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| Document Title (or transaction contained therein): AMENDED AND RESTATED BYLAWS FOR RHODODENDRON PARK MAINTENANCE COMPANY |
| Grantor(s)/Plaintiff (Last name first, then first name, middle name) RHODODENDRON PARK MAINTENANCE COMPANY |
| Grantee(s)/Defendant (Last name first, then first name, middle name): RHODODENDRON PARK MAINTENANCE COMPANY |
| Legal Description (Abbreviated: i.e., lot, block & subdivision name or number OR section/township/range and quarter/quarter section) ALL LOTS, TRACTS, AND PRIVATE ROADS AS SHOWN ON THE PLATS OF RHODODENDRON PARK NO. 1 AS RECORDED IN BOOK 31 OF PLATS AT PAGES 21 AND 22 AND RHODODENDRON PARK NO. 2 AS RECORDED IN BOOK 32 OF PLATS AT PAGES 3 THROUGH 7, INCLUSIVE RECORDS OF THE PIERCE COUNTY AUDITOR |
| Auditor's Reference Number(s): 9109250300; 200608110627 |
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**Amended and Restated Bylaws of
RHODODENDRON PARK MAINTENANCE COMPANY**

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**Amended and Restated Bylaws of
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 area 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 was 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 a wife shall be considered collectively as one person.

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

Section 3. Membership shall be inseparably appurtenant to tracts owned by the members, and upon transfer of ownership or contract of sale, or any such tracts, membership shall ipso facto to be deemed to be transferred to the contract purchaser. No membership may be transferred, assigned,

or in any manner conveyed, other than in the manner herein-before 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 therefore, 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.

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.

Section 3. Each Trustee shall be an 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 there by 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 is 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 7. Any vacancy occurring in the Board of Trustees shall be filled by appointment by a majority of the remaining Trustees. The person so appointed shall hold office until the next annual meeting of the members of the corporation, at which time the vacancies for the remainder of the original terms, if any, shall be filled by election of the members in the regular manner.

Section 8. Any trustee who misses three (3) meetings in a row without a valid reason, such as an accident or ill health, shall be removed from the board of trustees. That position will then be filled by appointment by a majority of the remaining trustees.

ARTICLE V

Meetings

Section 1. Annual meetings of the members of the corporation shall be held at the principal place of business of the corporation or at such other places as the Board of Trustees may elect. The annual meetings shall be held on the fourth Saturday of each September at 1:00 (one) p.m. Notice thereof shall be given by the Secretary by mailing notice to each member not less than ten (10) days prior nor more than sixty (60) days before the date of the meeting. All meetings will be conducted in according to rules of order by Association Boards. The time of the annual meeting will be 1:00pm.

Section 2. Special meetings of the members may be called at any time by the President or a majority of the Board of Trustees or by members representing 15 percent of the tracts within the

jurisdiction of the corporation. Notice of a special meeting stating the object thereof shall be given by the Secretary by mailing such notice to each member not less than five days prior to the date on which such meeting is to be held.

Section 3. At all annual and special meetings of the members, 10 percent of all members of the corporation shall constitute a quorum for the transaction of business. Each member shall be entitled to one vote.

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.

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

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 RHODODENDRON 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 the Bylaws 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.

Section 3. Any single project estimated to cost more than \$1200.00 (twelve hundred dollars), must be submitted for approval by the membership at an annual or special meeting.

Section 4. To allow 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 the 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 at 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 or of the members whenever he deems it necessary. He shall have and exercise under the supervision of the affairs of the corporation. The President shall be responsible for enforcing the Articles of Incorporation 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. He or She 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: 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 deposit 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.

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 contract to sell such memberships and such certificates shall become to 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.

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 upon a member shall not be increased more than 15% over the previous year's assessments, rounded to the nearest whole dollar, and no more than two increases to the assessments in a four year rolling time period. Assessments shall be due for each lot whether said lot is improved, unimproved, occupied or unoccupied.

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 thereon 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.

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 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 preceding the meeting at which the vote is taken.

ARTICLE XI Attorneys' Fees

Section 1. 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:

- 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;
- 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.
- 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 \$25.00 per day against any lot owner found to be in violation of this bylaw.

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 \$25.00 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.

Section 2. 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.

ARTICLE XIV Vehicles & Parking

Section 1. Each lot owner shall be responsible for the storage of inoperable vehicles, unlicensed vehicles, vehicles in the process of major repairs including but not limited to: vehicle restoration, engine swaps, engine rebuilding, body or frame repairs, transmission or axle repairs; 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, awaiting removal, or in the process of repair. For purposes of this bylaw, "out of view" shall be defined as properly constructed work shed, carport, or garage that prevents such vehicle(s) from being seen from the street or neighboring lots. Minor repairs such as: oil changes, tune-ups, or brake pads & rotor replacement shall be permitted while visible provided they are completed within 14 days from the date such work is commenced. A \$25.00 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.

Suggested Tow Company: Cascade Towing 1-888-869-8725

ARTICLE XV Renters

Section 1. 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 WA 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.

ARTICLE XVI New 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 will 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 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.

ARTICLE XVII Employment

Section 1. The vacancy will be advertised locally.

Section 2. Each position will first be filled by a homeowner of Rhododendron Park if 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.

ARTICLE XVIII Corporate Seal

Section 1. 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 on this 20th day of May, 1966.

VELTA M. STROMBERG

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

CERTIFICATION

On this 7th day of March 2022, the undersigned President and Secretary of Rhododendron Park Maintenance Company, a Washington non-profit corporation, hereby certify that the foregoing Amended and Restated Bylaws reflect the current Bylaws of the Rhododendron Park Maintenance Company, as originally adopted on May 20, 1966 and as thereafter amended, in accordance with Article X of these said Bylaws with the last date of amendment being September 23, 2017.

