

Judith A. McHath

BY-LAWS

of

THE ALTON SHORES ASSOCIATION, INC.

ALTON, NEW HAMPSHIRE

Preamble

We, the property owners of Alton Shores, Alton, New Hampshire, hereby unite in this Association, to endeavor to secure necessary betterment, maintain community spirit, to take charge of all matters of community interest, including maintenance and ownership of common property, and to enact, declare and establish the following as our Constitution By-Laws. Any vacant lot that is gifted to the Association shall be maintained as open space to be enjoyed by the community and shall not be improved in any way or sold for any reason for as long as the Association shall exist.

Article I

Name and Location

Section 1:

The name of the corporation shall be Alton Shores Association, Inc., herein defined as The Association.

Section 2:

The corporation shall be located at Alton Shores, Alton, County of Belknap, State of New Hampshire.

Article II

Duties and Powers

Section 1:

All of the powers and duties of The Association shall be exercised by the Board



of Trustees including those existing under the common law and Statutes, and the documents establishing The Association. Such powers of the Trustees shall be exercised in accordance with the provisions of the Articles of Agreement which govern the use of the land, and shall include, but shall not be limited to the following:

a. To make and collect assessments against members to defray the costs of The Association.

b. To use the proceeds of assessments in the exercise of its powers and duties.

c. The maintenance, repair, replacement and operation of The Association property.

d. To manage the business and property of The Association.

e. To make and amend regulations respecting the use of Association property, provided, however, that copies of such Rules and Regulations are furnished to each property/dwelling owner prior to the time that the same becomes effective. They shall have the force and effect of these By-Laws.

f. To enforce by legal means the provisions of The Association documents, the Articles of Incorporation, the By-Laws of The Association, and the regulations of the use of the property in The Association.

g. To pay governmental assessments or liens against any part of The Association other than individual and the appurtenances thereto, and to assess the same against the property subject to such liens.

h. To pay the cost of all power and maintenance involved with The Association Water System.

i. To employ (and fire) personnel for reasonable compensation to perform the services required for proper administration of the purposes of The Association.

Article III

Membership

Section 1:

Member – an owner of developed property (all persons holding an ownership interest in one lot are defined collectively as an “owner”), with a dwelling thereon, which may be inhabited and meets the building codes and standards that presently exist, within the area established as Alton Shores is defined as a Member.

Associate Member – Whereas all lots in Alton Shores have deeded rights to common property, that right shall be recognized by granting the owner of any undeveloped lot Associate Membership in The Association. An Associate Member is not entitled to vote at neither the Annual Meeting nor any special meeting of The Association. Dues and special assessments shall not be assessed against any Associate Member. An Associate Member becomes a Member upon construction of a dwelling upon said lot or upon forwarding a written request to become a Member and upon paying annual dues to The Association.

Section 2:

Eligibility for membership in The Association is as follows:

a. Any property owner (meaning the owner of a lot located within the area established as Alton Shores) owning a dwelling upon said property lot as shown on subdivision Sections No. I, No. II, No. III or No. IV of the Alton Shores as recorded with the Belknap County Registry of Deeds. Each owner shall be entitled to cast one (1) vote

in any membership meeting, provided, however, in multiple ownership only one “owner” shall be permitted to cast the one (1) vote for the one property (with dwelling) so owned. In case of an owner who owns more than one developed property, they are entitled to one (1) vote for each property provided the assessment has been paid for each property.

Section 3:

Membership in The Association may be transferred only upon the occasion of transfer of ownership of the Member’s property/dwelling by recording of a Property Deed.

Section 4:

Any property/dwelling may be owned by more than one owner, either jointly or as tenants in common, but in such event all of the owners of any such property/dwelling shall be entitled collectively to only one (1) vote. If the owners of any such property/dwelling are unable to agree upon their “vote” upon any subject, but if all the owners of any such property/dwelling shall not be present at any meeting, either in person or by proxy, the “vote” of one of the person or persons present shall be the “vote” of all such owners.

