



BY-LAWS
OF
Tamarac Home Owners Association, Inc.

ARTICLE I
NAME AND LOCATION

The name of the corporation is Tamarac Home Owners Association, Inc. The principal office of the corporation is located in the office of Kurt Townsend, J.D. at 1647 E. 3rd St., Tulsa, Oklahoma 74120-2807, but meetings of Members and Board of Directors may be held at such places within the State of Oklahoma, County of Tulsa, or virtually, as may be designated by the Board of Directors.

ARTICLE II
DEFINITIONS

“Association” shall mean and refer to Tamarac Home Owners Association, Inc., its successors and assigns.

“Board of Directors” shall mean the Members elected and authorized to manage all the affairs of the Association.

“Property or Properties” shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

“Common Area” shall mean all real property owned by the Association for the common use and enjoyment of the Owners.

“Lot” shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties with the exception of the Common Area.

“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 a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

“Declaration” shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the Office of County Clerk, County of Tulsa, State of Oklahoma.

“Member or Members” shall mean and refer to those persons entitled to membership as provided in the Declaration.

ARTICLE III

MEETING OF MEMBERS

Section 3.1. Annual Meetings. The Association annual meeting shall be held in February of every year at a pre-determined date, time and location.

Section 3.2. Special Meetings. Special meetings of the Members may be called at any time by the president or by the Board of Directors, or upon written request of the Members who are entitled to vote one-fourth (1/4) of all of the votes of the Class A membership.

Section 3.3. Notice of Meetings. Written notice of each meeting of the Members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice at least 15 days before such meeting to each Member entitled to vote thereat, addressed to the Member’s address last appearing on the books of the Association, or to the address listed in the Tulsa County Assessor’s website. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting.

Section 3.4. Quorum. The presence at the meeting of Members entitled to cast, or of proxies entitled to cast, one-tenth (1/10) of the votes of Class A membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these By-Laws. If, however, such quorum shall not be present or represented at any meeting, the Members entitled to vote thereat shall have the power to adjourn the meeting

from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Section 3.5. Proxies. At all meetings of Members, each Member may vote in person or by proxy. All proxies shall be in writing and filed in the Tamarac permanent records. Every proxy shall be revocable and shall automatically terminate upon conveyance by a Member of their Property or expire at the end of one (1) year.

ARTICLE IV

BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 4.1. Number. The affairs of this Association shall be managed by a Board of Directors, with no less than three (3) and no more than five (5) directors.

Section 4.2. Term of Office. At each annual meeting the Members shall elect directors for a term of three (3) years.

Section 4.3. Removal. Any director may be removed from the board, with or without cause, by a majority vote of the Members of the Association. In the event of death, resignation or removal of a director, their successor shall be selected by the remaining members of the Board of Directors and shall serve for the unexpired term of their predecessor.

Section 4.4. Compensation. No director shall receive compensation for any services rendered to the Association. However, any director may be reimbursed for their actual expenses incurred in the performance of their duties.

Section 4.5. Action Taken Without a Meeting. The Board of Directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the approval of all of the directors. Any action so approved shall have the same effect as though taken at a meeting of the Board of Directors.

ARTICLE V
NOMINATION AND ELECTION OF DIRECTORS

Section 5.1. Nomination. Nomination for election to the Board of Directors shall be made from the floor at the annual meeting. Directors who have just fulfilled a three (3) year term and wish to continue to serve are nominated. All other nominations are accepted, unless the candidate has been removed from the Board of Directors within the preceding three (3) years. Such nominations may be made by Members or non-members. Only Members of the Association are eligible to be a director. However, a non-member can serve on the board and perform select duties. Non-members do not have voting privileges.

Section 5.2. Election. Election to the Board of Directors shall be by a hands raised vote, unless the number of nominations exceeds the number of vacancies, then secret written ballots will be cast. At such election the Members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

ARTICLE VI
MEETING OF DIRECTORS

Section 6.1. Regular Meetings. Regular Meetings of the Board of Directors shall be held monthly without notice, virtually or at such place and hour as may be fixed from time to time by resolution of the Board of Directors.

Section 6.2. Special Meetings. Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two directors, after not less than three (3) days notice to each director.

Section 6.3. Quorum. A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the

Board of Directors. In the absence of a quorum, absent directors may subsequently vote on motions. When a majority of all directors vote in favor, the motion will be regarded as an act of the Board of Directors

ARTICLE VII
POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 7.1. Powers. The Board of Directors shall have power to:

(a) adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the Members and their guest thereon, and to establish penalties for the infraction thereof;

(b) suspend the voting rights of a Member during any period in which such Member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations. Fines may be levied for violations of Declaration rules and regulations;

(c) 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 Declaration;

(d) declare the office of a member of the Board of Directors to be vacant in the event such Member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and

(e) employ a manager, an independent contractor, or such other employees deemed necessary, and to prescribe their duties.

