

BY-LAWS OF THE
LOBDELL-BENNETT LAKE PROPERTY OWNERS AND IMPROVEMENT
ASSOCIATION

ARTICLE I

Name and Location

Section 1.1

The name of the association shall be Lobdell-Bennett Lake Property Owners and Improvement Association and it shall be located in Argentine Township, Genesee County, Michigan and in Deerfield Township, Livingston County, Michigan.

ARTICLE II

Objectives

Section 2.1

The purpose of this association shall be to seek, provide, promote and perform such acts, functions and services as will reasonably enhance and further the comfort, convenience, enjoyment, safety, privacy, health, sanitation and welfare of its members who own or have purchasers' interest in any lot or lots contiguous with the confines of Lobdell and Bennett Lakes, Argentine Township, Genesee County, Michigan and Deerfield Township, Livingston County, Michigan, and the means of maintaining certain standards to be set by the membership from time to time and in general to exercise all powers permitted by the laws of the State of Michigan to protect the ecology of the area.

ARTICLE III

Membership

Section 3.1

Membership shall be divided into three classifications: Active, Associate and Honorary membership.

- A. **Active Membership:** Any persons being freeholders of land which fronts on Lobdell-Bennett Lakes are eligible for an active membership for each un-platted parcel or platted lot so fronting. No person may have more than one active membership. This applies to the mainland.

(A1) In regard to Blue Gill Island, residents of Blue Gill Island are members of a Stock Club and each member is an owner of one share of stock which makes them owners of 1/30 of the Island, therefore, each home on Blue Gill Island will be entitled to one active membership.

- B. **Associate Membership:** Any persons being freeholders of land which is reasonably adjacent or has easement to Lobdell-Bennett Lakes so as to be benefited by membership in this association are eligible for one associate membership. Associate members shall have full rights of participation in the association's activities but shall not be entitled to vote or hold office. Any person, firm, corporation or association may, in the discretion of the Board of Directors, be designated as associate members if said Board of Directors shall deem that said person or firms have interests corresponding to those of property owners abutting the waters of Lobdell-Bennett Lakes.

- C. **Honorary Membership:** Honorary membership shall consist of such person, firms or corporations as shall for single service or because of unusual consideration be deemed entitled thereto by the Board of Directors and shall be terminable at the will of such Board. Honorary members shall not pay dues, shall not vote and shall not hold office.

Section 3.2

Application for membership shall be submitted to the Board of Directors on a form furnished by the Association and upon approval by the Board of Directors shall be members subject to the terms and conditions of these by-laws.

Section 3.3

A membership year is from January 1 – December 31 of each calendar year. Dues shall become delinquent if not paid by April 1, of each calendar year. A delinquent member shall be ineligible to hold office, exercise the right to vote or participate in activities of the association, and shall be removed from the membership list if the delinquent dues are not paid within a 30-day grace period.

Section 3.4

Any member may resign by filing a formal written or verbal resignation with the President but such resignation shall not relieve the resigning member of the obligation to pay any dues, assessment or other charges theretofore accrued.

Section 3.5

The association may expel any of its members whenever in its judgment, the welfare of the association requires such expulsion, provided that a statement signed by at least ten active members in good standing and setting forth the intention to ask for such expulsion shall be filed with the secretary and shall be read by him/her at a stated meeting of the association. Following which but not before, the next stated meeting of the association, the association may proceed, by a vote of not less than two-thirds of the active members present to carry out and put into effect such expulsion. Provided, however, that special notice of the expulsion proceedings shall be given the members against whom they are brought, by the Secretary and published at least ten days before the meeting at which they are to be submitted to the association for vote, and that the member shall be given equal opportunity to speak in his/her own behalf before the vote of expulsion is taken a member so expelled shall not be entitled to any refund of dues paid.

Section 3.6

Ownership of all property both real and personal belonging to the association shall be vested in the active membership.

ARTICLE IV

Officers and Directors

Section 4.1

The officers of the association shall consist of a President, a Vice-President, a Secretary and a Treasurer; Officers of the association are to be elected by the Board of Directors to a two-year term. The President and Vice President shall be elected in even numbered years and the Secretary and Treasurer shall be elected in odd number years. These elections shall take place at the first Board of Directors meeting following the annual meeting.

Section 4.2

The Directors of the association shall consist of fifteen active members elected by a majority vote of the active membership at the annual meeting and be as a representative as possible of the different districts on Lobdell-Bennett Lakes.

Section 4.3

This association shall be organized into seven districts for the purpose of electing two Directors from each district and one at large Director for the Board of Directors.

Section 4.4

These districts shall be as follows:

- A. District One: Locke Street to Clairmont Drive, west side of Peninsular Drive, east side of Peninsular Drive beginning at 8220 Peninsular Drive north to the end.
- B. District Two: Locke Street to Seymour Road to Silver Lake Road to the end of Sunset Way.

