

**BY-LAWS
OF
WEST VIEW OWNERS ASSOCIATION**

THE NAME OF THE CORPORATION SHALL BE WEST VIEW OWNERS ASSOCIATION, HEREINAFTER REFERRED TO AS THE "ASSOCIATION".

ARTICLE I

SECTION 1. OBJECT. THE PURPOSE OF THIS NON-PROFIT ASSOCIATION IS TO PROVIDE WEST VIEW SUBDIVISION WITH A COMMUNITY FORUM AND MANAGEMENT BODY TO ADMINISTER, MANAGE AND COOPERATIVELY ENFORCE ESTABLISHED COVENANTS, CONDITIONS, RESTRICTIONS, AND RESERVATIONS AND PROMULGATE AND SUPERVISE ENFORCEMENT OF RULES AND REGULATIONS GOVERNING THE USE OF COMMUNITY COMMON AREAS PROVIDED FOR RECREATION AND THE COMMON USE OF PROPERTY OWNERS AND RESIDENTS.

SECTION 2. GOALS. THROUGH THE ASSOCIATION OF SELF-GOVERNING PROPERTY OWNERS, ACHIEVE A MORE COHESIVE, DESIRABLE, QUALITY COMMUNITY LIVING ENVIRONMENT, PRESERVE THE INTEGRITY OF INDIVIDUAL AND COMMUNITY PROPERTY, AND AFFORD A MEANS FOR THE PROTECTION OF MUTUAL, INDIVIDUAL RIGHTS.

SECTION 3. LOCATION. THE OFFICE OF THE ASSOCIATION, ALL MEETINGS OF THE MEMBERS AND BOARD OF DIRECTORS SHALL BE LOCATED AND CONDUCTED AS PRESCRIBED BY THE ASSOCIATION'S BOARD OF DIRECTORS.

**ARTICLE II
DEFINITIONS**

SECTION 1. "ASSOCIATION" SHALL MEAN AND REFER TO WEST VIEW OWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS.

SECTION 2. "PROPERTIES" SHALL MEAN AND REFER TO THAT CERTAIN REAL PROPERTY DESCRIBED IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS, OF THE WEST VIEW SUBDIVISION, IN MEDINA COUNTY, TEXAS, AND SUCH ADDITIONS THERETO AS MAY HEREAFTER BE BROUGHT WITHIN JURISDICTION OF THE ASSOCIATION.

SECTION 3. "COMMON AREA" SHALL MEAN ALL REAL PROPERTY OWNED BY OR UNDER THE LEGALLY ASSIGNED CONTROL, MAINTENANCE, AND JURISDICTION OF THE ASSOCIATION FOR THE COMMON USE, AND ENJOYMENT OF THE OWNERS/MEMBERS, INCLUDING SUBDIVISION ENTRANCE WAY IMPROVEMENTS AND UTILITIES LOCATED ON EACH SIDE OF THE ROAD, MAILBOX STRUCTURES, FUTURE PARK, IMPROVED DRAINAGE EASEMENTS, AND PUBLIC ROADS UNTIL ACCEPTED BY MEDINA COUNTY FOR ROAD MAINTENANCE.

SECTION 4. "LOT OR TRACT" SHALL MEAN AND REFER TO ANY PLOT OF LAND SHOWN UPON ANY RECORDED SUBDIVISION MAP OF THE PROPERTIES WITH THE EXCEPTION OF THE COMMON AREA (S).

SECTION 5. "MEMBER" SHALL MEAN AND REFER TO THE RECORDED OWNER, WHETHER ONE OR MORE PERSONS OR ENTITIES, OF THE FEE SIMPLE TITLE TO ANY LOT WHICH IS PART OF THE PROPERTIES, INCLUDING CONTRACT SELLERS, BUT EXCLUDING THOSE HAVING SUCH INTEREST MERELY AS A SECURITY FOR THE PERFORMANCE OF AN OBLIGATION AND FURTHER DESCRIBED IN THE RESTRICTIONS AND COVENANTS.

SECTION 6. "DECLARATION" SHALL MEAN AND REFER TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND RESERVATIONS, APPLICABLE TO THE PROPERTIES RECORDED IN THE OFFICE OF THE COUNTY CLERK, MEDINA COUNTY, TEXAS AND AS MAY BE AMENDED.

