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Jefferson County Clerk's Office

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**INST # 2018256208**

**BATCH # 155402**

**JEFFERSON CO, KY FEE \$13.00**

PRESENTED ON: 10-30-2018 8 01:29:40 PM

LODGED BY: THOMAS DODSON & WOLFORD

RECORDED: 10-30-2018 01:29:40 PM

BOBBIE HOLSCRAW

CLERK

BY: TERESA HIGGS

RECORDING CLERK

**BK: D 11279**

**PG: 626-628**

AMENDMENT TO  
AMENDED BYLAWS OF THE  
CEDAR CREEK NEIGHBORHOOD ASSOCIATION, INC.

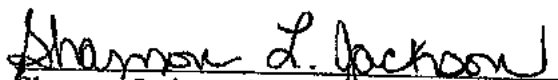
At a duly called meeting of the members held on April 28, 2018, with a quorum present, and based upon the recommendation of the Board of Commissioners, the members voted to amend the Amended Bylaws Of The Cedar Creek Neighborhood Association, Inc. recorded in Book 127, Page 874, in the Jefferson County Clerk's Office as follows:

1. Section 6 (Assessments) is hereby amended such that the annual assessment is increased from \$125.00 to \$150.00; the assessment will be due on January 1 instead of November; and upon default, a \$5.00 per month late fee will be charged until paid instead of a penalty of \$1.50 per month; and

2. Except as set forth above to the contrary, all the terms, conditions, and provisions of the aforementioned Amended Bylaws Of The Cedar Creek Neighborhood Association, Inc. shall remain in full force and effect.

IN TESTIMONY WHEREOF, witness the signatures of the president and the secretary this 22 day of October, 2018.

  
\_\_\_\_\_  
Austin Belcher, President

  
\_\_\_\_\_  
Shannon Jackson, Secretary



AMENDMENT TO  
AMENDED BYLAWS OF THE  
CEDAR CREEK NEIGHBORHOOD ASSOCIATION, INC.

At a duly called meeting of the members held on April 28, 2011, with a quorum present, and based upon the recommendation of the Board of Commissioners, the members voted to amend the Amended Bylaws Of The Cedar Creek Neighborhood Association, Inc. recorded in Book 127, Page 874, in the Jefferson County Clerk's Office as follows:

1. Section 6 (Assessments) is hereby amended such that the annual assessment is increased from \$75.00 to \$125; the assessment will be due on January 1 instead of November; and upon default, a \$5.00 per month late fee will be charged until paid instead of a penalty of \$1.50 per month; and

2. Except as set forth above to the contrary, all the terms, conditions, and provisions of the aforementioned Amended Bylaws Of The Cedar Creek Neighborhood Association, Inc. shall remain in full force and effect.

IN TESTIMONY WHEREOF, witness the signatures of the president and the secretary this 27 day of May, 2011.

Catherine Goff  
Catherine Goff, President

Meredith Cap  
Secretary

COMMONWEALTH OF KENTUCKY )  
 ) ss.  
COUNTY OF JEFFERSON )

Subscribed, sworn to and acknowledged before me by Catherine Goff as President and by  
NEVAOA Cox as Secretary of Cedar Creek Neighborhood Association, Inc. this  
27 day of May, 2011.

My commission expires: March 23, 2015

Michael Dreggors  
Notary Public

MICHAEL DREGGORS  
NOTARY PUBLIC  
STATE AT LARGE  
KENTUCKY  
MY COMMISSION EXPIRES MAR 23, 2015

THIS INSTRUMENT PREPARED BY:

[Signature]  
Harold W. Thomas  
THOMAS, DODSON & WOLFORD, PLLC  
9200 Shelbyville Road, Suite 611  
Louisville, Kentucky 40222  
(502) 426-1700

Document No.: DN2011069009  
Lodged By: Thomas Dodson & Wolford  
Recorded On: 06/07/2011 01:28:41  
Total Fees: 13.00  
Transfer Tax: .00  
County Clerk: BOBBIE WOLSCLOW-JEFF CO KY  
Deputy Clerk: SHESCH

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AMENDED BYLAWS  
OF THE  
CEDAR CREEK NEIGHBORHOOD ASSOCIATION, INC.

