



**HARRIS CROSSING HOMEOWNERS
ASSOCIATION, INC.
CODE OF BYLAWS**

Article I : Name

The name of this organization is the Harris Crossing Homeowners Association, Inc.,
(City) Granger (State) Indiana.

Article II : Purposes

Section 1. The purpose of the Association is to promote the general welfare of the property owners in Harris Crossing, Harris Township, St. Joseph County, Granger, Indiana. In pursuit of this goal, the following should be included, but the Association is not restricted to:

- a. Take concerted action when it is the common interests of its members.
- b. Encourage St. Joseph County to maintain roads, snow removal and, in an emergency, the Association may contract for snow removal services as deemed necessary; and to maintain the common areas as well as occasionally mow the retention pond areas and to pay any taxes as may be levied with respect thereto.
- c. Contract for the provision of such security services, if any, as are deemed advisable.
- d. Maintain the standards provided in the Protective Restrictions, and any amendments thereto, for Harris Crossing including, but not limited to, those as recorded as Document No. 9431816 with the Office of the Recorder of St. Joseph County, Indiana, on March 8, 1995, and any amendments thereto.
- e. Promote good neighborhood appearance.
- f. Promote and support adult and youth activities.
- g. Develop, initiate and manage improvements, as deemed necessary, by a majority of the Board of Directors.

Article III : Membership, Dues, Special Assessments, Budget and Audit

Section 1. Membership is automatic for all owners of lots in Harris Crossing, Harris Township, St. Joseph County, Granger, Indiana. A member in good standing is one who is current in his payment of dues and assessments.

Section 2. The owner(s) of each lot whose dues are current and paid shall be entitled to one (1) vote for each lot owned.

Section 3. Annual membership dues shall be in the amount of One Hundred Dollars (\$100.00) per developed lot sold to third party home buyers (not builders or the developer or developer's agents) the first partial year to be charged pro-rata as of the day of closing. The payment shall be \$100.00 per year unless and until modified hereafter as provided by Section 4 of Article IX of the Articles of Incorporation. Dues shall be billed by the Association to the owner(s) of each lot during the month of January of each year and shall be due and payable within thirty (30) days after January 31.

Section 4. The fiscal year shall be the calendar year.

Section 5. Special assessments for major items must be approved in writing by the owners of the fee title of not less than seventy-five percent (75%) of the lots.

Section 6. A budget shall be prepared and approved annually by the Board of Directors, which budget shall set forth the anticipated income and the anticipated expenses for the ensuing year.

Section 7. An annual audit shall be conducted under the direction of the Board of Directors at the end of each fiscal year. An audit of the financial records of the Association shall be prepared upon the written request of the Board of Directors or ten percent (10%) of the membership in good standing. In no event shall the Treasurer be required to prepare an audit either at the request of the Board of Directors or at the request of ten percent (10%) of the membership in good standing more than twice in any one fiscal year.

Article IV : Meetings

Section 1. There shall be an annual meeting of the voting members of the Association within ninety (90) days after the close of the fiscal year, at a time and place to be determined by the Board of Directors. The purpose of this meeting shall be to review the work of the Association, to review the plan for the ensuing year of the Association and to present the budget for the ensuing year.

Section 2. Special meetings of the membership may be called by the President or by the majority of the Board of Directors. A special meeting may be called at the request of ten percent (10%) of all of the members in good standing authorized to vote by the Articles of Incorporation and shall be by petition in writing. Any request for a special meeting upon written request to ten percent (10%) of the members in good standing shall be submitted to the President and/or the board of Directors in sufficient time so as to allow written notice to be mailed to the membership entitled to vote at least ten (10) days in advance of the proposed meeting date. The Secretary shall have written notices stating the general purposes of such special meeting and shall cause the same to be delivered by United States mail, postage prepaid, or shall cause the same to be placed in the mailbox

of each member in good standing entitled to vote at least ten (10) days in advance of such meeting. Special meetings shall be limited to the purpose or purposes stated in the notice.

Section 3. Ten percent (10%) of the voting membership shall constitute a quorum for the transaction of business at any regular or special meeting. All proxies shall be counted toward the quorum.

Section 4. A proxy written, dated and signed by a member in good standing and covering a specified meeting date, may be voted by the member designated therein. No proxy shall be good after the elapse of one (1) year. A members attendance at a meeting shall revoke his or her proxy.

Article V : Officers and Their Elections

Section 1. The affairs of the Association shall be managed by the Board of Directors, composed of not fewer than four (4) nor more than twelve (12) members. The officers, shall be elected by the Board of Directors.

Section 2. Only members in good standing shall be considered eligible for office.

Section 3. The officers of the association shall be the President, Vice President, Secretary and Treasurer. The officers shall hold office until their successors have been elected.

Section 4. The Board shall be elected by the voting members of the Association and shall hold office for two (2) years unless otherwise determined by the membership.

Section 5. Upon declaration of their election, the Board of Directors shall assume their duties upon election. The Board of Directors shall be called into session within the first thirty (30) days following their election and shall elect their officers and organize and appoint section representatives and committees as needed.

