

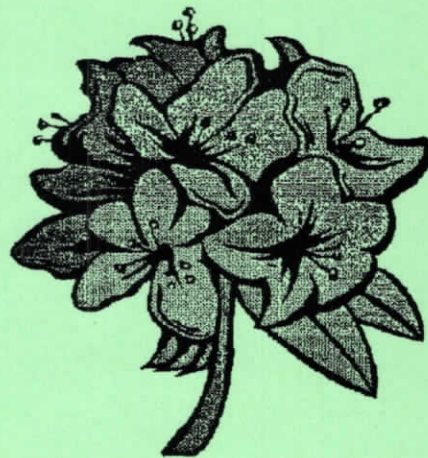
Articles of Incorporation
and Bylaws



**RHODODENDRON
PARK**

**P. O. BOX 7273
BONNEY LAKE, WA 98391**

Revised 2007



**ARTICLE OF INCORPORATION
RHODODENDRON PARK MAINTENANCE CO.**

KNOW ALL MEN BY THESE PRESENTS that we,
BENJAMIN M. CLIFFORD, NATHAN S. CLIFFORD, FRED SWARTOUT,
NANCY J. CURTIS, and J.E. SWANSON JR.; residing in the State of
Washington and being citizens of the United States, each being over the
age of twenty-one years and being desirous of forming a corporation under
Title 24, Revised Code of Washington relating to nonprofit corporations, do
hereby associate ourselves together for the purpose of forming a non-profit
corporation and do make, subscribe, execute, and adopt in triplicate the
following Articles of Incorporation and certify as follows:

ARTICLE I

The name of the corporation shall be:
RHODODENDRON PARK MAINTENANCE COMPANY.

ARTICLE II

The purposes for which this corporation is formed are:

1. To purchase or otherwise acquire, construct, improve, develop, repair, maintain, operate, care for and/or dispose of parkways, playgrounds, open spaces and recreational areas, tennis courts, beaches, boat landings, floats, piers, clubhouses, and in general community facilities appropriate for the use and benefits of its members, and/or for the improvement and development of the property hereinafter referred to.
2. To build, improve and maintain roadways, culverts, bridges, and drainage areas, and to provide for the improving, cleaning and sprinkling of streets, and for the collection and disposal of the street sweepings, garbage, ashes, rubbish and the like to prevent and suppress fires, to provide police protection, and to make and collect charges to cover the costs and expenses therefor.

3. To improve, light and/or maintain streets, roads, alleys, courts walks, gateways, fences, and ornamental features now existing or hereafter to be erected or created and shelters, comfort stations, and/or buildings and improvements ordinarily appurtenant to any of the foregoing; to improve, plant and maintain grass plots and other areas, trees and plantings within the lines of the streets immediately adjoining or within the property hereinafter described or referred to.

4. To care for any lots and plats in said property; to kill, destroy and/or remove from any said lots and plots, grass, weed, rodents, predatory animals and any unsightly or obnoxious thing; and to make any action with reference to such lots and plots as may be necessary or desirable in the opinion of the board of trustees of said corporation to keep the property clean and in good order, to make and collect charges therefor.

5. So far as it can legally do so, to grant franchises, right-of-ways and easements for public utilities or other purposes upon, over, and/or under any said property.

6. To acquire by gifts, purchase, lease, or otherwise, and to own, hold, enjoy, operate, maintain, and to convey, sell, lease, transfer, mortgage and otherwise encumber, dedicate for public use and/or otherwise dispose of, real and/or personal property wherever situate.

7. To keep records of building permits an/or other approvals or disapprovals made or issued by said corporation; to keep books and records showing all charges, levies and assessments made; to furnish certified copies of any records which the board of trustees may authorize to be furnished; to lease certificates of completion and compliance covering respective parcels of property upon which buildings, structures, and/or other improvements have been erected or made, all as provided in the restrictions, conditions, and covenants affecting said property of portions thereof; and to make and collect charges covering the cost and expenses of such acts.

8. To take title to and build, improve, and maintain bridle trails within or outside of the property generally covered as the area of operation of the Rhododendron Park Maintenance Company; to negotiate the use or lease of such bridle trails by such persons, groups, or businesses as the trustees deem advisable.

