

BY-LAWS
OF
LAKE SHAWNEE ESTATES LOT OWNERS ASSOCIATION, INC.
2025

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ARTICLE I - MEMBERS & MEMBERSHIPS

A. Definitions

- 1) The members of the Lake Shawnee Estates Lot Owners Association, Inc. (hereinafter referred to as "Association"), shall be composed of those persons who own, in fee simple, or are purchasing under a land contract, a lot or lots in the development known as Lake Shawnee Estates, Huguenot Magisterial District of Powhatan County, Virginia. The confines of said development are as set forth in the deed of dedication and attached plot plan, recorded in the Land Records of Powhatan County.
- 2) Owners who have leased their property are required to maintain membership and, through property owners, tenants shall also maintain membership. The tenants shall also be members with restriction to use of the Association properties only. (See Section I, Item I, Rental Property)

B. Voting Rights

- 1) Each member shall be entitled to one vote, except when two or more members hold title to a lot or lots in any form of co-ownership, said co-owners shall be entitled to only one vote and must vote as a unit. In this provision each member, subject to the foregoing exception, is entitled to one vote regardless of the number of lots owned. Each spring, board meeting, the Secretary will confirm that current board members are Lake Shawnee lot property owners and confirm that all elected board members are property owners in order to have any membership or voting capacity.
- 2) The Association shall consist of 20 individual Board of Directors (4 of which are the officers). New Boards of Directors shall be elected by ballot before each Annual Meeting of this Association. If for any reason a new Board is not elected by any such Annual Meeting, the incumbent Board shall continue in office until a new Board is elected. Further, if for any reason a new Board is not elected within one month of the Annual Meeting, the incumbent Board shall serve until the next Annual membership meeting of this Association. Prior to the Annual Meeting, a ballot is to be provided to

each member. This ballot is a compilation of current members in good standing with this Association. From this ballot, the membership is to vote for ten (10) Board members to serve a two-year term. Incumbents may be reelected. There will always be ten (10) Board of Directors from the previous election who will remain on the Board to serve their second year of their two-year term with the ten (10) new Board of Directors elected to begin their first year of their two-year term. Only one member of a family lot owner may be elected to the Board of Directors.

C. Dues and Assessments

- 1) Membership fees will be due and payable prior to the last day of May of each year, the amount of which to be established annually by the Board of Directors.
- 2) In the event any owner fails to pay such dues and/or assessments that may be levied, such owner shall be denied the right to vote and shall be denied the use of any and all lakes and other facilities owned and/or controlled by this Association. There will be a 30-day grace period for payment of dues. After that, a late fee of 20% will be incurred, except under extenuating circumstances as approved by the Board. Payment arrangements can be made prior to the cutoff date of the grace period at the board's discretion.
- 3) All ballots, annual dues invoices, letters from the President, and/or any other annual mailings pertinent shall be received by all lot owners and/or members no later than April 1st of each year or as soon as possible.
- 4) Tenant's dues through property owners are due the commencement date of property lease.

D. Meetings

- 1) An Annual meeting for the membership of this Association shall be held annually, date determined by the Board of Directors. Such annual meetings shall be held for the purpose of transacting business as determined by the Board and other Association matters that may arise.
- 2) Special meetings of the membership shall be called by the Board of Directors as circumstances may require.
- 3) Place of meetings shall be within Powhatan County, Virginia or within a 10-mile radius of Lake Shawnee at the designation of the President.
- 4) Notice of meetings, date and place shall be posted at neighborhood entrance not less than five (5) days nor more than thirty (30) days before the date of the meeting. Emails will also be sent out and the information will be available on the association website.
- 5) All members of the Association may vote by proxy as authorized in writing. All proxies shall be assigned to an Executor of the Election to be appointed

by the Board of Directors. No proxy shall extend beyond the date of the meeting for which it is given.

E. Termination of Membership

- 1) Any person shall cease to be a member of this Association if he or she transfers in any manner his or her legal or equitable interest in lots located in Lake Shawnee Estates, retaining no present possessory interests in any lot or lots as either an owner in fee simple or as a contract purchaser.
- 2) In the event a person holding title in fee simple conveys his or her lot or lots to a grantee by deed or sell his or her lot or lots as a contract purchaser(s), such person's membership terminates.
- 3) In the event a person who is purchasing a lot or lots under a land contract sells, assigns, forfeits his or her interest in a lot or lots as a contract purchase, such person's membership terminates.

