

CONSTITUTION – Approved July 18, 2019

BEAUMONT’S SEVEN HARBORS WHITE AND DUCK LAKE ASSOCIATION

FORWARD:

Every property owner in Supervisor’s Plat of Seven Harbors, Supervisor’s Plat No. 1, 5, 6, and 7, and Supervisor’s Plat of Seven Harbors Reserve of Highland Township, Oakland County, Michigan, and such owners of property adjacent thereto as may be admitted by vote of the Board of Trustees of this Association is automatically a member of BEAUMONT’S SEVEN HARBORS WHITE AND DUCK LAKES ASSOCIATION and are bound by its restrictions, laws, and regulations.

Preamble to the Constitution

To perpetuate a community of peace, humanity, and harmony, we dedicate ourselves to the following:

Article 1 Name

Section 1:

The name of the corporation is Beaumont’s Seven Harbors White and Duck Lakes Association.

Article 2 Membership

Section 1:

This Association is comprised of property owners of property in Supervisor’s Plat of Seven Harbors, Supervisor’s Plat No. 1, 5, 6, and 7, and Supervisor’s Plat of Seven Harbors Reserve of Highland Township, Oakland County, Michigan, Seven Harbors, and is incorporated under the laws of the State of Michigan as a non-profit corporation, and has accepted deeds for land, beaches, and roadways, as provided in the original deeds to the property of which it is comprised.

Section 2:

Membership is restricted to property owners in Supervisor’s Plat of Seven Harbors, Supervisor’s Plat No. 1, 5, 6, and 7, and Supervisor’s Plat of Seven Harbors Reserve, known as Seven Harbors, situated in the Township of Highland, Oakland County, Michigan, and such owners of property adjacent thereto, as may be admitted by vote of the Board of Trustees of this Association

Article 3 Fees

This is a non-profit and non-stock corporation. Said corporation is to be financed under the following general plan:

Section 1:

Maintenance fees, special assessments and penalties shall be collected from each property owner in each subdivision, to be used for maintaining all subdivision roads, parkways, beaches, and such property owned by the Association and for expenses incurred in carrying on the work. Fees are based upon sidwell. Fees must be paid by June 1. If not paid by June 1 a penalty of \$25 will be assessed for each year the fees remain unpaid.

Section 2:

Fees shall be collected from the plaintiff's in the *Deghetto v Beaumont's Seven Harbors* as allowed by statute and case law.

**Article 4
Voting****Section 1:**

Only paid-up members shall have a vote. Members who have not paid their maintenance fees, special assessments or penalties up to date may not have a voice and may not have a vote. Cumulative voting shall not be permitted.

Section 2: One VOTE PER SIDWELL:

Each property (sidwell) shall be entitled to one vote without regard to the number of names on the deed to the property. In the case of any property owned by more than one co-owner, the voting rights appurtenant to that property may be exercised only as a single vote. In the case of property owned by more than one co-owner, if a dispute arises regarding which co-owner is entitled to the vote of that sidwell, the Presiding Officer of the meeting will decide on the manner in which the vote may or may not be counted and the decision of the presiding officer shall constitute a final order. Members may file with the secretary of the association prior to any general membership meeting a written agreement signed by all co-owners, designating which co owner's vote should be counted.

Section 3: Subject matter jurisdiction

A majority vote of the general membership present at a general meeting or special meeting called for the purpose, with 5 day's notice by newsletter, posting, email or post office delivery, shall be required for the following subjects:

- a. amendments to the constitution
- b. increase or decrease in maintenance fees
- c. special assessments
- d. approval, disapproval or amendments to the annual budget
- e. election of members to the Board of Trustees and Officers

All other decisions regarding the business and management of the association and its properties, except as stated in Article 4, Section 3 of this Constitution, shall be made by a majority vote of the Board of Trustees. The Board may delegate authority to a committee, vendor or management company. The Board may request input from the general membership at its discretion.

Section 4: Real Estate Owned by the Association

All real estate owned or controlled by the Association, may not be sold, leased, or given away for any reason. Other assets such as utility vehicles, raw material, etc., may be bought and sold as the Board of Trustees deems necessary.

Article 5 Number of General Membership Meetings

There shall be a minimum of two annual meetings of the Association, one in May or as soon thereafter as may be held for the annual budget, and another in September for election of the board of trustees as described in the Bylaws. The President shall adjourn any meeting when he/she deems it advisable.

This Association shall be governed by the provisions of this Constitution and such by-laws as are adopted by a vote of the Board of Trustees and Officers.

Article 6 Term of Corporation

The term of this corporation shall continue indefinitely or until otherwise defined by vote of the membership and Executive Board.

Article 7

Should any of these Articles be subsequently declared invalid, the remainder shall be given as full force and effect as if such invalid Articles had never been a part thereof.