- C. District Three: Softwater Drive, Whitehead Drive to Moran Drive through the west side on Knob Hill Drive and Crest Drive
- D. District Four: East side of Knob Hill Drive around and down Glen Hatt Road south on Lobdell Lake Road to the west shore of Haviland Beach Drive to and including 8069 Haviland Beach Drive.
- E. District Five: 8065 Haviland Beach Drive east to Lobdell Lake Road, east on Lobdell Lake Road to Hilltop Drive, including Hilltop Drive to the end of Island Court.
- F. District Six: East side of Peninsular Drive beginning at 8200 Peninsular Drive around to Oakhill Drive including the islands.
- G. District Seven: All portions of Bennet Lake within the association boundaries and laying south and or east of Bennet Lake Road.

Section 4.5

Each director shall serve either a one- or two-year term so as to affect the election of one board member per district each year.

ARTICLE V

Duties of Officers

Section 5.1

- A. **President:** The president shall preside at all meetings of the association and the Board of Directors. He/she shall appoint standing and special committees and shall be an ex-officio member of such committees. He/she shall call meetings of the Board of Directors at such times as he/she may deem advisable and shall call special meetings of the Board and of the association at the written request of not less than two members of the Board.
- B. It is his/her duty to carry out the will of the Board and of the association as expressed at their respective meeting, and in general, to conduct the affairs of the association in a manner consistent with the authority and responsibility pertaining to his/her office. It shall be the duty of the president to care for the property and interest of the association consistent with the policies set forth by the Board of Directors of the association.
- C. **Vice President:** The vice-president, in absence of the president, shall discharge the duties of president. He/she should attend or be represented at all meetings of the association and Board of Directors. He/she shall serve as Chairperson of the standing committees on membership and political action.
- D. **Secretary:** The recording secretary shall be responsible for the correspondence of the association and shall keep all records of the association other than those of a financial

character including the minutes of Board meetings and the minutes of membership meetings.

- E. **Treasurer:** The treasurer shall be responsible for the collection of membership dues, charges and other fees, the issuance of membership cards and at the direction of the Board of Directors shall advise said Board of Directors as to any delinquent members and the extent of their delinquencies. The treasurer shall keep records of the receipts and disbursements of the association and report the financial condition of the association to the membership at the annual meeting or at such other times as are required by the Board of Directors. The Board of Directors shall establish the manner, in which any withdrawals or checks may be drawn on the association accounts by a majority vote. A petty cash fund of not more than \$100.00 shall be maintained for the purpose of payment of miscellaneous amounts by the treasurer.

Section 5.2

Should any officer be unable to serve, or any office found to be vacant, the Board of Directors shall by secret ballot, elect a successor to serve the unexpired term. A plurality of the Board of Directors shall be sufficient for such election.

ARTICLE VI

Duties of the Board of Directors

Section 6.1

The management of the affairs of this association shall be the responsibility of the Board of Directors. The Board of Directors shall consist of the fifteen directors and four officers hereinbefore enumerated and the immediate past president.

Section 6.2

It shall be the duty of the Board of Directors to determine policies for the conduct of the association's affairs consistent with such specific instructions as the Board may receive from the association. The Board shall have the power to raise and expend funds to promote the welfare of the association and to employ all such means not in conflict with these By-Laws, or with the law of the land, as it may deem proper and expedient to secure the objective for which the association is organized. The Board of Directors shall set the amount of the annual meeting.

Section 6.3

Should any duly elected member of the Board of Directors be unable to serve or for any reason any district is found to be without its allotted number of directors, the President shall name a Director

or Directors as are necessary to complete representation, subject to the approval of the Board of Directors, said nominee to be a resident of the district they are to represent, for the remainder of the year, said vacancy to be filled at the next following annual meeting for the unexpired term of office.

Section 6.4

All Officers and Directors shall serve without compensation, but the association or the Board of Directors may provide from association funds for such necessary incidental expenses as may properly be incurred by such Officers or Directors in the transaction of association business.

Section 6.5

Nine members of the Board of Directors shall constitute a quorum at any board meeting.

Section 6.6

It shall be the duty of all officers as well as Board members to attend the meetings of the Board of Directors as well as the annual meeting or any special meetings of this association. Should any officer or director be absent for three consecutive meetings for the Board of Directors or other duly noticed membership meetings, the Board of Directors may, in its' discretion, declare the office of any such offending officer or director vacant and a successor shall be appointed.

ARTICLE V11

Meetings

Section 7.1

The Board of Directors shall set the time and place of its meetings. These meetings while open to the public are for the purpose of conducting the agenda of the Board of Directors.

Section 7.2

The annual membership meeting shall be held at such time and place as is established by the Board of Directors. Notice of said annual meeting and proposed agenda shall be published no less than 30 days prior to the meeting. Unless otherwise limited by these By-Laws, other matters may be taken up as regular business upon the exhaustion of the proposed agenda.