**ARTICLE III
MEETING OF MEMBERS**

SECTION 1. ANNUAL MEETINGS. THE FIRST ANNUAL MEETING OF THE MEMBERS SHALL BE HELD WITHIN TWO YEARS (2) FROM THE DATE OF INCORPORATION OF THE ASSOCIATION OR NOT LATER THAN ONE YEAR AFTER TITLE TO FIFTY-ONE PERCENT (51%) OF THE TOTAL TRACTS PLANNED FOR THE SUBDIVISION IS VESTED IN MEMBERS OTHER THAN THE DEVELOPER, WHICHEVER OCCURS LAST. EACH SUBSEQUENT REGULAR ANNUAL MEETING OF THE MEMBERS SHALL BE HELD ON THE SAME DAY OF THE SAME MONTH OF EACH YEAR THEREAFTER, AT THE SAME HOUR ON THE SAME DAY OF THE WEEK OF THE FOLLOWING WEEK.

SECTION 2. SPECIAL MEETINGS. SPECIAL MEETINGS OF THE MEMBERS MAY BE CALLED AT ANY TIME BY THE PRESIDENT OR THE BOARD OF DIRECTORS, OR UPON WRITTEN REQUEST OF THE MEMBERS WHO ARE ENTITLED TO VOTE TEN PERCENT (10%) OF ALL OF THE VOTES OF THE MEMBERSHIP.

SECTION 3. NOTICE OF MEETINGS. WRITTEN NOTICE OF EACH MEETING OF THE MEMBERS SHALL BE GIVEN BY, OR AT THE DIRECTION OF, THE SECRETARY OR PERSON AUTHORIZED TO CALL THE MEETING, BY MAILING A COPY OF SUCH NOTICE, POSTAGE PREPAID, NOT LESS THAN 15 DAYS NOR MORE THAN 50 DAYS BEFORE SUCH MEETING TO EACH MEMBER ENTITLED TO VOTE THEREAT, ADDRESSED TO THE MEMBER'S ADDRESS LAST APPEARING ON THE BOOKS OF THE ASSOCIATION, OR SUPPLIED BY SUCH MEMBER TO THE ASSOCIATION FOR THE PURPOSE OF RECEIVING NOTICE. SUCH NOTICE SHALL SPECIFY THE PLACE, DAY AND HOUR OF THE MEETING, AND, IN THE CASE OF A SPECIAL MEETING, THE PURPOSE OF THE MEETING.

SECTION 4. QUORUM. THE PRESENCE AT THE MEETING OF MEMBERS ENTITLED TO CAST TWENTY PERCENT (20%) OF THE VOTES OF THE MEMBERSHIP SHALL CONSTITUTE A QUORUM FOR ANY ACTION EXCEPT AS OTHERWISE PROVIDED IN THE DECLARATION, OR THESE BY-LAWS. IF HOWEVER, SUCH QUORUM SHALL NOT BE PRESENT OR REPRESENTED AT A MEETING, THE MEMBERS ENTITLED TO VOTE THEREAT SHALL HAVE THE 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.

SECTION 5. PROXIES. MEMBERS MAY VOTE IN PERSON OR BY PROXY ON ALL MATTERS OF THE ASSOCIATION. ALL PROXIES MUST BE IN WRITING AND FILED WITH THE SECRETARY PRIOR TO THE DATE AND TIME STATED THEREON. PROXIES SHALL BE REVOCABLE, AND THE PROXY OF ANY MEMBER SHALL AUTOMATICALLY TERMINATE ON CONVEYANCE BY HIM OF HIS LOT.

ARTICLE IV BOARD OF DIRECTORS: SECTION: TERM OF OFFICE

SECTION 1. INITIAL BOARD OF DIRECTORS. THE NUMBER OF DIRECTORS CONSTITUTING THE INITIAL BOARD OF DIRECTORS OF THE CORPORATION IS THREE (3), AND THE NAMES OF THE PERSONS WHO ARE TO SERVE AS THE INITIAL DIRECTORS ARE LISTED IN THE ARTICLES OF INCORPORATION. THE INITIAL BOARD OF DIRECTORS SHALL HAVE THE SAME POWER AND DUTIES AS THE REGULAR BOARD OF DIRECTORS. THE INITIAL DIRECTORS SHALL SERVE UNTIL THE FIRST REGULAR BOARD IS ELECTED AS DESCRIBED IN ARTICLE III HEREIN. THE BY-LAWS OF THE CORPORATION SHALL BE ADOPTED BY THE INITIAL BOARD OF DIRECTORS AND SHALL THEREAFTER BE AMENDED OR ALTERED AS PROVIDED HEREIN.

