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KAREN A. STUKEL
WILL COUNTY RECORDER
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BY-LAWS
Of
SUMMERFIELD HOMEOWNERS ASSOCIATION, INC.

This instrument is recorded for the purpose of adopting By-Laws of Summerfield Homeowners Association, Inc. in conjunction with the Declaration of Covenants and Restrictions for Summerfield Subdivision (hereinafter referred to as "Declaration"), which was recorded on December 10, 1993 with the Recorder of Deeds, Will County, Illinois as Document number R93111835.

These By-Laws of Summerfield Homeowners Association, Inc. (hereinafter referred to as "By-Laws") are adopted pursuant to the provisions of the Illinois General Not for Profit Corporation Act of 1986 (805 ILCS 105/102.25), which provides that the initial bylaws of a corporation shall be adopted by its board of directors. These By-Laws shall become effective following the affirmative vote of a majority of the Board of Directors of Summerfield Homeowners Association, and after such By-Laws have been recorded with the Recorder of Deeds, Will County, Illinois.

PREAMBLE

WHEREAS, the Declaration was recorded on December 10, 1993 with the Recorder of Deeds, Will County, Illinois as Document number R93111835;

WHEREAS, the Declaration was amended by the Supplementary Declaration Covenants and Restrictions for Summerfield Subdivision Unit Two, which was recorded on December 30, 1994 with the Recorder of Deeds, Will County, Illinois as Document number R94116195, and by the Second Supplementary Declaration Covenants and Restrictions for Summerfield Subdivision Unit Three, which was recorded on December 12, 1995 with the Recorder of Deeds, Will County, Illinois as Document number R95096244, and by the Third Supplementary Declaration Covenants

and Restrictions for Summerfield Subdivision Unit IV, which was recorded on March 7, 1996 with the Recorder of Deeds, Will County, Illinois as Document number R96020031;

WHEREAS, the Declaration refers to by-laws of the Association, but no by-laws have been adopted for the Summerfield Homeowners Association, Inc. to date;

WHEREAS, the Summerfield Homeowners Association, Inc. (hereinafter referred to as "Association") was incorporated as an Illinois Not for Profit Corporation on January 5, 1994;

WHEREAS, the Illinois General Not for Profit Corporation Act of 1986 (805 ILCS 105/102.25) provides that the initial bylaws of a corporation shall be adopted by its board of directors;

WHEREAS, the Board of Directors for the Association desire to adopt these By-Laws on behalf of the Association and to constitute those by-laws referred to in the Declaration;

WHEREAS, these By-Laws have been approved by a majority of the Board of Directors of the Association and contain an affidavit by the President of the Board attesting to their authenticity, and shall become effective upon recordation in the office of the Recorder of Deeds, Will County, Illinois;

NOW THEREFORE, the By-Laws of Summerfield Homeowners Association, Inc. are hereby adopted and shall include the text that follows:

ARTICLE I

Name, Purposes and Powers

The name of the corporation is SUMMERFIELD HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as the "Association". Meetings of members and directors may be held at such places within the State of Illinois, County of Will, as may be designated by the Board of Directors. The Association shall be responsible for the general management and

supervision of the Summerfield Subdivision and shall have all of the powers to perform, and shall be responsible to perform, all of the obligations provided in the Declaration and these By-Laws. Further, the Association shall have all powers now or hereafter granted by the General Not-For-Profit Corporation Act of the State of Illinois (805 ILCS 105/101.01 et. seq.) and as otherwise granted by law or statute that shall be consistent with the purposes specified herein and in the Declaration.

ARTICLE II

Definitions

The terms "Owner", "Property", "Member", and "Declaration", as used herein, shall be and are defined as set forth in the Declaration.

ARTICLE III

Membership and Membership Rights

Section 1. Membership. Every individual or entity who is a record owner of a lot in the SUMMERFIELD SUBDIVISION shall be a member of the Association. Membership is appurtenant to and shall not be separate from ownership of the lot. Thus, membership shall automatically terminate upon sale, transfer, or other disposition of a member of his or her ownership of a lot in SUMMERFIELD SUBDIVISION at which time the new owner shall automatically become a member of the Association.

Section 2. Rights of Membership. The rights of membership are subject to payment of annual assessments and any special assessments levied by the Association.

ARTICLE IV

Meeting of Members

Section 1. Annual Meetings. The annual meeting of the Members shall be held once a calendar year on the date and time called by the Board of Directors.

Section 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 any member presenting to the President a petition signed by one quarter (1/4) of the members of the Association.

Section 3. Notice of Meetings. Written or printed notice stating the place, day, and hour of the meeting of the Members shall be delivered either personally or by mail to each Member entitled to vote at such meeting, no less than five (5) days, and no more than sixty (60) days, before the date of such meeting. In the case of a special meeting or when required by statute or these By-Laws, the purpose, or purposes for which the meeting is called shall be stated in the notice. No business shall be transacted at a special meeting except as stated in the notice. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail addressed to the Member at his or her address as it appears on the records of the Association, postage prepaid.

