BY-LAWS

OF

PLEASANT HILL HOA & WELL ASSOCIATION, INC.

ARTICLE I
SCOPE AND DEFINITIONS

1. The following By-Laws of Pleasant Hill HOA & Well Association, Inc., a non-profit corporation organized under Chapter 504 of the Code of Iowa, which governs the owners of Pleasant Hill First Addition, and any future Additions, in the City of Swisher, Johnson County, Iowa ("Pleasant Hill Lots").

ARTICLE II
MEMBERS AND VOTING RIGHTS

1. The owners of record of the Pleasant Hill Lots shall constitute the members of the corporation, and membership shall automatically cease when the record ownership of a Pleasant Hill Lot is terminated.

2. Subject to the applicable terms and conditions of the Pleasant Hill Covenants (as defined herein) the owner or owners (collectively) of a Pleasant Hill Lot shall be entitled to cast one vote for each Pleasant Hill Lot.

3. If more than one person owns an interest in the same Pleasant Hill Lot, all such persons shall be members and remain jointly and severally liable for all membership obligations, but shall collectively be entitled to only one vote and shall be considered one owner for all purposes herein. In such case, the vote by the owners of that Pleasant Hill Lot shall be cast by the person named on a Certificate signed by all owners or fiduciaries or other relevant officials. If such Certificate is not executed and filed with the corporation, the vote with respect to that Pleasant Hill Lot shall not be counted or voted for purposes of a quorum or in determining the outcome.

4. Notwithstanding the foregoing, however, in the event a member who owns two lots builds two dwellings with one on each lot or ownership of the two lots is separated such that both lots that were formerly owned by one member are then owned by two separate unaffiliated owners, then each of the lots shall be a separate and distinct member. For example, and not in the way of limitation, in the event a dwelling is constructed on each of Lots 18 and 19 and/or Lots 18 and 19 are not owned in common, the owner of Lot 18 shall be a member and the owner of Lot 19 shall also be a member, with each owner responsible for all membership obligations.

5. Membership shall automatically cease upon termination of all interests of a member in a Pleasant Hill Lot. Whenever only one (1) spouse is a record titleholder, the other spouse shall be considered an Owner for the purposes of membership, and shall be bound by the provisions herein.

ARTICLE III
MEMBERSHIP MEETINGS

1. The annual meeting and any special meeting shall be held within Johnson County, Iowa, and all such meetings, annual or special shall be held at such particular time and place as is set forth in the Notice thereof.

2. At any annual or special meeting, the presence of the members in person or by proxy, who are entitled to cast a majority of the total number of votes outstanding shall constitute a quorum for the transaction of business. All actions taken by the members or submitted to them for consideration shall be approved upon the favorable vote of a majority of the votes represented and entitled to be cast at the meeting, unless a different rule is provided herein. If neither the President nor the Secretary is available to preside at the meeting, a Chairperson shall be elected.

3. A special meeting of the members may be called by the President or by one-third (1/3) of the Directors or by such number of members who are entitled collectively to cast at least twenty-five percent (25%) of the total number of votes outstanding and entitled to be cast.

4. It shall be the duty of the Secretary or his/her designate to give written notice to members of the time and place of the annual meeting. The person or persons calling a special meeting, pursuant to paragraph 3, shall give like written notice of the time and place of such special meeting. All notices shall set forth the purpose or purposes for which the meeting will be held, and no action shall be taken at a special meeting, which is not directly related to the purpose of the special meeting as defined in said notice.

5. At all meetings the order of business shall consist of the following:

   a. Election of Chairperson, if required.

   b. Calling roll and certifying of proxies.

   c. Proof of Notice of Meeting or waiver of Notice.

   d. Reading and disposal of any other approved Minutes.

   e. Reports of Officers, if applicable.

   f. Election of inspectors at election, if applicable.

   g. Election of Directors, if applicable.

   h. Unfinished business.

   i. New business.

   j. Adjournment.

   k. Annual Budget.

   l. Review and approval of transactions.

6. At all membership meetings, the presence of a Pleasant Hill Lot owner and the exercise of voting rights of the owner by proxy shall be permitted and recognized, provided such proxy must be in writing and signed by all persons possessing an ownership interest in the Pleasant Hill Lot in question. The decision of the Board of Directors as to the sufficiency of any proxy for recognition shall be final and not subject to appeal by the members.

7. Notice of all membership meetings shall be given by mailing or delivering the same not less than ten (10) nor more than fifty (50) days prior to the date of the meeting. A mailed notice shall be duly given if addressed to the member at the address of his lot, unless prior to such notice, he has, in writing, directed a different mailing address to be carried on the rolls of the corporation.