SECTION 2. NUMBER. THE AFFAIRS OF THIS ASSOCIATION SHALL BE MANAGED BY A BOARD OF SIX (6) DIRECTORS, WHO MUST BE MEMBERS OF THE ASSOCIATION.

SECTION 3. TERM OF OFFICE. AT THE FIRST ANNUAL MEETING, THE MEMBERS SHALL ELECT TWO DIRECTORS FOR A TERM OF ONE YEAR, TWO DIRECTORS FOR A TERM OF TWO YEARS, AND TWO DIRECTORS FOR A TERM OF THREE YEARS; AND AT EACH ANNUAL MEETING THEREAFTER THE MEMBERS SHALL ELECT TWO DIRECTORS FOR A TERM OF THREE YEARS. NO BOARD MEMBER SHALL SERVE MORE THAN TWO CONSECUTIVE TERMS ON THE BOARD.

SECTION 4. REMOVAL. ANY DIRECTOR MAY BE REMOVED FROM THE BOARD, WITH OR WITHOUT CAUSE, BY A MAJORITY VOTE OF THE MEMBERS OF THE ASSOCIATION. IN THE EVENT OF DEATH, RESIGNATION OR REMOVAL OF A DIRECTOR, HIS SUCCESSOR SHALL BE SELECTED AS SET FORTH UNDER ARTICLE VIII, SECTION 6. ABSENCE FROM THREE (3) CONSECUTIVE MEETING WITHOUT JUST CAUSE AND NOTICE TO THE BOARD SHALL BE TREATED AS A RESIGNATION AND A REPLACEMENT TO FILL THE UNEXPIRED TERM SHALL BE SELECTED AS SET FORTH UNDER ARTICLE VIII, SECTION 6.

SECTION 5. COMPENSATION. NO DIRECTOR SHALL RECEIVE COMPENSATION FOR ANY SERVICE HE MAY RENDER TO THE ASSOCIATION. HOWEVER, ANY DIRECTOR MAY BE REIMBURSED FOR HIS ACTUAL EXPENSES INCURRED IN THE PERFORMANCE OF HIS DUTIES.

SECTION 6. ACTION TAKEN WITHOUT A MEETING. WITH THE AGREEMENT OF AT LEAST FOUR OTHER BOARD MEMBERS, A BOARD MEMBER SHALL HAVE THE RIGHT TO TAKE EMERGENCY ACTION ON BEHALF OF THE BOARD. ANY ACTION SO TAKEN SHALL BE THE SAME EFFECT AS THOUGH TAKEN AT A MEETING OF THE DIRECTORS UNTIL APPROVED OR DISAPPROVED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS DURING THE FIRST SUBSEQUENT MEETING.

ARTICLE V NOMINATION AND ELECTION OF DIRECTORS

SECTION 1. NOMINATION. NOMINATIONS FOR ELECTION TO THE BOARD OF DIRECTORS SHALL BE MADE BY A NOMINATING COMMITTEE. NOMINATIONS MAY ALSO BE MADE FROM THE FLOOR AT THE ANNUAL MEETING. THE NOMINATIONS COMMITTEE SHALL CONSIST OF A CHAIRMAN, WHO SHALL BE A MEMBER OF THE BOARD OF DIRECTORS, AND TWO OR MORE MEMBERS OF THE ASSOCIATION. THE NOMINATING COMMITTEE SHALL BE APPOINTED BY THE BOARD OF DIRECTORS PRIOR TO EACH ANNUAL MEETING OF THE MEMBERS, TO SERVE FROM THE CLOSE OF SUCH ANNUAL MEETING UNTIL THE CLOSE OF THE NEXT ANNUAL MEETING. THE NOMINATING COMMITTEE SHALL MAKE AS MANY NOMINATIONS FOR ELECTION TO THE BOARD AS IT SHALL IN ITS DISCRETION DETERMINE, BUT NOT LESS THAN THE NUMBER OF VACANCIES THAT ARE TO BE FILLED. SUCH NOMINATIONS SHALL BE SOLICITED FROM AND MADE FROM AMONG THE MEMBERS OF THE ASSOCIATION.

