

Williamsburg Green Property Owners Association
RESTRICTIVE COVENANTS

The following restrictive covenants shall be applicable on all lots within WILLIAMSBURG GREEN UNIT NO. 1 & 2.

1. Each owner of any lot/property in Williamsburg Green, Unit No. 1 & 2, acknowledges that upon the purchase of real estate in Williamsburg Green Unit No. 1 & 2, such owner shall automatically become a Member of Williamsburg Green Property Owner's Association (WGPOA), a not-for-profit corporation and as such a Member, the owner shall be subject to all of the by-laws ("By-Laws") of the Association, including those requiring payment of dues which are set by the WBPOA Board of Directors based on the annual WBPOA budget. The budget has items pertaining to but not limited to the maintenance of the common areas such as the golf cart paths, and such dues shall also be used for the maintenance and planting areas in cul-de-sac areas in Williamsburg Green Subdivision Unit No. 1 & 2, even though such commons areas are not owned by the Association. Each Member will also be responsible for the payment of any legal fees pertaining to the WBPOA Board of Directors actions to recover non-payment of dues or legal action for violations set out in the WGPOA restrictive covenants.
2. All lots in the Subdivision shall be used as residential lots. No structure shall be erected, altered, placed or permitted to remain on any residential lot other than a single-family dwelling not more than two stories in height. Each such dwelling shall have an attached two or three car garage with a paved driveway. Each ranch style dwelling shall have a minimum of 2000 square feet and each bi-level dwelling shall have a minimum of 1500 square feet on the upper level; each split-level dwelling shall have a minimum of 2400 square feet, each two-story dwelling shall have a minimum of 2500 square feet; and each one and one-half story dwelling unit shall have a minimum of 1300 square feet on the main floor. Any improvements to be constructed are subject to the approval of the WGPOA Board of Directors and such approval must be in writing.
3. No building, fence, swimming pool, or other structures shall be placed, erected or altered on any lot until such building plans, location of said fence or swimming pool, specifications for same and the plat plan showing the location of said lot shall have been approved in writing by the WGPOA Board of Directors and such approval must be in writing. No above ground swimming pool shall be permitted, and any in-ground swimming pool must be surrounded by a fence, the fence to be approved in writing by the WGPOA Board of Directors. No detached buildings will be permitted.

Any and all earth, gravel, dirt, and/or other material which shall be dug out, moved about or placed

on any lot for the purpose of backfilling a basement shall be leveled off or backfilled within six (6) months from the first day of digging, moving, or placing of such material on said lot or lots. All outside building and construction shall be completed within one year after ground is broken for the foundation. Each home will be landscaped within six (6) months after occupancy.

4. No sign of any kind shall be displayed on common areas. No sign of any kind shall be displayed on any lot except as follows:
 - a. one professional sign in the front of the property of not more than five square feet advertising the property for sale, for rent, contracted services, or celebration. Contracted services signs must be taken down 10 days after the contracted work has been completed.
 - b. one professional sign in the rear of the property of not more than five square feet advertising the property for sale or for rent, of not more than five square feet each,
 - c. political signs during the normal election period and must be removed within three days of the end of the election in which they apply.

No poultry, livestock or animals of any kind, other than customarily accepted house pets, shall be kept or raised on said premises. No more than seven (7) house pets shall be kept or raised on said premises.

9. No pickup trucks larger than a heavy-duty pickup, no commercial vehicles of any type, trailers, or boats shall be stored in a homeowner's yard, or parked in the driveway or on the street overnight. No recreational vehicles, campers, or mobile homes shall be stored in yard or stored in drive or on the street overnight. A recreational vehicle, a camper, or a mobile home may be parked on occasion for a maximum of 72 hours in the homeowner's drive in preparation for a trip. On rare occasions, a commercial vehicle actively involved in renovation or repair may remain overnight. No out-buildings or any other structures of any kind whatsoever shall be constructed on the real estate. Any owner of real estate in Williamsburg Green Unit No. 1 & 2, acknowledges that the construction of any out-buildings will affect the appearance and general plan for the development of the Subdivision known as Williamsburg Green Unit No. 1 & 2, and that the enforcement or the remedy by way of injunction will not cause any hardship on such owner.
10. Any satellite dishes placed on the premises shall be on the roof of the residence and shall be located on the eaves edge furthest from the street in front of the premises.

