

Southwest Retreat
1806 Swanson Ave
Lake Havasu City, Az.
86403



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OFFICIAL RECORDS OF MOHAVE COUNTY, AZ
JOAN MC CALL, MOHAVE COUNTY RECORDER
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SOUTHWEST RETREAT CONDOMINIUMS
RECORDING FEE 18.00

BYLAWS OF
SOUTHWEST RETREAT CONDOMINIUMS, INC.

REVISION 1 DATED 3-4-95.

ARTICLE I

PLAN OF APARTMENT OWNERSHIP

Section One: Apartment Ownership: The project located on SOUTHWEST RETREAT CONDOMINIUMS, according to the plat of record in the office of the County Recorder of Mohave County, Arizona, recorded October 22, 1985 as Fee No.85-37044 is submitted to the provisions of A.R.S. 33-551 et seq.

Section Two: Bylaws Applicability: The provisions of these bylaws are applicable to the project (the term "project" as used herein shall include the land.)

Section Three: Personal Application: All present or future owners, tenants, future tenants, or their employees, or any other person that might use the facilities of the project in any manner, are subject to the regulations set forth in these bylaws and to the Declaration of Horizontal Property Regime Together with Covenants, Conditions and Restrictions.

The mere acquisition or rental of any of the family units, herein referred to as units, of the project or the mere act of occupancy of any of the units will signify that these bylaws and provisions of the regulatory agreement are accepted, ratified and will be complied with.

ARTICLE II

VOTING, MAJORITY OF OWNERS, QUORUM, PROXIES

Section One: Voting: Voting shall be on a one vote per unit.

Section Two: Majority of Owners: As used in these bylaws the term "Majority of Owners" shall mean those owners holding fifty-one percent (51%) of the votes in accordance with the preceding paragraph of this article.

Section Three: Quorum: Except as otherwise provided in these bylaws, the presence in person or by proxy of a "majority of owners" as defined in the preceding paragraph of this article shall constitute a quorum.

Section Four: Proxies: Votes may be cast in person or by proxy. Proxies must be filed with the secretary before the appointed time of each meeting.

ARTICLE III

ADMINISTRATION

Section One: Association Responsibilities: The owners of the units will constitute the SOUTHWEST RETREAT CONDOMINIUMS, INC., hereinafter referred to as Association, who will have the responsibility of administering the project, approving the annual budget, establishing and collecting monthly assessments, and arranging for the management of the project pursuant to an agreement containing provisions relating to the duties, obligations, removal and compensation of the management agent. Except as otherwise provided, decisions and resolutions of association shall require approval of a majority of owners.

Section Two: Place of meetings: Meetings of Association shall be held at the principal office of the project or such other suitable place convenient to the owners as may be designated by the board of directors.

Section Three: Annual Meeting: The first annual meeting of the Association shall be held on the first Saturday in March, 1985. Thereafter annual meetings shall be held on the first Saturday of April of each succeeding year. At such meetings there shall be elected by ballot a board of directors in accordance with the requirements of Section Five of Article IV of these bylaws. The owners may also transact such other business of Association as may properly come before them.

Section Four: Special Meetings: It shall be the duty of the president to call a special meeting of the owners as directed by resolution of the board of directors or on a petition signed by a majority of the owners and having been presented to the secretary, or at the request of the Federal Housing Commissioner or his duly authorized representative. No business shall be transacted at a special meeting except as stated in the notice, unless by consent of four-fifths of the owners present, either in person or by proxy.

Section Five: Notice of Meetings: It shall be the duty of the secretary to mail a notice of each annual or special meeting, stating the purpose thereof as well as the time and place of the meeting, to each owner of record, at least five, but not more than 10 days prior to such meeting. The mailing of notice in the manner provided in this section shall be considered notice served. Notice of all meetings shall be mailed to the director of the local insuring office of the Federal Housing Administration.

Section Six: Adjourned Meetings: If any meeting of owners cannot be organized because a quorum has not attended, the owners who are present either in person or by proxy may adjourn the meeting to a time not less than 48 hours from the time the original meeting was called.