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 the annual meeting of the members or at any special meeting when such statement is requested in writing by one-fourth (1/4) of the Class A Members who are entitled to vote;

(b) supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;

(c) as more fully provided in the Declaration, to:

(c) 1. fix the amount of the annual assessment against each Property at least thirty (30) days in advance of each annual assessment period;

(c) 2. send written notice of each assessment to every owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

(c) 3. file a lien against any property for which assessments in excess of \$100 are not paid within two-hundred forty(240) days after due date or to bring an action at law against the Owner personally obligated to pay the same, including foreclosing on an existing lien.

(d) issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board of Directors for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment;

(e) procure and maintain adequate liability insurance on property owned by the Association;

(f) cause all officers or others having fiscal responsibilities to be bonded, as it may deem appropriate;

(g) cause the Common Area to be maintained.

(h) respond to Declaration violations by issuing a written notice of the violation(s) to the Owner and a prescribed period of time for correction. Should a violation persist, a fine process may be implemented not to exceed five hundred dollars (\$500.00) for each violation.

(h) 1. Appeal. Any Owner may appeal a fine.

(h) 2. Notice of Appeal. An Owner must send written notice of appeal to the Board of Directors within (10) days of receipt of the Second Notice of Violation and pay the fine.

(h) 3. Notice and Hearing. Upon timely receipt of a Notice of Appeal and payment of the fine, the Directors shall schedule a hearing and notify the Owner of a date and time to hear the appeal. The fines will be refunded if the Board upholds the appeal.

ARTICLE VIII
OFFICERS AND THEIR DUTIES

Section 8.1. Enumeration of Officers. The officers of this Association shall be president and vice-president, who shall at all times be members of the Board of Directors, a secretary, and a treasurer, and such other officers as the Board of Directors may, from time to time, by resolution create.

Section 8.2. Election of Officers. The election of officers shall take place either at the annual meeting or the first meeting of the Board of Directors following each annual meeting of the Members.

Section 8.3. Term. An officer of this Association shall be elected annually by the Members or the Board of Directors and each shall hold office for one (1) year unless the officer shall sooner resign, or shall be removed, or otherwise disqualified to serve.

Section 8.4. Special Appointments. The Board of Directors may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board of Directors may, from time to time, determine.

Section 8.5. Resignation and Removal. Any officer may be removed from office with or without cause by the Board of Directors. Any officer may resign at any time giving written notice to the Board of Directors, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 8.6. Vacancies. A vacancy in any office may be filled by appointment by the Board of Directors. The officer appointed to such vacancy shall serve for the remainder of the term of the office replaced.

Section 8.7. Multiple Offices. The office of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to Section 4 of this Article, or in the event of a vacancy that eligible directors are unable or unwilling to fill.

Section 8.8. Duties. The duties of the officers are as follows:

President

(a) The president shall preside at all meetings of the Board of Directors and ensure notice of the meetings is served; shall see that orders and resolutions of the Board of Directors are carried out; shall sign all leases, mortgages, deeds and other written instruments.

Vice-President

(b) The vice-president shall act in the place and stead of the president in the event of absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required by the Board of Directors.

Secretary

(c) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board of Directors and of the Members; oversee service of notice of annual meeting and special meetings and maintenance of current Member addresses; and shall perform other duties as required by the Board or Directors.

Treasurer

(d) The treasurer shall oversee the receiving and depositing of all monies of the Association in appropriate bank accounts and disbursement of funds as directed by resolution of the Board of Directors; shall authorize the issuance of all checks and sign all promissory notes of the Association; shall oversee recordkeeping of all accounts receivable and payable; cause an annual audit of the Association books to be made by a public accountant as deemed necessary; review financials at the completion of each fiscal year and oversee the submission of information to a public accountant to prepare federal and state tax returns; review the Association tax returns and forward them to the president for signature; shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and

deliver a copy of each to the members; and shall perform other duties as required by the Board of Directors.

ARTICLE IX COMMITTEES

Section 9.1. Committees. The Board of Directors may appoint an Architectural Control Committee, as provided in the Declaration. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

ARTICLE X BOOKS AND RECORDS

Section 10.1. Books and Records. The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any Member. The Declaration, the Articles of Incorporation and the By-Laws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

ARTICLE XI ASSESSMENTS

Section 11.1. Assessment. As more fully provided in the Declaration, each Member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of six percent (6.00%) *per annum*, and the Association may bring action at law against the Owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs, and reasonable attorney's fees of any such assessment. No Owner may waiver or otherwise

escape liability for the assessments provided for herein by nonuse of the Common Area or abandonment of their Property.

