

By-Laws

Of The Lakehurst West Homeowner's Association

2007

Article 1

1.1 NAME

- (1) The name of this Association shall be: The Lakehurst West Homeowners Association
- (2) The Association shall be registered as a nonprofit organization and corporation with the State of Colorado

1.2 AREA DESCRIPTION

- (1) The Association area shall be defined as subdivisions: Lakehurst, Lakehurst West fillings 1, 2, 3 and 4, bounded by South Kipling on the east, Simms Street on the west, West Quincy Avenue on the north, and West Belleview on the south in the County of Jefferson, State of Colorado.

Article II

2.1 OBJECTIVES

- (1) To promote and encourage adherence to the Lakehurst West covenants.
- (2) To encourage interest and participation in civic and community affairs for the residents of Lakehurst West.
- (3) To provide information of general community concerns.
- (4) To promote the general well being of the community and of the members of this Association.
- (5) To participate in such other activities as may from time to time be determined by the Association as worthy of community interest and control.

Article III

3.1 MEMBERSHIP

(1) Classification of Membership: Membership in the Association shall be either Active, Associate or Contributing.

(a) ACTIVE MEMBER is a person who owns real estate in this area and has paid dues as required for current fiscal year.

(b) ASSOCIATE MEMBER is a person who rents a home or occupies a residence in Lakehurst West and has paid dues as required for the current fiscal year.

(c) CONTRIBUTING MEMBER is a person who neither owns real estate nor rents a home in this area, but wishes to support the objectives of this Association. A contributing member may not vote nor hold office.

3.2 DUES

(1) Annual dues shall be payable on or before June 1st of each calendar year. Annual dues must be paid before a person is considered a member or has the right to vote.

3.3 VOTING

(1) All active and associate members of the Association shall be entitled to one vote each and to all privileges of making motions and holding offices, but only members of the Board of Directors shall vote on matters of business at regular or special Board Meetings. A majority of the homeowners wishing to overturn any decision of the Board of Directors may do so by written petition containing signatures of 2/3 of the active or associate members. This petition shall be presented at a special or regular meeting.

Article IV

4.1 FISCAL YEAR

(1) The fiscal year shall run from July 1st through June 30th of the following year.

Article V

5.1 BOARD OF DIRECTORS

(1) The Board of Directors shall consist of ten Active members (4 officers of the Association and 6 Directors, preferably one from each district) as well as two or more alternates-at-large who shall serve and vote in the absence of a regular Board member. Four members of the Board shall be the officers of the Association.

(2) The Board of Directors shall be elected at the annual meeting by the Active and Associate members of the Association.

(3) No person shall be eligible for the office of Director unless at the time of his/her election he/she is an adult resident of the Lakehurst West and an Active or Associate member of the Association. Any director who moves from Lakehurst West shall immediately relinquish his/her position on the Board of Directors. The office of a Director, Alternate Director or Committee Chairperson who fails to attend two consecutive meetings of the Board without a suitable excuse submitted to the Secretary and approved by the Board shall be considered vacant.

(4) If the office of any Director(s) becomes vacant by reason of death, retirement, disqualification, removal from office or otherwise, the remaining Directors, by a majority vote at a meeting to be called for that purpose, shall choose a successor or successors from the alternates according to the vote received during the election meeting or from the Active or Associate membership if no alternates are available. The appointed successors) shall hold office until the next election at the annual meeting and until a successor(s) has been duly elected and qualified.

(5) It shall be the duty of the Board of Directors to exercise general supervision over the affairs of the Association according to its best judgment, and to submit reports at the general meetings.

(6) The Board of Directors shall hold regular monthly meetings at a publicized and specified place and time. Such meetings shall be open for attendance by the general public.

(7) Special meetings of the Board of Directors may be called by the President. Special meetings shall be called by the President upon written request of two or more members of the Board. Reasonable notice shall be given to Board members prior to each special meeting. The notice of a special meeting shall specify the time and place of the meeting and shall state the business to be transacted.

(8) A quorum shall consist of a simple majority of the members of the Board. Action by the Board will require an affirmative vote of a majority of the Board members at any meeting.

Article VI

6.1 OFFICERS AND DUTIES

(1) The officers of the Association shall consist of a President, Vice President, Secretary and Treasurer. The officers shall be elected at the annual meeting by the current Active and Associate members of the association. The term of the Board of officers shall be one year with a commitment to serve an additional year as a member of special advisory panel. No person shall hold more than one office concurrently. , , ,

i. **PRESIDENT**; It shall be the duty of the President to preside at meetings of the Association and of the Board of Directors, to act as the managing officer of the Association and to perform all functions incident to the office of President of the Association, or as authorized by the general membership or the Board of Directors.

ii. **VICE PRESIDENT**; It shall be the duty of the Vice President to preside at meetings and act and perform all of the duties of President in the absence of the President.

iii. **SECRETARY**; It shall be the duty of the Secretary to give notice of members' meetings and meeting of the Board of Directors, to record proceedings of the Association's meetings and Board of Director's meetings, to maintain at the Association's principal office a record of names and addresses of members entitled to vote, and to maintain such other books as the Board of Directors may prescribe.

iv. **TREASURER**; It shall be the duty of the Treasurer to act as custodian of the funds of the Association, and along with the co-signature of the President, Vice President or Secretary of the Association disburse the monies of the Association, The Treasurer shall keep an account of the financial condition of the Association, prepare a financial report to be presented annually to the membership, and generally perform all the functions incident to the office of the Treasurer of the Association.