SECTION 2. ELECTION. ELECTION TO THE BOARD OF DIRECTORS SHALL BE BY SECRET WRITTEN BALLOT AND MAY BE CAST IN PERSON AT THE MEETING OR BY PROXY. EACH VOTER SHALL HAVE ONE VOTE FOR EACH BOARD MEMBER VACANCY TO BE FILLED; NO CUMULATIVE VOTING IS PERMITTED. THE NOMINEES RECEIVING THE LARGEST NUMBER OF VOTES SHALL BE ELECTED.

ARTICLE VI MEETINGS OF DIRECTORS

SECTION 1. REGULAR MEETINGS. REGULAR MEETINGS OF THE BOARD OF DIRECTORS SHALL BE HELD MONTHLY ON STATED DAYS WITHOUT NOTICE, AT SUCH PLACE AND HOUR AS MAY BE FIXED FROM TIME TO TIME BY RESOLUTION OF THE BOARD. SHOULD SAID MEETING FALL UPON A LEGAL HOLIDAY, THEN THAT MEETING SHALL BE HELD ON THE SAME DAY OF THE FOLLOWING WEEK AT THE SAME TIME.

SECTION 2. SPECIAL MEETINGS. SPECIAL MEETINGS OF THE BOARD OF DIRECTORS SHALL BE HELD WHEN CALLED BY THE PRESIDENT OF THE ASSOCIATION, OR BY ANY TWO DIRECTORS, AFTER NOT LESS THAN THREE (3) DAYS NOTICE TO EACH DIRECTOR.

SECTION 3. QUORUM. FIVE MEMBERS OF THE BOARD OF DIRECTORS SHALL CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS. EVERY ACT OR DECISION DONE OR MADE BY A MAJORITY OF FIVE (5) DIRECTORS PRESENT AT A DULY HELD MEETING SHALL BE REGARDED AS THE ACT OF THE BOARD.

ARTICLE VII POWERS AND DUTIES OF THE BOARD OF DIRECTORS

SECTION 1. POWERS. THE BOARD OF DIRECTORS SHALL HAVE THE POWER TO:

(A) ADOPT AND PUBLISH RULES AND REGULATIONS GOVERNING THE USE OF THE COMMON AREA(S) AS STATED IN (B) BELOW AS WELL AS ESTABLISHED PENALTIES FOR INFRACTIONS OF SUCH RULES AND REGULATIONS.

(B) SUSPEND THE RIGHT TO USE OF THE COMMON AREA(S) OF A MEMBER DURING ANY PERIOD IN WHICH SUCH MEMBER SHALL BE IN DEFAULT IN THE PAYMENT OF ANY ASSESSMENT LEVIED BY THE ASSOCIATION. SUCH RIGHT MAY ALSO BE SUSPENDED AFTER NOTICE AND HEARING, FOR A PERIOD NOT TO EXCEED SIXTY (60) DAYS FOR INFRACTION OF PUBLISHED RULES AND REGULATIONS.

(C) EXERCISE ALL POWERS, DUTIES AND AUTHORITY VESTED IN THE ASSOCIATION AND THE ARCHITECTURAL CONTROL COMMITTEE BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, BYLAWS, AND ARTICLES OF INCORPORATION.

(D) DECLARE THE OFFICE OF A MEMBER OF THE BOARD TO BE VACANT IN THE EVENT SUCH MEMBER SHALL BE ABSENT FROM THREE (3) CONSECUTIVE REGULAR BOARD MEETINGS AS STATED IN ARTICLE IV.

(E) EMPLOY INDIVIDUALS, MANAGEMENT COMPANY, COLLECTION AGENCY, BOOKKEEPER, ATTORNEY, OR ANYONE ELSE AS DEEMED NECESSARY AND PRESCRIBED AND SUPERVISE THEIR DUTIES, EITHER DIRECTLY OR THROUGH THE ASSOCIATION OFFICES.

