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**BARRINGTON HOMEOWNERS ASSOCIATION**

**BY-LAWS**

**ARTICLE I - NAME**

This organization shall be known as **BARRINGTON HOMEOWNERS ASSOCIATION**, a non-profit organization organized and existing under the rules and guidelines set forth by the protective covenants of the Barrington Subdivision. (Parts I, II, III, IV and V).

**ARTICLE II - OBJECTIVES**

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The objectives of this Association shall be:

**Section 1:** To implement through joint efforts of all Owners of single-family dwellings located within Barrington Subdivision, Byram, Mississippi, an exemplary community, which will combine change with tradition, and beauty with functional advancement.

**Section 2:** To establish and maintain a high quality of life for those residing in Barrington subdivision through joint effort.

**Section 3:** To provide and maintain, through joint effort, the beautification of individual property (lawns cut and edged, no washing and parking vehicles on the lawn or anything that would distract from the overall beauty and integrity of the property); the safety and security of homeowners, children, and property; effective traffic safety measures to protect pedestrians, vehicle users of roadways and personal property adjacent to such roadways.

**Section 4:** To establish and maintain cooperative efforts with neighboring homeowner associations.

**ARTICLE III - ELIGIBILITY/MEMBERSHIP**

In accordance with Item 14, Section 1 of the Protective Covenants, "each Barrington Subdivision property Owner shall be a member" of the Barrington Homeowners Association. This membership will pass with the title when the property is sold.

**ARTICLE IV- NOMINATION AND ELECTION OF OFFICERS OF ASSOCIATION**

**Section 1:** At the winter meeting the Board of Directors shall appoint a Nominating Committee which consists of three members of the Association whose duty shall be the nomination of candidates for election. The nominees will be presented at the January meeting.

**Section 2:** The Officers shall be elected at the January Meeting of the Association by the majority of the voting members present.

**Section 3:** The term of office shall be one year commencing February 1. Officers may be reelected the following year providing the association votes to reelect said individual.

**Section 4:** Vacancies of any office shall be filled by appointment by the remaining Board members, and the appointee will hold office for the remainder of the unexpired term.

**Section 5:** Only one member of a household may serve as an officer for any given term.

## **ARTICLE V - OFFICERS OF THE ASSOCIATION**

The Officers of the Association shall consist of President, Vice President, Secretary, Treasurer, and Social Director.

## **ARTICLE VI - DUTIES OF OFFICERS OF THE ASSOCIATION**

**Section 1:** The Officers shall perform the duties prescribed in this article and such others as the Restricted Covenants of the Association, the By-Laws of the Association or the parliamentary authority adopted by the Association.

**Section 2:** The President shall be the chief executive officers and the official spokesperson of the Association and shall have general supervision of the affairs of the Association. The President shall preside at all meetings of the Board of Directors and at all meetings of the Association. The President shall have the power to appoint committees to investigate any matters of common interest to members of the Association and will be ex-officio a member of all such committees. Also, the President shall see that orders and resolutions of the Board of Directors are carried out and otherwise executed. Furthermore, the President and/or Treasurer shall sign all notes and checks and all other written instruments on behalf of the Association. In the event that a note, check or other written instrument exceeds \$500, the President and Treasurer shall be required to obtain the majority approval of the Board of Officers prior to issuance.

**Section 3:** In the absence or inability of the President to perform the above mentioned duties, the Vice President will assume such duties.

### **Section 4:** The Secretary

- shall be, ex-officio, Secretary of the Board of Directors;
- shall record the votes and keep minutes of the proceedings of the Board and the Association;
- shall report and distribute minutes at each Board of Director's meeting to include but not limited to preceding Board or Association minutes for approval and any open items;
- shall keep the records of the Association to include but not limited to the names of all members of the Association together with their addresses and/or telephone numbers as registered by such members; and
- shall notify officers and committee chairmen of votes, orders, and proceedings affecting or pertaining to their duties.
- in the absence of the President and Vice-President, the Secretary shall call Board and Association meetings to order and shall preside.

- the Secretary shall attend to such correspondence as the Board of Directors or the Association may direct and shall distribute pamphlets, notices, and/or circulars as the Board of Directors or Association may direct.

