

Bylaws of the Lake Tahoe Park Association

MEMBERSHIP: The members of this corporation shall be all persons who are the owners of record of a building site, as hereinafter defined, within said Section 13, or who holds a contract for the purchase of any such building site while payments under such contract are not delinquent, and the husband or wife of each such person, as the case may be, and such ownership or such holding of a contract shall endure for life so long as the annual assessments herein provided for shall be paid, and when such qualification shall cease as to any such property owner, as the case may be, the membership shall lapse.

For the purposes herein stated, a building site shall be taken to either a numbered lot forming a part of the above described tract, or any combination, grouping or re-subdivision of any such lot or lots or portion or portions or such lot or lots permitted by the restrictions applicable thereto, and the Placer County Ordinance applicable thereto, and thereby allowed to be used as the site for a dwelling house.

The authorized number of members shall be limited by the number of persons having the qualifications above set forth, and their respective husbands or wives.

Each member of said association, who is the owner of record of more than one such building site, shall have one vote upon matters that come before the members of the Association. When a building site is owned of record in joint, and the rights of such membership, including the voting power arising therefrom, shall be exercised only by the joint action of all owners of such building site. In case husband and wife are both members, they shall together have but one vote. In case either husband or wife is the owner of such building site herein defined, the other spouse shall not be eligible to membership if the record owner shall notify the secretary in writing that he or she desires to exercise the sole membership right with relation to such building site.

DUES AND ASSESSMENTS: All members shall be subject to the payment of the annual maintenance charge or assessment which is or may be assessed by action of the Board of Directors, and for the purpose of carrying on the business of this corporation the Board of Directors may determine, levy and assess annually such maintenance charge or assessment and fix the rates thereof, provided, however, that the same shall be based upon the assessed valuation of the real estate and improvements of each property owner from year to year, and shall not exceed one percent (1%) of such assessed valuation.

BOARD OF DIRECTORS: The powers of this association shall be vested in a Board of seven directors, who shall be members of the Association, and at any regular or special meeting of said Board of Directors, four of said Directors shall constitute a quorum for the transaction of business. Terms shall be staggered with three directors elected one year and four the next.

Vacancies in the Board of Directors shall be filled by the remaining Directors when assembled as a Board, and such appointees shall hold office until the first meeting of members thereafter.

POWERS OF BOARD OF DIRECTORS: The Directors shall have power:

1. To call special meetings of the members whenever they deem it necessary. And they shall call a meeting at any time upon the written request of members as stated in the [Articles of Incorporation](#).
2. To appoint and remove at pleasure, all officers, agents and employees of the Association, prescribe their duties, fix their compensation, if any, and require from them security for faithful service.
3. To conduct, manage and control the affairs and business of the Association and make rules and regulations not inconsistent with the laws of the State of California, or the Constitution and Bylaws, for the guidance of the officers and management of the affairs of the Association.
4. To determine, levy and assess annually, the maintenance charge or assessment referred to herein and fix the rates of such maintenance charge or assessment, provided, however, that the same shall be based upon the assessed valuation of the real estate and improvements of each property owner from year to year and shall not exceed one percent (1%) of such assessed valuation.
5. To exercise for the Association all powers and authority vested in or delegated to it by this Constitution and Bylaws or assigned to it by the property owners in said tract, and if necessary to institute or defend any litigation deemed necessary by the Board to carry out the purposes of this Association with full power to compromise the same as they may deem proper in accordance with said purposes.

DUTIES OF THE BOARD OF DIRECTORS: It shall be the duty of the Directors:

1. To cause and be kept a complete record of all their minutes and acts and of the proceedings of the Association, and present a full statement at the regular annual meeting of the members showing in detail the assets and liabilities of the Association and generally the condition of its affairs.
2. To supervise all officers, agents and employees and see that their duties are properly performed.
3. To carry out the purposes of this Association as stated in the [Articles of Incorporation](#).