Section 6. Should an elected Board member resign his office, become deceased or incompetent, or divest himself of his lot in Harris Crossing, the President shall declare the office which said Director held vacant. Furthermore, an officer or Board member may be removed from the Board of Directors, if deemed necessary, to protect the common interest of the members, by a majority vote of the Board of Directors. The President shall, within thirty (30) days of the declaration of the vacancy, with the approval of the majority of the Board of Directors, appoint a member in good standing to fill the remaining term of the Board member until the next election.

Section 7. The Board of Directors shall meet at least annually at the call of the President and at such other times as he may designate throughout the year. The President of the Association shall be the Chairman of the Board of Directors and shall preside at its meetings; in the event the President is absent, the Vice President shall become the acting Chairman for the particular Board meeting only. A majority of the entire Board of Directors shall constitute a quorum for the transaction of any business at any meeting of the Board of Directors.

Section 8. The Board of Directors may authorize the expenditure of all budgeted operating monies received from the dues and assessments of the Association without prior approval of the membership. All expenditures for major items shall be in accordance with Article II, Section E. All expenditures shall be reported to the membership at its next meeting, either annual or special. The President is authorized to spend up to Two Hundred- Fifty Dollars (\$250.00) for Association business without prior approval of the membership.

Section 9. This Association shall elect members to the Board of Directors to serve for staggered terms of two (2) years each at the annual meeting.

Section 10. At least thirty (30) days prior to the meeting at which an election is scheduled to occur, the Chairman of the Board of Directors shall appoint a nominating committee to nominate members for election to the Board of Directors. This committee shall consist of three (3) members of the Association who are not members of the board. The nomination committee shall nominate not less than two nominees for each member of the Board of Directors to be elected and such other vacancies, which exist on the Board of Directors. At least ten (10) days prior to the date set for the annual election, the Secretary shall notify the membership in writing the place, time, and date of proposed election and meeting together with the names of the persons nominated.

Section 11. On the day of the election to be held, the nominating committee shall have charge of the election. The nominating committee shall count the ballots and certify the returns to the Board of Directors. Ballots personally cast at the poll, as well as mailed ballots shall be counted. Nominations for Directors from the floor shall be included, together with those persons nominated by the nominating committee. All elections shall be by plurality vote.

Article VI : Duties of Officers

Section 1. The President shall:

- a. Preside at all meetings of the Association and shall be an ex-officio member of all committees.
- b. Advise and assist all officers and all committees.
- c. Be responsible for the keeping of all books and records and keeping any records of transactions of which the Association is a party.
- d. Countersign all checks, which are authorized to be disbursed by the Board of Directors, except checks regularly written to providers of goods or services such as the power company.

- e. Sign all written contracts and written obligations of the Association.
- f. Appoint all chairmen, section representatives and committees.
- g. Shall serve no more than four (4) consecutive years.

Section 2. The Vice President shall:

- a. Act as aid to the President.
- b. Perform the duties of the President in the event the President is absent or otherwise unable to perform the duties of the office.

Section 3. The Treasurer shall:

- a. Receive and have charge of the funds of the Association.
- b. Keep a full account of all monies received and paid out and report to the Board of Directors at their regular meetings and to the Association at the annual meeting and at such other times as required.
- c. Keep all funds of the Association and promptly deposit them in such depositories as shall be designated by the Board of Directors.
- d. Furnish the Secretary a list of the names of all members in good standing, twenty-four (24) hours prior to the holding of any regular or special meeting.
- e. Deliver to his successor in office, or anyone designated by the Board of Directors, all monies, books, records or other property of the Association in his possession or under his control upon his retirement or removal from office.

Section 4. The Secretary shall:

- a. Attend to all the official correspondence and the filing of all communications.
- b. Issue and mail notices of all meetings of the Association, both regular and special.
- c. Keep a list of the members in good standing as received from the Treasurer, and shall make the final determination as to whether any such member is entitled to vote in accordance with said list.

- d. Transfer to his successor without delay all books, papers, and other records and property of the Association in his possession or under his control upon his retirement or removal from office.
- e. Upon reasonable notice, permit any member of the Association in good standing to examine the Association records in his custody at any reasonable time.

Article VII : Relationship to Protective Restrictions

Section 1. The Protective Restrictions for the Plat of Harris Crossing Subdivision and subsequent replats thereof, together with any and all amendments thereto, as recorded March 8, 1995 as Instrument No. 9431816 (and as may be amended and recorded in the future) in the Office of the Recorder of St. Joseph County, Indiana, are incorporated herein and shall govern and control in the event of any conflict between the provisions of said Protective Restrictions and the provisions of these bylaws.

Article VIII : Amendments to the Bylaws

Section 1. These bylaws may be amended or new bylaws may be adopted by a two-thirds (2/3) majority vote of at least twenty percent (20%) of the members in good standing, providing that a written notice containing the proposed amendments has been sent to all members at least ten (10) days prior to the meeting. The voting of proxies regarding amendment or adoption is considered proper. Only proxies of members in good standing will be eligible to vote.

These bylaws were adopted at a meeting of the Association held on February 27, 2001.