

## **ARTICLE III – MEMBERSHIP**

Section 1. Class of Members: the Association shall have one class of members. The qualifications and rights shall be as follows:

- a. No more than 2 memberships and 2 votes shall be allowed to the owner (or owners) of each numbered lot in Franklin Knolls Subdivision No. 3.
- b. Membership is based upon payment, per lot, of annual dues in advance for the then current year and arrearages and/or any service charges to promote public health, welfare and general good as established by the Association. Voting rights are contingent upon payment of annual dues and votes may be exercised either in the person of the member at scheduled meetings, or may be cast by mailing the vote(s) to a designated officer in time to be received prior to or upon the date of the scheduled meeting.
- c. Membership shall require compliance with these articles and amendments thereto, and the policies, rules, and regulations at any time adopted by the Association in accordance with these articles.
- d. Membership shall terminate upon such member's ceasing to be a beneficial owner of a residential unit in Franklin Knolls Subdivision No. 3; for purposes herein, a land contract vendee is such an owner.
- e. Membership shall be suspended upon such member's failure to pay to the Association in full annual dues, assessments and/or service charges, or any part thereof established by the Association. A member in default, as set out above, for ninety (90) days shall not be entitled to vote at any meeting of the Association as long as the default continues.
- f. Membership once suspended under Article III Section 1(e) may be reinstated upon such member's payment together with interest of seven (7) percent per annum plus a three (3) percent penalty charge from the first date of default.

Section 2. Voting Rights: On all issues coming before a general meeting, each member in attendance shall have one vote. However, there shall be no more than two votes per lot and any one member in attendance from a given lot is to be permitted to cast both votes allocated to such lot.

- a. Voting rights shall be exercised by members in attendance at membership meetings or members who have otherwise made special arrangements with an officer of this Association.
- b. The general membership shall not vote on assessment issues except by ballot available to all members.
- c. A plurality vote shall be necessary on all issues of a general nature. A 75% favorable vote shall be required to pass any motion related to assessments and amendments to these By-Laws.

Section 3. Membership Meetings:

- a. General membership meetings shall be held at least two times a year at a date, time and place prescribed by the Association Board of Directors and of which the membership is given due notice.
- b. Robert's Rule of Parliamentary Procedures shall be followed at each membership meeting.

Section 4. Liens: The Association may enforce collection of delinquencies by suit at law for money judgment or by foreclosure of the lien securing payment in the same manner that real estate mortgages may be foreclosed by action under Michigan law. The expenses incurred in collecting unpaid assessments, including interest, costs and attorney's fees or any other liens paid by the Association to protect its lien, shall be chargeable to the co-owner in default, and shall be secured by a lien on the subject property.

The Board of Directors shall have the power to instruct the Treasurer to file a lien, recorded with the Register of Deeds of Oakland County, against any lot which becomes delinquent in the payment of service fees owed to the Association 120 calendar days after such service fees become due and payable; however, judgments may be secured immediately.

The Treasurer shall also file a discharge of lien after any such delinquencies are paid. The recording fees for filing the liens, and the discharge of liens, shall be added to the amount of the delinquency.

Section 5. Dues and Service Charges: Dues and service charges shall be recommended by the Board of Directors and approved by a two-thirds (2/3) vote at a properly constituted meeting of the membership with prior notice.