

BY-LAWS
OF
SILVER VILLAGE ASSOCIATION, INC.

ARTICLE I. NAME This association shall be known and designated by name of **SILVER VILLAGE ASSOCIATION, INC.**

ARTICLE II. PURPOSE The purpose of the Association are:

- a. To form an association for the welfare of the owners and occupants of the plats of Silver Lake Village, Silver Lake Village No. 1, Silver Lake Village No.2 and Silver Lake Village No. 3, all in Golden Township, Oceana County, Michigan.
- b. To accept title to certain properties and out lots located in and adjacent to said plats.
- c. To encourage compliance with the Declaration of Restrictions covering said lands and to take legal steps, when necessary, to enforce said restrictions.
- d. To collect dues and administer a general improvement fund for the development and maintenance of picnic and recreation areas, pool, waterways, beach facilities, bathhouse, roadways, utilities or such other improvements as the Association may determine.

ARTICLE III. MEMBERSHIP

Section 1. Persons eligible to membership in this association must at all time have either an equitable or legal interest in one or more lots within the recorded plats of Silver Lake Village, Silver Lake Village No. 1, Silver Lake Village No. 2 and Silver Lake Village No. 3, all in Golden Township, Oceana County, Michigan, provided, however, that there shall be no more than one membership per lot. Membership shall entitle the member and his immediate family the use of association facilities. If two or more persons or families own one lot, either jointly or as tenants in common then these persons or families shall designate one of their number as a member under the rules of this Article. The other non-member owners shall be considered as guests with respect to use of association facilities.

Section 2. Persons eligible to membership in this association shall be entitled to but one membership regardless of the number of lots owned.

Section 3. Each membership shall be entitled to one vote and membership shall not be transferable.

Section 4. Membership and its privileges shall be suspended upon failure to pay regular dues or special assessments as hereinafter provided.

ARTICLE IV. DUES AND ASSESSMENTS

Section 1. Annual dues of \$33. per year, per membership, subject to increase in accordance with the improvement fund provisions of the Declaration of Restrictions covering the subject properties. Dues are payable in advance on or before March 1st of each calendar year.

Section 2. Special assessments may be levied by the association to cover unusual expenditures only after a majority vote of the members present at any annual or special meeting called for that purpose.

Section 3. Members owning more than one vacant lot shall pay one payment of annual dues and any special assessments levied regardless of the number of locations of the vacant lots owned by the member. Members owning more than one lot shall pay annual dues and any special assessments levied on each additional lot if such additional lot (s) contains a permanent dwelling. A permanent dwelling shall include, but is not limited to, a house, mobile home, modular home or travel trailer.

In the event there is a dispute as to whether or not a structure or unit is a permanent dwelling within the meaning of this section as determined by the board of directors of the Silver Village Association, Inc., the owner disputing such classification shall notify the president of the board of directors in writing within 14 days of such designation and may request a hearing before the board of directors.

The board of directors will schedule the hearing in a timely fashion to hear the appeal. The person disputing shall be notified and be provided an opportunity to speak and offer information to the board of directors. The decision of the board of directors shall be final.

Section 4. All membership dues and assessments not received by the Treasurer of Silver Village Association, Inc. within the time period specified for payment of the dues and assessments shall become a lien upon the land or lands of the delinquent member.

Section 5. The Treasurer of the corporation, or such other designee named by the Board of Directors, may prepare and cause to be recorded in the office of the Oceana County Register of Deeds a true statement of the amount of the unpaid dues and assessments, and containing a correct description of the property to be charged with lien, and the name of the owner, if known.

Section 6. The Treasurer or appropriate designee of the Corporation shall within ten days after recording of the foregoing statement mail a copy thereof to the owner of the lands on which a lien shall be claimed.

Section 7. The lien or liens shall continue for five years after such statement is recorded in the office of the Register of Deeds and no longer unless proceedings are begun to enforce the same as hereinafter provided.

Section 8. Proceedings to enforce such lien shall be by complaint in Circuit Court and notice of lis pendens recorded in the office of the Oceana County Register of Deeds. Procedure for enforcement shall conform to the requirements for the enforcement of judgments by levy of a writ of execution on real estate as set forth in the Michigan Revised Judicature Act, Act 236 of the Public Acts of 1961, as amended, Sections 6051 et seq.