ARTICLE XII
COPPORATE SEAL

Section 12.1. Seal. The Association shall have a seal in circular form having within its circumference the words: Tamarac Home Owners Association, Inc.

ARTICLE XIII
AMENDMENTS

Section 13.1. Amendments. These By-Laws may be amended by the Board of Directors by a two-thirds (2/3) vote; or at a regular or special meeting of the Members; by a vote of a majority of a quorum of Members present in person or by proxy.

Section 13.2. Conflict. In the case of any conflict between the Articles of Incorporation and these By-Laws, the Articles shall control; and in the case of any conflict between the Declaration and these By-Laws, the Declaration shall control.

ARTICLE XIV
MISCELLANEOUS

Section 14.1. Miscellaneous. The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year.

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BY-LAWS AMENDMENT ~ Adopted October 24, 2021 Effective November 1, 2021

FINES for VIOLATIONS of the Declaration of Covenants, Conditions and Restrictions

Most of our property owners follow the rules and comply with our Declaration. Most are cooperative when notified of a violation and immediately correct the violation. Unfortunately, some do not comply and are not cooperative. The Declaration benefits all property owners and exist for the purpose of maintaining and enhancing the value of our properties.

The purpose of this policy is to inform all property owners of fines that will be levied against owners and their properties for violations of the Tamarac Home Owners Association (THOA) Declaration. Effective upon the date first written above and thereafter until revised or amended by the Board of Directors. **There will be vigorous follow up of Declaration violations. You may contact Green Country HOA Management when you receive your First Notice, offer your correction plan and timeline and request accommodations to extend the correction time allowed.** The policy adopted by the property owners for violating the Declaration and levying fines is as follows:

First Notice ~ Usually \$0 fine with one (1) to thirty (30) days to correct the condition, depending on the scope and severity of the violation, and related considerations. The Board will not give a property owner more than two days to correct a condition that may affect the life, health, safety, or peaceful tranquility of other property owners.

Second Notice ~ Fines from \$10 - \$100 levied, depending upon the scope and severity of the violation.

Third Notice ~ Fines from \$20 - \$200 levied, depending upon the scope and severity of the violation.

Each Notice Thereafter ~ Fines from \$100 - \$450 levied, depending on the scope and severity of the violation. If levied fines are not paid within thirty (30) days, a lien may be filed on the property following the fourth notice and additional legal action may begin with all costs and fees charged to the property owner. Failure of the property owner to correct a violation may result in THOA correcting it and charging the expense to the property owner.

NOTE: Fines levied are due immediately to THOA, P.O. Box 1044, Jenks, OK 74037 or through the THOA website payment option at Tamarac-HOA.com. Levied fines must be paid before an appeal can be filed. Appeal requests must be presented in writing within 10 days of receipt of the Second Notice either by mail or email to greencountryhoa@gmail.com. Appeals will be heard at a regular meeting of the Board of Directors. The fines will be refunded if the Board upholds the appeal. THOA may also take expedited actions, at anytime after the Second Notice, if it seems clear to the Board that the property owner is a repeat violator and/or the property owner has demonstrated no intention of cooperating with the Board of Directors to correct the violation. All costs incurred by THOA in processing violations will be charged to the property owner.

“Declaration” shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the Office of County Clerk, County of Tulsa, State of Oklahoma.

IN WITNESS WHEREOF, we, being all of the directors of Tamarac Home Owners Association, Inc., have hereunto set our hands this 7th day of November, 2021.

Pamela R. Inkster Pamela R. Inkster Alfredo Delgado [Signature]

Mollie R. Coleman Mollie Coleman Ellen Wilks Ellen Wilks

Leonard Holley Leonard Holley

CERTIFICATION

I, the undersigned, do hereby certify:

THAT I am duly elected and acting vice-president of the Tamarac Home Owners Association, an Oklahoma corporation, and,

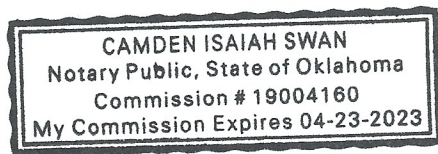
THAT the foregoing By-Laws constitute the original April 24, 1981 By-Laws of said Association with revisions and amendments duly adopted at a meeting of the members held on this 24th day of October, 2021.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Association this 7th day of November, 2021.



Pamela R. Inkster
Vice-President, Pamela R. Inkster

Signed or attested before me on November 7, 2021 by Pamela R. Inkster, Mollie R. Coleman, Leonard Holley, Alfredo Delgado and Ellen Wilks.



Camden Isaiah Swan
Notarial Officer, Camden Swan

State of Oklahoma, Notary Public
Title (and Rank)

(My commission expires: 04-23-2023)

(My commission # 19004160)