SECTION 2. DUTIES. IT SHALL BE THE DUTY OF THE BOARD OF DIRECTORS TO:

(A) CAUSE TO BE KEPT A COMPLETE RECORD OF ALL ITS ACTS AND AFFAIRS AND TO PRESENT A STATEMENT THEREOF TO THE MEMBERS AT THE ANNUAL MEETING OF MEMBERS, OR AT ANY SPECIAL MEETING WHEN SUCH STATEMENT IS REQUESTED IN WRITING BY TEN PERCENT (10%) OF THE MEMBERS WHO ARE ENTITLED TO VOTE.

(B) SUPERVISE ALL OFFICERS, AGENTS AND EMPLOYEES OF THE ASSOCIATION, AND TO SEE THAT THEIR DUTIES ARE PROPERLY PERFORMED.

(C) AS MORE FULLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND RESERVATIONS, SECTION 33, TO:

(1) FIX THE AMOUNT OF THE ANNUAL ASSESSMENT AGAINST EACH LOT AT LEAST THIRTY (30) DAYS IN ADVANCE OF EACH NEW ANNUAL ASSESSMENT PERIOD.

(2) SEND WRITTEN NOTICE OF EACH ASSESSMENT TO EVERY OWNER SUBJECT THERETO AT LEAST THIRTY (30) DAYS IN ADVANCE OF EACH ANNUAL ASSESSMENT PERIOD; AND

(3) BRING LEGAL ACTION AND/OR FORECLOSURE OF THE LIEN AGAINST ANY PROPERTY FOR WHICH ASSESSMENTS ARE DUE AGAINST MEMBERS WHO ARE DELINQUENT IN PAYMENT OF ASSESSMENTS FOR WHICH THEY ARE OBLIGATED UNDER THE CONDITIONS OF THE DECLARATION.

(D) ISSUE, OR TO CAUSE AN APPROPRIATE OFFICER TO ISSUE, UPON DEMAND BY ANY PERSON, A CERTIFICATE SETTING FORTH WHETHER OR NOT ANY ASSESSMENT HAS BEEN PAID. A REASONABLE CHARGE MAY BE MADE BY THE BOARD FOR THE ISSUANCE OF SUCH CERTIFICATES. IF A SIGNED AND SEALED CERTIFICATE STATES ASSESSMENTS HAS BEEN PAID, SUCH CERTIFICATE SHALL BE CONCLUSIVE EVIDENCE OF SUCH PAYMENT.

(E) WHEN DEEMED NECESSARY, PROCURE AND MAINTAIN ADEQUATE LIABILITY AND HAZARD INSURANCE ON PROPERTY OWNED OR UNDER THE JURISDICTION CONTROL OF THE ASSOCIATION.

(F) CAUSE ALL OFFICERS OR EMPLOYEES HAVING FISCAL RESPONSIBILITIES TO BE BONDED, AS THE BOARD MAY DEEM APPROPRIATE.

(G) CAUSE THE COMMON AREAS TO BE MAINTAINED IN A SAFE, SIGHTLY AND SANITARY CONDITION AND LIMIT THEIR USE TO MEMBERS, AND AUTHORIZED OR APPROVED USERS.

(H) ENFORCE THE DECLARATION OF COVENANTS, CONDITION, RESERVATIONS, AND RESTRICTIONS THROUGH THE ARCHITECTURAL CONTROL COMMITTEE.

ARTICLE VIII OFFICERS AND THEIR DUTIES

SECTION 1. ENUMERATION OF OFFICERS. THE OFFICERS OF THIS ASSOCIATION SHALL BE A PRESIDENT AND VICE PRESIDENT, WHO SHALL AT ALL TIMES BE MEMBERS OF THE BOARD OF DIRECTORS, A SECRETARY, AND A TREASURER, AND SUCH OTHER OFFICERS AS THE BOARD MAY FROM TIME TO TIME BY RESOLUTION CREATE.

SECTION 2. ELECTION OF OFFICERS. THE ELECTION OF OFFICERS SHALL TAKE PLACE AT THE FIRST MEETING OF THE BOARD OF DIRECTORS FOLLOWING EACH ANNUAL MEETING OF THE MEMBERS.

