

BY-LAWS OF
THE RUNYAN LAKE POINT PROPERTY OWNER'S ASSOCIATION, INC.

WELCOME

TO

THE

RUNYAN LAKE POINT

PROPERTY OWNER'S ASSOCIATION,

INCORPORATED

Established July 20, 1932

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Preamble

This corporation, having been duly incorporated under the state of Michigan Act No. 137 of the Public Acts of 1929, as amended on July 5, 1985, shall be known as the Runyan Lake Point Property Owners Association, Incorporated (the "Corporation").

Article I: Purpose

The purpose of the Corporation shall be to promote the health, safety and welfare of the community and to protect and improve the quality of the lake and adjoining land.

Article II: Membership in the Corporation

Section 2.1: Membership Qualifications

By virtue of and through incorporation, every legally registered owner of one or more lots or parcels, which have either direct or indirect access to the private road known as Runyan Lake Point at the time of incorporation shall become Members of the Corporation and shall be subject to all current rules, regulations, by-laws, and restrictions as well as any amendments or changes to the by-laws that may be approved by the voting body of the Corporation (Reference Addendum A for a complete legal description of incorporated properties). Members rights, privileges, benefits and obligations associated with said Membership are governed by this document. All Corporation dues and voting rights shall be based upon tax identification numbers as maintained by Tyrone Township.

Section 2.2: Determination of Owner of Property

In the absence of evidence to the contrary, it will be presumed that the owner of any given lot is the person or persons so listed on the tax records of the county of Livingston, Michigan. For the purpose of membership in the Corporation a holder of a land contract, rather than the legal title holder, shall be considered the owner of the property.

Section 2.3: New Membership Qualifications

Legally registered owners of lots or parcels which have primary access via the public road Carmer Road, but who desire access to their lots or parcels via the private road Runyan Lake Point may be granted access to the private road Runyan Lake Point only after:

- (1) Petitioning the Board of Directors of the Corporation; and
- (2) Receiving an affirmative vote of the majority of the Board of Directors of the Corporation during a duly noticed meeting; and
- (3) Receiving an affirmative response to a Corporation mailed voting form from at least two thirds of the dues paying Members of the Corporation in good standing in its entirety; and
- (4) Signing a legally binding agreement with the Corporation in which the petitioner and any future owner of the lot or parcel agrees to be subject to all current rules, regulations, by-laws, and restrictions as well as any amendments or changes to the by-laws of the Corporation approved by the voting body of the Corporation from that time forward; and
- (5) Paying a special assessment in an amount determined by the Board of Directors and the membership to establish a vested ownership interest in the private road Runyan Lake Point.

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Section 2.4: New Membership Benefits

Upon meeting the requirements of Article II Section 2.2, new Members of the Corporation shall be afforded legal ingress and egress to their lot or parcel via the private road Runyan Lake Point. The Board and membership of the Corporation shall meet during a duly noticed meeting to determine any additional benefits to be afforded new Corporation Members. Upon the affirmative response to a Corporation mailed voting form from at least two thirds of the dues paying Members of the Corporation in good standing in its entirety, the following additional benefits shall be offered to new Members subject to the payment by new Members of any associated assessments or fees necessary to accommodate their inclusion:

1. Access to and use of Outlot A as shown on the Plat of Runyan Lake Point (the "Community Property"), also known as the upper and lower ballparks (the "Ballparks") in accordance with these by-laws. A special assessment in an amount to be determined by a two thirds vote of the dues paying Members of the Corporation, but not less than \$10,000.00 per new parcel or lot, shall be paid to the Corporation by the new Member to receive this benefit. The vote may be established during a regular or special meeting, or by affirmative response to a written notice provided to each Corporation member;
2. A mail box located within the common mail box area of the Corporation. The new Member shall be responsible for any and all costs associated with expansion of the mail box area to accommodate their inclusion, as well as compliance with U.S. Postal requirements.

Article III: Meetings

Section 3.1: General Meeting Locations

Meetings shall be held at a designated place on one or more properties within the Corporation, Livingston County, Michigan, or any other place convenient for holding meetings.

Section 3.2: The Spring General Membership Meeting

There shall be a general membership meeting on the first Saturday of June at 10:00 a.m. Michigan time. The place of this meeting shall be the upper Ballpark unless moved by prior notice in accordance with these articles.

(A) Standing Spring General Membership Meeting Agenda

1. Call to Order
2. Reading and approval of the previous Fall Annual Meeting minutes
3. Reports of officers, boards, and standing committees
4. Reports of special committees
5. Special Orders
6. Unfinished business and General Orders
7. New business (may be entered by prior letter to a Board member, or from the floor of the meeting)
8. Nominations of Trustees for Fall election
9. Announcements
10. Adjournment

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Section 3.3: The Fall Annual Membership Meeting

The Annual meeting shall be held on the first Saturday of August at 10:00 a.m. Michigan time. The place of this meeting shall be the upper Ballpark unless moved by prior notice in accordance with these articles.

