

**BY-LAWS OF  
HUNTERS GLEN HOMEOWNERS  
ASSOCIATION, INC.**

**AMENDED JANUARY 13<sup>TH</sup>, 2008**

**ARTICLE I.  
DEFINITIONS**

The terms as used in the By-Laws are defined as follows:

A. "Association" means the Hunters Glen Homeowner's Association, Inc., a South Carolina Non-Profit Corporation.

B. "Board" means the Board of Directors of the Association.

C. "By-Laws" means the By-Laws of the Association.

D. "Declaration" means the Declaration of Easements and Protective Covenants for Hunters Glen as recorded in the Office of the Clerk of Court for Anderson County.

E. "Developer" means Gulf Atlantic Properties, Seppala Homes Inc., and its successors.

F. "Development" means Hunters Glen Subdivision as the same may be shown on maps thereof.

G. "Lot" means any lot in the development included from time to time in the definition of Lot set forth in the Declaration.

H. "Owner" means:

1) Any person, except Gulf Atlantic Properties, Seppala Homes Inc., and its successors, who holds fee simple title to any Lot.

2) Any person or legal entity who has contracted to purchase fee simple title to a Lot pursuant to a written agreement, which provides that the purchaser shall be a member of the Association and the seller shall cease to be while said agreement is in effect.

3) The owner of two adjoining lots shall be considered to own one Lot for voting and assessment purposes only if a single residential building is located on either Lot or a portion of both Lots.

**ARTICLE II.**  
**ASSOCIATION MEMBERSHIP**

SECTION 1. CLASSES OF MEMBERS:

There shall be Members and Associate Members of the Association.

SECTION 2. MEMBERS:

Each Lot Owner shall, by reason of ownership, become a Member. There shall be one vote and one voting Member for each Lot regardless of the number of persons who may have an ownership interest in the Lot, or the manner in which title is held by them. The voting Member shall be designated at the request of the Association. The Developer shall be a Member and shall have one vote for each lot which it owns. When a Member ceases to be an Owner, such person shall no longer be a Member.

SECTION 3. ASSOCIATE MEMBERS:

If not otherwise a Member, each of the following shall be entitled to be an Associate Member:

- a) a Member's spouse and children who have the same principal residence as the Member.
- b) Persons who by virtue of a contractual agreement with the developer are entitled to be Associate Members.
- c) Persons who are tenants or otherwise are properly regular occupants of any dwelling situated in Hunters Glen. Associate Members shall have no vote or right to notice of any regular or special meetings of Members. The privileges and duties of Associate Members shall be established from time to time by the Board by resolution and need not be the same as those of Members.

SECTION 4. SUSPENSION OF PRIVILEGES OF MEMBERSHIP:

The Board may suspend the privileges and voting rights of any Member for:

- a) Any person for which any Association charged on such Member's Lot remains unpaid;

b) The period of any continuing violation by such Member or Associate Member of the provisions of the Declaration after the existence thereof has been declared by the Board.

c) A period to be determined by the Board, for repeated violations of the By-Laws or the rules and regulations of the Association.

### **ARTICLE III. MEETINGS OF MEMBERS**

#### SECTION 1. PLACE OF MEETINGS:

Any meeting of Members shall be held in Anderson County, South Carolina, at such place therein as may be stated in the notice of such meeting.

#### SECTION 2. THE ANNUAL MEETING:

The annual meeting of Members shall be held on the last Sunday in January beginning in year 2009. (revised at Special Meeting of Members held January 13, 2008.)

#### SECTION 3. SPECIAL MEETINGS OF THE ASSOCIATION:

Special meetings may be called by the Board at any time in the manner herein provided. A special meeting shall also be called upon the written petition of twenty percent (20%) of the Association's Members who would have the right to vote at such meeting. Such petition shall set forth the purpose of the special meeting.

