

# *SILVER CREEK RANCH*

**By Laws**

Of

**SCR PROPERTY OWNERS ASSOCIATION**

A MEMBERSHIP CORPORATION

Approved/Distributed 02/04/09

Revised 05/01/09

**Amended 01-14-20**

**ARTICLE ONE - ORGANIZATION**

1. The name of this organization shall be  
**SCR PROPERTY OWNERS ASSOCIATION INC.**
2. The organization shall have a seal which shall be in the following form;
3. The organization may at its pleasure by a vote of the membership body change its name.

**ARTICLE TWO - PURPOSES**

The following are the purposes for which this organization has been organized:

**To protect and preserve the quality of our community environment through compliance with the CCR' s that all property owners agreed to at the time of purchase.**

**ARTICLE THREE - MEMBERSHIP**

Membership in this organization shall be open to all who:

**Own property in Silver Creek Ranch**

**ARTICLE FOUR - MEETINGS**

The annual membership meeting of this organization shall be held on the LAST SUNDAY of **OCTOBER** each and every year except if such day be a legal holiday then and in that event the Board of Directors shall fix the day but it shall not be more than two weeks from the date fixed by these by-laws. The secretary shall cause to be mailed **or notify via e-mail** every member in good standing at his or her address as it appears in the membership roll book of this organization a notice telling the time and place of such annual meeting.

Regular meetings of this organization shall be held:

**Second Tuesday of each month**

The presence of not less than **FIVE (5)** members shall

constitute a quorum and shall be necessary to conduct the business of this organization; but a lesser number may adjourn the meeting for a period of not more than **TWO (2) weeks** from the date scheduled by these by-laws and the secretary shall cause a notice of this scheduled meeting to be sent to all those members who were not present at the meeting originally called. A quorum as hereinbefore set forth shall be required at any adjourned meeting.

#### **ARTICLE FIVE - VOTING**

At all meetings, except for the election of officers and directors, all votes shall be via voice, **proxy ballot, absentee ballot, or via electronic means**, except that for election of officers, ballots shall be provided and there shall not appear any place on such ballot any mark or marking that might tend to indicate the person who cast such ballot .

At any regular or special meeting if a majority so required any question may be voted upon in the manner and style provided for election of officers and directors.

At all votes by ballot the chairman of such meeting shall immediately prior to the commencement of balloting appoint a committee of three who shall act as "Inspectors of Election" and who shall at the conclusion of such balloting certify in writing to the chairperson the results and the certified copy shall be physically affixed in the minute book to the minutes of that meeting. No inspector of election shall be a candidate for office or shall be personally interested in the question voted upon.

Special meetings of this organization may be called by the president when he deems it for the best interest of the organization. Notices of such meeting shall be mailed to all members at their addresses as they appear in the membership roll book at least **FIVE (5)** but not more than **SEVEN (7)** days before the scheduled date set for such a special meeting. Such notice shall state the reasons that such meeting has been called, the business to be transacted at such meeting and by whom called.

At the request of **FIVE (5)** members of the Board of Directors or **TEN (10)** members of the organization the president shall cause a special meeting to be called but such request must be made in writing at least **SEVEN (7)** days before the requested scheduled date.

No other business but that specified in the notice may be transacted at such special meeting without the unanimous consent of all present at such meeting.

## ARTICLE SIX - ORDER OF BUSINESS

- 1 Roll call.
- 2 Reading of the minutes of the preceding meeting **or noting the minutes were approved via electronic means and are posted on the Community website.**
- 3 Reports of committees.
- 4 Reports of officers.
- 5 Old and unfinished business.
- 6 New business.
- 7 Good and welfare.
- 8 Adjournments.

## ARTICLE SEVEN - BOARD OF DIRECTORS

The business of this organization shall be managed by a Board of Directors consisting of **FOUR (4)** members together with the officers of this organization.

The directors to be chosen for the ensuing year shall be chosen at the annual meeting of this organization in the same manner and style as the officers of this organization and shall serve for a term of **TWO (2)** years.

The Board of Directors shall have the control and management of the affairs and business of this organization. Such Board of Directors shall only act in the name of the organization when it shall be regularly convened by its chairman after due notice to all the directors of such meeting.

**THREE (3)** of the members of the Board of Directors shall constitute a quorum and the meetings of the Board of Directors shall be held regularly on the **Second Tuesday of each month.**

Each director shall have one vote and such voting may not be done by proxy.

The Board of Directors may make such rules and regulations covering its meetings as it may in its discretion determine necessary.

Vacancies in the Board of Directors shall be filled by a vote of the majority of the remaining members of the Board of Directors for the balance of the year.

The president of the organization by virtue of the office shall be chairperson of the Board of Directors. The Board of Directors shall select from one of their number a secretary.

A director may be removed when sufficient cause exists for such removal. The Board of Directors may entertain charges against any director. A director may be represented by counsel upon any removal hearing. The Board of Directors shall adopt such rules as it

may in its discretion consider necessary for the best interests of the organization, for this hearing.

#### **ARTICLE EIGHT - OFFICERS**

The officers of the organization shall be as follows:

**President**

**Vice President**

**Secretary**

**Treasurer**

The president shall preside at all membership meetings, by virtue of the office be chairperson of the Board of Directors, present at each annual meeting of the organization an annual report of the work of the organization, appoint all committees, temporary or permanent, see that all books, reports and certificates as required by law are properly kept or filed, be one of the officers who may sign the checks or drafts of the organization, and have such powers as may be reasonably construed as belonging to the chief executive of any organization.

The vice president shall in the event of the absence or inability of the president to exercise his or her office become acting president of the organization with all the rights, privileges and powers as if he or she had been the duly elected president.