ARTICLE IV
BOARD OF DIRECTORS

1. The corporation and its affairs shall be governed, managed and administered by a Board of Directors. The Board shall be at least one and not more than 4 in number as determined by the members.

2. The term of office for each Director shall be one (1) year. There shall be no limitation on the number of terms during which a Director may serve. All Directors shall serve until their successors are duly designated and qualified.

3. Election of Directors shall be by ballot in which votes are cast in favor of as many Directors as there are vacancies to fill. The person receiving the majority of the votes cast shall be elected. If no person receives a majority vote, as many additional ballots may be taken as may be required, that in each such case, the nominee receiving the least number of votes in the previous ballot shall be eliminated from further consideration.

4. Vacancies on the Board of Directors may be filled until the date of the next annual meeting by the vote of the majority of the Directors remaining in office, whether those remaining constitute a quorum or not.

5. A Director may be removed from office at a special meeting called for such purpose if seventy-five percent (75%) of the total number of votes outstanding and entitled to be cast are voted in favor of such removal.

6. A majority of the board of Directors may, by resolution, set a time and place for regular meetings of the board of Directors and no notice thereof shall be required until such resolution is rescinded. The President or any Director may call special meetings of the Directors. Not less than two (2) days' notice shall be given, personally or by mail, telephone or facsimile, which notice shall state the time, place and purpose of the meeting.

ARTICLE V
OFFICERS

1. The officers of the corporation shall be the President (who shall be a Director), Vice President, a Treasurer and a Secretary, who may or may not be Directors but who must be members of this corporation, all of whom shall be elected annually by the Board of Directors. The Board of Directors may from time to time create and fill other offices and designate powers and duties thereof. Each officer shall

have the power and duties usually vested in such office, and such authority as is committed to the office by the By-Laws or by specific grant from the Board, but subject at all times to the provisions of the By-Laws and to the control of the Board of Directors. A single person may hold more than one office.

2. The President shall be the Chief Executive Officer of the corporation. He shall preside at all membership meetings and shall have power to appoint committees from among the members to assist in the conduct of the affairs of the corporation.

3. The Secretary shall keep the Minutes of all proceedings of membership meetings and Directors' meetings and shall have custody and control of the Minute Book of the Corporation, and shall keep or be in charge and control of the records of the corporation except those of the Treasurer, and shall give notice where required or directed to do so.

4. The Treasurer shall have control of the funds and other property of the corporation, shall keep the financial books and records thereof and shall pay vouchers approved by the Board or designate some person under his control to do so.

5. Any instrument affecting an interest in real property may be executed by the President or Vice President and one (1) other officer upon authorization of the Board or in such manner as the Board may otherwise direct

6. All officers and Directors shall serve without compensation.

ARTICLE VI
POWERS AND DUTIES OF THE BOARD OF DIRECTORS

All of the powers and duties of the corporation shall be exercised by the Board of Directors. Such powers and duties of the Directors shall be exercised in the accomplishment of the purposes of the corporation which shall be those set forth in the Restrictive Covenants recorded September 25, 2024, in Book 6597, Page 276 of the Johnson County, Iowa Recorder' Office ("Pleasant Hill Covenants") but shall not be limited to, the following powers:

1. To make and collect assessments against members.

2. To use the proceeds of assessments in the exercise of its powers and duties.

3. To carry insurance for the protection of the corporation and the members of the corporation and others against casualty, liabilities or other contingencies in their use of the corporate property.

4. To contract for the management of the Association and to delegate to such manager any or all powers and duties of the Association except such as are specifically required by the Bylaws or resolutions of the members to have approval of the Board of Directors or the membership of the Association.

5. In addition, the Board of Directors shall also have all powers and duties relating to the management of the common wells and water system within the Pleasant Hill First Addition, including, without limitation, the following:

a. To manage and maintain the common wells, well lines, distribution lines, and fire protection water tank(s) located within Pleasant Hill First Addition in the City of Swisher, Johnson County, Iowa (the "Common Well").

b. To pay taxes and insurance premiums on the Common Well property.

c. To conduct all votes or determinations of the Owners other than at a membership meeting. For all purposes herein, any decision of the Board shall be decided by a majority vote, unless otherwise provided herein.

d. To levy assessments against the Owner of each Property for said Property's share of the expenses of the Common Well, for any damage caused by the Owner or the Owner's agents, employees, invitees, or guests and for any and all other amounts chargeable against a Property Owner for the Common Well. When an Owner fails to pay the assessments when such assessments are due, such assessment shall constitute a lien against the Property and said assessment shall accrue interest from and after the due date until paid in full at the highest rate permissible by law. In addition, in any action to perfect the lien or to collect any unpaid assessments, the Owner shall be required to reimburse the Association for all costs and expenses incurred in connection with its enforcement activities including but not limited to attorney's fees.

e. To adopt such rules and regulations governing the use of the property as the Board deems reasonable or appropriate to govern the use and maintenance of the Common Well.

f. To do such other acts as are necessary and proper to affect the purpose of the Association, which are not otherwise prohibited.

g. To contract for the management of the Association and to delegate to such manager any or all powers and duties of the Association except such as are specifically required by the Bylaws or resolutions of the Owners to have approval of the Board of Directors or the membership of the Association.

