



Lake Tyrone Improvement Association - Established 1949

LAKE TYRONE IMPROVEMENT ASSOCIATION

Articles of Incorporation
and
By-Laws

(Revised November, 2000)

Articles of Incorporation of Lake Tyrone Improvement Association

These Articles of Incorporation are signed and acknowledged by the Incorporators for the purpose of forming a non-profit corporation under the provision of Act. No. 326 of the Public Acts of 1931, known as the Michigan General Corporation Act, as follows:

Article I

The name of this corporation is Lake Tyrone Improvement Association.

Article II

The purpose or purposes of this corporation are as follows: To own, hold, manage, and control all submerged lands and lands surrounding the outlet and dam impounding the waters of Lake Tyrone, for the use, benefit, and enjoyment of the shareholders of the corporation; To maintain and improve the dam and outlet to said lake; To preserve, regulate, and control the level of the waters thereof; To beautify, protect, and preserve the submerged lands and lands surrounding such lake and to prevent any objectionable use thereof which will constitute a nuisance; To prescribe rules and regulations for the use of the waters of such lake; To limit shareholders at all times to bona fide owners of lakefront lots or parcels of land bordering on the waters of Lake Tyrone in the Townships of Hartland and Tyrone, Livingston County, Michigan; and to provide for the collection of dues from such shareholders for the carrying out of the objectives of the corporation.

Article III

The location of the corporation is Lake Tyrone, Townships of Hartland and Tyrone, in the County of Livingston, State of Michigan. Post Office Address of registered office in Michigan is P.O. Box 122 Hartland, MI 48353, Livingston County, Michigan. This corporation covers all property within:

Lake Tyrone Estates No.1 , Township of Tyrone
Lake Tyrone Estates No.2 , Township of Hartland
Lake Tyrone Estates No.3 , Township of Hartland
Lake Tyrone Estates No.4 , Township of Hartland
Lake Tyrone Estates No.5 , Township of Tyrone

Article IV

Said corporation is organized upon ownership of lakefront lots on Lake Tyrone.

a). Each lakefront lot with a tax ID number will equate to one membership in said corporation as long as the member is in good standing. The described lot will be known as a shareholder lot.

b). The amount of paid-in capital with which this corporation started business was \$1,000.00.

Article V

The term of this corporation is perpetual.

Article VI

No member or shareholder of the corporation shall have any proprietary interest in any of the assets thereof. In case of dissolution the assets of the corporation shall not be distributed to the members or shareholders thereof, but instead, after the payment of obligations, the then remaining assets of the corporation, real and personal, shall be conveyed, pursuant to the Cy Pres doctrine, and under the direction of a court of equity of competent jurisdiction, to a Michigan non-profit corporation formed for like or similar purpose, and having a term of existence as long as the laws of the State of Michigan then in force will permit.

IN WITNESS WHEREOF the incorporators have signed these Articles of Incorporation this 29th day of July AD 1949.

BY-LAWS

Amended through June, 1955
Amended through February, 1964
Amended through July, 1964
Amended through June 1972
Amended through July, 1979
Amended through February, 1990
Amended through November, 2000

PREAMBLE:

This corporation (Lake Tyrone Improvement Association) having been duly licensed by the State of Michigan, does hereby adopt the following:

Article I

MEMBERSHIP PRIVILEGES & OBLIGATIONS

- Section 1 - MEMBERSHIP - Membership in Lake Tyrone Improvement Association shall commence upon the purchase of a lot bordering Lake Tyrone, in the Townships of Tyrone, and Hartland, Livingston County Michigan. A "lot " is defined as the lakefront property associated to one property tax ID number (parcel code). Multiple lots joined together under one property tax ID number then become one lot, with the privileges and obligations of only one lot. Each lot entitles the owner to one vote on Association matters, if in good standing with the Association (as defined in Article I, section 6. No one person shall have the right to vote more than five (5) shares, regardless of the number of lake front lots which said may own. The term "person" shall include husband and/or wife, as one person per lake front lot. Membership is voluntary and ceases when the lot-owner is deemed not in good standing, as described in Article I, Section 3.
- Section 2 - SALE OF PROPERTY - Membership in the Lake Tyrone Improvement Association is automatically transferred to the new Purchaser of any lot on Lake Tyrone. The Seller is responsible for all outstanding obligations to the Association. The Purchaser is then entitled to all the privileges, rights and interest in the Association, but only after full compliance with all the provisions of the Articles of Incorporation and the By-Laws of the Corporation. The Seller (lot owner) is responsible for disclosing the existence of this corporation and the obligations of these By-Laws.
- Section 3 - ASSESSMENT - The Board of Directors may, by a majority vote of the shareholders in good standing, levy an annual assessment of not to exceed \$150.00 per lot upon all lot owners of record, for the purpose of defraying the cost and expense of carrying out the objectives of the corporation, as set forth in its Articles of Incorporation. This assessment must be paid within 60 days of the assessment notice or such member shall be deemed not to be in good standing, which would thereby strip the lot-owner of his/her membership in the Association, as described in Article I, Section I of the By-Laws.
- Section 4 - DELINQUENT MEMBERS - All members or others who become members of Lake Tyrone Improvement Association, by purchase of lot(s) on Lake Tyrone must keep all assessments current. Assessments become payable in advance the first (1st) day of February of each year.

