

BY-LAWS
BRIDGERLAND VILLAGE HOMEOWNERS ASSOCIATION, Inc.
Revised 10-01-09

**ARTICLE 1
OFFICERS:**

Section 1. Executive Officers: The Executive Officers of the Corporation shall be a President, a Vice President, and a Secretary-Treasurer. The executive officers shall be elected annually with a two year term by the membership and shall take office immediately after election. They shall be members of the Bridgerland Village Homeowners Association, herein referred to as BLVHO.

Section 2: President: Subject to the direction of the Board, the President shall be the chief executive officer and shall perform such other duties as from time to time may be assigned to him by the Board. The President shall be ex-officio a member of all committees.

Section 3: Vice-President: The Vice President shall have such power and perform such duties as may be assigned to him by the Board or the President. In case of the absence or disability of the President, the duties of that officer shall be performed by the Vice President.

Section 4. Secretary The Secretary shall keep the minutes of all proceedings of the Board and the minutes of the members meetings in books provided for that purpose and shall in general perform all the duties incident to the office of Secretary, subject to the control of the Board and the President; and shall also perform such other duties as may be assigned by the President or the Board.

Section 5: Treasurer: The Treasurer shall maintain custody of all receipts, disbursements, funds and securities of BLVHO and shall perform all duties incident to the office of Treasurer, subject to the control of the Board and the President. The Treasurer shall perform such other duties as from time to time be assigned by the Board or the President. If required by the Board, the Treasurer shall give a bond for the faithful discharge of Treasurer's duties in such sums as the Board may require.

The office of Secretary and Treasurer may be combined in one allowing one individual to hold this office, or separated into two positions. No Officer or Director of BLVHO shall be compensated without a majority vote by the members of BLVHO who are present at the Annual Meeting or a special meeting,

Section 6: Subordinate Officers: The President, with approval of the Board, may appoint such other officers and agents as the Board may deem necessary, who shall hold office during the pleasure of the Board, and who shall have such authority and perform such duties as from time to time may be prescribed by the President or by the Board of Directors of BLVHO.

**ARTICLE II
BOARD OF DIRECTORS:**

Section 1. Number of Members: The business and affairs of BLVHO shall be managed by a Board of Directors which shall consist of either five (5) or seven (7) members with the number to be selected by vote of the general membership of BLVHO from time to time. All Board members shall be members of BLVHO.

Section 2: Regular Meetings: The Board shall meet for the transaction of business at such place as may be designated from time to time.

Section 3: Special Meetings: Special meetings of the Board may be called by the President or by three members of the Board for any time and place, provided reasonable notice of such meetings shall be given to each member of the Board before the time appointed for such meetings.

Section 4: Quorum: The members of the Board shall act only as a Board, and the individual members of the Board shall have no power as such. A majority (51%) of the members of the Board for the time being in office shall constitute a quorum for the transaction of business. A majority of those present or by proxy at the time and place of a regular or special meeting will constitute a quorum. The act of a majority of Directors present at any meeting at which there is a quorum shall be the act of the Board, except as may be otherwise provided by law.

Section 5: Order of Business: The Board may from time to time determine the order of business at its meeting.

Section 6: Chairman: At all meetings of the Board, the President, or, in his absence, the Vice President, or in the absence of both, the Secretary shall preside.

Section 7: Terms of Members of the Board: Members of the Board shall be elected for a two-year term at the annual meeting of the membership. The terms shall be staggered for continuity, with 2 or 3 elected every even-numbered year and 3 or 4 elected every odd-numbered year, depending on the total number of members of the Board.

Section 8: Vacancies on the Board: Whenever a vacancy in the membership of the Board shall occur, the remaining members of the Board shall have the power, by a majority vote, to select a member of BLVHO to serve the unexpired term of the vacancy.

Section 9: Annual Report: The Board, after the close of the fiscal year, shall submit to the members of the BLVHO a report as to the condition of the Association and its property together with an account of the financial transactions of the past year. The fiscal year of BLVHO is from June 1 of any year through May 31 of the following year.

ARTICLE III **MEETINGS OF THE MEMBERSHIP:**

Section 1. Annual Meetings: There shall be an annual meeting of the membership of BLVHO at such place as may be designated, on the second Saturday in June of each year at 1:00 p.m. Written or printed notice of this meeting shall be given to each member of BLVHO in the best way not less than fifteen (15) nor more than thirty (30) days before the date of the Annual Meeting. This Annual meeting shall be for the purposes of electing a Board of Directors as herein described and for the transaction of such other business as may come before the meeting.

Section 2: Special Meetings: Special meetings of the membership shall be held whenever called by the Board. Notice of each special meeting, stating the time, place, and in general terms, the purpose or purposes thereof, shall be sent in the best manner to the last known address of all members at least fifteen (15) days prior to the meeting. In the absence of a member, a signed proxy may be counted as a vote.

Section 3: Proxy: Every member may cast one vote, either in person or by proxy, for each lot owned in fee simple, provided membership dues payments by that particular member are current, or by the corporation owning the lot or lots of which he is a member thereof.

Section 4: Quorum: At any meeting of the membership, a quorum shall consist of the members that are represented for any purpose at the meeting. Once a member is represented for any purpose at a meeting, including the purpose of determining that a quorum exists, the member is considered present for all quorum purposes, both for the remainder of the meeting and for any adjournment of that meeting.