BUYER:

BY-LAWS

Williamsburg Green Units 1 & 2 Property
Owners Association

ARTICLE I

Name and Purpose

SECTION 1. NAME. The official name of the corporation shall be WILLIAMSBURG GREEN UNIT 1 & 2 PROPERTY OWNERS ASSOCIATION ("ASSOCIATION").

SECTION 2. PURPOSE. The purpose of the Association shall be to promote the civic improvement of cul-de-sac areas and golf cart path areas in Williamsburg Green Subdivision, Unit 1 & 2 Elgin Township, Kane County, Illinois, and to perform the functions assigned to the Association. The Association shall have general power and jurisdiction over the property maintained by the Association as it relates to golf cart area and shall have the power to levy and collect dues and assessments from all resident owners and non-resident Members as may be necessary for the management, maintenance and improvement of the property maintained by the Association and cul-de-sac areas within the Williamsburg Green Subdivision Unit 1 & 2. Property maintained by the Association shall be used solely for the ingress and egress from the property owners' lots to the Elgin Country Club. The activities of the Association shall be limited to these purposes and no remuneration shall be paid to any officer ("Officer"), Director, or appointee thereof.

ARTICLE II

Offices

The Association shall maintain in the State of Illinois a registered office and registered agent and may have other offices within or without the State of Illinois.

ARTICLE III

Members

SECTION 1. ELIGIBILITY. Any person or persons who are, or hereafter may become owners of any of the lots in Williamsburg Green Subdivisions Unit 1 & 2, are automatically Members ("Members") of this Association and are liable for dues, legal fees, and assessments levied by the corporation. The term "Member" as used herein shall refer to the owner, or owners, in the case of multiple ownership of a lot.

Williamsburg Green Unit No. 1 & 2

SECTION 2. ADDITIONAL PROPERTY. In the event there is any subdivision containing open space contiguous to the property of the Association and such contiguous open space is offered to the Association by the developers of such subdivision prior to the creation of a separate property owners' association for such subdivision, the Board of Directors of the Association, by simple majority vote, shall have the right and authority to accept such contiguous open space as property of the Association; provided, however, that (a) the owners of the lots in such other subdivision shall become Members of the Association as defined in Section 1 hereof, and (b) the Board of Directors of the Association shall immediately adopt a resolution amending Article VI, Section 2, hereof to provide for no less than two (2) additional Directors from the Members owning lots in such new subdivision, to hold office until the next June 30th, or until their successors shall have been elected and qualified.

SECTION 3. VOTING RIGHTS. There shall be one person with respect to each lot ownership who shall be entitled to vote at any meeting of the Members, and such person shall have 1 vote on each matter submitted to a vote of the Members. The voting rights of additional Members admitted pursuant to the foregoing Section 1 shall be as the Board of Directors shall determine from time to time.

SECTION 4. TERMINATION OR SUSPENSION OF MEMBERSHIP. The Board of Directors, by a majority vote of those present at any regularly constituted meeting, may terminate the membership of any Member who becomes ineligible for membership, or suspend or expel any Member who shall be in default in the payment of dues, legal fees, or assessments for the period fixed in Article XII, Section 6, of these by-laws ("By-Laws"). In addition, any Member whose current annual assessment has not been paid shall be ineligible to vote at any annual or special meetings of the Members until such assessment is paid.

SECTION 5. REINSTATEMENT. Upon written request signed by a terminated or suspended Member, and filed with the Secretary, the Board of Directors may by the affirmative vote of a majority of those Members present at any regularly constituted meeting of the Board reinstate such terminated or suspended Member to membership upon such terms as the Board of Directors may deem appropriate.

