**BY-LAWS** **for Deer Crossing Property Owners Association Inc. as described and recorded in Declarations and Covenants originally recorded in Watauga County Registry Book 294 page 885 (**Book 2176 Page 795) **and in Wilkes County Registry Book 732 page 756 (**Book 1326 Page 295)**.**

**Updated 10/2023**

**The Following By-Laws Also Apply:**

1. The road will be kept in a condition suitable to the majority of property owners. Owner is defined as a person or entity who is recorded owner of a tract in Deer Crossing. Members will be held responsible for damages incurred. This includes allowing friends and family members to willfully destroy or destruct the road. Road entrance gate should be locked at all times to prevent anyone from coming into the area and destructing the road.

2. Membership is defined as a property owner. The owner is subject to these rules and by-laws.

3. A member shall be entitled to one vote for each tract of land he/she owns. If more than one person owns a tract together, all will be a member. However, only one vote can be cast for any one tract.

4. During a period in which a member is in default of payment of dues, such member will have no rights in voting, or other rights in the association until such discrepancy has been satisfied. Voting rights may also be suspended for violation of the rules and by-laws of the P.O.A. However, prior to suspension for such violations, the board of directors (or a committee thereof) shall conduct a hearing for the alleged violations after giving the accused member at least ten (10) days prior written notice specifying each alleged violation and setting a time and place for the hearing. The accused will have the right to present witnesses as well as cross-examine other witnesses. The majority of the board will determine the terms of the suspension or other decision.

5. Funds for the maintenance or any other costs that pertain to the road will be paid from the funds of the P.O.A. account.

6. The funds of the P.O.A. will be kept with sufficient funds to maintain the road. Prior to December 31st of each year, the board of directors shall prepare a budget for the next year. Based on such budget the board will fix assessment amount for property owners.

7. Work done on the road, or other costs to the P.O.A., will be done on the basis of the lowest bid.

8. The P.O.A. account will be maintained by the treasurer and quarterly reports will be sent to the P.O.A. president and secretary. The secretary will maintain the list of property owners and will give reports to the president and treasurer.

9. Annual meetings will be voted upon as to the time, date, and place of the meeting. Those who cannot attend the meeting can vote by proxy, in writing, and signed by the member. No proxy will be valid after eleven (11) months.

10. Written notice of any meeting called for the purpose of taking any action shall be sent to all members, not less than twenty-one (21) days or more than sixty (60) days in advance of the meeting. At any meeting called for the purpose of taking some action by the association membership, the presence in person or by proxy of members entitled to cast a vote, twenty (20%) percent of all the votes shall constitute a quorum. If the required quorum is not present, another meeting may be called subject to the same notice requirements, and any number of members attending such subsequent meeting so long as such number represents at least ten (10%) percent of all outstanding votes, shall constitute a quorum.

11. The seller of any property is responsible to the new buyer for informing the new buyer of the responsibilities of the dues and by-laws before the sale. Failure to do so, however, will not excuse the new buyer from such rules, by-laws, and dues.

12. The by-laws may only be changed by two-thirds (2/3) majority vote of the members.

13. Campers are prohibited in Deer Crossing. Only those owners with a camper as of 10/26/13 can maintain a single camper on their lot. This right is exclusive with the property owner(s) and cannot be transferred, conveyed, or assigned once the property changes ownership as noted in the Wilkes County or Watauga County Register of Deeds office.

If a camper is not removed before the lot is sold or transferred, the P.O.A. has the right to remove the camper with all associated costs being charged against the lot the camper was on, as well as a one hundred dollar ($100) per month fine while the camper remains on the lot after closing or transfer. Re: Oct 21, 2017 minutes

14. P.O.A. Roadway Maintenance Dues are due on January 1and considered late on February 1. Late fees of twenty dollars ($20) per month for overdue P.O.A. roadway maintenance dues initiate on February 1.

15. Regarding lots with an arrearage of monies owed to the P.O.A., once a lot has exceeded five hundred dollars ($500) in monies owed, a lien will be taken out on the lot. Once the amount has exceeded one thousand dollars ($1,000), foreclosure proceedings will begin against the lot.

16. All campers and habited structures are required to have a county approved septic system installed. The septic system must be installed by April 17, 2016 for current campers and habited structures. The fine for non-compliance is twenty ($20) per month of violation plus P.O.A cleanup costs. Re: 10/22/16 meeting

17. No mobile home or modular homes are allowed within Deer Crossing. The definition of a mobile home is as defined by NC statute.

18. Habited structures of 144 square feet or less and/or tents must have sanitary means which can include composting toilets.

19. All new, habited construction in Deer Crossing is required to have a county issued building permit, a copy of which must be presented to the P.O.A. secretary before construction begins. The minimum interior area is 750 square feet. Failure to comply with this requirement will result in a complaint inspection being filed and a fifty dollar ($50) per month fine against the property until all requirements are met. Re: 10/19/19

Check the Deer Crossing web page for updates; [www.deercrossingpoa.com](http://www.deercrossingpoa.com)

**Recording Cover Sheet for Bylaws of Deer Crossing Property Owners Association, Inc.**

**Presented to Watauga County, North Carolina by Mark Hansen, Deer Crossing POA Secretary.**

**Filed October 20, 2023**

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