These amended bylaws of the Cedar Creek Neighborhood Association, Inc. (the "Association") are effective as of the first day of April, 1999, and supersede any and all prior bylaws of the Association.

1. *MEMBERSHIP.*

a. The owner of record of each (house/lot) in the Cedar Creek Subdivision shall have one membership in the Association. In the event the ownership of a single (house/lot) is a joint or common ownership, the joint or common owners together shall constitute one membership so that in all cases the voting power of members shall be limited to one vote per (house/lot) in the Subdivision. Membership in the Association shall terminate when any member shall cease to be the owner of record of a (house/lot) in the Cedar Creek Subdivision.

b. Each member of the Association shall be entitled to one vote on each matter submitted to a vote of its members.

c. No member shall be expelled from membership for any reason whatsoever. However, the voting power of any member shall be suspended during any time that such member shall be in arrears in paying the assessments or charges due to the Association or in the event that any member has failed to comply with any notice from the Association to bring the member's dwelling or lot into conformity with these bylaws of the Association.

d. For purposes of determining whether a member has received notice, or is present at a meeting, or has signed a proxy, and for similar matters, a member shall be deemed the owner of record of a lot in the subdivision, such owner's spouse, or a member of the owner's household over the age of 18.

e. A member may not assign membership rights and obligations to a tenant residing in the member's dwelling.

2. *COMMISSIONERS AND OFFICERS OF THE ASSOCIATION.*

a. *Board of Commissioners.* A Board of Commissioners shall administer the Association in accordance with these bylaws and with other governing documents.

Service on the Board of Commissioners is voluntary. There shall be no fixed number of Commissioners that may serve on the Board.

b. *Officers of the Association.* The Board of Commissioners shall elect Officers of the Association consisting of a President, Treasurer, and Secretary. The Officers shall be elected at the Fall Meeting of the Board of Commissioners for a one-year term by a majority of the Commissioners present.

i. *President.* The President shall be chairman of the Board of Commissioners and shall preside at all meetings of the Association and the Board of Commissioners. The President shall exercise general supervision of the affairs and activities of the Association, subject to the control and direction of the Board. The President shall appoint special committees as needed, and shall serve as a member ex-officio of all standing committees.

ii. *Treasurer.* The Treasurer shall collect assessments and pay all bills of the Association. The Treasurer shall keep an active record of the amount and sources of receipts and the amount and purpose of disbursements. The Treasurer shall submit a complete, written financial report at each meeting of the Board of Commissioners. The Treasurer shall submit a complete, detailed, audited financial statement of the Association at the Fall General Meeting of the Association.

iii. *Secretary.* The Secretary shall keep an accurate record of the proceedings of all meetings of members and of the Board of Commissioners, which shall be the official record of all business transacted. The Secretary shall preside at all meetings in the absence of the President.

c. *Vacancies of Offices.* In the event that an office is vacated by resignation or otherwise, such office shall be filled by a special meeting of the Board of Commissioners within seven days of notice of the vacancy.

### 3. *MEETINGS OF THE ASSOCIATION.*

a. *General Meetings of the Association.* There shall be two general meetings of the Association to be held approximately six months apart in a calendar year. The date, time, and place of the general meetings shall be fixed by the Board of Commissioners, but in all cases shall be within a reasonably close proximity to the Cedar Creek Subdivision. The purposes of the general meetings shall be as set forth in the notice of the meetings. In addition, the members at a general meeting may transact such other business as may be properly brought before the meeting.

b. *Special Meetings of the Association.* Special meetings of the Association may be called by the Board of Commissioners or by a petition signed by 25 percent of the members of the Association. The date, time, and place of the special meeting shall be fixed by those calling the meeting, but in all cases shall be within a reasonably close proximity to the Cedar Creek Subdivision.

c. *Notice of Meetings.* Written notice of all general and special meetings of the Association stating the date, time, and place of the meeting shall be delivered to the members of the Association not less than seven days prior to the meeting date; however, it shall be the responsibility of the persons calling a special meeting to furnish the Commissioners with information concerning the date, time, place, and purposes of special meetings within a reasonable time before notice of the meeting is required to be delivered.

d. *Quorum and Voting.* The act of a majority of the members present in person or by proxy at a meeting shall be the act of the members unless a quorum is required by these bylaws or by law.

e. *Proxies.* A member may vote at any meeting of the Association by means of a written proxy signed by the member and delivered by the proxy-holder to the Secretary at the meeting.

