

HOA Bylaws

If this document contains any restriction based on race, color, religion, sex, familial status, marital status, disability, national origin, or ancestry, that restriction violates State and Federal Fair Housing Laws and is void. Any person holding an interest in this property may request that the county recorder remove the restrictive covenant language pursuant to subdivision (c) of Section 12956.1 of the Government Code.

BYLAWS OF
RAMONA COURT COMMUNITY ASSOCIATION

ARTICLE I

Definitions

Certain items as used in these Bylaws shall be used with the following respective meanings unless the context clearly indicates a different meaning therefor:

1. Declaration of Restrictions. "Declaration of Restrictions" shall mean that specific Declaration of Protective Restrictions executed by CARL OUTZEN on the 21 day of August, 1978, and recorded in the office of the County Recorder of Monterey County, California, in Reel 1274 at page 1026, Official Records of Monterey County, and which Declaration of Protective Restrictions is attached to these Bylaws as Exhibit "A" and incorporated herein by reference as if fully stated. These Bylaws are expressly made subject to this Declaration of Protective Restrictions and anything in these Bylaws which is inconsistent with said Declaration shall be void and ineffective.

2. Restrictions. "Restrictions" shall include all restrictions, conditions, reservations, covenants, servitudes, liens and charges contained in the Declaration referred to in Definition 1.

3. Unit. "Unit" shall be defined as set forth in the Declaration of Protective Restrictions attached hereto as Exhibit "A."

4. Owner. "Owner" shall be defined as set forth in the Declaration of Protective Restrictions attached hereto as Exhibit "A."

5. Declarant. "Declarant" as used herein shall mean CARL OUTZEN, a single man.

6. Recorded, Recording and of Record. "Recorded," "recording" and "of record" shall mean recorded, recording and of record in the office of the County Recorder of Monterey County, California.

7. Charges and Assessments. "Charges and assessments" shall mean and include all charges and/or assessments to which the property under the jurisdiction of this Association is or may be subject under and pursuant to the Declaration of Restrictions.

8. Member or Membership. A "member" or "membership" shall mean, respectively, a member of or membership in this Association, as defined in ARTICLE II of these bylaws.

9. Associate Members. An "associate member" shall mean an associate member of this Association as defined in Article II of these bylaws.

10. Person. "Person" shall include an individual person, a partnership, an association, and a corporation unless the context indicates a contrary meaning.

11. Articles. "Articles" shall mean the Articles of Incorporation of this Association as the same may be amended from time to time.

12. Bylaws. "Bylaws" shall mean these Bylaws as the same may be amended from time to time.

13. Singular and Plural, Masculine, Feminine and Neuter. In these Bylaws, the singular shall include the plural and the plural the singular unless the context requires the contrary, and the masculine, feminine and neuter shall each include the masculine, feminine and neuter when the context so requires.

14. Association, or the Association, shall refer to Ramona Court Community Association, which is also referred to in various places in these Bylaws as "this Association".

15. Board shall refer to the Board of Directors of this Association as provided herein.

16. Project shall mean and refer to the entire subject property, including all structures and improvements thereon, which project shall be known commonly as "Ramona Court".

ARTICLE II

Membership

Section 1. Definition of Membership.

Each record owner of a unit shall be a member; and when more than one record owner holds an interest in any unit, each record owner shall be a member. The vote for each unit shall be exercised in such manner as the record owners determine among themselves. In no event shall more than one vote be cast with respect to any unit.

Section 2. Associate Member.

(a) Every adult person other than a member permanently occupying a unit in accordance with the Declaration of Protective Restrictions and these Bylaws shall be an associate member.

(b) Associate members shall have all rights, duties and responsibilities of members including the right to notice of and attendance at members' meetings and the right to serve on committees of the Association except that associate members shall not have the right to vote.

Section 3. Termination of Membership and Associate Membership.

The membership of any member terminates upon the sale of the unit. Associate membership terminates upon the associate member ceasing permanently to occupy a unit.

Section 4. Death of a Member.

Membership in this Association shall not terminate upon the death of a member but all of the rights of such member shall be exercised by the executor, administrator or other personal representative of such deceased member, provided, however, that if the unit or units owned of record by such deceased member which entitled such member to membership was owned jointly or in common with another or others who survive such member, then upon the death of such

deceased member the membership of such member shall terminate, and such other or one of such other joint or common owners of record shall become the member.

Section 5. Fees and Assessments.