SECTION 6. TRANSFER OF MEMBERSHIP. Membership in this Association is not transferable or assignable.

SECTION 7. MEMBERSHIP CERTIFICATES. Certificates of membership may be issued by the Officers of this Association as the Board of Directors shall, in their sole judgment, deem advisable.

SECTION 8. CHANGE OF ADDRESS. It shall be the duty of the Members to report to the Secretary of the Association any change of residence or property ownership as soon as possible.

ARTICLE IV

Meetings of the Members

SECTION 1. ANNUAL MEETING. An annual meeting of the Members shall be held on the second Saturday of January each year for the purpose of electing directors (“Directors”) and for the transaction of such other business as may come before the meeting. If such day in the judgment of the Board of Directors is unsuitable, said annual meeting shall be held on the next succeeding Saturday of January.

SECTION 2. SPECIAL MEETING. Special meeting of the Members may be called either by the president, any three (3) members of the Board of Directors, or not less than one- third of the Members having voting rights.

SECTION 3. PLACE OF MEETING. The Board of Directors may designate any place as the place of meeting for any annual meeting or special meeting called by the Board of Directors.

SECTION 4. NOTICE OF MEETINGS. Written notice stating the place, date, and hour of any meeting of Members shall be delivered to each Member entitled to vote at such meeting not less than five (5) nor more than forty (40) days before the date of such meeting. In case of a special meeting or when required by statute or by these By-Laws, the purpose for which the meeting is called shall be stated in the notice. If mailed, the notice of a meeting shall be deemed delivered when deposited in the United States mail addressed to each Member at his address as it appears on the records of the Association, with postage thereon prepaid. If delivered by hand, the notice shall be deemed delivered when the owner takes the notice in hand. A notice of a meeting shall be deemed delivered when the notification is sent to the owner via electronic communication and a sent notification is received by the sender.

SECTION 5. INFORMAL ACTION BY MEMBERS. Any action required to be taken at a meeting of the Members of the Association, or any other action which may be taken at a meeting of the Members, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all the Members entitled to vote with respect to the subject matter thereof.

SECTION 6. QUORUM. The Members holding one-fifth (1/5) of the votes which may be cast at any meeting shall constitute a quorum at such meeting. If a quorum is not present at any meeting of Members, a majority of the Members present may adjourn the meeting at any time without further notice. At any adjourned meeting at which a quorum shall be present, any business may be transacted which might have been transacted at the original meeting; withdrawal of Members from any meeting shall not cause failure of duly constituted quorum at that meeting.

SECTION 7. PROXIES. Each Member entitled to a vote at a meeting of Members or to express consent or dissent to corporate action in writing without a meeting may authorize another person or persons to act for him by proxy, but no such proxy shall be voted or acted upon after eleven months from its date, unless the proxy provided for a longer period,

ARTICLE V

Restrictions

The Board of Directors shall have the right to regulate the use of motorized vehicles on the cart path and cul-de-sac maintained by the Association, and to establish such other rules and regulations pertaining to the use and operation of Association property as may be deemed advisable and lawful.

ARTICLE VI

Board of Directors

SECTION 1. GENERAL POWERS AND DUTIES. The Board of Directors shall have full control and management of all affairs, property, and funds of the Association. The Board of Directors shall perform the customary duties of Board of Directors such as;

- (a) appoint all Committee Chairmen;
- (b) outline all the duties of all Committees;
- (c) approve and limit the number of appointments to Committees by all Committee Chairmen;
- (d) designate the manner in which the funds of the Association shall be raised and establish fund-raising committees as they shall be deemed necessary for any specific purpose. Such committees and their duly appointed chairmen shall be directly responsible to the Board of Directors and shall be governed solely by the authority of the Board.
- (e) designate the depository or depositories for the funds, securities, valuable papers and other assets of the Association;
- (f) authorize the expenditure of the funds of the Association;
- (g) promote the purposes of the Association as defined in Article I, Section 2;
- (h) annually the Board shall appoint an auditor Member for the Association, none shall be one of directors during the period to be covered by the audit, to audit the records and accounts of the Association during the preceding twelve-month period; the report of such committee is to be made available to the membership in accordance with Article XII, Section 1; and
- (i) to establish dues and assessments.

