



Kramer-Triad  
Management Group, L.L.C.

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## **CONDOMINIUM BY-LAWS**

ARBOR CONDOMINIUM ASSOCIATION

CORPORATE BYLAWS

ARTICLE I

The Condominium Bylaws of the Association are attached to and recorded with the Master Deed and are hereby incorporated herein by reference in their entirety. The Bylaws hereafter set forth shall be known as the Corporate Bylaws.

ARTICLE II

Section 1. Meetings of the Association members shall be held at the principal office of the Association or at such other suitable place convenient to the members as may be designated by the Board of Directors. Voting shall be as provided in the Condominium Bylaws.

Section 2. The first annual meeting of members of the Association shall be held in accordance with the Condominium Bylaws. The date, time and place of the first annual meeting shall be set by the Board of Directors, and at least ten (10) days' written notice thereof shall be given to each member. Thereafter, the annual meetings of members of the Association shall be held on the third Tuesday of March each succeeding year (commencing the third Tuesday in March of the calendar year following the year in which the first annual meeting is held) at such time and place as shall be determined by the Board of Directors. At such meetings there shall be elected by ballot of the members, a Board of Directors in accordance with the requirements of these Bylaws. The members may also transact at annual meetings such other business of the Association as may properly come before them.

Section 3. It shall be the duty of the president to call a special meeting of the members as directed by resolution of the Board of Directors. The president shall also call a special meeting upon a petition signed by any two of the members presented to the secretary of the Association, but only after the first annual meeting has been held. Notice of any special meeting shall state the time and place of such meeting and the purpose thereof. No business shall be transacted at a special meeting except as stated in the notice.

Section 4. It shall be the duty of the secretary (or other Association officer in the secretary's absence) to serve a notice of each annual or special meeting, stating the purpose thereof as well as the time and place where it is to be held, upon each member, at least ten (10) days but not more than sixty (60) days prior to such meeting. The mailing, postage prepaid, of a notice to the representative of each member at the address

shown in the notice required to be filed with the Association by the Condominium Bylaws or to the address of the unit owned by the member shall be deemed notice served. Any member may, by written waiver of notice signed by such member, waive such notice, and such waiver when filed in the records of the Association shall be deemed due notice.

Section 5. If any meeting of members cannot be held because a quorum is not in attendance, the members who are present may adjourn the meeting to a time not less than forty-eight (48) hours from the time the original meeting was called.

### ARTICLE III

Section 1. The affairs of the Association shall be governed by a Board of Directors all of whom must be members of the Association or officers, partners, trustees, employees or agents of members of the Association except for the first Board of Directors designated in the Articles of Incorporation of the Association. Directors shall serve without compensation.

Section 2. The Board of Directors shall consist of five to seven persons as determined by the members at any meeting at which directors are elected. The first Board of Directors designated in the Articles of Incorporation, their successors and any directors elected prior to the first annual meeting of members shall manage the affairs of the Association until a successor Board of Directors is elected at the first meeting of members of the Association convened in accordance with the Condominium Bylaws. The term of the first Board of Directors shall continue until the first annual meeting of members. The term of the Board of Directors elected at the first annual meeting shall continue until the next regularly scheduled annual meeting. The term of all other directors shall be one year. All directors shall hold office until their successors have been elected and hold their first meeting.

Section 3. The Board of Directors shall have the powers and duties set forth in the Condominium Bylaws.

Section 4. Vacancies in the first or any successor Board of Directors caused by any reason other than the removal of a director by a vote of the members of the Association shall be filled by vote of the majority of the remaining directors, even though they may constitute less than a quorum. Each person so elected shall be a director until a successor is elected at the next annual meeting of the Association.

Section 5. At any regular or special meeting of the members duly called and held, any one or more of the directors may be removed with or without cause by a majority vote of the members, and a successor may then and there be elected to fill the vacancy thus created. Any director whose removal has been proposed by the members shall be given an opportunity to be heard at the meeting.

Section 6. The first meeting of a newly elected Board of Directors shall be held within ten (10) days of election at such place and time as shall be fixed by the directors at the meeting at which such directors were elected, and no notice shall be necessary to the newly elected directors in order legally to constitute such meeting.