ARTICLE VII
COMMON EXPENSES: ASSESSMENTS AND COLLECTION

1. Assessments, including those for the Common Well, against the lots and the owners thereof shall be made by the corporation, which assessments, in addition to being and constituting a lien against the lot in question and the appurtenances thereto, shall also be a personal liability of the owner thereof and jointly and severally so if more than one owner.

2. The Board of Directors shall adopt a budget each year for a one-year fiscal period which shall include the estimated funds required to delay the following common expenses:

a. Current expenses, which shall include all funds and expenditures to be made within the year for which the funds are budgeted (except expenditures chargeable to reserves or additional improvements), including a reasonable allowance for contingencies and working funds and the assessment for current expenses may sometimes be referred to as the "working capital assessment" and the funds thereof as the "working capital fund." Any balance of this fund at the end of each year may be applied to reduce the assessments for current expenses for the succeeding year.

b. Reserve for deferred maintenance, which shall include funds for maintenance items which occur less frequently than annually and for replacement of any components required on account of depreciation or obsolescence.

c. Reserve for replacement, which shall include generally funds for repair, reconstruction and the like required because of damage, destruction or other hazards.

Upon determination of such budget, the Directors shall each year levy an assessment for the amount to be thus assessed against each lot at least thirty (30) days prior to the one year period covered by such budget and assessments. Notwithstanding the foregoing requirement of regular assessments, the Board of Directors may discontinue a regular annual assessment or reserve for replacement, or transfer such portion thereof to another fund or account if in its judgment the amount remaining is sufficient to satisfy the best interests of the members.

3. The Board of Directors may also make and levy, from time to time, assessments for emergency expenses. Emergency assessments and "special" assessments shall be due and payable according to the terms fixed by the Board, and shall be shared equally among all owners.

4. The regular annual assessments made for current expenses, reserve, deferred maintenance and replacement shall be allocated uniformly to all the Pleasant Hill Lots. All such assessments shall be due within thirty (30) days of assessment. Assessments not paid within thirty (30) days shall accrue at 18% per annum.

5. The corporation shall, at all times, maintain complete and accurate written records of each lot owner and the address of each, and setting for the status of all assessments, accounts and funds appurtenant to that lot. Any person other than an owner may rely on a Certificate made from such records by an officer or agent of the corporation as to the status of all assessments and accounts. These By-Laws are subject to all of the terms and conditions regarding members of the corporation and directors of the corporation set forth in the Pleasant Hill Covenants and all such applicable terms and conditions are incorporated herein.

ARTICLE VIII
AMENDMENT

1. Except as herein provided, these By-Laws may be amended, altered, repealed or new By-Laws adopted by the members at a special or annual meeting of the members upon the affirmative vote of seventy-five percent (75%) of the total number of votes outstanding and entitled to be cast. No amendment, alteration or action taken to repeal these By-Laws and adopt new By-Laws shall change these By-Laws which equate membership with lot ownership, define the total number of votes, and base for each lot the number of votes, liabilities for assessments and interests in funds, including insurance proceeds of the corporation unless unanimous consent of the Pleasant Hill Lot owners and their mortgagees is secured.

2. No amendment may be adopted at either a special or regular membership meeting not included in the notice thereof, provided, however, if notice of the proposed amendment has been given, a different amendment relative to the subject matter thereof may be adopted by those present, in person or by proxy, and possessing the requisite percentage of the total number of votes outstanding and entitled to be cast, provided further, no vote by proxy may be counted unless the proxy expressly provided for such contingency. More than one proposed amendment may be included in the notice of a meeting.

ARTICLE IX
GENERAL PROVISIONS

1. The invalidity of any portion of the provisions of these By-Laws shall not affect the validity of the remaining provisions or portions hereof.

2. The corporation shall not have a corporate seal.

3. The Board of Directors may require Fidelity bonds from all Directors, officers or agents handling or responsible for corporation's funds, except any insurance trustee.

