

SHALIMAR ASSOCIATION

PREAMBLE

WHEREAS, Shalimar Estates is a residential land development consisting of 134 acres located in Tempe, Arizona; and

WHEREAS, the developer of Shalimar Estates, Guelich and Associates, designed a golf course which was intended as an integral part of the general plan for the development and improvement of all Shalimar property; and

WHEREAS, an “implied restrictive covenant” limiting use of the property to a golf course arose from the sale of the adjacent lots to homeowners and continues to be enforceable against subsequent purchasers until 2025; and

WHEREAS, the current owners of property within the boundaries of Shalimar Estates as indicated on the appended map find it necessary and appropriate to create a neighborhood association for their mutual benefit and to protect their interests under the covenant;

THEREFORE, the current homeowners of Shalimar Estates reactivate and reestablish Shalimar Association, an Arizona non-profit membership corporation, for the purpose of taking action to enforce the above-described covenant for the benefit of all homeowners.

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BYLAWS

Article I. Membership

1. A “voting member” in good standing shall be a single person, a family, a business or an organization owning, leasing, or renting real property within the boundaries indicated on the appended map.

Article II. Dues and Donations

2. Dues, not to exceed \$25.00 per voting member per year, shall be determined by the Association Board and approved by the membership. Dues shall be collected for the purpose of publishing and distributing newsletters, upkeep of the Shalimar Association website, notification of meetings, and for the general conduct of Association business. Upon payment of dues a member or resident becomes a voting member in good standing.
3. The Association Board may solicit additional voluntary funds in excess of the annual dues when it is deemed necessary to help pay for any unforeseen or additional costs such as legal fees relating to upholding the Shalimar Association Preamble.

Article III. Board Members and Association Officers

1. The Association Board shall consist of up to fifteen (15) voting members, to be elected by the membership for one (1) year terms. The Board, insofar as possible should represent the various properties that are adjacent to the golf course within boundaries on the North at Concordia, on the South at Southern (residential only) on the West at Country Club Way and on the East at Price Road. All board members must support the goals of the Association as stated in the Preamble.
2. Voting members shall nominate proposed board members from the floor (with the permission of the nominee) at the first annual meeting. Thereafter, nominations for board members shall be made to a nominating committee appointed by the President prior to the annual meeting, or from the floor on the day of the election. All prospective nominees must be voting members in good standing.
3. The board shall elect officers of the Association from the nominees. All officers must support the goals of the Association as stated in the Preamble. These officers and their duties are as follows:
 - 1) **President:** The President shall call and preside at all meetings and shall act for and on behalf of the membership of the Association, shall appoint any standing or special committees necessary for the operation of the Association. The President shall implement the decisions of the Association Board

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- 2) **Vice President:** The Vice President shall, in the absence of the President, assume all the duties of that office and perform other such duties as designated by the Board.
 - 3) **Secretary:** The Secretary shall keep a permanent record of all Association and Board annual and special meeting minutes, and all legal documents and transactions of the Association. The Secretary shall also function as the historian, keeping a permanent record of all published items, publicity, important correspondence and history of the Association.
 - 4) **Treasurer:** The Treasurer shall keep the books and records of the financial business of the Association, including all receipts and expenditures. A current financial report shall be submitted at each annual meeting.
 - 5) **Membership Director:** The Membership Director shall direct membership recruitment activities and maintain membership records.
4. Any interim vacancies shall be filled by appointment by the President and said appointee shall serve until the next annual meeting.
 5. All records and documents of the council and/or officers pertaining to the Association are property of the Association and shall be surrendered to the Board by outgoing officers and board members within fifteen (15) days following the end of their terms or upon resignation.

Article IV. Meetings and Quorums

1. An annual meeting for the purpose of electing board members, presenting reports, amending bylaws and determining dues shall be at a time and place designated by the Board. Additional meetings may be called at the discretion of the President.
2. Not less than one third (1/3) of the voting members or one third (1/3) of the members of the board shall have the privilege of petitioning a special meeting at any time.
3. Not less than one third (1/3) of the voting members, or in the case of a board meeting, one third (1/3) of the board shall constitute a quorum.
4. Board meetings shall be held at the discretion of the President or upon petition by the voting members.

Article V. Bylaws

Bylaws shall be amended or repealed by a majority vote at the annual meeting or at a special meeting called for that purpose, providing that voting members have been notified ten (10) days prior to the meeting.

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Article VI. Notice

Notice to voting members shall be by U.S. Mail at the last known address as provided by the member or by electronic mail if such address has been advised, at the discretion of the President.

Article VII. Dissolution of the Association

Should it become necessary to dissolve the Association, all funds and other assets (including Tract B) belonging to the Association shall be returned to or distributed among the voting members standing after all obligations have been paid.

Adopted: 1979

Amended: October 16, 2013

Amended: October 8, 2014