The units owned of record by the members of this Association shall be subject to such uniform charges and assessments and for interest and/or penalties for the late payment or non-payment thereof as shall from time to time be determined by the Board of Directors by resolution duly adopted at any regular or special meeting, subject to any limitations contained in the Declaration of Protective Restrictions affecting property over which this Association has jurisdiction.

Section 6. Liens and Foreclosure for Non-Payment.

Upon the failure of any member to pay any and all charges and assessments and any interest and/or penalties thereon when due, the same shall be enforceable against such member and shall become a lien against the particular unit or units subject to the same in the same manner as is provided for the foreclosure of a mortgage upon real property by the laws of the State of California as at the date of commencement of such foreclosure action. Said charges and assessments on becoming a lien in accordance with the Declaration of Protective Restrictions may also be enforceable by a power of sale by the Board of Directors, at the option of the Board of Directors, such sale to be conducted in accordance with provisions of Section 2924, 2924b and 2924c of the Civil Code of the State of California, or in such other manner as permitted by law.

Section 7. Registration of Members.

The Secretary of the Association shall maintain membership records of the Association reflecting the members and associate members thereof. Such registry shall be prima facie evidence of the status of membership and associate membership in the Association.

ARTICLE III

Voting Rights and Members Meetings

Section 1. Voting Rights.

The voting rights of this Association shall be vested in the members thereof, and each member shall be entitled to as many votes as the number of units owned of record by such member; provided that there shall be only one vote allowed for each unit owned by a member jointly or in common with others.

Section 2. Cumulative Voting and Proxies.

Members shall be entitled to cumulate their votes. Voting by proxy shall be permitted.

Section 3. Annual Meetings.

The first organizational meeting of owners shall be held on or before 45 days after the closing of the sale of the unit which represents the 51st percentile unit authorized for sale under the Final Subdivision Public Report for the project, but in no event shall the meeting be held later than six months after the closing of the sale of the first unit in the project. Annual meetings of the members shall thereafter be held on the first Monday of March, at 8:00 p.m. each year commencing with 1979 for the purpose of electing directors and for the transaction of such other business as may properly be brought before the meeting. If said day shall fall upon a legal holiday, the meeting shall be held on the next business day thereafter at the same time and place.

Section 4. Notice of Annual Meeting.

It shall be the duty of the secretary to cause written notice of each annual meeting, stating the place, day and hour thereof, to be mailed, or otherwise sent or delivered, not less than ten days nor more than sixty days next preceding the day of such meeting to each member of record entitled to vote. Any business may be transacted at such meeting, whether or not it be mentioned in the notice.

Section 5. Special Meetings.

Special meetings of the members for any purpose or purposes whatsoever may be held and shall be called promptly by the Board upon the vote for such a meeting by a majority of a quorum of the Board; or upon receipt of a written request therefore signed by members constituting not less than 25 percent of the total voting power of the Association, or by members constituting not less than 15 percent of the voting power of the Association residing in members other than Declarant. Every such call shall be in writing and shall state the purpose or purposes of the meeting.

Section 6. Notice of Special Meetings.

Written notice of each special meeting of members, stating the place, day and hour thereof, and the nature of the business to be transacted, shall be mailed, or otherwise sent or delivered, by the secretary or other person authorized or required to give such notice not less than ten days nor more than sixty days next preceding the date of meeting, to each member of record entitled to vote.

Section 7. Place of Member's Meetings.

Annual meetings and special meetings of the members shall be held at the principal office of the Association, provided that the Board of Directors may designate a place upon or in the immediate vicinity of the property subject to the jurisdiction of the Association or some convenient place within a distance of not more than five (5) miles from said principal office of the Association as a place at which any annual or special meeting of the members may be held. The Board of Directors may fix the time and place of any such special meeting by resolution, which time and place shall be stated in the notice. In the absence of any designation of another place by the Board of Directors, special meetings shall be held at the principal office.

Section 8. Quorum.

Members representing 25 percent of the voting power of this Association, present in person or by proxy, shall be requisite to and shall constitute a quorum at all meetings of the members for the transaction of business, except as otherwise provided by law. In the absence of a quorum at a members' meeting, a majority of those present in person or by proxy may adjourn the meeting to another time, but may not transact any other business. An adjournment for lack of a quorum shall be to a date not less than five days and not more than thirty days from the original meeting date. The quorum for such a meeting may be set by the governing instruments at a percentage less than that prescribed for a regular meeting, but it shall not be less than 25% of the total voting power of the Association. The members present at a duly called or held meeting at which a quorum is present may continue to do business until adjournment, notwithstanding the withdrawal from the meeting of voting power to leave less than a quorum.

