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GREENVILLE, SC

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TIMOTHY L. HANNEY  
REGISTER OF DEEDS

BY-LAWS

OF

PARKVIEW HOMEOWNERS ASSOCIATION, INC.

A non-profit corporation existing under the Laws of the State of South Carolina

ARTICLE I  
(General)

1. APPLICABILITY. These are the By-laws of Parkview Homeowners Association, Inc. (Association), a non-profit corporation organized and existing under the laws of the State of South Carolina. The Association has been organized for the purpose of administering a planned unit development upon the lands described in the Master Deed Establishing Parkview Horizontal Property regime (Declaration).
2. PERSONAL APPLICATION. All present or future owners, tenants or their agents, or any other person who might use the facilities of the property in any manner, are subject to the regulations set forth in these by-laws and in the Declaration establishing the Horizontal Property Regime as they may be amended from time to time. The mere occupancy, acquisition or rental of any of the residences will signify that these By-laws and the Declaration and any authorized recorded amendments are accepted and ratified, and will be complied with.
3. OFFICE. The office of the Association shall be at 4614 Old Spartanburg Road, # 61, Taylors, South Carolina, 29687. Contact current President of Association.
4. FISCAL YEAR. The fiscal year of the Association shall be the calendar year unless a different year is selected by the Board of Directors.
5. PURPOSE. The Association has been organized for the purpose of administering the Horizontal Property Regime known as Parkview.

ARTICLE II  
(Membership)

1. DEFINITION OF MEMBER. "Member" as used in these By-laws shall mean an owner, co-owner and each of their respective heirs, representatives and successors or assigns.
2. VOTE OF MEMBERS. On all matters upon which the members are entitled to vote, each condo unit owner shall be entitled to cast one vote. (60 total votes)

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3. INITIAL MEETING. The initial meeting of members shall be held at the office of the Association approximately ninety (90) days following the completion of the transfer of title to thirty-one (31) residences.
4. ANNUAL MEETING. Annual meetings of members after the initial meeting shall be held at the pool area gazebo at Parkview Condominiums, 4614 Old Spartanburg Road, Taylors, South Carolina on the third Monday in May for the purpose of electing directors and of transacting any other business authorized to be transacted by the members. The past President will give a report of the past year. The membership will have an opportunity to discuss any concerns or situations they wish.
5. SPECIAL MEETINGS. Special meetings of members shall be held whenever called by the President or Vice-President or by a majority of the Board of Directors, and must be called by such officers upon receipt of a written request from members entitled to cast one-third of the total votes of the Association.
6. NOTICE OF MEETINGS. Notice of all meetings of members stating the time and place and the objects for which the meeting is called shall be given by the President or Vice-President or Secretary unless waived in writing. Such notice shall be in writing to each member at their address as it appears on the books of the Association and shall be mailed or delivered not less than 5 days nor more than 30 days prior to the date of the meeting. Proof of such mailing or delivery shall be given by the affidavit of the person giving the notice. Notice of meeting may be waived in writing either before or after meetings, and attendance at any meeting by a member shall be deemed a waiver of the notice requirements with respect thereto unless such member delivers written objection of failure to comply with such notice requirements to the person presiding at the meeting.
7. MAJORITY OF MEMBERS. As used in these By-laws, the term "majority of members" shall mean fifty-one (51%) percent or more of the residence owners and the presence in person or by proxy of a majority of members shall constitute a quorum.
8. PROXIES. Votes may be cast in person or by proxy. Proxies must be filed with the Secretary before the appointed time of each meeting.
9. MAJORITY VOTE. The vote of a majority of the members present at a meeting at which a quorum is present shall be binding upon all residence owners for all purposes except where a higher percentage is required by these By-laws or the Declaration.
10. RESIDENCES OWNED JOINTLY. The vote of the owners of a residence owned by more than one person or by a corporation or other entity shall be cast by the person

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named in a certificate signed by all of the owners of the residence or by the agent of such corporation or other entity, or by a general partner of a partnership, as the case may be, and filed with the Secretary of the Association. Such certificate shall be valid until revoked by a subsequent certificate. If such a certificate is not on file, the vote of such members shall not be considered in determining the requirement for a quorum for any other purpose.

