

BY-LAWS

WALNUT VIEW HOMES ASSOCIATION

ARTICLE I – Meetings

Section 1: An annual meeting of members of the Association shall be held each year, subsequent to the year 1958, at a time, date, and place selected by the Board of Directors.

Section 2: Special meetings of the entire membership may be called at the discretion of the President, and notice of both annual and special meetings of the entire membership must be given in writing at least 10 days prior to the date on which such meeting shall be held.

ARTICLE II – Administration

Section 1: The officers of the Association shall be a President, Vice President, Secretary, and Treasurer, who shall be elected by ballot at the annual meeting and shall hold office for one year from the first of July next ensuing or until their successors are elected.

Section 2: The executive power shall be vested in a six person Board of Directors, which shall consist of the four elected officers, together with two members at large to be elected by ballot at the annual meeting and whose term of office shall be the same as that of the elected officers.

Section 3: Meetings of the Board of Directors may be called at the discretion of the President and must be called upon the written request of three members of the Board. Three members shall constitute a quorum at all meetings of the Board of Directors.

Section 4: A vacancy existing among the members of the Board of Directors from any cause other than expiration of term of office shall be filled by the Board for the unexpired term.

Section 5: All directors shall be and remain members in good standing of the Association.

Section 6: Any director may be removed from the Board of Directors, with or without cause, by a majority vote of the members of the Association entitled to vote. In the event of death, resignation or removal of a director, his or her successor shall be selected by the remaining members of the Board of Directors and shall serve for the unexpired term of his or her predecessor.

ARTICLE III – Officers

Section 1: The duties of the President shall be to preside at all meetings of the Association and the Board of Directors, to appoint committees, and to discharge the usual duties pertaining to that office.

Section 2: In the absence or incapacity of the President, the President's duties shall be performed by the Vice President.

Section 3: The Secretary shall keep the minutes of all meetings of the Association and of the Board of Directors. The Secretary shall maintain a complete card file of each tract of assessable land showing the name of the owner.

Section 4: The Treasurer shall collect, receive, and have custody of all moneys of the Association, depositing the same in such depository as shall be selected by the Board of Directors. The Treasurer shall keep a true account of all transactions, and shall submit a financial report to the annual meeting of the Association which shall be audited by the Board of Directors, or a committee appointed by them, prior to the said annual meeting.

Section 5: The directors, officers, and members of the Association shall not be individually or personally liable for the debts, liabilities or obligations of the Association.

ARTICLE IV – Finances

Section 1: The fiscal year of the Association shall commence on July 1 of each year and extend to the following June 20th.

Section 2: The annual assessment shall be fixed and levied by the members at the annual meeting as provided in the DECLARATION OF WALNUT VIEW HOMES ASSOCIATION and shall become due and payable on the following 1st day of July for the fiscal year beginning that date.

Section 3: All moneys of the Association, except for a petty cash fund not to exceed ten dollars, shall be deposited when received, in the depository selected by the Board of Directors and checks disbursing such funds shall be signed by the incumbent President and Treasurer.

ARTICLE V – Park and Playground

Section 1: The use of the Association's park and playground shall be limited to members and their families. Guests may be permitted to use said facilities when they are in the company of a member or person in his or her family, who shall be responsible at all times for the actions of his or her guest or guests.

ARTICLE VI – Powers of the Board of Directors

Section 1: Exercise for the Association all powers, duties and authorities vested in or delegated to the Association and not reserved to the membership by other provisions of these Bylaws, the Articles of Incorporation or the Declaration.

Section 2: Adopt and publish rules and regulations governing the use of Common Areas and the personal conduct of the members and their guests thereon, and to establish fines and penalties for the infraction thereof; provided however, that the Board of Directors may not, in any event, revoke, limit, restrict, or suspend in any way, the right of any owner to use and enjoy any street for ingress or egress.

Section 3: Employ and contract with for such periods of time and on such terms as may be deemed appropriate agents, independent contractors, managers and employees, and to prescribe their duties and responsibilities.

Section 4: Keep a complete record of all its acts and of the corporate affairs of the Association and to present reports thereof to the members, as prescribed by Kansas Statute Annotated Section 58-4616.

Section 5: Supervise all officers, agents and employees of the Association, and see that their duties are properly performed.

Section 6: Provide for the levying of the assessments against each unit and to take all actions necessary or appropriate to collect the same.

Section 7: Issue, or cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not an assessment has been paid. A reasonable charge may be made by the Association for the issuance of these certificates.

Section 8: Procure and maintain all insurance coverages required or permitted by the Declaration.

Section 9: Perform all acts and do all things required or permitted to be done by the Association by the Declaration or otherwise; and perform all acts and do all things permitted or required of a Board of Directors of a not for profit corporation under the laws of the State of Kansas.

ARTICLE VII – Amendments

Section 1: Amendments to these By-Laws or additions thereto may be made by the Board of Directors at any called meeting thereof, but such amendments or additions shall be signed by the members of the Board of Directors taking such affirmative action.

Above By-Laws adopted by the Action of the Board of Directors on _____.

CERTIFICATE OF THE BOARD OF DIRECTORS

We, the undersigned, being all of the Directors of The Walnut View Homes Association, do hereby certify:

1. That we are the duly elected and acting Board of Directors of the Walnut View Homes Association, a Kansas not for profit corporation.
2. That the foregoing Bylaws constitute the Bylaws of said homes association as duly adopted and amended to comply with the Kansas Uniform Common Interest Owner’s Bill of Rights Act.
3. That we are entitled to exercise all the voting power of said Corporation.

I attest that a vote was taken at the annual meeting of the membership on _____ and these were approved by a majority of the members in attendance and such meeting was verified to be greater than a quorum needed to meet the Kansas Uniform Common Interest Owners Bill of Rights Act of homeowners present in person or by proxy.

President

Date

ACKNOWLEDGMENT

State of Kansas)
) ss
County of Johnson)

Be it remembered that on this _____ day of _____, 2017, before me, the undersigned, a Notary Public, duly commissioned in and for the county and state aforesaid, came _____, President of the Walnut View Homes Association, to me personally known, who being by me duly sworn, did state that such individual is the President of the Walnut View Homes Association, Inc., a Kansas not-for-profit corporation, and that said instrument was signed and delivered on behalf of said corporation by the authority of its Board of Directors and said person acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have set my hand and affixed my official seal in said county and state on the date and year written above.

My Commission Expires:

Notary Public

Print Name

DRAFT