

BY-LAWS  
Dated:  
November 15, 2000  
Recorded:  
November 20, 2000

BY-LAWS

# THE RIVERSIDE HOMEOWNERS' ASSOCIATION, INC.



CFN:2000231941 11-30-2000 12:31 pm

OR Book/Page: 4255 / 1217

25 JUNE 1968

REVISED  
27 MAY 1975

REVISED  
20 AUGUST 1982

REVISED  
15 NOVEMBER 2000

**Sandy Crawford**

Clerk Of Courts, Brevard County

#Pgs: 10

Trust: 5.50

Deed: 0.00

Mtg: 0.00

#Names: 2

Rec: 41.00

Serv: 0.00

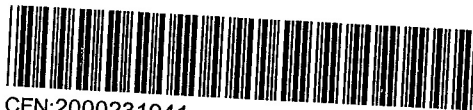
Excise: 0.00

Int Tax: 0.00

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THE RIVERSIDE HOMEOWNERS ASSOCIATION, INC.  
ARTICLE I -- THE PURPOSE OF THE ASSOCIATION

SECTION 1:

The Riverside Subdivision residents, having a desire for civic improvements and realizing the need for maintenance of these improvements; recognizing the requirement for concerted effort in the formulation of plans and the successful fruition of same; realizing the advantages of a united approach in the process of petition to political, civic, or commercial agencies on matters of common interest, do hereby associate ourselves under these By-Laws for the betterment of the community.

ARTICLE II -- BOARD OF DIRECTORS

SECTION 1:

The Board of Directors shall consist of seven elected members. Seven the first year, three of whom will be for a one year term and four for a two year term. Each year thereafter, there will be three or four elected on alternate years. Elections will be held annually at a general meeting of voting members convened for the purpose of an appropriate date in May of each year. There will be no more than one member per household on the board.

SECTION 2:

Nominations for the board whether made by the nominating committee or from the floor during the annual election meeting shall be on an "at large" basis.

SECTION 3:

For election, when there are no more nominees than positions to be filled, each shall be required to receive a majority of votes cast for that position. In the event there are more members nominated than there are positions to be filled, those receiving the largest number of votes will be considered elected.

SECTION 4:

Vacancies on the board of directors, up to a total of three during the year will be filled by appointment of the board of directors. Appointees will serve until the next election. Additional vacancies will be filled by election at a meeting of the membership.

ARTICLE III -- OFFICERS

SECTION 1:

The board of directors immediately after the annual meeting of the members shall meet and elect or appoint a president, vice-president, and secretary and treasurer, who shall hold office during the pleasure of the board. They may elect such other officers as the needs of the Association may from time to time require. All officers shall serve for one year, or until the election and qualification of their successors, subject to the power of the directors to remove any officers at their pleasure by a majority vote of the board.



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SECTION 2:

The President of the Association shall:

- 1. Preside at all general meetings of the Association as well as all regular special meetings of the board of directors.
- 2. Enforce the observance of the By-Laws and of established rules of order.
- 3. Appoint all committee chairmen not otherwise specified in the By-Laws.
- 4. Be an Ex-Officio member of all standing and special committees.
- 5. Inform the secretary in writing of all actions initiated by him in behalf of the Association and shall provide the secretary with a copy of all correspondence bearing his signature.
- 6. Keep the Vice President informed of all actions undertaken in behalf of the Association and advise him of anticipated absences.
- 7. Appoint delegates to other Associations as may be necessary.
- 8. Be responsible for the execution of decisions, agreements, or programs decided and/or voted by the board of directors.

SECTION 3:

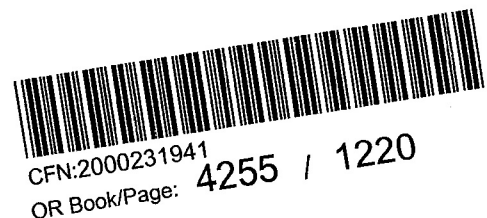
The Vice President Shall:

- 1. Assist the President and assume the duties of President in his temporary absence.

SECTION 4:

The Secretary shall:

- 1. Maintain the following records:
  - A) A complete record of the minutes of all meetings of the Board of Directors and general meetings of the Association.
  - B) A complete file of all correspondence received by or written in behalf of the Association and all actions undertaken in the name of the Association.
  - C) A complete file of Treasurer's Reports.
  - D) A complete list of all membership in the Association.
- 2. Preside at meetings of the Board of Directors as appropriate in the absence of the President and Vice-President.
- 3. Notify members when dues are to be paid.
- 4. Promptly transfer all records to his successor.



