AMENDED BYLAWS SUMMER PLACE - EAST VILLAGE PROPERTY OWNERS' ASSOCIATION, INC. A Non-Stock Membership Corporation (Organized for Non-Profit Purposes)

Original Bylaws were recorded in the Homeowners Depository of the Land Records at Anne Arundel Circuit Court on January 16, 1993, Book 11, Page 324

Original Bylaws were amended and recorded in the Homeowners Depository of the Land Records at Anne Arundel Circuit Court on March 9, 2001, Book 22, Page 714

The Association hereby declares that the Bylaws of Summer Place - East Village Property Owners' Association, Inc. are amended in their entirety by this document dated September 16, 2013.

ARTICLE I - DEFINITIONS

Section 1.01. Association. "Association" shall mean and refer to Summer Place - East Village Property Owners, Association, Inc., a non-stock Membership corporation incorporated on March 31, 1986 in the State of Maryland, its successors and assigns.

<u>Section 1.02. Owner/Member.</u> "Owner" or "Member" shall mean and refer to each person or entity who is an owner of record of a fee or undivided fee interest in any Lot which is subject to the Declaration of Covenants, Conditions and Restrictions for Summer Place - East Village, Section 4, Riva Trace, and any amendments thereto, including contract sellers.

Section 1.03. Lot. "Lot" shall mean and refer to any plot of land shown upon any recorded plat of the Properties of the Section Place - East Village with the exception of the Common Areas which are all owned by Riva Trace Council, Inc. (a separate Homeowners' Association).

ARTICLE II - PURPOSE AND COMPOSITION OF THE ASSOCIATION

Section 2.01.Purpose. The purpose of the Association is to provide design and aesthetic control over architectural improvements and landscape modifications affecting the general welfare of the Association, enabling enjoyment and use of all Common and Recreation Areas and appurtenances thereto as provided under the Declaration of Covenants, Conditions and Restrictions, Summer Place - East Village, Section 4, Riva Trace.

Section 2.02. Composition. The Association consists of 124 residential lots within the Riva Trace community in Annapolis, Maryland. 100 of the lots are designated as Regent units and 24 of the lots are designated as Gatehouse units. The Association is a Member association of the Riva Trace Council, Inc., an umbrella organization that owns and manages all open spaces, recreational areas, and common areas (including streets) in the Riva Trace Planned Unit Development.

ARTICLE III - MEMBERSHIP & VOTING RIGHTS

<u>Section 3.01. Members</u>. Every owner of a record of a Lot within the Property shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any Lot that is subject to assessment by the Association.

<u>Section 3.02. Voting Member</u>. Each Lot shall be entitled to one (1) voting Member. When more than one (1) person is an owner of record of any Lot, all such persons shall be Members of the Association. The vote for such Lot shall be exercised as they among themselves determine. In no event shall more that one (1) vote be cast with respect to any one (1) lot.

ARTICLE IV - ANNUAL AND SPECIAL MEETINGS

Section 4.01. Annual Meeting. The annual meeting of the Members of the Association shall be held on a day, not a legal holiday, within 60 days of September 1 (start of the fiscal year) as designated by the Board of Directors of the Association. The purpose of this meeting shall be to elect the Board of Directors of the Association; to provide a review of the Association finances, which shall include an annual report of the receipts and disbursements of the Association, recommendations regarding investment of the Association funds, review of a budget for the next fiscal year; and for the transaction of other business as may be necessary. The meeting shall be conducted as described in this section of the Bylaws.

<u>Section 4.02. Special Meetings</u>. Special meetings of the Members of the Association, for the conduct of any necessary business, may be called at any time by the President, Vice President, or a majority (four [4]) of the Board of Directors of the Association, and shall be called immediately by the President or Vice President, upon the written request of a majority (sixty-

E E

16°

AMENDED BYLAWS SUMMER PLACE - EAST VILLAGE PROPERTY OWNERS' ASSOCIATION, INC.