SECTION 3. TERM. THE OFFICERS OF THIS ASSOCIATION SHALL BE ELECTED ANNUALLY BY THE BOARD AND EACH SHALL HOLD OFFICE FOR ONE (1) YEAR UNLESS HE SHALL SOONER RESIGN, OR SHALL BE REMOVED OR OTHERWISE BE DISQUALIFIED TO SERVE.

SECTION 4. SPECIAL APPOINTMENTS. THE BOARD MAY ELECT SUCH OTHER OFFICERS FROM WITHIN THE BOARD AS THE AFFAIRS OF THE ASSOCIATION MAY REQUIRE, EACH OF WHOM SHALL HOLD OFFICE FOR SUCH PERIOD, HAVE SUCH AUTHORITY, AND PERFORM SUCH DUTIES AS THE BOARD MAY, FROM TIME TO TIME DETERMINE.

SECTION 5. RESIGNATION AND REMOVAL. THE BOARD MAY REMOVE ANY OFFICERS FROM OFFICE AT ANY TIME WITH OR WITHOUT CAUSE. ANY OFFICER MAY RESIGN AT ANY TIME BY GIVING WRITTEN NOTICE TO THE BOARD, THE PRESIDENT OR THE SECRETARY. 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.

SECTION 6. VACANCIES. A VACANCY IN ANY OFFICE SHALL BE FILLED BY SELECTION AND APPOINTMENT OF A NEW OFFICER FROM AMONG THE REMAINING BOARD MEMBERS. THE OFFICER SELECTED TO FILL THE VACANCY ON THE BOARD WILL BE FILLED BY BOARD NOMINATIONS FOR A SUCCESSOR. AT A SPECIAL MEETING OF THE BOARD OF DIRECTORS CALLED FOR THE PURPOSE, THE NOMINEE RECEIVING THE MOST VOTES BY A MAJORITY IF THE BOARD MEMBERS PRESENT SHALL BE CONFIRMED AS THE SUCCESSOR. THE SELECTED SHALL SERVE THE REMAINING TERM OF THE PREDECESSOR.

SECTION 7. MULTIPLE OFFICERS. THE OFFICES OF SECRETARY AND TREASURER MAY BE HELD BY THE SAME PERSON. NO PERSON SHALL SIMULTANEOUSLY HOLD MORE THAN ONE OF ANY OF THE OTHER OFFICERS EXCEPT IN THE CASE OF SPECIAL OFFICES CREATED PURSUANT TO SECTION 4 OF THIS ARTICLE.

SECTION 8. DUTIES. THE DUTIES OF THE OFFICERS ARE AS FOLLOWS:

PRESIDENT

(A) THE PRESIDENT SHALL PRESIDE AT ALL MEETINGS OF THE BOARD OF DIRECTORS, SHALL SEE THAT ORDERS AND RESOLUTIONS OF THE BOARD ARE CARRIED OUT; SHALL SIGN ALL LEASES, MORTGAGES, DEEDS AND OTHER WRITTEN INSTRUMENTS AND SHALL CO-SIGN ALL CHECKS AND PROMISSORY NOTES. BY RESOLUTION OF THE BOARD, THE PRESIDENT'S SIGNATURE SHALL NOT BE REQUIRED ON CHECKS IN AN AMOUNT OF ONE HUNDRED DOLLARS (100.00) OR LESS PROVIDED THEY ARE CO-SIGNED BY ANOTHER BOARD MEMBER SO AUTHORIZED FOR PAYMENT OF ROUTINE RECURRING EXPENDITURES.

VICE PRESIDENT

(B) THE VICE PRESIDENT SHALL ACT IN THE PLACE AND STEAD OF THE PRESIDENT IN THE EVENT OF HIS ABSENCE, INABILITY OR REFUSAL TO ACT, AND SHALL EXERCISE AND DISCHARGE SUCH OTHER DUTIES AS MAY BE REQUIRED OF HIM BY THE BOARD.

SECRETARY

(C) THE SECRETARY SHALL RECORD THE VOTES AND KEEP THE MINUTES OF ALL MEETINGS AND PROCEEDINGS OF THE BOARD AND OR THE MEMBERS; KEEP THE ASSOCIATION SEAL AND AFFIX IT ON ALL PAPERS REQUIRING SAID SEAL; SERVE NOTICE OF MEETINGS OF THE BOARD AND OF THE MEMBERS OF THE ASSOCIATION TOGETHER WITH THEIR ADDRESSES, AND PERFORM SUCH DUTIES AS MAY BE REQUIRED BY THE BOARD.

