



***Roadhaven Resort of Apache Junction***

1000 S. Idaho Rd.

Apache Junction, AZ 85119

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# **BYLAWS**

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**Amended and Restated: March 5, 2019**

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# BYLAWS OF

## *Roadhaven Resort of Apache Junction*

### HOMEOWNERS ASSOCIATION, INC.

#### ARTICLE 1 - GENERAL PROVISIONS

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- 1.1. **Principal Office.** The principal office of this corporation shall be located at the place as is designated in the Articles of Incorporation.
- 1.2. **Defined Terms.** Capitalized terms used in these Bylaws without definition shall have the same meanings specified for such terms in the Declaration of Covenants, Conditions and Restrictions for Roadhaven Resort of Apache Junction recorded in Docket 1103, pages 326 through 375, as amended by the document recorded in Docket 1135, page 370 records of Pinal County, Arizona, as such declaration is further amended from time to time.
- 1.3. **Conflicting Provisions.** In the case of any conflict between the Articles and these Bylaws, the Articles shall control; and in the case of any conflict between the Declaration and these Bylaws, the Declaration shall control.
- 1.4. **Corporate Seal.** The Association seal and its use shall be approved by the Board.
- 1.5. **Designation of Fiscal Year.** The fiscal year of the Association shall begin on the 1st day of July and end on the 30th day of June of every year.
- 1.6. **Financial Records.** An annual report consisting of at least the following shall be available to all members for inspection within 120 days after the close of each fiscal year at the Association office.
  - A balance sheet;
  - An operating (income) statement; and
  - A statement of changes in financial position for the fiscal year.
  - The annual financial report shall be on an audited, reviewed or compiled basis, as the Board determines, by an independent certified public accountant.
- 1.7. **Amendment.** These Bylaws may be altered, amended or added to at any time by a 75% vote of the Members of the Board of Directors.

#### ARTICLE 2 - MEETINGS OF MEMBERS

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- 2.1. **Place of Meeting.** All meetings shall be held at Roadhaven Resort of Apache Junction and an annual meeting of the Members of the Association shall be held each year during the month of March; time and physical location to be determined by the Board of Directors.
- 2.2. **Special Meetings.** Special meetings of the Members may be called at any time by the President or by the Board of Directors or upon a petition signed by members holding at least 10% of the total votes in the Association. The close of business on the day before delivery of the demand or demands for a special meeting shall be the record date for the purpose of determining whether the demand for the special meeting has been signed by Members holding at least 10% of the total votes in the Association.

- 2.3. Notice of Meetings.** Written notice of each meeting of the Members shall be given by, or at the direction of, the Secretary or the person authorized to call the meeting, by mailing a copy of each notice, postage prepaid, within 30 days before such meeting to each Member entitled to vote at the meeting, addressed to the Member's address last appearing on the books of the Association or supplied by such Member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting.
- 2.3.1. When the meeting is adjourned to another date, time or place, a notice of the new date, time or place is not required if the new date, time or place is announced at the meeting before adjournment. At the adjourned meeting, the Association may transact any business which might have been transacted at the original meeting. If a new record date for the adjourned meeting is or must be fixed under Subsection 2.5 below, the Association shall give notice of the adjourned meeting pursuant to this Section to persons who are Members as of the new record date.
- 2.3.2. A Member's attendance at a meeting waives objection to the lack of notice or defective notice of the meeting, unless the Member at the beginning of the meeting objects to holding the meeting and transacting business in the meeting. In addition, a Member's attendance at a meeting waives objection to consideration of a particular matter at the meeting that is not within the purpose or purposes described in the meeting notice, unless the Member objects to considering the matter at the time it is presented.
- 2.4. Quorum.** Except as otherwise provided in the Articles, the Declaration or these Bylaws, the presence in person of Members entitled to cast 10% of the total authorized votes in the Association shall constitute a quorum at all meetings of the Members. If a quorum shall not be present at any meeting, the Members entitled to vote at the meeting shall have the power to adjourn the meeting from time to time until a quorum shall be present.
- 2.5. Record Date.** For any meeting of the Members, the Board shall fix a date as the record date for determining the Members entitled to notice of the meeting.
- 2.6. Organization and Conduct of Meeting.** All Members attending a meeting of the Members for the purpose of casting a vote shall register with the Secretary (or such person or persons as may be designated by the Secretary) prior to commencement of the meeting. All meetings of the Members will be called to order and chaired by the President of the Association, or if there is no President or if the President is absent or so requests, then by the Vice President. If both the President and Vice President are not present at the meeting, any other officer of the Association or such member of the Association as appointed by the Board may call the meeting to order and chair the meeting. The chair of the meeting may appoint any person (whether or not a Member of the Association) to act as Recording Secretary. The chair of the meeting shall have the authority to determine the order of business to be conducted at the meeting and to establish reasonable rules for expediting the business of the meeting.
- 2.6.1. Executive Session. The Board may close a portion of a meeting to go into executive session to consider one or more of the following subjects: 1) Legal advice from an attorney for the Board or for the Association; 2) Pending or complete litigation; 3) Personal health and financial information about an individual member of the Association, an individual employee of the Association; and individual employee of a contractor for the Association; and 4) Matters relating to the job performance of, compensation of, health records or specific complaints against and individual employee of the Association, an individual employee of a contractor and/or the contractor of the Association who works under the direction of the Association.