The Board of Directors shall have no authority to make any commitments of any nature on behalf of this Association unless the amount of funds on deposit and belonging to the Association shall be sufficient to cover such commitments.

Williamsburg Green Unit No. 1 & 2

The Board of Directors shall have no authority to borrow money for or on behalf of the Association unless so voted by the attending membership at a general meeting.

SECTION 2. NUMBER, TENURE AND QUALIFICATIONS. The number of Directors shall be a minimum of five (5) and a maximum of ten (10). Every member of the Board of Directors must be a Member of the Association. No Member may stand for election to the Board if his current annual assessment has not been paid. Each Director shall hold office from January 1 to December 31 following his election or until his successors have been elected and qualified. Except as provided in Article III, Section 2, the number of Directors may be increased from time to time by amendment of this section in accordance with Article XIV of these By-Laws. Board members shall be elected for a term of two (2) years each. Any Board member may be re-elected at the expiration of his term. Ideally, stagger the end of terms to preclude 100% new board any given year.

SECTION 3. REGULAR MEETINGS. A regular annual meeting of the Board of Directors shall be held without other notice than these By-Laws, within sixty (60) days following the annual meeting of Members. The Board of Directors may provide by resolution the time and place for the holding of additional regular meetings of the Board without other notice than such resolution.

SECTION 4. SPECIAL MEETINGS. Special meetings of the Board of Directors may be called by or at the request of the president or any two Directors. The person or persons authorized to call special meetings of the Board may fix any place as the place for holding any special meetings of the Board called by them.

SECTION 5. NOTICE. Notice of any special meeting of the Board of Directors shall be given at least five (5) days previously thereto by written notice to each director at his address as shown by the records of the Association. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with prepaid postage. If notice is delivered by phone, such notice shall be deemed to be delivered when acknowledged by each Director or an adult member of each Director's family. If delivered by hand, the notice shall be deemed delivered when the owner takes the notice in hand. A notice of a meeting shall be deemed delivered when the notification is sent to the owner via electronic communication and a sent notification is received by the sender.

Notice of any special meeting of the Board of Directors may be waived in writing signed by the person or persons entitled to the notice either before or after the time of the meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor

Williamsburg Green Unit No. 1 & 2

the purpose of, any regular or special meetings of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or these By-Laws.

SECTION 6. QUORUM. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the board, provided that if less than a majority of the Directors are present at said meeting, a majority of the Directors present may adjourn the meeting to another time without further notice.

SECTION 7. MANNER OF ACTING. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

SECTION 8. VACANCIES. Any vacancy occurring in the Board of Directors or any directorship to be filled by reason of an increase in the number of Directors shall be filled by the Board of Directors unless the Articles of Incorporation, a statute, or these By-Laws provide that a vacancy or a directorship so created shall be filled in some other manner, in which case such provision shall control. A Director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

SECTION 9. COMPENSATION. Directors shall not receive any stated salaries for their services unless approved as part of the estimated cash requirement of the Association as set forth in Article XII, Section 1, or unless approved by a majority of the Members in attendance at the annual meeting of the Members or a special meeting called for the purpose of voting on such a proposal, provided that nothing herein contained shall be construed to preclude any Director from serving the Association in any other capacity and receiving reasonable compensation therefor.

SECTION 10. REMOVAL. If a Director or Officer fails to attend at least fifty percent (50%) of the meetings of the Board during the fiscal year the Director or Officer was elected, his office may be declared vacant by the Board of Directors and the vacancy filled in accordance with the provisions of Section 8 of this Article VI.