(A) Standing Fall Annual Membership Meeting Agenda

1. Call to Order
2. Reading and approval of the previous Spring General Meeting minutes
3. Reports of officers, boards, and standing committees
4. Reports of special committees
5. Special Orders
6. Unfinished business and General Orders
7. New business (may be entered by prior letter to a Board member, or from the floor of the meeting)
8. Budget presentation and vote
9. Proposed bylaw changes
10. Nomination and Trustee election
11. Announcements
12. Adjournment

Section 3.4: Special Meetings

Special meetings may be called at the direction of the President and shall be called by the President whenever requested by a majority of the Board of Directors or upon written request signed by not less than one third of the Members of the Corporation. The Secretary shall give at least ten (10) days written notice of the time, place, and purpose of the special meeting to all dues paying Members.

Section 3.5: Notice of Meetings.

Notice of all Annual and Special meetings shall be provided to the Members, at their address of record, by the Secretary at least ten (10) days before the meeting.

Section 3.6: Meeting Quorum.

Any seven (7) Member properties of the Corporation represented during the meeting shall constitute a quorum.

Section 3.7: Vote Allocation.

In compliance with Attorney General opinion #7320 each Member is permitted one (1) vote regardless of the number of lots owned or shares in the Corporation.

Section 3.8: Voting Eligibility.

Each joint tenant, tenant in common, tenant by the entireties, land contract vendee, and person who holds an undivided interest in fee, as well as each life tenant of property located within the Territory, is a "freeholder," and each such freeholder is eligible and shall be Members of the Corporation as set forth by Public Act 137 of 1929, and per Michigan Attorney General opinion #7230, and each Member is further granted the right to vote under the Act.

Section 3.9: Method of Voting.

Votes may be cast in person or by proxy. All proxies shall be in writing and filed with the Secretary. Proxies must be received prior to the start of the meeting during which the vote is taking place.

- (A)** Voting may be by secret ballot.

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Article IV: Board of Directors

Section 4.1: Board of Directors

The Corporation Board of Directors shall consist of seven (7) Members of the Corporation elected as trustees. All Board members shall own one or more properties within the incorporated area of the Corporation. Trustee representation shall be determined by the following provisions:

- (A) Members of the Corporation shall elect five (5) trustees pursuant to Article IV, Section 4.3 below.
- (B) The two (2) persons elected as trustees to represent Area 3 of Runyan Lake Inc. during the Runyan Lake Inc. fall general meeting shall also serve as trustees of the Corporation.

Section 4.2: Duties of the Board of Directors

The business of the Corporation shall be managed and controlled by a Board of Directors (the "Board"). The Board shall also manage and control all the property of the Corporation and shall represent the Corporation with full power of authority to act for it in all things legal whatsoever.

The Board of Directors shall:

- (1) Act in accordance of this Article and all bylaws;
- (2) Establish and Review the budget for presentation to the Membership for their consideration and vote;
- (3) Receive grievances from the Membership and act upon their complaints to the best interest of the Corporation;
- (4) Review all by-law amendments submitted by the Members;
- (5) Have the ability to submit by-law amendments;
- (6) Submit to the Corporation all records belonging to the Corporation which are in their possession upon resignation, retirement, or removal from office;
- (7) Ensure retention of records of the Corporation's conduct of business as required by law and as needed for the effective management of the business of the Corporation;
- (8) Have the ability to hire or co-opt non-voting assistants as required for the effective management of Corporation business and Board meetings;
- (9) Trustees may be granted reimbursement for any reasonable expenses incurred in the performance of their duties and for any membership dues in other related organizations as approved by the Board.

Section 4.3: Election of Trustees

Trustees of the Corporation shall be elected during the August annual meeting each year. Trustees shall be elected from amongst the current dues paying Members of the Corporation in good standing. During even years, Members of the Corporation shall elect two (2) trustees. During odd years, Members of the Corporation shall elect three (3) trustees. Trustees shall serve two (2) year terms. The two (2) persons elected as trustees to represent Area 3 of Runyan Lake Inc. during the Runyan Lake Inc. fall general meeting shall be elected as set forth by the Runyan Lake Inc. by-laws.

Section 4.4: Filling of Board Vacancies

Any vacancy on the Board may be filled by the affirmative vote of a majority of the remaining members of the Board of Directors. Each person so elected to fill a vacancy shall remain a trustee for the remainder of the unexpired term of the person being replaced.

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Section 4.5: Meetings of the Board of Directors.

Regular meetings of the Board shall be held not less frequently than quarterly at such time and place as the Board shall determine.

Section 4.6: Special Meetings of the Board of Directors

Special meetings of the Board may be called at any time by the President and shall be called at any time upon written request by any member of the Board. The Secretary shall give notice of the time, place, and purpose of such a meeting either personally, by mail, by phone, or by email. Whenever all of members of the Board are present or shall sign a waiver of notice of such special meeting, the meeting may be held without notice.