ARTICLE IV
MEMBERSHIP

Section 1. Qualifications: All persons owning real property in Bridgerland Village or owning stock in a corporation owning real property or buying real property in such subdivision shall be required to become a member of BLVHO. Where two or more persons are the joint owners of real property in Bridgerland Village, one and only one vote for each lot, in person or by proxy, will be allowed. Only members whose homeowners dues and any assessment made are paid in full shall be entitled to vote.

Whenever a member shall cease to own real property in Bridgerland Village, such member shall automatically be dropped from the membership roll of BLVHO.

Section 2: Transfer Fees: When a new member purchases property in Bridgerland Village, there will be a fee of \$25.00 for transfer of the records on the books of BLVHO. The amount of this fee may be changed by the Board of Directors.

ARTICLE V
LOSS OF PROPERTY

Section 1: The Board shall not be liable or responsible for the destruction or the loss of or damage to the property of any lot owner or the guest of any member, or visitor, or other person.

ARTICLE VI
MAINTENANCE CHARGES

Section 1: Annual Maintenance and Operating Fee: Every member shall be required to pay an annual maintenance and operating fee, the amount of which shall be determined by the Board, which may be changed from year to year by the Board and shall be ratified by the membership at the Annual Meeting.

Commencing on June 1 of each year, and on the same day of each year thereafter, each owner of property in Bridgerland Village other than the subdivider, shall pay to BLVHO the assessed annual dues for each parcel owned. If not paid within 30 days after the billing date, a late fee of \$5.00 will be assessed. After that date, Interest at a rate of one percent (1%) per month will be assessed to all unpaid accounts. If the account is not paid in full six months after the billing date, a lien will be filed on the property. A charge of \$100 for lien preparation and \$20 for filing fees will be added to the member's account receivable. After one year from the original billing date, further legal action may be taken.

Section 2: BLVHO funds may be used as follows:

For improving and maintaining the roads owned by BLVHO, year round, and providing snow removal in the winter months, and dedicated right-of-way areas maintained for the general use of the owners of land included in BLVHO. These funds shall be kept separate for accounting purposes. The snow removal fund shall be kept as a reserve fund and may be used only for that purpose unless unforeseen expenses occur in the general maintenance fund. The Board of Directors may authorize transfer of funds to meet these conditions.

For Administrative Expenses necessary for the efficient operation of BLVHO.

The General Maintenance Fund may be used for any required maintenance within Bridgerland. Unforeseen expenditures over \$1,000.00 must be approved by the membership.

For the enforcement and interpretation of the protective covenants and by written resolutions by a majority of the Board, supervise and eliminate all nuisances or violations of the restrictive covenants.

ARTICLE VII
AMENDMENT OF BY LAWS

Section 1: Amendment by Members: These By-Laws may be amended, altered, changed, added to or repealed by an affirmative vote of a majority of the Members at any regular or special meeting of the members if notice of the proposed amendment, alteration, change or repeal be contained in the notice of the meeting.

Section 2: Amendment by Board. These By-Laws may also be amended, altered, changed, added to or repealed by an affirmative vote of a majority of the Board at any regular or special meeting of the Board if notice of the proposed amendment, alteration, change or repeal be contained in the notice of the meeting., By-laws pertaining to the qualifications, voting rights and property rights of Members shall not be amended or repealed unless such change receives at least a majority of the votes. Members present at a duly called meeting of members are entitled to vote.

Section 3. Prohibitive Amendments. The Members or the Board shall not be permitted to amend the By-laws contrary to the provisions of the Articles of Incorporation.

ARTICLE VIII
RULES AND REGULATIONS

The following rules and regulations have been put into place for Bridgerland Village from 1973 through 2009. They have been passed by the membership and also the Board of Directors and are subject to Garden City ordinances. Every member of BLVHO and their guests are governed by these regulations.

1. There shall be no parking on any of Bridgerland Village roads. The first offense will carry a \$25 fine. Any further offenses will initiate towing of the vehicle at the owner's expense. Parking lots have been provided.
2. Rentals within Bridgerland Village: See "D" in the Covenants.
3. No open fires are allowed, except in approved fireplaces. An approved fireplace is any ground cleared in a six-foot radius with a rock or brick border. A Permit must be issued by the Garden City Fire Chief for any burning.
4. No fireworks are allowed at any time.
5. No firearms can be discharged within Bridgerland Village.
6. There is a 20 mile per hour speed limit for autos, and atv's, or otherwise, as may be posted by BLVHO, for safety.
7. No motorized vehicle (autos, atv's, motorcycles, snowmobiles) is to be driven other than upon roadways or the owner's property.
8. Camping is prohibited.
9. Living in a trailer is permitted for a two-year period and **only** while a home is under construction.
10. Barbed wire cannot be used in any manner.
11. Dogs cannot run free and unrestrained, except while under the control of a person.
12. There will be no commercial lots within Bridgerland Village.
13. Unpaid homeowners dues and maintenance fees will be dealt with by court action, as described in the minutes of the Board of Directors meeting of July 28, 2006.
14. Exterior house colors are restricted to earth tones and colors that conform to the area.
15. A Construction Agreement must be obtained for any building within Bridgerland, and must be formally approved and all fees paid before building can commence. This includes garages and outbuildings in excess of 120 square feet. A building permit from Garden City is also required .

STATE OF UTAH
COUNTY OF: Rich
ON THE 3th DAY OF November
Date PERSONALLY APPEARED BEFORE ME 2009
Loretta J. Fidler SIGNER[S] OF THE ABOVE
INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT
HE/SHE/THEY EXECUTED THE SAME
Heather Brown
NOTARY PUBLIC

Loretta J. Fidler
Secretary

