

By-Laws of the HARBOR DRIVE HOMEOWNERS ASSOCIATION

Article I - Name

This Association will be known as the HARBOR DRIVE HOMEOWNERS ASSOCIATION, and will hereinafter be referred to simply as the "ASSOCIATION".

Article II - Purpose

The purpose of this ASSOCIATION is to promote the best interests of the property owners and residents of Harbor Drive and, in a broad way, to foster, further, advocate and protect the welfare of the area as a residential section; to encourage all propositions that may be deemed helpful to the development of the area; to discourage and oppose all propositions that may be detrimental to the residents and property owners of the area; provided, however, the powers granted herein be confined to those permissible by a nonprofit corporation which is tax exempt under Section 501 (c)(3) of the Internal Revenue Code.

In clarifying the ARTICLES, the purpose of the ASSOCIATION, in addition, is to maintain and improve the relations of the members of the ASSOCIATION and their enjoyment of the area and also:

1. To maintain the ASSOCIATION as a nonprofit corporation in Michigan.
2. To provide and promote the maintenance and improvement of Mann Road and Harbor Drive as deemed necessary by the ASSOCIATION.
3. To promote fellowship of the members of the ASSOCIATION.

Article III - Definitions

Section 1. Owner

The term "owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any lot which is located along Harbor Drive, Chesterfield Township, Macomb County, Michigan, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 2. Member in good standing

The term "member in good standing" shall refer to an owner of a lot who is not delinquent for payment of fees assessed by the ASSOCIATION.

Article IV - Membership

Any owner whose property is located along Harbor Drive, Chesterfield Township, Macomb County, Michigan shall be considered a member of the ASSOCIATION.

In addition, membership shall be appurtenant to and may not be separated from ownership of any lot which is subject to the ASSOCIATION.

Article V - Governing Body

Section 1. Number

The property and lawful business of the ASSOCIATION shall be held and managed by the Board of Directors, consisting of five (5) members: namely, the President, Vice-president, Secretary, Treasurer and the immediate past President. Such directors/officers must be members of the ASSOCIATION.

Section 2. Elections

The Directors/Officers shall be elected for a term of one (1) year, with such election to take place at the annual meeting of the membership to be held on the first Wednesday in October. In the event that a holiday conflicts with a meeting date, then the meeting date shall be changed accordingly.

Election to each position shall be by a majority of the members present and who are also in good standing.

Section 3. Nominations

Nominations for office shall be made from the floor at the election meeting by any member of the ASSOCIATION in good standing.

Section 4. Vacancies

Vacancies in the Board of Directors/Officers shall be filled by appointment by the remaining members of the board, and each person so appointed shall be a Director/Officer until their successor is elevated by the members entitled to vote in an election, who make such election at the next annual meeting of the members, or at any special meeting thereof duly called for that purpose and held prior thereto.

Section 5. Compensation

No Director/Officer shall receive compensation for any service rendered the ASSOCIATION. However, any Director/Officer may be reimbursed for actual expenses incurred in the performance of their duties.

Section 6. Removal of Officers

Any Director/Officer or Director may be removed, with or without cause, by a majority vote of the members of the ASSOCIATION in good standing and present at the meeting duly called for that purpose.

Article VI - Meetings of the Directors

Section 1. Regular Meetings

Regular meetings of the Board of Directors shall be held monthly at such date, place and hour

as may be fixed from time to time by resolution of the Board.

Section 2. Special Meetings

Special meetings of the Board of Directors shall be held when called by the President or any two (2) Directors after not less than two (2) days notice to each Director.

Section 3. Quorum

A majority of the Board of Directors shall be necessary to constitute a quorum for the transaction of business and the acts of a majority of the Directors present at a meeting at which a quorum is present shall be the acts of such Board: Provided that if the Directors shall severally and/or collectively consent in writing to any action to be taken by the ASSOCIATION, such action shall be as valid a corporate action as though it had been authorized at a meeting of the Board.

