

BY LAWS

OF

SADDLE RIDGE PROPERTY OWNERS ASSOCIATION, INC.

P.O. Box 353

Walland, TN 37886

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OF
SADDLE RIDGE PROPERTY OWNERS ASSOCIATION, INC.**

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ARTICLE ONE

Name and Location

The name of the corporation is Saddle Ridge Property Owners Association, hereinafter referred to as the "Association." The principal office of the Association shall be located at the home of the current Secretary, but meetings of Members and Directors may be held at such places within the State of Tennessee, County of Blount, as may be designated by the Board of Directors.

ARTICLE TWO

Objectives

Section 1. The Saddle Ridge Property Owners Association shall have the following objectives:

- 1) to disseminate information to the property owners pertinent to the community and to the individual property owners;
- 2) to represent the interests of the community and the property owners as it pertains to items relevant to the community;
- 3) to encourage community participation in matters that relate to the Saddle Ridge Development and the property owners;

- 4) to hold meetings for the presentation and discussion of community matters and governance according to the bylaws;

ARTICLE THREE

Definitions

Section 1. : Definitions

(a) "Association" shall mean and refer to SADDLE RIDGE PROPERTY OWNERS ASSOCIATION, INC., a Tennessee corporation (the "Association"), its successors and assigns.

(b) "Board of Directors" shall mean and refer to the Board of Directors of the Association.

(c) "Common Area" shall mean all real property (including improvements thereto), if any, for the common use and enjoyment of the owners. The Common Area to be owned by the Association as shown in the Map Files applicable to Saddle Ridge Subdivision as shown in the Register's Office for Blount County, Tennessee. Prior to the sale of any Unit, the Declarant shall convey said Common Area to the Association.

(d) "Declarant" shall mean and refer to D C A, Inc., , its successors-in-interest, and assigns.

(e) "Member" shall mean and refer to those persons entitled to

membership as provided in the Declarations.

(f) "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Unit which is part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

(g) "Properties" shall mean and refer to that certain real property as shown in the Map Files applicable to Saddle Ridge Subdivision as shown in the Register's Office for Blount County, Tennessee and such addition(s) thereto as may hereafter be brought within the jurisdiction of the Association.

(h) "Restrictions" shall mean and refer to the Restrictive Covenants for the Map Files applicable to Saddle Ridge Subdivision of record in the Register's Office for Blount County, Tennessee, including all further easements, conditions, covenants or other restrictions applicable to Properties brought within the jurisdiction of the Association.

(i) "Unit" shall mean and refer to any plat of land or lot shown upon the recorded development Map File of the properties with the exception of the Common Area. A Unit shall be considered one Unit for voting purposes.

ARTICLE FOUR

Offices

Section 1. Offices. The initial principal office of the Association in the State of

Tennessee (the "State") shall be located in the County of Blount, at the home of the current Secretary. The Association may have such other offices as the Board of Directors may determine or as the affairs of the Association may require from time to time.

The Association shall have and continuously maintain in the State a registered office, and a registered agent whose office is identical with such registered office if required by the laws of the State. Unless otherwise required by the laws of the State, the registered office may be but need not be identical with the principal office in the State, and the address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE FIVE

Not-for-Profit Corporation; Purpose

Section 1. *Not-for-Profit Corporation.* The Association is a not-for-profit mutual benefit corporation.

Section 2. *Purpose.* The purpose of the Association shall be to maintain and enforce all Restrictions, including but not limited to the Common Area, if any. The purposes of the Association are to be carried out through any and all lawful activities, including others not specifically stated herein but incidental to the stated goals and purposes.

ARTICLE SIX

Members

Section 1. *Members.* The Association shall have Members. The Owner of each Unit shall be a Member of the Association and shall be entitled to all notices, information and voting as set forth at T.C.A. § 48-57-101 et seq. Notwithstanding the foregoing, the only governing body of the Association shall be those persons holding positions as the Association's duly elected and qualified Board of Directors.