**Section 5:** The Treasurer

- shall have charge of the receipt of funds of the Association;
- shall deposit in appropriate bank accounts to the credit of the Association all monies collected for and on behalf of the Association; and
- shall disburse, with the President, such funds as directed by resolution of the Board of Directors.
- the Treasurer shall keep proper books of account, and a financial statement shall be presented to the Board of Directors every 60 days. Such financial statements shall also be presented to the Association members during each Association meeting.
- prior to the spring meeting of the Association, the Treasurer's account shall be audited by the Auditing Committee and a written statement given to the Board of Directors on the status of the books.
- in the case of prolonged absence, illness, incapacity, or death of the Treasurer, disbursements at the direction of the Board of Director and Association shall be made by the President and Vice-President.

**Section 6:** The Social Director

- shall plan and organize a minimum of two (2) events such as a Spring and Fall social for the Association; and shall supervise any Association social at the direction of the Board of Directors.

**ARTICLE VII - MEETINGS**

**Section 1: ASSOCIATION:** The regular meetings of the Association shall be for the purpose of receiving reports from the officers and standing committees; receiving of reports from ad hoc committees; establishing programs and budgets in furtherance of the objectives of the Association; and any other business that may arise. The regular annual meetings of the Association will be held three (3) times per year (spring, fall, and winter) as notice will be given to the members at least one (1) week in advance of these meetings. A simple majority of voting members present shall be considered sufficient to transact business at the regular meetings.

**Section 2: ASSOCIATION:** Special meetings of the Association shall be called by the Board upon written request of one-fourth or more of the voting members of the Association. No less than one (1) week notice of a special meeting shall be given, and only that business specified in the call may be transacted. Twenty per cent of the voting members shall constitute a quorum at any special meeting of the Association thus called. The Board shall have the power to call special meetings of the Association whenever it seems necessary.

**Section 3: BOARD OF DIRECTORS:** The President shall call a special meeting of the Board of Directors whenever the need arises. All business to be considered at a special Board meeting shall be stated in the call. Regular meetings of the Board of Directors shall be held as needed. At least seven (7) days notice as to the time and place of all Board meetings shall be given.

**Section 4: BOARD OF DIRECTORS:** The majority of the Board of Directors shall constitute a quorum at any meeting of the Board of Directors.

#### **ARTICLE VIII - DUES AND ASSESSMENTS**

**Section 1:** The fiscal year of the Association shall be January 1 through December 31. The annual budget shall cover the fiscal year and shall be prepared on the basis of dues payable for the coming fiscal year.

**Section 2:** Association dues shall be decided upon annually by the Board of Directors. Dues will be due from each family dwelling, payable to Barrington Homeowners Association. Notifications regarding the amount of dues for a particular year will be provided by December prior to the following year in which the dues will go into effect. Dues are due no later than 30 days from notification. When annual dues are not paid after the third notification, a lien will be filed in chancery court against the homeowner's dwelling for the amount of the delinquent dues. The amount of the delinquent dues shall be twice (2x) the amount of regular dues if not received after the third notification. Delinquent dues, filing fees and interest of 9% per year will be due in order to lift the lien. In addition to levying annual dues, the Association may levy special assessments as the occasion merits with the approval of two-thirds (2/3) vote of the members of the Association.

#### **ARTICLE IX - EXPENDITURES**

The Board of Directors may approve all expenditures for the daily operation of the association. This includes administrative costs, utilities, lawn care, liability insurance, subdivision social events, and any other expenses for the upkeep and care of the subdivision. Association approval is required whenever there is a single item expense or same category, group of items expense that exceeds a total cost of \$3,000.00.

#### **ARTICLE X - RESTRICTIONS ON USE OF COMMON AREA**

##### **Section 1. Motor Vehicles.**

All vehicles propelled by a motor, other than those used for maintenance purposes, including, but not limited to, snowmobiles, all-terrain vehicles, motorcycles, mo-peds, motor boats, automobiles, trucks, and vans are expressly prohibited from operation or storage in the Common Area.

##### **Section 2. Structures.**

No wall, building, or structure may be constructed nor any development or improvement done in the Common Area without prior written consent and approval of the Association, Declarant, and all governmental agencies having jurisdiction.

