

BY LAWS OF THE LONE TREE POINT
COTTAGERS ASSOCIATION

Adopted -

FOREWARD

The intent of these By Laws is: to define the responsibilities, authority, accountability and limitations of the organization herein named; to outline its structure and prescribe a method of operations.

ARTICLE I: NAME

Section 1 -- The name of the organization shall be "The Lone Tree Point Cottagers Association" of Lake James, Indiana.

ARTICLE II: PURPOSE

Section I -- The purpose of The Lone Tree Point Cottagers Association shall be to foster and promote the general community welfare of cottage owners on Lone Tree Point.

ARTICLE III: MEMBERSHIP

Section 1 -- Ownership of property on Lone Tree Point, Lake James, Indiana, shall constitute eligibility for membership in the Association.

Section 2 -- Membership shall be on a voluntary basis and shall be established and maintained by payment of annual dues. There shall be no initiation fee.

ARTICLE IV: OFFICES AND OFFICERS AND COMMITTEES

Section 1 -- The offices of the Association shall be:
The office of President
The office of Vice President
The office of Secretary-Treasurer

Section 2 -- The officers to fill the above-named offices shall be nominated and elected from within the membership of the Association

Section 3 -- The tenure of each office shall be one fiscal year. Elected officers shall assume their respective duties at the close of the annual meeting at which they were elected.

Section 4-- All officers shall serve without remuneration.

Section 5-- The activities of the Association shall be vested in its officers.

Section 6-- The officers of the Association shall be accountable at all times to the Association membership as a whole.

Section 7-- The President shall appoint all necessary operating committees.

ARTICLE V: MEETINGS

Section 1-- There shall be one meeting of the Association each year, designated as the "Annual Meeting." This meeting shall be held on Lone Tree Point at Lake James, Indiana, on the Saturday or Sunday immediately following July 4th each year.

Section 2-- All members of the Association shall be notified of the "Annual Meeting" by first class mail, sent to the last address as shown on the records of the Association. The notice of the Annual Meeting shall be sent out not more than two (2) weeks or less than one (1) week before the day of the meeting.

Section 3-- Special meetings of the Association may be called by the President for the transaction of business whenever a need exists. Special meetings of the Association shall be called by the President for the transaction of business whenever requested by ten members of the Association who are in good standing. The request for the meeting shall clearly define the purpose and need for the meeting. Notification of special meetings may be by any means available.

Section 4-- The following items of business shall be mandatory on the agenda of every annual meeting.

1. Reading of Minutes of Previous "Annual Meeting"
2. Reading of Minutes of any called meeting during the year.
3. Reading of the Financial Report.
4. Election of Officers.

Section 5-- Ten members of the Association who are in good standing shall constitute a quorum in any meeting of the Association.

Section 6-- The conduct of meetings of the Association shall be in accordance with Robert's Rules of Order.

Section 7-- The fiscal year of the Association shall be the lapsed time from the closing of one annual meeting to the close of the next annual meeting following.

ARTICLE VI: VOTING

Section 1- Election of Officers shall be by casting of secret ballots by members present at the "Annual Meeting." An unopposed candidate may be voted on by voice or standing vote.

Section 2- Officers shall be voted on one at a time.

Section 3- The Association shall honor proxy votes in carrying on the normal business of the Association. Proxy votes of members in good standing may be cast by directing the vote in writing to any duly elected officer who in turn shall cast the vote of the absent member as directed. Voting may be by voice or standing votes except ~~when~~ otherwise specified or called for.

Section 4- A majority of affirmative votes shall be required to carry a motion made from the floor in an open meeting, or to elect.

Section 5- Motions pertaining to amendments to these By Laws shall be acted upon strictly in accordance with Article X, Section 1, of these By Laws. A motion to amend shall not be acted upon until the requirements of Article X, Section 1, have been met.

Section 6- Motions pertaining to termination of these By Laws shall be acted upon strictly in accordance with Article X, Section 2, of these "By Laws." A motion to terminate shall not be acted upon until the requirements of Article X, Section 2, have been met.

ARTICLE VII: FINANCE

Section 1- The principle source of finance of the Association shall be derived from annual dues paid into the Association by its members.