Section 9. As an alternative to the foregoing procedure to collect dues and assessments by enforcement of a lien, the Corporation, acting through its Treasurer or appropriate designee, may enforce the collection of the same by bringing an action in the District Court, including the Small Claims Division of the District Court if the jurisdictional requirements are met.

Section 10. On all membership dues and assessments paid on or before the 1st day of March in each year, there shall be added no service charges or collection fees. On all membership dues and assessments paid after the 1st day of March, there shall be added there to a service charge at a rate of one (1) percent per month for each full month that the dues and assessments shall remain unpaid, the service charge to be paid to the Treasurer at the time of the payment of the dues and assessments.

Section 11. In the event proceedings to enforce the collection of the dues and assessments shall be brought either by an action in the District Court or by complaint in Circuit Court there shall be add to the amount of the dues and assessments service charges as set forth above, as well as recording fees, court costs and legal fees, including actual attorney fees, incurred in the collection of the dues and assessments.

Section 12. Silver Village Association Dock. The association will operate and maintain a boat dock for the exclusive use of its good standing members. Only Members assigned slips to the boat dock may use the slips, no other use is allowed. The Silver Village Association Dock will assign slips and maintain the dock with the fees collected for the seasonal dock. The treasure will collect the appropriate fees necessary to maintain the dock outside of the membership dues.

To comply with Part 95, Watercraft Pollution Control requirements of the State of Michigan and Michigan Department of Environmental Quality, we do herby maintain that watercraft allowed access to the Silver Village Association Dock conforms with the following requirements:

1. A person shall not moor or operate a watercraft, or permit the mooring or operation of his or her watercraft, on the waters of this state if the watercraft has a marine sanitation device.
2. A person shall not place, throw, deposit, discharge, or cause to be discharged into or onto the waters of this state, any litter, sewage, oil, or other liquid or solid materials that render the water unsightly, noxious, or otherwise unwholesome so as to be detrimental to the public health or welfare or to the enjoyment of the water for recreational purposes.
3. A person shall not discharge, dump, throw, or deposit garbage, litter, sewage, or oil from a recreational, domestic, or watercraft used for pleasure.
4. This applies to any Commercial and or Residential watercraft

Any violation of these rules by any user of the Silver Village Association Dock, will be fined \$500 for the first offense, and \$500.00 for any subsequent violation. Additionally, the user will be removed from the Silver Village Association Dock, and forfeit their assigned Dock Slip. That user may reapply for access and be placed at the bottom of the wait list.

ARTICLE V. BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of nine (9) members of the association elected by the plurality vote taken by ballot of the members of the association at its annual meeting, each director to serve for a term of three (3) years.

Section II. The Board of Directors shall be the governing body of the association and shall have the management and control of the property of the association. The Board of Directors shall have the authority to appoint a business manager for the purpose of operating and maintaining the facilities of the association. The Board of Directors shall have the authority to act for the association in all things legal whatsoever, subject, however, to the restriction that no legal action shall be instituted by the Directors or the association, except actions to enforce the rights and obligations defined in the Declaration of Restrictions covering the subject properties, unless such action received the approval of the association's membership at any annual or special meeting called for that purpose.

Section 3. Vacancy in the Board of Directors shall be filled by the remaining members of the Board by appointing a member of the Association, said appointee to hold office until the next annual meeting of the Association, at which time an election shall be held to fill the unexpired term of the director vacating office.

Section 4. The presence of five (5) members of the Board of Directors shall constitute a quorum. Five votes shall be required before a decision of the Board is effective and votes by written proxy shall be valid.

Section 5. Meeting of the Board of Directors shall be held at such convenient places and times as the Board of Directors may designate. All meetings of the Board shall be open to the general membership provided, however, that by majority vote of the directors, any directors' meeting can be adjourned to an executive session hearing, excluding everyone but directors and their designated agents.

Section 6. Special meeting of the Board of Directors may be called at the request of the President, or at the request of any 3 directors, upon 5 days prior notice mailed to each director stating the time and place of such special meeting.

Section 7. In the event all of the directors shall be present at any meeting, however called or notified, or shall sign a written consent thereto on the records of such meeting, the acts of that meeting shall be valid as if legally called and notified.

ARTICLE VI. OFFICERS

Section 1. The Board of Directors shall, immediately following the annual meeting of the Association elect a president, vice-president, secretary and treasurer from their members, who shall hold their offices for one year and until their successor shall be elected and qualified Vacancies among the officers occurring at any time after their election may be filled by the Board of Directors by

appointing a member of the Board to fill the unexpired term of the officer vacating office.

