

CHARTER

PREAMBLE

The Point Beach Improvement Association was established on June 29, 1929 pursuant to Special Act of the Senate and House of Representatives in the General Assembly of the State of Connecticut. The following is an amendment of the Charter adopted this 23 day of May 1987.

AN ACT INCORPORATING THE POINT BEACH IMPROVEMENT ASSOCIATION

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. All owners of land, cottages, dwellings and other buildings within the limits hereinafter specified in the locality known as "Point Beach" in the Town of Milford, are constituted a body politic and corporate by the name of The Point Beach Improvement Association.

Section 2. The limits and territory of said association are defined and established as follows: Commencing at the intersection of the southeasterly corner of lot number 156 as shown on a certain map entitled, "Point Beach George E. Haskins Section Milford, Conn. Feb. 15, 1928" and left for reference at the town clerk's office in said town of Milford, with Long Island Sound, thence continuing in a westerly direction along the shore of Long Island Sound to the southwesterly corner of lot number 94 shown on said map; thence in a northerly direction along Long Island Sound to its intersection with the westerly line of Platt Street as shown on said map; thence along the westerly side of said Platt Street to land of The Connecticut Company; thence in an easterly

direction along the southerly boundary line of land of the Connecticut Company to the northwesterly corner of lotnumber I shown on said map; thence southerly along the westerly boundary line of said lot number I to the northerly boundary line of lot number 175 shown on said map;thence in a westerly direction along the northerly boundary line of said lot number 175 to the northeasterly corner of lot number 176 shown on said map; thence in a southerly direction along the easterly boundary line of said lot number 176 to the southeasterly corner of said lot; thence in an easterly direction along the southerly boundary line of said lot number 175 to the easterly side of a creek shown on said map; thencein a southerly direction along the easterly side of said creek to a point ona six foot strip shown on said map, which said point is at the intersection of the westerly side of said six foot strip with a line formed by projecting in a westerly direction the northerly boundary line of lot number 120, shown on said map,to said point; thence in an easterly direction along said line and along the northerly boundary line of said lot number 120 to the northeasterly corner of said lot; thence in a southeasterly direction in a straight line to the northwesterly corner of lot number 121 shown on said map; thence in an easterly direction along the northerly boundary line of said lot number 121 to thenortheasterly corner of said lot; thence in a southerly direction along the easterly side of said lot to the northwesterly corner of lotnumber 140 shown on said map; thence in an easterly direction along the northerly boundary line of said lot number 140;thence continuing across Coolridge Road in a straight line and along the northerly boundary line of lot number 141

shown on said map, to the northeasterly corner of said lot; thence in a southerly direction along the easterly boundary line of lots numbers 141, 142, 143 and 144 shown on said map, to the northwesterly corner of lot number 155 shown on said map; thence in an easterly direction along the northerly boundary line of said lot number 155; thence continuing in a straight line across Bay View Road to the easterly side of said road; thence in a southerly direction along the easterly side of said Bay View Road to its intersection with Point Beach Drive; thence in a northeasterly direction along the northwesterly side of said Point Beach Drive to a point opposite the northwesterly corner of lot number 156 shown on said map; thence in a southeasterly direction in a straight line across said Point Beach Drive to the northwesterly corner of said lot number 156; thence continuing in a southeasterly direction along the northeasterly boundary line of said lot number 156 to Long Island Sound and point of commencement.

Section 3. All owners of a cottage or dwelling or other real estate within said limits, and all persons who shall, after this act shall take effect, own any cottage, dwelling or other real estate within said limits, shall be members of said The Point Beach Improvement Association, and shall be entitled to vote in any meeting of such members. A member in good standing shall be eligible to any office provided for in this act.

Section 4. The first meeting of the members of said Association shall be held in June or July, 1929, at such time and place The Point Beach Improvement Association as the committee

hereinafter named shall appoint in the warning of such meeting, for the purpose of electing a board of governors, who shall hold office. Said elected board of governors shall be as follows: 4 elected for three years; 5 elected for two years. Annual meeting shall be held in the month of June in each year at such time and place as said Board of Governors shall direct.

Section 5. All, annual meetings or special meetings of the association shall be warned by the board of governors in the manner prescribed in rules or by-laws adopted by said board.

Section 6. Any vacancy in said board may be filled by the majority of the remaining members of the Board for the remainder of the term.