Section 4.7: Board Meeting Quorum

Four trustees shall constitute a quorum at any meeting and the acts of a majority of the Board present shall be the acts of the Board. At least one of the trustees present during the meeting must hold the position of President or Vice President.

Section 4.8: Passing of a Resolution

Any resolution which may be passed by the Board at a meeting may be passed without a meeting if consent in writing, setting forth the resolution, shall be signed, by all of the Board members before such action is taken.

Section 4.9: Removal of a Board Member

Any Board member may be removed by a two thirds vote of the Members of the Corporation. An affirmative vote may be established during a regular or special meeting, or by affirmative response to a written notice provided to each Corporation member.

Section 4.10: Board Member in Arrears

Any Board member in arrears in dues or assessments shall be obligated to resign from the Board of Directors if not paid in full within 30 days of written notice from the Corporation that an arrears condition exists.

Article V: Officers

Section 5.1: Election of Officers

Immediately following the August annual meeting, the trustees of the Corporation shall meet to elect the President, Vice President, Treasurer, and Recording Secretary from the seven (7) trustees elected in accordance with Article IV Section 4.1. Addendum D shall identify the current trustees and Officers of the Corporation. A copy of Addendum D shall be provided to the Tyrone Township Clerk and the Livingston County Sheriff's department no more than 30 days after the election either by regular mail or by email.

Section 5.2: Duties of the President

The President shall be the chief executive officer of Corporation, and shall serve as chairperson of the Board; have power to appoint special committees subject to the approval of the Board; be responsible for maintaining good public relations with the community; be granted reimbursement for any reasonable expenses incurred in the performance of his/her duties and for any Membership dues in other organizations as approved by the Board; and be an ex-officio member of all committees.

Section 5.3: Duties of the Vice President

The Vice-President shall assume the duties of President in the absence of the President, and shall serve as assistant to the President in his/her efforts for the good of the organization. The Vice-President shall chair meetings of the Board in the absence of the President, and shall assume the office of the President in the event of resignation, disability or death of the President.

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Section 5.4: Duties of the Treasurer

The duties of the Treasurer shall be to collect dues, assessments and other such income as the Corporation shall be entitled to, to deposit the funds so collected and to pay all obligations of the Corporation, to keep and maintain the financial records of the Corporation, and to provide an annual statement as to the financial position of the Corporation. The filing of any required tax documents to the State of Michigan and the IRS shall also be the responsibility of the Treasurer. The financial books, records and papers are to be open to examination by the Members of the Corporation upon a member's request at any reasonable time.

Section 5.5: Duties of the Recording Secretary

The duties of the Recording Secretary shall be to keep the minutes of all meetings of the Board of Directors and of all meetings of the Corporation, and to give and receive all notices of the Corporation and to keep custody of all books, records, and papers of the Corporation except financial records. Such books, records, and papers are to be open to examination by the Members of the Corporation upon a member's request at any reasonable time.

Section 5.6: Duties of the Area 3 RLI Trustees

The duties of the two (2) trustees elected to represent Area 3 during the Fall General Meeting of Runyan Lake Inc. shall be to represent the membership of the Corporation in Runyan Lake Inc. These Trustees may also be elected to any Corporation Board Officer position by the Board of Directors.

Article VI: Finance

Section 6.1: Assessment of Annual Dues

All Members of the Corporation as described in Article II Sections 2.1, 2.2, 2.3, and Addendum A shall be assessed Annual dues. All Corporation dues shall be based upon tax identification numbers as maintained by Tyrone Township. If a Member owns multiple lots with multiple tax identification numbers they shall receive a billing for each lot owned. The Board of Directors shall declare that a Member is not a Member in good standing because of past unpaid dues, fines, late charges, interest, legal fees and/or any other Corporation assessment(s) and a Member's benefits and privileges, other than the right to vote, may be suspended until such past unpaid amounts are paid in full. Annual dues shall be utilized by the Corporation for the repair and maintenance of the roads, parks, drains, sanitation, common areas, Community Property, and other property of the Corporation, as well as other special needs of the Corporation as determined by the Board.

Section 6.2: Determination of Annual Dues Amount

The amount of annual dues assessed shall be the amount determined by the Board of Directors necessary to fund the operations of the Corporation, and an additional amount determined necessary to establish a General Fund balance for which future or unexpected expenses, such as road maintenance, can be drawn from without the need for an Additional Assessment.

Section 6.3: Notice of Annual Dues Assessment

The annual dues assessment notice shall be mailed to the owner at the address of record by the Treasurer no later than April 1st. Dues shall be for the ensuing year.

Section 6.4: Annual Dues Assessment Due Date

Payment of annual dues shall be no later than the date of the Spring General Membership Meeting as specified in Article III, Section 3.2.

