



PAGE: 1 of 19 FEE # 2006059372

**B:6305 P:258**

OFFICIAL RECORDS  
OF MOHAVE COUNTY  
JOAN MCCALL,  
COUNTY RECORDER



6/9/06 10:07 AM Fee: \$28.00  
DOC TYPE: BY/LAW  
PAID BY: MAJESTIC HOMES

MAJESTIC HOMES  
SOUTHWEST BUILDING CO LLC  
11684 VENTURA BLVD STE 624  
STUDIO CITY, CA 91604

**BYLAWS  
OF  
PATRIOT ESTATES PROPERTY  
OWNERS ASSOCIATION**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BYLAWS  
OF  
PATRIOT ESTATES PROPERTY OWNERS ASSOCIATION

ARTICLE I  
NAME

The name of the corporation is PATRIOT ESTATES  
PROPERTY OWNERS ASSOCIATION, hereinafter referred to as  
the Association.

ARTICLE II  
PRINCIPAL OFFICE

The principal office of the corporation shall be  
located in Lake Havasu City, Arizona. The meetings of  
members and directors may be held at such places in the  
State of Arizona, County of Mohave, as may be designated  
by the Board of Directors.

ARTICLE III  
REFERENCE TO DECLARATION

Reference is made to the certain Declaration of  
Covenants, Conditions and Restrictions for Patriot Estates  
recorded on JUNE 9, 2006 as ~~Instrument~~ No. 6 FEE #

2006

1 \_\_\_\_\_ in the Official Records of Mohave County, Arizona  
2 (the "Declaration"). Unless otherwise defined in these  
3 Bylaws all capitalized words and phrases shall have the  
4 meanings set forth in the Declaration.  
5

6 ARTICLE IV

7 PURPOSE

8 The primary purpose of the Association is to serve  
9 as the governing body for the Owners of Lots and to  
10 fulfill such obligations and exercise such rights as are  
11 given by statute and the Association's Governing  
12 Documents, as they may hereafter be amended.  
13

14 ARTICLE V

15 MEMBERSHIP

16 Section 1. MEMBERS

17 Every Owner of a Lot which is subject by the  
18 covenants of record to Assessment shall be a member of the  
19 Association. Membership shall be appurtenant to and may  
20 not be separated from ownership of any Lot which is  
21 subject to Assessment. The rights and obligations of an  
22 Owner and membership in the Association shall not be  
23 assigned, transferred, pledged, conveyed, or alienated in  
24 any way except upon transfer of ownership to such Lot, or  
25 by intestate succession, testamentary disposition,  
26

1 foreclosure of a mortgage of record, or such other legal  
2 process that is now in effect or as may hereafter be  
3 established under or pursuant to the laws of the State of  
4 Arizona. Any attempt to make a prohibited transfer shall  
5 be void. Any transfer of ownership shall operate to  
6 transfer said membership to the new Owner, and a  
7 reasonable charge may be assessed by the Association for  
8 each such transfer.

9 Section 2. ASSESSMENT

10 The rights of membership are subject to the payment  
11 of monthly and special Assessments levied by the  
12 Association, the obligation of which Assessment is imposed  
13 against each Owner and becomes a lien upon the property  
14 against which Assessments are to be made as provided by  
15 the Declaration.  
16

17 Section 3. SUSPENSION

18 The membership rights of any person whose interest  
19 in the properties is subject to Assessments under this  
20 Article, whether or not he be personally obligated to pay  
21 such Assessments, may be suspended by action of the  
22 Directors, during the period when the Assessments remain  
23 unpaid; but, upon payment of such Assessments, his/her  
24 rights, and privileges shall be automatically restored.  
25 After the Board has adopted and published rules and  
26 regulations governing the use of Common Areas and

1 facilities and the personal conduct of any person thereon,  
2 as provided in these Bylaws, they may, in their  
3 discretion, suspend the rights of any such members for  
4 violation of such rules and regulations for a period not  
5 to exceed SIXTY (60) days or levy fines according to such  
6 a schedule as may be adopted or revised by the Board of  
7 Directors from time to time.  
8

9  
10 ARTICLE VI

11 VOTING RIGHTS

12 All Owners of a Lot shall be Members and entitled  
13 to one vote for each Lot owned. When more than one person  
14 holds an interest, all such persons shall become Members.  
15 The vote for such Lot shall be exercised as the owners  
16 among themselves determine, but in no event shall more  
17 than one vote be cast with respect to any Lot, and  
18 fractional votes shall not be allowed.  
19

20 ARTICLE VII

21 DIRECTORS

22 Section 1. NUMBER

23 The initial number of directors of the corporation  
24 shall be TWO (2). Following Declarant's Period of  
25 Control, the authorized number of Directors of the  
26 corporation shall be not less than THREE (3) nor more than

1 FIVE (5) until changed by amendment of the Articles of  
2 Incorporation or by a Bylaw duly adopted by the Members  
3 amending this Section of Article VIII of the Bylaws.