Article VII

7.1 MEMBERSHIP MEETINGS

(1) **ANNUAL MEETINGS**; The annual meeting of the general membership shall be held during the month of April, on or before April 30th. Notice of this meeting shall be delivered by mail or hand delivery to each member not less than ten (10) days before the date of the meeting. Said notice shall state the place, date and hour of the meeting.

(2) **REGULAR MEETINGS** of the Association shall be scheduled as deemed necessary by the Board, notice of which shall be posted in conspicuous locations in Lakehurst West.

(3) The Board of Directors shall meet once a month. The month Board meetings shall be open to the general membership.

(4) SPECIAL MEETINGS of the membership may be called by the President or by the Board of Directors and shall be called by the President at the request of at least 25% of the Active and/or Associate members. The request shall be in writing and shall be signed by the Active and/or Associate members making the request; the request shall specify the purpose or purposes of the meeting. Notice shall be given in the manor specified for regular meeting.

(5) A QUROUM for any annual meeting shall be ten (10) of the members of the Association. Affirmative vote of the majority of those present shall be required to approve all business at such meeting.

(6) Robert's Rules of Order shall govern all meetings of the Association.

Article VIII

8.1 ASSOCIATION FUNDS

(1) The Board of Directors shall open and maintain such bank accounts as are necessary for the effective and efficient operation of the Association.

(2) Expenditures over \$50 or expenditures of any amount for other than routine operating expenses (postage, supplies, paper, etc) must be approved by the Board of Directors.

(3) Monies of the Association shall be disbursed only by check and as provided under Article VI of these By-Laws.

(4) Monies will be disbursed only upon presentation of proper invoices and receipts.

(5) A financial report will be prepared by the Treasurer and presented to the membership at the annual meeting.

Article IX

9.1 STANDING COMMITTEES

(1) Such committees as are necessary to carry out the purpose of the Association shall be performed and appointed by resolution of the Board of Directors. The organization of each committee shall be determined by the committee chairman. Any qualified member of the Association may serve on a committee.

(2) An advisory panel may be formed as needed and shall consist of the past officers and Directors of the Board, professional and current Active and Associate members of the Association who voluntarily wish to contribute to the Association's advancement.

(3) Committees and Duties:

- i. Public Relations. Establish and maintain communications with county civic groups, county agencies, and other organizations in order to obtain data and other information affective this community. Act as delegate to any organization which the Association requires a representative.
- ii. Parks and Recreation. Responsible for all matters involving the community's interests in the parks and recreation system in Lakehurst West.
- iii. Utilities. Responsible for all matters involving the community's interests with regard to water, gas, electric, sewer, telephone and other utility services.
- iv. Publicity. Responsible for preparing, and having reproduced, a newsletter covering each Board meeting; for preparing and submitting publicity releases; and for preparing and having reproduced flyers and other releases for special events.
- v. Membership. Responsible for maintaining a roster of Association members, welcoming new arrivals in the community, and other matters affecting the membership as prescribed by the Board.
- vi. Schools. Responsible for all matters involving the community's interests with regard to the Jefferson County School system.
- vii. Fire and Safety. Act as liaison, as prescribed by the Board, with the Jefferson County Sheriff's Office, Health Department, County Highway Department, and West Metro Fire District.
- viii. Area Plans and Improvements. Responsible for organizing clean-up campaigns and other community maintenance activities. Also responsible for developing civic improvement plans.
- ix. Special Activities. Responsible for planning and organizing activities sponsored by the Association, including the annual meeting, special meeting and picnics.
- x. Covenants. Responsible for studying the covenants that exist which pertain to our community and keeping the Board informed on those covenants.

(4) Additional committees as are necessary to carry out the purpose of this Association shall be formed and appointed by resolution of the Board of Directors.

Article X

10.1 AMENDMENTS TO BY-LAWS

(1) Amendments to these By-Laws may be proposed by any Active or Associate member at any regular meeting or special meeting called for that purpose, all amendments must be submitted in writing to the Board of Directors, and must be published in the newsletter's agenda and voted on at the next regular meeting. The amendment must pass by a 2/3 majority vote of all Active and Associate members present at the meeting.

Article XI

11.1 INDEMNIFICATION

(1) The Association agrees to indemnify and hold harmless the Directors/Officers for any and all liabilities arising out of any and all of their actions.