Article VII - Powers and Duties of Directors

Section 1. Powers

The Board of Directors shall have the power to:

- a) Exercise for the ASSOCIATION all powers, duties and authority vested in or delegated to this ASSOCIATION and not reserved to the membership by other provisions of these by-laws, the Articles of Incorporation or the declarations recorded with the Macomb County Register of Deeds.
- b) Appoint and/or employ such agents or other persons or committees in a rational manner as may be deemed necessary for the transaction of the business of the ASSOCIATION.
- c) Spend such sums as are reasonable and necessary for snow plowing.
- d) For items other than snow plowing, to expend up to \$1000.00 without the prior approval of the ASSOCIATION members.

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 each annual meeting or any special meeting.
- b) Supervise all officers, agents and employees of the ASSOCIATION, and to see that their duties are properly performed.

Article VIII - Officers

Section 1. President

The President shall be the chief executive of the ASSOCIATION and shall preside over all the meetings of the Board and of the members. The President shall have the general and active management of the business of the ASSOCIATION and shall see that all orders and resolutions of the Board and members are carried into effect. The President shall be the spokesperson for the ASSOCIATION.

Section 2. Vice-president

The Vice-president shall be an aide to the President and shall perform the duties and exercise the powers of the President during the absence or disability of the President or the refusal of the President to act and shall exercise and discharge any other duties as may be required by the Board.

Section 3. Secretary

The Secretary shall have the possession of the books and records of the ASSOCIATION and shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep accurate and current records showing the members of the ASSOCIATION with their addresses; serve notice of meetings of the Board of Directors and of the members; and shall perform any other duties as required by the Board.

Section 4. Treasurer

The Treasurer shall receive and deposit in appropriate bank accounts all monies of the ASSOCIATION and shall disburse funds as directed by resolution of the Board of Directors; keep proper books of account and shall render an account of all transactions as the Treasurer and the financial condition of the ASSOCIATION whenever requested by the President or the Board of Directors. The Treasurer shall be bonded for an appropriate amount decided upon by the Board; however the Board can waive the bonding requirements should it see fit.

Article IX - Meetings

Section 1. General

Any business brought before the members for voting at an official meeting shall require a majority vote of those members present who are eligible to vote, except as otherwise provided in these by-laws or by declaration or by statute which by-laws are unable to amend for use, in order to pass.

Section 2. Voting

Each household in good standing with the ASSOCIATION shall have one (1) voting member; however, only members present at a meeting shall be entitled to vote.

Section 3. Notice of Meetings

At least ten (10) days prior to each regular or special meeting of the members, written notice of the time, place and purpose of such meeting shall be mailed by the Secretary to each member or served personally upon such member. The Secretary shall further file a proof of service with

the ASSOCIATION by placing such in the file, indicating that service was made upon all members.

Section 4. Annual Meetings

An annual meeting of the membership shall be held on the first Wednesday of October at a time and place designated by the Board of Directors. In the event that a holiday conflicts with a meeting date, then the meeting date shall be changed accordingly.

Section 5. Order of Business

The order of business at the annual meeting will be as follows:

- a) Roll call.
- b) Reading of the notice and proof of mailing or service.
- c) Reading of minutes of the last meeting.
- d) Report of Directors/Officers.
- e) Election of Directors/Officers where necessary.
- f) Old business.
- g) New business.
- h) Adjournment.

Conduct and procedure for the meetings, general or special, shall be in accord with Robert's Rules of Order.

Section 6. Agenda

The agenda for each meeting shall be prepared by the Board. Any member of the ASSOCIATION wishing to place an item on the agenda shall notify the President in writing of the substance of such item and such item shall be placed on the agenda for the next membership meeting. In the case of the annual meeting, such notification to place such an item on the agenda shall be made to the President in writing at least 15 days prior to the meeting.

Section 7. Special Meetings

A special meeting of the members may be called at any time by the President, by a majority of the Board of Directors or by twenty (20%) percent of the members in good standing. Upon receipt of a specification in writing setting forth the date and objects of such a proposed meeting, signed by the President or a majority of the Board of Directors or by twenty (20%) percent of the members in good standing, the Secretary or other members of the Board shall prepare, sign and cause to be delivered the proper notice requisite to such a meeting.