F. Transferability

- 1) Membership in this Association is non-transferable or assignable, except for rental property as outlined in Section I, Rental Property.

G. Revocation of Membership

- 1) The Board of Directors has complete authority to withdraw a member's membership for the remainder of the current year by a recorded roll-call vote of the majority of the Board.
- 2) When any one of the following is noted:
 - a. Any member is noted abusing Association property, ignoring rules and regulations.
 - b. Any member allows his/her guest(s) to abuse Association property, ignoring rules and regulations.

H. Disciplinary Guidelines

- 1) All members and applicants are to be aware that membership is a privilege, not a right; and that upon occasions of improper or illegal acts on Association property by either member, their families or their guests, or acts regulated to or directed at Association members engaged in the direct duty of Association business, the following disciplinary guidelines will be adhered to:
 - a. 1st Violation – A written notice will be given to member(s) detailing their violation (i.e., who, what, where, when). A written appeal may be made to the Board of Directors.
 - b. 2nd Violation - A written notice with a recommendation to suspend/revoke membership with pertinent information and date to comply or appeal. With the 2nd offense, membership could be withdrawn for no more than one

season.

- c. 3rd Violation – All membership will be voided until further notice from the Board of Directors.

I. Rental Property

The Lake Shawnee Estates Lot Owners Association, Inc. shall view rental property as the landlord being the legal owner of the property and the tenant as the person(s) residing at the dwelling and does not hold legal title to the property.

- 1) The landlord shall maintain membership as listed in these by-laws under Article I, Section A3 without restrictions and consistent with Powhatan County ordinances.
 - a. It is the landlord's responsibility to pay dues on behalf of tenants directly to the Association.
 - b. It is the landlord's responsibility to inform the Association of new tenant's phone number and email.
 - c. Tenants whose properties are current on membership dues shall be allowed to attend any Association activity.
 - d. Tenants shall not be able to vote nor eligible to be voted for.
 - e. Tenants shall not be permitted to attend any membership meetings that incorporate any decision pertaining to Association business. Tenants are encouraged to contact board members with concerns pertaining to dues.
 - f. Tenants shall not be permitted to serve on the Board of Directors.
 - g. Tenant's membership ceases upon the lease's stated move out date, or when the tenant is no longer residing in the dwelling. Landlord will be responsible for new tenant's dues.
- 2) Leasing Provision. Short Term Rentals (STR) (state law defines "short-term rental" as 30 days or less): Single Family Residential Lots may be rented only in their entirety; no fraction or portion may be rented. All leases shall be in writing via email and shall be for an initial term of no less than six months, except with the prior written consent of the Board of Directors. Notice of any lease, together with such additional information as may be required by the Board, shall be given to the Board by the Lot Owner within ten days of execution of the lease. The Owner must make available to the lessee current copies of the Declaration, Bylaws, and the rules and regulations available from the Board for a reasonable fee. The Board may adopt reasonable rules regulating leasing and subleasing.

ARTICLE II - BOARD OF DIRECTORS

A. Composition, Election and Term of Officer

- 1) The Board of Directors of this Association shall be composed of twenty (20) individual members, each of whom shall be a member in good standing of this Association. Only one member of the family lot owner may serve on the board at same time.
- 2) There shall be two (2) alternate elects to be on record for each election. The term of office of each member of the Board of Directors shall be two (2) years. However, there shall be no prohibition against the election of any member to successive terms of office.
 - a. Should any elected Board member, for whatever reason, desire to withdraw his election during any time of his term, he may do so in writing or by letter to the Board.
 - b. Upon withdrawal of the Board, the first alternate elect shall complete the remainder of the removed member's term.
 - c. It may be duly noted that the withdrawn Board member may need to be approved by the Board before any future reelection, should circumstances deem it necessary.
 - d. Any board member has the right to request the removal of another board member for valid reasons (For example: conflict of interest, breach of fiduciary duty, lack of participation, violating bylaws or policies, financial misconduct, qualification lapse, term limits, or any other reasons deemed acceptable by the board). The board will conduct a vote, and if the tally reaches 60% or higher, the member in question can be removed.
 - e. Board members and officers cannot server as vendors or service providers (must be licensed and insured) for Association without advance approval by majority board ballot votes in advance of any services rendered or any payments made.