Section 9. Address of Members.

It shall be the duty of each member to keep the Association advised as to his correct address from time to time.

ARTICLE IV

Board of Directors

Section 1. Powers.

The powers of the Association shall be exercised by or under the authority of, and all of the affairs of the Association shall be controlled by, the Board of Directors, subject, however, to the rights of members provided, in the Articles, in these Bylaws, and by law, and subject also to all of the restrictions, provisions and limitations contained in the Declaration of Protective Restrictions.

Section 2. Number of Directors.

The Board of Directors shall consist of three (3) directors until changed by an amendment of this section of these Bylaws adopted by the vote or written assent of members entitled to

exercise a majority of the voting power of this Association; provided, however, that the authorized number of directors shall in no event be less than three (3).

Section 3. Election and Term of Office.

(a) The directors may be elected at such annual meeting of the members, or the directors may be elected at a special meeting of members called for that purpose, and each director shall be elected to serve until the next annual meeting and until his successor has been elected and qualified. Cumulative voting shall be allowed in all such elections.

(b) At any election of directors held when the owners other than Declarant do not have a sufficient percentage of the voting power of the Association to elect at least one director through the cumulation of all of their votes, the following special voting procedure shall apply:

(1) There shall be two classes of nominees for director: General Nominees, nominated in the usual fashion, and Owners' Nominees, nominated by written petition of one or more owners other than Declarant;

(2) All members, including Declarant, may vote for the election of the General Nominees, and the two General Nominees receiving the highest number of votes shall be elected as a directors.

(3) Only members other than Declarant may vote for the election of the Owners' Nominees, and the Owners' Nominee receiving the highest number of votes shall be elected as a director.

(4) Any director who was elected from among the Owners' Nominees may be removed only upon a vote of the members other than Declarant.

(5) Any vacancy caused by the death, resignation or removal of a director who was elected from among the Owners' Nominees may be filled only by an election in which only members other than declarant may vote; and such vacancy may not be filled by appointment made by the remaining directors.

Section 4. Place of Meetings.

Subject to the provisions of Section 10 of this Article IV, any and all meetings of the Board of Directors may be held at the principal office of the Association or at such convenient place as may be designated from time to time for any or all such meetings by a resolution of the Board of Directors at any regular or special meeting prior thereto. If the resolution of the Board designating the place for meetings so provides, any meeting may be held either at such place or at the principal office, as determined by the call and notice for the particular meeting. All meetings shall be held at the designated place, or in the absence of such designation, at the principal office.

Section 5. Vacancies.

Subject to the rights of Declarant as provided in Article X hereof, all vacancies in the Board of Directors, including vacancies caused by an increase in the number of the Board or by removal of a director, may be filled by a majority of the remaining directors, though less than a quorum or by a sole remaining director. Each director so appointed shall hold office thenceforth for the remainder of the unexpired term and until the election of his successor.

Section 6. Organization Meeting.

Immediately after the annual meeting of the members and immediately after any meeting of members at which directors shall have been elected, the directors shall meet without notice for the election of officers and the transaction of any other business. Pending such meeting all officers shall hold over, except any officer required by law or by these Bylaws to be a director and who was not reelected to the Board of Directors.

Section 7. Regular Meetings - Time and Place.

Regular meetings of the Board of Directors shall be held at such time and place within the project as the Board may fix by resolution from time to time and if any day so fixed shall fall upon

a legal holiday, then upon the next succeeding business day at the same hour. Notice of the time and place of such meetings shall be posted at a prominent place or places within the common area.

Section 8. Special Meetings - Time.

Special meetings of the Board of Directors shall be held whenever called by written notice signed by the president, or by any two members of the Board other than the president. The notice shall specify the time and place of the meeting and the nature of any special business to be considered. The notice shall be sent to all members of the Board and posted in a manner prescribed for notice of regular meetings not less than 72 hours prior to the scheduled time of the meeting.

Section 9. Consent of Meetings.

The transactions of any meeting of the Board of Directors, however called and noticed or wherever held, shall be as valid as though had at a meeting duly held after regular call and notice, of a quorum be present and if either before or after the meeting, each of the directors including those not present signs a written waiver of notice of a consent to holding such meeting or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the Association records or made a part of the minutes of the meeting.