#### 4. *MEETINGS OF THE BOARD OF COMMISSIONERS.*

Regular meetings of the Board of Commissioners shall be held throughout the course of the year as needed, but in no event shall there be less than four meetings of the Board of Commissioners in a calendar year. The act of a majority of the Board of Commissioners at a meeting shall be the act of the Board of Commissioners.

#### 5. *COMMITTEES.*

The Board of Commissioners shall designate committees and appoint members to the committees.

#### 6. *ASSESSMENTS.*

a. *Amount and Payment of Assessment.* There shall be an annual assessment of each member of the Association in the amount of \$75.00. The Treasurer will send a notice of assessment to each of the members of the Association by the end of



September. The assessment will be due on November 1. The payment of assessment will be considered in default if it is not paid within 30 days after the due date. Upon default, a \$1.50 per month late penalty will be charged until paid, for up to six months, and any additional court or collection fees incurred shall be assessed against the delinquent member.

b. *Liens Against Property.* All unpaid assessments after six months (May 1) shall constitute a lien against the defaulting member's real estate and the improvements thereon, but such lien shall be subordinate in priority to the lien of any first mortgage, ad valorem taxes, and prior assessments for improvements, if any, on any property which is subject to such assessments. The lien of such assessment shall be enforceable against the real estate as other liens against real estate by foreclosure or may be collected as other claims for money due.

c. *Assessments of New Members.* In the event a member who has paid an assessment as provided herein conveys his or her property, then any portion of the paid assessment shall remain with the Association. It shall be the responsibility of the old member to deal with a new owner of record on the matter of pro-rata adjustment of dues.

d. *Increase or Decrease of Assessment.* Any change in the amount of the assessment shall be first approved by the Board of Commissioners and then shall be required to be presented to the membership of the Association at a general or special meeting for approval. A quorum of 10 percent of the membership must be present at the general or special meeting to vote on any change in the amount of the assessment. Any increase or decrease in the amount of the assessment shall not occur unless approved by a majority of all members present.

e. *Use of Assessment Funds.* The assessments shall be applied toward the payment of the community lighting, maintenance of the islands and other common areas, and other obligations entered into in the ordinary course of the Association's affairs. The Board of Commissioners can spend up to \$500 for each project; projects costing more than \$500 require the approval of a majority of the members of the Association at a general or special meeting. Association officers may authorize spending up to \$250 in the event of an emergency needing immediate attention.

f. *Bank Account and Authorized Signatories.* The Board of Commissioners shall establish a checking account for the deposit of assessments collected. The Treasurer shall be responsible for maintaining the funds. The signatures of the Treasurer and the President shall be required for the withdrawal of any funds from the Association's checking account.

## 7. MISCELLANEOUS PROVISIONS.

a. *Duty to Maintain Property.* It is the duty of each member to maintain his or her property by keeping the grass on the lot properly cut, to keep the lot free from weeds and trash, and to keep it otherwise neat and attractive in appearance.

b. *Paid Positions.* The Board of Commissioners may retain an attorney in order to have legal advice, direction, and assistance as required.

c. *Notice to New Members.* The Secretary or the Secretary's designated representative shall be responsible for contacting and informing new members concerning their membership in the Association and providing them with a copy of these bylaws.

## 8. AMENDMENT OF BYLAWS.

Proposed amendments to these bylaws must first be submitted to the Board of Commissioners for approval. The proposed amendment must then be presented to the members of the Association at a general or special meeting having a quorum of 10 percent of the members of the Association. An amendment must be approved by a simple majority of the members present at the meeting at which a quorum is present.

## ADOPTED:

At a General Meeting of the Cedar Creek Homeowners' Association, Inc. Meeting Held On March 22, 1999.

Barbara Markiewicz  
PRESIDENT

Catherine Kay  
SECRETARY

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END OF DOCUMENT

Document No.: DN1999092398  
Lodged By: HALL RENDER KILLIAN  
Recorded On: 06/02/1999 03:29:11  
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Transfer Tax: .00  
County Clerk: Robbie Holsclaw  
Deputy Clerk: DIARDB PAGE 5 OF 5