9. To enforce liens, charges, restrictions, conditions and covenants existing upon and/or created for the benefit of parcels or real property over which said corporation has jurisdiction and to which said parcels may be subject to the extent that said corporation has the legal right to enforce the same, and to pay all expenses incidental thereto.

10. To pay the taxes and assessments which may be levied by any public authority upon any of the said property now or hereafter used or set apart for parks, parkways, playgrounds, open areas, tennis courts, beaches, boat landings, community . clubhouses, community club buildings, places of amusements levied by any public authority upon any property which may be held in trust for said corporation.

11. To exercise such powers of control interpretation, construction consent, decision, determination, modification, amendment, cancellation, annulment and/or enforcement of covenants, reservations, restrictions, liens, and charges imposed upon said property and as may be vested in, delegated to, or assigned to said corporation and such duties with respect thereto as may be assigned to and assumed by said corporation.

12. To approve and/or disapprove as provided by restrictions, conditions, and covenants affecting said property plans and specifications for and/or location on fences, walls, poles, buildings, and/or structures to be erected or maintained upon said property or any portion thereof; to approve or disapprove the kind, shape, height, and materials for same and/or the plan indicating the location thereof or respective building sites and such grading plans as may be required and to issue permits for the same; to pay any and all expenses charged in connection with the performance of any said powers or the carrying out of any of said purposes; to supervise construction of any buildings or structures to the extent deemed necessary by the board of trustees, and to establish rules therefor.

13. To regulate an/or prohibit the erection, posting, pasting, or displaying upon any said property billboards and/or signs of all kinds and character and to remove and/or destroy without the authority of said corporation as provided in such restrictions, conditions, and covenants as may affect said property or any portion thereof.

14. To fix, establish, levy, and collect annually such charges and/or assessments as may be necessary in the judgment of the board of trustees to carry out any or all of the purposes for which this corporation is formed, but not in excess of the maximum from time fixed by the Bylaws.

15. To expend the moneys collected to said corporation from assessments and charges and other sums received for the payment and discharge of costs, expenses, and obligations incurred by said corporation in carrying out any or all of the purposes for which said corporation is formed.

16. Generally to do any and all lawful things which may be advisable, proper, authorized, an/or permitted to be done by said corporation under or by virtue of any restrictions, conditions, and/or covenants or laws affecting said property or any portion thereof, including areas now or hereafter dedicated to public use; and to do and perform any and all acts which may be either necessary for or incidental to the exercise of any of the foregoing powers or for the peace, health, comfort, safety and/or general welfare of owners of said property or portions thereof or residents thereon.

17. To borrow money and mortgage, pledge or hypothecate any or all of the real or personal property of said corporation as security for money borrowed or debts incurred; and to do any and all things that a corporation organized under said laws of the State of Washington may lawfully do when operating for the benefits of its members on the property of its members, and that without profit to said corporation.

18. Generally to do and perform any and all acts which may be either necessary or proper for or incidental to the exercise of any of the foregoing powers and such powers granted by the provisions of Title 24, Revised Code of Washington and other laws of the State of Washington relating to non-profit corporations.

19. Nothing contained in these Articles of Incorporation shall be construed as authorizing or permitting said corporation to own, manage, or operate any real or personal property for profit. It is the intention and purpose that the business of said corporation shall not be carried on for profit either to itself or for the benefit of its members, and whenever it is authorized to collect charges or assessments it shall have no power or authority

to use said charges or assessments except as necessary to cover the actual cost or expense of the act, duty, power, or transaction performed.

20. To have one or more offices at such place or places, either within or without the State of Washington as the board of trustees may from time to time determine or the business of the corporation require.

All of the foregoing purposes and powers are to be exercised and carried into effect for the purpose of doing, serving, and applying the things above set forth for the benefit of all property, including but without in any way limiting the foregoing: any portion or portion of certain real property known as Plat of Rhododendron Park situated in Pierce County, Washington, which is or shall become, so subject to the jurisdiction of said corporation.