4. The Board of Directors may in its discretion issue written evidence of membership, but the same shall be evidence thereof only and shall in no manner be transferable or negotiable, and the share of the member in the assets of the corporation cannot be assigned, hypothecated or transferred in any manner, except as an appurtenance to such assignment, hypothecation or transfer of a Pleasant Hill Lot itself.

IN WITNESS WHEREOF, these By-Laws are hereby adopted by the Board of Directors December 12, 2024.

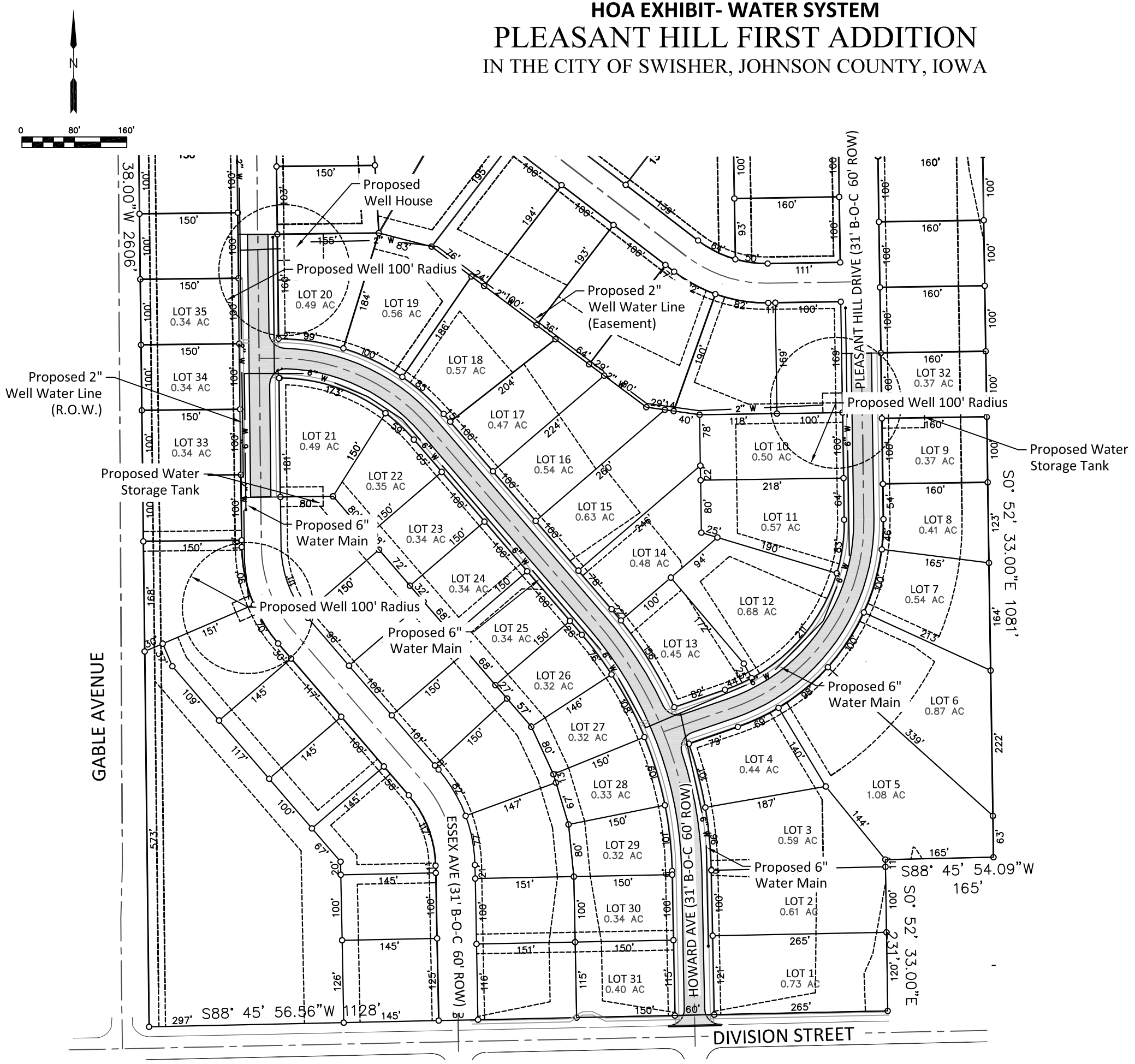
PLEASANT HILL HOA ASSOCIATION, INC.