Section 8. Organizational Meeting of the Board

Within ten (10) days after the October meeting, the outgoing Directors/Officers shall meet with the incoming Directors/Officers for the purpose of creating a functioning successor governing body and so that all materials and unfinished business can be turned over to the new Directors/Officers.

Article X - Amendment of By-Laws

The by-laws of the ASSOCIATION may be amended, altered or repealed at any regular or

special meeting of the members of the ASSOCIATION called for that purpose by majority of those present at the meeting and eligible to vote. The Board of Directors/Officers shall have no authority to amend, alter or repeal the by-laws.

Article XI - Miscellaneous

Section 1. Fees

All lot owners shall be required to pay fees to the ASSOCIATION in the following manner:


- a) As to snow plowing, such amounts as provided by the Board of Directors.
- b) As to any additional fees, such amounts as are approved by the vote of a 2/3 majority of members present and entitled to vote at a meeting.

Section 2. Approval

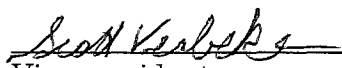
These By-laws are proposed and approved by a vote the HARBOR DRIVE HOMEOWNERS ASSOCIATION, on this 26 day of January, 2014



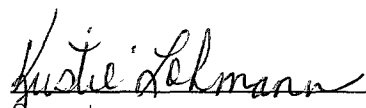
President



Treasurer



Vice-president



Secretary

Macomb County Abstract Office

(Plant owned by Burton Abstract and Title Company)

Mount Clemens, Michigan

ca This certificate attached to abstract No. 17337 shows that upon a careful examination of the records in the office of the Register of Deeds for Macomb County, Michigan, there appear no instruments filed therein from government to May 23, 1945 at 7:00 a.m. other than those shown herein, which describe the following real estate:

Lots Numbered 69 and 109 of Anchor Bay Harbor Subdivision of part of Private Claims 192 and 193 Town 3 North, Range 14 East, Chesterfield Township, Macomb County, Michigan, according to the plat thereof recorded in Liber 20 of Plats, page 47, Macomb County Records.

Order No. 17337

Last entry No.

BURTON Macomb County Abstract Office Co.

Per



Vice-President

ABSTRACT

No. 17337
ca

Mount Clemens, Mich., May 23 19 45

at 7:00 a.m.

We hereby certify that there are no unredeemed sales (except as specified below) of the following described property for State, County, Township or School taxes, assessed since the year 1890, for Macomb County, Michigan:

Lots Numbered 69 and 109 of Anchor Bay Harbor Subdivision of part of Private Claims 192 and 193 Town 3 North, Range 14 East, Chesterfield Township, Macomb County, Michigan, according to the plat thereof recorded in Liber 20 of Plats, page 47, Macomb County Records.

Macomb County Abstract Office
(Plant owned by Burton Abstract and Title Company)

Taxes for the years 1890 to 1929 inclusive, paid as shown by the record in the office of the Treasurer of Macomb County:
State-County Taxes for the years 1930 to 1933 inclusive, Sold May 1938 Bid to State and Deeded to State November 3, 1939.
State-County Taxes for the years 1934 to 1939 inclusive, Cancelled Deeded to State November 3, 1939.
State-County Taxes for the years 1940 to 1943 inclusive, PAID.
State-County Taxes for the year 1944, UNPAID.

This Tax History does not cover any special or other Tax Assessments unless returned delinquent to the office of the Macomb County Treasurer.

BURTON

Macomb County Abstract Office Co.

By A. J. Bennett

Vice-President

MICHIGAN ANNUAL REPORT

OF

F. P. E. NOTEHOLDERS' CORPORATION

In the Office of the Clerk for
the County of Wayne

File No. 50245

Michigan Annual Report for 1945 filed in the County Clerk's Office
Wayne County, Michigan, on April 25, 1946, showing conditions on
October 31, 1944 and filed with the Michigan Corporation and
Securities Commission on August 31, 1945.