Section 2- Dues shall be levied in accordance with sound business principles and in direct proportions to the monetary needs of the Association. The Association shall be non-profit producing.

Section 3- Dues shall not be changed except by vote at an annual meeting.

Section 4- Dues shall become due and payable on March 1 of each calendar year and shall become delinquent the first day after the annual meeting in the same year.

Section 5- The Treasurer shall be responsible for the collection of all dues.

ARTICLE VIII: EXPENDITURES

Section 1- All expenditures of the Association shall be made through the Treasurer.

Section 2 - All financial obligations of the Association shall be approved for payment by the President and the Committee Chairman responsible for contracting the obligation before payment is made.

Section 3- Officers and/or Committee Chairmen shall not in any manner or at any time commit the Association to any financial obligations beyond the available and ~~uncommitted~~ money in the Treasury, except as provided for in Section 4, of Article VIII.

Section 4- Projects contemplated by the Association requiring expenditures in amounts larger than derived from annual Dues shall be financed through negotiation with individual member and/or property owners on the point. Officers and/or Committee Chairmen shall not enter into contracts for the Association unless complete payment according to the terms of the contract is arranged for and assured.

Section 5- An Auditing Committee consisting of 3 members of the Association shall be appointed by the outgoing President at the annual meeting. The Auditing Committee shall audit the Treasurer's books within thirty (30) days after appointment and submit a written statement certifying as to the conditions of the financial records. The Auditing Committee's report shall be made a part of the records. The outgoing Treasurer shall not be relieved of the Treasurer's responsibility until the Auditing Committee's report is made.

ARTICLE IX: LEGAL STATUS AND JURISDICTION

Section 1- The Association per se shall have no legal status and shall in no way act as an enforcement agency.

Section 2- The Association, collectively, or through its Officers, shall not usurp or abridge the lawful rights of any individual.

Section 3- The Association shall not enter into any legal disputes between individuals or groups of individuals.

Section 4- The Association shall concern itself with any and all obvious law violations on Lone Tree Point which adversely affect the health, welfare and safety of the community. In this respect the Association shall act only in the capacity of a liaison agency.

Section 5- The Association shall be responsible and accountable for the following projects;

- 1- Garbage disposal for the Association members in good standing.
- 2- Road maintenance and hazard elimination.

3. Road drainage
4. Tree trimming and general appearance of the road right-of-way.
5. Fire Prevention, Fire Protection and General Safety.
6. Other projects as may be decided upon in meetings of the Association.

Section 6-- Authority, necessary to discharge its defined responsibilities shall be delegated to the Association by each individual member.

Section 7-- Payment of dues shall definitely be understood to be an act of delegating individual authority to the Association in its defined areas of operations.

ARTICLE X: AMENDMENTS - TERMINATION

Section 1-- These By Laws may be amended at any annual or called meeting of the Association provided:

1. That the proposed amendment is presented in writing to the entire membership along with the notice of the meeting at which the proposed amendment is to be voted on. The intent of the amendment must be precisely and clearly stated.
2. Notice of the meeting at which the amendment is to be voted on must be mailed not more than two, (2) weeks or less than one (1) week before the date of the meeting.
3. A majority affirmative vote of the total membership including proxies shall be required for passage of an amendment.

Section 2-- These By Laws may be terminated at any annual or called meeting provided:

1. That the reasons and intent for the termination of these By Laws has been precisely and clearly presented in writing to the entire membership along with the notice of the meeting.
2. The notice of the meeting at which these By Laws are to be terminated shall be mailed through first class mail in sealed envelopes, carrying a return address, to each member of the Association in good standing, not more than two (2) weeks or less than one (1) week before the date of the meeting. The notice of the meeting shall be sent to the last address of the member as shown on the records of the Association.

3. Before final vote on termination is called for a plan for liquidation of tangible assets, if any, must be passed.
4. Affirmative votes of two-thirds of all the members in good standing, including proxies, shall be required to pass a motion to terminate these By Laws.
5. There shall be no business except that dealing with termination placed on the agenda or transacted at the termination meeting.