



CHERRY HILLS LAKE ASSOCIATION BYLAWS

Amended May 1, 1995

ARTICLE I

ASSOCIATION PURPOSES AND POWERS

The Association has been organized for the following purposes:

1. To acquire, own and maintain Cherry Hills Lake and its shoreline frontage, commons, foot ways and personal properties incident thereto.
2. To promote the conservation of the lake, its shoreline, fish and wildlife, and to provide recreation for the Association members.
3. To fix, levy, collect and enforce assessments and dues for the memberships subject to the by-laws of the Association.
4. To adopt, attend and enforce by-laws, rules and regulations.
5. To pay taxes, if any, on the property and facilities of the Association.
6. To do any other thing that, in the opinion of the Board of Directors, will protect the Association property and the membership or enhance the membership's benefit and enjoyment of the property and to have and to exercise any and all powers, rights and privileges which a corporation organized under the General Not-for-Profit Corporation Act of the State of Illinois may now or hereafter have or exercise.

ARTICLE II

DEFINITIONS

Section 1. "Association" shall mean and refer to the CHERRY HILLS LAKE ASSOCIATION, a nonprofit corporation organized and existing under the laws of the State of Illinois.

Section 2. "Member" is the owner or contract purchaser of a lot which abuts Cherry Hills Lake as it presently exists on Lot 23 of Cherry Hills Subdivision, Champaign County, Illinois, or as it is subsequently enlarged.

Section 3. "Property" shall mean and refer to the lake as it presently exists on Lot 23 of Cherry Hills Subdivision, Champaign County, Illinois, or as it is subsequently enlarged, all buildings, structures and personal property incident thereto and any other properties owned and maintained by the Association for the common benefit and enjoyment of the members.

ARTICLE III**MEMBERSHIP**

Section 1. All owners of lots abutting the property shall be members of the Association, shall abide and be bound by the Articles of Incorporation, these by-laws and the reasonable rules and regulations of said Association and shall maintain membership herein so long as such lot ownership is maintained. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. There shall be one membership for each such lot. Membership in this Association may not be transferred or assigned other than upon transfer or conveyance of the lot representing such membership.

Section 2. The rights and obligations contained in these by-laws and in the rules and regulations adopted by the Directors extend to the immediate family of the Members who reside in the household and also extend to those persons in the immediate family who are unmarried full-time students who reside in the household when not in school.

ARTICLE IV**ASSESSMENTS**

Section 1. Members shall pay annual assessments in the amount determined by the Board of Directors, but not more than \$250.00 per year per lot. The Board of Directors has the right (but is not required) to prorate the annual assessments and any special assessments to each lot based on the approximate length of the shoreline of each lot.

Section 2. The maximum annual assessment cannot be increased and special assessments cannot be levied unless approved by a majority of the votes of the Members at a membership meeting held in accordance with these by-laws.

Section 3. Voting and other membership rights may be suspended by action of the Directors during any period when an assessment remains unpaid. Upon payment of such unpaid assessment, the rights and privileges shall be automatically restored.

Section 4. If the Directors have adopted and published rules and regulations governing the property, the use of the lake, access to the lake and the maintenance of the owner's shoreline property as provided in Article VIII. Section 1, they may, in their discretion, suspend the voting and other membership rights of any person for violation of such rules and regulations for a period not to exceed thirty days for each such violation.

Section 5. The membership year shall be from July 1 to June 30. Annual assessments are due and payable in advance on or before July 1 of each year or such other dates as fixed by the Board of Directors. The membership of a Member who conveys his/her lot shall be deemed to be transferred to the grantee. Such Member is not entitled to a refund from the Association. The grantee of a lot from a Member whose assessment is delinquent shall be liable for the assessment.

ARTICLE V**VOTING RIGHTS**

On all matters brought for vote by said Association there shall be permitted one vote for each lot abutting the property, said vote to be exercised by the record owner thereof or the designated representative of said record owner. There shall be no cumulative voting. Whenever title to a lot shall be taken in the name of two or more adult persons, either in tenancy in common or in joint tenancy, the membership of that lot shall stand in the names of all the persons having interest in the real estate, but such membership shall be entitled to only one vote on any proposition or election and that vote may be cast only by the owner of a lot or a majority of them acting in concert.

ARTICLE VI**BOARD OF DIRECTORS**

Section 1. The affairs of the corporation shall be managed by a board of five directors, to be elected by the Members, and these five shall be Members of the Association. At each annual meeting the Members shall elect Directors to fill the existing vacancies. Directors are elected for a term of two years. Three (3) Directors will be elected in odd number years and two (2) Directors will be elected in even number years. Directors may be re-elected.

Section 2. Vacancies on the Board of Directors shall be appointed by a majority vote of the remaining Directors. Any such Director shall hold office until his successor is elected by the Members at the next annual meeting of the members or at any special meeting duly called for that purpose.

Section 3. Election to the Board of Directors shall take place at the annual meeting as hereinafter provided. At such election, the Members of the Association or their proxies may cast, in respect of each vacancy to be filled, one vote as defined in Article V.

Section 4. Not more than one Director shall be elected from the owners of any lot abutting the property.

ARTICLE VII**POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

Section 1. The Board of Directors shall have the power:

- a. To call meetings of the Members whenever it deems necessary, and it shall call a meeting at any time upon written request of one-fourth (1/4) of the voting membership, as provided hereunder;
- b. To contract with and remove at pleasure all agents of the Association, prescribe their duties, fix their compensation, if any, and require of them such security as it may deem expedient;

- c. To establish, levy, assess, and collect the assessments, dues or penalties referred to in these by-laws, except as provided by Article IV, Section 2;
- d. To adopt and publish rules and regulations governing the use of the property and the personal conduct of the Members and their guests thereon;
- e. To exercise for the Association all powers, duties and authorities vested in or delegated to this Association.