A Non-Stock Membership Corporation (Organized for Non-Profit Purposes)

three [63]) of the voting Members of the Association. Notices of special meetings of the Members of the Association shall be provided as described in Section 4.04, unless time is of the essence and then notice shall be provided in no less than seven (7) days before the meeting. Such business transacted at all special meetings of the Members of the Association shall be confined to the purpose stated in the notice of the meeting and shall be conducted as described in this section of the Bylaws.

<u>Section 4.03. Location of Meetings</u>. All meetings of the Members of the Association shall be held at a convenient, nearby location designated by the Board of Directors of the Association and communicated to the Members of the Association as described in Section 4.04.

Section 4.04. Notice of Meetings. A typed notice for the Annual meeting of the Association shall be distributed to each Association Member of record via the U.S. Postal Service to his/her post office address, as it appears on the books of the Association, or hand-delivered to each Associations Member's residence, or sent via Email to those Members on the Internet who authorize such delivery. This notice, unless determined by the Board that time is of the essence, shall be distributed at least twenty (20) days before the meeting and shall state the location, date and hour when the meeting will be held. If time is of the essence, then notice shall be provided in no less than seven (7) days before the meeting. The notice shall also include the agenda for the meeting outlining all business to be conducted, proxies and any pertinent attachments of business to be reviewed at the meeting.

<u>Section 4.05. Waiver of Notice</u>. Unless otherwise provided by law, whenever any notice is required to be given to any Member, Officer or Director of the Association, if the notice is signed by the person or persons entitled to such notice, whether before or after the time stated therein, this shall be deemed equivalent to the giving of such notice.

<u>Section 4.06. Quorum</u>. Twenty (20) percent of the voting Members present at any properly announced annual or special meeting shall constitute a quorum (minimum of 25 Members). If less than a quorum is in attendance at the time of the meeting, the meeting shall be adjourned and another meeting shall be called until a quorum is present.

<u>Section 4.07. Conduct of Meetings</u>. Meetings of the Members of the Association shall be led by the President of the Association, or in his/her absence by the Vice President of the Association, or in his/her absence by a chairperson elected by the voting Association Members present. The Secretary of the Association shall keep the minutes of the meeting, or in his/her absence the presiding Officer may appoint an individual to act as Secretary of the meeting.

<u>Section 4.08. Order of Business</u>. The order of business at the annual meeting of the Members of the Association, and special meetings as applicable, shall be as follows, unless otherwise determined and approved by a majority of the voting Association Members present:

- 1. Check in and voting slips distribution
- Call to order
- Verification of quorum
- Approval of the minutes of last meeting of Members of the Association
- Reports of Officers and Standing Committees
- Unfinished and deferred business
- Election of Board of Directors
- New business
- Adjournment

<u>Section 4.09. Voting</u>. At all Association meetings, one Member per Lot is entitled to vote, in person, by proxy or absentee ballot. Tellers shall be appointed by the chairman of the meeting to tally the votes whether written or by a show of hands.

Section 4.10. 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 at the start of the meeting. Every proxy shall be revocable and shall automatically cease upon conveyance by the Member of his Lot or presence at the meeting. Proxies must be in writing subscribed by such Member and not dated more than three months prior to the meeting. Proxies need not be sealed or witnessed. Members shall vote on behalf of their designated proxies at the meetings or by absentee ballot. Absentee ballots submitted by Members negate proxy votes.

<u>Section 4.11. Absentee Voting</u>. Prior to all meetings of Members, each Member or their proxies may vote absentee by mail or email for up to one (1) day before the elections. Voting materials and security thereof shall be the responsibility of the

SUMMER PLACE - EAST VILLAGE PROPERTY OWNERS' ASSOCIATION, INC. A Non-Stock Membership Corporation (Organized for Non-Profit Purposes)

Board of Directors or a Committee delegated to such responsibilities by the Board of Directors. Absentee ballots will be counted as submitted even if events change prior to the elections. Absentee ballots cannot be used for items raised on the floor.

<u>Section 4.12. Electronic Voting</u>. The Board of Directors may authorize Lot owners to submit a vote or proxy by electronic transmission if the electronic transmission contains information that verifies that the vote or proxy is authorized by the Lot owner or the Lot owner's proxy.