**2.7. Action by Written or Electronic Ballot.** Any action that the Association may take at any annual, regular or special meeting of the Members may be taken without a meeting if the Association delivers a written or electronic ballot to every Member entitled to vote on such a matter. The written or electronic ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action. All solicitation for votes by written or electronic ballot shall: (1) indicate the number of responses needed to meet the quorum requirements; (2) state the percentage of approval necessary to approve each matter other than election of directors; and (3) all ballots shall be distributed to the members not less than thirty (30) days prior to counting; and (4) specify the time by which such a ballot must be received by the Association to be counted. Once a written or electronic ballot has been received by the Association, the ballot may not be revoked. Approval by written or electronic ballot pursuant to this Section is valid only if both the number of votes cast by ballot equal or exceeds the quorum required to be present at a meeting authorizing the action and the number of approvals equals or exceeds the number of votes which would be required to approve the matter at a meeting at which the total number of votes cast was the same as the number of votes cast by ballot.

**2.8. Action by Written Consent.**

2.8.1. The Members may approve any action required or permitted by law that requires the Members' approval without a meeting of the Members if the action is approved by Members holding at least a majority of the voting power of the Association, unless the Declaration, Articles, these Bylaws or applicable laws require a different amount of voting power. The action shall be evidenced by one or more written consents describing the action taken, signed by those Members representing at least the requisite amount of the voting power and delivered to the Association for inclusion in the minutes or filing with the corporate records of the Association.

2.8.2. If not otherwise fixed by the Board pursuant to Section 2.5 above, the record date for determining Members entitled to take action without a meeting is the date the first Member signs the consent to the action. A consent signed under this Section has the effect of a meeting vote and may be described as such in any document. Written notice of Member approval pursuant to this Section shall be given to all Members who have not signed the written consent. Unless otherwise specified in the consent or consents, the action is effective on the date that the consent or consents are signed by the last Member whose signature results in the requisite amount of the voting power. Any Member may revoke the Member's consent by delivering a signed revocation of the consent to the President or Secretary before the date that the consent or consents are signed by the last Member whose signature results in the requisite amount of the voting power.

**2.9. Voting Requirements.** Unless otherwise provided in the Association Documents, if a quorum is present at a meeting of the Members, the affirmative vote of a majority of the votes represented and voting is the act of the Members.

**2.10. Voting Rights.** Voting rights of any member delinquent more than 30 days in payment of any assessments will be suspended until this delinquency is corrected.