B. Meetings

- 1) The Board of Directors shall meet a minimum of 6 times during a calendar year. Guideline:
 - January: first of year business
 - June: induct new Board Officers and choose dates for Annual Meeting and set date and appoint an organizing committee for the Annual Picnic.
 - December: end of year business
- 2) Special meetings may be called by the Board president as he/she may deem appropriate.
- 3) No business may be transacted at any Board meeting unless a quorum is

present (Online attendance via approved video conferencing platforms will be considered valid for quorum purposes). For purposes of these by-laws, the online or physical presence of 11 Board members (of 20) shall constitute a quorum. A majority vote (more than 50%) of those present shall be required to transact any business.

C. Power and Authority

- 1) The Board of Directors shall have exclusive authority in matters of management of the regular and ordinary affairs of this Association.
- 2) Such power and authority shall include, but not to be limited to:
 - a. The establishment and/or increase/decrease from time to time of fees and/or assessments to be levied against members to provide funds for any taxes, expenses, and cost reasonable incident to the maintenance, protection and/or continued ownership of the lakes and related facilities owned by this Association.
 - b. The establishment of such rules and regulations as the Board shall deem appropriate for controlling the use and conditions of use of the lakes and related facilities owned by the Association.
- 3) The Board of Directors shall have **NO** authority to:
 - a. Authorize the purchase of any property, real or personal, not directly incident to the maintenance, protection and/or continued ownership of the lakes, and related facilities owned by this Association.
 - b. Authorize the borrowing of money or encumbering all or any part of the assets of this Association.
 - c. Dispose of the lakes and related facilities of this Association by sale, exchange or otherwise, except as such authority may be granted by the members of this Association at any regular or special membership meeting.

ARTICLE III - OFFICERS

A. Composition and Appointment

- 1) The officers of this Association shall consist of a President, Vice President, Secretary and Treasurer. Such officers shall be elected by the Board of Directors and serve a two-year term. In the event any officer other than the President becomes vacant, that officer shall be filled by majority board ballot vote.
- 2) All officers shall be elected from the membership of the Board of Directors. Election of officers shall be by ballot.
- 3) No officer may simultaneously serve in more than one position.

B. Duties and Authority

- 1) President: The President shall be responsible for carrying out and enforcing the policies, rules and regulations adopted by the Board of Directors. The President shall serve as the Chairman of the Board of Directors. The President shall be an ex-officio member of all standing committees. The President may delegate any duties he deems necessary to the Vice-President, Treasurer or Secretary.
- 2) Vice-President: The Vice-President shall perform such duties as are delegated to him/her by the President. In the absence of the President or if the office of the Presidency becomes vacant, the Vice-President shall assume the duties and authority vested in the President. If the office of president becomes vacant, the Board shall convene within one month to elect a new President.
- 3) Secretary: It shall be the duty of the Secretary to make and keep membership records and regularly backup the association's membership database with regular updated copies after any updates are made by emailing the working database file to all other Board officers, especially the Treasurer. The Secretary shall make proper entries of the votes, resolutions, and proceedings of all the membership meetings and directors' meetings. The president and treasurer must provide all requested LSLOA records to the secretary within one week of receiving a written request, if feasible. The Secretary must regularly update the online Board with a verified list of paid members.
- 4) Treasurer: The Treasurer shall have the exclusive authority and duty to bill, receive, sign checks in absence of the President and receipt for money due this Association (to include digital transactions). The Treasurer shall deposit all funds in a bank approved by the Board of Directors. Upon approval of these bylaws, the Treasurer shall be granted full bank records authorization of all LSLOA bank records with all banks used over the past 3 years. Treasurer shall be required to keep a copy of all detailed bank and insurance/other records and make available to board upon request within 2 weeks after these bylaws enacted. All disbursements of Association Funds shall be made by check. All checks must be written by the Treasurer and signed by the President and President shall have the same bank usage permissions. In the event of the absence of the Treasurer, any certified officer may write a check and have it signed by the President or Vice-President in absence of President; or, if president office is vacated for no longer than 1 month, only the treasurer can prepare the check and the full board must vote to approve any expenditures until a new president is elected by board. No checks over \$1000.00 may be signed without prior recorded majority board vote approvals. The Treasurer shall also be responsible for maintaining the

financial and accounting records pertaining to the activities of this Association and shall submit a written report to the Board of Directors at all regular meetings of the Board and at any time requested by the President or Vice President.