ARTICLE VII

Officers

SECTION 1. OFFICERS. The Officers of the Association shall be a President, one or more Vice Presidents (the number thereof to be determined by the Board of Directors), a Treasurer, a Secretary, and such Assistant Treasurers, Assistant Secretaries or other Officers as may be elected by the Board of Directors. Officers whose authority and duties are not prescribed in these By-Laws shall have the authority and perform the duties prescribed, from time to time, by the Board of Directors. Any two or more offices may be held by the same person, except the offices of President and Secretary.

SECTION 2. ELECTION AND TERM OF OFFICE. The Officers of the Association shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. If the election of Officers shall not be held at such meeting, such election shall be held

Williamsburg Green Unit No. 1 & 2

as soon thereafter as convenient. Vacancies may be filled, or new offices created and filled at any meeting of the Board of Directors. Each Officer shall hold office until his successor shall have been duly elected and shall have qualified or until his death or until he shall resign or shall have been removed in the manner hereinafter provided. Election of an Officer shall not of itself create contract rights.

SECTION 3. REMOVAL. Any Officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Association would be served thereby; but such removal shall be without prejudice to the contract's rights, if any, of the person so removed.

SECTION 4. PRESIDENT. The President shall be the principal executive Officer of the Association. Subject to the direction and control of the Board of Directors, he shall be in charge of the business and affairs of the Association; he shall see that the resolutions and directives of the Board of Directors are carried into effect except in those instances in which that responsibility is assigned to some other person by the Board of Directors; and, in general, he shall discharge all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors. He shall preside at all meetings of the Members and of the Board of Directors. Except in those instances in which the authority to execute is expressly delegated to another Officer or agent of the Association or a different mode of execution is expressly prescribed by the Board of Directors or these By-Laws, he may execute for the Association any contracts, deeds, mortgages, bonds, or other instruments which the Board of Directors has authorized to be executed, and he may accomplish such execution either under or without the seal of the Association and either individually or with the Secretary, any Assistant Secretary, or any other Officer thereunto authorized by the Board of Directors, according to the requirements of the form of the instrument. He may vote all securities which the Association is entitled to vote except as and to the extent such authority shall be vested in a different Officer or agent of the Association by the Board of Directors.

SECTION 5. VICE PRESIDENT. The Vice President (or in the event there be more than one Vice President, each of the Vice Presidents) shall assist the President in the discharge of his duties as the President may direct and shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Directors. In the absence of the President or in the event of his inability or refusal to act, the Vice President (or in the event there be more than one Vice President, the Vice Presidents, in the order designated by the Board of Directors, or by the President if the Board of Directors has not made such a designation, or in the absence of any designation, then in order of their seniority of tenure) shall perform the duties of the President and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Except in those instances in which the authority to execute is expressly delegated to another Officer or agent of the Association or a different mode of execution is expressly prescribed by the Board of Directors or these By-Laws, the Vice President or any of them if there are more than one) may execute for the Association any contracts, deed, mortgages, bonds or other instruments which the Board of Directors has authorized to be executed, and he may accomplish such execution either under or

Williamsburg Green Unit No. 1 & 2

without the seal of the Association and either individually or with the Secretary, any Assistant Secretary or any other Officer thereunto authorized by the Board of Directors, according to the requirements of the form of the instrument.

SECTION 6. TREASURER. The Treasurer shall be the principal accounting and financial Officer of the Association. He shall: (a) have charge of and be responsible for the maintenance of adequate books of account for the Association; (b) have charge and custody of all funds and securities of the Association, and be responsible therefor, and for the receipt and disbursement thereof; and (c) perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the President or by the Board of Directors. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine.

SECTION 7. SECRETARY. The secretary shall record the minutes of the meetings of the Members and of the Board of Directors in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these By-Laws or as required by law; be custodian of the corporate records and of the seal of the Association; keep a register of the post office address of each Member which shall be furnished to the Secretary by such Member; and perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

SECTION 8. ASSISTANT TREASURERS AND ASSISTANT SECRETARIES. The Assistant Treasurers and Assistant Secretaries shall perform such duties as shall be assigned to them by the Treasurer or the Secretary, respectively, or by the President or the Board of Directors. If required by the Board of Directors, the Assistant Treasurers shall give bonds for the faithful discharge of their duties in the sums and with such sureties as the Board of Directors shall determine.