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## **ARTICLE 3 - BOARD OF DIRECTORS**

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**3.1. Number.** The affairs of the Association shall be managed by a Board of Directors consisting of seven (7) directors. All directors must be Members of the Association.

**3.2. Election.** The directors shall be elected by the Members eligible to vote.

3.2a All candidates for election to the board will be required to attend an inservice that will cover the following policies:

- HOA Board Fiduciary Duty Policy
- Confidentiality Policy

- Information Management Policy

They will then be required to sign the following forms:

- Background Check Authorization Form
- HOA Board Fiduciary Duty Form
- Confidentiality Form
- Information Management Form

A candidate refusing to sign these forms will not be eligible for proceeding to election.

**3.3. Term of Office.** The seven (7) member Board of Directors shall be constituted by electing three members in one year (for a three year term) and two (2) members in the following two (2) years (for a three year term) and may be elected for one consecutive (1) additional term. All directors shall hold office until their term expires or until their successors are duly elected and qualified, whichever occurs last. Those appointed to complete unexpired terms may be elected to two (2) consecutive three (3) year terms. All directors must be members of the Association.

**3.4. Resignation of Directors.** A director may resign at any time by delivering written notice to the Board of Directors. A resignation is effective when the notice is delivered unless the notice specifies a later effective date or event.

**3.5. Removal of Directors.** Any director may be removed from the Board with or without cause, by a majority vote of the members of the Association. Vacancies are to be filled in accordance with Section 3.8. A vote of the Association Membership shall be called by the Board of Directors if requested in accord with Article 2.2.

3.5.1 A petition signed by 10% or more members in good standing, presented to the Board of Directors will cause a special meeting to be scheduled within thirty (30) days of such receipt and the dispatch of a Notice of Recall meeting.

3.5.2 The Board of Directors will cause Recall Ballots to be distributed/mailed to all the members of the Association at their listed home of record (if not currently in the Park). If the owner is currently in the Park, they may be hand distributed or mailed to their Park address.

3.5.3 At the membership meeting, the presence of the number of validated owners' ballots to whom at least 20% votes are allocated is sufficient for a quorum. If a quorum is present by persons and/or ballots, a simple majority is sufficient to carry the issue.

3.5.4 If a Recall Petition is submitted to the Board and the vote at the Membership meeting is unsuccessful to remove that Director(s), that Director(s) is/are safe from another Recall Petition during the rest of the Term.

3.5.6 Record of petition and meeting minutes must be kept for one (1) year by the Association. If there is litigation over the recall process, the loser will be obligated to pay the winner's reasonable attorney's fees and cost and other fees and cost associated with the litigation.

**3.6. Compensation.** No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for actual expenses incurred in the performance of duties.

**3.7. Action Taken Without a Meeting.** In an emergency situation, the directors shall have the right to take action in the absence of a meeting which they could take at a meeting by obtaining the written consent of the directors any such written consent shall be filed with the minutes of the proceedings of the Board.

**3.8. Vacancies.** In an event of a vacancy on the Board, the remaining Board members will select by a 2/3 majority the candidate they desire regardless of past ballots or previous precedents.

### **3.9. Meetings.**

- 3.9.1. Regular meetings of the Board of Directors shall be held at such times and places as may be determined by the Board of Directors. Once the date, time and place of a regular meeting have been set by the Board of Directors, no further notice of the meeting is required to be given to any of the directors. Meetings shall be conducted according to "Robert's Rule of Order".
- 3.9.2. Special meetings of the Board of Directors shall be held when called by the President of the Association, or by any three directors, after not less than three (3) days' notice to each director, except in cases of emergency.
- 3.9.3. A director's attendance at or participation in a meeting waives any required notice to the director of the meeting or promptly on the director's arrival at the meeting objects to holding the meeting or transacting business at the meeting and does not thereafter vote for or assent to action taken at the meeting.
- 3.9.4. Directors may participate in a regular or special meeting of the Board through the use of any means of communication by which all directors participating may simultaneously hear each other during the meeting, and a director participating in a meeting by such means is deemed to be present in person at the meeting.
- 3.9.5. Notice of meetings of the Board of Directors shall be given to the members of the Association by posting of the date, time and place of the meeting on the bulletin boards located on the exterior wall of the Main Recreation Building and the Phase II Building where the Yuma Room is located, at least three (3) days prior to the date of the meeting, except that notice to the members of the Association shall not be required if emergency circumstances require action by the Board of Directors before notice can be given.

