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SPRINGFIELD COMMONS HOMEOWNERS ASSOC
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**AMENDMENT TO THE
BYLAWS
OF
SPRINGFIELD COMMONS HOMEOWNERS
ASSOCIATION**

January 3, 2019

An Amendment to the By-Laws of The Springfield Commons Homeowners Association

Recorded in Centre County Record Book 2166, page 131.

**AMENDMENT TO THE
BYLAWS
OF
SPRINGFIELD COMMONS HOMEOWNERS
ASSOCIATION**

THIS AMENDMENT, made this 3rd day of January 2019, under Article IX of the By-Laws of Springfield Commons Homeowners Association, adopted July 14, 2015, hereby amends the Association's By-Laws, as follows:

**Article I
Board of Directors**

Section 1 - Identification

These are the By-Laws of the Springfield Commons Homeowners Association, a corporation not for profit (herein referred to as the "Association."). The Association has been organized for the purpose of owning, operating, and administering the easements of enjoyment at "Springfield Commons", as those terms are defined in the Declaration of Planned Community for Springfield Commons ("Declaration").

Section 2 - Organization

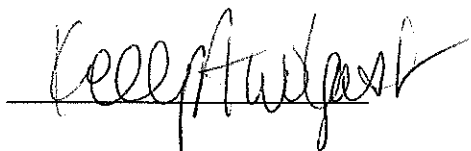
1. The entire management of the Springfield Commons Homeowners Association, its affairs, properties, and assets are vested in a Board of Directors, consisting of not more than seven (7) members of the Springfield Commons Homeowners Association, elected as provided in Article IV, Section 2, subject to the mandates of the voting members at their meetings called for the purpose of acting upon the affairs of the Association.

2. For designation, the Board of Directors will hereinafter be referred to as the Board.

President:



Secretary:




Section 3 - Powers

1. All decisions of the Board shall be the majority vote of the Directors present except where otherwise provided.

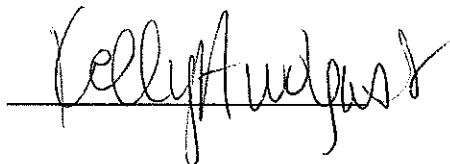
2. In addition to any and all powers conferred upon the Board by law, and by the Articles of Incorporation of the Association, these By-Laws without in any manner or degree abrogating, limiting or modifying any such powers, grant to the Board the following authority:

- a) To hear and determine charges made against any homeowner, full and final authority being hereby granted to reprimand any member in accordance with Article VII, Section 4. Any homeowner may be privately disciplined for cause upon the affirmative vote of a majority of the Board.
- b) To elect from its members a Chairman, a Co-chairman, a Secretary, and a Treasurer, annually at its first meeting after the Annual Election of Board Member's Meeting in each year as prescribed in Article IV, Section 2.
- c) To make or authorize the purchase of materials or supplies and to contract for whatever may be reasonably required in the operation and maintenance of the Homeowners Association and its properties.
- d) To remove a Director from the Board for a cause. Examples may include, but are not limited to: missing (3) meetings of the Board without approval in a year's time; misdemeanor or felony arrest; or the declaration by a court of law that a member is incapacitated or of unsound mind. A Board Member may also be removed with or without cause upon a sixty-six and two-thirds (66 2/3%) percent vote of lot owners.
- e) In the event of a Board Vacancy, the Board shall fulfill the remaining term of the vacant Board position in accordance with Article IV of these bylaws.
- f) At the first meeting of each year, the board shall schedule regular Association meetings in accordance with Article V, Section 2 of these bylaws. The Board shall also set a schedule for regular meetings of the Board as referenced in Article V, Section 5.

President:



Secretary:



- g) To employ at any time one (1) or more Certified Public Accountants, not necessarily members of the Association, to audit the books of the Association or any officer, employee, committee, or agent thereof.
- h) To elect a presiding officer in the event that the Chairman position is vacant.

Article II

Officers

Section 1 – Titles.

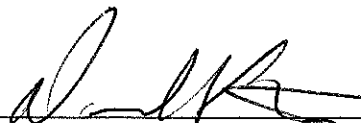
1. The Officers of the Association shall be Chairman, Co-chairman, a Secretary, and a Treasurer, elected as provided in Article IV, Section 2.
2. One (1) person may not hold two (2) offices of the Board.

Section 2 – Duties of the Chairman.