Section 10. Quorum.

Subject to the provisions of Section 5 of this Article IV and Section 4 of Article V of these Bylaws, at all meetings of the Board a majority of the number of directors fixed by the Constitution or Bylaws shall be necessary and sufficient to constitute a quorum for the transaction of business, and the act of a majority of the directors present at any meeting at which is a quorum shall be the act of the Board of Directors. A majority of the directors present at any meeting of the Board, whether a quorum shall be present or not, may adjourn the meeting from time to time, provided that no such adjourned meeting

shall be held unless and until notice has been given as provided for special meetings in Section 9 hereof, and provided further that the time so fixed shall not extend beyond the time for the next regular meeting of the Board.

Section 11. Conduct of Meetings.

Regular and special meetings of the Board shall be open to all members and associate members of the Association; provided, however, that associate members and Association members who are not on the Board may not participate in any deliberation or discussion unless expressly so authorized by the vote of a majority of a quorum of the Board. The Board may, with the approval of a majority of a quorum of its members, adjourn a meeting and reconvene in executive session to discuss and vote upon personnel matters, litigation in which the Association is or may become involved, and orders of business of a similar nature. The nature of any and all business to be considered in executive session shall first be announced in open session.

Section 12. Compensation of Directors.

Directors as such shall not receive any salary or compensation for their services as directors; provided, however, that nothing herein contained shall be construed to preclude any director from receiving reimbursement from the Association for actual expenses incurred by such director in carrying out his duties hereunder.

Section 13. Qualifications.

Each director shall be a natural living person twenty-one (21) years of age or older. All directors, except those appointed by Declarant pursuant to Article X of these Bylaws, shall be members of the Association.

ARTICLE V

Officers

Section 1. Officers.

The officers of the Association shall be a president, a vice president, a secretary and a treasurer. The Association may also have, at the discretion of the Board of Directors, one or more

additional vice presidents, one or more assistant secretaries, one or more assistant treasurers, and such officers as may be appointed in accordance with the provisions of Section 3 of this Article V. Officers other than the president need not be directors. One person may hold two or more offices except that of president and secretary. The salaries or other compensation of all officers of the Association, if any, shall be fixed from time to time by the Board of Directors. The officers of the Association, except as such officers may be appointed in accordance with the provisions of Section 3 or Section 5 of this Article V shall be chosen annually by the Board of Directors, immediately after the regular meeting of the membership, and each shall hold his office until he shall resign or shall be removed or otherwise disqualified to serve, or his successors shall be elected and qualified.

Section 3. Subordinate Officers, Etc.

The Board of Directors may elect or authorize the appointment of such other officers as the business of the Association may require, each of whom shall hold office for such period, have such authority and perform such duties as are provided in the Bylaws or as the Board of Directors may from time to time authorize or determine. Members of any Architectural Committee shall not be deemed to be subordinate officers or other officers of this Association.

Section 4. Removal and Resignation.

Any officer may be removed, either with or without cause, by a majority of the directors at the time in office, at any regular or special meeting of the Board, or except in case of any officer chosen by the Board of Directors, by an officer upon whom such power of removal may be conferred by the Board of Directors.

Section 5. Vacancies.

A vacancy in any office because of death, resignation, removal, disqualification or any other cause, shall be filled in the manner provided or authorized herein for regular elections or appointments to such office.

Section 6. President.

The president shall be the chief executive officer of the Association and shall, subject to control of the Board of Directors, have general supervision, direction and control of the affairs and other officers of the Association. He shall preside at all meetings of the members and at all meetings of the Board of Directors and shall have the general powers and duties of management usually vested in the office of president of an unincorporated association, and shall have such other powers and duties as may be prescribed by the Board of Directors and by the Bylaws, subject, however, to any limitations contained in any Declaration of Restrictions.

Section 7. Vice President.

In the absence or disability of the president, the vice president if more than one, in order of their rank as fixed by the Board of Directors, or if not ranked, the vice president designated by the Board of Directors, shall perform all the duties of the president, and when so acting shall have all the powers of, and be subject to all the restrictions upon the president. The vice presidents shall have such other powers and perform such other duties as from time to time may be prescribed for them, respectively, by the Board of Directors, or the Bylaws.

Section 8. Secretary.