##### **Section 3. Pollution.**

No property Owner or his/her invitees or guests shall throw trash, refuse, or rubbish of any kind in the Common Area. Property Owners and association members shall be expected to keep the

Common Area clean, neat, and presentable, which may mean assisting in cleaning up the Common Area.

**Section 4. Dogs.**

No Owner shall allow his/her dog to run loose and/or unattended in the Common Area. This provision shall coincide with any and all applicable local, city, and/or county leash laws in effect from June 1, 2007. This provision also covers dogs, cats, hamsters, turtles, rabbits, and/or other pets not specifically mentioned herein. No Owner shall allow his/her pets to run loose and/or unattended in the Common Area.

**Section 5. Use of the Common Area.**

The Common Area shall be used only for passive recreation. All active sports are prohibited. No Owner shall permit or allow the use of the Common Area for any commercial purpose. No activities in the Common area shall be carried on in such manner as to be disturbing or offensive to other Owners' rights to enjoy this area. No firearms, air rifles, pellet or B-B guns, bows and arrows, sling shots, fireworks, or other weapons shall be allowed on or inside the Common Area. There is absolutely no swimming or wading in the lake. Fishing is authorized but is limited to Owners and their families within the Association.

**Section 6. Wild Life.**

No Owner shall permit or allow the molestation or destruction of wild ducks, geese, birds, or other harmless wild life in the Common Area.

**Section 7. Liability.**

The Association shall maintain general liability insurance in sufficient amounts for the purposes of protecting itself as well as the Owners, the Declarant, and builders from the burden of liability resulting from accidents which may cause death or injury to anyone while in the Common Area, or in property under the jurisdiction or control of the Association.

**ARTICLE XI - ANIMALS AND MOTOR VEHICLES**

**Section 1. Animals.**

No animals or fowl (except domesticated household pets) shall be kept or maintained on any lot. Any and all household pets shall be confined to the Owner's lot. Dogs are not allowed to run loose, and when outside the Owner's lot, they must be on a leash in accordance with the Hinds County Leash Laws. Homeowners are encouraged to call Animal Control when dogs and/or other animals are seen running loose in the neighborhood. Pets that are kept in the back yard must be completely enclosed with a 6-foot privacy fence. Pets causing a nuisance or destruction may be grounds for a fine and/or removal from the subdivision. Owners shall be solely responsible for any and all injuries, damages, and/or harm done by their pets.

- a. Except for short-term parking for visiting guests of homeowners and delivery vehicles, no motorized vehicles are allowed to be parked in the streets of this subdivision. The term "short-term" is identified as a 4-6 hour period for visitors only. Parking resident vehicle(s) on the side of the street is strictly prohibited.
- b. Trailers, trucks, boats, mobile homes, snowmobiles, aircraft, inoperable passenger cars/trucks, trucks, vans, campers, other recreational vehicles, and other vehicles (including trailers used to store or transport the same) except regularly operated passenger cars, trucks, and vans, shall not be parked or maintained on any lot, unless in a suitable, private garage. Any vehicle bearing commercial license plates shall be presumed to be a commercial vehicle and must be parked inside a driveway, garage, or to the rear of the residence.
- c. Parking on the grass and/or yard of any residence which is visible from the street is totally prohibited. A vehicle will be considered non-visible if the resident uses a 6 foot privacy fence in compliance with the restrictive covenants that run which each parcel of property. First time violators of this particular section will be issued a written and/or verbal warning. Repeat offenders shall be fined an amount not to exceed One Hundred Dollars (\$100.00) for any and all repeat offenses.
- d. General maintenance (such as changing oil, filters, and/or other repairs) on automotive vehicles on the grass, in the yard, or in front of any residence is totally prohibited.
- e. No 18 wheelers or truck tractor vehicles shall be parked or maintained on any lot.
- f. This Section shall not apply to the Declarant or to any other builder(s), which Declarant may designate during the construction period or during such periods as any dwelling may be used for model or display purposes.
- g. Homeowners in violation of section 2(a) will be provided a written notification of the violation for the first incident. Repeat incidents at the same resident location shall constitute a fine not to exceed Fifty Dollars (\$50.00) and towing and impounding the subject vehicle. Any vehicle towed and/or impounded shall be done solely at the Owner's expense.