Section 5:

The fiscal year of The Association shall begin the first day of January in each year. For membership in good standing, annual dues must be paid in full on or before **March** first for the current fiscal period entered therein, and all special assessments must be paid thirty days (30) after notification, unless the payment period is extended by the Board of Trustees (Article VII, Section 16).

Article IV

Board of Trustees

Section 1:

A Board of Trustees shall consist of four (4) Officers and (3) Trustees elected at *the* Annual Meeting and until their successors shall be elected and qualified, and they shall take office at the close of the session at which elected. The *Officers and* Trustees shall be Members in good standing.

Section 2:

The Officers of The Association shall consist of a President, President-*Elect*, Secretary, and Treasurer. The Officers shall be elected at *the* Annual Meeting for a term of *two (2)* years and until their successors shall be elected and qualified, and they shall take office at the close of the session at which elected.

Section 3:

The Trustees of The Association shall consist of past Officers of The Association wherever possible. The Trustees shall be elected at the Annual Meeting and serve until their successors shall be elected and qualified, and they shall take office at the close of the session at which elected. Upon completion of serving at least one term as President, the incumbent President is to serve a term of two (2) years as a Trustee.

Section 4:

Nomination for the new *Officers and Trustees* shall be made at the Annual Meeting immediately prior to the election of Officers *and Trustees*.

Section 5:

Voting for Officers and Trustees shall be by written ballot, which may be waived by majority of the Members present. Each Member shall be entitled to cast one (1) ballot for each of the four (4) Officers and three (3) Trustees.

Section 6:

The President shall be the Chief Executive Officer of The Association and shall preside at all meetings of The Association and the Board of Trustees. The President shall appoint all committees, except as hereinafter stated, or by vote of The Association, otherwise provided; shall be exofficio Member of all standing committees; shall have general and active management of the business of The Association, and shall see that all orders and resolutions of the Board are carried into effect. The President shall approve all expenditures of The Association before they are paid by the Treasurer.

Section 7:

The President-Elect shall serve a term of two (2) years. After serving at least one (1) term, the President-Elect shall assume the office of the incumbent President for a term of two (2) years. The President-Elect shall, in case of death, absence, resignation, disqualification, refusal or neglect of the President to discharge the duties incumbent upon him, preside and fulfill the duties of the President's office until an election or appointment shall be had. The President-Elect shall be the Chairman of a Standing Committee on Beach and Road Improvements. He shall perform such other duties, as the Board of Trustees shall prescribe.

Section 8:

The Secretary shall attend all sessions of the Board and all meetings of the

Members, and record all votes, resolutions and minutes of all proceedings in a book to be kept for that purpose and shall perform like duties for the standing committee when required. The Secretary shall have custody of all documents and papers belonging to The Association. The Secretary shall keep an active list of all Members of The Association, together with their addresses, and also record unpaid assessments. He shall give, or cause to be given, notice of all meetings of the Board or Trustees. Notice shall be sent at least ten (10) days prior to the date of each meeting. The Secretary shall attend to all correspondence of The Association as may be ordered by the Association itself, the Board of Trustees, or the President of The Association. The Board of Trustees may appoint an Assistant Secretary or clerk to assist the Secretary should the circumstances warrant it.

Section 9:

The Treasurer shall have custody of all funds of The Association and shall receive and collect all dues, funds, and assessments, giving his receipt for same, and depositing said funds in the official depositories, procuring from banks a duplicate deposit slip for each deposit made. The Treasurer shall make all payments when duly authorized and shall keep proper books of account, including records of property owned, submitting a written report at each Annual Meeting. The Treasurer shall be prepared to report the financial condition of The Association at any time required.

