

**BYLAWS OF THE
VILLAGE AT LITTLE RIVER HOMEOWNERS' ASSOCIATION**

NAME AND LOCATION

The name of the corporation is the Village At Little River Homeowners' Association, hereinafter referred to as the "Association". The principal office of the corporation shall be located at 1461 Baldwin Ct. Little River, Horry County, South Carolina, but meetings of Members' and Directors' may be held at such places within the State of South Carolina, County of Horry, as may be designated by the Board of Directors.

ARTICLE 1

DEFINITIONS

- Section 1. "Association" shall mean and refer to the Village at Little River Homeowners' Association, a South Carolina non-profit corporation, its successors and assigns.
- Section 2. "Board of Directors" or "Board" means those persons elected or appointed and acting collectively as the Directors of the Association.
- Section 3. "Bylaws" means the bylaws of the Association as the now or the hereafter exists.
- Section 4. "Declarant" shall mean and refer to Little River Properties, a South Carolina limited partnership, its successors and assigns, to whom the rights of Declarant are expressly transformed, or if such successors or assigns should acquire more than one undeveloped lot, or undeveloped acreage, for the purpose of development, or acquire title to the property under power of sale contained in any deed of trust of one otherwise denominated a "Declarant" hereby.
- Section 5. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions for the Village at Little River Townhomes, amendments thereto, applicable to the property and recorded in the Office of the Register of Deeds of Horry County, South Carolina.
- Section 6. "Common Area" shall mean and refer to all land within the Property owned by the Village at Little River Homeowners' Association, along with the facilities and improvements erected or constructed thereon, for the exclusive use and enjoyment of the Members of the Village at Little River Homeowners' Association.
- Section 7. "Lot" shall mean and refer to any plot of land, other than the common area, shown on a recorded subdivision map of the Property and upon which a Townhome has been or may be constructed.
- Section 8. "Manager" shall mean and refer to the person employed by the Board of Directors as a professional manager, pursuant to the provisions of the Bylaws, to manage the affairs of the Association.

- Section 9. "Member" shall mean and refer to every person who is a member of the Association.
- Section 10. "Owner" shall refer to the record owner, whether one or more persons or entities, of a fee simple title to any lot which is a part of the Property, including those who have such interests merely as security for the performance of an obligation.
- Section 11. "Person" shall mean and refer to any individual, corporation, partnership, association, trustee, or other legal entity.
- Section 12. "Property" shall mean and refer to that certain real property platted of record in Book of Maps _____ Page _____, Horry County Registry and described in the Declaration, and such additions thereto as may hereafter be brought within the jurisdiction of the Association by annexation.

ARTICLE 111

MEETING OF MEMBERS

- Section 1. Annual Meetings - The Annual meeting of the Members shall be held during the month of January. The date, time, and place to be established by the Board of Directors during the November Board meeting.
- Section 2. Special Meetings - Special meetings of the members may be called at any time by the President or by the Board of Directors, or upon request of the members who are entitled to vote - one-fourth (1/4) of all the votes of the Class A membership.
- Section 3. Notice of Meetings - Written notice of each meeting of the members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least fifteen (15) days before such meeting to each Member's address last appearing on the books of the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and in the case of a special meeting the purpose of the meeting shall be stated.
- ✓ Section 4. Quorum - The presence at the meeting of members entitled to cast, or of proxies entitled to cast, one half (1/2) of the votes of the membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these Bylaws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote there at shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.
- Section 5. Proxies - At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of this lot.