Section 2. It shall be the duty of the Board of Directors:

- a. To cause to be kept a complete record of all of its acts and corporate affairs and to present a statement thereof to the Members at the annual meeting of the Members, or at any special meeting when such is requested in writing by those representing at least one-fourth (1/4) of the voting membership;
- b. To fix the amount of the assessment for each assessment period at least thirty days in advance of such date or period, except as provided in Article IV, Section 2;
- c. To prepare a roster of the Members and their property and assessments applicable thereto, which shall be kept in the office of the Association and shall be open to inspection by any Member (the office of the Association shall be the residence of the current Secretary of the Board);
- d. To send written notice of each assessment to every owner subject thereto;
- e. To issue, or to cause an appropriate officer to issue, upon demand by an person a certificate setting forth whether any assessment has been paid. Such certificate shall be conclusive evidence of any assessment therein stated to have been paid;
- f. To collect unpaid assessments by legal action including the filing of liens against the Member's property in the Champaign County Recorder's Office. The member affected shall be liable to the Association for all costs and expenses, including attorneys' fees, incurred by the Association in that process.

ARTICLE VIII

DIRECTORS' MEETING

Section 1. A regular meeting of the Board of Directors shall be held within seven (7) days following the annual meeting of the Members of the Association, and at such other time as the Board of Directors may, by resolution, designate. The first meeting of the new Board shall be called by the highest ranking officer or the prior Board continuing on the newly elected Board.

Section 2. Special meetings of the Board of Directors shall be held when called by any officer of the Association, or by any two Directors after not less than two days' notice to each Director.

Section 3. The transaction of any business at any meeting of the Board of Directors, however called and noticed, or wherever held, shall be as valid as though

made at a meeting duly held after regular call and notice if a Quorum is present and, if either before or after the meeting, each of the Directors not present signs a written waiver of notice, or a consent to the holding of such meeting, or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the corporate records and made a path thereof.

Section 4. A majority Of the Board Of Directors shall constitute a Quorum thereof.

ARTICLE IX

OFFICERS

Section 1. The officers shall be a President, a Vice President, a Secretary and a Treasurer.

Section 2. The officers shall be chosen by a majority vote of this Board of Directors.

Section 3. The President shall preside at all meetings of the Board of Directors and meetings of the Members, shall see that orders and resolutions of the Board of Directors are carried out and sign all notes, leases, mortgages, deeds and all other written instruments. The President may sign checks in the absence of the Treasurer.

Section 4. The Vice President shall perform all the duties of the President in his/her absence.

Section 5. The Secretary shall record the votes and keep the minutes of all proceedings in a book to be kept for that purpose. He/she shall keep the records of the Association. He/she shall record, in a book kept for that purpose, the names of all Members of the. Association together with their addresses as registered by such Members.

Section 6. The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors provided, however, that a resolution of the Board of Directors shall not be necessary for disbursements made in the ordinary course of business conducted within the limits of a budget adopted by the board. The Treasurer shall sign checks and all notes of the Association, provided that such notes shall also be signed by the President or Vice President.

Section 7. The Treasurer shall keep proper books of accounts and make a report thereof to the annual meeting of the Members.

ARTICLE X

COMMITTEES

The Association shall have such standing committees as shall be designated by the Board of Directors of the Association.

ARTICLE XI**MEETINGS OF THE MEMBERS**

Section 1. The regular annual meeting of the Members shall be held each year during the months of March or April. The meeting will be held in the evening at an hour and place set by the Board of Directors.

Section 2. Special meetings of the Members, for any purpose may be called at any time by the Board of Directors.

Section 3. Written notice of any meetings shall be given to the Members by the Secretary. Notice may be given to the Member either personally, or by sending a copy of the notice through the mail, postage therein fully prepaid to his address appearing on the books of the corporation. Each Member shall register his/her address with the Secretary, and notices of meetings shall be mailed to him/her at such address. Notice of any meeting, regular or special, shall be mailed at least six days in advance of the meeting and shall set forth, in the case of a special meeting, the nature of the business to be transacted and the place where the meeting is to be held.

Section 4. The presence at the meeting of the votes of a majority of the Members shall constitute a quorum.

ARTICLE XII**PROXIES**

Section 1. At all corporate meetings of Members, each Member may vote in person or by proxy.

Section 2. All proxies shall be in writing and filed with the Secretary. No proxy shall extend beyond a period of eleven months, and every proxy shall automatically cease upon sale by the Member of his/her home.

ARTICLE XIII**BOOKS AND PAPERS**

The books, records and papers of the Association shall at all times, during reasonable hours, be subject to inspection by Members at the home of the Secretary.

ARTICLE XIV**AMENDMENTS**

Section 1. These by-laws may be amended at regular or special meeting of the Members by a vote of a majority of the Members present in person or by proxy if a quorum is present at the meeting in person or by proxy.

Section 2. In case of any conflict between the Articles of Incorporation and these by-laws, the articles shall control and in case of any conflict between the covenants and restrictions applicable to Cherry Hills Subdivision and these by-laws, the covenants and restrictions for said subdivision shall control.

Cherry Hills lake Association By-laws originally were approved on February 11, 1987. They were amended to the above By-laws at the May 1, 1995 Meeting of the Members.

IN WITNESS WHEREOF, we, being the Directors of the CHERRY HILLS LAKE ASSOCIATION, have hereunto set our hands and seals this 4th day of June, 1995.

Gary Meyer—President

Manuel Quinones—Vice-President

Ron Case—Secretary

Rosemary Meridith—Treasurer

Tim Bridges—Director