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Beverly Beach Improvement
Club
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1. By-Laws of the Beverly Beach Improvement Club 2.
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1. Beverly Beach Improvement Club 2. 3.
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Beverly Beach Divisions 1 & 2
See page ___ for full legal.
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BY-LAWS
of the
BEVERLY BEACH IMPROVEMENT CLUB

ARTICLE 1

Name

This association shall be known as the Beverly Beach Improvement Club.

ARTICLE 2

Officers, Meetings, Committees

Section 1

The officers of this Club shall consist of a President, Vice-President, and Secretary-Treasurer, and together with four trustees will constitute a Board of Trustees. The officers and trustees shall be elected at the annual meeting on the last Saturday of July and shall hold office until the next annual meeting.

Section 2

Any vacancy in any elected office shall be filled by a majority of the remaining Board of Trustees until the next annual meeting.

Section 3

Special meetings of the membership shall be called by a majority of the Board of Trustees.

Section 4

Meetings of the Board of Trustees shall be called as deemed necessary by the President.

Section 5

The President shall preside at all meetings, and in his/her absence, the Vice-President shall perform his/her duties.

Section 6

The office of Secretary-Treasurer shall be vested in one person, and he/she shall keep a true record of the proceedings of the meetings. He/she shall be charged with the collection of all dues, moneys, and property, and hold the same to the order of the Club. He/she shall keep an accurate record of all receipts and disbursements. He/she shall also mail written notices to all members, of all meetings, at least two weeks prior to the date of said meeting. All checks over \$200 will require two signatures.

Section 7

The following committees shall be appointed by the President: water, audit and such others as required by a majority of the Board of Trustees.

Section 8

Liability of Board Members

The members of the Board shall not be liable to Club members, or any other party, for any mistake of judgment, negligence, or otherwise, except for their own willful misconduct or bad faith. Members shall indemnify and hold harmless each member of the Board against all contractual liability to others arising out of contracts made by the Board in behalf of the members, unless such contract shall have been made in bad faith or contrary to the provisions of these By-Laws. It is acknowledged and intended that the members of the Board shall have no personal liability with respect to any contract made by them on behalf of the Beverly Beach Improvement Club and its members.

Each Board member shall therefore be indemnified by the members against all expenses and liabilities, including any reasonable attorneys fees to which he may be a party by reason of having held a Board position, except in such cases wherein such a person is adjudged guilty of willful malfeasance in the performance of his duties.



ARTICLE 3
Membership

Section 1

The membership shall be restricted to the property owners of Beverly Beach Divisions One and Two. A member is a property owner who is hooked up to the water system as of the date of these By-Laws and those property owners from whom the Board of Trustees subsequently accepts payment of the hook-up fee and who is paying annual dues and assessments.

Section 2

Annual membership dues shall be an amount determined at each annual meeting.

Section 3

Special assessments over the annual dues shall be assessed only if (1) proposed by the Board of Trustees and (2) subsequently approved by mail ballot of the total membership.

Section 4

The Club may lien any properties for failure to pay the annual membership dues by September 30 of the current fiscal year or any special assessments duly enacted within 90 days of enactment. The timing for actual filing of lien shall be at the discretion of the Board of Trustees. Following the filing of a lien for non-payment of dues and/or special assessments, the Club may issue and deliver to a delinquent owner a written notice that, (1) 30 days thereafter, water may be cut off, and (2) 120 days thereafter, membership may be terminated. Resumption of membership thereafter shall be possible only in accordance with Article 4, Section 2 of the By-Laws.

ARTICLE 4

Termination of Membership

Section 1

Membership in the Beverly Beach Improvement Club may be terminated by the Club as a result of:

- 1) Non-payment of dues and/or assessments as described in Article 3, Section 4.
- 2) A written statement by the member/owner indicating a desire to withdraw a lot from membership.

Any termination as provided above shall not affect the Club's right to bring an action for collection of delinquent dues, assessments and/or lien fees as of the date of termination.