Section 7.3

Special meetings of the Board of Directors may be called by the President, or any three members of the Board of Directors at a minimum of twenty-four-hour notice.

Section 7.4

Special meetings of the general membership may be called only by the Board of Directors and only upon notice having been sent at least three days in advance of said meeting.

Section 7.5

Electronic Meetings. Meetings of Members may be held by means of a conference/video call so that all Persons participating in the meeting can hear each other. Participation in a meeting held by conference/video call shall constitute presence of the Person at the meeting.

Section 7.6

Annual meetings order of business:

- A. Meetings called to order by the President.
- B. Roll call by secretary to establish eligibility of those in attendance.
- C. Reading and approval of minutes of prior annual meeting.
- D. Treasurer's report
- E. President's report for Board of Directors.
- F. Committee reports
- G. Old and new business
- H. Report of judges and tellers of election of directors.

Section 7.7

All meetings shall be conducted according to Robert's Rules of Order.

Article VIII – Committees

Section 8.1

Creation of Committees. The Board of Directors will create the committees established in these Bylaws and any others deemed necessary to carry out the policies and programs of the Association. Each duly elected Director will be a member of at least one committee, and each committee will have at least one duly elected Director as a member.

Section 8.2

Standing Committees. There will be five (5) standing committees, each chaired by a duly elected Director who will be appointed by the President in consultation with the Board of Directors.

- a) Lake Health Management
- b) Social
- c) Political Action
- d) Budget and Finance
- e) Membership

Section 8.3

Budget and Finance Committee. The Budget and Finance Committee will review all financial statements and reports; assure adequate insurances are in place to protect the Association, its Employees, Officers, and Directors; and monitor preparation of all financial plans and forecasts. The Budget and Finance Committee will be chaired by a duly elected Director and will be appointed by the President.

Section 8.4

Appointment to Standing Committees. Members of each standing committee will be appointed by the committee chair. Members of committees may be members of the Board of Directors or other persons who are not members of the Board of Directors.

Section 8.5

Ad Hoc Committees. The Board of Directors by resolution may from time-to-time designate ad hoc committees for specific purposes. The resolution designating the committee will state its purpose and provide for its termination. Ad hoc committees may also be established by the Board President at his/her discretion.

Section 8.6

General Responsibilities.

Each committee chair is required to attend Board of Directors meetings when requested by the Board of Directors.

- a) A designated Board member will be present at all regularly scheduled committee meetings, if possible.
- b) All committees are directly accountable to the Board of Directors and will report to the President.
- c) A written summary or minutes of all standing committee meetings will be kept and submitted to the Board of Directors for deposit with the Secretary.

ARTICLE_IX

Voting

Section 9.1

Every active membership shall be entitled to one vote concerning any matter properly the subject matter of a general membership vote as defined by the terms of these By-Laws, provided, however, that in the event a membership is held by a firm or organization of more than one person, only one vote shall be cast by any such firm or organization and if they cannot agree as to who is to cast their ballot, their vote shall not be accepted. Associate members whose dues are paid up current are invited to attend association meetings and participate in discussions but are limited from voting.

Section 9.2

The association's general membership is limited from voting at Board of Director's meetings.

Section 9.3

Motions are carried by a simple majority vote unless otherwise noted in these By-Laws.

ARTICLE X

Amendments

Section 10.1

These By-Laws may be amended as follows:

- A. By the majority of members present at any annual meeting of the members.
- B. By any special meeting of the membership provided that notice of such meeting be given ten days in advance of said meeting and the proposed amendments shall be set forth in detail.
- C. By a two-thirds majority of the Board of Directors present and voting at two successive meetings of the Board of Directors, in no event less than thirty days apart.

ARTICLE XI

Assessments

Section 11.1

Assessments of the membership of this association shall be affected only upon the affirmative vote of two thirds of the members voting either by proxy, mail or presence at any special membership meeting called for the express purpose of the membership passing upon a proposed assessment, providing, further that each member be given at least thirty days written notice to their address of record with the association to be voted upon and its' purposes. An annual membership meeting may pass upon a special assessment if the other conditions of this section are otherwise settled.

ARTICLE-XII

Dissolution

Section 12.1

Dissolution of this association shall be affected according to the laws of the State of Michigan concerning the dissolution of corporations generally and specifically. All debts of the association shall be paid and upon payment of all reasonable and necessary costs of dissolution, and assets remain entitled in the name of this association shall be transferred to Argentine Township, Genesee County and Deerfield Township, Livingston County, State of Michigan, to be held for uses beneficial to the riparian users of Lobdell and Bennet Lakes. The assets to be divided between the respective townships in proportion to the membership percentages at the time of dissolution.

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