

**BY-LAWS
OF
WEATHERSTONE HOMEOWNERS ASSOCIATION**

Approved September 19, 1981

Article I. Name

The name of this Association shall be the Weatherstone Homeowners Association ("Weatherstone").

Article II. Membership

All owners of homes and improved lots in the subdivision now or hereafter planned as part of Weatherstone in Jackson County, Missouri are automatically members of the Weatherstone Homeowners Association. An improved lot shall mean a lot which has a street adjacent thereto and a sewer line available to it.

Article III. Membership Meetings

1. The Annual Meeting of the Membership shall be held on the second Saturday of each June at a time and place selected by the officers, and a fourteen (14) day written notice shall be given to all members. At such meeting, the Members shall elect officers to serve until their successors shall be elected.
2. A special meeting of the Membership may be called at any time by the President or, in his/her absence, the Vice-President.
3. Notice of the time and place of all annual and special meetings shall be mailed by the Secretary to each member fourteen (14) days before the date.
4. The President or, in his/her absence, the Vice-President, shall preside at all such meetings.
5. One Membership shall be available to each owner or co-owners of lots in the subdivision regardless of the number of lots owned. Voting shall be based upon one vote per landowner with the co-owners being jointly entitled to one vote per Membership.

6. A quorum for the transaction of business at any annual or properly called special meeting shall consist of the Members present at such meeting.

7. At all meetings of Members, each Member may vote in person or by proxy. All proxies shall be in writing and shall be filed with the Secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the Member of his/her lot.

Article IV. Officers

1. The officers of the Association shall be a President, a Vice-President, a Secretary a Treasurer and such other officers as may be elected in accordance with the provisions of this Article. All officers shall be chosen from the Membership of the Association. All officers shall have such authority and perform such duties in the management of the property and affairs of the Association as may be provided in the By-Laws. These officers shall be the Executive Committee of the Association.

2. The officers of the Association shall be elected annually at the June meeting of the Membership. Vacancies may be filled or new offices created and filled by the Executive Committee. Each officer shall hold office until his/her successor shall have been duly elected and shall have qualified or until his/her death, or until he/she shall resign or shall have been removed in the manner hereinafter provided.

3. Any officers elected by the Association or appointed by the Executive Committee may be removed by the Membership whenever in its judgment the best interests of the Association would be served. Such removal shall be without prejudice to the contract rights, if any, of the person so removed.

4. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Executive Committee for the unexpired portion of the term.

5. The President shall be the principal Executive Officer of the Association and shall, in general, supervise and control all of the business and affairs of the Association. He/she shall preside at all meetings of the Membership. He/she will co-sign, with the Treasurer, or any other proper officer authorized, any instruments which have been authorized to be executed. He/she shall perform all duties incident to the office of President and such other duties as may be prescribed from time to

time by the Membership or the Executive Committee. The President shall have the power to appoint such committees as deemed necessary, subject to the approval of the Executive Committee.

6. In the absence of the President, or in the event of his/her inability or refusal to act, the Vice-President shall perform the duties of the President and when so acting, shall have all of the powers of, and be subject to all the restrictions upon the President; and shall perform such other duties as from time to time may be assigned to him/her by the President or the Executive Committee.

7. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Association; receive and give receipts for moneys due and payable to the Association from any source whatsoever; and, deposit all such moneys in the name of the Association in accordance with the provisions of Article V of these By-Laws. In general, perform all duties incident to the office of Treasurer and such duties as from time to time may be assigned to him/her by the President or by the Executive Committee. The Treasurer's Annual Report will be sent to all Members fourteen (14) days prior to the Annual Meeting held in June. The Treasurer shall cause an annual audit of the Association books by a public accountant at the completion of each fiscal year.

8. The Secretary shall: (a) record the votes and keep the minutes of all meetings; (b) see that all notices are duly given in accordance with the provisions of these By-Laws or as required by law; (c) be custodian of the records of the Association; (d) keep a register of the post office addresses of each Member, which shall be furnished to the Secretary by such Member; (e) in general, perform all duties incident to the office of Secretary, and such other duties as from time to time may be assigned to him/her by the President or by the Executive Committee.

