

**BYLAWS OF THE
RIVER RIDGE PROPERTY OWNERS ASSOCIATION
OF CABARRUS COUNTY, INC.**

V. NAME

The name of the corporation is RIVER RIDGE PROPERTY OWNERS ASSOCIATION OF CABARRUS COUNTY, INC. The principal office of the corporation in the State of North Carolina shall be located in the County of Cabarrus, State of North Carolina.

VI. DURATION

The Association shall exist perpetually.

VII. PURPOSE OF THE ASSOCIATION

This association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes of which it formed are to provide for beautification, maintenance and preservation of the Common Area and areas suitable for landscaping for the general use and beautification of all that certain property located in Cabarrus County, North Carolina, known as River Ridge and now or hereafter made subject to the declaration of covenants, conditions and restrictions for River Ridge recorded in the Cabarrus County Registry (herein sometimes referred to as the "Declaration"); and to promote the health, safety and welfare of the residents within the above-described property.

VIII. POWERS OF THE ASSOCIATION

The association shall have the following general powers and any others arising there from, to be exercised in the manner provided and in conformity with applicable laws, the Declaration, and these Bylaws.

- a) To promote the collective and individual property and civic interests and rights of all persons, firms, and corporations owning property in River Ridge.
- a) To fix, levy, collect, and enforce payment by any lawful means, charges or assessments pursuant to the terms of the Declaration and/or these Bylaws to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including, but specifically not limited to, licenses, taxes, and governmental charges imposed against the property of the Association;
- a) 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, subject always to the provisions and requirements of the Declaration;
- a) To borrow money, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred, subject always to the provisions and limitations of the Declaration;
- a) To care for the improvements and maintenance of the street lighting systems, gateways, public easements, and any facilities of any kind dedicated to the community use and other open spaces and other ornamental features of the above described subdivision known as River Ridge, which now exists or which may hereafter installed or constructed therein.
- a) To cooperate with the owners of all vacant and unimproved lots and plots now existing or that hereafter shall exist in the tract in keeping them in good order and condition, in preventing them from becoming a nuisance and a detriment to the beauty of the tract and to the value of the improved property therein, and to take any action with reference to such vacant and unimproved lots and plots as may be necessary or desirable to keep them from becoming such nuisance and detriment.

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- a) To aid and cooperate with the members of this corporation and all property owners in the tract in the enforcement of such conditions, covenants, and restrictions on and pertinent to their property as are now in existence, as well as any other conditions, covenants, and restrictions as shall hereafter be approved by a majority vote of the members of the corporation, and to counsel with Planning Commission and City Council or as the case may be, having jurisdiction in relation to any zoning that may affect any portion of the subject property.
- a) To arrange social and recreational functions for its members.
- a) This corporation shall not engage in political activity or pursue political purposes of any kind or character.

IX. MEMBERSHIP

The corporation shall have one class of members. The qualifications and rights shall be as follows:

- a) Every beneficial owner, as distinguished from a security owner of a residential lot in River Ridge in the County of Cabarrus, State of North Carolina, as herein particularly described, shall be a member.
- b) Membership shall include an undertaking by the applicant to comply with and be bound by the Declaration of Covenants, Conditions, and Restrictions, these Bylaws and amendments thereto, and the policies, rules, and regulations at any time adopted by the corporation in accordance with these bylaws.
- c) Membership in this corporation shall terminate on such member's ceasing to be a beneficial owner of a residential lot on the property described herein.

VI. VOTING RIGHTS

- a) All owners shall be entitled to one vote on each matter submitted to a vote of the members.
- b) When more than one person owns an interest in any lot, all such persons shall be members, but only one vote may be cast with respect to one lot.
- c) At the membership meetings all votes shall be cast in person, or by proxy registered with the secretary.
- d) The board of directors is authorized to establish regulations providing for voting by mail.

VII. MEETINGS OF MEMBERS

- a) **ANNUAL MEETING.** An annual meeting of the members for the purpose of hearing reports from all officers and standing committees and for electing directors shall be held in the County of Cabarrus, State of North Carolina, in May of each year beginning in the year 1998. The time and place shall be fixed by the directors.
- b) **REGULAR MEETINGS.** In addition to the annual meetings, regular meeting of the members shall be had at such time and place as shall be determined by the board of directors.
- c) **SPECIAL MEETINGS.** A special meeting of the members may be called by the board of directors. A special meeting of the members must be called within 7 days by the president, or the board of directors, if requested by not less than one fifth of the members having voting rights.

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- d) NOTICE OF MEETINGS. Written notice stating the place, day, and hour of any meeting of members shall be delivered either personally or by mail to each member entitled to vote at such meeting, not less than 7 days before the date of such meeting.
- e) QUORUM. The members holding 25 percent of the votes that may be cast at any meeting shall constitute a quorum at any meeting of the members. In the absence of a quorum, a majority of the members present may adjourn the meeting from time to time without further notice.
- f) VOTING. Voting shall be by simple majority vote (except for voting on bylaws changes which shall require a two-thirds majority).