- a. It shall be the responsibility of the Treasurer of this Association, as long as the Association exists, to assure that incorporation fees are paid yearly. At no time shall this Association be unincorporated without the written notification to all landowner members of the Association.
- b. The accounts of this Association from the previous calendar year shall be audited and certified as of March 15 of each year by an accountant approved by the Board or a subcommittee appointed by the Board and the audit shall be provided to Board officers upon completion and shall be made available for review to the Board during the June meeting.
- c. Treasurer shall provide a yearly budget that is approved by the Board of Directors.
- d. Board must pre-approve the budget at the first board meeting each year.

C. Compensation of Officers

- 1) Officers of the Association (President, Vice President, Secretary, and Treasurer) shall serve without compensation. However, annual dues are waived for officers while in service.

D. Other Committees

- 1) Additional committees may be established by a resolution adopted by a majority vote of the Board of Directors during a meeting with a quorum present. These committees shall not have authority over the management of the Association's affairs unless explicitly delegated by the Board.

ARTICLE IV - USE OF LAKES AND RELATED FACILITIES

A. The use of the lakes and facilities owned by this Association is restricted to paid members of this Association, their families and guests. Guests must have in their possession a current Lake Shawnee Estates Lot Owners Association guest pass.

B. Eligibility to use the lakes is specifically conditioned on full payment of fees and assessments authorized by the Board of Directors, and on compliance with all other rules and regulations established by the Board pertaining to the use of such facilities.

ARTICLE V - ADOPTION OF AND AMENDMENTS TO THE BY-LAWS

A. The by-laws of this Association shall be adopted, amended or revised only upon the vote of the Board of Directors at any regular or special meeting.

B. The procedure for adoption, amendment or revision of the by-laws shall be as follows:

- 1) Any proposed by-law and any proposed amendment or revision or any existing by-law shall be placed before the Board of Directors, in writing at a regular or special meeting of the Board for its review and consideration.
- 2) Within one week after any proposed by-law or any proposed amendment or revision of any existing by-law is placed before the Board of Directors, a copy thereof shall be given to the Board members for their individual respective consideration and roll call vote at the next Board meeting.
- 3) Any proposed by-law, and any proposed amendment, or revision of any existing by-law shall be adopted if a majority (51%) of the members of the Board (11 votes of 20) vote on the record during the Board meeting for approval.

ARTICLE VI - RULES OF THE LAKE SHAWNEE ESTATES LOT OWNERS ASSOCIATION, INC.

A. Lakefront Property

- 1) No new boat docks, piers, solar panels, nonseasonal floats or other structures shall be constructed or placed into or on said lakes without prior written approval of the Board of Directors and compliance with county/state regulations. Seasonal floating islands or rafts are allowed in lakes throughout reasonable spring/summer/fall lake use season.
 - a. All new piers and docks must be approved by the Board of Directors to meet the minimum standards.
 - b. No new pier or dock shall extend from the normal shoreline more than 15 feet.
 - c. As per county code/regulations, no creosote lumber (i.e. railroad ties, telephone poles) shall be used; only pressure treated lumber. New pilings shall not be smaller than 4x6" material and concreted at the bottom to secure during high water.
 - d. The remaining structure shall also consist of pressure treated lumber and be of a design consistent with accepted standards of building and aesthetics.
 - e. Any owner that maintains a pier or dock or other device in or along a lake must maintain membership in good standing at all times. Lack of membership will result in a disciplinary action with possible removal of any and all devices or structures at the expense of the said lot owner. Lot owners are prohibited from using the pier, dock or other device unless membership in good standing is maintained.
 - f. Major new changes to any existing shoreline may be approved by the

Board of Directors. This is to include things such as sea walls, rock edging or other man-made additions.