**3.10. Quorum and Voting.** A majority of directors in office shall constitute a quorum for the transaction of business. If a quorum is present when a meeting is convened, the quorum shall be deemed to exist until the meeting is adjourned, notwithstanding the departure of one or more directors. If a quorum is present when a vote is taken, the affirmative vote of a majority of directors present is an act of the Board unless the Articles or Bylaws require the vote of a greater number of directors. A director who is present at a meeting of the Board when corporate action is taken is deemed to have assented to the action taken unless either: (1) the director objects at the beginning of the meeting or promptly on the director's arrival to holding it or transacting business at the meeting; (2) the director's dissent or abstention from the action taken is entered in the minutes of the meeting; or (3) the director delivers written notice of the director's dissent or abstention to the presiding officer of the meeting before its adjournment or to the Association before 5:00 p.m. on the next business day after the meeting.

The right of dissent or abstention is not available to a director who votes in favor of the action taken. A director may vote in person or by proxy. A director may appoint a proxy to vote or otherwise act for the director by signing an appointment form, either personally or by the director's attorney-in-fact. The appointment does not relieve the director of liability for acts or omissions imposed by law on directors. An appointment of a proxy is effective when received by the Secretary. An appointment is valid for one (1) month unless a different period is expressly provided in the appointment form. An appointment of a proxy is revocable by the director. The death or incapacity of a director appointing a proxy shall not affect the right of the Association to accept the proxy's authority unless written notice of death or incapacity is received by the Secretary before the proxy exercises its authority under the appointment. Subject to any express limitation on the proxy's authority appearing on the face of the appointment form, the Association is entitled to accept the proxy's vote or other action as the vote of the director making the appointment.

**3.11. Powers and Duties.** The Board shall have all the powers and duties necessary for the administration of the affairs of the Association and may exercise all corporate powers of the Association, subject to any limitation set forth in the association documents. In addition to the duties imposed by these Bylaws or by any resolution of the Members that may hereafter be adopted, the Board's powers and duties include but are not limited to:

- 3.11.1. Open and maintain bank accounts on behalf of the Association and designate the signatories thereon;
- 3.11.2. Make, or contract for the making of, repairs, additions to, improvements to, or alternations of the Common Area;
- 3.11.3. In the exercise of its discretion, enforce by legal means the provisions of the Association documents;
- 3.11.4. Provide for designating, hiring and dismissing the personnel necessary for the maintenance, operation, repair, replacement of the Common Area and provide service for the Members, and, where appropriate, provide for the compensation of such personnel and for the purchase of equipment, supplies and material to be used by such personnel in the performance of their duties;
- 3.11.5. Provide for the operation, care, upkeep and maintenance of all the Common Area;
- 3.11.6. Prepare and adopt an annual budget for the Association prior to the commencement of each fiscal year;
- 3.11.7. Adopt and publish rules and regulations governing the use of the Common Area and facilities and the personal conduct of the Members and their family members, guests, lessees and invitees thereon and establish penalties for the infraction thereof;
- 3.11.8. Exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the Membership by other provisions of the Association documents;
- 3.11.9. Declare the office of a member of the Board to be vacant in the event such member has unexcused absences from three (3) consecutive regular meetings of the Board;
- 3.11.10. Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the Members at the annual meeting of the Members, or at any special meeting when such statement is requested in writing by any Member entitled to vote;
- 3.11.11. Supervise or delegate the supervision of all officers, agents, employees of the Association and see that their duties are properly performed;
- 3.11.12. Levy, collect and enforce the payment of Assessments in accordance with the provisions of the Declaration;
- 3.11.13. Issue, or cause an appropriate officer to issue upon demand to any person a certificate setting forth whether or not an Assessment has been paid. If a certificate states an Assessment has been paid, such certificate shall be conclusive evidence of such payment;
- 3.11.14. Procure and maintain adequate property, liability and other insurance as required by the Declaration;
- 3.11.15. Cause all officers or employees having fiscal responsibilities to be bonded, as it may deem



appropriate.