Section Seven: Order of Business: The order of business at all association meetings shall be as follows:

- (a) Roll call.
- (b) Proof of notice of meeting or waiver of notices.
- (c) Reading of minutes of preceding meetings.
- (d) Reports of officers.
- (e) Report of Federal Housing Administration representative, if present.
- (f) Report of committees.
- (g) Election of inspectors of election.
- (h) Election of directors.
- (i) Unfinished business.
- (j) New business.

ARTICLE IV

BOARD OF DIRECTORS

Section One: Number and Qualification: Association's affairs shall be governed by a board of directors composed of three, five or seven persons, with the initial board of directors to consist of five directors, all of which must be owners of units in the project.

Section Two: Powers and Duties: The board of directors shall have the powers and duties necessary for the administration of Association's affairs and may do all such acts and things as are not by law or by these bylaws directed to be exercised and done by the owners.

Section Three: Other Duties: In addition to duties imposed by these bylaws or by resolutions of Association, the board of directors shall be responsible for the following:

- (a) Care, upkeep and surveillance of the project and common areas and facilities and the restricted common areas and facilities.
- (b) Collection of monthly assessments from the owners.
- (c) Designation and dismissal of the personnel necessary for the maintenance and operation of the project, the common areas and facilities, and the restricted common areas and facilities.

Section Four: Management Agent: The board of directors may employ for Association a management agent at a compensation established by the board to perform such duties and services as the board shall authorize, including, but not limited to, the duties listed in Section Three of this article.

Section Five: Election and Term of Office: At the first annual meeting of Association, the term of office of two directors shall be fixed for three years. The term of office of two directors shall be fixed at two years, and the term of office of one director shall be fixed at one year. At the expiration of the initial term of office of each respective director, a successor shall be elected to serve a term of three years. The directors shall hold office until their successors have been elected and hold their first meeting.

Section Six: Vacancies: Vacancies in the board of directors caused by any reason other than the removal of a director by a vote of Association shall be filled by vote of the majority of the remaining directors, even though they may constitute less than a quorum; and each person so elected shall be a director until a successor is elected at Association's next annual meeting.

Section Seven: Removal of Directors: At any regular or special meeting duly called, any one or more of the directors may be removed with or without cause by a majority of the owners, and a successor may then and there be elected to fill the vacancy thus created. Any director whose removal has been proposed by the owners shall be given and opportunity to be heard at the meeting.

Section Eight: Organization Meeting: The first meeting of the newly elected board of directors shall be held within 10 days of election at such place as shall be fixed by the directors at the meeting at which such directors were elected, and no notice shall be necessary to the newly elected directors in order legally to constitute such meeting, provided a majority of the whole board shall be present.

Section Nine: Regular Meetings: Regular meetings of the board of directors may be held at such time and place as shall be determined, from time to time, by a majority of the directors, but at least two such meetings shall be held during each fiscal year. Notice of regular meetings of the board of directors shall be given to each director, personally or by mail, telephone, or telegraph, at least three days prior to the day named for such meeting.

Section Ten: Special Meeting: Special meetings of the board of directors may be called by the president on three days notice to each director, given personally or by mail, telephone, or telegraph, which notice shall state the time, place (as hereinabove provided), and purpose of the meeting. Special meetings of the board of directors shall be called by the president or secretary in like manner and on like notice on the written request of at least three directors.

Section Eleven: Waiver of Notice: Before or at any meeting of the board of directors, any director may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a director at any meeting of the board shall be a waiver of notice by him of the time and place thereof. If all the directors are present at any meeting of the board, no notice shall be required and any business may be transacted at such meeting.

Section Twelve: Board of Director's Quorum: At all meetings of the board of directors, a majority of the directors shall constitute a quorum for the transaction of business, and the acts of the quorum shall be the acts of the board of directors. If, at any meeting of the board of directors, there be less than a quorum present, the members present may adjourn the meeting from time to time. At any such meeting, any business that might have been transacted at the meeting as originally called may be transacted without further notice.

Section Thirteen: Fidelity Bonds: The board of directors shall require that all officers and employees of Association handling or responsible for Association funds shall furnish adequate fidelity bonds. The premiums of such bonds shall be paid by the Association.