The secretary shall keep or cause to be kept a book of minutes at the principal office or such other place as the Board of Directors may order, of all meetings of directors and members, with the time and place of holding, whether regular or special, and if special, how authorized, the notice thereof given, the names of those present at director's meetings, the number of memberships and votes present or represented at members' meetings and all the proceedings thereof.

The secretary shall also keep or cause to be kept at the principal office a membership register showing the names of the members and the number of votes to which each respective member is

entitled.

The secretary shall give or cause to be given notice of all meetings of the members and of the Board of Directors required by the Bylaws or by law to be given and shall keep the seal of the Association in safe custody and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or by the Bylaws.

Section 9. Treasurer.

The treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct amounts of the properties and business transactions of the Association, including accounts of its assets, liabilities, receipts, disbursements, gains and losses. The treasurer shall also maintain complete records of all assessments and charges levied and the liens securing same pursuant to the provisions of any Declaration of Restrictions, and the amounts thereof, the properties against which the same have been assessed, the dates upon which the same are due, and upon which the same are delinquent, and a record of the payments thereof, as well as a record of notices of delinquency which have been recorded pursuant to any Declaration of Restrictions.

The treasurer shall deposit all moneys and other valuables in the name and to the credit of the Association with such depositaries as may be designated by the Board of Directors. He shall disburse the funds of the Association as may be ordered by the Board of Directors, shall render to the president and directors, whenever they request it, an account of all of this transactions as treasurer and of the financial condition of the Association, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or by the Bylaws.

ARTICLE VII

Powers and Duties

Section 1. Powers.

(a) The powers of this Association extend to all property

covered by the Declaration of Protective Restrictions attached to these Bylaws and incorporated herein and are co-extensive with said Declaration. This Association shall have the power to enforce all restrictions, limitations, conditions, covenants, servitudes, charges and liens created in said Declaration, according to the means of enforcement stated in said Declaration. This Association shall be entitled to exercise all powers granted to it in Article IV, Section 1, and elsewhere in the Declaration. Said Declaration shall be controlling as to the extent of the powers of this Association.

Section 2. Duties.

This Association shall have the duty and responsibility for enforcing all restrictions, conditions, covenants, servitudes, liens, and charges contained in the Declaration of Protective Restrictions, and this Association shall have the duty of management and control of the common area co-extensive with the powers of management in Article IV of the Declaration and Article VII, Section 1 of these Bylaws.

Section 3. Assessments and Collection of Charges.

(a) General Charges. The Board of Directors shall follow the procedures for assessment of general charges stated in Article IV, Section 3 (a) of the Declaration of Protective Restrictions in determining assessments to unit owners. The Board of Directors may delegate to the president, or any other officer, the preparation and submission of the annual estimate of cash requirements for the Association. After the Board of Directors shall have by resolution determined the amount of the assessment for general charges to be apportioned among unit owners, notice of said assessment shall be given to all members, and any member shall be given an opportunity to object to any assessment which shall not be levied uniformly among all members according to their class of unit. The Board of Directors shall have the duty to enforce the payment of the charges thus assessed according to the procedures stated in Article IV, Section 3 (c), (d), (e), (f), (g), (h), (i), (j), and (k) of the Declaration of Protective Restrictions.

(b) Special Charges.

(1) The Association shall be empowered to assess and collect special charges for services rendered on behalf of individual owners as prescribed in Article IV, Section 3 (b) of the Declaration of Protective Restrictions.

(2) When and if the Association makes any payments on behalf of individual owners or members, as empowered by said Declaration, the Association shall recover the amount of such payment from the member or owner on whose behalf payment was made, in the same manner as the Association shall recover other special charges.

(c) Collection. The procedure for collection of special charges shall be the same as the collection for general charges stated above. Section 4. Enforcement of Restrictions as to Use of Property.

The Association shall have the duty to enforce the restrictions on use of property contained in Article III, Section 1 and 2 of the Declaration of Protective Restrictions. The Association shall use the following procedure in enforcing such restrictions:

(a) Upon notice that any owner, member, or occupant is violating any of the restrictions contained in the Declaration of Protective Restrictions, the Board of Directors shall investigate the reported violation, and upon a determination that any owner is in violation of the Declaration, then the Board of Directors shall send such member, owner, or occupant a notice demanding that said owner, member, or occupant immediately cease and desist from the restricted use.