BURTON ABSTRACT AND TITLE COMPANY

and every lot owner, in common with all other lot owners in said subdivision, and of no other person.

j. No canal or road in said subdivision shall be used in such a manner as to injure same or the rights of other persons to the use thereof.

k. No boat shall be operated in any canal at a speed greater than six miles per hour.

l. No waste, destruction, or nuisance shall be committed on any property in said subdivision.

m. No lot in said subdivision shall be graded to a height greater than 18 inches above level of the road adjoining said lot

n. No driveway shall be constructed over any road drain on any road in said plat including Jefferson Avenue without installing 12" sewer crock on Jefferson Avenue and on all other roads, for drainage purposes, nor shall any drain be filled without first installing crock as above provided.

o. The following covenants and restrictions shall apply to each and every lot in the subdivision, except Lots No. 1, 90, 204, 255, 256, 257, 258, 311, 312, 313, 314, 315 and 733.

(o-1) There shall be erected and maintained in said subdivision only single private dwellings having solid masonry foundations, slate, wood or composition roofs; and brick or stone chimneys.

(o-2) All buildings shall face the front lot line of each respective lot, and the front wall of any building shall not be erected at a lesser distance from the front lot line than that shown on the plat of said subdivision and no side walls of any buildings shall be erected at a lesser distance than ten feet from any boundary line of any lot. Front lot lines shall be indicated by the set back line on the plat of said subdivision

(o-3) The main portion of any building erected in said subdivision shall contain floor area of not less than five hundred seventy-five (575) square feet and shall have a ceiling height of eight (8) feet or more.

(c-4) A right of ingress from and egress to the waters of Anchor Bay shall be granted to all lot owners and purchasers, over Lot No. 39.

(c-5) No trees or dirt shall be removed from any lot in said subdivision without the written consent of the seller, or the Seller's Agent.

BURTON ABSTRACT AND TITLE CO.

LOTTIE M. SCHMIDT, INCORPORATED
BY: BETTY C. NIEMETTA, PRESIDENT
ARNOLD SCHMIDT, SECRETARY

TO
SOUTHEASTERN MICHIGAN GAS
COMPANY, A MICHIGAN CORPORATION
OF 937 MILITARY STREET,
PORT HURON, MICHIGAN

Easement for Gas Mains
Liber 1065, page 94, Deeds
Dated June 26, 1956
Acknowledged June 26, 1956
Recorded July 26, 1956
Register No. 296041

A perpetual easement is hereby granted to Southeastern Michigan Gas Company, a Michigan Corporation of 937 Military Street, Port Huron, Michigan, its successors and assigns to install, operate and maintain in the private streets, roads, and alleys in Anchor Bay Harbor Subdivision, Chesterfield Township, Macomb County, Michigan, all necessary gas mains, pipes and appurtenances for the transmission, distribution and sale of natural gas.

All construction shall be in a careful and workmanlike manner, and upon completion, the surface of the streets shall be restored to as nearly as possible to its original condition.

IN WITNESS WHEREOF these presents have been executed this 26th day of June. A.D. 1956.

LOTTIE M. SCHMIDT,
INCORPORATED

By: Betty C. Niemetta, President
Arnold Schmidt, Secretary,

Signed and sealed in behalf of said Corporation by Authority of its Board of Directors.

BURTON ABSTRACT AND TITLE COMPANY

MACOMB REGIONAL OFFICE

ABSTRACT CERTIFICATE

BURTON ABSTRACT AND TITLE COMPANY hereby certifies that the foregoing entries designated under Certificate Number MC. 22980 , numbered 1 to 3 Inclusive,

are true and correct abstracts of all matters hereinafter specified containing a legal description, (excluding description by street and number) of the following real estate situated in the Township of Chesterfield, Macomb County, Michigan

Lots 69 and 109 of----ANCHOR BAY HARBOR a subdivision of part of P.C.'s 192 & 193 T. 3 N.R. 14 E. Chesterfield Twp. Macomb Co., Mich. Rec'd Plat L.20-P.47, M.C.R.

