

LEVELS VIEW PROPERTY OWNERS ASSOCIATION

CONSTITUTION

ARTICLE I

Section 1. The name of this unincorporated association is Levels View Property Owners Association, and the membership shall be those persons owning lots and paying the road upkeep assessments in the Levels View Subdivision in Gore District, Hampshire County, West Virginia.

Section 2. The location and post office address of the Association shall be

Section 3. The purposes for which the Association is formed are: To administer the funds collected from the members of the Association for the improvements and repairs of the existing private roads and rights-of-way in the Levels View Subdivision.

Section 4. The Trustees of the Association to be elected as provided in the By-Laws shall have the authority to collect, demand and sue for the annual assessment which each lot owner is required to pay under the terms of their purchase agreement.

Section 5. The amount of assets which the Association will have to start its initial functions is zero as the first collections are not due until January, 1972.

Section 6. The qualifications of the members of the Association, the classes of membership, if any, the property voting and other rights and privileges of the members shall be as from time to time set forth in the By-Laws of the Association.

## ARTICLE I

Section 1. The membership of the Association shall consist of those property owners owning lots in the Levels View Subdivision in Gore District, Hampshire County, West Virginia, who are subject to the payment of \$25.00 per annum, per lot, under the terms of their purchase agreement.

Section 2. Each member shall be liable to such assessments as the protective covenants, restrictions and easements, if any, may provide, and there shall be no transfer of membership in the Association until such dues are paid in full to the Treasurer.

Section 3. In all elections the owner or owners of each lot assessed an annual fee shall have one (1) vote; a majority of votes polled shall be requisite to determine a question.

Section 4. On transfer or sale of a lot, the prior owner's membership in the Association shall cease, and the obligations and rights pertaining to such road assessments shall devolve on the grantee.

Section 5. Voting in the affairs of the Association may be in person or by proxy, provided such proxy be executed by the lot owner and filed with the Trustees before the meeting at which the proxy is to be voted.

## ARTICLE II

Section 1. The officers of the Association shall consist of three (3) Trustees, who shall also constitute the Board of Directors and who shall elect from their number one (1) person who shall be chairman. In administering the road improvement funds and in arranging and contracting for the repair and

improvement of such roads, each Trustee shall have one (1) vote.

Section 2. The Trustees shall be members of the Association and shall attend the annual meeting of the Association, which annual meetings shall be held on the first Monday of July each year.

Section 3. The original Trustees shall be appointed by Mayflower Corporation from among the persons then owning lots in the Levels View Subdivision: one (1) to serve a term of one (1) year, thereafter the members of the Association shall elect a Trustee each year to serve a term of three (3) years.

#### ARTICLE III

Section 1. The chairman of the Trustees shall preside at all meetings of the members and at all meetings of the Trustees, and he shall implement and direct the execution of the policies and functions of the Association. He may and upon demand of six (6) of the members of the Association or two (2) Trustees call a special meeting of the Trustees, or of the Association, as may be requested.

Section 2. The Board of Trustees shall establish such regulations as may be necessary for the payment of the day-to-day expenses and shall be responsible for the initiating of a fund for petty cash and the authorization to the chairman to pay such ordinary and recurring items of expenses as he may see fit.

Section 3. The Trustees shall further elect one (1) of their members to serve as Secretary of the Association, which Secretary shall be responsible for the keeping of accurate minutes of all meetings of the members and the Board of Trustees

and all other records of the Association.

Section 4. The Trustees shall have custody of all monies of the Association, they to deposit the same in the First National Bank of Romney, Romney, West Virginia, and shall keep a full and complete account of all the transactions by and on behalf of the Association. All checks or drafts on the Association's funds shall be signed by the chairman and one (1) other Trustee, except where otherwise specially provided by the Board of Trustees with

The Trustees shall exhibit a statement of the accounts annually to the members at the annual meeting.

#### ARTICLE IV

Section 1. The members shall receive at least ten (10) days notice of the annual meetings of the Association, which meeting shall be held on the grounds of Levels View Subdivision at a time to be designated by the Trustees. At the annual meeting one (1) Trustee to serve a term of three (3) years shall be nominated and elected by the Association. Each member may vote in person or by proxy, again each lot having one (1) vote.

Section 2. At all meetings of the membership, regular or special, ten (10) members present in person or by proxy shall constitute a quorum.

Section 3. The Secretary shall, at least five (5) days prior to each meeting of the Trustees, give each Trustee a written notice of the meeting by mailing to him the time and place set for said meeting, said notice to be directed to the member's address appearing on the records of the Association.

Section 4. Nothing hereinbefore set forth with reference to meetings and notices of meetings, shall preclude the holding of a meeting pursuant to waiver and by agreement of all of the members or the Board of Trustees, as the case may be.

#### ARTICLE V

Section 1. Amendments to these By-Laws may be made at any annual meeting provided that the proposed amendment being offered be in writing and notice of said proposed amendment be mailed to all members of the Association, together with a copy of the same, at least five (5) days prior to the meeting at which said amendment shall come before the membership for vote.

Section 2. Any amendments to the By-Laws must receive three-fourths (3/4) of the vote of the members present or by proxy in order to be adopted.