

**BY LAWS  
HUNTINGTON PROPERTY OWNERS ASSOCIATION, INC.**

PRESENTED & RECORDED:

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DAVID HAMILTON  
CLERK OF COURT

YORK COUNTY, SC  
BY: HEATHER CHAPMAN CLERK

ARTICLE I

**NAME AND LOCATION**

The name of the corporation is HUNTINGTON PROPERTY OWNERS ASSOCIATION, INC., hereinafter referred to as the 'Association'. The principal office and meetings of the corporation shall be located in Rock Hill, South Carolina, at such place as the Board of Directors shall prescribe.

ARTICLE II

**MEMBERSHIP AND VOTING RIGHTS**

Section 1. GENERAL: Every owner of a Lot in the subdivision known as "Huntington" whose entrance is on Herlong Boulevard shall be a member of the Association. The directors of the Association may make reasonable rules relating to the proof of ownership of any lot.

Section 2. VOTING RIGHTS: Each and every owner of any lot within the Huntington Subdivision subject to assessment shall be entitled to one (1) vote per lot owned in Huntington, not to exceed one (1) vote per lot should the lot(s) be owned jointly, provided the owner(s) of any such lot is in an active membership status.

Section 3. ACTIVE MEMBERSHIP STATUS: All members will be allowed to vote as long as any dues, assessments or other charges previously accrued are satisfied. The rights and privileges of a member are not transferrable or assignable.

Section 4. RESIGNATION: Any member may resign by filing a written resignation with the Secretary of the Association, but such resignation shall not relieve the member so resigning the obligation to pay any dues, assessments or other charges while still a lot owner.

ARTICLE III

**MEETINGS**

Section 1. ANNUAL MEETING: The first meeting of the Association shall be held within one month of the adoption of these By Laws and thereafter the regular annual meeting shall be held at such time and place as may be designated by the Board of Directors during the month of February of each year.



**2018034116**

MISCELLANEOUS  
RECORDING FEES

\$14.00

Section 2. SPECIAL MEETINGS: Special meetings of the members may be called at any time by the President, a majority of the members of the Board of Directors, or upon written request from twenty per cent (20%) of the membership entitled to vote. Calls for special meetings shall specify the object or purpose for such meeting, and no other business other than that stated in such call shall be transacted at such meeting unless ninety per cent (90%) of those members present at the actual meeting consent, whether in person or by proxy.

Section 3. NOTICE OF MEETINGS: Written notice of every regular or special meeting of the Association, stating the time, place, and purpose of such meeting, shall be delivered either personally or by mail to each member entitled to vote at such meeting not less than seven (7) days nor more than twenty one (21) days before the date of such meeting.

Section 4. QUORUM: The presence, either in person or by proxy, of the members constituting a majority of the total membership of the Association shall constitute a quorum for the transaction of business. When a quorum is present, a majority of the members represented shall decide any questions or issues brought before such meeting.

Section 5. PROXIES: At any meeting of the Association, an eligible member may vote by proxy executed in writing and submitted to the Secretary.

Section 6. ORDER OF BUSINESS: The order of business at all meetings of the Association shall be as follows:

1. Roll Call and Determination of Quorum
2. Proof of Meeting Notice or Waiver
3. Reading and Correction of Minutes of Preceding Meeting
4. Reports of Officers
5. Reports of Committees
6. Unfinished Business
7. New Business
8. Adjournment

Section 7. INFORMAL ACTION BY MEMBERS: Any action which may be taken at a meeting of the Association may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the persons who would be entitled to vote upon such action at a meeting, and filed with the Secretary of the Association to be kept in with the Association's minutes.

## ARTICLE IV

### OFFICERS

Section 1. GENERAL: The officers of the Association shall be the President, Vice President, Secretary and Treasurer. Officers must be full time residents of the Huntington Subdivision and if homeowners, must be in active status. Officers may hold only one of these positions at any time and they must each come from different households.

Section 2. ELECTION OF OFFICERS: The election of officers shall take place at the annual meeting of the Association by a majority vote of the membership voting, either in person or by proxy.