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SECTION 5:

The *Treasurer* shall:

- 1. Have charge of all funds and securities of the Association and shall deposit all monies in the general fund of the Association in an established bank.
- 2. Be Responsible for the disbursement of all funds of the Association.
- 3. Sign checks in accordance with commitments previously authorized by the board of directors.
- 4. Collect all monies due the Association including any money collected or pledged during fund raising drives.
- 5. Notify members whose dues are delinquent
- 6. Maintain Up-to-date books and provide a written treasurer's report at each semi-annual general meeting of the Association and when requested by the President or the board of directors subject to a reasonable notice.
- 7. Promptly transfer accounts and records to his successor.

ARTICLE IV - AUTHORITY OF OFFICERS

SECTION 1:

The Board of Directors shall perform all functions and exercise all authority over the affairs of the Association normally assigned to such bodies within limitations established in the by-laws.

SECTION 2:

The *President*:

- 1. Is authorized to act in the name of the Association when directed by the board or in other instances which do not obligate the Association.
- 2. Is authorized to sign correspondence in the name of the Association but must provide the secretary with a copy of all such correspondence.
- 3. May authorize expenditures which may have been previously approved as part of a program by the board of directors.
- 4. Is authorized to call special meetings of the board of directors. The president must secure the authority of the board of directors to call general meetings except in the cases of emergency in which neither time nor circumstances permit deliberate action.



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SECTION 3:

*The Secretary:*

- 1. Is authorized to originate and sign correspondence of an informative or inquiry nature. Correspondence which commits the Association to an act or program must have prior approval and official sanction of the board of directors. Such correspondence will normally be signed or counter signed by the President, but this authority may be delegated in each case to the secretary.

SECTION 4:

*The Treasurer:*

- 1. Is authorized to make expenditures as authorized by the board of directors.

SECTION 5:

*The Board of Directors:*

- 1. Shall propose for approval by the general membership at the annual meeting, an operating budget for the ensuing year.
- 2. Shall upon approval of the budget by the membership may authorize expenditure of funds within the approved budget.
- 3. By majority vote may authorize actions in the name of the Association and approve miscellaneous expenditures up to \$100.00. Amounts from \$100.00 to \$300.00 must have unanimous approval of board members or majority approval of a quorum of the voting membership. any amount over \$300 will require a 3/4 approval of a quorum of the voting membership. No expenditures will be made greater than the unobligated current funds.
- 4. Is authorized to call meeting of the membership.
- 5. Will insure an audit of the treasurer's books at least annually by an appointed auditing committee.
- 6. Will not incur indebtedness without the approval of a majority of the voting membership present at a general or special meeting of the membership.

SECTION 6:

Any authority not stated in these By-Laws or the Charter is reserved for the general membership.



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ARTICLE V - COMMITTEES

SECTION 1:

Any committees and committee chairmen shall be appointed by the President subject to the concurrence of the board of directors.

- 1. **NOMINATING COMMITTEE:** This committee shall be appointed atleast 30 days prior to the annual meeting of the association and shall consist of five members, two of whom may be from the current board of directors. The committee will nominate atleast one candidate for each position being vacated on the board of directors. The qualifications of the nominees and their willingness to serve will be checked by the committee prior to their official selection as candidates. The report of this committee will be in the President's hands no later than fourteen days prior to the annual meeting.
- 2. **ELECTION COMMITTEE:** This committee shall consist of three or more members. The committee will prepare the ballots for all elections and will issue one ballot to each member of the association. Only members of the association as defined by these By-Laws may vote. Necessary checks will be made against the official membership list at time of issue. Members of the committee will collect the ballot at appropriate times during the meeting, tabulate them, and convey the following written data to the chair: Total Ballots Issued, Total Valid Votes For Each Candidate, and Invalid Ballots, if any. The chair shall examine the Tabulation, and if satisfied the election is proper, shall announce the results. No candidate shall serve on the election committee.
- 3. **AUDITING COMMITTEE:** This committee shall consist of three voting members of the association appointed by majority vote of the board of directors. Directors of the association shall not serve on this committee. The purpose of this committee shall be to audit the treasurer's books semiannually in April and October or at such other time as may be authorized by majority vote of the board of directors. Reports of audit shall be filed with the secretary.
- 4. **SPECIAL COMMITTEE:** Other committees consisting of three voting members of the association shall be appointed to carry out the intent and purpose of the association as the board shall deem necessary. The chairmen of all committees shall be Ex-Officio members of the board of directors without vote. Members of the welcome committee, the building committee, the grievance committee and other such committees as may be appointed shall serve for one year.



