

## BYLAWS

### KACHINA PARKWAY ASSOCIATION INC.

FOUNDED SEPTEMBER 4, 1990

**Purpose:**

To purchase, maintain and protect the open space currently known as Parcel "A" Kachina Village.

**Location:**

Bounded by the streets of Kachina Trail, Toho Trail, Chof Trail, and Chof Ovi. Surrounded by 24 private lots. See county map #15.

**Land Use:**

This parcel is not to be used in any way which may alter or change in any way any existing trees, shrubs or other growth. All present and future uses of the property must maintain the natural form and lay of the land. Any changes to this covenant with respect to Land Use provisions and restrictions must be approved by a vote of no less than 100% of the membership in favor.

**Park Improvement:**

Allowed improvements to the "parkway" are strictly restricted to those items consistent with the use of the property as a park; such as - installation of benches picnic tables, and trash receptacles, and maintenance of trails. All such improvements must adhere to the restrictions on land use noted in the previous point, and must be recommended by a majority vote of the association board, and approved by a majority of association members. Any other form of improvement to the "parkway" property is prohibited unless approved by a 100% vote of the association membership.

**Sale of Property Division:**

No sale or division of this property may occur without a vote of 100% of the membership agreeing as to the means of sale and the division of said property.

**Prohibition of Motorized Vehicles:**

Use of motorized vehicles other than emergency vehicles on this property is prohibited. Any change to this provision must be approved by a 100% vote of the association membership.

**Dues:**

(Currently \$15.00 per year with a fee of \$100.00 for initial membership.) Dues cover all of the cost of property taxes, insurance, maintenance and miscellaneous operating expenses of the Association. All fees are due and payable not later than the first day of October each year unless a change is approved by 100% of the Association. Amount of dues is determined by the governing board and ratified by a simple majority vote, 51% of the current Association membership. Association members whose dues payments become more than 180 days in arrears will be assessed an additional charge of \$25 and assessed 18% interest on all past due fees. Any dues past due will be recovered by the means legal in a civil court of law and of the laws concerning the formation and operation of a nonprofit corporation in the State of Arizona.

**Board Members:**

Board members shall be elected by a majority vote of the members who are present at the Association meeting when the election takes place. No two members of the board may be from the same property lot. Board members are elected for a period of two years.

**Board Positions:**

The Association board shall consist of five members whose positions are:

- President
- Vice President
- Treasurer
- Secretary
- Property Manager

**Board Members Duties:**

President: Responsible for calling and presiding over association meetings and supervising operations of the organization as a whole.

Vice-President: Assumes the responsibilities of the President in the event he/she is unable to attend a meeting.

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Treasurer; Handles all cash receipts and disbursements of association funds. Responsible for preparation of dues statements and recording of payment of dues. Responsible for disbursement of funds for taxes, insurance, association supplies, maintenance, etcetera. Must file a financial statement twice a year with copies to all current members.

Secretary; Takes notes at all meeting and handles all correspondence and mailings. Responsible for notifying all members of meetings to be held and sending out a newsletter twice a year with copies to all current members. Maintains current address and phone numbers of all members.

Property Manager; Responsible for assuring insurance on the property is maintained. Responsible for maintenance and general well being of the property. Responsible for the enforcement of all terms and conditions concerning the use of the property by the Association's members and their families.

**Meetings:**

Two meetings per year will generally be held. To conduct legal Association business, a quorum of no less than three board members must be present at any meeting. At least one meeting per year will include all interested Association members, and association member is welcome to attend any meeting at any time.

**Property owners . Members of Kachina Parkway Association Inc.**

**Requirements for Membership;**

- A. Property must border on or touch at some point the property known as Parcel "A" Kachina Village.
- B. Must have paid all dues assessed. To maintain voting rights all dues payments must be current.
- C. It is not necessary that Association members live on their qualifying property.

**Generals:**

- A. There are 24 properties that surround the Association's land and are eligible for membership in this Association. Currently 20 of these properties are active members of the Association. See map attached.
- B. This Association is in no way connected to the Kachina Village Property Owners Association nor is the land open to anyone outside the direct families of association members, without expressed permission.
- C. By two-thirds majority vote of the membership and property owner may be denied future use of the "parkway", for repeated violations of the rules prescribed in this document or rules which may be approved and disseminated by the board.
- D. Modification or amendment to any Fees and/or terms and conditions of the Kachina Parkway Association Inc. not covered by a specific prescribed voting process shall require a simple majority vote of members present at any Association meeting.
- E. It is reasonable to use a proxy vote where a majority of property owners is required. Full disclosure of the change that is up for vote is required to be sent to all who wish to vote by proxy.
- F. Eligible property owners joining the association and paying the initial dues by December 31, 1991 shall be charter members. Eligible property owners not joining as charter members will be required to pay an initiation fee of \$150.00 plus the amount of all dues assessed up to the time of their entry into the association and 18% interest on those dues from the date they were due to the date of the property owner's entry into the association.

The above Terms and Conditions of the Kachina Parkway Association were voted on and approved by 100% of eligible property owners present at the meeting held on Sept. 1, 1990.