Section 2. *Annual Meetings.* Beginning with the year 2006 the annual meetings of the Members shall be held once each year on the third Saturday of the month of July, and each subsequent regular meeting of the Members shall be held within ten (10) days and one (1) year of the previous year, at the hour of 10:00 o'clock a.m. If the day for the annual meeting of the Members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday. If the meeting of the Members, as provided for in these By-Laws, shall not be held on the date designated for any annual meeting or at any adjournment thereof, the Members shall cause to be held a special meeting of the Members as soon thereafter as convenient.

Section 3. *Special Meetings.* Special Meetings of the Members may be called at any time by the President or by the Board of Directors, or upon written request of the Members who are entitled to vote one-fourth (1/4) of all the votes of the Units.

Section 4. 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 entitled to vote his/her/its Unit(s) at said meeting, addressed to the Member's address last appearing on the books of the Association, or supplied by such Member to the Association for the purpose of notice, which shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting. Email notification at least fifteen (15) days before such meeting is also acceptable.

Section 5. Quorum. The presence at the meeting of Members entitled to cast, or proxies entitled to cast, one-fifth (1/5, or 20%) of the votes of Units shall constitute a quorum for any action except as otherwise provided in the Restrictions or these ByLaws. In the event any such quorum shall not be present or represented at any meeting, then the Members entitled to vote Units shall have power to adjourn the meeting from time to time, without notice other than announcement of the meeting, until a quorum as aforesaid shall be present or represented.

Section 6. Proxies. At all meetings of Members, each Member may vote his/her/its Unit(s) in person or by proxy. All proxies shall be in writing and shall be filed with the Secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the Member of his/her/its Unit(s).

Section 7. Removal of Directors and Officers. Members may remove Directors

and Officers at a special meeting called pursuant to Section 3 of this Article 6. The Members may remove any director and/or officer with or without cause upon the vote of three-fourths (3/4) of the all Members of the Association.

ARTICLE SEVEN

Board of Directors

Section 1. General Powers. The affairs of the Association shall be managed by its Board of Directors. The Board of Directors shall have all the powers necessary or appropriate for the administration of the affairs of this Association and may do all such acts and things as are not prohibited to the directors by law, the Charter of Incorporation, the Restrictions, or these By-Laws, including, as follows:

(a) The adoption and publication of rules and regulations governing use of the Common Areas, if any, and facilities comprising the Association, and the personal conduct of the Members and their guests thereon, and to establish penalties for the infraction of the same;

(b) Suspension of the voting or other rights relating to a Member's Unit(s) 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) To exercise of all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of these ByLaws or the Restrictions;

(d) To declare the office of a Director of the Board of Directors to be vacant in the event such Director shall be absent from three (3) consecutive regular meetings of the Board of Directors;

(e) Employment of a manager, an independent contractor, or such other employs as they deem necessary, and to prescribe the duties of the same, and/or to enter into any contracts with any third parties for the providing of any and all services that the Board of Directors deems appropriate for the benefit of the Association.

(f) To enforce the Restrictions and these By Laws, including but not limited to Article 14, as may be required from time to time.

(g) To obtain and maintain such policies of insurance as may be necessary or advisable in respect of the common areas and properties.

Section 2. Duties. The duties of the Board of Directors shall include, as follows:

(a) Retention of a complete record of all its acts and corporate affairs and to report the same to the Members at the Members' annual meeting, or at any special meeting when such statement is requested in writing by one-fourth (1/4) of the Members entitled to vote;

(b) Supervision of all officers, agents and employees of the Association, and to see that their duties are properly performed;

(c) Subject to the terms and conditions provided in the Restrictions, to:

(i) fix the amount of the annual assessment against each Unit at least thirty (30) days in advance of each

annual assessment period;

- (ii) send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period;
- (iii) record and/or foreclose the lien against any Unit(s) for which assessments are not paid within sixty (60) days after due date or bring an action at law against the Owner personally obligated to pay the same.

(d) To issue, or cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. The Board may assess a reasonable charge for the issuance of any such certificate(s). If a certificate states an assessment has been paid, such certificates shall be conclusive evidence of such payments;

(e) To procure and maintain adequate liability and hazard insurance on property owned by the Association;

(f) To cause all officers or employees having physical responsibilities relating to the Common Area to be bonded, as it may deem appropriate in its sole discretion;

(g) To cause the Common Area to be maintained;

(h) To cause the exterior of each Unit to be maintained as set forth in the Restrictions.

