with the forgoing indemnification provisions shall be treated by the Association as common expense. Nothing in this Article shall obligate the Association to indemnify any Member of the Association as an Owner of a Lot in the Community who is or has been a Director or Officer of the Association with respect to any duties or other obligations assumed or liabilities incurred because the person has a membership in the Association or because the person owns a Lot.