ARTICLE III

This corporation shall at all times hereafter be a joint and mutual association of the above named incorporators, and such persons as may hereafter be admitted to membership in accordance with the Bylaws of the corporation. Membership and certificates evidencing the same shall be inseparable appurtenant to tracts owned by members, and upon transfer of ownership or contract for sale of any such tract, membership and certificate of membership shall ipso facto be deemed to be transferred to the grantee or contract purchaser. No membership or certificate of membership may be transferred, assigned, or conveyed in any manner other than in the manner herein set forth. In the event of the death of a member, the membership or certificate of membership of such deceased member shall be and become the property of the personal representative of such deceased member upon appointment and qualification as such in a judicial proceeding, and such personal representatives shall have all of the rights, privileges, and liabilities of such member until title shall be transferred or contracted to be transferred. The property in possession of this corporation shall be managed by the board of trustees hereinafter mentioned and only alienated and disposed of in accordance with the Bylaws of the corporation. The interest of each incorporator or member shall be equal to that of any other, and no incorporator or member can acquire any interest which will entitle him to any greater voice, vote, authority, or interest in the corporation than any other member.

ARTICLE IV

The number of trustees of this corporation shall not be less than three (3) nor more than nine (9). The names of the trustees who shall manage the affairs of the corporation for not less than two (2) months nor more than six (6) months until the trustees are elected by the members are:

NAME and RESIDENCE:

Benjamin M. Clifford

3330 Lakewood South, Seattle, Washington

Fred I. Swarthout

Rt., Box 743 Sumner, Washington

Nathan S. Clifford

Box 275, Sumner, Washington

Nancy J. Curtis

4316 North East 75th, Seattle, Washington

J.E. Swanson, Jr.

6669 North East Windermere Road, Seattle, Washington

ARTICLE V

The time of existence of this corporation shall be perpetual.

ARTICLE VII

The qualification of the members of said corporation, the property, voting, and other rights and privileges and the liabilities to charge and assessments of the members shall be as set forth in the Bylaws of the corporation.

IN WITNESS WHEREOF, we, the undersigned, the incorporators of this corporation, have this 16th day of May, 1966, hereunto set our hands and seals, in triplicate.

Fred I Swarhout J.E. Swanson, Jr.

Nathan S. Clifford, Nancy J. Curtis State of Washington
County of King ss

THIS IS TO CERTIFY, that on the 19th day of May, 1966, before me, the undersigned, a NOTARY PUBLIC in and for the State of Washington, duly commissioned and sworn, personally appeared BENJAMIN M. CLIFFORD, NATHAN S. CLIFFORD, FRED I. SWARTHOUT, NANCY. CURTIS, AND J.E. SWANSON, JR., to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificated first above written:

VELTA M. STROMBERG

NOTARY PUBLIC in and for the State of Washington,
residing at Seattle.

**BY - LAWS
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Maintenance Company**

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**BYLAWS
RHODODENDRON PARK
MAINTENANCE COMPANY**

**ARTICLE I
Purposes**

Section 1 This Corporation shall be conducted as a nonprofit maintenance corporation for the purposes set forth in the Articles of Incorporation for the portion of the are situated in Pierce County, Washington.

Section 2 The corporation shall have the power to levy and collect dues against its members for the purposes in its Articles of Incorporation and Bylaws set forth and to sell or forfeit their interest in the corporation for default with respect to any lawful provisions of said Articles of Incorporation and Bylaws and upon forfeiture of any such property as by law and in the Bylaws provided may transfer the membership of each defaulting member

Section 3 The purposes for which this corporation were created may be altered, modified, enlarged or diminished by the vote of two-thirds of the members at a meeting duly called for such purposes. Notice of which shall be given in the manner provided by the bylaws of giving notice for election of trustees.