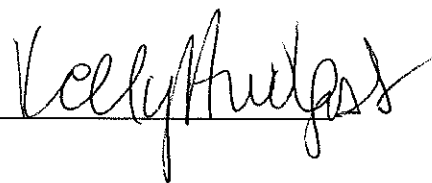
1. The Chairman shall be the chief appointed officer of the Association, performing any and all legal duties under the Declaration and incident to the corporate office of the Chairman.
2. The Chairman shall preside at all meetings of the Association and the Board of Directors.
3. The Chairman shall call special meetings of the members of the Association as provided in Article V, Section 3.
4. The Chairman shall enforce By-Laws and covenants of the Association and shall, by and with consent and approval of the Board, have the right to appoint or employ all officers and employees not otherwise herein provided for.
5. With the consent and approval of the Board of Directors, the Chairman shall appoint all committees. The Chairman shall be an ex-officio member of all such committees.
6. With the Secretary, and in the capacity as Chief Executive Officer of the Corporation, the Chairman shall sign all written contracts, obligations, and instruments of the Association and shall have charge of the general supervision of the Association.

The Chairman shall perform all other such duties as properly may be required by the Board.

President:



Secretary:



Section 3 – Duties of the Co-Chairman.

1. In the absence of the Chairman, the Co-Chairman shall perform all of the Chairman's duties; and if the Chairman shall become vacant, the Co-Chairman shall hold the office of Chairman until the next election, or until the vacancy is filled by the action of the Board.

Section 4 –Duties of the Secretary.

1. The Secretary shall perform any and all legal duties under the Declaration and incident to the corporate office of Secretary.

2. The Secretary shall be the custodian of the corporation and shall sign or countersign all such instruments as may require a signature as a corporate officer of the Association.

3. The Secretary shall conduct or cause to be conducted all official correspondence of the Association and shall see that such correspondence is properly preserved and filed until otherwise disposed of by the Board.

4. The Secretary shall issue, or cause to be issued, all notices of all meetings of members or Directors, and shall keep the minutes and records thereof.

5. The Secretary shall keep or cause to be kept a corporation record book in which shall be entered an accurate history of all resignations of members or officers and all membership forfeitures, suspensions and expulsions, together with accurate listings of all members' names, home and email addresses, and telephone numbers, as well as the date when each was elected to membership.

6. The Secretary shall be responsible for posting all Association notices in whatever place on the Association premise may be designated by the Board.

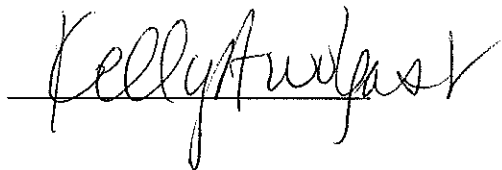
7. The Secretary will be notified, in writing, by the management company of any resident delinquencies and their unpaid indebtedness. The Secretary will then direct the management company in the communication to the respective delinquent resident.

8. The Secretary shall perform all other duties that the Board of Directors shall assign.

President:



Secretary:



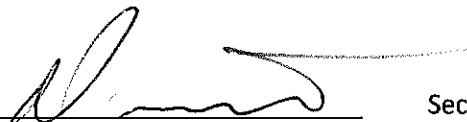
Section 5 – Duties of the Treasurer.

1. The Treasurer shall perform any and all legal duties under the Declaration and incident to the corporate office of Treasurer.
2. The Treasurer shall sign and countersign all such instruments as may require the Treasurer's signature as a corporate officer.
3. The Treasurer shall be the custodian of all Association Funds, receiving all fees and dues collected and depositing all funds in a depository to be designated by the Board.
4. The Treasurer shall disburse the Association Funds as authorized by the Board. The Treasurer shall keep or cause to be kept proper vouchers of all sums disbursed and complete and regular accounts in accordance with a system satisfactory to the Board of Directors.
5. Upon request by the Board, the Treasurer shall submit to the Board complete information as to the financial condition of the Association and, at meetings of members, shall submit a complete and comprehensive statement of the Association's financial affairs.
6. The Treasurer shall perform all other such duties as may properly be assigned by the Board of Directors.
7. The Board may use the services of a managing agent to carry out the above-described Treasurer's duties. The Treasurer will still maintain oversight if these duties.

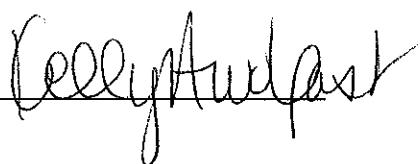
Section 6 – Managing Agent.