Section 7. Regular meetings of the Board of Directors may be held at such times and places as shall be determined from time to time by a majority of the directors. At least two such meetings shall be held during each fiscal year. Notice of regular meetings of the Board of Directors shall be given to each director, personally, or by mail, telephone or telegraph at least five days prior to the date of the meeting.

Section 8. Special meetings of the Board of Directors may be called by the president on three days' notice to each director, given personally, or by mail, telephone or telegraph, which notice shall state the time, place and purpose of the meeting. Special meetings of the Board of Directors shall be called by the president or secretary in like manner and on like notice on the written request of one director.

Section 9. Before or at any meeting of the Board of Directors, any director may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a director at any meetings of the Board shall be deemed a waiver of notice by that director of the time and place thereof. If all the directors are present at any meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

Section 10. At all meetings of the Board of Directors, a majority of the directors shall constitute a quorum for the transaction of business, and the acts of the majority of the directors present at a meeting at which a quorum is present shall be the acts of the Board of Directors. If, at any meeting of the Board of Directors, there be less than a quorum present, the majority of those present may adjourn the meeting from time to time. At any such adjourned meeting, any business which might have been transacted at the meeting as originally called may be transacted without further notice. The joinder of a director in the action of a meeting by signing and concurring in the minutes thereof, shall constitute the presence of such director for purposes of determining a quorum.

Section 11. The Board of Directors shall require that all officers and employees of the Association handling or responsible for Association funds shall furnish adequate fidelity bonds. The premiums for such bonds shall be expenses of administration.

#### ARTICLE IV

Section 1. The principal officers of the Association shall be a president, vice president, secretary and treasurer. The directors may

appoint an assistant treasurer, and an assistant secretary, and such other officers as in their judgment may be necessary. One person may hold more than one office

Section 2. The officers of the Association shall be appointed annually by the Board of Directors and shall hold office at the pleasure of the Board.

Section 3. Any officer may be removed by the Board of Directors either with or without cause, and the successor to the removed officer may be appointed at any regular meeting of the Board of Directors, or at any special meeting of the Board called for such purpose.

Section 4. The president shall be the chief executive officer of the Association, and shall preside at all meetings of the Association and of the Board of Directors. The president shall have all of the general powers and duties which are usually vested in the office of the president of a corporation, including, but not limited to, the power to appoint committees from among the members of the Association from time to time in the president's discretion as may be deemed appropriate to assist in the conduct of the affairs of the Association.

Section 5. The vice president shall take the place of the president and perform the president's duties whenever the president shall be absent or unable to act. If neither the president nor the vice president is able to act, the Board of Directors shall appoint some other member of the Board to so do on an interim basis. The vice president shall also perform such other duties as shall from time to time be imposed by the Board of Directors.

Section 6. The secretary shall keep the minutes of all meetings of the Board of Directors and the minutes of all meetings of the members of the Association and shall have charge of the corporate seal and of such books and papers as the Board of Directors may direct; and shall, in general, perform all duties incident to the office of the secretary.

Section 7. The treasurer shall have responsibility for all Association funds and securities and shall be responsible for keeping full and accurate accounts of all receipt and disbursements in books belonging to the Association. The treasurer shall be responsible for the deposit of all monies and other valuable papers of the Association, in the name of and to the credit of the Association, in such depositories as may from time to time be designated by the Board of Directors.

Section 8. The officers shall have such other duties, powers and responsibilities as shall, from time to time, be authorized by the Board of Directors

Return address labels for paying your monthly dues are provided by the Management Company. For new owners, coupons are provided at closing. For current residents, return address labels are provided with new coupon books before the end of the year. A direct deposit plan is available.

The collection policy for The Arbors is:

**First Day (1<sup>st</sup>) of the Month:**

The regular monthly assessment fee is due and payable to the Association at the Management Company office.

**Eleventh Day (11<sup>th</sup>) of the Month:**

The monthly assessment fee is past due and the co-owner is sent the #1 Delinquency Notice stating the amount delinquent, including collection cost incurred (a minimum of \$35.00), and requesting payment by the 25<sup>th</sup> of the month to avoid additional collection costs a required.