Section 3. Number, Tenure and Qualification. The Association shall be managed by a Board of Directors in according with the following:

(a) The affairs of the Association shall be managed by a Board of Directors of not fewer than six (6) directors, five-sixths (5/6) of whom must be Members of the Association. The Board of Directors shall establish an election cycle such that, at least two (2) directors shall be re-elected annually. The Association shall indemnify each director from and against individual liability to the fullest extent allowed by law, specifically Section 48-58-501 et. seq. of the Tennessee Nonprofit Association Act, or the corresponding provisions of any future law;

(b) Directors shall be elected annually at the annual meeting as provided for in these ByLaws. The Members shall elect the Board of Directors for three (3) year terms, except that an appointment made to fill a vacancy created by the retirement, removal or other withdrawal of a Director shall not exceed the term remaining of said Director so retired, removed or otherwise withdrawn. The Board may act at any time to fill vacancies current on the Board; and

(c) The officers of the Association, as provided by the ByLaws of the Association, shall be elected by the directors of the Association, in the manner

therein set out, and shall serve until their successors are duly elected and qualified. The directors shall elect the regular officers of the Association at the annual meeting, for the terms of three years, limited to two consecutive terms.

Section 4. Removal of Directors. At any meeting of the Board of Directors, any one or more of the directors may be removed with or without cause by a vote of two-thirds (2/3) of the directors present and voting, including as set forth at Section 1(d) of this Article 7.

Section 5. Meetings. Quarterly meetings shall be held with the specific date in that month to be set by the Board of Directors of the Association. If the election of directors, as provided for in these ByLaws, shall not be held on the date designated for any annual meeting or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the directors as soon thereafter as convenient.

Section 6. Special Meeting. Special meetings may be called by the President, the Secretary, or the Board of Directors. No business shall be transacted at a special meeting except as stated in the notice unless by consent of three-fourths (3/4) of the directors present, either in person or by proxy.

Section 7. Place of Meeting. Meetings of the directors shall be held at the principal office or place of business of the Association or at such other suitable

place convenient to the directors as may be designated by the Board of Directors.

Section 8. Notice of Meeting. Written or printed notice stating the place, day and hour of any meeting of directors shall be delivered, either personally, by mail, or by email, to each director entitled to vote at such meeting, not less than three (3) nor more than sixty (60) days before the date of such meeting, by or at the direction of the President, or the Secretary, or the officers or persons calling the meeting. In the case of a special meeting or when required by statute or by these ByLaws, the purpose or purposes for which the meeting is called shall be stated in the notice. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail addressed to the director at his/her address as it appears on the records of the Association, with first class postage thereon prepaid.

Section 9. Quorum. At least one-half ($\frac{1}{2}$) of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; if less than one-half ($\frac{1}{2}$) of the Directors are present at said meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice. At any such adjourned meeting at which a quorum of the Board of Directors is represented, any business may be transacted which might have been transacted at the meeting originally called.

Section 10. Manner of Acting. The act of a majority of the directors present

at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these ByLaws. Each Director shall be entitled to one (1) vote.

ARTICLE EIGHT

Officers

Section 1. *Officers.* The officers of the Association shall be the Directors of the Association and shall consist of a President, a Vice-President, a Treasurer, a Secretary, and shall be elected by the Board of Directors and shall hold office until their successors are elected, except that the Secretary and/or Treasurer of the Association may be appointed by the Board of Directors. In addition, the Board of Directors may elect one or more Vice-Presidents and such Assistant Secretaries and Assistant Treasurers as it may deem proper. The same person shall not simultaneously hold the office of Treasurer and Secretary.

Section 2. *Other Officers and Agents.* The Board of Directors may appoint such officers and agents as it may deem advisable, who shall hold their office for such terms and shall exercise such power and perform such duties as shall be determined from time to time by the Board of Directors.