- Section 5 - CORPORATE SEAL - The Board of Directors shall provide a suitable corporate seal, which shall be in the custody of and used by the Secretary/Treasurer.
- Section 6 - FISCAL YEAR - The fiscal year of the Corporation shall end on the 31st day of May in each year.

Article II

SHAREHOLDERS' MEETINGS

- Section 1 - TIME, PLACE, AND PURPOSE - Meetings of the Shareholders of the Corporation shall be held annually at a designated meeting place within the immediate vicinity, at a suitable time in the month of May of each year, for the purpose of electing directors and for the transaction of such other business as may be brought before the meeting, and to act on recommendations from the floor voted by the majority of the shareholders of the Corporation in good standing.
- A second meeting may be held at a designated meeting place within the immediate vicinity during the month of August for any necessary business of the Corporation that may need to be transacted.
- Section 2 - SPECIAL MEETINGS - Special Meetings of the lot owners may be called by the President or Secretary/Treasurer and shall be called by either of them at the request in writing or by a vote of a majority of the Board of Directors or at the request in writing by 45 shareholders in good standing.
- Section 3 - NOTICE - Written notice of any lot owners' meeting shall be mailed to each lot owner by the Secretary/Treasurer to his/her last known address as the same appears on the books of the Corporation or Township tax records, at least ten (10) days prior to any meeting and the notice of special meeting shall indicate briefly the purpose of the meeting.
- Section 4 - QUORUM - At any meeting of the shareholders, 45 shareholders of the corporation present in person, or represented by proxy (minimum age 18 years), shall constitute a quorum. Proxies must be registered with the Secretary/Treasurer prior to the meeting. Meetings at which less than a quorum are represented, may however, be adjourned to a further date by those who attend, without further notice than an announcement of such meeting, and when a quorum shall be present upon any such adjourned day, any business may be transacted at the meeting originally called.

Article III

DIRECTORS

- Section 1 - NUMBER, CLASSIFICATION AND TERM OF OFFICE -
The business and property of the Corporation shall be managed and controlled by the Board of Directors. The number of Directors shall be 7, but the number may be changed from time to time by the alteration of these By-laws. At the annual meeting, three (3) or four (4) new Directors shall be elected for a two (2) year term. Any vacant director positions will also be elected for the remainder of the unexpired term. Directors elected are to take office at the conclusion of the annual meeting and terms to expire two (2) years hence or until successors are elected.
- Section 2 - MEETINGS - Meetings of the Board of Directors may be called at any time by the President or Secretary, or by a majority of the Board of Directors. Directors shall be notified of the time, place and purpose of all meetings of the Board.
- Section 3 - PLACE OF MEETING - The Directors may hold their meeting in such a place or places within Lake Tyrone area or an area designated as close as possible to the residences of the majority of the Board of Directors, and as often as the Directors may deem necessary.
- Section 4 - QUORUM - A majority of the Board of Directors shall constitute a quorum for the transaction of business. If at any meeting the Board of Directors there is less than a quorum present, a majority of those present may adjourn the meeting.
- Section 5 - COMPENSATION - Directors to receive \$75.00 per year, providing the director shall not miss more than two board meetings. No director shall collect for more than one appointment.
- Section 6 - INDEMNIFICATION - The Corporation will indemnify each Board member for action taken while carrying out the business of the Corporation.

Article IV

OFFICERS

- Section 1 - The Board of Directors shall at their regular annual meeting elect a President, Vice-President, and Secretary/Treasurer. Such officers shall be elected for one-year terms. However, such officers must be members of the Board of Directors. The Secretary/Treasurer shall perform the duties of both Secretary and Treasurer, as set forth in Article V of the By-Laws. The President and Secretary/Treasurer shall receive as compensation not more than the sum of five hundred (\$500.00) dollars per year. The financial records of the Secretary/Treasurer shall be available at every Director's meeting and shall be examined by at least two other directors, who must affix their signatures as approving said records at such meetings.
- Section 2 - All Chairpersons of Committees shall be appointed by the majority vote of the Board of Directors. Any Committee Chairperson so appointed shall have the right to appoint any and all members of such committees to assist in the operation of such Committee.

