



## Homes Association

### Memorandum

Date: June 4, 1996  
To: Foxborough Homeowners  
From: Foxborough Board of Directors  
Subject: By-Laws

**\*\*Official Document\*\***

Enclosed please find your copy of the official By-Laws for the Foxborough Homes Association supplementing the Declaration of Covenants, Conditions, Restrictions and Dedications of Easements of the Association.

**Please keep this copy for your records.**

## **BY-LAWS OF THE FOXBOROUGH HOMES ASSOCIATION**

The purpose of these By-Laws is to set forth the rules and procedures for operation of the Foxborough Homes Association, supplementing the Declaration of Covenants, Conditions, Restrictions, and Dedication of Easements pertaining to Foxborough, which are on file with the Registrar of Deeds of Johnson County. The Declaration stipulates succession of rights by the Declarant (Article XIV, 1) and such rights have been assigned; therefore, each reference to the Declarant shall be defined as the Foxborough Homes Association. The By-Laws shall remain subordinate to the Declaration under its terms.

### **GENERAL MEMBERSHIP**

The Declaration prescribes the membership, quorum, and voting rights (Article II). At least one general meeting will be held each calendar year. This meeting will be designated the Annual Membership Meeting, to be held during the month of April in a location convenient to the membership. Notice of the Annual Meeting must be provided not less than thirty days prior to the meeting. The agenda for the meeting shall include the election of directors as necessary to replace those whose terms expire at that meeting.

### **BOARD OF DIRECTORS**

The Board shall be composed of not fewer than three nor more than nine members, each of whom shall be elected for a term of three years. The Board shall elect a president, Vice President, Secretary and Treasurer. The President shall appoint committee chairs as necessary.

Six scheduled meetings of the Board shall be held annually, without notice to the Association, and special meetings will be called, with notice to the Association, to respond to petitions or emergencies. The conduct and order of business shall conform to current Roberts' Rules of Order. No compensation shall accrue to any Director for performance of Board duties.

If a vacancy on the Board should occur, the remaining Directors shall nominate and elect a suitable replacement for the remainder of the term. If the entire Board should resign, retire, or otherwise require replacement, a special meeting of the Association shall be called to elect new Directors.

### **SWIM CLUB**

The Vice President shall be responsible for the maintenance, operation and regulation of the Swim Club. His/Her duties shall include, but are not limited to:

- A. Issuance and control of keys to the Swim Club including recording thereof.
- B. Periodic review of the facilities and mechanical equipment, reporting to the Board on the condition and needs of the physical facilities.
- C. Contracting for repairs or maintenance as authorized by the Board.
- D. Administering, with others on the Board, operating rules of the Swim Club.

The operating rules of the Swim Club shall include:

- A. The use of the Swim Club shall be limited to the members of the Foxborough Homes Association, their families and guests.

- B. If guests of a member use the Swim Club, the member must be present at all times.
- C. Keys shall not be given to or used by non-members.
- D. No one under the age of fourteen shall use the Swim Club unless accompanied by an adult from the members family and under proper supervision.
- E. The Swim Club facilities shall be available to all members at any time during the season. The season shall be determined by the Association Board of Directors.
- F. Any member may reserve a portion of the Swim Club by posting a notice two days prior to the event, but other members may use the pool concurrently. The reservation should be cleared through the Vice President to insure that no duplication or conflict occurs.
- G. Every user of the Swim Club shall be responsible for clean-up of the facility after use and to assure that all doors are closed and locked, including the restrooms and storage room.
- H. Any questions or interpretations of the rules shall reside with the Association Board through the Vice President.
- I. No pets of any kind are allowed within the fenced area of the Swim Club.

#### **MAINTENANCE**

Article VI, 2 prescribes services provided by the Association. Included is trimming and spraying of shrubs and trees, which is limited to trimming of streetside trees, spraying of all shrubs and trees outside of fenced areas, but no service inside the fences, other than grass cutting. Members wishing not to have their shrubs trimmed by the Association must notify the Association in writing. If so, the homeowner is responsible, at his expense, for maintaining the excluded shrubs. Service shall not include aeration or overseeding of yards.

Article VI, 3 shall include fencing, additions to the residence and extensions or satellite construction. Petitions for variations shall be forwarded to the Secretary of the Board of Directors in writing, pursuant to Article 1X, 1 of the Declaration.

Paragraph 6 of Article 1X requires approval from the Association Board of a plan for a projection of more than four feet beyond the building line.

#### **COMMON AREAS, OTHER THAN SWIM CLUB**

The common areas shall be maintained by the Association, and expenses incurred shall be shared equally by all members. No expenditure of funds shall be made by the Association or its Board to support any area or activity outside the boundaries of Foxborough, as described by the plat, without a vote of approval by a majority of all members of the Association.

#### **RESCISSION OF INSURANCE REGISTRATION REQUIREMENT**

Article V111, 2 is herewith rescinded in its entirety.