4 Section 2. ELECTION

5 The term of the Directors named in the Articles of  
6 Incorporation shall be until the first annual meeting of  
7 the Members, or, if the Association is still under  
8 Declarant's control, until their successors are duly  
9 chosen and qualify. At the expiration of the initial  
10 terms of office of each Director, his/her successor shall  
11 be elected to serve for a One (1) year term. The  
12 Directors shall hold office until their successors have  
13 been elected and hold their first meeting, and,  
14 thereafter, the Directors shall be elected at the annual  
15 meeting of Members to be held each year.

17 Section 3. REMOVAL

18 Following Declarant's Period of Control, any  
19 Director may be removed from the Board, with or without  
20 cause, by a majority vote of the Members of the  
21 Association. In the event of death, resignation, or  
22 removal of a Director, such vacancy may be filled by the  
23 affirmative vote of a majority of the remaining Directors  
24 even though less than a quorum of the Board of Directors.  
25 A Director elected to fill a vacancy shall serve for the  
26 unexpired term of his predecessor.

*Need to change*

1           Section 4.   COMPENSATION.

2           No Director shall receive compensation for any  
3 service he may render to the Association. However, any  
4 Director may be reimbursed for his actual expenses  
5 incurred in the performance of his duties.

6           Section 5.   ACTION TAKEN WITHOUT A MEETING

7           The Directors shall have the right to take any  
8 action in the absence of a meeting which they could take  
9 at a meeting by obtaining the written approval of all the  
10 Directors. Any action so approved shall have the same  
11 effect as though taken at a meeting of the Directors.  
12

13  
14   ARTICLE VIII

15   NOMINATION AND ELECTION OF DIRECTORS

16           Section 1.   NOMINATION.

17           Nomination for election to the Board of Directors  
18 may be made by a Nominating Committee. Nominations may  
19 also be made from the floor at the annual meeting. The  
20 Nominating Committee shall consist of a Chairman, who  
21 shall be a Member of the Association. The Nominating  
22 Committee shall be appointed by the Board of Directors  
23 prior to each annual meeting of the Members, to serve from  
24 the close of such annual meeting until the close of the  
25 next annual meeting and such appointment shall be  
26 announced at each annual meeting. The Nominating

1 Committee shall make as many nominations for election to  
2 the Board of Directors as it shall in its discretion  
3 determine, but not less than the number of vacancies that  
4 are to be filled. Such nominations must be made from  
5 among Members. The Board may serve as the nomination  
6 committee, at its option. All Directors must be Members in  
7 good standing of the Association but need not be residents  
8 of the State of Arizona.

9 Section 2. ELECTION

10 Election to the Board of Directors shall be as  
11 specified by the Board. At such election each member  
12 entitled to vote shall have the right to vote, in person  
13 or by proxy, one vote for each Lot owned by him/her. All  
14 voting shall be done on a non-cumulative basis.  
15

16  
17 ARTICLE IX

18 POWERS AND DUTIES OF THE BOARD OF DIRECTORS

19 Section 1.

20 The Board of Directors shall have power:

21 (a) To call special meetings of the Members  
22 whenever it deems necessary and it shall call a meeting at  
23 any time upon written request of one-fourth (1/4) of the  
24 voting membership, as provided in Article XIII, Section 2.

25 (b) To appoint and remove at pleasure all officers,  
26 agents and employees of the Association, prescribe their



1 duties, fix their compensation, and require of them such  
2 security or fidelity bond as it may deem expedient.  
3 Nothing contained in these Bylaws shall be construed to  
4 prohibit the employment of any Member, Officer or Director  
5 of the Association in any capacity whatsoever.

6 (c) To establish, levy and assess, and collect the  
7 assessments or charges referred to in Article V, Section  
8 2.

9 (d) To adopt and publish rules and regulations  
10 governing the use of the Common Areas and facilities and  
11 the personal conduct of the Members and their guests  
12 thereon.

13 (e) To exercise for the Association all powers,  
14 duties and authority vested in or delegated to this  
15 Association, except those reserved to Members in the  
16 covenants.

17 (f) In the event that any Member of the Board of  
18 Directors of this Association shall be absent from Three  
19 (3) consecutive regular meetings of the Board of  
20 Directors, the Board may by action taken at the meeting  
21 during which said third absence occurs, declare the office  
22 of said absent Director to be vacant.