ARTICLE II

Membership

Section 1 The membership of the corporation shall consist of and be limited to the incorporators and the owners or purchasers of tracts in the area described in Article II of the Articles of Incorporation, who shall have one membership regardless of the number of tracts so owned or purchased, and the interest of each member shall be equal to that of any other member, and no member can acquire any interest which shall entitle him to any greater voice, vote, or authority in the corporation than any other member. A purchaser under contract of purchase shall be deemed to be an owner for membership purposes. If any tract or tracts are held by two or more persons, each such person shall be required to be a member of the corporation and each be entitled to the same vote and authority as any other member. For the purposes of these Bylaws, a husband and a wife shall be considered collectively as one person.

Section 2 Except as hereinbefore otherwise provided and as declaratory of the foregoing, no membership shall be voted unless represented by the owner or purchaser as above described of an individual tract or tracts to which it is and shall be inseparably appurtenant.

Section 3 Membership and certificates of membership evidencing the same shall be inseparably appurtenant to tracts owned by the members, and upon transfer of ownership or contract of sale, or any such tracts, membership or certificates of membership shall ipso facto to be deemed to be transferred to the contract purchaser. No membership or certificate of membership may be transferred, assigned, or in any manner conveyed other than in the manner hereinbefore set forth. In the event of the death of a member, the membership and certificate of membership of such member shall be and become the property of the personal representative of such deceased member upon the appointment and qualification as such in a judicial proceeding, and such personal representative shall have all of the rights, privileges and liabilities of the deceased member until title shall be transferred.

Section 4 No membership shall be forfeited nor membership be expelled except upon foreclosure for nonpayment of assessments, and no member may withdraw except upon transfer of title to the real property to which his membership is appurtenant as elsewhere herein provided; provided, however, that the right to vote at membership meetings and the right to use the facilities of the corporation shall extend only to members in good standing, all of whose assessments have been paid. No compensation shall be paid by the corporation upon any transfer of membership and no member whose membership is transferred shall be entitled to share or participate in any of the property or assets of the corporation.

Section 5 In the event that any member of this corporation, his family or guest shall violate the Articles of Incorporation or Bylaws of the corporation or the rules and regulations established by the Board of Trustees, such member may be prohibited from using the facilities and enjoying the benefits of this corporation for such a period as the president of **RHODODENDRON PARK MAINTENANCE COMPANY** shall direct.

ARTICLE III

Dissolution

In the event of the dissolution of the corporation each person who is then a member shall receive his pro-rata proportion of the property and assets after all of its debts have been paid.

ARTICLE IV

Trustees and Officers

Section 1 Corporate powers of the corporation shall be vested in a Board of Trustees. The number of trustees who shall manage the affairs of corporation shall be nine. At any meeting or special meeting called therefor, the members may increase or decrease the number of trustees to any number not more than nine or less than three. Any member running for the board will be required to submit a resume to be received by August 15th. 1

1. Amendment- September 2007

Section 2 Trustees shall be elected to serve for three years or until their successors are elected approximately one-third of the Trustees should be elected each year. However, if any Trustee leaves office prior to termination of his/her term of office the Board of Trustees shall select a Trustee to fill that position until the next election of Trustees. All Trustees and all nominations for Trustees must be members in good standing. 2

Section 3 Each Trustee shall be and incorporator or a member who shall not have lost his right to vote by reason of having disposed of land to which his membership is appurtenant.

Section 4 In the event of a Trustee other than an incorporator ceases to be owner of the land to which his membership is appurtenant or of a contract for the purchase thereof, he shall thereby cease to be a Trustee, and his office shall become vacant upon written notification without action other than to spread such fact upon the minutes of the board of Trustees.

Section 5 At the first meeting of the Board of Trustees, after each annual meeting of the members, the Board of Trustees shall elect a President, Vice President, Secretary, and Treasurer. The board may also at any time appoint an executive secretary and/or assistant secretary and/or assistant treasurer. Officers of the corporation so elected shall hold office for the term of one year and until their successors are qualified. Any officer may be suspended or removed by a majority vote of all the trustees.

Section 6 No trustee or officer except the executive secretary and/or the assistant secretary and/or the assistant treasurer shall receive any salary or compensation from the corporation.