Section 3 - All members of the Board of Directors and officers of the Corporation must be in good standing at the time of their election and during their period of office.

Article V

DUTIES OF OFFICERS

- Section 1 - **PRESIDENT** - The President shall be the chief executive officer of the Corporation, and in the recess of the Board of Directors shall have the general control and management of the business and affairs, subject, however, to the right of the Board of Directors to delegate any specific power except such as may be statute exclusively conferred upon the President to any other officer or officers of the Corporation. He/she shall preside at all meetings of the Directors and all meetings of the shareholders, unless otherwise determined by a majority of all the shareholders, present in person or by proxy. The President must be duly elected member of the Board of Directors.
- Section 2 - **VICE-PRESIDENT** - In case the office shall become vacant by death, resignation, or otherwise, in the case of the absence of the President, or his/her disability to discharge the duties of the office, said duties shall, for the time being, devolve upon the Vice-President, who shall so and perform such other acts as the Board of Directors any, from time to time, authorize him/her to do. The Vice-President must be a duly elected member of the Board of Directors.
- Section 3 - **SECRETARY / TREASURER** - The Secretary/Treasurer must be a duly elected member of the Board of Directors. He/she shall be bonded in an amount, which will be determined by the Board of Directors. He/she shall have custody and keep account of all money, funds and property of the Corporation. He/she shall keep the minutes of all the meetings of the lot owners and the Board of Directors in books provided for that purpose. He/she shall attend to the giving and receiving of all notices of the Corporation. He/she shall deposit all funds of the Corporation, which may come into their hands in such bank or banks as the Board of Directors may designate. He/she shall keep the bank accounts in the name of the Corporation, and shall exhibit the books and accounts, at all reasonable times, to any Director of the Corporation upon application at the office of the Corporation during business hours. He/she shall sign with the President, in the name of the Corporation, all contracts authorized by the Board of Directors, and when necessary, shall offer the corporate seal of the Corporation thereto. He/she shall have charge of official documents and papers as the Board of Directors may direct. He/she shall pay out money as the business may require, making proper vouchers therefore; provided, however, that the Board of Directors shall have power by resolution to delegate any of the duties of the Secretary/Treasurer, to the officers, and to specify what officers, if any, bills, notes, checks, vouchers, orders or other instruments shall be countersigned. He/she shall perform in addition, such other duties as may be delegated to them by the Board of Directors.

Article VI

HUNTING, FISHING, AND BOATING, Etc.

- Section 1 - HUNTING - No hunting shall be allowed on the premises and land owned by the corporation.
- Section 2 - FISHING AND FISH LIMITATIONS - All lot owners and/or family members, guests, etc. are subject to any and all laws of the State of Michigan pertaining to the catching of fish.

Section 3 - WATERCRAFT REGISTRATIONS - All watercraft must be registered per State of Michigan boat registration regulations.

Section 4 - SPEED LIMITS AND WATER SKIING - The operation of all powerboats and water skiing shall be in accordance with Federal, local, and State Safety Regulations and shall be rigidly enforced.

Section 5 - USE OF PREMISES - Leasing, sub-leasing, or renting of premises does not constitute assignment of shareholder rights in the Lake Tyrone Improvement Association. Such lessee or tenant does not have any right to any of the privileges of the member or use of association property, etc.

Section 6 - ICE SHANTIES - Ice shanties, owner identified, are subject to Michigan State Regulations. Shanties may be stored so as not to be deterrent to the beauty of the lake. Removal of ice shanties is the responsibility of the owner.

Article VII

Section 1 - WATER SAFETY - Is the responsibility of all lot owners. The Livingston County Sheriff shall be allowed access to Lake Tyrone for the purpose of enforcing safe boating practices.

Section 2 - CARETAKER - The Board of Directors shall by a majority vote have the right to appoint a caretaker for the corporation property. The caretaker must be a permanent resident of Lake Tyrone. The Board, prior to his appointment, shall spell out his duties. However, the appointment of such a person shall not make the corporation responsible for any loss, which may occur to any of the lot owners during the term of such caretaker.

Section 2A - TERM AND REMUNERATION - The caretaker shall receive a wage as determined by the Association membership. The Board of Directors may by a majority vote terminate the services of said caretaker at any time for just cause.