VIII. BOARD OF DIRECTORS

- a) GENERAL POWERS. The affairs of the corporation shall be managed by the board of directors, subject to instructions of the members of the corporation at a regular meeting, or subject to the approval of the membership as expressed by a vote of the membership.
- b) NUMBER, TENURE AND QUALIFICATIONS. The number of directors shall be not less than 3 or more than 5 (not including the officers). Each director shall be a member of the association, and shall hold office a minimum of 1 year and a maximum of 3 years.
- c) METHOD OF ELECTION. Directors shall be elected by majority vote at the annual meetings of members when the director's tenure has expired or when they decide to leave the position.
- d) REGULAR MEETINGS. The board of directors shall meet regularly at least every three months, at a time and place it shall select.
- e) SPECIAL MEETINGS. A special meeting of the board of directors may be called by or at the request of any officers or directors.
- f) QUORUM. A majority of the board of directors shall constitute a quorum for the transaction of business at any meeting of the board, but if less than a majority of directors are present at said meeting, a majority of the directors present may adjourn the meeting from time to time, and without further notice.
- g) MANNER OF ACTING. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors, unless the act to a greater number is required by law or by these bylaws.
- h) VACANCIES. Any vacancy occurring in the board of directors between annual meetings, and any directorship to be filled by reason of the increase in the number of directors, shall be filled by election by the board of directors. A director elected to fill vacancy shall be elected for the unexpired term of his predecessor in office.
- i) OFFICERS. The officers of the corporation shall be a president, a vice-president, a secretary and a treasurer. All officers are also members of the board of directors, and thus the same policies apply for method of election, tenure, and vacancies.
 - a. DUTIES
 - i. PRESIDENT. The President shall preside at all meetings of the association and of the board of directors at which he is present shall exercise general supervision of the affairs and activities of the corporation, and shall serve as a member ex officio of all standing committees.
 - ii. VICE-PRESIDENT. The Vice-President shall assume the duties of the President during his or her absence.

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- iii. SECRETARY. The Secretary shall keep the minutes of all meetings of the association and of the board of directors, which shall be an accurate and official record of all business transacted. The Secretary shall be custodian of all corporate records.
- iv. TREASURER. The Treasurer shall receive all corporate funds; keep them in a bank approved by the board of directors, and pay out funds only on notice signed by him or her and by one other officer. The treasurer shall be a member ex officio of any finance committee.

X. FEES, DUES, AND ASSESSMENTS

- a) ANNUAL DUES. The annual dues shall be the same for each member and shall be 120 dollars per year, subject to such modification as a majority of the directors may require, provided, however, that no increase may be determined without 25 percent of the members approving such increase.
- b) PAYMENT OF DUES. The annual dues shall be payable in four equal installments, the first of which is to be paid on the first day of the month after which a member is elected to membership, and all subsequent installments are to be paid on the first day of each installment period. Annual dues will be prorated as necessary for first owners of property in River Ridge.
- c) SPECIAL ASSESSMENTS. Special Assessments may be levied on members of this association only by a vote of 60 percent of all members of the association. The procedure for voting on proposed assessments shall be the same as the procedure provided herein for voting on amendments to these bylaws.
- d) DEFAULT IN PAYMENT OF DUES OR ASSESSMENTS.
 - a. When any member shall be in default in the payment of dues or assessments for a period of 30 days from the date on which such dues or assessments become payable, he shall, for purposes of voting, not be considered as a member in good standing. In addition, such member shall be assessed a 10% late penalty for any assessments over 30 days past due. Also such members shall be dropped from active membership and placed on the inactive list. Such member shall not be reinstated until he has paid dues and assessments in full, and until such time as such member is reinstated, he shall have no rights of any kind arising out of a membership in the association.
 - b. In addition to the forgoing, if any member shall fail to pay his or her dues or assessments as the same becomes due, on the failure to payment after 30 days, written notice of such delinquency given by the association to such member, the amount of the delinquent dues or assessments shall become a lien on such member's unit or lot in the subdivision in favor of the corporation, and the corporation shall have the right with the provisions of the N.C. General Statutes for the foreclosure and enforcement of liens; or, in the event the corporation shall not record a lien, it shall have to right to commence personal action against such member for the collection of the assessments in any court of competent jurisdiction.
- e) ASSIGNMENTS 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 unit in River Ridge he shall be entitled to assign to the buyer of such building or lot the benefit of the paid up dues. Any such buyer can acquire the benefit of such paid up dues without the necessity of paying prorated dues to the end of the year.

XI. FISCAL YEAR

The fiscal year of the corporation shall be December 1st until December 1st the following year.

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XI. AMENDMENTS

- a) SUBMISSION PROCESS. Any proposed amendment to these bylaws may be submitted in writing to any active board member at any time. Such proposed amendments shall be discussed at the meeting of the board of directors, and shall be voted on by the members of the corporation at a date that shall not be earlier than the second meeting following the initial submission of the proposed amendment.
- b) VOTING PROCESS. Any submission of an amendment proposal shall be voted on at a member meeting. Any amendment to these bylaws shall require two-thirds majority with representation of 50 percent or more of the members.