BYLAWS

of

BURL OAKS' HOME OWNERS' ASSOCIATION

ARTICLE I

Name

The name of the Association is Burl Oaks' Home Owners' Association.

ARTICLE II

Principal office

The principal office of the Association is located at City of Plymouth, Minnesota.

ARTICLE III

Purposes

The purposes for which the Association is organized are:

a. To promote the health, safety and welfare of the residents lots and common properties in the subdivision known as Burl Oaks, situated in the City of Plymouth, State of Minnesota.

b. To care for the improvements and maintenance of parkways, grass plots, parking areas, and any facilities of any kind dedicated to the community use and other open spaces and other ornamental features of the subdivision, which now exist or which may hereafter be installed or constructed therein.

c. To fix, levy, collect and enforce payment by any lawful means, all charges or assessments levied or imposed against the property of the Association; to pay all expenses in connection herewith and all office and other expenses incident to the conduct of the business of the Association.

d. To aid and cooperate with the members of the Association and all property owners in the subdivision in the enforcement of such conditions, covenants, and restrictions on and appurtenant to their property and are now in existence, and to counsel with the Planning Commission and City Council of Plymouth having jurisdiction in relation to any zoning that may affect any portion of the subdivision.

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e. To acquire (by gift, purchase or otherwise) own, hold, improve, build upon, 
operate, maintain, convey, sell, lease, transfer, dedicate for public use or 
otherwise dispose of real or personal property in connection with the affairs of 
the Association.

f. To arrange social and recreational functions for its members.

g. To exercise any and all powers that may be delegated to it from time to time by 
the owners of real property in the subdivision.

h. In general, to do everything necessary, proper, or advisable for the 
accomplishment of the purposes hereinabove set forth.

ARTICLE IV

Membership

1. Eligibility. Every present and future owner of a lot or residential unit in the 
subdivision and every present and future tenant to whom such owner has assigned 
his membership is entitled to be a member in the Association.

2. Membership. Membership shall include an undertaking by such owner or tenant to 
comply with these Bylaws and the rules and regulations adopted by the 
Association. Membership shall be accompanied by payment of the first year's dues 
in advance.

3. Termination. Membership in the Association shall terminate on a member's 
ceasing to be an owner or tenant of a lot or residential unit in the subdivision, or 
upon failure to pay yearly dues. However, former association members, who were 
in good standings, may if they so elect and continue to pay their dues, become 
honorary non-voting members and participate in the Association's social events.

ARTICLE V

Meetings of Members

1. Annual Meetings. An annual meeting of the Association shall be held no later 
than the second Tuesday in the month of November in each year beginning with 
the year 1981, at the hour of 7:30 o'clock, P.M., for the purpose of electing 
Directors and for the transaction of such other business as may come before the 
meeting.

2. Regular Meetings. In addition to the annual meetings, regular meetings of the 
members may be held as such time as shall be determined by the Executive 
Committee.

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3. **Special Meetings.** Special meetings of the members may be called at any time by the President or by the Executive Committee, or upon written request of the members who are entitled to vote one-fourth (1/4) of all the votes of the entire membership.

4. **Place of Meetings.** Meetings of the Association shall be held at its principal office or such other suitable place convenient to the members as may be designated by the Executive Committee.

5. **Notice of Meetings.** It shall be the duty of the Secretary to mail a notice of each annual, regular or special meeting, stating the purpose thereof as well as the time and place where it is to be held, to each member entitled to vote, at least 5 days, but not more than 15 days prior to such meeting.

6. **Quorum.** The presence at the meeting of members entitled to cast, or of proxies entitled to cast, one-third (1/3) of the votes of the entire membership shall constitute a quorum for the transaction of business. If, however, such quorum shall not be present, or represented at any meeting, the members entitled to vote thereof shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or represented.

7. **Proxies.** At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the Secretary.

8. **Voting.** Each member shall be entitled to one vote on each matter submitted to a vote of the members.

9. **Manner of Acting.** A majority of the votes entitled to be cast on a matter to be voted upon by the members present at a meeting at which a quorum is present shall be necessary for the adoption thereof unless a greater proportion is required by these Bylaws.