ARTICLE V - BOARD OF DIRECTORS

<u>Section 5.01. Identity of Members</u>. There shall be seven (7) Members of the Board of Directors who shall be resident Members of the Association. The Board of Directors will consist of four (4) Officers and three (3) Members-at-Large.

<u>Section 5.02. General Powers</u>. The Board of Directors shall represent the interests of the Association. The business of the Association shall be managed under the direction of the elected Board of Directors of the Association. No Member of the Board of Directors shall authorize any contract or action obligating the Members of the Association to any expenses that are not in the approved budget.

<u>Section 5.03. Term of Office</u>. The Board of Directors shall be elected annually by the Members of the Association at the annual meeting of the Members of the Association. Each Member of the Board of Directors shall serve for one year or until the next annual meeting. The term of office shall commence at the conclusion of the annual meeting of the Members of the Association.

Section 5.04 Nomination and Election. At least thirty (30) days prior to the annual meeting of the Members of the Association, the Nominating Committee shall provide the Board of Directors with a slate of nominees for each office; President, Vice President, Secretary, Treasurer and three (3) Members At Large, that make up the Board of Directors. This slate shall be distributed to the Members of the Association, in a typewritten format, not less than twenty (20) days prior to the annual meeting. At the annual meeting of the Members, nominations shall be accepted from the floor, providing prior consent has been obtained from the nominee. Nominees shall be provided with the opportunity to address the meeting.

The election of the Board of Directors shall be conducted at the annual meeting of the Members of the Association or at any meeting held for that purpose. Election shall be by written ballot, which shall be prepared by the Secretary of the Association or his/her representative. Each Lot is entitled to one (1) vote as described in Article IV. The Board shall be in charge of verifying the name and address of each Member of the Association present at the meeting so that one vote per Lot is allowed. The Board shall be responsible for the distribution of ballots and voting material. The tellers, who will be appointed by the chairman for the annual meeting, shall be in charge of collecting and counting the ballots so that results will be known before the end of the meeting. If a voting Association Member requires an absentee ballot, one shall be available from the Board and should be filed as stated in Article IV.

<u>Section 5.05.</u> Removal of Members of the Board of Directors. All Members of the Board of Directors shall be subject to removal at any time by the affirmative vote of a majority of the voting Members of the Association present at a special meeting of the Members of the Association called for that purpose.

<u>Section 5.06. Filling of Vacancies</u>. Any office vacated prior to completion of the term of office shall be filled by a Member of the Association for the remainder of that term by a special election held by the Board of Directors. To be elected, the nominee(s) must receive the majority vote of the quorum of Board Members present at that meeting.

Section 5.07. Regular Meetings. Regular meetings of the Board of Directors shall be held on a quarterly basis at a minimum. The location of these meetings shall be determined by the Officers of the Association and notice of these meetings shall be communicated to each Member of the Board of Directors at least one (1) week prior to the meeting. Notice of a meeting need not be given to any Director who has signed a waiver of notice or a written consent to holding of the meeting.

<u>Section 5.08. Waiver of Notice</u>. Any Director or Committee Member, as appropriate, may at any time, in writing, waive notice of any meeting of the Board of Directors, and such waiver shall be deemed equivalent to the giving of such notice. Attendance at any meeting shall constitute a waiver of notice of the time, place and purpose of such meeting, unless the

SUMMER PLACE - EAST VILLAGE PROPERTY OWNERS' ASSOCIATION, INC. A Non-Stock Membership Corporation (Organized for Non-Profit Purposes)

Director or Committee Member attends for the express purpose of objecting to the transaction of any business on the grounds that the meeting was not lawfully called or convened and so notifies the person conducting the meeting at or prior to the commencement of the meeting or at or prior to consideration of the matter subject to objection, in the case of a special meeting. If all Directors or the Board of Directors or Committee Members are present at the meeting, no notice shall be required and any business may be transacted at such meeting.