- 3.11.16. Take action to develop policies and procedures as deemed necessary. Policies should be reviewed every three years.

## **ARTICLE 4 - OFFICERS AND THEIR DUTIES**

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- 4.1. **Enumeration of Officers.** The principal officers of the Association shall be the President, the Vice President, the Secretary, and the Treasurer all of whom shall be members of the Association and shall be elected by the Board.
- 4.2. **Election of Officers.** The election of officers shall take place at the first regular meeting of the Board following each annual meeting of the Members.
- 4.3. **Term.** The officers of the Association shall be elected annually by the Board and each shall hold office for one (1) year unless he or she shall sooner resign, or shall be removed, or otherwise disqualified to serve.
- 4.4. **Special Appointments.** The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.
- 4.5. **Resignation and Removal.** Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time by giving written notice to the Association. A resignation is effective when the notice is delivered unless the notice specifies a later date or event. The acceptance of a resignation shall not be necessary to make it effective. If a resignation is made effective at a later date or event, and the Board accepts the later effective date, the Board may fill the pending vacancy before the effective date if the Board provides that the successor shall not take office until the effective date.
- 4.6. **Multiple Offices.** One person may simultaneously hold more than one office, including special offices created pursuant to paragraph 4.4 of this Article, except, one person may not hold the offices of President and Secretary simultaneously.
- 4.7. **Powers and Duties.** The powers and duties of the officers shall be as follows:
  - 4.7.1. **President.** The President shall be the chief officer of the Association; shall preside at all meetings of the Board or the Members; shall see that orders and resolutions of the Board are carried into effect; and have general and active management of the business of the Association. Per Arizona law, the President shall also be the chairperson of the Architectural Committee.
  - 4.7.2. **Vice-President.** The Vice-President shall act in the place and stead of the President in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.
  - 4.7.3. **Secretary.** The Secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the Members; keep the corporate seal of the Association and affix it to all papers requiring said seal; serve notice of meeting of the Board and of the Members; keep appropriate current records showing the Members of the Association together with their addresses, and shall perform such other duties as required by the Board.
  - 4.7.4. **Treasurer.** The Treasurer or his/her delegate shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds for appropriate Association purposes as

set forth in the Association documents; keep proper books of account; cause an annual accounting of the Association books to be made by an independent public accountant at the completion of each fiscal year, or as directed by the Board; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its first open board meeting held in March, and deliver a copy of each to the Members; and, in general, perform all the duties incident to the office of Treasurer. The Board of Directors shall identify a second person to sign all checks such that each check shall contain two authorized signatures.

## **ARTICLE 5 - COMMITTEES OF THE BOARD**

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**5.1. Appointment of Committees.** The Board may create and/or approve the additional and/or deletion of committees at any regularly Board Meeting, specially called Board Meeting or Executive Meeting, and appointed members, homeowners and/or renters who serve on them. Each committee shall have one (1) or more members, and each member shall serve at the pleasure of the Board. All committees shall operate according to the fiscal year in or to be in place for the beginning and the ending of the seasonal year.

**5.1.1 Dissolving Committees.** No Committees, except for Ad-Hoc Committees, shall be dissolved as a committee from full filling the responsibilities assigned to it without a super majority of the Roadhaven Board of Directors voting to dissolve the committee. Super Majority means that six of the seven Directors must vote in the affirmative to dissolve the committee.