Section 7. Said Association shall have all the powers set forth in Connecticut General Statute Title 7, Chapter 105. In addition, said Association shall have power to adopt by-laws, rules and regulations for its government, and to enforce the same in the name of the Association, and to hold, purchase, sell and convey such real and personal estate as the purposes of said Association shall require. Said Association may make all necessary rule and regulations for the care and protection of the open beach above high watermark within the limits hereinbefore described, not inconsistent with any right therein heretofore acquired by an individual. Said association may assess and apportion the expense among all the cotage, dwelling house, hotel and restaurant owners, and owners of all other buildings and real estate within said limits, in amounts to be determined each year at the annual meeting of said association by majority vote of the

members present and voting at such meeting, provided such voting shall take place subsequent to the reading and acceptance of the annual report of the treasurer and the report and recommendations of the budget committee of said association. Such assessment shall be made in the name of the owner of record of the property assessed on ~~August~~ ^{July} first in each year, and shall become due and payable on ~~September~~ ^{July/AUGUST} first following. Said Association may collect all such assessments from the several owners of such properties by action at law in the name of said Association, and any money due on any such assessment shall be a lien upon the property of any such owner, which may be foreclosed in the same manner in which liens for taxes due the town of Milford are foreclosed.

The fiscal year of the district shall begin on July 1, and shall end the following June 30th.

Section 8. Twenty (20) members or ten (10%) per cent whichever is less of said Association shall constitute a quorum for the transaction of business, provided that such members are in good standing and any member may designate in writing any person to act as his proxy at any meeting of said Association.

Section 9. Notice in writing of each meeting of the Association, stating the purpose of the meeting, shall be given by the clerk by letter addressed to each member of the Association at least ten (10) days before such meeting. Notice shall also be given by publication of a notice of such meetings in a newspaper having a general circulation in such district at least ten (10) days before the day of such meetings, signed by the Chairperson or any three (3) members of the Board of Governors,

which notice shall designate the time and place of such meetings and the business to be transacted.

Section 10. Sec.10 deleted, Sec.10 is now Sec.13.

Section 11. Sec. 11 deleted. Sec. 11 is now Sec. 13.

Section 12. Sec. 12 deleted. Sec. 12 is now Sec. 13.

Section 13. All by-laws, rules and orders made by said board of governors may be published in any newspaper having a circulation within the limits of said Association and comply with the rules and regulations of the Connecticut General Statute under Title 7, Chapter 99.

Section 14. Said board of governors shall elect, from the members of said board, a clerk and a treasurer, and all warnings, notices, orders and by-laws shall be signed by such clerk. The clerk shall keep a record of all the doings of said Association. The treasurer shall keep account of all moneys received and paid out, and shall render a report thereof at each annual meeting.

Section 15. Said Association shall have no jurisdiction of the limits herein described between high and low water mark except to abate nuisances, and prevent the depositing of sewage or garbage.

Section 16. Sec. 16 deleted.

BY-LAWS

SECTION 1. The officers of the Point Beach Improvement Association shall consist of a Board of Governors of nine (9) members. The Board of Governors shall be elected by ballot at each annual meeting of the Association; Four members to hold office for a three (3) year term and five (5) members to hold office for two (2) years, or until their successors have been elected. Any vacancy occurring in the Board may be filled by appointment by the majority of the remaining members of the Board of Governors for the remainder of the term, provided that appointees are members in good standing of the Association and community. ~~A clerk and a treasurer shall be appointed by the~~
Board of Governors to serve during the term of office of the Board appointing them.

SECTION 2. One member of the Board of Governors shall be elected Chairperson of the Board, and said Chairperson shall preside at all meetings of the Board and of the Association, and shall convene the Board in extra session when deemed necessary. Said Chairperson shall make and sign all contracts when the same shall have been approved by the Board. It shall be said Chairperson's duty to call to order all meetings, annual and special, and at each annual meeting said Chairperson shall make a report of the work of the Board.

SECTION 3. It shall be the duty of the Clerk to collect all assessments laid by the Board of Governors, and keep an accurate record of all moneys collected for that purpose and transfer such funds at once to the Treasurer. It shall be the

duty of the Clerk to place a lien after seven (7) days' notice has been given in the name of the Association against all property owners who fail to pay the assessments made by the Board of Governors, and said lien for such assessments is to be filed within ninety (90) days after the date when due. Failure by the Association to record such liens for assessments within said ninety (90) day period shall not invalidate the validity of such lien. The charge for placing and removing said lien shall be the same as the current fee charged by the City of Milford. It shall be the duty of the Clerk to attend all meetings of the Board of Governors and of the Association, keep a record of the doings at all meetings, issue all orders and notices passed by the Board of Governors and by the Association, and issue calls for all meetings as provided by the Charter and By-Laws. Said Clerk shall furnish a surety bond in an amount which shall be not less than the anticipated revenues of the annual budget as set by the Finance Committee and voted upon by the membership at the Annual Meeting, the cost and expense of the surety bond shall be borne by the Association. The records of the Clerk shall be available for inspection at any reasonable time by any officer or member of the Association within seven (7) days of a written request to inspect.