10. **Order of Business.** The order of business at the annual meetings of the members shall be as follows:

   a. Roll call.
   b. Proof of notice of meeting or waiver of notice.
   c. Reading of minutes of preceding meeting.
   d. Reports of officers.
   e. Report of committees.
   f. Election of Directors.
   g. Unfinished business.
   h. New business.
ARTICLE VI
Nomination and Election of Directors

1. **Nomination.** Nomination for election to the Executive Committee shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall consist of a chairman, who shall be a member of the Executive Committee, and two or more members of the Association. The Nominating Committee shall be appointed by the Executive Committee prior to each annual meeting. The Nominating Committee shall make as many nominations for election to the Executive Board as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. Such nominations may be made from among members or non-members.

2. **Election.** Election to the Executive Committee shall be by secret written ballot. At such election, the members or their proxies may each cast their vote in accordance with the voting rights provisions herein. The names receiving the largest number of votes shall be elected. There shall be no cumulative voting.

ARTICLE VII
Executive Committee

1. **Number and Qualification.** The affairs of the Association shall be governed by an Executive Committee composed of 9 persons, all of whom must be members of the Association.

2. **Powers and Duties.** The Executive Committee shall have the powers and duties necessary for the administration of the affairs of the Association and may do all such acts and things as are not by law or by the Bylaws directed to be exercised and done by the members.

3. **Other duties.** In addition to duties by these Bylaws or by resolutions of the association, the Executive Committee shall be responsible for the following:
   
   a. Care, upkeep and surveillance of the Subdivision and the common areas and facilities.
   
   b. Collection of dues and special assessments from the members.
   
   c. Designation and dismissal of the personnel necessary for the accomplishment of the purposes of the Association.

4. **Election and Term of Office.** At the first annual meeting of the Association the term of office of 3 Directors shall be fixed at three years; the term of office of 3 Directors shall be fixed at two years; and the term of office of 3 Directors shall be fixed at one year. At the expiration of the initial term of office of each respective Director, his/her successor shall be elected to serve a term of three years. The
Directors shall hold office until their successors have been elected and hold their first meeting.

5. **Vacancies.** Vacancies in the Executive Committee caused by any reason other than the removal of a Director by a vote of the Association shall be filled by vote of the majority of the remaining Directors, even though they may constitute less than a quorum; and each person so elected shall be a Director until a successor is elected at the next annual meeting of the Association.

6. **Resignation and Removal of Directors.** At any annual, regular or special meeting duly called, any one or more of the Directors may be removed with or without cause by a majority of the members and a successor may then and there be elected to fill the vacancy thus created. Any Director whose removal has been proposed by the members shall be given an opportunity to be heard at the meeting. A Director may resign at any time by giving written notice to the Executive Committee. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

7. **Organization Meeting.** The first meeting of a newly elected Executive Committee shall be held within ten days of election at such place as shall be fixed by the Directors at the meeting at which such Directors were elected, and no notice shall be necessary to the newly elected Directors in order legally to constitute such meeting, providing a majority of the whole Committee shall be present.

8. **Regular Meetings.** Regular meetings of the Executive Committee may be held at such time and place as shall be determined, from time to time, by a majority of the Directors, but at least two such meetings shall be held during each fiscal year.

9. **Special Meetings.** Special meetings may be called by the President or upon written request of at least three Directors.

10. **Quorum.** At all meetings of the Executive Committee, a majority of the Directors shall constitute a quorum for the transaction of business, and the acts of the majority of the Directors present at a meeting at which a quorum is present shall be the acts of the Executive Committee. If, at any meeting of the Executive Committee, there be less than a quorum present, the majority of those present may adjourn the meeting from time to time. At any such adjourned meeting, any business which might have been transacted at the meeting as originally called may be transacted without further notice.

11. **Limitation and Expenditures.** No amounts of money in excess of $300.00 may be expended by the Executive Committee on any one matter without two-thirds of the members approving such expenditure.

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ARTICLE VIII

Officers

1. **Designation.** The principal officers of the Association shall be a President, a Vice President, a Secretary, and a Treasurer, all of whom shall be elected by and from the Executive Committee. The Directors may appoint a social chairman, maintenance chairman, publicity chairman and such other officers as in their judgement may be necessary.

2. **Election of Officers.** The officers of the Association shall be elected annually by the Executive Committee at the organization meeting of each new Committee and shall hold office at the pleasure of the Committee.