Section 6.5: Additional Assessments

Additional special assessments may be levied against all properties within the Corporation to generate funds necessary to pay for capital improvements, repairs, or for any other purpose deemed necessary by obtaining a two-thirds majority vote of the Members of the Corporation present during a regular or special meeting, or voting by proxy, provided a quorum is established. An affirmative vote may be established during a regular or special duly noticed meeting, or by affirmative response to a written notice provided to each Corporation member.

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Section 6.6: Delinquency of Dues

Annual assessments, special assessments, and penalties become delinquent 60 days after the due date (the day after the date of the Spring General Membership Meeting). A Member shall be considered in good standing when his/her dues and special assessments are paid on time. Dues and special assessments not timely paid may become a lien upon land of the delinquent Member as authorized by state law pursuant to Section 21.769 of Michigan Public Act 137 of 1929. The lien shall include cost of preparation, recording and collection, including court costs and reasonable attorney fees. RLPPOA shall have the right to foreclose the lien in a state court. The lien shall include future dues, assessments and interest at the rate of 15% per annum or the maximum amount allowed by law, whichever is less.

Section 6.7: Banking

The monies of the Corporation shall be deposited in the name of the Corporation in a federally insured financial institution located in Fenton, Michigan, as chosen by the Board of Directors. The monies of the Corporation shall be drawn by check, drafts, or other orders for the payment of obligations of the Corporation by such person or persons as shall be designated by the Board of Directors. Any single payment exceeding \$5,000.00 shall require the signatures of two Officers of the Corporation.

Section 6.8: Fiscal Year

The fiscal year of the Corporation shall be from January 1st to December 31st.

Section 6.9: General Fund

The General Fund is defined as monies collected by the assessment of Annual dues. The monies available for ordinary expenditures shall be limited to monies in the general fund. The Board of Directors limit for expenditures on any one project shall be set by a resolution made at a Corporation membership meeting. Any other monies collected for designated purposes or special projects shall be expended for those projects only.

Section 6.10: Financial Audit

The Board may appoint a committee of three current dues paying Members of the Corporation, who are not members of the Board, to examine the books, vouchers and accounts of the Corporation, and report thereon with a statement in detail of the financial condition of the Corporation at the Annual Meeting.

Section 6.11: Financial Hardship Dues Waiver

The Board of Directors may, by majority vote and upon written request from a Corporation Member of record, defer or waive any or all of the annual dues assessment or any special assessment for reasons of financial hardship as presented by the member to the Board of Directors. Any decision by the Board of Directors shall be final and shall be in effect during the fiscal year of the Corporation as applied for by the member. The Board of Directors, by majority vote, may extend any granted waiver upon expiration of the current waiver for an additional fiscal year.

Article VII: Public Peace and Safety

Section 7.1: Conduct of Members of the Corporation

It shall be the duty of each Member to maintain his property and the decorum of his family, guests, and renters in such a manner that his neighbor's rights, privileges and property shall not be infringed, to the extent that unpleasant relations develop. In the event of such occurrence, each Member shall agree to bring before the Board of Directors of the Corporation his/her complaint and abide by the ruling of the majority of the Board.

Section 7.2: Protection of Wildlife

Each Member agrees to protect all animals, birds, and fish on, around or in Runyan Lake or the subdivision and its vicinity, in accordance with the laws of Tyrone Township, Livingston County, the State of Michigan, the federal Government of the United States, and the Corporation.

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Section 7.3: Enforcement

The Board, by a majority vote, may request the presence of a duly qualified peace officer for the purpose of enforcing the rules and regulations concerning fishing, hunting, preserving the peace, health, safety, and welfare upon the property owned by the Corporation or its Members. Such officer shall possess the powers of the local, state, or federal government and have the right to arrest violators and trespassers.

Article VIII: Restrictions

Section 8.1: Purpose of Restrictions. The purpose of these restrictions is to insure the use of the property within the Corporation for residential purposes, to prevent nuisances, to prevent the impairment of the attractiveness of the property, to preserve property values, and to thereby secure to each Member the full benefit and enjoyment of his/her home.

Section 8.2: Scope of Restrictions.

The restrictions herein provided for shall be in addition to any and all restrictions in any zoning or regulatory ordinance covering property within the Township of Tyrone, Livingston County, Michigan.

Section 8.3: Developmental Intent

Lots within the Corporation are intended for residential use only. Enterprises in which a Member may lawfully engage and which do not infringe on the rights of other Members as established in Article VII, Sections 7.1 & 7.2 are permissible. Should any conflict arise under this article it shall be presented to the Board of Directors, who shall resolve the conflict recognizing that their primary responsibility under this article is to maintain the residential nature of this community and to protect the waters and wildlife of Runyan Lake.

Section 8.4: Commercial Activities

Under no circumstances shall any outward displays of a commercial nature be permitted within the Corporation. This includes the parking of commercial vehicles along or on Runyan Lake Point or Spring Street, or within the Community Property of the Corporation, inclusive of the upper and lower Ballparks areas, for purposes other than active construction projects.