The matters referred to above include all instruments and proceedings (except any instrument filed as a chattel only and except Master Plans and other plans for local or regional development) filed or recorded during the period covered by this Certificate in the office of the Register of Deeds, office of the Probate Court, and office of the County Clerk, all of the County of Macomb. Said matters also include all Federal Tax Liens (regardless of whether they contain a legal description of the real estate described above) filed or recorded against any individual or corporation appearing in the chain of title during the time any interest in the title appears to have been held by such individual or corporation filed or recorded in the office of the Register of Deeds of Macomb County, and including liens filed in the office of the Clerk of the Federal District Court, Eastern District of Michigan, Southern Division, from August 13, 1954 to August 11, 1956.

All deeds, mortgages, assignments and discharges of mortgage are signed, acknowledged and witnessed by two witnesses, unless otherwise shown.

STATEMENT OF TAXES

THE UNDERSIGNED further certifies that the following is a true and correct statement of unredeemed tax sales, unpaid current taxes and special assessments shown by the records in the Office of the Treasurer of Macomb County for the period covered by Abstract Certificate (or from the date of the preceding Tax Statement) and covering land above described, unless otherwise indicated hereon:

NONE: (Including taxes previously recited unpaid)
County Taxes for the year 1965 not examined.

SPECIAL ASSESSMENTS NOT EXAMINED

This tax history does not cover any special or other tax assessments unless returned delinquent to the office of the Macomb County Treasurer.

PERIOD COVERED by This Certificate

From May 23, 1945 at 7:00 a.m. To December 13, 1965 at 8:00 a.m.

BURTON ABSTRACT AND TITLE COMPANY

Margery C. Griffin
Authorized Signature.

Instruments (however designated) filed in the office of the Register of Deeds as "financing statements" pursuant to the Uniform Commercial Code (PA 1962, No. 174, effective January 1, 1964) are not included

BURTON ABSTRACT AND TITLE COMPANY

MACOMB REGIONAL OFFICE

ABSTRACT CERTIFICATE

BURTON ABSTRACT AND TITLE COMPANY hereby certifies that the foregoing entries designated under Certificate Number MC. 24925, numbered ~~XXX~~ none ~~XXXXXX~~

are true and correct abstracts of all matters hereinafter specified containing a legal description, (excluding description by street and number) of the following real estate situated in the Township of Chesterfield, Macomb County, Michigan

Lots 69 and 109 of-----ANCHOR BAY HARBOR a subdivision of part of P.C.'s 192 & 193 T. 3 N.R. 14 E. Chesterfield Twp. Macomb Co., Mich. Rec'd Plat L.20-P.47, M.C.R.

The matters referred to above include all instruments and proceedings (except any instrument filed as a chattel only and except Master Plans and other plans for local or regional development) filed or recorded during the period covered by this Certificate in the office of the Register of Deeds, office of the Probate Court, and office of the County Clerk, all of the County of Macomb. (Said matters also include all Federal Tax Liens (regardless of whether they contain a legal description of the real estate described above) filed or recorded against any individual or corporation appearing in the chain of title during the time any interest in the title appears to have been held by such individual or corporation filed or recorded in the office of the Register of Deeds of Macomb County, and including liens filed in the office of the Clerk of the Federal District Court, Eastern District of Michigan, Southern Division, from August 13, 1954 to August 11, 1956.)

All deeds, mortgages, assignments and discharges of mortgage are signed, acknowledged and witnessed by two witnesses, unless otherwise shown.

STATEMENT OF TAXES

THE UNDERSIGNED further certifies that the following is a true and correct statement of unredeemed tax sales, unpaid current taxes and special assessments shown by the records in the Office of the Treasurer of Macomb County for the period covered by Abstract Certificate (or from the date of the preceding Tax Statement) and covering land above described, unless otherwise indicated hereon:

NONE: County taxes for the year 1965, PAID.

SPECIAL ASSESSMENTS NOT EXAMINED

This tax history does not cover any special or other tax assessments unless returned delinquent to the office of the Macomb County Treasurer.

PERIOD COVERED by This Certificate

December 13, 1965 at 8:00 a.m. To August 29, 1966 at 8:00 a.m.

BURTON ABSTRACT AND TITLE COMPANY

By Margery C. Griffin
Authorized Signature.

Instruments (however designated) filed in the office of the Register of Deeds as "financing statements" pursuant to the Uniform Commercial Code (PA 1962, No. 174 effective January 1, 1964)