Section 4 Special meetings of the Board of Trustees shall be called at any time by the Secretary on order of the President or a majority of the Board of Trustees. The Secretary shall give each Trustee notice personally, verbally, or by mail or by telephone of all regular or special meetings at least one day previous thereto. ⁷

Section 5 Matters to be voted on by the membership may be voted in person, or by mail. ⁸

7 - Amendment - September 1992

8 - Amendment - September 2007

ARTICLE VI

Powers and Duties of Trustees

Subject to limitation in the Articles of Incorporation and the Bylaws of the State of Washington, all powers of the corporation shall be exercised by or under the authority of the Board of Trustees, and the business and affairs of the corporation shall be controlled by the Board of Trustees. Without prejudice to each general powers, and subject to the same limitations, it is hereby expressly declared that the trustees shall have the following powers:

Section 1 To maintain park facilities for the benefit of all property owners who are or shall become members of **RHO-DODENDERON PARK MAINTENANCE COMPANY**.

Section 2 To select and remove all employees prescribe such powers and duties for them as may not be inconsistent with law, or with the Article of Incorporation and fix their compensation and require from them security for faithful service. No trustee elected as an officer shall be removed or suspended from office except for fraud, theft or unless convicted of a crime in a court of law. This will require a majority vote of the board. ⁹

Section 3 Any single project estimated to cost more than \$500 (five hundred dollars), must be submitted for approval by the membership at an annual or special meeting. ¹⁰

9 - Amendment - 2007

10 - Amendment - 1984

Section 4 To issue certificates of membership only to the owners or purchasers of tracts herein before described subject to such conditions or terms as provided in the Articles of incorporation and Bylaws

Section 5 To charge and/or assess the several parcels of land and the owners thereof as hereinbefore more particularly set forth.

Section 6 To cause to be kept a complete record of all minutes and acts and to present a full statement to the regular annual meeting of members showing in detail the condition of the affairs of the corporation.

ARTICLE VII

Duties of Officers

Section 1 The President: The President shall preside at all meetings of the Trustees and members, he shall sign as President all certificates of membership and all contracts or other instruments in writing authorized by the Board of Trustees (1) he shall call special meetings of the trustees or of the members whenever he deems it necessary. He shall have and exercise under (2) the direction of the Board of Trustees supervision of the affairs of the corporation. The President shall be responsible for enforcing the Articles of Incorporation (3) and bylaws and any rules & regulations established by the Board of Directors, and levying such penalties as he deems necessary as provided for in Section 5, Article 2 of the Bylaws of the **RHODODENDRON PARK MAINTENANCE COMPANY**.

Section 2 The Vice President: The Vice President shall preside at all meetings in the absence of the President and in case of the absence or disability of the President shall perform all other duties of the President which are incidental to his office.

Section 3 The Secretary: the Secretary shall issue all notices and shall attend and keep minutes of all meetings. He or she shall have charge of all corporate books, records, and papers. He or she shall be custodian of the corporate seal.

Shall attest his or her signature and impress with the corporate seal all written contracts of the corporation, and shall perform all such duties as are incidental to his or her office.

Section 4 The **Treasurer** shall keep safely all monies and securities of the corporation and disburse the same under the direction of the Board of Trustees. He/she shall caused to be deposited all funds of the corporation in a bank selected by the Trustees. At the end of each year in May a full statement of the condition of all park funds shall be presented to the membership. A review by an independent financial firm shall be done and the report will be published to the membership. *11,12*

Section 5 The executive secretary and/or assistant treasurer, if appointed by the Board of Trustees, shall perform such duties as may be designated by it.

Section 6 Any officers other than the President may occupy two offices concurrently if the Board of Trustees so directs.

ARTICLE VIII

Certificate of Membership and Transfers

Section 1 A certificate of membership in the corporation shall be issued to each member. All such certificates will be signed by the President or Secretary.

Section 2 All membership and certificates evidencing same shall be inseparable appurtenant to the tracts, tracts or fractional tracts owned by the holders thereof, and upon sale or contact to sell such memberships and such certificates shall become the property of the grantee or purchaser as herein before provided. No transfer of membership shall transfer to vote the same until it has been established to the satisfaction of the Secretary that such transfer is bona fide and has been made in the manner provided.