1. Managing Agent. The Executive Board (hereinafter "Board") must employ for the Association a "Managing Agent" at a compensation established by the Board. The Managing Agent shall perform such duties and services as the Board shall authorize, including, but not limited to, all of the duties listed in the Act, the Declaration and these Bylaws; provided however, where a Managing Agent does not have the power to act under the Act, the Declaration or these Bylaws, such duties shall be performed as advisory to the Board. The Board may delegate to the Managing Agent all of the powers granted to the Board by the Act, the Declaration and these Bylaws other than the following powers:

President:



Secretary:



- a. to adopt the annual budget and any amendment thereto or to assess any Common Expenses;
- b. to adopt, repeal or amend Rules and Regulations;
- c. to designate signatories on Association bank accounts;
- d. to borrow money on behalf of the Association;
- e. to acquire and mortgage Lots;
- f. to designate Reserved Common Elements;
- g. to allocate Limited Common Elements;
- h. in general to manage the affairs of the Association.

Section 7 – Compensation.

1. No salary or other compensation shall be paid to any officer of the Association.

Article III Committees

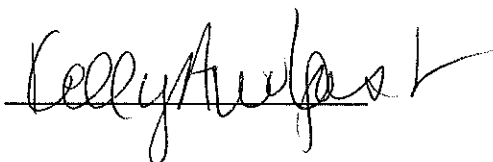
Section 1 – Formation & General Rules.

1. Standing committees and other committees shall be appointed in accordance with Article II, Section 2, Item 5.
2. Vacancies in committees shall be filled by selection by the committee.
3. Each committee shall be composed of as many resident members or Board Members, or both, as the Board may determine. However, at no time shall Board Members constitute the majority of a Committee's membership. Committee appointments may be for one (1) year or less at the discretion of the Board.

President:



Secretary:



4. All committees shall report on their activities to the Board whenever requested and are at all times under the direct supervision and control of the Board, having only such authority as is specifically defined herein, and as may be delegated to them by the Board.

Article IV

Elections

Section 1 – Directors.

1. The election of not more than seven (7) members constituting the Board shall be by ballot or by appointment by the Board, as appropriate. Ballots may be submitted by electronic medium.

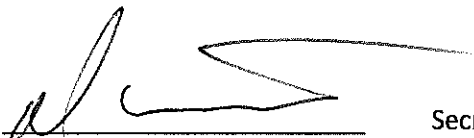
2. Directors of the Board shall be elected for a term of three (3) years. The terms of the Directors shall be staggered such that no more than the terms of three members (of a seven member board) shall expire at the same time. The members of the Board shall hold office until the earlier to occur of the election of their respective successor, or their death, adjudication of incapacity, removal, or resignation. A Board Member may serve an unlimited number of terms and may succeed himself or herself.

3. Persons qualified to be members of the Board may be nominated for election only as follows:

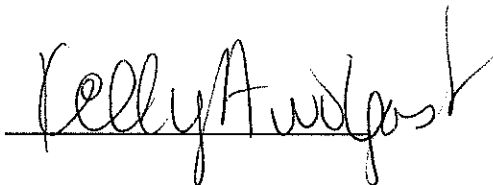
a. Any Lot Owner may submit to the Secretary at least thirty days before the meeting at which the election is to be held a nominating petition signed by Lot Owners owning at least Lots in the aggregate, together with a statement that the person nominated is willing to serve on the Board along with a biographical sketch of the nominee. The Secretary shall email, or hand deliver the submitted items to every Lot Owner along with the notice of such meeting; and

b. Nominations may be submitted from the floor at the meeting at which the election is held for each vacancy of the Board for which no more than one person has been nominated by petition.

President:



Secretary:



4. Vacancies on the Board shall be filled by appointment by the remaining Directors of the Board, and the appointed Director shall serve the remainder of the term of the departed member.

Section 2 – Officers.

1. At the first regular Board meeting after each Annual Election Meeting, the members of the Board shall elect from its own members a Chairman, a Co-Chairman, a Secretary, and a Treasurer who shall hold office for one (1) year and until their respective successors are elected.

Article V

Meetings

Section 1 - Annual Election Meeting of the Association.

1. Committee appointments may be for one (1) year or less at the discretion of the Board, but no later than February 15, for the election of Directors, and for the transaction of other business which may properly be brought before the meeting for action. Notice of this Annual Meeting shall be mailed or delivered to each member at least fifty (50) and no more than sixty (60) days before the date of the meeting, and email is an acceptable mode of communication.