Section 2. The president shall preside at all meetings of the association and of the Board of Directors and shall have general supervision of the affairs of the association in the recess of the Board. The president shall have the authority to appoint and to delegate to¹ such committees as are hereinafter established, such duties and activities as may be for the best interests of the association.

Section 3. It shall be the duty of the vice-president to perform all of the duties of the president while the president is absent from any meeting. If the vice-president is also absent from said meeting, the members present may select a presiding officer pro tem.

Section 4. The secretary shall attend all sessions of the Board of Directors and all meetings of the membership and shall keep the minutes thereof in a book to be kept for that purpose. The Secretary shall give or cause to be given notice of all meetings of the members and of the Board of Directors and shall perform such other duties as may be prescribed by the Board. The secretary shall prepare and deliver to all members a summary of matters discussed or acted upon at the regular or special meeting of the association.

Section 5. It shall be the duty of the treasurer to receive all membership dues and such other monies as may be received in the name of the association, and deposit such monies in a depository selected by the Board of Directors. He shall have charge of all monies of the association and shall expend such sums of money as may be required for postage, mimeographing, printing and fees required by law to be paid by the association, or any other obligations of the association, not to exceed the maximum amount established by the membership for any one item. All expenditures in excess of such amount must be approved by the Board of Directors or the membership.

ARTICLE VII. COMMITTEES

The President, at the first meeting of the Board of Directors held after the election of officers, shall, by and with the consent of the Board of Directors, appoint such committees of the Board or of the membership or a combination of both, as he shall deem necessary to transact the proper business of this association.

ARTICLE VIII. MANAGER

A manager shall be appointed annually by the Board of Directors and shall operate under the authority and the direction of the Directors. His duties shall include, but not be limited¹ to, assuming responsibility for operating, repair, maintenance, safety, sanitation, cleanliness and protection of all association property, facilities and equipment, supplies, maintenance and other items for the furtherance of said duties and responsibilities. The Board of Directors shall designate the manner in which such expenditures shall be made and shall establish a maximum limit of such expenditures.

and shall designate the accounting required for that purpose. '

ARTICLE IX. BOND OR BONDS

The Board of Directors may require any officer or manager to give a bond for the faithful performance of his duties during his tenure of office in such amount and under such condition as it deems fit. The association shall pay the premium for any bond so required.

ARTICLE X CONTRACTS AND LEGAL INSTRUMENTS

All contracts and legal instruments shall be signed by such officers of the association as the Board of Directors shall, from time to time, designate for that purpose: **PROVIDED**, however, when the execution of any contract or other legal instrument has been authorized by the Board of Directors without specification of the executing officers, the President and Secretary may execute the same in the name of and on behalf of the association.

ARTICLE XI. MEETINGS

Section 1. The annual meeting of the association shall be held on the second Saturday of July each year, at such time and in such place within the County of Oceana, Michigan, as set by the Board of Directors.

Section 2. Special meeting of the members of the association may be called any time by order of the President, by any 5 members of the Board of Directors or by any 15 members of the association presenting a written request to the President who shall thereupon call the special meeting. A call for a special meeting shall set forth the purpose or purposes of the meeting and no other business shall be transacted at such meeting.

Section 3 Written notice of the time and place of the holding of such annual meeting or special meetings shall be mailed by the Secretary to each member's last known home address at least 15 days before the meeting thereof.

Section 4. Fifteen (15) members present at any membership meeting shall constitute a quorum. A simple majority vote shall be effective.

ARTICLE XII. PRINCIPAL OFFICE AND FISCAL YEAR

The association's post office address shall be Post Office Box 11, Mears, Michigan, 49436 or any other address as the Board of Directors may from time to time designate. The association's fiscal year shall correspond with the calendar year.

ARTICLE XIII. AMENDMENT OF BY-LAWS

The By-Laws of the association may be amended only after the entire membership has been fully advised regarding the proposed amendment and has been given an opportunity to vote hereon. Such notice shall be given personally to each member or shall be sent by first class mail to each member's last known home address. A simple majority of all members responding to the vote is required for the amendment to become effective. Voting in person or by proxy, shall be valid and the Secretary shall keep an accurate record of the correspondence, proxies and personal votes and shall advise the membership of the outcome at a reasonable time thereafter.