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ARTICLE VI - MEMBERSHIP

SECTION 1:

All property owners of property in this subdivision must be a member of this association. Only members in good standing shall have the rights and privileges of this association. A member shall be any property owner or leasee residing in Riverside. This will include husband and wife if they are co-owners or co-leasees. Charter members shall be all persons residing in Riverside who are subscribers to the articles of incorporation and shall have rights and privileges of this association, so long as membership continues in good standing.

SECTION 2:

Honorary Memberships may be awarded by the board of directors, upon approval of the majority vote at a general meeting at which a quorum is present, to individuals who are not qualified for regular membership but who may have performed some outstanding service for the association of the community at large. Honorary members may attend meetings of the board of directors or those of general membership and may contribute to discussion advise, information, services, assistance or means in the general area which the honorary status was awarded. Such participation shall be consistent with the orderly transaction of business and established rule of order. Privileges which are enjoyed by the general membership other than voting, may be extended to honorary members. Privileges will be specified by the board of directors when the honorary class of membership awarded.

ARTICLE VII - DUES

SECTION 1:

The membership dues of the Association shall be recommended by the board of directors and approved by the general membership in attendance at the semi-annual membership meeting. Dues for every household will be payable annually on June 1st of each year.

SECTION 2:

Dues for new residents will be Pro-Rated quarterly based on the date of residency.

SECTION 3:

Members whose dues are delinquent for thirty days will be sent a thirty day delinquency notice by the treasurer. Members whose dues are delinquent for ninety (90) days shall no longer be considered a member in good standing.





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ARTICLE VIII - RULES OF ORDER

SECTION 1:

Roberts' Rules of Order shall govern the conduct of meetings and transactions and business of the Association.

ARTICLE IX - MEETINGS

SECTION 1:

The board of directors shall meet at least once each quarter. The board may also meet at the request of one of the officers. The meetings shall be open to the membership.

SECTION 2:

The general membership shall meet at least twice a year (May and November) or as called by the President and authorized by the board of directors. The May meeting of the general membership will be the annual meeting at which the members of the board of directors will be elected. Notification will be made to the membership at least 10 calendar days prior to each meeting. Proper notification may be made by telephone or by written notice.

ARTICLE X - QUORUMS

SECTION 1:

For any board of directors meeting, four of the officially listed members of the board of directors shall constitute a quorum to include the President or Vice-President.

SECTION 2:

For a general or special membership meeting of the Association, 1/4 of the voting members present shall be necessary to constitute a quorum.

ARTICLE XI - BALLOTING AND VOTING

SECTION 1:

Each member household of the Association, in good standing, shall be entitled to one vote at meetings of the membership of the association. Voting by Proxy shall be permitted when due written proxy is filed with the secretary prior to the meeting. Owners of more than one lot shall be entitled to only one vote.





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ARTICLE XII - AMENDMENT TO THE BY-LAWS

SECTION 1:

The board of directors may generate proposed amendments. Assuming due notification of a membership meeting is accomplished as specified in these By-Laws, the proposed amendment will be put to a vote which upon approval of a majority vote of those present will be final. In the event a quorum is not present, the decision concerning the proposed amendment will be deferred to the next general meeting.

ARTICLE XIII - COMMUNITY PROPERTY AND RESTRICTIONS

SECTION 1:

The property marked for community use (Boat ramp and Park Area) is deeded to this Association for and in the same name of all riverside residents. As such, this plot of land is the responsibility of this Association, for maintenance and any use limitations beyond those in the restrictions in Riverside subdivision.

SECTION 2:

The notice of restrictions on Riverside subdivision remain in effect, and this association is the successor to Carrigan and Boland, Inc., for implementation of these restrictions.

SECTION 3:

The board of directors shall insure that all residents are provided with a copy of the Riverside Subdivision "Notice of Restrictions on Riverside Subdivision", Resolutions, and these By-Laws.

Signed by the current board of directors on this date.

James B. Lansing  
President, Jim Lansing

Elizabeth Hedleston  
Vice President, Elizabeth Hedleston

Delia Birnbar  
Secretary/ Treasurer, Delia Birnbar

Larry Ostarly  
Board Member, Larry Ostarly

Jim Arnold  
Board Member, Jim Arnold

Wendy Watters  
Board Member, Wendy Watters

Steve Winkler  
Board Member, Steve Winkler

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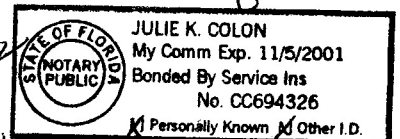
State of Florida, County of Brevard.

Sworn to and subscribed before me this 17th day of November, 2000 by the above named parties who were personally known to me or who presented their drivers license as identification.

*JKC*

Rhonda G. Joyner  
Witnesses:

Jesse R. Joyner



The foregoing instrument was acknowledged before me this 17th day of November, 2000 by

Julie K. Colon