11 - Amendment - September 1999

12 - Amendment - September 2007

Section 3 Unless specifically requested by the owner and holders thereof it shall not be necessary that certificates of membership be actually issued by any owner or purchaser of a tract or tracts within the said district may exercise all of the rights and privileges and shall be subject to all of the liabilities of membership without the actual issuance and possession of such certificates of membership.

ARTICLE IX Assessments

Section 1 The members of the corporation shall be liable for the payment of such charges or assessments as may from time to time be fixed and levied by the Board of Directors pursuant to the Articles of Incorporation and these Bylaws. The amount of such charges and assessments levied upon a member shall in no event, except as hereinafter provided, exceed in any one year the sum of ~~\$60~~ (sixty ^{100⁰⁰} dollars) assessment for each lot whether said lot is improved unimproved, occupied or unoccupied. ¹³

Section 2 From time to time as when any such assessments in this Article IX are levied, each member with respect to the land or interest therein to which his membership is appurtenant shall pay the amount of such assessment against the same to the corporation at its office within thirty (30) days after the mailing of the notice of such assessment to the members. The amount of such assessment, together with all expenses, attorney's fees and costs reasonable incurred in enforcing the same shall be paid by the members and shall be as lien upon said land and the membership appurtenant thereto superior to any and all liens (except as in Section of this Article otherwise provided) created or permitted by the owners of such land and enforceable by the foreclosure proceedings in the manner provided by law for foreclosure of mortgages upon land, provided that no proceedings for the foreclosure of any said liens in this Article IX provided shall be commenced except up the expiration of four months from and after the date of mailing said notice of assessment in this section described.

13 - Amendment - September 1992

9A Amendment May 2009

Section 3 First mortgage liens placed upon any of said tracts which are recorded in accordance with the laws of the State of Washington shall be, from date of the recordation of such, superior to such assessments and the liens resulting there from as are levied by the corporation subsequent to the date of recordation of the first mortgage; provided, however; that the corporation is notified in writing of such first mortgage within 30 (thirty) days after recordation of such.

ARTICLE X

Amendments

Section 1 2nd Amendment to Article to Article X: These Bylaws may be amended at any time by a vote of a majority of the members at any special or regular meeting of the corporation; provided, however, that the proposed amendment has been read in its final form at one regular or special meeting of the corporation immediately proceeding the meeting at which the vote is taken. 14

ARTICLE XI

Attorney's Fees

Any member of the RHODODENDRON PARK MAINTENANCE COMPANY or the Board of Trustees shall have the power and authority to enforce the provisions of the Articles of Incorporation, the Bylaws or the Protective Covenants if any. In any dispute involving any of these documents, the prevailing party shall recover reasonable attorney fees and costs including those for appeals.

ARTICLE XII

Temporary Residence

Section 1 No motor home, vehicle, trailer, tent, shack, garage or structure of a temporary character, or any other outbuilding shall be used on any lot at any time as a residence, sleeping quarters or living space, with the following exceptions:

1. Out of town visitors staying with family friends for a period not to exceed 15 calendar days unless otherwise extended in writing by the Board of Trustees;
2. During a major remodeling or replacement of the residence located upon the property necessitating the use of outside sleeping quarters during the construction period as outlined on properly submitted building permits.
3. As a temporary structure for the storage of building materials during construction with the prior written consent of the Board of Trustees.

The Board shall be empowered to levy penalties not to exceed \$25 (twenty five dollars) per day against any lot owner found to be in violation of this bylaw. ¹⁵

ARTICLE XIII

Removal of Garbage

Section 1 Each lot owner shall be responsible for the removal of household garbage, recyclable material, and/or yard debris from the owner's lot. No garbage or other waste shall be kept on any subdivision lot, except in sanitary containers. All lots, including that area reserved to Pierce County as a right-of-way, shall be maintained in a reasonably clean condition, and shall be kept clean of unsightly debris, including brush, uncontrolled weeds and grass, and trash. If the lot owners fail to clean up the lot after thirty (30) days' written notice from the Board of Trustees, the lot owner will be fined \$25 (twenty five dollars) per day as liquidated damages until the lot is restored to a clean condition. In addition, if any lot owner neglects to maintain his/her lot within the time period allowed by notice, the Board of Trustees shall seek judicial injunction to empower them or its agents to enter upon the property, clean up the lot and charge the lot owner for all expenses incurred. All expenses incurred shall be considered a lien against the lot, and may be foreclosed in the same manner as any other lien. In addition to the actual expenses incurred, the lien amount shall also include, without limitation, the cost of recording the claim of the lien, attorney's fees, statutory interest, liquidated damages owing to date and title search fees. ¹⁶