OFFICERS: The officers shall be President, Vice-President, Secretary and Treasurer, who shall be elected by and hold office at the pleasure of the Board of Directors. The compensation, if any, and tenure of office of all the officers of the Association (other than Directors) shall be fixed and determined by the Board of Directors. The office of Secretary and Treasurer may be held by the same person at the pleasure of the Board.

PRESIDENT: The President shall preside over all meetings of members and Directors and shall have casting vote, shall sign all contracts and instruments writing, which have been approved by the Board of Directors, shall call the directors together whenever he deems it necessary and shall

have direction of the affairs of the Association in accordance with the actions of the Board of Directors.

In case of his absence or inability to act, the Vice-President shall perform his duties and in case of the absence or inability of the President and Vice-President, the Board of Directors shall designate one of their members to perform the duties of the President. No meeting of the Board of Directors shall be held unless all members thereof have been notified by mail ten days prior to the meeting.

SECRETARY: The Board of Directors shall elect a Secretary whose duty it shall be to keep a record of the proceedings of the Board of Directors and the members, and perform such other duties as may be directed by the Board of Directors.

TREASURER: The Treasurer shall receive and deposit in such bank or banks, as the Board of Directors may direct, all the funds of the Association, subject to the check of such officers as the Board of Directors shall designate.

MEETINGS: The annual meeting of the members shall be held at Lake Tahoe Park, County of Placer, State of California, on a day between June 30 and July 21 of any given year, whichever is deemed by the Board of Directors to be the most convenient. Each year, commencing with the year 1938, and shall be called by a notice in writing, mailed to each member at his last known address, or directed to each member at Tahoe, California. Such notice shall be deposited in the United States Post Office at Tahoe, California, at least two weeks preceding the date of the meeting, and postage thereon must be prepaid.

Special meetings of the members shall be called in a like manner upon two weeks notice. Ten percent (10%) of the members shall constitute a quorum.

The place for holding such meetings shall be Lake Tahoe Park Tract on the west side of Lake Tahoe, two (2) miles South of the Truckee River as may be designated by the Board of Directors, on the beach property.

VOTING POWER: At all meetings, each member, either in person or by proxy, or by husband or wife, shall be entitled to one vote. All proxies shall be in writing and filed with the Secretary prior to the meeting.

COLLECTION OF DUES AND ASSESSMENTS; ENFORCEMENT OF LIENS: The amount and method of collection of regular assessments (also referred to herein as "annual assessments" or "dues") and special assessments (collectively, "Assessments") shall be determined by the Board of Directors, payable at such times and interval as said Board of Directors may fix upon such notice and by such method as the Board of Directors may prescribe. The Board of Directors may provide for the enforcement of a Member's obligation to pay Assessments by action authorized by said Board as authorized by applicable law or these Bylaws.

If a member or joint members of record for a building site should be delinquent on the timely payment of Assessments, the member or joint members of record may be subject to any or all of the following actions by the Association:

- The Board of Directors may assess reasonable late charges not to exceed ten percent (10%) of the delinquent Assessments.
- The Board of Directors may assess interest on all sums owed by the delinquent member(s), including the delinquent Assessments, reasonable fees and costs of collection, and reasonable attorney's fees, at an annual interest rate not to exceed ten percent (10%), commencing immediately after the Assessments become due.
- The Board of Directors may also charge the member for the Association's reasonable costs incurred in collecting the delinquent Assessments, including reasonable attorney's fees.
- Upon a determination that the delinquent member or joint members of record are not in good standing for failure to pay delinquent Assessments, the delinquent member or joint members of record shall be ineligible to vote upon matters that come before the members of the Association. If the member or joint members of record is/are the owner of record of more than one building site, they shall only be eligible to vote upon matters that come before the members of the Association so long as all Assessments herein provided for are paid and current for all building sites for which the member or joint members of record is/are the owner of record.
- The delinquent member or joint members of record (and their families, guests, tenants, etc.) shall be ineligible for and denied usage of all the Association amenities, including, without limitation, beach, park, and other recreation facilities and services offered by the Association.
- The Association may bring a legal action directly against a delinquent member or joint members of record for breach of the personal and contractual obligation to pay Assessments and in such action the Association shall be entitled to recover the delinquent Assessments, accompanying late charges, interest, costs, and reasonable attorney's fees. Commencement of a legal action shall not constitute a waiver of any lien rights.
- Separate from the Association's right to bring a legal action, the Association may also record a lien against a delinquent member's building site(s) (i.e., Lot) by recording a Notice of Delinquent Assessment with the County Recorder, for the amount of the delinquent Assessments, plus any reasonable costs of collection of said dues and/or Assessments (including reasonable attorney's fees), late charges, and interest, after notifying the member in writing by certified mail, not less than thirty (30) days prior to recording a Notice of Delinquent Assessment. The decision to record a lien for delinquent Assessments shall be made only by the Board of Directors of the Association and approved by a majority vote of said Board and the vote shall be recorded in the minutes of the meeting. The notice to the Member shall contain the following wording:
"IMPORTANT NOTICE: A LIEN IS A LEGAL RIGHT OR CLAIM AGAINST A PROPERTY BY A CREDITOR. IF A LIEN IS IMPOSED ON YOUR LOT BECAUSE

YOU ARE BEHIND IN YOUR ASSESSMENTS, YOUR LOT MAY BE PLACED IN FORECLOSURE AND SOLD WITHOUT COURT ACTION.”

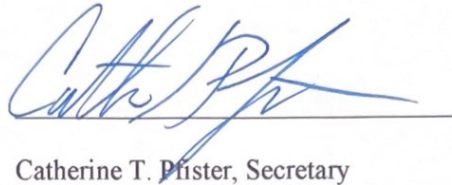
- A lien created under these Bylaws shall be prior to all other liens recorded against the Lot subsequent to the Notice of Delinquent Assessment, except for taxes, bonds, assessments or other levies which would be superior by operation of law, or the lien or charge of any first Deed of Trust made in good faith and for value and recorded prior to the Notice of Delinquent Assessment.
- After the expiration of thirty (30) days following the recording of a Notice of Delinquent Assessment, the Association’s lien may be enforced in any manner permitted by law, including sale by the court, sale by the trustee designated in the Notice of Delinquent Assessment, or sale by a trustee substituted pursuant to Civil Code section 2924(a). Any sale by the trustee shall be conducted in accordance with Civil Code sections 2924, 2924(b) and 2924(c) applicable to the exercise of powers of sale in mortgages and deeds of trust.
- The Board of Directors is empowered to adopt reasonable rules and regulations concerning collection of Assessments provided that the rules and regulations are not inconsistent with these Bylaws.

AMENDMENTS: These Bylaws may be repealed or amended or a new Constitution and Bylaws may be adopted at any meeting or on written ballot of the membership or by the Board of Directors when thereunto authorized at any meeting or on written ballot of the members by the vote of at least sixty-six and two-thirds percent (66 2/3%) of a quorum consisting of at least thirty-three and one-third percent (33 1/3%) of the members.

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Lake Tahoe Park Association hereby certifies that the foregoing is the current Bylaws of the Lake Tahoe Park Association as of the date set forth below. The Bylaws as set forth above incorporate all of the prior amendments to the Bylaws as follows: (i) Amended July 5, 1975 to increase the Board to seven directors from five directors; (ii) amended July 1, 1976; (iii) amended September 10, 2020 pursuant to court order in Superior Court of California, County of Placer, Case No. S-CV-0044208, to amend the "Amendments" clause; (iv) amended July 3, 2021, to amend the Collection of Dues and Assessments clause and (v) amended July 8, 2023 to amend the Meetings clause to allow the Board to schedule the Annual Member Meeting between June 30th to July 21st in any given year.

Dated: July 25, 2023

A handwritten signature in blue ink, appearing to read "Catherine T. Pfister", is written over a horizontal line.

Catherine T. Pfister, Secretary

Lake Tahoe Park Association