Section 2B - BOARD MEMBERS AS CARETAKERS - Members of the Board of Directors shall act as caretakers when deemed necessary; i.e., trespassing, etc.

Article VIII

LAND AND USE RESTRICTIONS VALID DEED RESTRICTIONS

- Section 1 - The restrictions herein provided for shall be in addition to any and all restrictions in any zoning ordinance covering property in the Townships of Hartland and Tyrone, Livingston County, Michigan.
- Section 2 - The purpose of these restrictions is to insure the use of the property for attractive residential purposes only, to prevent nuisances, to prevent the impairment of the attractiveness of the property, and thereby to secure to each lot owner the full benefit and enjoyment of his home.
- Section 3 - No lot in said subdivision shall be used for other than residential purposes. No manufacturing or commercial enterprise, or enterprise of any kind, shall be maintained upon, in front of, or in connection with any lot in said subdivision.
- Section 4 - Neither purchaser nor any one claiming by, through, or under said purchaser shall subdivide any lot in said subdivision, exception Lot No. 120 which may, at the option of the owner or owners, be divided into two equal parts; the dividing line shall run East and West through the center of said Lot and this shall be construed as two separate lots and all restrictions shall apply as herein set forth. This does not impair the rights of the parties of the first part of their assigns to enforce all other restrictions as recorded on said subdivisions bordering Lake Tyrone.
- Section 5 - All buildings, fences and other structures erected or placed upon any lot in said subdivision shall be of attractive design; and before any work upon such buildings, fences, or structures is commenced, the design shall be submitted to and approved in writing by the current Board of Directors.
- Section 6 - Disposal of sewage must be through The Lake Tyrone Sanitary Drain System. All sewage disposal must comply with all Township ordinances. Garbage and refuse or rubbish of any sort shall be disposed of in an inoffensive, odorless, and sanitary manner. Disposed of in such a way as not to be a nuisance through unsightly or offensive accumulation, through the breeding of flies, or otherwise.
- Section 7 - All domestic animal life maintained on said lots shall have such provisions and care as not to become offensive to neighbors.
- Section 8 - No billboards, signboards, or unsightly objects of any kind shall be maintained on any lot, or in or over the lake.
- Section 9 - Neither purchaser nor any one claiming by, through, or under said purchaser shall keep or maintain a houseboat on the lake.
- Section 10 - No right of way of purposes of travel of any kind upon or across any lot in said subdivision shall be granted by purchaser or any one claiming any right, title of interest by, or under him or any subsequent owner or holder of any lot in said subdivision. Multiple ownership by more than one family is prohibited.
- Section 11 - Said purchaser covenants that should he at any time commence the erection of a building or other structure upon any lot in said subdivision, he will press the work to completion within one (1) year for the outer shell, or failing in that, will remove the

partially finished structure and not allow the same to remain in an unfinished and unsightly condition for six (6) months; and should any building or other structure on said premises, whether completed or in the process of construction be damaged, destroyed or left in a ruined condition by fire, storm, explosion, or other causes, purchaser will remove the ruins and rubbish or repair the damaged structure within six (6) months of damage and restore premises to a sightly condition.

Section 12 - No residence building shall be erected on any lot in said subdivision which provides for less than Township and County restrictions as to first floor area exclusive of any porch area or garage area, or area in any accessory building. Residence buildings erected on any lot in said subdivision shall set back at least 40 feet from front lot line (road side) and at least 40 feet from the lakefront, and at least 10 feet from the side lines. When two lots are used for the purpose of erecting a single residence thereon, they may at the option of the owners, be construed as a single lot. Only one residence building and one garage building will be allowed on any one lot; and such other buildings as may be necessary or desirable. and in determining what other buildings are necessary or desirable, the judgment of the original plat owners or their assigns shall control.

Section 12A - The residence building shall be the first building begun and the first building completed on any lot in said subdivision as per time limit. (See Article VIII - Section II).

Section 13 - No boathouse shall be erected.

Article IX

Amendments

Section 1 - The majority of the lot owners present at a meeting, which shall consist of a quorum (45) may alter, amend, add to, or repeal these By-laws.

Article X

Section 1 - At any duly authorized meeting of the lot owners, any of the following officers of the Corporation: President, Vice President, or Secretary / Treasurer, may be removed for just cause by a majority vote of said shareholders or Board of Directors.

The By-Laws of Lake Tyrone Improvement Association were revised by the Board of Directors, submitted to the lot owners and approved by a majority of the lot owners by written ballot on the following dates:

December 1979
April 1990
November, 2000