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Prepared by: The Board Officers of Rhino Ridge Homeowner's Association, 2911 N Drive, Parnell, Iowa 52325,  
(515) 290-4140 with input from Dillion Law P.C., 209 E 1<sup>st</sup> Street, Sumner, Iowa 50674

Return Address: Rhino Ridge Homeowner's Association, 2911 N Drive, Parnell, Iowa 52325

## **Bylaws of the Rhino Ridge Homeowner's Association**

### **An Iowa Nonprofit Corporation (Association)**

#### **TO THE PUBLIC:**

KNOW ALL MEN THESE PRESENTS: The undersigned being the officers and directors of Rhino Ridge Homeowners Association, Inc. of:

The original Lots 1-14 of Hilltop II, Part 1 Subdivision to Iowa County, Iowa, now known as Lots 1-14 of Rhino Ridge Subdivision to Iowa County, Iowa, Lots 1-9 of Rhino Ridge Part II Subdivision to Iowa County, Iowa, and Lots 1-10 of Rhino Ridge Part III Subdivision to Iowa County, Iowa.

#### **Article I. Name and Purpose**

**Section 1.01 NAME:** The name of this organization shall be the Rhino Ridge Homeowner's Association, hereafter referred to as THE ASSOCIATION. It shall be a nonprofit organization incorporated under the laws of the State of Iowa.

**Section 1.02 PURPOSE:** The bylaws shall govern the Corporation and its members and facilitate the fulfillment of the purposes provided in the Articles of Incorporation.

#### **Article II. Membership**

**Section 2.01 Eligibility for membership:** All property owners are automatically a member in the Homeowners association and subject to the rules and regulations of this association. No right to vote is conferred by ownership, only those who comply with 2.03 are eligible to vote as members.

**Section 2.02 Dues:** The amount required for monthly dues is currently \$50, unless changed by a 2/3rd vote.

**Section 2.03 Voting Rights:** No member of the Association shall cast vote unless they are no more than 2 months delinquent on association dues and have no outstanding fines/judgments levied or obtained by the Association.

**Section 2.04:** Unless otherwise noted in by the property owners prior to the vote, in the case of a dispute between joint property owners on the vote, the first name listed shall be the one authorized to vote.

### **Article III. OFFICERS**

**Section 3.01 Officers:** The Association shall have the following Board Officers:

1. President
2. Vice-President
3. Treasurer
4. Secretary
5. Officer

**Section 3.02 Election of Board Officers:** Board Officers shall be elected to 3 year terms (staggered to minimize total Board turnover at any one time) with no limitations on future terms. Board Officers should be elected with highest number of votes until open positions filled. Specific Board Officer roles will be determined annually by the Board at its annual planning session. The Board may create additional committees and board positions as it requires to carry out its tasks. Members of Committees shall be appointed by the President and Officers.

**Section 3.03 Duties:** Specific Board Officer Roles are as follows:

1. The PRESIDENT shall be the principal executive officer of the Association and shall preside over all meetings, unless such duty is delegated to another officer. The PRESIDENT shall have the discretion to delegate any tasks to officers as they deem necessary for the efficient operation of the Association.
2. The VICE-PRESIDENT shall assist the President as the President requests and represent the Association on appropriate occasions. The VICE-PRESIDENT shall also, in the absence or disability of the President, perform the duties and exercise the powers of the President of the Association.
3. The TREASURER shall collect, safeguard, disburse and make periodic reports of all funds collected in the name of the Association.
4. The SECRETARY shall keep attendance records and record the proceedings of all meetings, maintain adequate records of the Association activities, and conduct such official correspondence as it is required by Iowa Law and the governing documents of this Association.
5. The OFFICER shall assist in performing any tasks the board deems necessary and be present at meetings and represent the Association as an Officer of said Association.
6. All contracts, engagements and obligations must be undertaken by meeting vote and no individual officer, absent board action for the specific task, has the authority to bind the Association.

**Section 3.04 Vacancies and removal from office:** Any Board Officer may be removed by a unanimous vote of all other Board Officers of the Association (excluding the Officer to be removed) and a majority vote of All members. Upon death, removal, resignation or incapacity of an Officer of the Association, Board may temporarily appoint a Board Officer until next Board election. Residency in the Association is not a requirement to serve as a board member.

**Section 3.05 Management:** The Association shall be managed by the Officers elected, with powers consistent with the Articles of Incorporation and these Bylaws of the Association.

## **Article IV. Meetings of Members**

**Section 4.01 Place of Meetings:** Meetings of Members shall be held at a disclosed location set by the Officers.

**Section 4.02 Regular Meetings:** Regular meetings of the Association shall be held quarterly, at a time and place designated by the President and Officers.