11. PRESIDING OFFICER. The presiding officer at all meetings of members shall be the President, in whose absence the Vice-President shall preside. If neither such officer is present, the members shall elect a chairman to preside at the particular meeting.
12. ORDER OF BUSINESS. The order of business at annual meetings of members, and, as far as practical at all other meetings of members, shall be
  - a. Calling of the roll and certifying of proxies.
  - b. Proof of notice of meeting or waiver of notice.
  - c. Reading and disposal of any unapproved minutes.
  - d. Reports of officers.
  - e. Reports of committees.
  - f. Election of directors.
  - g. Unfinished business.
  - h. New business.
  - i. Adjournment.
13. POWERS AND DUTIES OF MEMBERS. Powers and duties of members shall be those powers and duties specifically and exclusively required by the Declaration and these By-laws to be exercised and be performed by the Association, which powers and duties shall be exercised and performed upon a majority of the total vote of the Association, except as otherwise provided in the Declaration or these By-laws, such powers and duties to include but not to be limited to the following:
  - a. Election of directors, as provided in these By-laws..
  - b. Removal of any director upon vote of 75% of the total vote of the Association, and election of a replacement therefore upon vote of a majority of said total vote.
  - c. Determination whether to repair, reconstruct, or rebuild after a casualty, as provided by the Declaration.
  - d. Promulgation of regulations, as provided in the Declaration.
  - e. Proposal and approval of amendments to the Declaration as provided in the Declaration.
  - e. Approval of amendments to the By-laws, as provided in these By-laws.
  - f. Approval of increase in assessments, as provided in the Declaration.

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ARTICLE III  
(Board of Directors)

1. NUMBER AND ELECTION. The Board of Directors shall consist of 7 members who shall be elected by the members of the Association. The first Board shall be elected at the initial meeting of members, and annually thereafter.
2. MANNER OF ELECTION; REMOVAL. The directors shall be chosen by voting ballot mailed in prior to the meeting. The votes will be tabulated and announcement of election results of new directors will be made at this meeting. Each director when elected shall serve, unless removed as hereinafter set forth, until the annual meeting of members at which his term expires and his successor is elected. Any director or directors may be removed at any time, with or without cause, by vote of 75% of the total vote of the Association at any regular or special meeting thereof, and the removed director may be replaced by a majority of the total vote of the Association at any regular or special meeting thereof.
3. ORGANIZATION MEETING. The Board of Directors, as constituted after the election of new directors at the initial or annual meeting of the members shall hold an organization meeting within ten (10) days after the meeting at such time and place as shall be fixed by the directors present at such meeting of members, and no further notice of the organization meeting shall be necessary provided a quorum shall be present.
4. REGULAR MEETINGS. Regular meetings of the Board of Directors shall be held at least once a month except in December unless especially called. The meetings will be held at such time and place as shall be determined, from time to time, by a majority of the directors. Notice of regular meetings shall be given to each director, personally or by mail or telephone at least three days prior to the day named for such meeting unless notice is waived.
5. SPECIAL MEETINGS. Special meetings of the Board of Directors shall be held whenever called by the President or Vice-President or by a majority of the Board of Directors, and must be called by such offices upon receipt of a written request from any three of the directors.
6. VOTE OF DIRECTORS. Each director shall have one whole vote, regardless of the number of residences owned by him.
7. QUORUM OF BOARD OF DIRECTORS. A majority of the members of the Board of Directors shall be necessary to constitute a quorum for the transaction of business at any meeting but a smaller number may adjourn the meeting to a future time.
8. VACANCIES IN BOARD OF DIRECTORS. Any vacancy in the office of any director, however occasioned, may be filled, pending the election of his successor by

the Board of Directors. Failure of a director to attend three consecutive meetings will be cause to remove said director and replace with another. The candidate who in the election had the next highest number of votes shall be placed into office.

9. PRESIDING OFFICER. Presiding officer of directors' meetings shall be the President, in whose absence the Vice-President shall preside.
  
10. POWERS AND DUTIES OF DIRECTORS. Powers and duties of the Board of Directors shall consist of those powers and duties specified in the Declaration and these By-laws to be exercised and performed by the Board of Directors, which powers and duties shall be exercised and performed upon a majority of the total vote of the board, except as otherwise provided in the Declaration or these By-laws, such powers and duties to include but not to be limited to the following:
  - a. Election of officers.
  - b. Approval of plans for repair, construction or rebuilding, as provided in the Declaration.
  - c. Proposal and approval of amendments to the Declaration as provided therein.
  - d. Approval of amendments to the By-laws, as provided herein.
  - e. Obtaining insurance as provided in Article IX of the Declaration.
  - f. Hire Manager if deemed necessary by the Board of Directors.