He shall give The Association a bond, *at the Board of Trustees option*, a premium therefor to be paid by The Association, in such sum, not less than the sum of Ten Thousand Dollars (\$10,000), and with such surety or sureties as shall be satisfactory to the Board for the faithful performance of the duties of his office and for restoration to

The Association, in case of his death, resignation, retirement or removal from office, of all books, papers, vouchers, money and other property belonging to The Association. All checks or demands for money and notes of The Association shall be signed by the Treasurer or acting Treasurer and by the President. The Board of Trustees may appoint an Assistant Treasurer or clerk to assist the Treasurer should circumstances warrant it.

Section 10:

The Board of Trustees shall have full charge of the affairs of The Association between meetings of The Association. The majority of the Board of Trustees shall constitute a Quorum for this transaction of business. The Board of Trustees shall present at each Annual Meeting and when called for by vote of the Members, at any special meeting of Members, a full and clear statement of the business and condition of The Association.

If the office of any Officer or Trustee becomes vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, a majority of the remaining Trustees though less than a Quorum, shall choose a successor or successors, who shall hold office for the *remainder of the* term in respect to which the vacancy occurred. All action which is ministerial in nature require majority approval by a vote of the Board of Trustees before such action shall be taken.

Officers and Trustees may be removed for cause by an affirmative vote by seventy-five percent (75%) of the Members present at the meeting called for that purpose. No Officer or Trustee shall continue to serve on the Board if during his term of office his property/dwelling ownership shall be terminated for any reason whatsoever. No Officer or Trustee shall be personally liable for any action he in good faith does or fails to do, or

for the defaults of any of the other Officers or Trustees.

Trustees and Officers, as such, shall not receive any salary for their services, provided that nothing herein contained shall be construed to preclude any Trustee or Officer from serving The Association in any other capacity and receive compensation therefor. The compensation for such other capacities shall be fixed by a majority of Members present at the Annual Meeting.

Article V

Meetings

Section 1:

a. The Annual Meeting of The Association shall held on the last Sunday in June, at 11:00 a.m. at Alton Shores, at which time they shall elect by a majority vote present Officers and a Board of Trustees and transact other business as may properly be brought before the meeting.

b. Written notice of the Annual Meeting shall be served upon or mailed to each Member entitled to vote thereat, at such address as appears on the books of The Association, at least thirty (30) days prior to the meeting.

c. At least ten (10) days before every election of Officers and Trustees a complete list of the Members entitled to vote at said election arranged alphabetically, with the residence of each, shall be prepared by the Secretary. Such list shall be open to the examination of any Member at the place where the election is to be held at the time and place of the election during the whole time thereof, and subject to the inspection of any Member who may be present.

d. Special meetings of the Members for any purpose or purposes, unless

otherwise prescribed by Statute, may be called by the President, or shall by the President or Secretary at the request in writing of a majority of the Board of Trustees or at the request in writing of fifteen (15) Members. Such request shall state the purpose or purposes of the proposed meeting.

e. Written notice of a special meeting of Members stating time and place and the objective thereof shall be served upon or mailed to each Member entitled to vote thereof at such address as appears on the books of The Association, at least ten (10) days before the meeting.

f. Business transacted at all special meetings shall be confined to the objects stated in the notice.

g. Upon proper notification of such meeting, those Members present in person or represented by proxy shall constitute a Quorum at all meetings of the Members for the transaction of business except as otherwise provided by Statute or these By-Laws.

h. When a Quorum is present at any meeting, the vote of a majority of the votes present in person or represented by proxy shall decide any question brought before such meeting unless the question is one upon which there are express provisions in the Statute or in these By-Laws.

i. At any meeting of the Members, every Member in good standing (Article III, Section 5) shall have the right to vote in person, or by proxy appointed by an instrument in writing, subscribed by such Member for such meeting. Such proxy shall only be valid for such meeting or subsequently adjointed meeting thereof.

j. Only one owner evidencing a freehold interest in a property/dwelling shall be eligible to vote at any meeting of the membership and only one vote shall be cast at any

such meeting.

k. Whenever the vote of Members at a meeting is required, the meeting and vote of Members may be dispensed with, if a majority of the voters of all the members who would have been entitled to vote upon the action of such meeting were held, shall consent to such cooperative action being taken without a meeting being held.