- g. Any use of irrigation pumps must be approved by the Board and limited in volume of flow and type of pumping construction.
- h. It is strictly prohibited to blow, rake or otherwise dispose of leaves or other debris into the lakes.
- i. The placement of trees, brush or other debris is prohibited either by natural occurrence or intention. It is the lot owner's responsibility to make prompt arrangements to remove fallen trees, damaged docks, etc. Failure to do so within a reasonable time will be considered a violation of Association rules and result in possible disciplinary action and/or an assessed fee for any cleanup done by the Association may be levied. As part of Association membership values for members in good standing, the Association may contract and pay to remove naturally fallen trees from lake(s) removal.
- j. Brush piles and/or Christmas trees established for fish structure must be approved by the Board of Directors. Fish structures must be anchored properly.
- k. It shall be strictly prohibited to stock, introduce or otherwise place fish, fowl, animal or plants into the lakes or its tributaries without the written permission of the Board of Directors as per state law.
- l. Feeding the Canada Geese is strictly prohibited. Each goose excretes 3 pounds of waste daily into our lakes.

B. Rental of Association Property (Beaches and Designated Storage Areas)

- 1) Reservations must be requested in writing to the Board of Directors and/or with approval of any two officers for the use of a single picnic area but may not limit usage by any other member.
 - a. Only one picnic area may be reserved at a time and occasion.
 - b. An approximate attendance count must be provided in writing when applying for the reservation. Portable sanitary facilities, at the expense of the member, must be provided for parties in excess of 10 people or an acceptable adjacent household may be used with prior approval.
 - c. An Association disclaimer, outlining rules and regulations, must be signed by Association member applicants once reservation has been accepted. It is the responsibility of the applicant to inform guests of all rules and regulations. The Association member applicant must display and/or prominently display their current Membership pass for the current year. Any violations by members and/or guests will immediately revoke the reservations, and all functions will cease.
 - d. Prompt cleanup (within 24 hours) must be adhered to, and all

Association rules and regulations must be followed.

- e. The Association member event applicant assumes all liability for event attendees. Association reserves the right to require a certified lifeguard to be on duty at any reserved function where swimming is an issue, or a CPR certified adult that will be present at the function. A copy of this certification must be on file with the reservation application. It will be the sole responsibility of the host of the reserved party to provide any and all safety devices (life vests etc.) deemed necessary.
 - f. Board must approve the use of association property for very limited personal income.
- 2) Consistent with Association tax filing obligations, the Board shall determine what Association-owned property can be utilized for storage space and what fees should be charged for such use. All requests must be submitted to the Board on the approved Association form. Items stored on Association-owned property must have current DMV license where applicable.

C. Septic Systems and Drain Fields

- 1) To maintain healthy lakes, it is recommended that all septic systems be maintained and monitored by each owner with regularity. A system failure can result in unhealthy levels of bacteria in our lakes.
- 2) Lots with engineered septic systems must have systems inspected within 24 hours of alarm sounding. Failure will result in the Association informing local health department officials to inspect and/or rectify the reason for sounding the alarm. Said lot owner will be assessed the cost of inspection and/or repair to the engineered septic system.
- 3) No septic systems will be installed on the lakeside of property of new property builds, but final determination will be at the county's discretion via code.

D. General Protection of the Lakes and Facility

- 1) No gasoline motors shall be permitted on the lakes or on the beaches. Only electric motors may be used on the lakes. **The Lakes are no wake zones to prevent erosion.**
- 2) Boats will be launched at boat slip sights at each lake. No vehicles are permitted on beaches.
- 3) No animals, other than service animals, are permitted on beach lots and piers.
- 4) Alcohol and/or the use of recreational drugs is prohibited on Association property.
- 5) Abusive language is prohibited on Association property.
- 6) Excessive loudness and any other offensive or destructive behavior is

prohibited on Association property.