9. The Executive Committee shall prepare an annual budget and submit it in writing to the membership fourteen (14) days prior to the Annual Meeting in June.

10. No officer shall receive compensation for any service he/she may render to the Association. However, the officer may be reimbursed for his/her actual expenses incurred in the performance of his/her duties.

Article V. Assessments (Dues) and Finance

1. (a) The Association has the right to set the amount of the annual or monthly assessment (dues), up to and including the amount of \$36.00 per year (\$3.00 per month), for each Weatherstone resident, and the amount of \$18.00 per year (\$1.50 per month), for each lot without

a structure. If it is desired that the assessment (dues) may be changed, then such assessment (dues) shall be approved by an affirmative vote of two-thirds ($\frac{2}{3}$) of the Membership by ballot conducted by mail. All such assessments shall be due on or before the first day of June of each year and, if not paid by the first day of August of that year, shall bear a ten percent (10%) penalty.

(b) Assessments (dues) shall be due and payable by the owner of record by June 1 of each calendar year for each lot.

2. If said assessment (dues) is not paid by August 1, the amount of such assessment (dues), plus a ten percent (10%) penalty, shall become a lien of the lot or lots against which assessments have been made and, the Association may file certification of non-payment of assessment in the Office of the Register of Deeds of Jackson County, Missouri. Said liens shall be enforceable as other liens upon real estate. For each certificate so filed, the Association will be entitled to collect a fee for filing said certificate, which shall become a part of the lien.

3. The funds of the Association shall be deposited to such bank or trust company as the Executive Committee shall designate and shall be withdrawn only upon checks signed by such persons authorized by the Membership.

Article VI. Amendments

Amendments to these By-Laws may be made by a two-thirds ($\frac{2}{3}$) vote of the Membership at the Annual Meeting, when the proposed amendment has been mailed fourteen (14) days in advance. These proposed amendments must be submitted in writing to the Executive Committee sixty (60) days prior to the Annual Meeting in June.

Article VII. Nominating Committee

A Nominating Committee of five (5) members shall be appointed by the President, subject to the consent of the Executive Committee, to present a slate of officers in writing fourteen (14) days prior to the Annual Meeting. The President may not be a member of the Nominating Committee.

Article VIII. Aesthetic Committee

All improvements or alterations, which could deface the appearance of the subdivision, must be presented to the Chairman of the Aesthetic Committee in advance of making said improvement or alterations. This would include such items as painting, fencing, swimming pools, tennis courts, or any other items which would physically change the appearance of said property. If said proposal is not approved or disapproved within thirty (30) days after submission to the Aesthetic Committee, the proposal shall be deemed approved. If the Aesthetic Committee disapproves said proposal, the Member has the right to appeal the Aesthetic Committee's decision to the Executive Committee. Such improvements or alterations must be in accordance with the Restrictions of the Weatherstone Development Corporation.

Article IX. Maintenance of Public Places

The Association will take over the maintenance of public places within the subdivision and arrange for ongoing servicing of these areas when the Developer has left the area and relinquished his responsibilities for the maintenance of these areas.

**AMENDMENTS TO
BY-LAWS
OF
WEATHERSTONE HOMEOWNERS ASSOCIATION**

Amendment Number 1. Board of Directors.

The Executive Committee of the Homeowners Association shall also serve as the Board of Directors of the Weatherstone Homeowners Association Corporation. In addition to the four officers (President, Vice-President, Secretary, Treasurer), a fifth member of the Board will be appointed by the Executive Committee.

Approved June 12, 1982

Amendment Number 2. Outside Antennas and Above-Ground Swimming Pools.

No outside antennas of any kind or above-ground swimming pools are permitted in the Weatherstone Development. This restriction is in addition to the restrictions of the Weatherstone Development Corporation, already filed with the state and county.

Approved June 12, 1982