Section 5.09. Special Meetings. Special meetings of the Board of Directors shall be held whenever called by any two (2) Members of the Board of Directors, with notice provided at least four (4) days before the meeting. Special meetings of the Board of Directors can be held in person and/or via conference call. The notice of this meeting shall specify the time and place of the meeting and the nature of any special business to be considered. The notice shall be given to each Director by one of the following methods: (a) by personal delivery; (b) written notice by first class mail, postage paid; (c) by telephone communication, either directly to the Director or to a person at the Director's office or home who would reasonably be expected to communicate such notice promptly to the Director; or (d) by fax or email to the Director's office or home. All such notices shall be given at the Director's telephone number or sent to the Director's address as shown on the records of the Association.

Section 5.10. Open Meetings. All meetings of the Board shall be open to all Members, but Members other than Directors may not participate in any discussion or deliberation unless permission to speak is requested on his or her behalf by a Director. In such case, the President may limit the time any Member may speak. Notwithstanding the above, the President may adjourn any meeting of the Board of Directors and reconvene in executive session, excluding Members, to discuss matters of a sensitive nature, including, but not limited to pending or threatened litigation, personal matters, any legal matters or opinions, whether or not the Association's counsel is actually present, negotiations, contract negotiations or other contractual considerations, or for such other reasons as may be determined by the President or the Board of Directors in their sole discretion and in accordance with federal, state or local law.

<u>Section 5.11. Quorum</u>. The presence in person of a majority (four [4]) of the Members of the Board of Directors shall constitute a quorum at all meetings of the Board of Directors.

<u>Section 5.12. Voting</u>. Each Member of the Board of Directors is entitled to only one (1) vote, regardless of the number of positions held on the Board. An affirmative vote of a majority (four [4]) of Board Members shall be necessary for passage of any resolution.

The Board, any owner/Member or Committee Member may, in the sole discretion of the President or specific Committee Chair, vote by mail or electronic means on questions properly before it for decision. The issue shall be decided only if a quorum of the qualifying Members have voted on the question and the votes are received within the time set forth for reply.

<u>Section 5.13. Action without Meeting</u>. Any action by the Board of Directors or a Committee required or permitted to be taken may be taken without a meeting if consent in writing/email is received from a majority of Board members, setting forth the action taken. Any such written consent shall have the same force and effect as a majority vote and shall be filed with the minutes of the Board of Directors or Committee.

<u>Section 5.14. Compensation</u>. No Member of the Board of Directors shall receive compensation for services performed for the Association.

ARTICLE VI - OFFICERS

<u>Section 6.01. Identity of Officers</u>. The Officers shall be a President, Vice President, Treasurer and Secretary, and must be resident Members of the Association.

<u>Section 6.02. Power and Duties of Officers</u>. The Officers of the Association shall serve at the discretion of the Members of the Association, and shall at all time act in the best interest of the Members of the Association.

<u>Section 6.03. Powers and Duties of the President</u>. The President shall be the chief executive Officer and Chairman of the Board of Directors of the Association and shall preside at all meetings of the Association and Board of Directors.

The President shall be an ex-officio Member of all Standing Committees. The President shall do and perform such other duties as may, from time to time, be assigned by the Board of Directors.

SUMMER PLACE - EAST VILLAGE PROPERTY OWNERS' ASSOCIATION, INC. A Non-Stock Membership Corporation (Organized for Non-Profit Purposes)

The President shall serve as a Member of the Riva Trace Council (Council), as so stated in the Bylaws of the Riva Trace Council. The President shall, in a timely fashion, provide to the Board of Directors of the Association a summary of each meeting of the Council, which should reflect all decisions and actions of the Council. The President will also provide the Board of Directors with periodic financial statements and related information. The President, when acting as a Member of the Riva Trace Council, shall not approve, authorize or in any way contribute to any action obligating the Members of the Association to any expense causing an increase of more than ten (10) percent to the established Riva Trace Council Dues without prior approval from the Members of the Association.

Section 6.04. Powers and Duties of the Vice President. The Vice President shall perform such duties as may be assigned by the Board of Directors or by the President. In the case of absence or disability of the President, the duties of that office shall be performed by the Vice President.