Section 2:

a. Meetings of the Board of Trustees may be held at such time and such places and upon such notice as the Board of Trustees may determine.

b. Special meetings of the Board may be called by the President on five (5) day's notice to each Trustee, either personally or by mail or by telegraph; special meetings shall be called by the President or Secretary in like manner and on like notice on the written request of two (2) Trustees.

c. At all meetings of the Board, a majority of the Board of Trustees shall be necessary and sufficient to constitute a Quorum for the transaction of business and the act of a majority of the Trustees present at any meeting at which there is a Quorum shall be the act of the Board of Trustees, except as may be otherwise specifically provided by Statute, or by the Certificate of Incorporation, or by these By-Laws.

Article VI

Dues, Assessments and Expenditures

Section 1:

Paragraphs 1 through 9 of the Declaration of Restrictive Covenants, dated August 30, 1980, are incorporated herein and made a part hereof by reference (*see addendum A*).

Section 2:

All expenditures of money by The Association shall be governed by the same rules as stated in paragraph 3 of the Restrictive Covenants. Lump sum appropriations may be voted by the Members, to be spent at the discretion of the Board of Trustees.

Section 3:

a. ***The annual membership dues shall be \$100. The membership dues must be paid on or before March 1st for the current fiscal year.***

b. ***The annual water fee shall be \$200.00. For Members in good standing, a \$100 adjustment shall be credited to their account.*** The water fee must be paid on or before ***March 1st*** of the current fiscal year.

c. ***The fee for Association new water service installation shall be \$1,000.00. Water service installation is defined here as all materials necessary and appropriate to provide water from the nearest water main to the closest property boundary where water is to be supplied. Included in this fee is first year water fee and the new well assessment). The installation shall not be completed until full payment (\$1,000.00) has been received by The Association.***

d. If said charges are increased by a duly authorized and legally binding vote of The Association, that the fees may thereby be increased with the assent of the remaining lot owners.

Article VII

Defaults of Non-Compliance

a. In the event of default by any developed property owner in paying any such ***dues, fees and*** assessment, such owner shall be obligated to pay interest at the legal rate

on such assessment from the due date thereof, together with all expenses, including attorney's fees, incurred by the Trustees in collecting the same. All such unpaid common charges shall constitute a lien to the extent provided by law. The Trustees shall have the right and duty to attempt to recover such assessment, together with interest thereon, and the expenses at any proceedings, including attorney's fees, in action to recover the same brought against such property owner, or by foreclosure of the lien on such property as provided by law. The Trustees shall promptly provide any developed property owner so requesting the same in writing with a written statement of all unpaid common expenses due for such property in form suitable for recordings.

b. In the event a Member indicates inability to pay a special assessment at the time specified in the assessment notice, the Board of Trustees may grant an extension of time for payment under conditions to be set by the Board of Trustees. Such extension shall be for a period of time no longer than the interval to the next Annual Meeting of the Members when a new Board of Trustees is elected, unless its further extension is approved by a majority of the new Board.

Article VIII

Committees

Section 1:

At the Annual Meeting of The Association, the President shall appoint a Standing Committee for Road, Beach, and Safety Improvements. The President-*Elect* shall be Chairman of the Standing Committee.

Section 2:

The Board of Trustees may, by resolution or resolutions passed by a majority of

the whole Board, designate one or more committee, each of whom to consist of at least three (3) Members of whom at least one (1) may be a Trustee. Such committee or committees shall have such name or names as may be determined from time to time by resolution adopted by the Board of Trustees. The committees shall keep regular minutes of their proceedings and report the same to the Board when required.