23 (g) To retain the services of an experienced,  
24 professional manager to manage the Property. Appropriate  
25 fidelity bond coverage shall be required for any employee  
26

1 of the manager who handles funds of the Association. The  
2 Board of Directors may by written contract delegate in  
3 whole or in part to a manager such of duties,  
4 responsibilities, functions and powers hereunder of the  
5 Board of Directors as are delegable. The services of any  
6 manager retained by the Board of Directors shall be paid  
7 for with funds from the Common Expense Fund. Any  
8 management contract, employment contract or lease of  
9 recreational or parking areas or facilities, or any  
10 contract lease, including franchises or licenses, to which  
11 the Declarant or an affiliate of the Declarant is a party  
12 which binds the Association either directly or indirectly  
13 shall provide that without cause such agreement may be  
14 terminated by the Board of Directors or the Association,  
15 without penalty at any time after transfer of control by  
16 the Declarant, upon no more than thirty (30) days written  
17 notice to the other party thereto.  
18

19 Section 2.

20 It shall be the duty of the Board of Directors:

21 (a) To cause to be kept a complete record of all  
22 its acts and corporate affairs and to present a statement  
23 thereof to the Members at the annual meeting of the  
24 Members or at any special meeting when such is requested  
25 in writing pursuant to these Bylaws.  
26

1 (b) To supervise all officers, agents and  
2 employees of this Association, and to see that their  
3 duties are properly performed.

4 (c) As more fully provided in the Declaration:

5 (1) To fix the amount of the Assessment  
6 against each unit for each Assessment period at least (30)  
7 days in advance of such date or period and, at the same  
8 time;

9 (2) To prepare a roster of the properties and  
10 Assessments applicable thereto which shall be kept in the  
11 office of the Association and shall be open to inspection  
12 by any Member, and, at the same time;

13 (3) To send written notice of each Assessment  
14 to every Owner subject thereto.  
15

16 (d) To issue, or to cause an appropriate officer  
17 to issue, upon demand by any person a certificate setting  
18 forth whether any Assessment has been paid. Such  
19 certificate shall be conclusive evidence of any Assessment  
20 therein stated to have been paid.

21 (e) To procure and maintain adequate liability and  
22 hazard insurance on property owned by the Association.

23 (f) To cause all officers or employees having  
24 fiscal responsibilities to be bonded, as it may deem  
25 appropriate; and  
26

(g) To cause the Common Area to be maintained.

ARTICLE X

MEETINGS OF DIRECTORS

Section 1. REGULAR MEETINGS.

A regular annual meeting of the Board of Directors shall be held without other notice than this bylaw, immediately after, and at the same place as, the annual meeting of Members. The Board of Directors may provide by resolution the time and place for additional regular meetings of the Board.

Section 2. SPECIAL MEETING

Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two directors, after not less than Three (3) days notice to each director. The person or persons authorized to call special meetings of the Board of Directors may fix any convenient place and time as the place and time for holding any special meeting of the Board of Directors called by them.

Section 3. WAIVERS

The transaction of any business at any meeting of the Board of Directors, however called and noticed, or wherever held, shall be as valid as though made at a meeting duly held after regular call and notice if a quorum is present and, if either before or after the meeting, each of the directors not present signs a written

1 waiver of notice, or a consent to the holding of such  
2 meeting, or an approval of the minutes thereof. All such  
3 waivers, consents or approvals shall be filed with the  
4 corporate records and made a part of the minutes of the  
5 meeting.

6 The officers of this Association shall be elected  
7 annually by the Board and each shall hold office for One  
8 (1) year unless he shall sooner resign, or shall be  
9 removed, or otherwise disqualified to serve.

10 Section 4. SPECIAL APPOINTMENTS

11 The Board may elect such other officers as the  
12 affairs of the Association may require, each of whom shall  
13 such duties as the Board may, from time to time,  
14 determine.

15 Section 5. RESIGNATION AND REMOVAL

16 Any officer may be removed from office with or  
17 without cause by the Board. Any officer may resign at any  
18 time by giving written notice to the Board, the president  
19 or the secretary. Such resignation shall take effect on  
20 the date of receipt of such notice or at any later time  
21 specified therein, and unless otherwise specified therein,  
22 the acceptance of such resignation shall not be necessary  
23 to make it effective.  
24  
25  
26

1                         Section 6.  VACANCIES

2                         A vacancy in any office may be filled in the manner  
3                         prescribed for regular election.  The officer elected to  
4                         such vacancy shall serve for the remainder of the term of  
5                         the officer he/she replaced.

