

Crooked Creek Property Owners Association

Bylaws



(Amended Bylaws Effective November 18, 2024)

ARTICLE I: NAME

The name of this corporation shall be CROOKED CREEK PROPERTY OWNERS ASSOCIATION with its principal office located in the Crooked Creek Subdivision in the County of Henderson, North Carolina.

ARTICLE II: PURPOSE

To own, manage, organize and maintain the lake and park or parks on the real estate owned by the corporation; to conduct a fraternal association among the members of the corporation; to promote the social welfare of its members; to facilitate and maintain good and neighborly relations among its members; to encourage proper maintenance of the real estate owned by the members, individually, so as to make more attractive the property owned by the corporation, and homes owned by the individual members.

ARTICLE III: MEMBERSHIP

Membership and conditions of membership in this corporation are as follows:

Section A: The owner, whether an individual, partnership, corporation or otherwise, of any lot in that property known as Crail Valley Subdivision, or to be known as Crail Valley Subdivision, or known as Crooked Creek Subdivision, or to be known by any other name, which subdivision is located east of the Kanuga Road in Henderson County, North Carolina, shall automatically be a member of this association.

Section B: The delivery of a deed to a lot in said subdivision, and acceptance of such delivery, shall cause the grantee in that deed to become a member of this association.

Section C: The period of membership in this corporation shall be for the duration in which said member remains an owner of the lot whereby he acquired membership, provided that execution of a deed of trust on such lot shall not divest the individual owner of ownership to the extent that his membership will be terminated.

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ARTICLE III: MEMBERSHIP *(cont'd)*

Section D: Any person, partnership, corporation or other entity shall have one (1) membership for each lot in said subdivision which that party owns, whether one or more, provided that no real estate other than that shown on a plat recorded in Book 462, Page 335 in the office of the Register of Deeds of Henderson County by Crail Valley Corporation, showing subdivision above described, shall be considered in determining membership. Execution of the deed conveying a lot in this subdivision by a member, or divesting his title (whether by foreclosure of the deed of trust, foreclosure for taxes, execution sale, or otherwise) shall constitute the consent and conveyance of this membership in the Association by that member, without further compensation by this corporation for any interest in the assets of this association.

ARTICLE IV: DIRECTORS

There shall be nine (9) directors of this association whose terms of office shall be for three (3) fiscal years until their successors have been elected and qualified. Directors shall be members in good standing and residents of the subdivision to qualify.

Three (3) directors will be elected each year from candidates nominated by a nominating committee appointed by the President or by nominations from the floor. The three (3) candidates receiving the greatest number of votes will be elected at the October meeting.

Board member terms of three (3) years will be staggered so that no more than three (3) Board members need to be elected each October.

Vacancies occurring during the year on the Board of Directors shall be filled by the Board. A director so appointed will serve the unexpired term of his predecessor.

ARTICLE V: OFFICERS

Officers of the Association will be selected by and from the carry-over directors and the directors-elect within twenty days after the election of directors has been held, to serve during the ensuing fiscal year.

The officers shall consist of a President, Vice-President, Secretary, and Treasurer, provided that the directors may provide for assistants to these officers as the needs of the Association require.

- The **President** shall be the chief executive officer, preside at all meetings, appoint committees and represent the Association in matters with the community.

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ARTICLE V: OFFICERS *(cont'd)*

- The **Vice President** shall assist the President in his duties and preside in his absence.
- The **Secretary** shall keep minutes of all meetings of the Association and the Board of Directors and shall keep in a safe and orderly manner all documents and correspondence of the Association and make the distribution of minutes and documents as directed by the Board of Directors.
- The **Treasurer** shall collect all dues and other income of the Association, make disbursements as authorized by the Board of Directors and be accountable for the funds of the Association. The Treasurer shall keep an up-to-date record of the membership in good standing and the number of votes each may exercise. All checks or withdrawals of funds must be signed by either the Treasurer or another officer. Two officers are to sign all checks for amounts over \$2500.