Section 2

Any owner terminated from membership under Section 1 of this Article may resume membership on proper application and payment of a re-application fee as follows provided all delinquent dues, assessments and/or lien fees have been paid and this application is approved by the Board of Trustees:

Time of Inactive Membership	Re-Application Fee
1 to 12 months	25% of regular hook-up fee
13 to 36 months	50% of regular hook-up fee
37 to 48 months	75% of regular hook-up fee
Over 48 months	Full hook-up fee

ARTICLE 5

Amendment of By-Laws and Voting

Section 1

No change of By-Laws may be made without a written notice of said change being sent to all members, and no change may be made without a vote of the majority of the membership. Vote to be made by returning ballot to the Secretary-Treasurer. In the event a majority does not vote, a vote can be taken at the annual meeting or specially called meeting.

Section 2

A majority of the total membership must respond to a vote by mail ballot. A quorum for annual and special meetings shall be 20 members. A majority vote of either of the above must be achieved to pass on any motion. There shall be only one vote for each membership.



BY-LAWS OF BEVERLY BEACH IMPROVEMENT CLUB – Page 3

ARTICLE 6

Water Hook-ups

Section 1

An application for hook-up to the water system must be submitted in writing to the Secretary-Treasurer, together with the total required hook-up charge (amount to be determined at each annual meeting for the ensuing year). The above remittance will be held from deposit pending the application approval of the majority of the Board of Trustees. For applications not approved, funds will be returned to the applicant.

Section 2

In approving applications for water hook-ups the Board of Trustees is to consider capacities of water and pumps, water pressure to existing water users, condition of pipes in system, possible long-term limitations on enlarging the system and financing, and further in compliance with State and County regulations. The Board of Trustees at its discretion will approve new hook-ups consistent with the ability of the total system to support such new users.

Section 3

After the application is approved the Club will install a valve from the main line to property line facing street on which water main runs.

ARTICLE 7

Emergency Repairs

Any minimum emergency repairs to the water system (such as broken pipes) on owner's property shall be incurred by the Club and collected from the property owner. Such repairs to be accomplished by the Club only after reasonable measures have been made to contact the property owner.

ARTICLE 8

Expenditures

Approval for expenditures are as follows: Major expenses involving commitments on projects of \$5,000 or more will be recommended by the Board of Trustees to the members at any regular annual or special meeting. The members may approve such expenditures, or may, on a majority vote of those present, refer such expenditures to the general membership for vote by mail ballot.

Emergency repairs in excess of \$5,000 requiring immediate correction, and where time precludes securing membership approval, may be committed with the approval of the majority of the Board of Trustees, provided there is a true emergency, and provided a complete report of such expenditures is immediately distributed to all members. Routine maintenance expenses and/or repairs over \$500 and up to \$5,000 must be approved by the Board of Trustees. Routine expenses and/or repairs up to \$500 may be approved and paid by the Secretary-Treasurer with the concurrence of the President, or in his/her absence the Vice-President.

ARTICLE 9

Meeting Procedure

Meetings shall follow the following procedure:

- Meeting called to order by the President
- Reading of minutes of last meeting
- Treasurer's report
- Reports of committees
- Unfinished business
- New business
- Election of Officers and Trustees
- Motion to adjourn



BY-LAWS OF BEVERLY BEACH IMPROVEMENT CLUB – Page 4

ARTICLE 10

These By-Laws supersede all previous Beverly Beach Improvement Club By-Laws and shall become effective June 16, 1985.

The following sections to the By-Laws were amended by mail ballot, September 27, 1986:

- Article 2, Section 1
- Article 2, Section 6
- Article 2, Section 7
- Article 2, Section

The following sections to the By-Laws were amended by mail ballot, August 15, 1995:

- Article 3, Section 1
- Article 3, Section 4
- New Article 4 inserted and following Articles renumbered.

Article 2, Section 1 was amended by mail ballot, August 31, 2001.