Section 2 – Regular Association Meetings.

1. Regular meetings of the membership of the Association shall be held a minimum of three times per year at a time and location designated by the Board of Directors.

2. One meeting shall be held on or before April 15 to approve the budget and the annual association assessments.

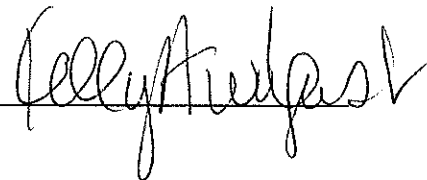
3. One meeting shall be held on or before July 15 to plan capital improvements.

4. One meeting shall be held on or before October 15 to review improvements, discuss the next year's budget and to begin planning for the following year.

President:



Secretary:



Section 3 – Special Association Meetings.

1. Special meetings of the Association shall be called by the Chairman, acting on behalf of the Board of Directors, or upon the written application of such member or members, not in arrears, on such issues as cannot be resolved at a regularly scheduled association meeting, filed with the Secretary. Special meetings shall be held at a time and a place to be determined by the Board. A notice giving the place and time of the meeting and stating the nature of the business to be transacted shall be mailed or delivered by the Secretary to each member of the Association at least ten (10) days prior to the meeting, and at such meeting no other business than that stated may be transacted.

Section 4 – Annual Meeting of the Board of Directors.

1. The Annual Election Meeting of the Board of Directors shall occur at the first scheduled meeting after the Annual Election Meeting of the Association.

Section 5 – Regular Board Meetings.

1. Regular meetings of the Board of Directors shall be held on such dates as designated by the Board.

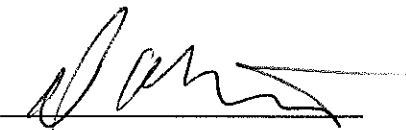
Section 6 – Quorum of Association Meetings.

1. Fifteen (15) voting members of the Association, represented in person or by proxy, including voting Board Members, shall constitute a quorum at any meeting unless the quorum for the item being voted on is defined in the Declaration.

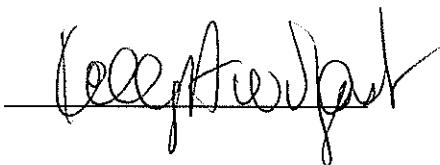
Section 7 – Quorum of Board Meetings.

1. A quorum of any meeting of the Board of Directors shall be deemed to be present throughout the meeting if persons entitled to cast 50% of the votes on the Board are present at the beginning of the meeting in person or by telephone or by electronic medium.

President:



Secretary:



Section 8 – Voting.

1. Voting at all meetings of the Association shall be on a residence basis. Each resident owner of a Lot (hereinafter “Resident Owner”) shall be entitled to a single vote. Where the ownership of a residence is in more than one person, the Resident Owner who shall be entitled to cast the vote of such Lot shall be the natural person named in a certificate executed by all of the owners of such Lot and filed with the Secretary, or in the absence of such named person from the meeting, the Resident Owner who shall be entitled to cast the vote of such Lot shall be the natural person owning the Lot who is present.

Section 9 – Proxies.

1. All voting members shall have the right to be present and vote at any meeting of the Association by proxy. If any proxy submitted does not designate the proxy holder, the same shall be voted in accordance with the majority vote of those present, either in person or by designated proxy. No member shall be entitled to vote more than three (3) proxies.

Section 10 – Cumulative Voting.

1. Cumulative voting by members at any meeting shall be expressly prohibited.

Section 11- Order of Business at Association Meetings.

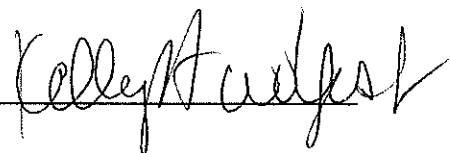
1. The order of Business at the Annual Election Meeting of the Association shall be as follows: Call to order, reading and disposition of any unapproved minutes, reports of officers, election of Directors, old business, new business, adjournment.

2. The order of Business at other Meetings of the Association shall be as follows: Call to order, reading and disposition of any unapproved minutes, reports of officers, old business, new business, adjournment.

President:



Secretary:



Section 12 – Order of Business at Board Meetings.

1. The order of Business at each regular Board of Director's meeting shall be as follows: Reading and disposition of any unapproved minutes, reports of officers and committees, election of officers (at Annual Election Meeting of Board), unfinished business, new business, adjournment.