ARTICLE VIII

Committees

SECTION 1. Nomination of Board Members. Nominees to the Board of Directors must be in good standing and may be nominated by another property owner in good standing or self-nominated. The President will present the slate of nominated Directors to the Members at the annual meeting. Additional candidates may be nominated from the floor at the annual meeting.

SECTION 2. COMMITTEES OF DIRECTORS. The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate one or more committees, each of which shall consist of three or more Directors, which committees, to the extent provided in said resolution and not restricted by law, shall have and exercise the authority of the Board of Directors in the management of the Association; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed upon it or him by law.

SECTION 3. OTHER COMMITTEES. Other committees not having and exercising the

Williamsburg Green Unit No. 1 & 2

authority of the Board of Directors in the Association may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of each such committee shall be Members of the Association, and the President of the Association shall appoint the members thereof. Any member thereof may be removed by the person or persons authorized to appoint such a member whenever, in their judgment the best interests of the Association shall be served by such removal.

SECTION 4. TERM OF OFFICE. Each member of a Committee of the Board shall continue as such until the end of the fiscal year of the Association and until his successor is appointed, unless the committee shall be sooner terminated, or unless such member shall cease to qualify as a member thereof. The term of other committees shall cease when a committee's work is concluded.

SECTION 5. CHAIRMAN. One member of each committee shall be appointed chairman.

SECTION 6. VACANCIES. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

SECTION 7. QUORUM. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

SECTION 8. RULES. Each committee may adopt rules for its own government not inconsistent with these By-Laws or with rules adopted by the Board of Directors.

ARTICLE IX

Contracts, Checks, Deposits and Funds

SECTION 1. CONTRACTS. The Board of Directors may authorize any Officer or Officers, agent or agents of this Association, in addition to the Officers so authorized by these by-laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association and such authority may be general or confined to specific instances.

SECTION 2. CHECK, DRAFTS, ETC. All checks, drafts or other order for the payment of money, notes or other evidence of indebtedness issued in the name of the Association, shall be signed by such Officer or Officers, agent or agents of the Association and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer or an Assistant Treasurer and countersigned by the President or a Vice President of the Association.

SECTION 3. DEPOSITS. All funds of the Association shall be deposited from time to time

Williamsburg Green Unit No. 1 & 2

to the credit of the Association in such banks, trust companies, or other depositories as the Board of Directors may select.

SECTION 4. GIFTS. The Board of Directors may accept on behalf of the Association any contribution, gift, bequest or devise for the general purposes or for the special purpose of the Association.

ARTICLE X

Books and Records

The Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Members, Board of Directors, and committees having any of the authority of the Board of Directors, and shall keep at the place of residence of the duly elected and qualified Secretary a record giving the names and addresses of the Members entitled to vote. All books and records of the Association may be inspected by any Member, or his agent of attorney for any proper purpose at any reasonable time.

ARTICLE XI

Dues and Assessments

The fiscal year of the Association shall end on December 31 of each year.

ARTICLE XII

Dues and Assessments

SECTION 1. ANNUAL BUDGET AND ASSESSMENTS. Each year on or before November 15, the Board of Directors shall estimate the total amount necessary to pay the anticipated cost of insurance (including a coverage minimum of One Million Dollars (\$1,000,000)) and taxes for the Association during the ensuing fiscal year, together with a reasonable amount considered by the Board of Directors to be necessary for a reserve for operating and maintenance expense, hereinafter defined as the "estimated cash requirement", and shall on or before December 15th notify each Member in writing as to the amount thereof. Included in such estimated cash requirements shall be a "Reserve for contingencies" not to exceed 100% of the average total of the actual expenditures for the last three years. No additional expenditures shall be made by the Board of Directors without the approval of the majority of the Members in attendance at the annual or special meeting of Members called for the purpose of voting on such a proposal. The estimated cash requirement shall be assessed to the Members on a pro rata basis. Such assessment shall be payable annually, or in such other installments as the Board of Directors shall determine from time to time. On or before March 1st of each fiscal year