Section 3. *Election and Term of Office.* The officers of the Association shall

be elected annually for a term of one (1) year by the Board of Directors at the Quarterly Meeting of the Board that precedes the start of the fiscal year. If the election of the officers shall not be held at such Meeting, then such election shall be held as soon thereafter as is convenient. Officers may be elected for three (3) concurrent one-year terms to the same or different offices and then cannot be elected again until he/she is not a Boardmember for one year. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his/her successor shall have been duly elected and shall have qualified.

Section 4. *Removal.* Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Association would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section 5. *Vacancies.* A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

Section 6. *President.* The President shall be the principal executive officer of the Association and shall preside at all meetings of the Board of Directors. The President shall, in general, supervise and control all of the business and affairs of the Association. He/she shall execute contracts requiring a signature, except where

required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be expressly delegated by the Board of Directors to some other officer or agent of the Association.

Section 7. *Vice-President.* The Vice-President or, if there shall be more than one, the Vice-Presidents, in an order determined by the Board of Directors, shall, in the absence or disability of the president, perform the duties and exercise the powers of the president and shall perform such other duties and have such other powers as the Board of Directors may from time to time prescribe.

Section 8. *Secretary.* The secretary shall attend all meetings of the Association and of the Board of Directors and record all the proceedings of the meetings of the Association and of the Board of Directors in a book to be kept for that purpose and shall perform like duties for standing committees when required. He/she shall give or cause to be given notice of all meetings of the Board of Directors and shall perform such other duties as may be prescribed by the Board of Directors or president, under whose supervision he/she shall be. The secretary can sign all tax related documents.

Section 9. *Treasurer.* The treasurer shall have the custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Association and shall deposit all monies

and other valuable effects in the name and to the credit of the Association in such depositories as may be designated by the Board of Directors. The treasurer shall disburse funds of the Association as ordered or allowed by the Board of Directors, taking proper vouchers for such disbursements, and shall render to the President and Board of Directors, at regular meetings or when the Board of Directors so requires, an account of all his/her transactions as treasurer and of the financial condition of the Association.

Section 10. *Bond.* If required by the Board of Directors, the treasurer shall give the Association a bond in such sum and with such surety or sureties as shall be satisfactory to the Board of Directors for the faithful performance of the duties of his/her office and for the restoration to the Association, in case of his/her death, resignation, retirement, removal from office, of all books, papers, vouchers, money and other property of whatever kind in his/her possession or under his/her control belonging to the Association.

Section 11. *Assistant Treasurers and Assistant Secretaries.* If required by the Board of Directors, the Assistant Treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the Board of Directors shall determine. The Assistant Treasurers and Assistant Secretaries, in general, shall perform such duties as shall be assigned to them by the Board of

Directors.

Section 12. Multiple Offices. The offices of Secretary and Treasurer may not 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 offices created pursuant to Section 4 of this Article.

ARTICLE NINE

Committees

Section 1. *Executive Committee.* The Board of Directors, by resolution adopted by a majority of directors in office, may designate and appoint two (2) or more directors to constitute an Executive Committee. The President of the Board of Directors shall be a member of the Executive Committee and shall preside at all meetings of the Executive Committee, except that in his/her absence another member may preside. The Executive Committee shall have and exercise the authority of the Board of Directors and the management of the Association; provided, however, that no such Committee shall have the authority of the Board of Directors in reference to amending, altering or repealing the Restrictions or these ByLaws; electing, appointing or removing any member of any such Committee or any director or officer of the Association; amending the Charter of Incorporation; adopting a plan of merger or adopting a plan of consolidation with another Association; authorizing the sale, lease, exchange or mortgage of all or

substantially all of the property and assets of the Association; authorizing the voluntary dissolution of the Association or revoking proceedings therefore; adopting a plan for the distribution of assets of the Association; or amending, altering or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered or repealed by such Committee. The designation and appointment of any such Committee and the delegation thereto of authority shall not operate to relieve the Board of Directors or any individual director of any responsibility imposed upon it or him or her by law.

Meetings of the Executive Committee may be held at such time and place as may be from time to time determined by the Executive Committee upon the giving of notice, personally or by mail, email (return receipt requested), telecopier, telephone, or facsimile (fax) at least two days prior to the date of the meeting.