6                         Section 7.  MULTIPLE OFFICES

7                         The offices of secretary and treasurer may be held  
8                         by the same person.  No person shall simultaneously hold  
9                         more than one of any of the other offices except in the  
10                         case of special offices created pursuant to Section 4 of  
11                         this Article.

12  
13                                 ARTICLE  XI

14   DUTIES OF OFFICERS

15  
16                         The duties of the offices are as follows:

17                         President

18                         (a)  The president shall preside at all meetings of  
19                         the Board of Directors; shall see that orders and  
20                         resolutions of the Board are carried out; shall sign all  
21                         leases, mortgages, deeds and other written instruments and  
22                         shall co-sign all checks and promissory notes.

23                         Vice President

24                         (b)  The vice president shall act in the place and  
25                         stead of the president in the event of his absence,  
26                         inability or refusal to act, and shall exercise and

1 discharge such other duties as may be required of him by  
2 the Board.

3 Secretary

4 (c) The secretary shall record the votes and keep  
5 the minutes of all meetings and proceedings of the Board  
6 and of the members; keep the corporate seal of the  
7 Association and affix it on all papers requiring said  
8 seal; serve notice of meetings of the Board and of the  
9 members; keep appropriate current records showing the  
10 members of the Association together with their addresses,  
11 and shall perform such other duties as required by the  
12 Board.

13 Treasurer

14 (d) The treasurer shall receive and deposit in  
15 appropriate bank accounts all monies of the Association  
16 and shall disburse such funds as directed by resolution of  
17 the Board of Directors; shall sign all checks and  
18 promissory notes of the Association; keep proper books of  
19 account; and shall prepare an annual budget and a  
20 statement of income and expenditures to be presented to  
21 the membership at its regular annual meeting, and deliver  
22 a copy of each to the members.  
23  
24  
25  
26

ARTICLE XII

COMMITTEES

Section 1. OPTIONAL COMMITTEES

The Board of Directors may appoint a Nominating Committee, as provided in these Bylaws, and in addition, may appoint other committees as deemed appropriate in carrying out the purposes of the Association such as a Maintenance Committee which shall advise the Board of Directors on all matters pertaining to the maintenance, repair and improvement of the Common Properties, and shall perform such other functions as the Board in its discretion determines.

Section 2. DUTIES

It shall be the duty of each committee to receive complaints from members on any matter involving Association functions, duties and activities within its field of responsibility. It shall dispose of such complaints as it deems appropriate or refer them to such other committee, director or officer of the Association as is further concerned with the matter presented.



ARTICLE XIII

MEETINGS OF MEMBERS

Section 1. ANNUAL MEETINGS

Regular annual meetings of the Members shall be held.

Section 2. SPECIAL MEETINGS

Special meetings of the Members may be called at any time by the president or by the Board of Directors, or upon written request of the Members who are entitled to vote One-fourth (1/4) of all of the votes of the entire membership.

Section 3. NOTICE OF MEETINGS

Notice of any meetings shall be given to the Members by the Secretary. Notice may be given to the Member either personally, or by sending a copy of the notice through the mail, postage thereon fully prepaid to his address appearing on the books of the corporation. Each Member shall register his address with the Secretary, the notices of meetings shall be mailed to him/her at such address. Notice of any meeting, regular or special, shall be mailed at least Fifteen (15) days in advance of the meeting and shall set forth in general the nature of the business to be transacted.

ARTICLE XIV

AMENDMENTS

Section 1.

These Bylaws may be amended, at a regular or special meeting of the Members, by a majority vote of a quorum consisting of at least twenty-five percent of the Members present in person or by proxy, provided that those provisions in these Bylaws which are governed by the Articles of Incorporation of this Association may not be amended except as provided in the Articles of Incorporation or applicable law; and provided further that any matter stated herein to be or which is in fact governed by the Declaration applicable to the Properties may not be amended except as provided in such Declaration.

Section 2.

In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles shall control; and in the case of any conflict in the Declaration applicable to the Properties referred to in Section 1 of this Article and these Bylaws, the Declaration shall control.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

READ AND APPROVED this 3 day of may,

2005.

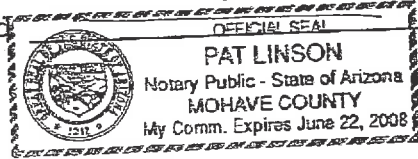
By: [Signature]

By: \_\_\_\_\_

STATE OF ARIZONA)  
COUNTY OF MOHAVE) SS:

SUBSCRIBED AND SWORN to before me this 3rd  
day of May, 2005, by Kerry Engle

and



[Signature]  
Notary Public

My Commission Expires: 6/22/2008