Section 13. Parliamentary Rules.

1. In the conduct of all meetings, either membership or Board, Robert's Rules of Order shall govern.

Article VI

Membership

Section 1 – Membership

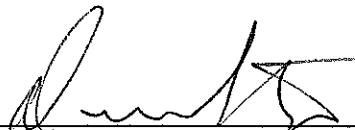
1. Membership in the Association shall consist of persons owning a property in the Springfield Commons Subdivision in Harris Township, Centre County, PA. For the purposes of this provision, “owner” shall include person(s) owning a beneficial interest, as distinguished from a security interest, of a lot or property in the subdivision.

Section 2 – Membership Fee.

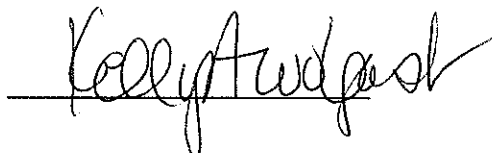
1. Members will be assessed a membership fee to the Association upon purchase of an existing property or new lot in the Springfield Commons Subdivision.

2. The membership fee is 2 times the monthly assessment per existing lot or new lot purchased and is due at time of closing.

President:



Secretary:



Section 3 – Annual Membership Assessments

1. The meeting notice for approval of budget and annual dues shall be sent by Feb 15 each calendar year.
2. The meeting to approve the budget and annual assessment must be held no later than the date of the Annual Meeting of the Association.
3. The Association assessment will be adjusted annually. They will be determined by first dividing the approved Annual Budget by the total number of lots owned by voting members in the Association on the date of the meeting, then rounding the number up to the nearest \$5.00 increment.
4. The annual assessments for each Homeowner are payable monthly, unless otherwise notified by the Board.
5. The penalty for late payment of assessments is set out in the Declaration and the Rules and Regulations, both of which are incorporated herein by reference.

Article VII

Association Rules

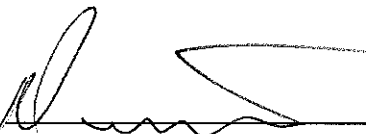
Section 1 – Formulation.

1. All Association Rules governing members and property shall be formulated by the Board and voted on by the members, and documented in the By-Laws, Declaration and Rules and Regulations.

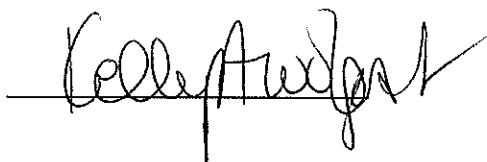
Section 2 – Publication.

1. Copies of all Association Meeting minutes, By-Laws and other documents governing the Association shall be available to all members and the Secretary shall distribute such copies together with copies of any and all future amendments thereto to all members of the

President:



Secretary:



Association. Copies of all Board Meeting minutes will be kept and maintained by the Secretary and will be distributed as requested by Association members in good standing. Copies of all Rules and Regulations formulated by the Board shall be conspicuously posted and otherwise made know to the Association Members.

Section 3 – Registering Complaints.

1. Any complaint made by a member regarding violations of the By-Laws, Declaration, or Rules and Regulations, the conduct of another member or guest, the conduct or performance of any officer, director, committee member, or employee of the Association, or regarding any phase of the operation of any Association facility, must be submitted electronically by such complaining member to the Secretary, Chairman or Management Company, who shall transmit it to the Board for final decision and disposition.

Section 4 – Enforcement and Penalties.

1. The Board is primarily responsible for the enforcement of Association By-Laws, Declaration and Rules and Regulations, but reserves the right to designate this responsibility to a professional property manager.

2. If a complaint is made against a member for a violation of the restrictive covenants, the Board will review and determine if a violation occurred.

3. The association member with the violation will be notified and will be given fourteen (14) days to respond to or correct the violation.

4. If the violation is not corrected in the given time, the Association has the right to take legal action against the homeowner to correct the violation.

5. It shall be the responsibility of the member to make certain that any tenant of that member's unit adheres to the By-Laws, Declaration and the Rules and Regulations and are provided with a copy of the same.

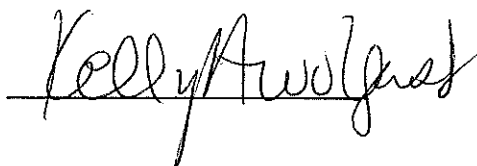
6. Fines may be levied against a member in accordance with the rules and regulations.