Section 3. TERM OF OFFICE: The officers shall hold office for one (1) year, or until their successors are duly elected, unless they resign, are removed or become otherwise disqualified to serve. Officers may serve successive terms.

Section 4. REMOVAL: The Board of Directors may remove any officer by a two-thirds (2/3) vote of the whole Board, at any time, with or without cause.

Section 5. VACANCIES: All vacancies shall be filled by the Board of Directors without undue delay at its next regular meeting following a vacancy or at any special meeting called for such purpose.

Section 6. DUTIES: The duties of the Officers are as follows:

*President.* The President shall preside at all meetings of the Association and the Board of Directors; shall exercise such executive supervision as the general welfare of the Association may require; shall chair the Architectural Review Committee; and shall carry out all resolutions of the Association and Board of Directors. The President shall automatically serve on the Board of Directors for the succeeding one (1) year term upon the selection of the new president.

*Vice President.* The Vice President shall perform the duties of the President in the event of inability or absence; shall sign all checks in the absence of the Treasurer; shall be responsible for an annual audit of all Association bank accounts and financial holdings; and shall perform other duties as assigned by the President or the Board of Directors.

*Secretary.* The Secretary shall keep the minutes of the meetings of the Association and of the Board of Directors, handle all correspondence, provide written notification and minutes of all Association and Board meetings, supervise and preserve the Association's records, maintain a

current membership roster of the Association, and shall perform other duties as assigned by the President or the Board of Directors.

*Treasurer.* The Treasurer shall supervise the preparation of the annual budget of the Association, the handling of all monies of the Association, the keeping of adequate books of accounting showing the receipts and disbursements of all funds of the Association, act as signatory of the Association bank account(s), issue all check in payment of bills duly authorized by the President or Vice President, invoice the membership and collect and record annual dues, prepare a statement of income and expenditures to be provided to other such financial matters as may be directed by the President or the Board of Directors.

## ARTICLE V

### BOARD OF DIRECTORS

Section 1. GENERAL: The affairs and business of the Association shall be managed by a Board of seven (7) Directors. Of the seven Directors, four (4) members shall be the Officers of the Association, namely the President, Vice President, Secretary and Treasurer and one (1) member shall be the immediate past President of the Association. The remaining two (2) Directors shall be elected from the active membership of the Association at large. Directors and Officers may hold only one these positions at any time and they must each come from different households.

Section 2. ELECTION OF DIRECTORS: The election of Directors shall take place at the annual meeting of the Association by receiving the highest number of votes of the membership voting, either in person or by proxy.

Section 3. TERM OF OFFICE: The Directors (other than the Officers and the immediate past President) shall hold office for two (2) years, or until their successors are duly elected, unless they resign, are removed or become otherwise disqualified to serve. Directors may serve successive terms. The initial term of one Director shall be for only one (1) year so that thereafter only one Director's seat shall become vacant annually.

Section 4. REMOVAL: Any Director may be removed by a two-thirds (2/3) vote of the Association, at any time, with or without cause.

Section 5. VACANCIES: All vacancies shall be filled for the unexpired portion of the term by the Board of Directors without undue delay at its next regular meeting following a vacancy or at any special meeting called for such purpose by a majority vote of the remaining Directors.

Section 6. MEETINGS: The annual meeting of the Board of Directors shall be held immediately following and at the time and place of the annual meeting of the Association. Special meetings may be held at such time and at such place as the Board of Directors may determine. Special meetings of the Board may be called by the President at any time, and shall be called by the Secretary upon the written request of three (3) Directors. All meetings of the Board are open to active members of the Association who may observe all proceedings and address the Board only upon the invitation of the President.

Section 7. NOTICE: Notice of any special meeting of the Board of Directors and the purpose of the meeting shall be given at least four (4) days prior to such meeting by written notice to be delivered personally or by mail to each Director. If all Directors unanimously waive notice of the meeting, the meeting may occur earlier than the four (4) days.

Section 8. QUORUM: A majority of the members of the Board of Directors shall constitute a quorum.