ARTICLE IV

BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

- Section 1. Number - The affairs of this Association shall be managed by a Board of not less than three (3) nor more than fifteen (15) Directors who must be members of the Association.
- Section 2. Term of Office - All Directors will be elected to one - two (2) year term. Members may be re-elected to the board by the pleasure of the membership at the annual meeting.
- Section 3. Removal - Any director may be removed from the Board, with or without cause, by a majority vote of the members or the association. In the event of death, resignation, or removal of a director, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor.
- Section 4. Compensation - No Director shall receive compensation for any service he may render to the Association. However, any Director may be reimbursed for his actual expenses incurred in the performance of his duties.
- Section 5. Action Taken Without a Meeting - The directors shall have the right to take action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all of the Directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

ARTICLE V

NOMINATIONS AND ELECTIONS OF DIRECTORS

- Section 1. Nominations - All members are encouraged to volunteer to be Directors of the Association and serve on the Board. Each year, the September Board meeting minutes will remind members to notify the Board if they desire to become a Director of the Board for the next term. Any member wishing to serve on the Board for the coming term must notify the present Board by the end of November. If the nominees exceed the number of spaces available, a special ballot will be sent to all members in December for them to vote on no more than the number of vacancies available and return to the Secretary by the end of the year.
- Section 2. Election - Election to the Board of Directors shall be by secret written ballot. At such election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

ARTICLE VI

MEETING OF DIRECTORS

- ✓Section 1. Regular Meetings - Regular meetings of the Board of Directors shall be held bi-monthly without notice, at such place and hour as may be fixed from time to time by resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday.
- Section 2. Special Meetings - Special meetings of the Board of Directors shall be held, when called by the President of the Association, or by any two Directors, after not less than three (3) days' notice to each Director.
- Section 3. Quorum - A majority of the number of Directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

ARTICLE VII

POWERS AND DUTIES OF THE BOARD OF DIRECTORS

- ✓Section 1. Powers - The Board of Directors shall have power to:
- a. adopt and publish rules and regulations governing the use of the common area and facilities, and the personal conduct of the members and guests thereon, and to establish penalties for the infraction thereof
 - b. suspend the voting rights, and the right of a member to use any recreational facilities on the common area during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed sixty (60) days for infraction of published rules and regulations.
 - c. exercise for the Association all powers, duties, and authority vested in or delegated to this Association, and not reserved to the membership by other provisions of these Bylaws, the Articles of Incorporation, or the Declaration.
 - d. declare the office of a member of the Board of Directors to be vacated in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors.
 - e. contract with any person to maintain the common area yards, and townhomes.
 - f. procure adequate hazard insurance on any townhouse if the owner fails to present evidence that such insurance is in effect, and include the cost of such insurance in the annual assessment of such owner.
 - g. procure such insurance as they deem necessary, proper and/or prudent to the operation of the Association.
 - ✓ h. The Board of Directors may charge a late fee of \$8.40 to any monthly assessment not paid by the 15th of the month in which it is due.
- Section 2. Duties - It shall be the duty of the Board of Directors to:
- a. cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the

- members, or at the special meeting when such statement is requested in writing by one-fourth (1/4) of the Class A members who are entitled to vote.
- b. supervise all officers, agents, and employees of this Association, and to see their duties are properly performed.
 - c. as more fully provided in the Declaration to
 1. fix the amount of the annual assessment against a lot at least thirty (30) days in advance of each annual assessment period
 2. send written notice of each assessment to every owner subject thereto at least thirty (30) days in advance of each annual assessment period
 3. foreclose the lien against any property for which assessments are not paid within thirty (30) days after the due date or to bring an action at law against the owner personally obligated to pay the same
 - d. issue, or to cause an appropriate officer to issue, upon demand by any person, certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment
 - e. procure and maintain adequate errors and omissions, directors liability and liability hazard insurance on property owned by the Association.
 - f. cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate
 - g. causing the limited common area to be maintained.
 - h. assign parking spaces to owners in the manner provided in the Declaration when requested by a majority of the members
 - i. invest assets of the Association in secure savings to build income for future (known or unknown) expenses.
 - j. designate depositories for Association funds
 - k. appoint such committees as are provided for in these Bylaws, and such other committees as shall be appropriate or necessary for the proper administration and performance of the Association
 - l. exercise their powers in good faith and do and perform such other matters and things not expressly prohibited by law, the Declaration, or these Bylaws as are necessary and appropriate to the proper administration, operation, and maintenance of the Association and the Property.