#### SECTION 4. NOTICE OF MEETINGS OF THE ASSOCIATION:

The Board shall give written notice of the place, date and hour of the meeting and, in case of special meeting, the purpose or purposes for which the meeting is called. The notice shall be delivered to all voting Members not less than twenty (20) days nor more than forty (40) days before the date of the meeting. If mailed, such notice shall be deemed to have been delivered when deposited in the U.S. Mail addressed to the Member at his address, as it appears on the Association's records, with postage prepaid: or such notice may be published in any newspaper or publication printed under the auspices of the Association and distributed to all Members. At a special meeting, no business shall be conducted except that stated in the notice of said meeting.

## SECTION 5. QUORUM:

A quorum at either a special meeting or the annual meeting shall be representation, in person or by proxy, of thirty (30) Members entitled to vote at such meeting. The vote of a majority of the voters entitled to be cast by the quorums at any meeting shall be necessary for the adoption of any matter voted upon by the Members, unless a greater proportion is required by law or the Association's By-Laws.

## **ARTICLE IV. THE DIRECTORS**

### SECTION 1. POWERS:

The Board shall:

a) Manage the affairs of the Association with the advice and consent of Members.

b) Act in behalf of the Association on matters such as the execution of deeds, mortgages, notes, bills of sale, insurance, purchases and sales of property but only after appropriate prior approval by the Members.

c) Serve as an appeals board to review and adjudicate complaints filed in writing against any action or decision of any Association committee.

d) Designate a banking institution or institutions as depository for the Association's funds and the officer or officers authorized to make withdrawals as well as execute obligations on the Association's behalf.

e) Perform other acts the authority for which has been granted herein or by law.

f) Elect from among its directors the officers of the Association. It may also establish Association Committees and appoint the Members thereof, assigning to such committees responsibilities and duties not inconsistent with the provisions of these By-Laws.

g) The Board shall, prior to each annual meeting in each year starting in year \*2009 develop an operating budget for the coming fiscal year \*January 1 through December 31st. (\*revised at Special Meeting January 13, 2008) The budget shall then be submitted for approval by the Members at the annual meeting. After such approval, the Board shall not over-spend the total approved budget by more than ten percent (10%) without calling a special meeting of Members to obtain authorization.

No annual assessment against Lot Owners shall exceed \*\$1.00 per lot unless this limit is increased by majority vote of all Members at a meeting for this purpose. (\*revised at Special Meeting January 13, 2008)

The Members shall have had a reasonable opportunity prior to the annual meeting to review and comment on the Board's proposed budget either at hearings held thereon or through such other means as the Board may direct.

The Board may, by resolution, fix the time for payment of the annual assessments which may be monthly, quarterly, semi-annual or annual basis. No assessment shall be levied against Lots owned by the Developer except as provided in recorded Declarations.

SECTION 2. NUMBER OF DIRECTORS:

The number of Directors shall be seven.

SECTION 3. TERM:

The Directors shall serve for a term of two years, except that in 1994, two of the Directors shall be elected to serve one year and three for two years. Thereafter, two Directors will be elected in the odd-numbered years and three in the even-numbered years, all for two-year terms. However, no Director may be elected to serve more than two consecutive terms. Directors' terms shall start immediately after adjournment of the annual meeting at which they are elected.

SECTION 4. QUALIFICATIONS OF DIRECTORS:

A director shall be at least twenty-one (21) years of age and a Member of the Association.