Section 8.5: Commercial Vehicles

For the parking of commercial vehicles involved in active construction projects, commercial vehicles shall be parked such that any interference with site distances or navigation of the roadways of the Corporation, or ingress/egress to private driveways within the Corporation, or use of the private roads of the Corporation is minimized. In no case shall a commercial vehicle block access to trailers parked in the lower Ballpark.

Section 8.6: Recreational Vehicles

Recreational vehicles utilized as a residence are prohibited within the Corporation limits except in cases of emergency and with the approval of the Board of Directors. Visitors traveling in recreational vehicles may park their vehicle within the Corporation limits for no more than 14 days during any calendar year. Additional time may be granted by the Board of Directors if petitioned by the recreational vehicle owner.

Section 8.7: Building Requirements

No more than one single family residence shall be permitted to be erected on any one lot. This section is not retroactive.

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Section 8.8: Boat and Trailer Storage on Community Property

The storage of trailers on the Community Property, also known as the Ballparks, either the upper or lower region, shall be limited to trailers manufactured for the sole purpose of hauling watercraft. Trailers must be stored within the confines of the tree lines. During the period beginning the day before the RLPPOA Spring Meeting and the day after the Annual Turtle Race no boats or trailers shall be stored in the Upper Ballpark, and boats and trailers located in the Lower Ballpark shall be located along the East embankment. All trailers must be the personal property of the dues paying homeowner with a maximum of two trailers per household. All trailers must be labeled with the homeowner's name. Any boats or trailers not stored in the above described manner or improperly parked shall be subject to the following actions:

- (1) The homeowner shall be notified by registered mail to move the trailer within ten (10) days of notification;
- (2) An effort shall be made to contact the homeowner by telephone notifying them of the need to correct the situation;
- (3) Boats and trailers parked in the Upper Ballpark during the time between the RLPPOA Spring Meeting and the day after the Annual Turtle Race may be assessed a \$25 fine, at the discretion of the Board of Directors;
- (4) The boat and/or trailer may be towed and stored by an independent company at the homeowner's expense following the ten (10) day notification if no corrective action has occurred. All storage and hauling shall be at the homeowner's (owner's) risk.

Section 8.9: Storage of Other Items on Community Property

The parking or storage of items other than trailers manufactured for the sole purpose of hauling watercraft on the Community Property also known as the Ballparks, either upper or lower, is prohibited without explicit permission from the Board of Directors.

Section 8.10: Member activities upon the Community Property

The Community Property also known as the upper and lower Ballparks is for the use of the Members of the Corporation and their guests. Activities are limited to those which do not present a danger or cause damage to the surrounding properties, vehicles, other personal property owned by the Members of the Corporation, or the Community Property itself.

Section 8.11: Restricted activities upon the Community Property

The following activities are restricted upon the Community Property and therefore require approval of the Board prior to use of the Community Property for any of these purposes:

- (1) Bonfires. A burn permit is also required from Tyrone Township;
- (2) Event parking. The Board shall be notified in advance by the Corporation Member hosting the event to establish a primary contact for the moving of any vehicle or other item associated with the event which may block required access to Corporation Member watercraft trailers legally parked within the Community Property and to ensure the event will not adversely affect the ingress/egress to other Corporation member's private property, inclusive of emergency vehicles.

Section 8.12: Prohibited activities upon the Community Property

The following activities are prohibited upon the Community Property:

- (1) Any activity in violation of local, state, or federal laws;
- (2) Any activity which presents an eminent danger or could cause damage to the surrounding properties, vehicles, other personal property owned by the Members of the Corporation, or the Community Property itself.

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Section 8.13: Fences and Barriers

No fences or other property barriers, including privacy fences, shall be constructed such that they obstruct a neighbor's clear view to the Runyan Lake body of water. This is in addition to the restrictions imposed by Tyrone Township's Zoning Ordinance.

Article IX: Committees

The Board of Directors shall have the power to form committees as necessary to meet the needs of the Corporation.

Article X: Corporation and Owner Provided Services

Section 10.1: Corporation Provided Services

The Corporation collects annual dues in part to provide its Members with services which may change from time to time. Addendum B provides the current list of services provided by the Corporation. Members will be provided an amended Addendum B within 10 days following any change to these services.

Section 10.2: Member/Owner Self Provided Services

Members of the Corporation must obtain, contract, or perform necessary services not provided by the Corporation on their behalf. Addendum C provides the current list of services Members must provide for themselves. The services listed in Addendum C are the sole financial responsibility of the Corporation Member. Members will be provided an amended Addendum C within 10 days following any change to these services.