Section 2. *Other Committee.* Other committees (including a Nominating Committee for the election of Boardmembers and/or Officers) not having and exercising the authority of the Board of Directors and the management of the Association may be designated by resolution adopted by a majority of the directors present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, chairpersons of each such committee shall be directors of the Association, but members of the committees need not be directors of the Association. Any member thereof may

be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the Association shall be served by such removal.

Section 3. Terms of Office. Each member of a committee shall serve as such until the next annual meeting of the directors of the Association unless the committee shall be sooner terminated or unless such member shall be removed from such committee or unless such member shall cease to qualify as a member thereof.

Section 4. Chairperson. One member of each committee shall be appointed chairperson by the person or persons authorized to appoint the members thereof.

Section 5. Vacancies. Vacancies in the membership of any committee may be filled by appointment made in the same manner as provided in the case of the original appointment.

Section 6. Quorum. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

Section 7. Rules. Each committee may adopt rules for its own government consistent with these ByLaws or with rules adopted by the Board of Directors. Each committee shall make a full report of all actions to the next meeting of the Board of Directors.

ARTICLE TEN

Contracts, Checks, Deposits and Funds

Section 1. Contracts. The Board of Directors may authorize any officer to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association and such authority may be general or confined to specific instances.

Section 2. Checks, Drafts, Etc. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Association shall be signed by such officer or officers, agent or agents of the Association, and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instrument shall be signed by the President and either the Secretary or the Treasurer of the Association.

Section 3. Deposits. All funds of the Association shall be deposited from time to time to the credit of the Association in such banks, trust companies or other depositories as the Board of Directors may select.

Section 4. Gifts. The Board of Directors may accept on behalf of the Association any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Association.

ARTICLE ELEVEN

Book and Records

Section 1. Books and Records. The Association shall keep correct and complete books and records of account and shall also keep minutes of the preceding meetings of its members, Board of Directors and committees having any of the authority of the Board of Directors and shall keep at the registered or principal office a record giving the names and addresses of the directors. All books and records of the Association may be inspected by any director or his/her agent or attorney for any proper purpose at any reasonable time.

Books and accounts of the Association shall be kept under the direction of the Treasurer of the Association in accordance with the requirements of any loan agreement, Regulatory Agreement or any other agreement entered into.

Section 2. Auditing and Reports. At the close of each fiscal year, the President of the Association shall cause to be prepared a full and correct statement of the affairs of the Association, including a balance sheet and financial statement of operations for the preceding fiscal year which shall be submitted at the annual meeting and filed with the Secretary of the Association.

ARTICLE TWELVE

Fiscal Year

Section 1. Fiscal Year. The fiscal year of the Association shall begin on July 1. The commencement date of the fiscal year herein established shall be subject to change by the Board of Directors.

ARTICLE THIRTEEN

Bonding and Indemnity

Section 1. Fidelity Bonds. The Board of Directors may require that all officers and employees of the Association having custody or control of corporate funds furnish adequate fidelity bonds. The premium on such bonds shall be paid by the Association.

Section 2. Indemnity. To the extent permitted by law, specifically as provided in T.C.A. § 48-58-501 et. seq., each officer and director of the Association shall be indemnified by the Association against expenses reasonably incurred by him/her in connection with any action, suit or proceeding to which he/she may have been made a party by reason of his/her being or having been an officer or a director of the Association except in relation to matters in which he/she shall be finally adjudged in such action, suit or proceeding to have been negligent in the performance of his/her duty as officer, director or employee.

Amended January 8, 2024

ARTICLE FOURTEEN

Assessments and Fees

Assessments

Section 2 added. See pages 32-34

Section 1. Assessments. As set forth more fully in the Restrictions, the Owner of each Unit is obligated to pay to the Association via U.S. funds the annual and special assessments which are secured by a continuing lien upon the Properties against which the assessment is made. The annual assessment for 2006 for each improved Unit is \$440.00 per year and for each unimproved Unit is \$220.00 per year. Any assessments that are not paid when due shall be delinquent. If the assessment is not paid within sixty (60) days after the due date, then a late fee of Twelve percent (12%) shall be added to the assessment, which shall bear interest from sixty (60) days after the date of delinquency at the rate of Twelve percent (12%) per annum until paid in full, and the Association may bring in any order and number, as follows: an action at law against the Owner personally obligated to pay the same, record a lien, and/or foreclose the lien against the property, and all interest, costs, expenses, and reasonable attorney's fees incurred by taking any such action shall be added to the amount of such assessment. The late fee of 12% may be assessed for each past due payment and added to the assessment of a delinquent Owner and/or Member. No Owner and/or Member may waive or otherwise become exempt from liability for the assessments provided for herein

by non-use of the Common Area or abandonment of his/her/its Unit(s).