(b) If the owner, or occupant fails or refuses to cease and desist from the restricted use, the Board of Directors shall require said owner, member, or occupant to appear before the Board of Directors and show cause why the Association should not invoke on behalf of the Association any and all legal and equitable remedies available in the Declaration of Protective Restrictions to enforce the restriction on use.

(c) Prior to any action being taken against an owner by the Board, other than the collection of a duly levied and delinquent

assessment, the owner shall be entitled to a hearing before the full Board, and a two-thirds (2/3) vote of the entire Board shall be required before any sanctions may be imposed upon an owner by the Board.

(d) Regulation and Maintenance of Common Areas.

(1) The Association shall have the obligation to maintain, at its expense, and in case of damage or destruction to replace, repair, or restore at its expense (subject to the provisions of Article IX of this Declaration), the common areas, including the limited common areas and all improvements thereon.

(2) The Association shall have the right to suspend any or all of the rights and privileges of any owner or member of the Association to use the common areas (other than those uses directly and necessarily related to the occupancy of and access to a unit) or to vote in Association affairs, for any period during which any assessment or special charge to which his interest is subject remains delinquent or unpaid; and during any period of time during which such owner or member is in violation of any provision of this Declaration; provided, however, that no action may be taken by the Association to suspend any or all of such rights and privileges unless the accused has been given reasonable notice and the opportunity to be heard by the Board of Directors with respect to the alleged violation.

Section 5. Business and Management.

Article IV, Section 1 (a) of the Declaration provides that certain management functions of the common area and the subject property shall be exercised by the Association. The Board of Directors shall be responsible for insuring that the officers of the Association carry out the duties of such management. The Board of Directors may delegate the responsibility for performing management functions, and may employ persons who are not members of the Association to manage the business affairs of the Association or to care for and maintain the common area, provided that contracts for such employment may not exceed the term of one year, except upon the approval of a majority of the voting power of the Association.

Section 6. Financial Reports to Members.

The Board of Directors shall cause a balance sheet and an operat-

(income and expense) statement to be prepared for the Association, and a copy thereof to be distributed to each member of the Association within 60 days of the following accounting dates:

(a) Startup Period:

(1) A balance sheet as of an accounting date which shall be the last day of the month closest in time to six months from the date of closing of the first sale of a unit to a member other than Declarant;

(2) An operating (income and expense) statement for an accounting period from the aforesaid date of first closing to the aforesaid accounting date. Said operating statement shall include a schedule of assessments received or receivable itemized by unit number and by the name of the person or entity assessed.

(b) Subsequent Periods:

A balance sheet as of the last day of the Association's fiscal year, and an operating (income and expense) statement for said fiscal year.

ARTICLE VIII

Miscellaneous Provisions

Section 1. Checks, Drafts, Etc.

All checks, drafts or other orders for payment money, notes or other evidences of indebtedness, issued in the name of or payable to the Association, and any and all securities owned or held by the Association requiring signature for transfer, shall be signed or endorsed by such person or persons and in such manner as, from time to time, shall be determined by resolution of the Board of Directors.

Section 2. Contracts, Etc., How Executed.

The Board of Directors, except as prohibited by sub-paragraphs (o) through (r) of Article IV, Section 1 of the Declaration of Protective Restrictions, may authorize any officer or officers, agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the Association, and such authority may be

general or confined to specific instances; and unless authorized by the Board of Directors, no officer, and no agent or employee shall have any power or authority to bind the Association to any contract or engagement or to pledge its credit or to render it liable for any purpose or to any amount.

Section 3. Inspection of Association Records.

The membership register, the books of account and the minutes of proceedings of the members and directors and other Association records shall be open to inspection by any director upon demand at any reasonable time and to inspection by any member upon the written demand of any such member at any reasonable time for a purpose reasonably related to his interest as a member, and shall be exhibited at any time when required by the demand of ten percent (10%) of the voting power of the members represented at any members' meeting. Such inspection may be made in person or by an agent or attorney and shall include the right to make extracts. Demand of inspection by any member other than at a members' meeting shall be made in writing upon the president, secretary or assistant secretary of the Association. Every such demand, unless granted, shall be referred by such officer to the Board of Directors.

The Association shall keep in its principal office for the transaction of business the original or true copy of the Constitution of the Association as amended, the original or a true copy of these Bylaws, as amended, and the original or a true copy of such Declaration of Protective Restrictions covering property subject to the jurisdiction of this Association, as amended, each of which documents shall be open to inspection by the members during reasonable business hours.