3. **President.** The President shall be the chief executive officer of the Association, shall preside at all meetings of the Association and of the Executive Committee and shall have all of the general powers and duties which are usually vested in the office of President of an Association, including but not limited to the power to appoint committees from among the members from time to time as she/he may decide is appropriate to assist in the conduct of the affairs of the Association.

4. **Vice President.** The Vice President shall take the place of the President and perform his/her duties whenever the President is absent or unable to act. If neither the President nor the Vice President is able to act, the Executive Committee shall appoint some other member of the Committee to so do on an interim basis. The Vice President shall also perform such other duties as shall from time to time be imposed on him/her by the Executive Committee.

5. **Secretary.** The Secretary shall record the votes and keep the minutes of all meetings and proceedings of the Executive Committee and of the Association; serve notice of meetings of the Executive Committee and the Association; keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Executive Committee.

6. **Treasurer.** The Treasurer shall have responsibility for Association funds and shall be responsible for keeping full and accurate accounts of all receipts and disbursements in books belonging to the Association. He or she shall be responsible for the deposit of all monies and other valuable effects in the name, and to the credit, of the Association in such depositories as may from time to time be designated by the Executive Committee.

ARTICLE IX

Committees

The Executive Committee may appoint such other committees as it may deem advisable. Each such committee shall have such powers and authority as shall be specified by the Executive Committee.
ARTICLE X
Dues and Assessments

1. **Annual Dues.** The annual dues shall be determined annually by a majority vote of the Executive Committee.

2. **Payment of Dues.** Dues shall be payable on the first day of the month after which a member is subject to membership and all subsequent annual dues shall be payable by the annual meeting.

3. **Special Assessments.** Special assessments may be levied on members of the Association only by a vote of two-thirds of the majority of all members of the Association.

4. **Default in Payment of Dues or Assessments.** When any member shall be in default in the payment of dues or assessments for a period of 60 days from the date on which such dues or assessments become payable, he/she shall, for purposes of voting, not be considered as a member in good standing, in addition, such member shall be dropped from active membership and placed on the inactive list. Such member shall not be reinstated until he/she has paid dues and assessments in full, and until such time as such member is reinstated, he/she, shall have no rights of any kind arising out of a membership in the Association.

5. **Assignment of Dues.** In the event any member whose dues are paid shall, during the year in which such dues are paid, terminate his membership by sale of his lot or residential unit in the Subdivision, he/she shall assign to the buyer of such lot or residential unit the benefit of the paid up dues.

ARTICLE XI
Amendment

These Bylaws may be amended at a regular or special meeting of the members by a vote of a majority of a quorum of members present in person or by proxy.

[Signature]

ARTICLE XII

The fiscal year of the Association shall begin on the 1st day of January and end on the 31st day of December of every year.

ARTICLE XIII
Authority

Roberts Rules of Order, Newly Revised shall be the authority for all proceedings not covered by these Bylaws.

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ADDENDUM TO BURL OAKS HOMEOWNERS ASSOCIATION BY-LAWS, Article 7, #11
Date: November 18, 1998

President John Hay proposed that the amount of money the Board could approve for any neighborhood expense be increased from the current $300, to the new amount of $750. Jim Meyers seconded the motion. The motion passed unanimously by the following Board members that were present:

John Hay - President
Jim Meyers - Vice President
Bruce Gilmore - Treasurer
Jayne Rhodes - Secretary
Kay Gottenborg - Maintenance
Pam Glader - Social Committee
Peggy Hill - Social Committee
Cathy Keup - Directory
Jan Fish - Newsletter
Kathy Signorelli - Member-at-large
ADDENDUM TO BURL OAKS HOMEOWNERS ASSOCIATION BYLAWS
Article 7, #11
Date: March 26, 2013

President Leah Asplund proposed that the amount of money the Board could approve for any neighborhood expense be increased from the current $750, to the new amount of $2,000. Matt DeWolf seconded the motion. The motion passed unanimously by the following Board members that were present:

Leah Asplund – President
Matt DeWolf – Vice President
Julie McDonough – Treasurer
Jennifer Hinnenthal – Secretary
Allison Schwallier – Social Chair
Nicola Freeman - Publications