



BELLE TERRE LINKS HOME OWNERS ASSOCIATION

AMENDED BY-LAWS

**FOR BELLE TERRE LINKS SUBDIVISION
(Parcels Z1 & Z2, St. Andrews Boulevard Extension)**

ST. JOHN THE BAPTIST PARISH

**ARTICLE I
NAME AND LOCATION**

The name of the corporation is Belle Terre Links Home Owners Association, Inc. hereinafter referred to as the "Association".

The official address of the Belle Terre Links Homeowners Association, Inc. is: Post Office Box 681, LaPlace, LA, 70069. Meetings of members and directors may be held at location designated by the Board of Directors.

**ARTICLE II
DEFINITIONS**

Section 1

"Association" shall mean and refer to Belle Terre Links Home Owners Association, its successors and assigns.

Section 2

"Property" shall mean and refer to that certain immovable property described in the Declarations of Covenants, Conditions and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association, but excluding the Common Area.

Section 3

"Lot" shall mean and refer to the residential plots of land within the Property, but excluding the Common Area.

Section 4

"Owner" shall mean and refer to the record owner, whether one (1) or more persons or entities, of a fee simple title to any Lot which is a part of the Property, including contract sellers, but excluding those having such interest merely security for the performance of an obligation. However, the term "Owner" shall include any lien holder who acquires fee simple title to any lot

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING
IS A TRUE AND CORRECT COPY OF THE ORIGINAL
ON FILE AND OF RECORD IN MY OFFICE
[Signature]
BY: CLERK OF COURT
PARISH OF ST. JOHN THE BAPTIST, LA
2/27/2020

which is a part of the Property, through a deed in lieu of foreclosure or through judicial or non-judicial foreclosure.

Section 5

"Declarant" shall mean and refer to Magnolia Land Inc.

Section 6

"Declaration" shall mean and refer to the Declaration of Covenants, Conditions, and Restrictions as amended applicable to the Property and registered in COB 326, folio 699, COB 321, folio 001, in the Conveyance Office of the Parish of St. John the Baptist, State of Louisiana.

Section 7

"Member and/or "Members" shall mean and refer to those persons or entities who hold membership in the Association provided in the Declarations and the Articles of Incorporation.

Section 8

"Common Area" shall mean and refer to all property, both movable and immovable which shall be owned by the Association, as provided in the Declaration.

**ARTICLE III
MEETING OF MEMBERS**

Section 1

Annual Meetings

Annual meetings will be held on a date and at a time and location as determined by the existing Board of Directors. Meeting information will be provided to all lot owners.

Section 2

Special Meetings

Special meetings of the Members may be called at any time by the President of the Association or by the Board of Directors, or upon written request of the Members who are entitled to vote one-fourth (1/4) of all of the votes of the Class A membership. Class A members are designated as owners of the units/lots and have one (1) vote for each unit/lot owned.

Section 3

Notice of Meeting

Written notice of each meeting of the Members shall be given by, or at the direction of, the

secretary of the Association or any other person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, not less than ten (10) days nor more than thirty (30) days in advance of such meeting to each Member entitled to vote thereat, 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. Such notice shall specify the place, day, and time of the meeting, and, in the case of a special meeting, the purpose of the meeting.

Section 4
Quorum

The owners of twenty-five (25%) percent of the total number of Lots and who are entitled to vote shall constitute a quorum notwithstanding the withdrawal of enough members to leave less than a quorum may occur after the commencement of such meeting. The plurality of the members who are present and cast a vote shall decide any matter properly brought before a member's meetings, including the right to elect the Board of Directors.

If a meeting cannot be organized for lack of a quorum, those present may adjourn the meeting to the time, date and place which a plurality of the members who are present determine. Notice of the second meeting shall be sent in accordance with the above. In the event of such second meeting, although less than a quorum as fixed above are in attendance, those members who are present shall nevertheless constitute a quorum for electing directors or passing any motion that may be brought before such members, which includes but is not limited to raising the dues of the Homeowners Association.

Section 5
Proxies

At all meeting 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 and be of no effect upon conveyance by the Member of his Lot.

Section 6
Voting of Members

Each member shall have one vote in the Association, except as is so stated in the Declaration and the Articles of Incorporation.

ARTICLE IV
BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1
Number

The affairs of the Association shall be managed by a Board consisting of not less than three (3)

nor more than thirteen (13) directors.

Section 2
Term of Office

Members shall elect all directors for a term of one year.

Section 3
Removal

Any director may be removed from the Board, with or without cause, by a majority vote of the Members of 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 any action in the absence of a meeting which they could take at a meeting by obtaining written approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

ARTICLE V
NOMINATION AND ELECTION OF DIRECTORS

Section 1
Nomination

Nominations for annual election of Board of Directors will be solicited from all homeowners via notice to all. Nominated homeowners will be contacted to verify their interest in running and will be placed on the ballot upon their approval.