ARTICLE FIFTEEN

Seal

Section 1. *No Seal.* The Association shall have no corporate seal.

ARTICLE SIXTEEN

Waiver of Notice

Section 1. *Waiver of Notice.* Whenever any notice is required to be given under the provisions of the law of the State of Tennessee, the Articles of Incorporation, the Restrictions, or these By-Laws, a waiver thereof in writing signed by the person or persons entitled to such notice whether before or after the time stated therein shall be deemed equivalent to the giving of such notice.

ARTICLE SEVENTEEN

Amendments to By Laws

Section 1. *Amendment.* These By Laws may be altered, amended or repealed and new By Laws may be adopted by majority approval of the Members at a regular or special meeting, by a vote of a majority of a quorum of members present in person or by proxy, subject to notice requirements in compliance with these By Laws.

Section 2. Resolution of Conflict. The Restrictions shall control in the event of any actual or apparent conflict between the provisions of these By Laws and the Restrictions. Further, if the parties are unable to resolve a disagreement or dispute arising from or related to this Agreement, or the breach thereof, among themselves prior to instituting any court proceedings or arbitration, then parties agree first to try in good faith to settle the dispute by a non-binding mediation under the Rules of the a mediator certified under Tennessee Supreme Court Rule 31. This mediation does not preclude any party from seeking provisional, injunctive, or emergency relief from a court of law or equity. Unless agreed otherwise, the mediation shall take place at the office of the Corporation within thirty (30) days of the initial demand for mediation and the parties shall split equally the costs of any mediation. Nothing in this paragraph shall be construed to preclude or prevent a party from filing, pursuing or obtaining an appropriate order for injunctive relief. In the event of such dispute, the party(ies) prevailing shall recover his/their/its reasonable attorney's fees and expenses of mediation and/or litigation from the non-prevailing party(ies).

ARTICLE EIGHTEEN.

Severability

Section 1. Construction of Provisions. If any provision of these Bylaws shall be

found to be contrary to or in conflict with any provision of the Act or contrary to or in conflict with any other proper or applicable law, rule, regulation, ordinance, whether federal, state, or local, then and in that event, any such provision hereof shall be so construed to comply with the Tennessee Non Profit Corporation Act, and any other applicable law, rule, regulation, or ordinance, to adhere as closely as possible to the intent of the applicable provision(s) as is originally set forth herein. When required by the context hereof, all references to the singular shall include the plural and all references to gender shall include the masculine, feminine, as well as the neuter.

Section 2. *Law and Venue Governing.* These By Laws shall be governed by the laws of the State of Tennessee, and the jurisdiction of any proceeding relating to these By Laws shall lie in the county where the Properties are located.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

CERTIFICATE

I, ROBERT FRINK, President of the SADDLERIDGE PROPERTY OWNERS ASSOCIATION, INC., do hereby certify that the above and foregoing is a true and correct copy of By-Laws adopted in a meeting assembled and duly held on the 2nd day of June, 2006.

WITNESSETH MY SIGNATURE, this 2nd day of June, 2006.

SADDLE RIDGE PROPERTY OWNERS
ASSOCIATION, INC.

BY: 

ROBERT A. FRINK, President

ATTEST:


JUDY PEARSON, Secretary

This instrument was prepared by:
Melanie E. Davis, Esq.
Kizer & Black Attorneys, PLLC
217 E. Broadway Ave.
Maryville, TN 37804

**AMENDMENT TO BYLAWS OF
SADDLE RIDGE PROPERTY ASSOCIATION, INC.**

Comes now Saddle Ridge Property Owners Association, Inc. (“Association”), by and through Lawrence M. Clapp, its President, and approves this Amendment to the Bylaws of Saddle Ridge Property Owners Association, Inc.