**5.2. Committees.** The following committees shall be formed and maintained until such times as the Board adds or deletes committees. Each committee is responsible for determining the number of members needed. Committees shall be organized as follows:

**5.2.1. Standing Committees.** Are defined as those whose charter and responsibilities provide support to the Board for the normal operation of the HOA. Chairpersons of these committees shall not serve more than three (3) consecutive years as Chair, but can remain on the committee:

Architecture	Golf
Audio/Visual	Human Resources
Audit	Insurance
Bingo	Recreation
Finance and Planning	Rules & Regulations

A. Due to the technical nature of the standing committee chairs, committee chairs can be granted a waiver to the three (3) year consecutive rule by Board approval.

1. The waiver must include input from the existing committee members in the form of a written ballot vote.

2. The ballots will be tabulated by the Board liaison.

B. Members do not have a limit to the time eligible to serve.

C. Require funding from the Association to support their functions and/or responsibilities.

**5.2.2 Service Committees.**

A. Service Committees are defined as those that:

1. Require funding from the Association to support their functions and/or responsibilities.

2. Have a single objective tied to a specific timeframe.
3. Have only periodic responsibilities as assigned by the Board.
4. Committee chairs can be granted waiver to the three (3) year consecutive rule.  
Elections          Memorial, Gifts & Bequests          Nominations

**5.2.3. Independent Committees.**

Are defined as those that operate independently from the direct Board involvement but provide desired activities and/or functions for the HOA.  
Church

**5.2.4. Ad Hoc Committees.** Are defined as those established by the Board on an “as needed basis” and can report directly to the Board or another committee. Homeowners and/or renters can be on an ad hoc committee even if they are already on two standing committees.

**5.2.5 Chairpersons.**

- A. A chairperson must be a member of the Association.
- B. The Board of Directors shall appoint and/or re-assign a chairperson for each committee at the March HOA meeting or whenever there may be a chair resignation.
- C. The Chairperson shall recommend a Co-Chair to the Roadhaven Board for approval. The Co-Chair will work closely with the Chairperson and become the successor for the Chairperson should that position become vacant.
- D. Committee chairs term is for three consecutive years.
- E. Committee input must be considered prior to granting waiver.
- F. The chairperson is responsible for maintaining and updating with committee input:
  - 1) Committee charter
  - 2) Mission statement
  - 3) Member size as set forth in the charter
  - 4) Determining officers needed for the committee (such as vice chair, secretary)
  - 5) Recording of meeting minutes and/or other correspondence
  - 6) Posting of meeting times, agenda and meeting minutes
  - 7) Forwarding information to the board administrative assistant and to webmaster
  - 8) Communication with the board liaison
  - 9) Keep committee information current on the website
- G. The chairperson shall take action to ensure that all critical digital committee data is stored on Roadhaven servers. This may be accomplished by one of the two following methods:
  - 1) Utilization of Roadhaven’s designated cloud service provider with assigned access credentials from the Board’s Administrative Assistant.
  - 2) Providing the critical digital data information to the Board’s Administrative Assistant in a timely manner (after each meeting).
- H. A committee Chair may serve on no more than two committees. Ad hoc committees are not counted toward this provision.
- I. A board member may serve as a chair of a committee. It is required by Arizona State Statute that the Architectural Committee be chaired by a Board member.

J. A committee member may petition for a chairperson's term limit to not be extended.

**5.3. Committee Members.** The Board of Directors shall appoint and/or re-assign a chairperson for each committee at the March HOA meeting, or whenever there may be a resignation, who must be a member of the Association. Homeowners and/or renters can serve on an ad hoc committee even if they are already on two committees. All committee members will sign a Roadhaven Confidentiality Statement, as required. Committee members must be homeowners for following committees:

Audit	Human Resources
Election	Nomination
Finance and Planning	

**5.4. Committee Charters.** Each committee shall have a charter which briefly delineates the committee's purpose responsibilities and limitations. The charter shall specify the minimum and maximum number of committee members authorized, specifying the officers needed and the term of each office. Charters should be reviewed annually by the committee, and changes approved by the Board of Directors.