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 Article III, Section 6 hereof. It is allowed for up to 2 adult home owners/lot owners for each home/lot to be a member of the board, with only one (1) of the two (2) allowed to vote as a Board Member. Refer to Article IV, Section 1 for board membership min & max. 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

Periodic meetings will be held on an as needed basis as determined by the existing Board of Directors.

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 (2) 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 certain portions of the improvements thereon, and the personal conduct of the Members and their guests thereon, and to establish penalties for the infraction thereof;
- (b) suspend the voting rights of a Member 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)

- (c) days for infraction of published rules and regulations; exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration;
- (d) declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and
- (e) employ a manager, an independent contractor, or other such employees as they deem necessary, and to prescribe their duties.

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 any 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 the Association to see that their duties are properly performed;
- (c) as more fully provided in the Declaration, to:
 - 1) fix the amount of the Association assessment against each Lot at least thirty (30) days in advance of each assessment period, except as otherwise provided in the Declaration.
 - 2) send written notice of each Association assessment to every Owner subject thereto at least thirty (30) days in advance of each assessment period; and
 - 3) institute any legal action necessary in order to collect or enforce the collection of the same, including, without limitation, to place and enforce any and all liens on the Lot and Improvements thereon.
- (d) issue, or to cause an appropriate officer to issue, upon demand by any person, a 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) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;
- (f) cause designated portions of improvements constructed on the individual Lots to be maintained.

ARTICLE VIII
OFFICERS AND THEIR DUTIES

Section 1

Enumerations of Officers

The officers of the Association shall be a president and a vice-president, who shall 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 the Association shall be elected annually by the Board and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise 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 with or without cause by the Board. Any officer may resign at any time by 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 Offices

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 offices created pursuant to Section 4 of this Article.

Section 8 **Duties**

The duties of the officers are as follows:

- (a) **President:** The president shall preside at all meetings of the Board of Directors and the members; shall see that order and resolutions 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. The president will be one of the three Board members with check signing authority but is not required to sign every check.
- (b) **Vice-President:** The vice-president shall act in the place and stead of the president in the event of his absence, inability or refusal to act, and shall exercise and discharge such duties as may be required of him by the Board.
- (c) **Secretary:** The secretary shall record the votes and keep the minutes of all meeting and proceedings of the Board and of the members; keep the corporate seal; serve notice of 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 as required by the Board. The secretary will be one of the three Board members with check signing authority but is not required to sign every check.
- (d) **Treasurer:** The Treasurer shall receive and deposit in appropriate bank accounts all monies 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 accounts; cause an 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 of each to the Members.

ARTICLE IX **COMMIITEES**

The Association shall appoint an Architectural Control Committee, as provided in the, Declaration, and a Nominating Committee, as provided by these By-Laws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purposes.

ARTICLE X **BOOKS AND RECORDS**

The books, records and papers of the Association shall be made available for inspection upon request by any member of the Association.

ARTICLE XI ASSESSMENTS

As more fully provided in the Declaration, each Member is obligated to pay to the Association assessments. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the maximum interest rate permitted by law, and the Association may bring an action at law against the Owner obligated to pay the same. Interest, costs and reasonable attorney's fees of such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by abandonment of his Lot.

Assessments shall be utilized by the Association for the maintenance, repair and replacement of the Common Area and other expenses of the Association.

ARTICLE XII AMENDMENTS

Section 1

These By-Laws may be amended, at a regular or special meeting of the Members, by a vote of a majority of a quorum present in person or by proxy, except that the Federal Housing Administration or the Veterans Administration shall have the right to veto amendments while there is Class B membership.

Section 2

In case of any conflict between the Association Articles of Incorporation and these By-Laws, the Articles shall control; and in the case of any conflict between the Declaration and these By-Laws, the Declaration shall control.

ARTICLE XIII MISCELLANEOUS

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

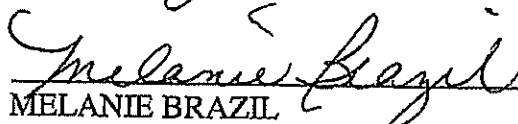
CERTIFICATION

I, the undersigned, do hereby certify:

THAT I am the duly elected and acting secretary of the BELLE TERRE LINKS HOME OWNERS ASSOCIATION, a Louisiana non-profit corporation, and, THAT the foregoing By-

Laws constitute the original By-Laws of said Association, as duly adopted at a meeting of the Board of Directors thereof, held on 4 day of February, 2020.

IN WITNESS WHEREOF, I have hereunto subscribed my name AND AFFIXED THE SEAL OF SAID Association this 25 day of February, 2020.


MELANIE BRAZIL