**ARTICLE XII - FINES**

In the interest of safety and the well being of the neighborhood, the Board of Directors has the authority to levy fines against homeowners in compliance with the provisions provided herein as well as the protective covenants. When these fines are not paid when due, a lien shall be filed against the homeowner's dwelling. Provided below is a general outline as to how, and in what amounts, fines will be assessed for any given violation:

- 1. Loose running pets..... \$25.00 per incident
- 2. Vehicles parked on street..... See Article XI, Sec. 2(g)
- 3. Failure to maintain yard..... \$25.00 per incident
- 4. Parking on grass and/or yard lawn..... See Article XI, Sec. 2(c)

**\*\*If fines are not paid, said amounts shall be turned over to the attorney representing the Barrington Homeowners Association in order to pursue the collections of all amounts owed by the property owner.\*\***

**ARTICLE XIII - COMMITTEES**

**Section 1:** An Auditor or Auditors shall be appointed by the Board of Directors at the regular winter meeting. The Auditor(s) shall examine the books of the Treasurer and shall submit a written statement for the regular spring meeting of the Association.

**Section 2:** The Finance Committee shall be appointed by the Board of Officers after the regular spring meeting and shall consist of the Treasurer (as Chair) and two voting members of the Association. It shall consider requests for funds, plan a budget, and recommend to the Board of Directors such expenditures, as the committee deems expedient. It shall report at the next meeting of the Board of Directors.

**Section 3:** Neighborhood Block Captains will be appointed by the President to assist the Board of Directors. They will serve as a welcoming committee to welcome new homeowners to the subdivision. They will also maintain current listings of names and addresses of all Barrington Subdivision homeowners. They may assist in other areas as the Board so desires.

**Section 4:** The President shall have the power to appoint committees to investigate any matters of common interest to members of the Association.

**ARTICLE XIV - INDEMNIFICATION**

To the fullest extent permitted by law or such other statute as is enacted as its successor, the Association shall indemnify any person who was or is a party or is threatened to be made a party to any civil, criminal, administrative or investigative action, suit or proceeding by reason of the fact that he/she is or was a Director, representative of the board, or officer of the Association, or is or was serving at the request of the Association as a Director or officer of the association, against expenses (including attorney's fees) judgments, fines and amounts paid in connection with such action, suit, or proceeding; and the person which the Association has the power to indemnify under the law. The indemnification provided by this section shall not be deemed exclusive of any other rights to which a person may be entitled as a matter of law or by contract. Such indemnification shall not indemnify any person from or on account of acts or omissions of the person, finally adjudged to be intentional misconduct or a knowing violation of law, conduct of the person finally adjudged to be in violation of the law or any transaction with respect to which it was finally adjudged that the person personally received a benefit in money, property, or services to which the person was not legally entitled.

**ARTICLE XV - PARLIAMENTARY AUTHORITY**

The rules contained in *Robert's Rules of Order Revised* shall govern this organization in all cases to which they are applicable and in which they are not inconsistent with these By-Laws.

ARTICLE XVI - AMENDMENTS

**Section 1:** These By-Laws may be amended at any special meeting of the Association called for that purpose or at the regular meetings of the Association. Notice of change shall be made available to the members one week in advance of the meeting.

**Section 2:** Amendment to these By-Laws shall only be effective if: a) the amendment is voted upon by the members of the Association, b) the amendment is approved by a vote of 50 + 1 percent of the members of the Association, c) all ballots must clearly identify the purpose of the vote, and d) a motion is made and approved by the Board of Directors to accept the 50 + 1 percent vote to authorize the amendment.

Once a vote of 50% + 1 has been achieved in favor of the By-Laws and the Board of Directors of the Barrington Homeowner Association has approved the vote of you, the residents. These by-laws shall take effect August 1, 2007.

On July 30, 2007 the proxy vote to accept the proposed By-Laws was collected and reviewed by the board. Of the 184 homeowners of the Barrington Subdivision 130 voted yes, which exceeded the 93 votes required.

*I certify that all information stated in this document is true and correct to the best of my knowledge.*

Maceo Parris  
HOA President

Sworn to and subscribed before me this the

28<sup>th</sup> day of Nov., 2007

Peggy Kilpatrick  
NOTARY PUBLIC



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