Article IX

Rights of Members

Section 1:

The owners of property/dwelling by majority vote, except as noted, of all Members in good standing present may at any meeting called for the purpose:

- a. Remove from office, any or all of the elected Officers, appointed Officers or Trustees by a seventy-five percent (75%) vote of Members Present.
- b. Elect successors for Officers or Trustees of The Association upon their death, removal, or resignation.
- c. Instruct the Officers and Trustees of The Association to take any lawful action with respect to The Association's property or affairs and such instruction shall be binding upon the Trustees. If money is required for completion of these instructions, the provisions of Article VI shall apply.

Section 2:

No Member shall be held to any liability whatever, for the payment of any sum of money or for damages or otherwise under any contract, obligation, or understanding entered into by the Officers and Trustees of The Association. All such contracts, obligations, or undertakings shall be enforceable only against The Association as such.

Section 3:

a. No action shall be taken which shall cause or tend to cause property (roads, beaches, etc.) under the control of The Association to be subject to the public use without the affirmative vote of sixty-six and two-thirds ($66 \frac{2}{3}$) of all owners of property/dwellings, whether present or not at a meeting called for that purpose.

b. The sale or disposition of property under the jurisdiction of The Association shall not take place without an affirmative vote of sixty-six and two-thirds ($66 \frac{2}{3}$) of all owners of property/dwellings, whether present or not at a meeting called for that purpose.

Article X

Amendments

Section 1:

a. These By-Laws may only be altered, amended, or added to at any duly called meeting of the Members provided (1) that the notice of the meeting shall contain a full statement of the proposed amendments; (2) that the requirement for such purposes shall be approved by a majority of votes present in person or represented by proxy, and (3) that no amendment, alteration, or addition to these By-Laws shall be valid if its operation would be inconsistent with or adversely affect interest in common areas or facilities or the assessment shares of owners (property/dwelling).

b. An amendment when adopted by a majority vote shall become effective only after being recorded in the Belknap County Registry of Deeds.

Article XI

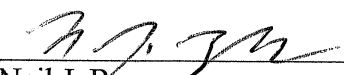
Construction

Section 1:

Whenever the masculine singular form of the pronoun is used in these By-Laws, it shall be construed to mean masculine, feminine, or neuter, singular or plural, wherever the context so requires.

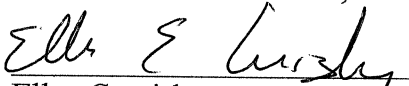
These By-Laws were agreed to and adopted by vote of the Board of Trustees as instructed by the Members on the 4th day of March, 2018.

Approved:



Neil J. Rapoza
President

Alton Shores Association, Inc.

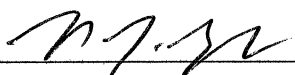
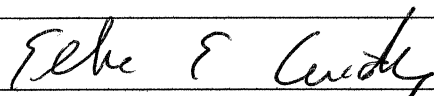
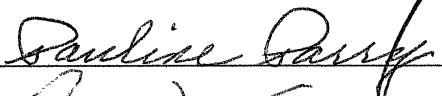
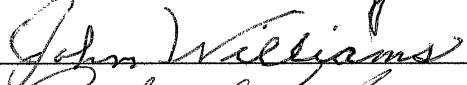
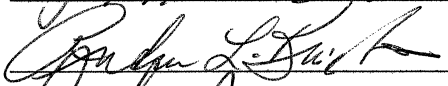
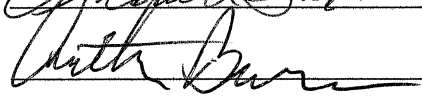


Ellen Comiskey
Secretary, duly authorized

We certify that this is a complete and accurate copy of the original document.

Alton Shores association, Inc.

Officers and Trustees

	President Neil Rapoza
_____	Vice-President
	Secretary Ellen Comiskey
	Treasurer Pauline Parry
	Trustee John Williams
	Trustee Andrea Knight
	Trustee Anthony Burns
_____	Trustee