Section 6.05. Powers and Duties of the Secretary. As described in Article IV, the Secretary shall give notice of all meetings to the Members of the Association. The Secretary shall record the proceedings of meetings of the Members and shall distribute these minutes to the Members of the Association within thirty days of the meeting. The Secretary shall record the proceedings of all Board of Directors meetings. These minutes will be distributed to each Board Member and made available, upon request, to any Association Member. In the case of his/her absence, an acting Secretary shall be appointed by the chairman of the meeting and that individual shall be responsible for the taking and distribution of the minutes as described above.

In general, the Secretary shall perform all the duties generally incident to the office of Secretary, and other duties as may be assigned by the Board of Directors.

Section 6.06. Powers and Duties of the Treasurer. The Treasurer shall have custody of all funds and securities of the Association, and shall keep full and accurate account of all receipts and disbursements, including vouchers for each disbursement, in books belonging to the Association. He/she shall deposit all monies and other valuables in the name and to the credit of the Association in such depository or depositories as may be approved by the Board of Directors.

The Treasurer is responsible for:

- The proper and timely collection and deposit of the Association funds;
- Monitoring and reconciliation of all bank accounts;
- Making recommendations to the Members of the Association regarding investment of Association funds;
- Preparation of the Association tax returns (federal and state);
- Preparation of financial reports, to include an annual report of the disbursements and receipts of the Association, a budget that shall be presented to the Members of the Association at least twenty (20) days prior to the annual meeting of the Members of the Association and other such reports as deeded necessary; and
- Arranging for the audit of Association accounts by an outside accounting firm when applicable (see Section 12.06).

ARTICLE VII - MEMBERS AT-LARGE

Section 7.01. Identity. The Members At-Large shall be resident Members of the Association and shall be elected as described in Article V. There shall be three (3) Members At-Large to represent each street in the Association.

Section 7.02. General Powers. In addition to the general powers described in Article V, Section 5.02, Members At-Large shall serve as representatives of the Members residing within their assigned area.

ARTICLE VIII - STANDING AND SPECIAL COMMITTEES

Section 8.01. Standing Committees. There shall be the following Standing Committees:

- 1. Architectural Design and Control Committee The Architectural Design and Control Committee shall review homeowner for the approval/denial correspondence for the homeowner applications for architectural changes.
- Landscape Committee The Landscape Committee shall review and evaluate of homeowner for the approval/denial correspondence for the homeowner applications for landscape changes.

SUMMER PLACE - EAST VILLAGE PROPERTY OWNERS' ASSOCIATION, INC.

A Non-Stock Membership Corporation (Organized for Non-Profit Purposes)

- Publicity, Communications and Social Committee The Publicity, Communications and Social Committee shall organize community events and provide an annual newsletter where feasible.
- Nominating Committee The Nominating Committee shall actively seek candidates for the annual elections and shall submit proposed candidates to the Board of Directors by August 15 of each year.
- Finance Committee The Finance Committee shall update/revise projected budgets and make recommendations to the Board of Directors regarding managing expenses/funds. The Finance Committee will only be active if the budget for a given fiscal year is \$10,000 or more.

The position of Chair of each Standing Committee will be held by a Member of the Association and will be appointed by the Board of Directors at their first meeting following the annual meeting of Members of the Association.

The Standing Committees shall report directly to the Board of Directors.

Section 8.02. Special Committees. Special Committees may be appointed by the President as necessary and confirmed by the Board of Directors.

Section 8.03. Membership of Standing and Special Committees. Members of Standing and Special Committees need not be a Member of the Board of Directors of the Association.

ARTICLE IX - ASSOCIATION SEAL

Section 9.01. Seal. There shall be a seal for the Association which shall be circular in form and shall have inscribed the name of the Association, the year of its organization and the word "Maryland". The Board shall maintain the safe possession of the seal.

ARTICLE X - ASSESSMENTS

Section 10.01. Assessments and Assessment Cap. As more fully provided in the Declaration of Covenants, Conditions and Restrictions Summer Place - East Village, Section 4 Riva Trace, each Member is obligated to pay the Association annual assessments which are secured by a lien upon the property against which the assessment is made. Assessments are due on March 1 of each year. Assessments can not be increased more than 10% a year without a two-thirds majority of Members (eighty-four [84]) voting in favor of an increase. The Board of Directors may reduce assessments at any time. If assessments are reduced, they will not be increased more than 10 percent/year without a two-thirds majority vote of the Members (eightyfour [84]). The Board of Directors may temporarily suspend and resume the assessments at any time without Member approval.