ARTICLE VI: MEETINGS

Section A. Meetings of the Membership. There will be two (2) stated meetings of the membership of the Association, all other meetings will be special meetings. One stated meeting will be held in October for the purpose of receiving nominations and electing Directors, and conducting any other business. The other stated meeting will be the Annual Meeting to be held in January at which time officers will be installed and at which time the budget and dues for the next fiscal year will be approved.

Robert's Rules of Order will provide guidance for all meetings of the membership.

Special meetings may be called by the action of the Board of Directors or by a written request signed by at least ten percent (10%) of the membership in good standing. Such written request shall be presented to the Secretary and shall state the purpose for which the meeting is called.

Notice of all meetings shall be given to all the membership via electronic communication at least one (1) week before the meeting is to be held. US mail shall only be used to communicate with members who do not have an email address.

A quorum shall consist of at least twenty-five percent (25%) of the memberships in good standing at the time of the meeting provided that the presence of a written proxy shall be considered present in determining if a quorum exists.

Section B. Meetings of the Board of Directors. Meetings of the Board of Directors may be called by the President or by any three (3) Directors at any time. A quorum for a Director's meeting shall be seven (7). The Association and Board meetings shall be run under the President's direction. Robert's Rules shall govern in the conduct of the meetings. Directors may not participate by proxy.

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ARTICLE VII: FINANCES

Each membership shall pay dues of a specified sum each year to be determined by the Board of Directors and approved by the membership at each annual meeting. Dues may be prorated by quarters for the remaining partial year of a newly acquired membership

Special assessments may be levied by a majority vote of all memberships represented and entitled to vote at any stated or special meetings of the corporation during which the special assessment is presented for discussion and vote.

Dues are due each year on January 31st and past due March 1st. Failure to pay dues by March 1st shall automatically suspend the voting privilege until dues are paid. Any amount of unpaid dues after the March 1st past due date shall bear a late fee of \$10 per month until paid in full. Payment shall be applied first to late fees then to dues. Any balance will continue to accrue late fees.

In addition to the foregoing, if any member shall fail to pay his dues or assessments as the same become due, on the failure of payment of the dues or assessments after thirty (30) days' written notice of such delinquency given by the corporation to such member, the amount of the dues and/or assessment shall become a lien on such member's lot in the subdivision in favor of the corporation, and the corporation shall have the right to proceed thereon in accordance with the provisions of North Carolina General Statute Section 47F-3-116 for the foreclosure and enforcement of liens; or, in the event the corporation shall not record a lien, it shall have the right to commence an in person action against such member for the collection of the assessments in any court of competent jurisdiction.

If a member owns more than one (1) undeveloped lot, he need pay dues on only one lot to enjoy membership privileges. If a member owns two or more developed lots the member shall owe dues on each developed lot.

All books and records of the Association may be inspected by any member or his agent at any reasonable time.

The books and records of the Treasurer shall be audited by a committee appointed by the President prior to the annual meeting and the report made at that meeting.

The fiscal year of the Association shall be the same as the calendar year.

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ARTICLE IX: RULES AND REGULATIONS

The Association shall adopt such rules and regulations as may be necessary to accomplish its purposes. Rules and regulations may be amended or rescinded at any meeting by a majority vote

ARTICLE X: AMENDMENTS

These bylaws may be amended, repealed and new bylaws adopted by affirmative vote of a majority of all memberships entitled to vote under the terms and conditions of the bylaws then existing. Proposals for any changes of bylaws may be initiated by either the Board of Directors or by written request submitted to the Board of Directors signed by at least ten percent (10%) of the membership in good standing.

Any proposals for amendments to the Bylaws shall be submitted for vote by the membership at any meeting of the Association, including a meeting specially called to consider such amendment. Copies of these proposals will be sent to each member at least ten (10) days prior to the meeting.

“All Board Members Should Monitor Our Community Appearance and Image at All Times”

BYLAWS Last Amended 2024 November 18