ARTICLE VI

OFFICERS AND THEIR DUTIES

- Section 1. Enumeration of Officers. The officers of the Association shall be a President and Vice President, who at all times be members of the Board of Directors, a Secretary and a Treasurer, and such other officers as the Board may from time to time by resolution create.
- Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the members.
- Section 3. Term - The officers of this Association shall be elected annually by the Board and shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise be disqualified to serve.

- Section 4. Special Appointments - The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.
- Section 5. Resignation and Removal - Any officer may be removed from office without cause by the Board. Any officer may resign at any time upon giving written notice to the Board, the President, or the Secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.
- Section 6. Vacancies - A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.
- Section 7. Multiple Officers - The offices of Secretary and Treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices, except in the case of special officers created pursuant to Section 4 of this Article.
- Section 8. Duties - The duties of the officers are as follows:

PRESIDENT

The President shall preside at all the meetings of the Board of Directors; shall see that orders and regulations of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.

VICE PRESIDENT

The Vice President shall act in the place instead of the President in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.

SECRETARY

The Secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice on meetings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties required by the Board.

TREASURER

The Treasurer shall receive and deposit in appropriate bank accounts all funds of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks, and promissory notes of the Association; keep proper books of account; cause any annual audit of the Association books to be made by a public accountant at the completion of each fiscal year; and shall prepare an annual budget and statement of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy to each of the members.

ARTICLE IX

MEMBERSHIP

Every person who is record owner of a fee or undivided fee interest in any lot which is subject to covenants of record to assessment by the Association, including contract sellers, but excluding persons who hold an interest merely as security for the purpose of an obligation, shall be a member of the Association. Ownership of such interest shall be the sole qualification for membership, and no owner shall have more than one membership. Membership shall be appurtenant to and may not be separated from ownership of any lot which is subject to assessment. The Board of Directors may make reasonable rules regarding proof of ownership.

ARTICLE X

VOTING RIGHTS

- ✓ Members shall be all owners and shall be entitled to one (1) vote for each lot owned. In no event shall more than one (1) vote be cast with respect to any lot, and no fractional vote may be cast with respect to any lot.

ARTICLE XI

COMMITTEES

- Section 1. The Association shall appoint an Architectural Control Committee, as provided in the Declaration, and a Nominating Committee, as provided in these Bylaws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purposes.
- ✓ Section 2. As provided in the Declaration, written plans for all plantings, outside building, and changes to buildings must be presented to and approved by the Board of Directors/ Architectural Committee.
- ✓ Section 3. If an owner moves, anything placed on owner's property or community property may not be removed without consent of the Board.

ARTICLE XII

BOOKS AND RECORDS

The Association shall have the seal in circular form having within its circumference the words: Village at Little River Homeowners Association.

ARTICLE XIV

AMENDMENTS

- Section 1. These Bylaws may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy.

Section 2: In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles shall control, and in case of any conflict between the Declaration and these Bylaws, the Declaration shall control.

Section XV

Miscellaneous

The fiscal year of the Association shall begin on the first day of January and end the 31st day of December of every year, except that the first fiscal year shall begin on the date of incorporation.

IN WITNESS THEREOF, WE, the Directors, residents, and past presidents of the Village at Little River Homeowners' Association, have hereunto set our hands this 1 day of February, 2022.

Daniel J. Wray Past President

Susan Charlene Keeler Past President

Patsy O. Towery Vice President

Laura N. [Signature] Homeowner

Janet Lynn [Signature] Board Member

Certification

I, the undersigned, do hereby certify

that I am the duly elected President of the Village at Little River Homeowners' Association, a South Carolina corporation, and that the forgoing Bylaws constitute the current Bylaws of said Association, having been followed and distributed to members by Association officers since 2005.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 1st day of Feb, 2022.

Dated February 1, 2022
State of South Carolina
County of Horry
Cathy P. Harris

Patsy O. Towery
Patsy O. Towery, President