**Twenty-sixth (26<sup>th</sup>) Day of the Month:**

The delinquent co-owner is sent the #2 Delinquency Notice stating the amount of the delinquency (including added collection cost), and, that to avoid referring the account to the Association's attorney for legal collection measures and incurring legal expenses, the total amount owing must be received in the property management's office by the fifteenth of the following month.

**Sixteenth (16<sup>th</sup>) Day of the Second Month:**

The delinquent co-owner is sent a Notice of Intent to Lien stating the total amount of the delinquency including an additional collection cost, and that the Association's attorney has been authorized to place a lien on the co-owner's property. The co-owner is further instructed to direct all future communication, including payments, to the attorney's office until such time as the delinquent amount is paid in full, at which time the attorney will file a Release of Lien. Recorded copies of Liens and Release of Liens Documentation will be forwarded to the property management's office and the co-owner.

### **Sixteenth (16<sup>th</sup>) Day of the Third Month:**

The delinquent co-owner is sent #3 Delinquency Notice stating the total amount of the delinquency (including collection and legal costs to date) and that foreclosure proceedings may be authorized by the Board if the account is not paid immediately. A copy of the delinquency notice is sent to the Association attorney.

### **Twenty-sixth (26<sup>th</sup>) Day of the Third Month:**

The co-owner delinquency is referred to the Board for authorization to have an attorney begin foreclosure proceedings and to assist the attorney with such actions.

### **Sixteenth (16<sup>th</sup>) Day of Succeeding Months:**

The delinquent co-owner is sent an updated Delinquency Notice similar to the #3 Delinquency Notice.

**All delinquent payments received will be applied first to legal expenses, collection costs, and other collection expenses. The balance of any payment will be credited to monthly assessment fees or any other Association fee owing.**

**The delinquent co-owner is charged a \$35.00 processing fee for EACH delinquency notice sent out.**

**Arbors Condominium Association  
Summary of Pool Rules**

- ❖ The Association or its agents are not responsible for providing a lifeguard nor are they responsible for the health and safety of persons in the pool area. **Persons using the pool or pool area do so at their own risk.**
- ❖ A shower with soap is required before a person enters the pool or spa. A shower must also be taken before re-entry after the application of greasy or oily lotions.
- ❖ Conventional bathing attire is required to enter the pool or spa—no cutoffs or jeans.
- ❖ No infant less than three years of age or in diapers may enter the pool area, pool, or spa.
- ❖ Ill or infected persons may not enter the pool or spa.
- ❖ Boisterous conduct, boisterous language, horseplay, running, wrestling, jumping in the pool, and drinking of alcohol are not permitted in the pool or spas areas.
- ❖ No diving is permitted at any time.
- ❖ No glass objects are allowed in the pool, pool area, or cabana. No alcoholic beverages are permitted in the pool or spa area.
- ❖ No foreign objects (*air mattresses, balls or retrievable objects*) may be brought into the pool. Swim aids, swim fins and goggles are permitted.
- ❖ Radios are permitted, provided that they are not played loudly so as not to disturb others.
- ❖ No pets are allowed in the pool, pool area, or cabana.
- ❖ Only three people are allowed in the spa at one time. Any person with heart disease, abnormal blood pressure or other chronic disease should consult a physician before using the spa. The spa shall not be used following exercise, while under the influence of alcohol or drugs, for children seven years of age or younger, or for longer than ten minutes.
- ❖ The pool phone should be used only in an emergency, it is a direct **911** line. Please also contact the police **911** if you see any intruders.
- ❖ An adult must accompany all children, 15 years of age and younger, while in the pool area.