7. It shall be the responsibility of the member to make certain that any tenant of that member's unit adheres to the By-Laws, Declaration and the Rules and Regulations.

President:



Secretary:



Section 5 – Appeal.

1. Any member shall have the right to appeal to the Board for any decision with respect to its interpretation and enforcement of any By-Laws, Declaration or Rules and Regulations and the Board's decision in all such matters shall be final.

Article VIII

Maintenance and Improvements

Section 1. Meetings and Approvals.

1. Any maintenance or improvement needs will be brought to the attention of the Board in writing or as new business at an Association meeting.

2. Expenses of more than \$500 must be quoted by three independent sources and presented to the Board. The Board will then vote for the vendor desired.

Article IX

By-Laws Amendments

Section 1 – Procedure for Amending

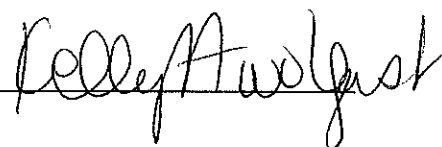
1. These By-Laws may be amended by a two-thirds (2/3rds) vote of a quorum of regular voting members represented in person or by proxy at any meeting of the Association, provided that the language of the proposed amendment (or amendments) shall be distributed to the membership at least fifteen (15) days prior to the meeting at which the amendment (or amendments) is to be considered.

2. The restrictions on advanced notice of the language of the proposed amendment(s) shall not apply to any revisions or amendments made from the floor during the

President:



Secretary:



meeting at which the original proposed amendment is acted upon by the Association, provided that the 15-day notice was properly given of the original language as required by this provision.

Article X

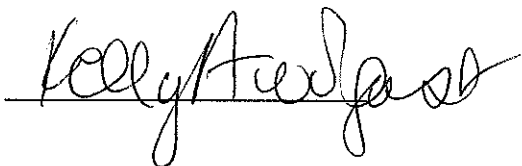
Miscellaneous

1. Whenever the words Chairman and Co-Chairman appear, the same shall refer to President and Vice President, respectively. Furthermore, the words Professional Property Manager and Managing Agent shall be synonyms, as will be the words Executive Board and Board of Directors, and the words dues and assessments.
2. Electronic communication for message delivery shall be a permitted mode of communication for any action taken pursuant to these By-Laws.
3. These By-Laws are intended to supersede the By-Laws originally adopted and put in place by the Declarant in 2015 as well as any and all subsequent amendments.
4. These By-Laws shall be recorded at the Centre County Recorder of Deeds.

President:




Secretary:



IN WITNESS WHEREOF, the undersigned officers of Springfield Commons Homeowners Association have hereunto set their hands and signature this 3rd day of January, 2019.

Springfield Commons Homeowners Association

Signed:

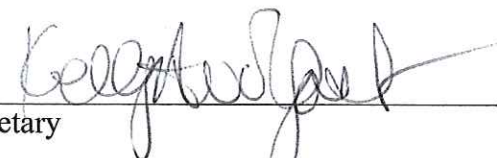


President

1/3/19

Date

Signed:



Secretary

3 Jan 2019

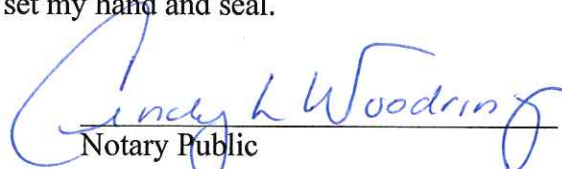
Date

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF CENTRE } SS:

ON this 3rd day of January, 2019, before me, a notary public, the undersigned officer, personally appeared David A. Bennett, President of Springfield Commons Homeowners Association, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within indenture, and acknowledged that he executed the same for the purpose therein contained

IN WITNESS WHEREOF, I hereunto set my hand and seal.

Commonwealth of Pennsylvania - Notary Seal
Cindy L. Woodring, Notary Public
Centre County
My commission expires August 03, 2020
Commission number 1098189



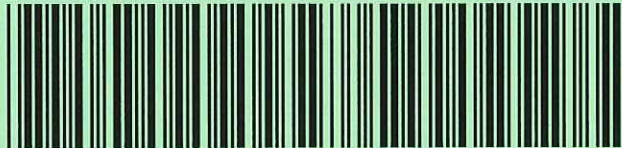
Notary Public

President: _____

Secretary: _____

Centre County
Recorder Of Deeds

414 Holmes Street Suite 1
Bellefonte, PA 16823
814-355-6801



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16 pages

Instrument # 746

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