**Section 4.03 Annual Meeting:** An annual meeting of the Members shall be held yearly and with proper notification requirements. At such meeting, the Members will receive reports on the affairs of the Association and transact any other business which is within the power of the Members. A Financial Audit Report by at least 2 Non-Board Officers is required annually.

**Section 4.04 Special Meetings:** Special meetings of the members may be called by the President, by a majority of the Officers of the Association, or by 10% or more of the Members entitled to vote on a particular matter.

**Section 4.05 Notice of Meetings:** A written, mailed or electronic notice of each meeting stating the time, date and location shall be given by the Secretary of the Association, or by the person authorized to call the meeting. This notice shall be given at least 2 weeks before the date named for the meeting which will be posted at the mailbox as well as electronically sent to all homeowners with the previous meeting's minutes, and agenda for the upcoming meeting. It is the members responsibility to ensure the Secretary has current contact information on file, to ensure proper receipt of all meeting and minute information.

**Section 4.06 Quorum:** 25% of eligible voting members present at any meeting (of which at least 3 are Board Officers) shall constitute a quorum at such meeting, except as stated in the Articles specifically requiring a different quorum requirement as defined in the Articles of Incorporation, Covenants and Restrictions and these Bylaws per voting topic. The only matters that may be voted on at the meeting are those matters that are described in the meeting notice and that do not meet the otherwise specified quorum requirements listed in the Covenants, Articles of Incorporation or these Bylaws. In the event Iowa Law requires more than 25% for a quorum for a specific vote, Iowa law prevails.

## **ARTICLE V. Voting**

**Section 5.01 Voting by mail for Board Officers:** Board Officers are to be elected with highest number of votes until open positions filled and recorded. Such election may be conducted by mail and by distribution ballot.

**Section 5.02 Voting by mail for Association Document Changes:** Association Document (Articles of Incorporation, Covenants, Bylaws and Rules & Regulations) changes require 2/3 vote of All members and recorded. Such a vote may be conducted by mail and by distribution ballot.

## **ARTICLE VI. Finances**

**Section 6.01 Expenditures:** Routine expenses of under \$1,000 may be paid. Expenditures over \$1,001 and under \$2,000 require simple majority of members present at a meeting where the expense is presented for action. Expenses over \$2,000 require majority of votes cast by mail (must meet Quorum).

**Section 6.02 Financial Reports:** Quarterly and Annual Financial Reports shall be prepared by the Treasurer and presented to the Members at the quarterly and annual meetings. An annual financial audit is required by 2 Non-Board Officer Members.

### **ARTICLE VII. Non-Compliance with Bylaws**

**Section 7.01 Non-Compliance Penalties:** Non-compliance with the Covenants and these Bylaws and actions of the Homeowners association will result in voting rights being suspended. Under no circumstance will noncompliance with any section of these Bylaws constitute the forfeiture of the rights of the Association to exist or the rights of the Association to enforce the Bylaws of the Association. No other forms of rules or procedures apply unless stated and adopted in any of the above aforementioned binding Association documents.

**Section 7.02:** The board is authorized to bring action in appropriate venues to enforce covenants of the Homeowners association.

### **ARTICLE VIII. Complaint Process**

#### **Section 8.01 Complaint Process:**

1. General Tone for resolving – Neighbors are encouraged to talk to each other first before filing a formal complaint. The Board will get involved on Violations of Articles, Covenants, Bylaws, or Rules.
2. A minimum of 2 Board Officers will investigate to seek evidence.
3. Written communication will occur with all involved members. Fines will only be imposed after third occurrence and approval at an Association Meeting.
4. All disputes not informally resolved by the board officer's investigation may be pursued in appropriate Iowa courts in and fore Iowa county. All parties who are members of the association agree to the jurisdiction of Iowa county and stipulate that any judgment obtained by the homeowner's association implicates the homestead rights and should attach as a judgment against the homestead of a property owner.

Dated 18<sup>th</sup> day of December, 2018

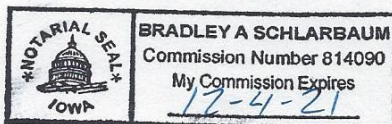
Signed

Jacklyn Dodswoth  
Jacklyn Dodswoth, President

Todd Schmidt  
Todd Schmidt, Secretary/Treasurer

Daniel Phillips  
Daniel Phillips, Vice President

On this 18<sup>th</sup> day of December, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the above signed individuals, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



[Signature]  
Notary Public in and for said State of Iowa