SECTION 4. The Treasurer shall report at any meeting of the Board of Governors, when called upon by any member, the condition of the treasury and the progress of said Treasurer's work. Said Treasurer shall also annually make a report to the Association at its annual meeting of all assessments made, collected and not

collected, and of moneys received and disbursed during the year. The Treasurer shall furnish a surety bond in an amount which shall not be less than the anticipated revenues of the annual budget as set by the Finance Committee and voted upon by the membership at the Annual Meeting the cost and expense of the surety bond shall be borne by the Association.

SECTION 5. The Annual Meeting of the Association shall be held during the month of June of each year, at such time and such place as the Board of Governors may designate, provided that such meeting shall be within ten miles of the exterior border of Point Beach as said boundary is defined in the Charter. At these meetings any property owner who has a grievance shall appear and state his grievance in writing (or verbally, by consent of the Board). ~~Written grievances shall be delivered to the Clerk with~~ sufficient copies for the Board of Governors (9 copies). Such written grievance may be mailed prior to the meeting, or delivered at the meeting.

Special Meetings of the Association may be held by order of the Board, or by order of the Chairperson, or at the request of twenty (20) members of the Association, or ten (10%) whichever is less of the members in good standing of the Association. Special meetings shall be held within twenty-one (21) days after receiving application of said voters. Due notice shall be given by the Clerk at least ten (10) days before the holding of such meetings, by publication of a notice of such meetings in a newspaper having a general circulation in such district at least ten days before the day of such meetings signed by the Chairperson or any three members of the Board of Governors which

notice shall designate the time, and place of such meetings and the business to be transacted thereat.

The Board of Governors shall have at least one meeting per year prior to the annual meeting of the Association, and such other meetings of the Board as the Board of Governors deems necessary.

Special meetings of the Board of Governors may be held by order of the Board, or by order of the Chairperson, or at the request of three (3) members of the Board. Special meetings of the Board of Governors shall be held within twenty-one (21) days after receiving such request. Due notice shall be given by the Clerk at least ten (10) days before the holding of such meeting by mailing postage prepaid said notice in any Post Office within the County of New Haven to the last known residence of each member of the Board.

Five (5) members of the Board of Governors shall constitute a quorum for the transaction of business.

The order of business for such meetings shall be as follows:

Reading of the Minutes

Report of the Chairperson

Report of the Clerk

Report of the Treasurer

Report of the Finance Committee

Unfinished Business

NEW BUSINESS

ADJOURNMENT

SECTION 6. All owners renting dwellings to other persons for temporary quarters for any length of time shall be governed by the laws and regulations and shall pay the same tax as is charged per schedule. It shall be the duty of the Board of Governors to ascertain whether such conditions are complied with. Non owner occupants shall likewise be subject to the laws and regulations of the Association. All taxes and assessments shall be the liability of the record owner.

SECTION 7. Amendments to the By-Laws of the Point Beach Improvement Association may be made at any annual or special meeting of the Association. Twenty (20) members or ten (10%) per cent of the property owners in good standing, whichever is less, may propose an amendment which must be submitted in writing to the Clerk of the Association at least ninety (90) days prior to the Annual Meeting at which meeting the amendment is to be voted upon. Same shall be publised at at least ten (10) days prior to the meeting at which it is to be voted upon.

SECTION 8. Copies of these By-Laws shall be printed and distributed among all property owners and lessees upon their request. Ignorance either by the owner or lessee of the provisions of these By-Laws will not constitute an excuse for any infraction thereof.

SECTION 9. Commencing August 1, 1987 an interest charge shall be levied by the clerk on all unpaid assessments, from this date forward. Interest shall be charged in accordance with the rate of interest charged from time to time by the Tax Collector of the City of Milford for any part of a full year Assessment laid by the Board of Governors which is not paid in full within

thirty (30) days of the date due which shall be August 1st of the year for which the assessment is laid.