Section 10.02. Delinquencies. Owners will be sent invoices for assessments no later than February 1. An Owner's account is delinquent if the assessment is not received by the Association by March 1. Any Owner paying after March 1 will be charged a processing fee of \$5. Any Owner paying an assessment after April 1 will be charged a late fee of \$15. The assessment shall bear interest from the date of delinquency at the rate of 10 percent per annum. The Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs, and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by abandonment of this Lot.

ARTICLE XI - OPERATING BUDGET AND ASSOCIATION EXPENSES

Section 11.01. Fiscal Year. The fiscal year of the Association shall be September 1 through August 31.

Section 11.02. Operating Budget. The Operating Budget shall be used for all common expenses related to the administrative operations of the Association, including, but not limited to such things as, insurance, accounting, income taxes, printing, postage, office materials and supplies. Funds that remain at the end of a fiscal year shall be designated for future operations.

Section 11.03. Annual Budget. The annual budget shall be prepared and determined by August 15 of each calendar year. The Board of Directors shall furnish copies of the budget to each Member with the annual meeting materials. The annual budget will include actual results from the prior fiscal year. The annual budget will be reviewed with the Members at the annual meeting.

AMENDED BYLAWS SUMMER PLACE - EAST VILLAGE PROPERTY OWNERS' ASSOCIATION, INC. A Non-Stock Membership Corporation (Organized for Non-Profit Purposes)

ARTICLE XII - BOOKS AND RECORDS, BANK ACCOUNTS, PAYMENT OF EXPENSES, LOANS AND CONTRACTS

Section 12.01. Books and Records. The Association shall keep books and records in accordance with generally accepted accounting principles. The books and records of the Association shall be available for examination by the Members, their attorneys, accountants, Mortgagees and authorized agents during general business hours on business days at the times and in the manner established by the Board of Directors. Information provided may be restricted by Section 11B-112 of the Maryland Homeowners Association Act. The Board of Directors may fix from time to time a reasonable charge to cover the direct and indirect costs of providing any documents to a Member or Mortgagee.

<u>Section 12.02. Bank Accounts</u>. All funds of the Association, not otherwise employed, shall be deposited on a timely basis to the credit of the Association in such banks, trust companies or other depositories as the Board of Directors may select.

All checks/amounts received for deposit shall be endorsed "deposit only" and deposited in the Association's bank account.

All payments/checks disbursing Association funds shall be signed by the Treasurer. All payments for amounts over \$2,000 shall be signed by two Association Officers.

Signatures of the authorized signers and co-signers shall be certified by Association resolution to the bank or trust companies in which funds of the Association are deposited and are authorized to draw against the same.

<u>Section 12.03. Payment of Expenses</u>. Prior to paying an invoice for \$2,000 or more, it must be approved by the appropriate Committee Chair or an Officer. Signature on checks may constitute invoice/payment approval. All invoices less than \$2,000 paid by the Treasurer are considered approved if they are within budget limitations.

Any expense that will exceed an approved budget line item shall be authorized by the Board of Directors before it is incurred.

<u>Section 12.04. Loans</u>. No loans shall be contracted on behalf of the Association and no evidence of indebtedness shall be issued in its name unless authorized by a resolution approved by all Members of the Association. Such authority may be general or confined to specific instances.

<u>Section 12.05 Contracts</u>. Any Officer, upon approval of the Board, may enter into any contract in the name of and on behalf of the Association, within the approved budget amount. Such authority will be confined to specific instances.

Section 12.06 Audit. The Association will be audited by a public accounting firm who shall not be an Owner or an occupant of a Lot. The cost of such review shall be an expense of the Association. An audit will be conducted if the assets of the Association exceed \$25,000 at the end of the fiscal year or if the expenses of the Association exceed \$10,000 for a given fiscal year. An audit can also be conducted if 25% (31) of the Members submit a signed petition. For fiscal years when there is not an audit, a complete listing of receipts and disbursements by transaction will be made available to all Members to review.