Article XI: Amendments

Amendments, modifications, or general revision to these by-laws shall be adopted during a regular or special meeting of the membership by a two thirds majority vote of the Members present, provided that a copy of such proposed amendments or changes shall have been mailed to the Members address of record at least twenty-one (21) days prior to the meeting at which such matters are to be voted upon. Amended by-laws shall become effective immediately upon affirmative vote of the membership of the Corporation.

Article XII: Conduct of Meetings

All questions or a parliamentary nature shall be decided by Roberts Rules of Order.

Article XIII: Private Road Maintenance Agreement

Section 13.1: Private Roads within the Corporation

The roadways known as Runyan Lake Point and Spring Street (the "Roads") are private roads owned and maintained by the Corporation and acknowledged as such by the Livingston County Road Commission. The Roads shall be maintained such that cracks, potholes, sink holes, shoulder erosion, surface degradation, and drainage issues do not develop so as to create unreasonable or unsafe conditions for vehicles or pedestrians. All required care, maintenance, and repair of these roads is the sole responsibility of the Corporation and its Members. All Members of the Corporation benefit from the existence of, and the improvements to, these Roads.

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Section 13.2: Benefits of Roads

As Members of the Corporation you and your guests are afforded ingress and egress to your property by means of one or more of the Roads. You also enjoy certain benefits resulting from the paving, plowing, and other improvements to the Roads.

Section 13.3: Source of Funding

A portion of the assessed annual dues collected from Members of the Corporation provides for the plowing, salting, and maintenance of the Roads. The amount annually assessed to provide for these expenses shall be determined by the Board of Directors.

Section 13.4: Funding of Significant Repairs

Significant maintenance needs or repairs to the Roads shall be paid for by special assessment of the Members of the Corporation. The Board of Directors shall provide to the Members of the Corporation an estimate for the cost of maintenance or repairs to the Roads it determines are necessary.

- (a) Upon approval by the Members of the Corporation as specified in Article VI Section 6.4, a special assessment shall be established upon all Corporation Members to collect the funds necessary to complete the maintenance and/or repairs to the Roads;
- (b) Failure to pay your special assessment in a timely manner shall result in legal action to obtain payment to the Corporation in recognition of the benefit received by all Members of the Corporation resulting from such improvements and to ensure fairness to all Members of the Corporation.

Section 13.5: Adherence to Posted Regulatory Signs

All Members of the Corporation and their guests shall abide by all posted regulatory signs including, but not limited to, speed, direction of traffic flow, and yield or stop signs.

Article XIV: Special Events

Section 14.1: The Turtle Race

Each year during the Sunday before Labor Day, the Corporation shall sponsor an event historically known as The Turtle Race. If the race must be postponed due to rain, the Turtle Race shall occur on Labor Day. The location of The Turtle Race shall be the upper level of the Community Property also known as the Ballpark, specifically upon the basketball court, unless otherwise duly noticed prior to the event. Registration for the race shall begin at 9:30 AM Michigan time. Heats of the race shall begin at 12:00 PM Michigan time. The race is open to all Members of the Corporation and their guests. The Turtle Race was established in 1940!

Section 14.1.A: Winner Responsibilities

The results of the current year race shall be documented and presented to the Recording Secretary of the Corporation within 10 days following the event. Winners of the Turtle Race shall be responsible for certain activities during the Turtle Race held the following year. If any previous year winner cannot fulfill his/her responsibilities as stated below, the Corporation Member shall contact the Board of Directors as soon as possible. The Board shall determine an alternate provider of the services. The Corporation shall reimburse the responsible Corporation Member for any and all reasonable expenses associated with their responsibilities as described below:

- (1) **First Place:** The Corporation Member or the guest of a Corporation Member who places **first** shall cause the Corporation Member to be responsible for running the Turtle Race during the following year.

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- (2) **Second Place:** The Corporation Member or the guest of a Corporation Member who places **second** shall cause the Corporation Member to be responsible for providing food during the Turtle Race during the following year.
- (3) **Third Place:** The Corporation Member or the guest of a Corporation Member who places **third** shall cause the Corporation Member to be responsible for children's games following the Turtle Race during the following year.
- (4) **Fourth Place:** The Corporation Member or the guest of a Corporation Member who places **fourth** shall cause the Corporation Member to be responsible for the Cake Contest during the following year.

Profits generated by the activities described within this subsection shall be turned over to the Corporation within ten (10) days following The Turtle Race and shall become part of the General Fund of the Corporation.

Section 14.1.B: Procurement of Turtles for Use in the Race

Turtles for use in the races shall be captured using humane methods from the shores and waters of Runyan Lake. After the race, turtles shall be returned to the shores or waters of Runyan Lake, preferably from the same area in which they were captured. Members of the Corporation and their guests are strongly encouraged to NOT release turtles obtained from locations other than Runyan Lake into Runyan Lake. In so doing you are protecting the native species of the lake, minimizing exposure to disease, and preventing the introduction of non-native species into Runyan Lake.