- 7) Current membership cards are to be displayed with the member, the member's family and /or their guest(s) at all times, either in the vehicle or on the person while using the Association property.
- 8) Members are solely responsible for their guest(s) and their family. Another Lake Shawnee Estates resident does NOT qualify as a guest.
- 9) Current membership entitles one member to two (2) adult guests and two (2) teenage guests.
- 10) Children 12 years and under must be accompanied by an adult while on Association property, and Association emphasizes that guest safety is the responsibility of member sponsoring guest access to Association docks, beaches, water and other properties.
- 11) All Association property is closed at dark.
- 12) Use of any Association Lake and/or property is on an "at your own risk" basis.
- 13) Trespassers will be prosecuted to the full extent of the law.
- 14) Residents are responsible for notifying the county of any campers, work trailers, or 6-wheeled vehicles parked on public streets.
- 15) It shall be the responsibility of each property owner and tenant to prevent the development of any unclean, unsightly or unkempt conditions of buildings or grounds on such property which shall tend to substantially decrease the beauty of the neighborhood as a whole or the specific area.
- 16) Permanent personal property of any sorts is prohibited on association property. Items will be removed at the cost of the owner of said property.

E. Protection of Lakes and Lot Owners

- 1) Lake Shawnee shall be compliant with all Powhatan County VA Code of Ordinances (see sections below). Failure to adhere to these ordinances will be reported to the applicable government entity.
 - a. Local soil erosion and sediment control program - Any disturbance of soils near enough to the lakes or their tributaries must include adequate protection from erosion and runoff. Chapter 42, Article 3, Sec. 42-103
 - b. Trash and refuse. Chapter 66, Article 2,
 - c. Inoperable vehicles, Chapter 74, Article V, Sec. 74-100
 - d. Dogs running at-large is prohibited. Chapter 10, Article 2, Division 4, Sec. 10-116
 - d. Exterior lighting. Permit the use of exterior lighting at the minimum levels necessary for nighttime safety yet curtail light pollution. Chapter 83, Article 8, Sec. 83-469.
 - e. Loud noise prohibited - including electronic devices and barking dogs. Chapter 42, Article II, Sec. 43-32
 - f. Any temporary yard sign cannot be over 50 square feet, height of 8 feet.

Chapter 83, Article 8 Sec. 83-499

- g. Special events trash – any litter, personal belongings etc. on Association property or VDOT roads, must be cleaned up within 24 hours.
- 2) Trash cans should not be on the street. They should be moved back next to your own property within 24 hours of trash pickup.
- 3) Fishing
 - a. The lakes fall under the regulation of the Virginia Department of Game and Inland Fisheries including all creel (harvest) and length limits. Virginia fishing license and personal floatation devices required.
 - b. The Association encourages the Virginia Department of Game and Inland Fisheries Catch-And-Release Fishing program.
- 4) Lawn Fertilization

The Association complies with the Department of Environmental Quality Control regarding the protection of our lakes: The Shoreline Protection Action states no chemicals, pesticide or herbicide applied to ground or turf.

Fertilizer tips for lawns on lakes:

 - *5-to-10-foot buffer strip adjacent to water*
 - *Use low phosphorus fertilizer*
 - *Do not apply fertilizer in spring until 3 weeks after lawn greens up*
 - *Lime is acceptable within a 25-foot buffer*
 - *Natural organic fertilizer does not harm lake water (ex. Guano)*

ARTICLE VII - EMERGENCY PROCEDURES

A. In conditions of severe weather such as hurricanes or other storms where lake water levels would be affected; to ensure protection of lakefront properties and Association properties, close monitoring should be utilized. The President or appointed agent(s) must be contacted during these occasions and predetermined emergency procedures shall be implemented by the President and/or appointed agent(s). An emergency phone/email contact list of all members is provided to all four Association officers to have access to help if needed.

ARTICLE VIII - DISSOLUTION OF LAKE SHAWNEE ESTATES LOT OWNERS ASSOCIATION, INC.

A. This Association may be voluntarily dissolved only upon the authorization of a 2/3 majority recorded ballot vote of the entire membership with 1-month advance notification/invitation to all members of such possible vote.

B. In the event of voluntary or involuntary dissolution of this Association, any assets remaining after the payment of all liabilities, shall be distributed pro rata among those persons who are lot owner members, current on their dues (to include those on payment plans), on the date of dissolution.

CERTIFICATION

By the signature made below by the Secretary of Lake Shawnee Lot Owners Association, the association hereby certifies these bylaws to be a foregoing and true copy of the Bylaws of the Association adopted by the initial board of the association as of January 16, 2025.

Sign: _____

Name: Joanna Callaway

Secretary
Lake Shawnee Lot Owners Association

Date: 02/06/2025