ARTICLE XIII - MISCELLANEOUS

<u>Section 13.01. Notices</u>. Whenever, under the provisions of these Bylaws, notice is required to be given to any Member of the Association, it shall not be construed to mean personal notice. Such notice may be given in writing, by mail postage prepaid, by email where authorized or hand delivered, addressed to each Member at such address as appears on the books of the Association.

Section 13.02. Liability of Directors and Officers. No person shall be liable to the Association for any loss or damage suffered by it on account of any action taken or omitted to be taken by him as a Director or Officer of the Association if such person(s) exercised and used the same degree of care and skill as a prudent man would have exercised or used under the circumstances in the conduct of his own affairs, or took or omitted to take such action in reliance upon advice of counsel for the Association or upon statements made or information furnished by Officers or employees of the Association which he had reasonable grounds to believe to be true. The foregoing shall not be exclusive of other rights and defenses to which he may be entitled as a matter of law.

BER 43 PAGE 173

AMENDED BYLAWS SUMMER PLACE - EAST VILLAGE PROPERTY OWNERS' ASSOCIATION, INC. A Non-Stock Membership Corporation (Organized for Non-Profit Purposes)

Section 13.03. Directors and Officers Liability Insurance. The Association shall purchase and maintain insurance/bond (\$500,000 minimum) on behalf of the Board of Directors and any person who is or was a Director, Officer or Member of any Committee against any liability asserted against such person and incurred by such person in any such capacity or arising out of such person's status as such, whether or not the Association would have the power to indemnify such Person against such liability under the provisions of this section. Further, the availability of the Association's indemnity shall not relieve any insurer of any liability under an insurance policy held by the Association.

Section 13.04. Rules and Regulations. The Association, through the Board of Directors, shall from time to time adopt rules and regulations governing the operation of the Association. Such rules and regulations of the Association shall be consistent with the terms of these Bylaws and the Declaration of Covenants, Conditions and Restrictions, Summer Place - East Village, Section 4, Riva Trace. The Members, their guests, and any occupants of the homes shall conform to and abide by all such rules and regulations. The Association, through its Board of Directors, shall designate such means of enforcement thereof as it deems necessary and proper. The Board of Directors shall provide for fair and equitable resolution of any disputes. The rules and regulations may be altered and amended or repealed by the Board of Directors.

Section 13.05. Maintenance and Repair of Homes. Every Owner must perform properly or cause to be performed all maintenance and repair work within his/her own home which, if omitted, would affect property belonging to the other owners, and such owner shall be personally liable for any damages caused by his failure to do so.

Each Member is obligated to maintain their home in compliance with the Declaration of Covenants, Conditions and Restrictions of Summer Place - East Village, Section 4 Riva Trace, Article VIII, Exterior Maintenance. The Board of Directors will conduct an annual inspection that will result in notice provided to the Member of areas of non-compliance. Members' homes will be rated A-D (A is best).

- A The property is well maintained and in good order
- B The property requires some minor maintenance but otherwise is in good order.
- C The property is visibly distressed and is in need of repair and maintenance.
- D The property is in significant disrepair and requires major repairs and maintenance.

A Member that does not perform the maintenance and repair work within 120 days for homes with C or D ratings may be assessed a fine (Exterior Maintenance Fine) of \$100/month for the first three (3) months of non-compliance and \$200/month thereafter until the home is repaired.

The Exterior Maintenance Fine is due 30 days after the billing. The Owner will be charged a processing fee of \$5 and a late fee of \$15 for payments made after 30 days. The Exterior Maintenance Fine shall bear interest from the date of delinquency at the rate of 10 percent per annum. The Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs, and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by abandonment of this Lot.

Section 13.06. Record of Ownership. Every Owner shall promptly cause to be duly recorded or filed of record the deed, lease, assignment or other conveyance to him of such home or other evidence of his title thereto and shall file such lease with and present such other evidence of his title to the Board of Directors, and the Board shall maintain all such information in the record of the ownership of the Association.