¹⁵ - Amendment - September 1999

¹⁶ - Amendment - September - 2007

ARTICLE XIV

Junk cars

Section 1 Each lot owner shall be responsible for the storage of inoperable and unlicensed vehicles and/or motor vehicle parts, tires, and other debris associated with motor vehicles, out of view of neighboring lots and the street while awaiting repair or removal, and such motor vehicle must be either repaired or removed within ninety (90) days from the date any such work is commenced. For purposes of this bylaw, "out of view" shall be defined as properly constructed work shed, carport, or garage. A \$25 (twenty five dollar) per day penalty, together with reasonable attorney's fees and costs of collection, may be assessed by the Board of Trustees against lot owners found to be in violation of this bylaw. *17*

ARTICLE XV

Renters

It shall be the duty of all property owners who rent property within Rhododendron Park to inform the office promptly and accurately of any rental they have. They will supply the full name of the renter and the address of rental property within thirty (30) days of occupancy. For this purpose the address is: Rhododendron Park, P.O. 7273, Bonney Lake Wash 98391. Failure to provide this information in a complete and timely manner to the park shall result in a fine of one Hundred dollars(\$100) to the property owner. If this by-law is violated a second time the fine will increase to two hundred dollars (\$200). Further violations by the same property owner shall increase in increments of \$100, but in no event will the fines exceed five hundred dollars (\$500) per violation. *18*

17. Amendment – September 2001

18. Amendment – September 2007

ARTICLE XVI
Election procedures

Section 1 The resume will be sent out by first class mail or by an official publication in the second week of July for anyone who wishes to serve as a trustee on the board. There shall be a minimum of (3) open positions a year.

Section 2 The resumes will be due by August 15th so a ballot can be sent in the official newsletter or by first class mail to all members the first week in September.

Section 3 The ballot will be sent in the official newsletter or by first class mail to all members by the first week in September.

Section 4 A ballot committee will be chosen by the president to count the ballots. (No person running for a position or their family members can serve). The committee will have at least (3) counters and (2) observers.

Section 5 The ballots will be counted the morning of the annual meeting so the results can be presented at the annual meeting to the membership. Any ballots turned in at the meeting will be added to the count.

Section 6 All ballots received after the meeting by mail must be postmarked 3 days prior to the meeting. 19

19 – Amendment – September 2007

ARTICLE XVII
(Employment)

When the board needs to fill a vacant employment position, the following guidelines will be followed.

SECTION 1. The vacancy will be advertised locally.

SECTION 2 Each position will first be filled by a homeowner of Rhododendron Park if a suitable, timely, qualified and appropriate application is received. If no one comes forth, then the position can be filled by a nonmember of the park. Nothing in this by-law shall be construed to allow and/or require violation of any and all applicable local, state and/or federal employment laws. 20

20- Amendment – September 2007

ARTICLE XVIII
Corporate Seal

The seal of the corporation shall be in circular form and shall contain the words "**RHODODENDRON PARK MAINTENANCE COMPANY**" and the words "**CORPORATE SEAL WASHINGTON 1966**" in the form and style as affixed in these Bylaws by the impression of said corporate seal.

ARTICLE XIX
Date of Adoption

These Bylaws are duly adopted by the Corporation seal thereof and affixed on the 20th day of May, 1996

FRED SWARTOUT President

ATTEST
NANCY J. CURTIS Secretary

SUBSCRIBED AND SWORN TO before me this 20th day of May, 1966.

VELTA M. STROMBERG
NOTARY PUBLIC in and for the State of Washington, Residing in Seattle.