ARTICLE IV  
(Powers and Duties of Officers)

1. ELECTED OFFICERS. The Board of Directors, by vote of a majority of the whole shall elect annually from the membership of the Association a President and a Vice-President, each of whom shall be a director, together with a Secretary and a Treasurer, which officers or any of them may be removed at any meeting by vote of a majority of the whole board. No person may hold more than one office at the same time. Such officers shall serve without compensation.
  
2. PRESIDENT. The President shall preside at meetings of the members and meetings of the Board of Directors, and shall appoint such committees of the Association or the Board of Directors as he in his discretion determines to be appropriate in the conduct of the affairs of the Association. He (or she) shall exercise such other powers and perform such other duties as shall be prescribed by the directors.
  
3. VICE PRESIDENT. The Vice President shall, in the absence of or disability of President, exercise the powers and perform the duties of the President. He (or she) shall also generally assist the President and exercise such other powers and perform such other duties as shall be prescribed by the directors.

4. SECRETARY. The Secretary shall keep minutes of all proceedings of the directors and members. He (or she) shall attend to the giving and serving of all notices to the members and directors and other notices required by law. He (or she) shall keep the records of the Association, and shall perform such other duties incident to the office of the Secretary as may be required by the directors or the President.
5. TREASURER. The Treasurer shall collect all payment checks from box authorized for payment of regime fees and list all checks collected as to name and amount and mail to our Accountant. He (or she) shall also collect all checks and bills mailed to #61 at Parkview Condominiums and list and mail to our Accountant.

ARTICLE V  
(Fiscal Management of the Association)

The provisions for the fiscal management of the Association set forth in the Declaration and elsewhere in these By-laws shall be supplemented by the following provisions:

- A. ASSESSMENT/REGIME FEE ROLL. The assessment/regime fee roll shall be maintained in a set of accounting books in which there shall be an account for each member of the Association. Such an account shall designate the name and address of the member, the amount of each assessment/regime fee against the member, the dates and amounts in which the assessments/regime fees come due, the amounts paid upon the account and the balance due upon assessments/regime fees. An Accountant who has been chosen by the Board of Directors shall keep the above records and all records of the finances of the Association. He shall be authorized to make all payments transacted by the Association.
- B. BUDGET.
  1. The Accountant and the President shall prepare a budget for each calendar year which shall contain estimates of the cost of performing the functions of the Association, including but not limited to the following items:
    - a. Common expense budget:
      - (1) Maintenance and operation of common area, limited common area (that Association is to maintain) and facilities.
      - (2) Casualty insurance.
      - (3) Liability insurance.
      - (4) Administration
      - (5) Water and sewer charges if any
      - (6) Charges for electricity and gas used in common areas
      - (7) Charges for termite protection
      - (8) Other

- b. Proposed assessments/regime fees against each member.
    - (a) Common expense budget
    - (b) Other
  2. Copies of the budget and proposed assessments/regime fee shall be transmitted to each member on or before December 1 preceding the year for which the budget is made. If the budget is subsequently amended before the assessments/regime fees are made, a copy of the amended budget shall be furnished each member concerned.
- C. BANK ACCOUNTS The depository of the Association shall be such bank or banks as shall be designated from time to time by the directors and in which the monies of the Association shall be deposited. Withdrawal of monies from such accounts shall be only by checks signed by the Accountant or President.
- D. AUDIT OF ACCOUNTS. An audit of the accounts of the Association shall be made annually by a Certified Public Accountant, or accounting firm, and a copy of the report of such accountant with respect thereto shall be furnished to each member not later than April 1 of the year following for which the report is made.
- E. FIDELITY BONDS. Fidelity bonds shall be required by the Board of Directors from all officers and employees of the Association handling or responsible for Association funds. The amount of such bonds shall be determined by the directors, but shall be at least an amount equal to one-sixth of the estimated total annual assessments against members for recurring expenses. The premiums on such bonds shall be paid by the Association.

#### ARTICLE VI

##### (Covenants for Assessments/Regime Fees)

1. Each owner or co-owner must pay fees or assessments to the Association in the following manner.
  - a. Monthly regime fee as set by the Board of Directors. Said fee is payable by the 10<sup>th</sup> of the month. Failure to pay fee in stated time will result in a \$25.00 additional late charge. Failure to pay regime fee five consecutive months will be cause to place a lien on the property. Owner will be responsible for accumulative regime fees, late fees and fee of the attorney.
  - b. Special assessments for capital improvements. In case of a major expenditure, the Board of Directors may ask for a special assessment. The assessment must have the approval of seventy-five (75%) of the homeowners. The manner of payment to be decided on by the Board. Failure to pay at specified time will be cause for \$25.00 monthly late fee.