WITNESSETH:

THAT WHEREAS, the Bylaws of Saddle Ridge Property Owners Association, Inc. (“Bylaws”) were adopted by the Saddle Ridge Property Owners Association, Inc. (the “Association”) on June 2, 2006; and

WHEREAS, Tenn. Code Ann. § 48-60-202 provides that a non-profit corporation's board of directors may amend or repeal the corporation's bylaws; and

WHEREFORE, upon a vote of the Association Board, the Board unanimously agreed to amend the Bylaws as follows:

The title of Article Fourteen is hereby amended to be “Assessments and Fees.”

A “Section 2” is hereby added to follow Section 1 in Article Fourteen as follows:

Section 2. *Association Infrastructure Support Fee.* Pursuant to the authority granted by Tenn. Code Ann. § 48-53-102(16), the Association shall levy and collect an Association Infrastructure Support fee (“AISF”) for new construction and/or remodeling on Lots as follows:

- (a) For new construction:
 - (i) The Owner shall submit any house plans to the Architectural Review Committee (“ARC”) for consideration prior to the construction of any home.

- (ii) The ARC shall review the submitted plans. The ARC shall be permitted to return the submitted plans to the Owner with requests for revision. Whether or not revisions are requested, the ARC shall either give a conditional approval or deny the request.
- (iii) When the building permit is received from Blount county, the Owner shall submit the house plans to the ARC for final approval. Any needed changes will be discussed and approved or denied. Final approval by the ARC will not be given until the building permit from the county has been received.
- (iv) Upon final approval by the ARC, the ARC chair will notify the Treasurer who will send out an invoice for the AISF using the fee schedule defined below:
 - 1) For building permits received before July 1, 2024:
 - \$800 - new home construction
 - \$400 - new home construction if driveway access has been paid
 - 2) For building permits received on or after July 1, 2024:
 - \$3,000 - new home construction
 - \$1,500 - new home construction if driveway access has been paid
- (b) For any other construction that requires heavy trucks or equipment including but not limited to driveway access, remodeling, additions to existing homes, or any other construction on the Owner's property:
 - (i) The Owner shall submit any plans to the ARC for consideration prior to the construction of any driveway access, remodeling, additions to existing homes, or any other construction on the Owner's property.
 - (ii) The ARC shall review the submitted plans. The ARC shall be permitted to return the submitted plans to the Owner with requests for revision.
 - 1. If a building permit is required, whether or not revisions are requested, the ARC shall either give a conditional approval or deny the request.
 - 2. When the building permit is received from the county, the Owner shall submit the plans to the ARC for final approval. Any needed

changes will be discussed and approved or denied.

- 3. If a building permit is not required, whether or not revisions are requested, the ARC shall either give final approval or deny the request.
- 4. Upon final approval by the ARC, the ARC chair will notify the Treasurer who will send out an invoice for the AISF using the fee schedule defined below:

For work started before July 1, 2024: \$400

For work started on or after July 1, 2024: \$1,500

The remainder of the Bylaws stay in full force and effect. By signing below, the duly elected Secretary of the Association certifies that a vote was taken by the Association board members, and that the above amendment was approved by a unanimous vote.

SADDLE RIDGE PROPERTY ASSOCIATION, INC.

BY: Lawrence M. Clapp
LAWRENCE M. CLAPP

ITS: PRESIDENT

STATE OF TENNESSEE)
COUNTY OF Blount)

Before me, a Notary Public in and for said County, personally appeared Lawrence M. Clapp with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the President of the Saddle Ridge Property Owners Association Inc. the within named bargainor, a Tennessee not-for-profit corporation, and that he as such Secretary, being authorized so to do, executed the within instrument for the purposes therein contained by signing the name of the Saddle Ridge Property Owners Association, Inc by himself as President.

WITNESS my hand and official seal at office this 8 day of January, 2024.

My Commission Expires:
12-27-2025

[Signature]
Notary Public