TREASURER

(D) THE TREASURER SHALL RECEIVE AND DEPOSIT IN APPROPRIATE BANK ACCOUNTS ALL MONEYS OF THE ASSOCIATION AND SHALL DISBURSE SUCH FUNDS AS DIRECTED BY RESOLUTION OF THE BOARD; SHALL SIGN ALL CHECKS AND PROMISSORY NOTES OF THE ASSOCIATION; KEEP PROPER BOOKS ACCOUNT; CAUSE ANNUAL AUDIT OF THE ASSOCIATION BOOKS TO BE MADE AT THE COMPLETION OF EACH FISCAL YEAR; AND, SHALL PREPARE AN ANNUAL BUDGET AND STATEMENT OF INCOME AND EXPENDITURES TO BE PRESENTED TO THE MEMBERS AT ITS REGULAR ANNUAL MEETING, AND MAKE COPY OF EACH AVAILABLE FOR REVIEW BY MEMBERS AT THEIR DISCRETION DURING NORMAL WORKING HOURS.

**ARTICLE IX
COMMITTEES**

THE ASSOCIATION BOARD OF DIRECTORS SHALL APPOINT A NOMINATING COMMITTEE, AS PROVIDED IN THESE BY-LAWS, ARTICLE V, SECTION 1. IN ADDITION, THE BOARD SHALL APPOINT OTHER COMMITTEES OR SPECIAL PROJECT OFFICERS AS DEEMED NECESSARY TO ENHANCE CARRYING OUT ITS DUTIES AND RESPONSIBILITIES.

**ARTICLE X
BOOKS AND RECORDS**

THE BOOKS, RECORDS, AND PAPERS OF THE ASSOCIATION SHALL AT ALL TIMES, DURING REASONABLE WORKING HOURS, BE OPEN TO INSPECTION BY ANY MEMBER. THE DECLARATION AND THE BY-LAWS OF THE ASSOCIATION SHALL BE AVAILABLE FOR INSPECTION BY ANY MEMBER DURING REASONABLE WORKING HOURS AND COPIES MAY BE PURCHASED AT A REASONABLE COST. A COPY OF THE DECLARATION OF THE COVENANTS, CONDITIONS, RESTRICTIONS, AND RESERVATIONS SHALL BE PROVIDED TO ALL MEMBERS AND SUBSEQUENT NEW MEMBERS AT NO COST. A TRANSFER FEE OF \$100.00 WILL BE CHARGED TO A NEW BUYER OF AN EXISTING OWNER'S PROPERTY, EXCEPT THERE SHALL BE NO TRANSFER FEE FOR THOSE LOTS PURCHASED FROM THE DEVELOPER.

**ARTICLE XI
ASSESSMENTS**

AS MORE FULLY PROVIDED IN THE DECLARATION, EACH MEMBER IS OBLIGATED TO PAY TO THE ASSOCIATION ANNUAL ASSESSMENTS, WHICH ARE SECURED BY A CONTINUING LIEN UPON THE PROPERTY AGAINST WHICH THE ASSESSMENT IS MADE. ANY ASSESSMENTS WHICH ARE NOT PAID WHEN DUE SHALL BE DELINQUENT. IF THE ASSESSMENT IS NOT PAID WITHIN THIRTY (30) DAYS AFTER THE FINAL DATE DUE, THE ASSESSMENT SHALL BEAR INTEREST FROM THE DATE OF THE DELINQUENCY AT THE RATE OF TWELVE PERCENT (12%) PER ANNUM, AND THE ASSOCIATION MAY BRING AN ACTION AGAINST THE OWNER PERSONALLY OBLIGATED TO PAY THE SAME. THE ACTION MAY BE AT LAW, OR THE ASSOCIATION MAY FORECLOSE THE LIEN AGAINST THE PROPERTY, INTEREST, COST, AND REASONABLE ATTORNEYS FEES OF ANY SUCH ACTION SHALL BE ADDED TO THE AMOUNT OF ANY ASSESSMENT DUE. NO OWNER MAY WAIVE OR OTHERWISE ESCAPE LIABILITY FOR THE ASSESSMENTS PROVIDED FOR HEREIN BY NON-USE OF THE COMMON AREA(S) OR ABANDONMENT OF HIS LOT.