Section 9. VOTING: At all meetings of the Board, each Director shall have one (1) vote. Action approved by a majority of those Directors present at a meeting at which a quorum is present shall be the action of the Board of Directors.

Section 10. POWERS AND RESPONSIBILITIES: The Board of Directors shall have power and be responsible to:

- (a) Formulate such rules and regulations which it may deem advisable, necessary or helpful in regulating, managing, operating and governing the Association, its property and affairs, as well as promoting the activities of the Association. Such rules and regulations shall become effective when they have been certified by the Secretary and a copy furnished each member of the Association;
- (b) Exercise for the Association all powers, duties, and authority vested in or delegated to the Association and not reserved to the membership by other provision of these By Laws, the Articles of Incorporation, or the Declaration;
- (c) Supervise all officers, agency and employees of the Association and to see that their duties are properly performed;
- (d) Act as more fully provided in the Declaration:
  - (1) To fix the amount of the annual assessment against each Lot at least thirty (30) days before January of each year,
  - (2) To send written notice of each assessment to every owner subject thereto at least twenty one (21) days and before January 1 of each year, and
  - (3) To foreclose the lien against any property for which assessments are not paid within thirty (30) days after due date or to bring an action at law against the Owner personally obligated to pay the same;

- (e) To execute any documents on behalf of the Corporation to grant easements for the installation and maintenance of sewerage, utilities, or drainage facilities upon, over, under and across the Common Area without the assent of the Member;
- (f) To maintain and adopt rules and regulations for the care and use of the Common Area and any Recreational Amenities which might be established;
- (g) To employ anyone and enter into contracts on behalf of the Association;
- (h) To retain legal counsel for the legal action by the Association if approved by a majority of members in active status;
- (i) Procure and maintain adequate liability insurance covering the Association in any amount not less than one million dollars (\$1,000,000.00) and adequate hazard insurance on the real and personal property owned by the Association;
- (j) Appoint residents of the Subdivision to standing and special committees; and
- (k) Act as an appellate agency for the decision of any committee. An appeal will only be heard if the appellant can demonstrate to the satisfaction of the Board that the issue in question before the Board of Directors was handled in an arbitrary, capricious or bad faith manner.

## ARTICLE VI

### COMMITTEES

Section 1. STANDING COMMITTEES: The Standing Committees of the Association shall be:

Architectural Control Committee  
Social Committee  
Beautification Committee

Section 2. OTHER COMMITTEES: Other committees may be established by action of the Officers of the Association.

Section 3. SELECTION: The Board of Directors shall select all members and chairs of the several committees. Officers and Directors may serve concurrently as committee chair or members of any committee except the Architectural Control Committee. No member of the Architectural Control Committee may be an Officer or Director from the same household as any Officer or Director with the exception of the President of the Association who shall serve as the chair of the Architectural Control Committee.

Section 4. FUNCTIONS: Committees shall be responsible for planning, budgeting and carrying out programs in their respective areas for the interests of the members of the Association, under such guidelines as may be established by the Board of Directors. The Board may also assign or direct specific actions of the Committees when necessary.

## ARTICLE VII

### ADOPTION AND AMENDMENT OF BY LAWS

These By Laws will be adopted and may be amended, altered or repealed by a two-thirds (2/3) vote of the members in active status of the Association present and voting at any annual or special meeting.

ADOPTED at the annual meeting of the Association on March 30, 1993.

Huntington Property Owners Association, Inc.

Signature: John B. Reever, Jr.

Printed Name: John B. Reever, Jr.

Title: President - Huntington Property Owners Assoc. Inc.

Date: 8-10-18

**See Attachment**

Attachment


BY LAWS  
HUNTINGTON PROPERTY OWNERS ASSOCIATION, INC.  
SOUTH CAROLINA NOTARY ACKNOWLEDGMENT

State of South Carolina

County of York

The foregoing instrument was acknowledged before me this 8/10/18 (date)

by John B. Reeres Jr.  
(name of person acknowledged).

  
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Signature of Person Taking Acknowledgement

Title or Rank: SC Notary

Serial Number (if any) my Commission Expires January 17, 2023

(Seal)