BY: _____
Mark Ralston, Initial Director

HOA EXHIBIT- WATER SYSTEM

PLEASANT HILL FIRST ADDITION

IN THE CITY OF SWISHER, JOHNSON COUNTY, IOWA



Water System Impacted Lots Summary

WATER STORAGE TANKS:
Lots 9/32
Lot 21

WELL 2" LINES (ROW):
Lots 33-35

WELL 2" LINES (EASEMENT):
Lot 10
Lots 14-20

WELLS:
Lots 9, 10, 32
Lots 20, 35

WELL HOUSE:
Lot 20

Refer to _____ for any conditions or restriction that may be applicable to the lots indicated on this exhibit

Exhibit A

Exhibit B

WELL PROTECTION. No structure or facility of the following types shall be located within the distances hereinafter set forth from a deep well or shallow well:

SEPARATION DISTANCES

Source of Contamination	Required minimum lateral distance from well as horizontal on the ground surface, in feet	
	Deep Well*	Shallow Well*
WASTEWATER STRUCTURES:		
Point of Discharge to Ground Surface		
Sanitary & industrial discharges	400	400
Water treatment plant wastes	50	50
Well house floor drains	5	5
Sewers and Drains**		
Sanitary and storm sewers, drains	0-25 feet; prohibited 25-75 feet if water main pipe 75-200 feet if sanitary sewer pipe	0-25 feet; prohibited 25-75 feet if water main pipe 75-200 feet if sanitary sewer main pipe
Sewer force mains	0-75 feet; prohibited 75-400 feet if water main pipe 400-1000 feet if sanitary sewer pipe	0-75 feet; prohibited 75-400 feet if water main pipe 400-1000 feet if sanitary sewer main pipe
Water plant treatment process wastes that are treated onsite	0-5 feet; prohibited 5-50 feet if sanitary sewer pipe	0-5 feet; prohibited 5-50 feet if sanitary sewer main pipe
Water plant wastes to sanitary sewer	0-25 feet; prohibited 25-75 feet if water main pipe 75-200 feet if sanitary sewer pipe	0-25 feet; prohibited 25-75 feet if water main pipe 75-200 feet if sanitary sewer main pipe
Well house floor drains to sewers	0-25 feet; prohibited 25-75 feet if water main pipe 75-200 feet if sanitary sewer pipe	0-25 feet; prohibited 25-75 feet if water main pipe 75-200 feet if sanitary sewer main pipe
Well house floor drains to surface	0-5 feet; prohibited 5-50 feet if sanitary sewer pipe	0-5 feet; prohibited 5-50 feet if sanitary sewer main pipe
Land Disposal of Treated Wastes		
Irrigation of wastewater	200	400
Land application of solid wastes***	200	400
Other		
Cesspools & earth pit privies	200	400
Concrete vaults & septic tanks	100	200
Lagoons	400	1000
Mechanical wastewater treatment plants	200	400
Soil absorption fields	200	400
CHEMICALS:		
Chemical application to ground surface	100	200
Chemical and mineral storage above ground	100	200
Chemical and mineral storage on or underground	200	400
Transmission pipelines (such as fertilizer, liquid petroleum, or	200	400

anhydrous ammonia)		
ANIMALS:		
Animal pasturage	50	50
Animal enclosure	200	400
Earthen silage storage trench or pit	100	200
Animal Wastes		
Land application of liquor or slurry	200	400
Land application of solids	200	400
Solids stockpile	200	400
Storage basin or lagoon	400	1000
Storage tank	200	400
MISCELLANEOUS:		
Basements, pits, sumps	10	10
Cemeteries	200	200
Cisterns	50	100
Flowing streams or other surface water bodies	50	50
GHEX loop boreholes	200	200
Railroads	100	200
Private wells	200	400
Solid waste landfills and disposal sites****	1000	1000

*Deep and shallow well as defined in Iowa Code 567-40.2 (455B). A deep well is a well located and constructed in such a manner that there is a continuous layer of low permeability soil or rock at least 5 feet thick located at least 25 feet below the normal ground surface and above the aquifer from which water is to be drawn. A shallow well is a well located and constructed in such a manner that there is not a continuous layer of low permeability soil or rock (or equivalent retarding mechanism acceptable to the department) or at least 5 feet thick, the top of which is located at least 25 feet below the normal ground surface and above the aquifer from which water is to be drawn."

**The separation distances are dependent upon two factors: the type of piping that is in the existing sewer or drain, as noted in the table, and that the piping was properly installed in accordance with the standards.

***Solid wastes are those derived from the treatment of water or wastewater. Certain types of solid wastes from water treatment processes may be land-applied within the separation distance on an individual, case-by-case basis.

****Solid waste means garbage, refuse, rubbish, and other similar discarded solid or semi-solid materials, including but not limited to such materials resulting from industrial, commercial, agricultural, and domestic activities.