SECTION 5. ELECTION OF DIRECTORS:

a) Election of Directors shall be by written ballot. In all elections of Directors, each Member eligible to vote may cast one ballot for each Lot for which that person is the voting Member. On each ballot, the voting Member shall cast one vote for each Lot owned to designate his or her choice of candidate for each vacancy to be filled. The candidates receiving the largest number of votes shall be elected to the vacancies to be filled.

b) A member wishing to join the Board should submit their name to the Association:

1) Thirty (30) days in advance of the Annual Meeting; or

2) By Nomination at the Meeting

c) All Nominees for vacant and/or replacement Board membership will be presented at the Meeting.

d) Ballots will contain spaces for writing in names of candidates.

e) Ballots shall be distributed to the Members attending the Meeting, one ballot per member (and/or proxy). Members shall indicate their preference for no more than seven candidates on ballot.

f) Election Results. No more than three members at the Meeting who are not on the current board and who are not candidates will serve as the Election Committee and will count and certify the election. Candidates receiving most votes will be elected to the Board. In the event of a tie, a coin toss will be used by the Election Committee to determine the outcome.

g) All ballots shall be retained by the Secretary for a period of ninety days after the annual meeting.

h) Any vacancy on the Board occurring between annual meetings shall be filled by the remaining Directors for the full unexpired term.

#### SECTION 6. PROXIES:

Every Member entitled to vote or execute consents shall have the right to do so either in person or by an agent or agents authorized by a written proxy executed by such member or his/her duly authorized agent and filed with the Secretary. No such proxy shall be valid for more than eleven (11) months from the date of its execution unless the written proxy specifies the length of time for which it is to continue in force, but in no event shall the proxy be valid for more than three (3) years from its execution date.

#### SECTION 7. MEETINGS OF THE BOARD OF DIRECTORS:

The Board shall meet at least quarterly. A majority of the Directors shall constitute a quorum to transact Board business. Special meetings of the Board may be called by a majority of the Board and shall be held at such place as the call or notice of the meeting shall designate. Notice of a special meeting shall be given, either in writing or orally, at least twenty-four (24) hours prior to the date of said special meeting, but such notice may be waived by all Directors in

writing. If a Board resolution is adopted setting forth the times of regular meeting, no notice of such meetings shall be required, or waived.

SECTION 8. ACTION WITHOUT MEETING:

Unless prohibited by law, any action which may be taken at a Board meeting may be taken without a meeting if authorized in writing and signed by all of the Directors. This authorization shall be filed with the Secretary.

**ARTICLE V.  
THE OFFICERS**

SECTION 1. OFFICERS:

The officers of the Association shall be President, Vice President, Secretary and Treasurer of the Board and such other officers and assistant officers as the Board may from time to time elect. Any two or more offices may be held by the same person, except the offices of President and Secretary. (\*revised by vote of Board Members at Board Meeting held April 26, 2007)

SECTION 2. PRESIDENT: The President shall preside at Board and Membership meetings and be vested with the powers and duties generally incident to the office of the President and chief administrative officer of a non-profit corporation, except as may be otherwise set forth in the By-Laws.

SECTION 3. VICE PRESIDENT: The Vice President shall have such power and perform such duties as may be assigned to him/her by the Board or the President. In case of absence or disability of the President, the duties of that officer shall be performed by the Vice President.

SECTION 3. SECRETARY: The Secretary shall keep the minutes of the business and other matters transacted at the meetings of the Members and of the Board and shall mail, or cause to be mailed, all notices required under the By-Laws. The Secretary shall have the custody of the corporate seal and records, and maintain a list of the members and their addresses and perform all other duties incident to the office of Secretary.

SECTION 4. TREASURER: The Treasurer shall have custody of all the Association's funds, collect monies due, pay Association obligations with Association funds, and perform such other duties as are incident to the office of Treasurer. The Board may require that the Treasurer be bonded for such amount and under such conditions as the Board may require. The Board may also provide for a periodic audit of funds under the custody of the Treasurer.



SECTION 5. REMOVAL OF OFFICERS:

Any officer may be removed when, in the judgment of the Board, the best interests of the Association will be served by such removal.

**ARTICLE VI.  
AMENDMENTS**

These by-Laws may be amended by an affirmative vote of seventy-five percent (75%) of the Members present and voting at any annual meeting or any duly called special meeting of the Association, provided advance notice of the proposed amendment(s) is given in the call of the meeting.