Article XV: Severability

These by-laws and the various Articles, Sections, paragraphs, and clauses thereof, are hereby declared to be severable. If any Article, Section, paragraph, or clause of these bylaws is judged unenforceable or invalid in a court of law, it is hereby provided that only that Article, Section, paragraph, or clause shall be rescinded. The remainder of these by-laws shall remain in affect and shall not be affected thereby.

Article XVI: Membership in Runyan Lake Inc.

All Members of the Runyan Lake Point Property Owner's Association Inc. also fall within the jurisdiction of Runyan Lake Inc., the property owner's association for Runyan Lake. Refer to your Runyan Lake Inc. by-laws for specific information, or contact a Corporation trustee to obtain information on how to contact Runyan Lake Inc. to obtain a copy of their by-laws.

BY-LAWS OF
THE RUNYAN LAKE POINT PROPERTY OWNER'S ASSOCIATION, INC.

Article XVII: Revision Log

- A. July 6, 1985: Approved by the Membership.
- B. August 1, 1998: Amended by the Membership.
- C. September 4, 2006: Amended (general revision) by the Membership.
- D. August 4, 2007: Amended Addendum D as a result of Trustee and Officer elections.
- E. August 1, 2009: Amended sections 2.1, 3.7, 6.1, and added 6.2 to clarify dues assessments and voting rights.
- F. August 7, 2010: Amended sections 2.2, 2.4, 3.4, 3.7, 3.8, 4.9, 6.1, 6.5, and XI to comply with Michigan Attorney General opinion #7230. Revised 6.8 to match most recent federal filing. Amended addendum D to designate which trustees are up for election each year.
- G. August 6, 2011: Amended Addendum D as a result of Trustee and Officer elections.
- H. August 4, 2012: Amended Addendum D as a result of Trustee and Officer elections.
- I. August 3, 2013: Amended Addendum D as a result of Trustee and Officer elections.
- J. August 2, 2014: Amended Addendum D as a result of Trustee and Officer elections.
- K. Addendums B and C amended to reflect RLPOA refuse assessment effective 1/1/14.
- L. August 1, 2015: Amended Addendum D as a result of Trustee and Officer elections; Amended Section 8.8 as approved by the Membership.

APPROVED

BY-LAWS OF
THE RUNYAN LAKE POINT PROPERTY OWNER'S ASSOCIATION, INC.

ADDENDUM A: Legal description of the properties within the Corporation

1. Lots 1 through 4 of the Plat of McClatchey's Runyan Lake Grove;
2. SEC. 10 T4N, R6E E 75 FT OF FOLLOWING DESCR LAND BEG 1320 FT OF NW COR. **OF SEC., S 412.3 FT., E 150 FT., N TO SHORE OF RUNYAN LAKE THENCE SW'LY**. ALONG SHORE TO BEG. (Section 10, T4N-R6E parcel 027);
3. SEC 10 T4N, R6E W 75 FT OF FOLLOWING DESC. LAND, BEG AT A POST ON SHORE OF RUNYAN LAKE 1320 FT. S OF NW COR. SEC., S ON SEC. LINE 412.3 FT., E 150 FT., N TO SHORE OF LAKE THENCE SW'LY ALONG SHORE TO BEG. (Section 10, T4N-R6E parcel 026);
4. Lots 1 through 60, Outlot A, and Outlot B of the Plat of Runyan Lake Point;
5. SEC. 10 T4N, R6E, BEG. 452.3 FT. S OF NE COR. OF PLAT OF RUNYAN LAKE POINT THENCE S 632 FT. TO LAKE SHORE THENCE SE'LY ALONG LAKE SHORE 50 FT., N 1° W 634 FT., W 40 FT. TO BEG (Section 10, T4N-R6E parcel 028);
6. SEC. 10 T4N, R6E, COM. 452.3 FT. S & 40 FT. E OF NE COR. OF RUNYAN LAKE POINT PLAT THENCE S 1° E 634 FT. TO LAKE SHORE THENCE SE'LY ALONG SHORE 50 FT. TH N 0° 20' W 660 FT., W 41 FT TO BEG. (Section 10, T4N-R6E parcel 029);
7. SEC. 10 T4N, R6E, BEG. 452.3 FT. S OF NE COR. OF PLAT OF RUNYAN LAKE POINT TH S 632 FT. TO LAKE SHORE TH SE'LY ALONG SHORE 100 FT. FOR A BEG., SE'LY ALONG LAKE SHORE 146 FT., N 775 FT. TO A POINT 200 FT. E & 452.3 FT. S OF NE COR. OF PLAT OF RUNYAN LAKE POINT THENCE W 119 FT., S TO BEG. (Section 10, T4N-R6E parcel 030);
8. Lot 1 of the Plat of McClatchey's Runyan Lake Park;
9. Spring Street in its entirety and the westerly portion of Runyan Lake Point as conveyed in the Plat of Runyan Lake Point;
10. The easterly portion of Runyan Lake Point which abuts the westerly portion of Runyan Lake Point as described above (9), being described as follows: A parcel of land in Sec. 10 T4N, R6E, 40 feet wide, the center line of which is described as follows: Beginning at a point on the West line of said section ten (10) and 888.4 feet North of the West quarter post thereof, running thence South 89 degrees 12 minutes East, 789.7 feet to the center line of the Public Highway (Carmer Road). (Reference the warranty deed dated May 20, 1932, recorded at Liber 173, Page 342, conveyed by Louise Schroeder to Albert McClatchey and Clifford Bowers. Further reference the 1955 quit claim deed recorded at Liber 303, page 397, by Louise and Arthur Schroeder.).