The secretary shall keep the minutes and records of the organization in appropriate books, file any certificate required by any statute, federal or state, give and serve all notices to members of the organization, be the official custodian of the records and seal of the organization, be one of the officers required to sign the checks and drafts of the organization, present to the membership at any meetings any communication addressed to the secretary of the organization, submit to the Board of Directors any communications which shall be addressed to the secretary of the organization, attend to all correspondence of the organization and exercise all duties incident to the office of secretary.

The Treasurer shall have the care and custody of all monies belonging to the organization, be solely responsible for such monies or securities of the organization and be one of the officers who shall sign checks or drafts of the organization. No special fund may be set aside that shall make it unnecessary for the Treasurer to sign the checks issued upon it.

The Treasurer shall render at stated periods as the Board of Directors shall determine a written account of the finances of the organization and such report shall be physically affixed to the minutes of the Board of Directors of such meeting and shall exercise all duties incident to the office of Treasurer.

Officers shall by virtue of their office be members of the Board of Directors.

No officer or director shall for reason of the office be entitled to receive any salary or compensation, but nothing herein shall be construed to prevent an officer or director for receiving any compensation from the organization for duties other than as a director or officer.

#### **ARTICLE NINE - SALARIES**

The Board of Directors shall hire and fix the compensation of any and all employees which they in their discretion may determine to be necessary in the conduct of the business of the organization.

#### **ARTICLE TEN - COMMITTEES**

All committees of this organization shall be **appointed** by the **President** and their term of office shall be for a period of **ONE (1) YEAR** or less if sooner terminated by the action of the Board.

The permanent committees shall be:

##### **ARCHITECTURAL REVIEW**

The temporary committees may include but are not limited to:

**ENTRANCE, GENERAL MAINTENANCE, SOCIAL COMMUNICATIONS, WELCOME, ELECTION, RECOGNITION**

#### **ARTICLE ELEVEN - DUES**

The dues of this organization shall be **ONE HUNDRED (\$100)** per annum and shall be payable on the FIRST day of JANUARY

#### **ARTICLE TWELVE - AMENDMENTS**

These By-Laws may be altered, amended, repealed or added to by an affirmative vote of not less than FIVE (5) members.

## ARCHITECTURE REVIEW COMMITTEE

The purpose of the ARCHITECTURE REVIEW COMMITTEE (ARC) is to maintain property values by protecting the environmental and architectural integrity of Silver Creek Ranch in accordance with the provisions of the Covenants, Conditions and Restrictions (CCR). Restrictions state that no building, structure, landscape or improvement of any character shall be erected, placed, added to or altered on any lot until the building plans, specifications and a site plan showing the location of the proposed structure or structures **(NOTE: SCR PROPERTY OWNER'S ASSOCIATION INC. ARCHITECTURAL REVIEW REQUEST)** have been submitted and approved by the ARC.

The ARC shall have the express authority to perform fact finding functions hereunder and shall have the power to construe and interpret any covenant herein that may be vague, indefinite, uncertain or capable of more than one interpretation. The goal of the ARC is to encourage the construction and alterations of good architecture design, quality and size compatible with CCR's conceptual plan for Silver Creek Ranch.

The ARC has the authority to inspect properties. That means after 24 hours of written notice they have the authority to go on anyone's property for this purpose. (CCR Section 5.05 Item B) Most problems can be seen from the road. But if the ARC needs to measure something like a structure on the PUE (Public Utility Easement) then the ARC has the right to go on that private property; it might be wise to ask for permission but the ARC has the right. Some people don't know the rules and the ARC may prevent owners from having problems in the future especially when they sell their house.

The ARC's evaluation of Required Plans is solely to determine compliance with the terms of the CCR and the aesthetics of the proposed improvements and the ARC disclaims any responsibility to determine compliance with any applicable building code or other standard for construction.

SILVER CREEK RANCH PROPERTY OWNER 'S ASSOCIATION ARCHITECTURAL  
REVIEW REQUEST

1. Complete form and forward to SCRPOA ARC: [scrpoaARC@gmail.com](mailto:scrpoaARC@gmail.com)
2. Drawing or blueprint of the proposed building or fencing with dimensions to include structure and property line (Section 1.20).
3. List indicating basic building materials and exterior finish.

Upon receipt the ARC will have one (1) week to acknowledge receipt of request, record receipt and check with Treasurer regarding dues. ARC will have a second (2<sup>nd</sup>) week to gather additional information related to the project and a third (3<sup>rd</sup>) week to render a decision. Once approved/disapproved the form will be forwarded to the Secretary for documentation of approval/disapproval. The final notice will be forwarded to the requester within one (1) week. Lack of response does not constitute approval. Entire process may involve five (5) weeks from request to answer.

NAME: \_\_\_\_\_ Lot: \_\_\_\_\_

Address: \_\_\_\_\_ Block: \_\_\_\_\_

Phone #: \_\_\_\_\_ Phase: \_\_\_\_\_

Email: \_\_\_\_\_

Project Description:



DATE RECEIVED BY ARC: \_\_\_\_\_

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Plans/Specs: Yes \_\_\_\_\_ No \_\_\_\_\_ Not Required \_\_\_\_\_

Estimated Cost: (optional) \_\_\_\_\_

Committee Review Date: \_\_\_\_\_ Committee Approval/Disapproval: \_\_\_\_\_

Note: Project must start within 120 days after Committee approval—if not, applicant must submit a new request. All construction of a dwelling shall be completed within nine (9) months after commencement of work or placing of materials on a Lot, whichever first occurs.



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