- c. Special assessments for purchase and repair, and reconstruction, and rebuilding of residences.

ARTICLE VII  
(Restrictions)

The use of the property of the condominium shall be in accordance with the following provisions:

1. Entire residences may be rented provided the term of the rental or lease agreement shall be no less than one (1) year. No residence owner may lease less than the entire unit. Any lease shall be subject in all respects to the provisions of these By-laws and constituent documents and that any failure by the Lessee to comply with the terms of such documents shall be a default under the lease. All leases shall be in writing. Other than the foregoing, there is no restriction on the right of any residence owner, to lease his residence.
2. No industry, business, trade, occupation or profession of any kind, whether commercial or otherwise, shall be conducted, maintained, or permitted on any part of the property. This does not prohibit a home based business being conducted, provided there is not a flow of traffic, merchandise moving in and out, or customers or vendors coming and going.
3. No use or practice shall be allowed on the property which is the source of annoyance or nuisance to residents or which interferes with the peaceful possession and proper use of the property by its residents.
4. All parts of the property shall be kept in a clean and sanitary condition and no rubbish, refuse or garbage allowed to accumulate nor any fire hazard allowed to exist.
5. No immoral, improper, offensive or unlawful use shall be made of the property, nor any part thereof, and all valid laws, zoning ordinances and regulations of all governmental bodies having jurisdiction thereof shall be observed by and at the expense of the owner or the Association, whichever shall have the obligation to maintain or repair such portion of the property.
6. Nothing shall be done in or to any unit in, to, or upon any of the common area and the facilities which will impair the structural integrity of any building, residence or portion of the common area and facilities or which would impair or alter the exterior of any building.



7. No person shall undertake, cause or allow any alteration or construction in or upon any portion of the common area and facilities except at the direction of and with the express written consent of the Association.
8. Nothing shall be kept and no activity shall be carried on in any residence or in the common area and facilities which will increase the rate of insurance, applicable to residential use, for the property or the contents thereof. No owner shall do or keep anything, nor cause or allow anything to be done or kept in his residence or the common area and facilities which will result in the cancellation of such insurance.
9. There shall be no restriction upon the right of a residence owner to keep pets that remain inside the home. Small to medium dogs not prone to aggression are permitted. Pets must be on a leash and under control at all times in the common areas. It is the owners' responsibility to clean up after their pets.
10. No more than two children age seventeen or under may reside in any one residence in the condominium.
11. No addition to, change or alteration in the exterior of any unit shall be commenced, erected or maintained upon the property until the plans and specifications have been submitted to and approved in writing by seventy-five (75%) of the Board of Directors or one hundred (100)% of any committee the Board may appoint for the purpose of granting such approval.
12. No charcoal or gas grills, gas cookers or gas appliances may be used on the porches, sidewalks or building common area. Use grills only at least ten feet away from a building. Explosive materials cannot be stored in unit or in storage area. This rule is for insurance purposes, and is in the International Fire Code.
13. Each resident is allowed two parking spaces. Only a passenger vehicle in operating condition with a current and effective license tag may be parked on property. Any property stored or parked in violation on the premises may be removed at the expense of the resident owner who parked or stored the same or whose lessee has parked or stored or permitted the same to be parked or stored. The cost of removal and further storage shall be assessed against the residence owner liable for such cost. No boats, trailers, trucks over three tons, motorcycles, mini-bikes, recreational vehicles or non-automobiles may be parked in the common area without approval of the Association. No mechanical or bodywork, maintenance or repair on any vehicle or boat shall be performed within Parkview.

ARTICLE VIII  
(Parliamentary Rules)

Roberts Rules of Order (latest edition) shall govern the conduct of Association proceedings when not in conflict with the condominium documents of the Act.

ARTICLE IX  
(Rules and Regulations)

A. NOISE

1. Quiet shall be observed between the hours of 10:00 P.M. and 8:00 A.M. in consideration of other residents.
2. Radios, television and other electronic devices shall be operated at a level appropriate for personal entertainment within the dwelling.

B. WASTE DISPOSAL

1. All waste shall be disposed of in the dumpster. Boxes must be broken down before being placed in dumpster. No items are to be left outside the dumpster.
2. No trash or trash receptacles are to be stored on porches or outside a dwelling.

C. SIGNS/SOLICITING

1. No sign for any purpose shall be placed or displayed in any manner, except as authorized by the Board of Directors, including in the mailbox area.
2. Solicitation and trespassing are not permitted.