# The Arbors' Pool Rules

## POOL AND SPA

- ◆ The Arbors swimming pool and spa are for the exclusive use of Association members, renters, and their guests.
- ◆ A maximum of four (4) guests (*including children*), in addition to the co-owner/host member, per unit is permitted in the pool area at one time. The co-owner/host member must be present at the pool with the guests and is responsible for compliance of their guests with all rules and regulations.
- ◆ The pool and spa will be open from Memorial Day weekend to Labor Day weekend (*or other date as determined by the Board of Directors*) during the hours of **8:00 am** to **11:00 pm** daily and on weekends. The pool and spa may be closed with cause without notice. Violators are subject to a fine.
- ◆ The Bylaws, Article VI, Section 6 states: The Association, or its agents, are not responsible for providing a lifeguard, nor are they responsible for the health and safety of persons in the pool area. Persons using the pool or pool area, do so at their own risk.
- ◆ State law requires a shower with soap before a person enters the pool or spa. A shower must also be taken before re-entering the pool and spa after the application of greasy or oily lotions.
- ◆ Conventional bathing attire is required the pool or spa. No cut-offs or jeans.
- ◆ No infant under three (3) years of age, or in diapers may enter the pool area, the pool, or the spa.
- ◆ Ill or infected persons may not enter the pool or spa.
- ◆ Boisterous conduct, boisterous language, horseplay, running, wrestling, jumping in the pool, and drinking of alcohol are not permitted in the pool or spa areas.
- ◆ Absolutely no diving is permitted at any time.

- ◆ No foreign objects (*air mattresses, balls, or retrievable objects*) may be brought into the pool. Swim aids, swim fins, and goggles are permitted.
- ◆ No glass objects are allowed in the pool or spa area. No alcoholic beverages are permitted in the pool or spa area.
- ◆ Radios are permitted in the cabana and pool areas provided they are not played loudly so as to disturb others.
- ◆ No pets are allowed in the pool or around the fenced-in pool area or cabana.
- ◆ Co-owners may make a request to the Board to use the cabana and pool areas, at no charge, for a private party. Please be considerate and respectful of other residents' rights during pool parties (*Section 5-6*).
- ◆ Co-owners utilizing the umbrellas should close them after use so they don't blow away in heavy winds.
- ◆ Please clean up the pool and cabana areas after your use. The pool and cabana are valuable assets of the Arbors, and we should strive to keep it attractive and well maintained.
- ◆ Please contact the police **911** if you see any intruders at the pool or use the phone at the pool if there is an emergency - it is a direct 911 line.
- ◆ An adult must accompany all children, fifteen (15) years of age and younger, while in the pool area.

## **SPA OPERATING RULES**

**Caution: The spa temperature is 104 F.**

- ◆ Only three people are allowed in the spa at one time.
- ◆ Any person with heart disease, abnormal blood pressure, or other chronic disease should consult a physician before using the spa.
- ◆ Use of the spa is inadvisable under the following situations:
  - ◆ immediately following exercise

- ◆ while under the influence of alcohol or drugs
  - ◆ for children seven years of age or younger
  - ◆ for longer than 10 minutes
- ◆ **WARNING!** No lifeguard is on duty. Children, 15 years and younger, should not use the spa or pool without an adult in attendance.

## **SOCIAL AREA-CABANA**

The following regulations are for use of this facility:

- ◆ The social area is for the exclusive use of Association members and their guests. An Association member must accompany guests while using the facility and is responsible for their compliance with rules and regulations.
- ◆ Facility hours are **8am to 11pm**.
- ◆ The social area may be reserved by co-owners to hold private social functions. **All meetings of profit-making organizations are specifically prohibited.**
- ◆ Groups approved for private use of the area are to be in accordance with the Board resolution dated June 25, 1996.
- ◆ The facility must be kept clean by the facility user.
- ◆ Glass bottles or glasses are not to be taken into the pool and spa areas.
- ◆ The Association and its agents are not responsible for the safety of the users of the facility.
- ◆ No charcoal grills may be brought into the cabana or pool area.
- ◆ Pets are not permitted in the facility.
- ◆ Minors, 15 years and younger, are not permitted to have guests without the accompaniment of a parent or guardian.

**Other Comments:**

- ◆ The Clubhouse facility is for your enjoyment.
- ◆ The regulations are required to maintain the Arbors community and your investment.
- ◆ Association member comments/suggestions are always welcome. When using the social area facility, be prepared to show identification to fellow residents or to Arbors maintenance personnel.
- ◆ The Rules and Regulations Committee will review these regulations from time to time to assure they reflect the best interests of the residents.