**ARTICLE XII
CORPORATE SEAL**

THE ASSOCIATION SHALL HAVE A SEAL IN CIRCULAR FORM HAVING WITHIN ITS CIRCUMFERENCE THE WORD: WEST VIEW OWNERS ASSOCIATION.

**ARTICLE XIII
AMENDMENTS**

SECTION 1. THESE BY-LAWS MAY BE AMENDED, AT A REGULAR OR SPECIAL MEETING OF THE MEMBERS, AT WHICH A QUORUM OF MEMBERS IS PRESENT, OR BY PROXY BY A VOTE OF A MAJORITY OF SUCH MEMBERS PRESENT.


SECTION 2. IN THE EVENT OF CONFLICT BETWEEN THE DECLARATION AND THESE BY-LAWS, THE DECLARATION SHALL CONTROL. ANY CONFLICT BETWEEN THE ARTICLES OF INCORPORATION AND BY-LAWS SHALL BE RESOLVED IN FAVOR OF THE ARTICLES OF INCORPORATION.

**ARTICLE XIV
MISCELLANEOUS**

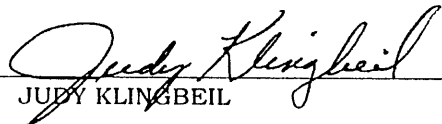
SECTION 1. THE FISCAL YEAR OF THE ASSOCIATION SHALL BEGIN ON THE FIRST DAY OF JANUARY AND END ON THE 31ST DAY OF DECEMBER OF EVERY YEAR, EXCEPT THAT THE FIRST FISCAL YEAR SHALL BEGIN ON THE DATE OF ESTABLISHMENT OF THE ASSOCIATION AND END ON THE 31ST DAY OF DECEMBER OF THE SAME YEAR.

SECTION 2. EACH DIRECTOR OR OFFICER, WHETHER OR NOT THEN IN OFFICE, SHALL BE INDEMNIFIED BY THE ASSOCIATION AGAINST ALL COSTS AND EXPENSE REASONABLY INCURRED BY OR IMPOSED UPON HIM IN CONNECTION WITH OR ARISING OUT OF ANY ACTION, SUIT OR PROCEEDING IN WHICH HE MAY BE INVOLVED BY REASON OF HIS BEING OR HAVING BEEN A DIRECTOR OR OFFICER OF THE ASSOCIATION. THE ASSOCIATION SHALL NOT, HOWEVER, INDEMNIFY ANY DIRECTOR OR OFFICER WITH RESPECT TO MATTERS AS TO WHICH HE SHALL BE FINALLY ADJUDGED IN ANY SUCH ACTION, SUIT OR PROCEEDING TO HAVE BEEN DERELICT IN THE PERFORMANCE OF HIS DUTY, OR GUILTY OF FRAUD OR MATERIAL MISREPRESENTATION TO THE ASSOCIATION, ITS BOARD OF DIRECTORS, OR ANY OTHER PERSON. THE FOREGOING RIGHT ON INDEMNIFICATION SHALL NOT BE CONCLUSIVE OF THEIR RIGHTS TO WHICH ANY DIRECTOR OR OFFICER MAY BE ENTITLED AS A MATTER OF LAW

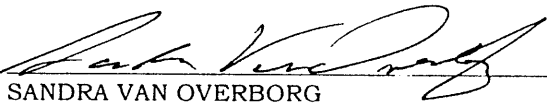
IN WITNESS WHEREOF, WE BEING ALL OF THE INITIAL BOARD OF DIRECTORS OF THE **WEST VIEW OWNERS ASSOCIATION**, HAVING HEREUNTO SET OUR HAND THIS THE 8th DAY OF November 1999, AND ADOPTED BY THE BY-LAWS AS REQUIRED BY ARTICLE IV, SECTION 1 HEREOF.



MARK VAN OVERBORG



JUDY KLINGBEIL



SANDRA VAN OVERBORG