NOTATION;

1. Sections revised:
- Section 1
 - Section 2
 - Section 3
 - Section 4
 - Section 5
 - Section 6 (previously Section 14)
 - Section 7 (previously Section 15)
 - Section 8 (previously Section 16)
-
- Section 9 (previously Section 18)

2. Sections deleted

- Old Section 6
- Old Section 7
- Old Section 8
- Old Section 9
- Old Section 10
- Old Section 11
- Old Section 12
- Old Section 13
- Old Section 14
- Old Section 17
- Old Section 19

SECRETARY OF THE STATE
30 TRINITY STREET
P.O. BOX 150470
HARTFORD, CT 06115-0470

JANUARY 26, 2006

POINT BEACH IMPROVEMENT ASSOC., INC.
P O BOX 3634
POINT BEACH
MILFORD, CT 06460

RE: Acceptance of Business Filing

This letter is to confirm the acceptance of a filing for the following business:

POINT BEACH IMPROVEMENT ASSOCIATION, THE

Work Order Number: 2006023221-001
Business Filing Number: 0003121171
Type of Request: CERTIFICATE OF AMENDMENT
File Date/Time: JAN 23 2006 08:30 AM
Effective Date/Time: JAN 23 2006 08:30 AM
Work Order Payment Received: 10.00
Payment Received: 10.00
Account Balance: .00
Customer Id: 001344773
Business Id: 0067147

If applicable for this type of request, a summary of the business information we have on record is enclosed.

If you would like copies of this filing you must complete a Request for Corporate Copies and submit it with the appropriate fee.

JOAN WEATHERFORD
Commercial Recording Division
860-509-6003

BUSINESS FILING REPORT

WORK ORDER NUMBER:2006023221-001
BUSINESS FILING NUMBER: 0003121171

BUSINESS NAME:

POINT BEACH IMPROVEMENT ASSOCIATION, THE

BUSINESS LOCATION:

** END OF REPORT **

CERTIFICATE OF AMENDMENT NONSTOCK CORPORATION

Office of the Secretary of the State

30 Trinity Street / P.O. Box 150470 / Hartford, CT 06115-0470 / Rev. 07/01/2003

COPY FOR YOUR
INFORMATION

Space For Office Use Only

Filing Fee: \$10.00

1. NAME OF CORPORATION

THE POINT BEACH IMPROVEMENT ASSOCIATION

2. THE CERTIFICATE OF INCORPORATION IS (check A, B or C)

☒ A. AMENDED

☐ B. RESTATED

☐ C. AMENDED AND RESTATED

The restated certificate consolidates all amendments into a single document.

3. TEXT OF EACH AMENDMENT / RESTATEMENT

See attached Resolution setting forth the exact text of the Amendment.

COPY FOR YOUR
INFORMATION

(Please reference an 8 1/2 X 11 attachment if additional space is needed)

RESOLUTION

To amend the Charter by identifying the current Section 2 as Section 2.a., and by adding to Section 2 the following sub-paragraphs:

"The limits and territory of said Association shall also include the following described pieces or parcels of land, situated in Milford, Connecticut, described as follows:

Section 2.b. That certain area shown as "Pedestrian Easement In Favor Of Point Beach Improvement Association, Area = 2,533 sq. ft±" on that certain map entitled "Easement Map, 'Subdivision Map 60 Platt Street' Lot 11 Platt Street Milford, Connecticut" dated August 11, 2005, Scale 1" = 40', prepared by Codespoti & Associates, P.C., 504 Boston Post Road, Orange, Connecticut, which map has been or is to be filed with the Office of the Milford Town Clerk, and

All those certain pieces or parcels of land being more particularly shown and described as Lot 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 on that certain subdivision map entitled "Subdivision Map, 60 Platt Street Prepared For Ocean Pointe, L.L.C.", dated November 3, 2004, revised December 15, 2004, Scale 1" = 40' prepared by Codespoti & Associates, P.C., 504 Boston Post Road, Suite 302, Orange, Conn. 06977, which subdivision map is on file with the Office of the Milford Town Clerk as Map AB 2999, and

Section 2.c. all those certain pieces or parcels of land which are not included in the above described limits and territory but about the following streets: Platt Street, Elaine Road, Coolridge Road, Atwater Street, Howard Court, Point Beach Drive, Marie Street, Earle Street, Northmoor Street and Westmoor Street."

and by deleting Section 3 and substituting in lieu thereof the following Section 3:

"Section 3. There shall be two classes of membership, Active and Associate. Active members shall be all owners of a cottage or dwelling or other real estate within said limits described in Sections 2(a) and 2(b) above. Associate members shall be those owners of a cottage or dwelling or other real estate within said limits described in Section 2(c) above who have applied for Associate Membership and have been accepted as an Associate Member by the Association. Only active members shall be entitled to vote in any meeting of such members and only Active members in good standing shall be eligible to hold any office provided for in this Charter."

*Associates pay assessment at their
discretion. No liens- second notice only
and must like not
even that.*