Section 13.07. Mortgages. The Board of Directors at the request of any mortgagee or prospective purchaser of any home or interest therein shall report to such person the amount of any assessments against such home then due and unpaid.

Section 13.08 Tenants. Any Owner that leases/rents its property to tenants continues to be responsible for compliance with all governing laws, rules and regulations. Tenant is responsible to observe all Association Rules. Owner is responsible for providing the tenant with a copy of all Association rules and ensuring the tenant is in compliance. Violations by tenant which result in fines by the Association are the responsibility of the Owner to pay.

Section 13.09. Subordination. These Bylaws are subordinate and subject to all provisions of the Declaration of Covenants, Conditions and Restrictions, Summer Place - East Village, Section 4, Riva Trace and any amendments thereto under the laws of the State of Maryland, which shall control in case of any conflict. All terms herein (except where clearly repugnant to the

BER

3 PAGE 17

AMENDED BYLAWS SUMMER PLACE - EAST VILLAGE PROPERTY OWNERS' ASSOCIATION, INC. A Non-Stock Membership Corporation (Organized for Non-Profit Purposes)

context) shall have the same meaning as in the Declaration of Covenants, Conditions and Restrictions, Summer Place - East Village, Section 4, Riva Trace.

<u>Section 13.10. No Vested Interest in Operating or Other Funds</u>. Owners shall have no vested interest in or shall they be entitled to withdrawals from either the operating fund or the reserve fund created hereby. Upon sale or other disposition of a home, said funds shall remain intact, and a new owner shall not be additionally assessed for amounts for which the prior owner has been assessed and the assessment has been paid.

ARTICLE XIV - AMENDMENTS

<u>Section 14.01. Amendment of Bylaws</u>. These Bylaws may be modified or amended from time to time in the manner hereafter provided. Modifications and amendments of these Bylaws shall be proposed and adopted in the following manner:

- (a) A modification or amendment to the Bylaws may be proposed by a majority vote (four [4]) of the Board of Directors at a duly constituted meeting thereof or upon a petition signed by twenty-five (25) percent of the voting Members (thirty-two [32]) of the Association and duly filed with the Secretary. Upon such filing of such petition or upon the adopting of a resolution to that effect by the Board of Directors, the President shall call a special meeting of the Members of the Association to be convened in the manner provided for in these Bylaws for the purpose of considering the proposed modification or amendment to the Bylaw.
- (b) Notice of a proposed modification or amendment of these Bylaws shall be sent to all Members of the Association not less than twenty (20) days or more than sixty (60) days prior to a meeting.
 - Such notice shall specify the purpose of the proposed modification or amendment, and the wording of such modification or amendment.
- (c) A resolution adopting a proposed modification or amendment must receive the approval of a two-thirds majority (eighty-four [84]) of the voting Members of the Association. Association Members not present at the meeting considering the modification or amendment may express their approval or disapproval by absentee ballot in writing subscribed by such Member and filed with the Secretary before the meeting.
- (d) A modification or amendment to the Bylaws, when adopted in accordance with the provisions of these Bylaws, shall become effective upon appropriate filing with the County Registry. Filing shall be completed within thirty (30) days of passage.
- (e) No modification of, or amendment to these Bylaws may be adopted which shall be inconsistent with any applicable Maryland law or statute or the Declaration of Covenants, Conditions and Restrictions, Summer Place - East Village, Section 4, Riva Trace.

IN WITNESS WHEREOF, we have hereunto set our names and affixed the corporate seal of this association on September 16, 2013:

SUMMER PLACE	EAST VILLAGE Property Owners	s' Association, Inc:	
President	Steve Petri 2747 Gingerview Lane	Shun W J.	(SEAL)
Vice President	Fran Jackson 126 Summer Village Drive	Tran Jackon	(SEAL)
Treasurer	Maureen Smith 2710 Gingerview Lane	Khi	(SEAL)
ATTEST:		1	
Secretary	Tom Pritchett 142 Summer Village Drive	The sitshed	(SEAL)