ARTICLE V

OFFICERS

Section One: Designation: The principal officers of Association shall be a president, a vice-president, a secretary, and a treasurer, all of whom shall be elected by and from the board of directors. The directors may appoint an assistant treasurer, and an assistant secretary, and such other officers as in their judgment may be necessary. X

Section Two: Election of Officers: The officers of Association shall be elected annually by the board of directors at the organization meeting of each new board and shall hold office at the pleasure of the board.

Section Three: Removal of Officers: On an affirmative vote of a majority of the members of the board of directors, any officer may be removed, either with or without cause, and his successor elected at any regular meeting of the board of directors, or at any special meeting of the board called for such purpose. X

Section Four: President: The president shall be the chief executive officer of the Association. The president shall preside at all meetings of the Association and of the board of directors and shall have all of the general powers and duties that are usually vested in the office of the president of an Association, including but not limited to the power to appoint committees from among the owners from time to time as he/she may in his/her discretion decide is appropriate to assist in the conduct of Association's affairs.

Section Five: Vice-President: The vice-president shall take the place of the president and perform his duties whenever the president shall be absent or unable to act. If

neither the president nor the vice-president is able to act, the board of directors shall appoint some other member of the board to do so on an interim basis. The vice-president shall also perform such other duties as shall be properly assigned by the board of directors.

Section Six: Secretary: The secretary shall keep the minutes of all meetings of the board of directors and the minutes of all meetings of association, and shall have charge of such books and papers as the board of directors may direct, and shall, in general, perform all the duties incident to the office of secretary.

Section Seven: Treasurer: The treasurer shall have responsibility for association funds and securities and shall be responsible for keeping full and accurate accounts of all receipts and disbursements in books belonging to association. The treasurer shall also be responsible for the deposit of all moneys and other valuable effects in the name and to the credit of, association in such depositories as may from time to time be designated by the board of directors.

ARTICLE VI

OBLIGATIONS OF THE OWNERS

Section One: Assessments: All owners are obligated to pay monthly assessments imposed by Association to meet all projects communal expenses, which may include a liability insurance policy premium and an insurance premium for a policy to cover repair and reconstruction work in case of hurricane, fire, earthquake or other hazard. The assessments shall be made for each unit owned. Such assessments shall include monthly payments to a general operating reserve and a reserve fund for replacements.

Section Two: Maintenance and Repair:

- (a) Every owner must perform promptly all maintenance and repair work within his own unit, which, if omitted, would affect the project in its entirety or in a part belonging to other owners, being expressly responsible for the damages and liabilities that his failure to do so may engender.
- (b) All the repairs of internal installations of the unit such as water, light, gas, power, sewage, telephones, air conditioners, sanitary installations, doors, windows, lamps, and all other accessories belonging to the unit area shall be at the owner's expense.
- (c) An owner shall reimburse Association for any expenditures incurred in repairing or replacing any common area and facility damages through his fault.

Section Three: Use of Family Units - Internal Changes:

- (a) All units shall be utilized for residential purposes only.
- (b) An owner shall not make structural modifications or alterations in his unit or installations located therein without previously notifying Association in writing, management agent, if may, or president of the board of directors, if no management agent is employed. The Association shall have the obligation to answer within sixty days, and failure to do so within the stipulated time shall mean that there is no objection to the proposed modification or alteration.

Section Four: Use of Common Areas and Facilities and Restricted Common Areas and Facilities:

- (a) An owner shall not place or cause to be placed in the lobbies, vestibules, stairways, and other project areas and facilities of a similar nature both common and restricted, any furniture, packages or objects of any kind. Such areas shall be used for no other purpose than for normal transit through them. X

Section Five: Right of Entry:

- (a) An owner shall grant the right of entry to the management agent or to any other person authorized by the board of directors or Association in case of any emergency originating in or threatening his unit, whether the owner is present at the time or not.
- (b) An owner shall permit other owners, or their representatives, when so required, to enter his unit for the purpose of installing, altering or repairing the mechanical or electrical services, provided that requests for entry are made in advance and that such entry is at a time convenient to the owner. In case of an emergency, such right of entry shall be immediate.

Section Six: Rules of Conduct:

- (a) No resident of the project shall post any advertisement or posters of any kind in or on the project except as authorized by Association.