Last revised 1987 (Masey – parcel 030 ingress/egress/full rights)

BY-LAWS OF
THE RUNYAN LAKE POINT PROPERTY OWNER'S ASSOCIATION, INC.

ADDENDUM B: Corporation provided services for the exclusive use of its Members

The following services are provided to the Members of the Corporation by virtue of your annual dues payment:

1. Ingress and egress for you and your guests to your property via the private roads Runyan Lake Point and Spring Street;
2. Maintenance and repair of the private roads Runyan Lake Point and Spring Street;
3. Street signs for Runyan Lake Point and Spring Street;
4. Winter snow plowing of Runyan Lake Point and Spring Street;
5. Winter salting of Runyan Lake Point and Spring Street;
6. A common mail box area (located in front of 11006 and 11010 Runyan Lake Point);
7. Maintenance and repair of the common mailbox structure;
8. Storage of watercraft trailers within the tree lines of the upper and lower Ballpark areas (reference Article VIII Section 8.8);
9. Use of the Community Property also known as the upper and lower Ballparks;
10. Maintenance of the Community Property also known as the upper and lower Ballparks (mowing, etc.);
11. Property taxes and insurance for the Community Property also known as the upper and lower Ballparks;
12. Maintenance and repair of the subdivision stone entrance pillars.
13. Garbage/waste removal service (Group rate invoiced by RLPPOA)

Last revised: January 1, 2014

ADDENDUM C: Member/Owner self-provided services

The following services are the sole responsibility of the Corporation Member to obtain or contract themselves and are the sole financial responsibility of the Corporation member:

1. Garbage/waste removal service (Group rate currently available with HMS Refuse);
2. Phone service;
3. Cable TV or satellite TV service;
4. Internet service;
5. Utility services (gas & electric);
6. Personal driveway snow plowing;
7. Personal property lawn service;
8. Newspaper service;
9. Water (provided by the Corporation member's private well);
10. Sewer services (provided by the Livingston Regional Sewer System).

Last revised: January 1, 2014

BY-LAWS OF
THE RUNYAN LAKE POINT PROPERTY OWNER'S ASSOCIATION, INC.

ADDENDUM D: Officers and trustees of the Corporation

President	Hugh Armbruster (1)	810-629-0068
Vice President and RLI Area 3 Trustee	Mark Meisel**	810-354-5469
Treasurer	Terry Peabody (2)	810-714-3442
Recording Secretary	Vicki Phipps (1)	810-433-8753
RLI Area 3 Trustee	Pat Maynard**	810-629-9254
Trustee	Tom Macdonald (2)	810-629-3147
Trustee	Don Robertson (1)	810-629-8396

(1) : Up for reelection during odd years

(2) : Up for reelection during even years

** : Elected by the RLI Membership

Last revised: August 1, 2015

APPROVED

BY-LAWS OF
THE RUNYAN LAKE POINT PROPERTY OWNER'S ASSOCIATION, INC.

Frequently Used Phone Numbers

Fenton FIRE Department	911
Livingston County AMBULANCE	911
Livingston County SHERIFF	911
Consumers Energy – Electric & Gas Emergency	800-477-5050
DNR & DEQ	(517) 625-4600
Livingston County Animal Control	(517) 546-2154
Livingston County Board of Commissioners	(517) 546-3520
Livingston County Building Department	(517) 546-3240
Livingston County Clerk	(517) 546-0500
Livingston County Drain Commission	(517) 546-0040
Livingston County Environmental Health	(517) 548-9858
Livingston County Health Department	(517) 546-9850
Livingston County Register of Deeds	(517) 546-0270
Livingston County Road Commission	(517) 546-4250
Livingston County Sheriff (non-emergency)	(517) 546-2440
Livingston County Solid Waste Control	(517) 545-9609
Tyrone Township Hall	(810) 629-8631
HMS Refuse (garbage collection w/special RLPPOA rate)	(810) 735-9352
Flint Journal	800-875-6300
Livingston County Daily Press & Argus	(517) 548-2000
Tri-County Times	(810) 629-8282
Sewer Emergency (Livingston County Drain Commission)	(517) 546-0040
Charter Communications	888-438-2427
DirecTV	800-777-2454
Dish Network	800-333-3474