Section 4. Notices.

Whenever, under the provisions of these Bylaws, notice is required to be given to any director or member, it shall not be construed to mean personal notice, but such notice, if not given by any other method authorized by these Bylaws or by law, may be given in writing by mail,

by depositing the same in the United States Post Office or post box at the place where the principal office of the Association is situated, in a postage paid, sealed envelope, addressed to such member or director, at such address as appears on the books of the Association, or in the absence of such address, to such director or member at the General Post Office in the place where the principal office of the Association is situated, and such notice shall be deemed to have been given at the time the same shall be thus mailed.

Whenever any member entitled to vote has been absent from any meeting of members, and whenever any director has been absent from any meeting of the Board of Directors, an entry in the minutes of the meeting to the effect that notice has been duly given shall be prima facie evidence that due notice of such meeting was given to such absentee as required by law and these Bylaws.

Section 5. Defective Notices.

Any mistake, inadvertence or excusable neglect in giving any notice required by these Bylaws shall not affect the validity of any meeting called thereby, or of any proceedings had at such meeting.

Section 6. Headings and Titles.

All headings and titles used in these Bylaws, including these of Articles, sections and subsections, are intended solely for convenience of reference, and the same shall not, nor shall any of them, affect that which is set forth in such article, section or subsection, nor any of the terms or provisions of these Bylaws nor the meaning thereof.

Section 7. Ground Rules.

Subject to the limitations contained in any applicable Declaration of Protective Restrictions, and to the approval of the membership, the Board of Directors may from time to time make, establish, publish, promulgate, amend and repeal Ground Rules, and enforce the same by establishing and collecting fines for the violation thereof, governing

the use of the property, and any part or portion thereof, subject to the jurisdiction of the Association and the conduct of members and the occupants of each unit embraced within the property subject to the jurisdiction of the Association; which Ground Rules, and each of them shall be binding equally upon each and every member and every occupant of such unit. Any fine or fines established for the violation of any Ground Rule or Ground Rules shall be established and apply equally in amount and application to all persons. A current record of all Ground Rules, as amended, from time to time, and a record of the amount of any fines established for the violation thereof, shall be kept by the secretary of the Association and shall be available to any member at any reasonable time.

ARTICLE IX

Duration and Dissolution

(1) This Association, or its successor, shall continue in existence so long as the Declaration of Protective Restrictions, or any amendment thereof shall apply to subject property.

(2) Article IX of the Declaration prescribes action to be taken by the Board in the event of partial or total destruction of the buildings located on subject property, and said Article IX of the Declaration shall be controlling in this event.

(3) Article VII of the Articles of the Association which is controlling provides:

"The Association shall issue no stock and shall not be operated for profit. No part of the activities of the Association shall consist of carrying on propaganda or attempting to influence legislation. No part of the assets, earnings or receipts of this Association shall be used outside of the State of California, nor shall any part of said assets, earnings or receipts accrue to the benefit of any member, officer, or trustee of this Association. Upon dissolution of this Association, or partial or entire liquidation of its assets, all assets of this Association shall go and be distributed to an organization or association, fund or foundation organized and operated exclusively for charitable and religious purposes, and which organization is recognized as a tax exempt nonprofit corporation by the United States Internal Revenue Service; and it is expressly provided that no part of the property of this Association shall be distributed to any member, director, or officer of this Association, or to any individual or corporation except as above provided."

ARTICLE X

Interim Board of Directors

Prior to the election of a Board of Directors, its powers and remedies provided in the Declaration of Protective Restrictions may be exercised by an interim Board of Directors consisting of three directors to be appointed by Declarant.

ARTICLE XI

Amendments of Bylaws

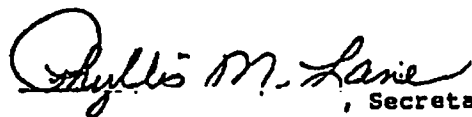
These Bylaws may be amended by a vote or written assent of both (a) a bare majority of a quorum of the voting power of the Association; and (b) a bare majority of the voting power of the Association residing in members other than Declarant.

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify:

- (1) That I am the duly elected and acting secretary of Ramona Community Association, a nonprofit California corporation; and
- (2) That the foregoing Bylaws comprising of 21 pages, constitute the original Bylaws of this association as duly adopted as the Bylaws of this association at the first meeting of the Board of Directors thereof duly held

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said association this 14th day of September 1978.


Secretary