- (b) Residents shall exercise extreme care in making noises or using musical instruments, radios, televisions and amplifiers that may disturb other residents. Keeping of domestic animals will be in accordance with the Municipal Sanitary Regulations.
- (c) Hanging of garments, rugs, and the like from the windows or from any of the facades of the project is prohibited.
- (d) Dusting and shaking out of rugs and the like, from the windows or from any of the facades of the project is prohibited.
- (e) No owner, resident, or lessee shall install wiring for electrical or telephone installations, television antennae, machines, air conditioning units, or the like, on the exterior of the project or that protrude through the walls or the roof of the project except as authorized by Association.
- (f) Throwing of garbage or trash outside the disposal installations provided for such purposes in the service area is prohibited.

ARTICLE VII

AMENDMENTS TO PLAN OF APARTMENT OWNERSHIP

Section One: Bylaws: These bylaws may be amended by Association in a duly constituted meeting for such purpose, and no amendment shall take effect unless approved by owners representing at least sixty-six and two-thirds percent (66-2/3%) of the total number of all units in the project.

ARTICLE VIII

MORTGAGEES

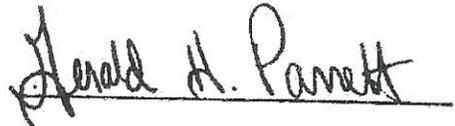
Section One: Notice to Association: An owner who mortgages his unit shall notify association through the management agent, if any, or the president of the board of directors in the event there is no management agent, the name and address of his mortgagee; and the Association shall maintain such information in a book entitled "Mortgagees of Unit."

Section Two: Notice of Unpaid Assessments: The Association shall at the request of a mortgagee of a unit report any unpaid assessments due from the owner of such unit.

ARTICLE IX

COMPLIANCE

These bylaws are set forth to comply with the requirements of A.R.S. 33-552 et seq. In case any of these bylaws conflict with the provisions of that statute, it is hereby agreed and accepted that the provisions of the statute will apply.


Secretary

APPROVED:


Chairman

When Recorded
Return To:
Southwest Retreat Condominiums Inc.
2563 N. Kiowa Blvd.
Lake Havasu City, AZ 86403


FEE# 2013027908

OFFICIAL RECORDS
OF MOHAVE COUNTY
CAROL MEIER,
COUNTY RECORDER



05/29/2013 11:00 AM Fee: \$10.00

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Amendment of The By-Laws ANNUAL MEETING DATE

Whereas, Article III, Section Three, of the By-Laws as originally written: The first annual meeting of the Association shall be held the first Saturday in March 1985. Thereafter annual meetings shall be held on the first Saturday of April of each succeeding year. At such meetings there shall be elected by ballot a board of directors in accordance with the requirements of Section Five of Article IV of these By-Laws. The owners may also transact such other business of Association as may properly come before them.

Whereas, it is deemed to be in the best interest of the Southwest Condominiums, Inc. to amend the above provision.

Resolved, by a vote of 2/3 (66%) or more of the Members, that **Article III, Section Three, of the By-Laws be hereby AMENDED as follows:** Annual meetings shall be held each year on a Saturday in the month of February, chosen by the Board of Directors, at any hour between 10:00 a.m. and 7:00 p.m. Arizona time, chosen by the Board of Directors. At such meetings there shall be elected by ballot a board of directors in accordance with the requirements of Section Five of Article IV of these By-Laws. The owners may also transact such other business of the Association as may properly come before them.

PAGE 1 OF 2

**CERTIFICATE
OF
AMENDED BY-LAWS**

I, Bruce Peterson, the President of The Southwest Retreat Condominiums Inc., an Arizona non-profit corporation, hereby certify:

The foregoing By-Laws comprising of 13 pages recorded March 13th, 1996 in Book 2700, Pages 398 - 410, is a true and correct copy of the Southwest Condominiums, Inc., as amended or as otherwise altered to date.

Date: 4/29/13

Bruce Peterson

Bruce Peterson
President of
Southwest Retreat Condominiums Inc.

Notary Acknowledgement of Signature

State of Arizona

County of: MOHAVE

The foregoing instrument was acknowledged before me on this 29 day of
APRIL, 2013.

[Signature]
Signature of Notary Public

My Commission Expires: JANUARY 27, 2017