E. OUTSIDE STORAGE AND RULES

1. Items including tool sheds, lawn decorations, and other structures are prohibited from the grounds, buildings and other property of the Association.
2. Vegetable gardens are not permitted.
3. Storm doors must be white and full view (glass or screen from top to bottom).
4. Patios shall be maintained in an orderly manner at all times. No storage of items is permitted.
5. Common entries are to be kept free of furniture and excess items.
6. White or off white blinds in good condition shall be in use at all windows.

F. RECREATIONAL AND PLAY EQUIPMENT

1. No recreational or child's play equipment shall be erected or permitted in any form in common or limited common areas.

G. LEASING OF PROPERTY

1. Absentee owners shall pay an annual fee of ten (\$10.00) dollars to defray the cost of additional phone and secretarial devices, postage, stationery and other

office supplies necessary to carry out official Association business with non-resident owners. This money is due, and payable in January of each year. Check is payable to the Parkview Condominium Association and should be sent to accountant.

2. Owners shall lease the entire unit to an individual or a family for a period of not less than one (1) year. The lease shall be in writing to include all applicable terms, conditions, and costs, and shall list all persons included in the lease agreement by name. Dollar figures may be omitted from the lease copy furnished to the Board of Directors.
3. Absentee owners must provide each renter with a copy of the By-laws.

#### H. COMPLAINTS

1. All complaints shall be submitted in writing, signed and deposited in the regime fee box or mailed to the Board of Directors at 4614 Old Spartanburg Road, #61, Taylors, SC 29687, Attn. President.

#### I. VIOLATIONS

1. Violations of the By-laws or other documents governing Parkview shall be addressed to the owner of the dwelling by the Board of Directors by mail, except as described in 2 below. The notification shall include a description of the By-law determined to have been violated and the date by which compliance or resolution is required.
2. Only in the event of imminent danger to the health and safety of residents or risk of loss of, or damage to Association property, or other situations where time is of the essence, shall a violation be cited orally by a Director.
3. Legal fees and other expenses incurred by the Association as part of successful litigation necessary to enforce the above By-laws or other requirements of the Association shall be assessed against the responsible owner of property (s).
4. The Board of Directors shall at all times act in a reasonable yet firm manner to enforce the regulations in accordance with the By-laws.

### ARTICLE X (Amendments)

Amendments to the By-laws shall be proposed and adopted in the following manner:

- A. NOTICE. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is to be considered.

B. ADOPTION. A resolution adopting an amendment must receive approval of a majority of the votes of the entire membership of the Board of Directors and a majority vote (51%) of the total vote of the Association. Directors and members not present at the meetings considering the amendment may express their approval in writing.

ARTICLE XI  
(Miscellaneous)

- A. PRIORITY OF DECLARATION. In the event of a conflict between the Declaration and these By-laws, the By-laws shall govern.
- B. USE OF PRONOUNS, ETC. For purposes of these By-laws, masculine or feminine pronouns shall be substituted for those in the neuter form, and vice versa, and the plural shall be substituted for the singular, in any place or places herein where the context may require such substitution.
- C. DEFINITIONS. Words used in these By-laws, unless specifically defined in these By-laws, shall have the same meaning as set forth in the Declaration.
- C. HEADINGS. The headings or titles of sections or subdivisions of these By-laws are inserted as a matter of convenience only, and are not intended to define or limit the subject matter of such sections or subdivisions in any manner.

The undersigned hereby certifies that the foregoing By-laws have been adopted as the By-laws of the Corporation, pursuant to the requirements of the South Carolina Horizontal Property Act.

Dated: June 14, 2005 Parkview Homeowners Association INC

May Ann Clark  
President

Karole K. Egan  
Secretary

STATE of SOUTH CAROLINA

Witness George R. Smith

Witness Luis J. Fortuna

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

PERSONALLY APPEARED THE UNDERSIGNED WITNESS AND MADE  
OATH THAT HE SAW THE WITHIN MARY ANN CLARK SIGN, SEAL AND  
AS THEIR ACT AND DEED, DELIVER THE WRITTEN DOCUMENT; AND  
THAT HE WITH THE OTHER WITNESS SUBSCRIBED ABOVE, WITNESSED  
THE EXECUTION THEREOF.

SWORN TO BEFORE ME THIS 14<sup>th</sup> OF JUNE 2005

John P. Ingall  
NOTARY PUBLIC FOR SOUTH CAROLINA      George R. Smith  
WITNESS # 1

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS 14<sup>th</sup> OF JUNE 2005

John P. Ingall  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 10-19-2011

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COUNTY SC R.O.D. OFFICE AT 04:05 PM  
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Timothy