Williamsburg Green Unit No. 1 & 2

following the annual meeting, the Board of Directors shall supply to all Members an itemized accounting of the Association's expenses for the preceding fiscal year actually incurred and paid, together with a tabulation of the amounts collected pursuant to the estimates provided, and showing the net amount over and short of the actual expenditures plus reserves. Such accounting need not be prepared by a certified public accountant, but shall be reviewed in advance by the auditing committee, as set forth in Article VI, Section 1 (1).

SECTION 2. RESERVE FOR OPERATING AND MAINTENANCE EXPENSE.

Subject to Article XII, Section 1, with respect to amounts, the Board of Directors shall build up and maintain a reasonable reserve for operating and maintenance expenses. Extraordinary expenditures not originally included in the current estimated cash requirement, which may become necessary during the year, shall be charged first against such reserve. If said estimated cash requirement proves inadequate for any reason, including non-payment of any Member's assessment, the Board of Directors may levy a further assessment, which shall be assessed to the Members on a pro rata basis, only with the approval of a majority of the Members present at the annual meeting of Members or a special meeting of the Members called for the purpose of voting on such a proposal. All Members shall be personally liable for and obligated to pay their pro rata share of such further investment.

SECTION 3. DELAYS. The failure or delay of the Board of Directors to prepare or serve the estimated cash requirement on the Members shall not constitute a waiver or release in any manner of such Members' obligation to pay the assessment as herein provided, whenever the same shall be determined, and in the absence of any estimated cash requirement the Member shall pay the assessment at the rate established for the previous period until the new assessment shall have been adopted.

SECTION 4. RECORDS. The Board of Directors shall keep full and correct books of account in chronological order of the receipts and expenditures affecting the property of the Association, specifying and itemizing the maintenance and repair expenses incurred. Such records and the vouchers authorizing the payments shall be available for inspection by any Member or any representative of a Member duly authorized in writing, at such reasonable time or times as may be requested by the Member.

SECTION 5. ADMINISTRATION. All funds collected hereunder shall be held and expended for the purposes designated herein, and (except for such special assessments as may be levied hereunder against less than all the Members and for such adjustments as may be required to reflect delinquent or prepaid assessments) shall be deemed to be held for the benefit, use and account of all the Members on a pro rata basis.

SECTION 6. ENFORCEMENT. If a Member is in default in the payment of the aforesaid charges or assessments for thirty (30) days, the Board of Directors may bring suit for and on behalf of themselves and as representatives of all Members, to enforce collection thereof or to foreclose the lien therefor as hereinafter provided; and there shall be added to the amounts due the costs of said

Williamsburg Green Unit No. 1 & 2

suit, and other fees and expenses together with legal interest and reasonable attorneys' fees to be fixed by the Court. To the extent permitted by any decision or any statute or law now or hereafter effective, the amount of any delinquent and unpaid charges or assessments, and interest, costs and fees as the above provided shall be and come a lien or charge against the lot or lots of the applicable Member by virtue of which he is a Member of the Association when payable and may be foreclosed by any action brought in the names of the Board of Directors as in the case of foreclosure of liens against real estate.

ARTICLE XIII

Waiver of Notice

Whenever any notice is required to be given under the provisions of the General Not for Profit Corporation Act of Illinois or under the provisions of the Articles of Incorporation or the By-Laws of the Association, a waiver thereof in writing signed by the person or persons entitled to such notice, shall be considered the equivalent to the giving of such notice.

ARTICLE XIV

Amendments

The power to alter, amend, or repeal the By-Laws or adopt new By-Laws shall be vested in the Members. Such action may be taken by a majority of the Members in attendance at the annual or special meetings for which written notice of the purpose shall be given. The By-Laws may contain any provision for the regulation and management of the affairs of the Association not inconsistent with law or the Articles of Incorporation.