**5.5. Proceedings of Committees.** The provisions of these Bylaws governing meetings, action without meetings and notice, waiver of notice, quorum and voting requirements of the Board shall also apply to committees and their members (Refer to Article 3). All committee meetings will abide by Arizona State Law and meeting notice shall be given at least three (3) days prior to the date of the meeting.

**5.6. Ownership of Property.** Personal property or equipment purchased by a committee or organization for the benefit of the Members of the Association shall be deemed to be property of the Association.

## ARTICLE 6 - SMOKING

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**6.1.** Smoking is not permitted within the Roadhaven Resort. This rule applies to cigarettes, cigars, pipes, e-cigarettes and other smoking devices. Exceptions to the non-smoking rule are as follows:

1. The bench at the east side of the Bell Tower
2. The bench at the southwest corner of the Golf Pro Shop
3. The golf course – maintaining 20 feet from private property
4. A designated area in the maintenance area
5. Private property

Refer to Rules & Regulations, Section VI.A, Smoking.

## ARTICLE 7 - DISCLOSURE FEE AND CAPITAL CONTRIBUTION FEE

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**7.1 Disclosure Fee.** Upon the sale, exchange or other transfer of a lot, there shall be a **Disclosure Fee** of Four Hundred Dollars (\$400.00) paid to the Association, as set by the Board of Directors, to compensate the Association for expenses incurred in amending its records and providing the Disclosure Documents to meet state requirements with respect to lot ownership.

**7.2 Capital Contribution Fee.** A **Capital Contribution Fee** of One Thousand Five Hundred Dollars (\$1,500.00) will be deposited to the Roadhaven Project Fund and used only for purposes previously defined for the project fund expenditures. This fee is not negotiable, nor is it waivable. In the event the above described

fee is not paid within thirty (30) days, a penalty in the amount of Three Hundred Dollars (\$300.00) will be levied.

- 7.3 Transfer of Property to Next of Kin.** If a Transfer of Property is to immediate next of kin, *only the Disclosure Fee* of Four Hundred Dollars (\$400.00) will be levied. Next of kin is defined as Mother, Father or Children. No other exceptions are allowed.

## CERTIFICATION

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The undersigned, being the duly elected President of Roadhaven Resort in Apache Junction, Arizona, hereby certifies that the foregoing Bylaws of Roadhaven Resort were adopted by the Board of Directors on the 5th day of March, 2019.

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Roger Haines  
Roadhaven Board President

First amendment to 1-31-94 bylaws approved by Board of Directors: April 2, 1996

Second amendment to 1-31-94 bylaws approved by Board of Directors: July 18, 1996 (Second amendment action taken re: House Bill 2299 passed by the Arizona Legislature and signed into law by Governor Symington on April 20, 1996 to become effective on July 20, 1996)

Bylaws updated: June 1997

Bylaws updated: January 2000

Bylaws updated: December 3, 2002

Bylaws updated: March 16, 2010

Bylaws updated: April 5, 2011

Bylaws updated: March 10, 2015

Bylaws updated: February 16, 2016

Bylaws updated: March 28, 2017

Bylaws updated: February 20, 2018

Bylaws updated: March 5, 2019

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<b>Emergency Action .....</b>	<b>4</b>
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<b>Financial Records .....</b>	<b>1</b>
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<b>Fiscal Year .....</b>	<b>1</b>
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<b>Governing Documents Conflict .....</b>	<b>1</b>
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## Member Meeting

Executive Session .....	2
Majority Vote .....	3
Meeting Place .....	1
Notice .....	2
Quorum .....	2
Rules .....	2
Special Meetings .....	1
Written Ballot .....	3

<b>Ownership Changes .....</b>	<b>10</b>
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<b>Penalties .....</b>	<b>10</b>
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<b>Robert's Rule of Order .....</b>	<b>4</b>
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<b>Smoking .....</b>	<b>10</b>
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