Section 4. Place of Meetings. All meetings of Members shall be held within the State of Illinois, County of Will, at such places therein which the notice thereof designates.

Section 5. Quorum. The presence in person or by proxy at any meeting of the members having a majority of the total votes in the Association shall constitute quorum for any action except as otherwise provided in the Articles of Incorporation or these By-Laws. In the absence of a quorum, a majority of the members present may adjourn the meeting without further notice.

Section 6. Proxies. At any meeting of the Members, a member entitled to vote may vote in person or by proxy granted to another Member and executed and dated in writing by the Member. No proxy shall be valid after eleven (11) months from the date of its execution, unless otherwise provided in the proxy.

ARTICLE V
Board of Directors

Section 1. Selection and Term of Office. Board of Directors shall consist of no less than three (3), and no more than seven (7), members who shall be selected for the term of office as set forth in the Articles of Incorporation.

Section 2. Vacancies. A vacancy on the Board of Directors because of death, resignation, removal, disqualification or otherwise may be filled by a majority vote of the remaining members of the Board of Directors for the unexpired portion of the term.

Section 3. Compensation. Board members shall not be entitled to receive compensation for their services unless expressly approved by the voting Members having at least sixty-six (66%) of the total votes. Any director may be reimbursed for his or her actual expenses incurred in the performance of his or her duties.

Section 4. Action Taken Without a Meeting. The directors on the Board shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all of the directors on the Board. Any action so approved shall have the same effect as though taken at a meeting of the directors.

Section 5. Approval of Expenditures. All expenditures over 1% of the reserved funds shall require approval of the Board of Directors. Those expenditures below 1% of the reserved funds may be made without prior approval of the Board.

ARTICLE VI
Nomination and Election of Officers and Directors

Section 1. Nomination. Nomination for election to the Board of Directors shall be made by a Board member. Nominations may also be made from the floor of the annual meeting. Appointments to the Board of Directors to fill vacancies may be made by the

President and approved by the Board of Directors.

Section 2. Election. Election to the Board of Directors shall be at the annual meeting. The persons receiving the largest number of votes shall be elected. 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. Cumulative voting is not permitted.

ARTICLE VII

Meetings of Directors

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held four (4) times per year, at such place and hour as set by resolution of the Board. Additional meetings may be called as needed.

Section 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 (2) Directors, after not less than three (3) days' notice to each director.

Section 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.

Section 4. Open Meetings. Meetings of the Board of Directors shall be open to any Member, except for the portion of any meeting held (i) to discuss litigation when an action against or on behalf of the Association has been filed and is pending in a court or administrative tribunal, or when the Board of Directors finds that such an action is probable or imminent, (ii) to consider information regarding appointment, employment or dismissal of an employee, or (iii) to discuss

violations of rules and regulations of the Association. Any Member may record by tape, film or other means the proceedings at such meetings or portions thereof required to be open by this Section. The Board of Directors may prescribe reasonable rules and regulations to govern the right to make such recordings. Notice of such meetings shall be mailed or delivered at least forty-eight (48) hours prior thereto, unless a written waiver of such notice is signed by the person or persons entitled to such notice pursuant to the Articles of Incorporation, the Declaration or these By-Laws before the meeting is convened. Copies of notices of meetings of the Board of Directors shall be posted in entranceways or other conspicuous places at least forty-eight (48) hours prior to the meeting of the Board of Directors. For purposes of this Section, "meeting of the Board of Directors" means any gathering of a quorum of the members of the Board of Directors held for the purpose of discussing business of the Association.

ARTICLE VIII

Section 1. Powers. The Board of Directors shall have power to:

- a. fix the amount of the annual assessment against each dwelling and provide written notice of each assessment to every Owner subject thereto at least thirty (30) days prior to the date such assessment is due;
- b. charge a late fee for any assessment that is not paid within thirty (30) days of the due date for the assessment;
- c. procure and maintain adequate liability and hazard insurance on property owned by the Association;
- d. cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;
- e. cause the space owned by the Association to be maintained;
- f. Employ a manager or other persons to contract with independent contractors or managing

agents to perform all or any part of the duties, powers and responsibilities of the Association, the Board and its officers and to delegate such Board powers and duties to such manager or other persons as the Board deems appropriate;

- g. exercise all other powers and duties vested in or delegated to the Association and not specifically reserved to the Members by the Articles of Incorporation, the Declaration, or these By-Laws.

Section 2. Board of Directors 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 necessary for disbursements made in the ordinary course of business conducted within the limits of a budget adopted by the Board or Members;
- b. keep proper books of account.

ARTICLE IX

Adoption of Annual Budget

The annual budget of the Association will be adopted by the Board of Directors and notice shall be given to the Members of the Association by mail or by posting the budget on the Association website.

ARTICLE X

Officers and Their Duties

Section 1. Enumeration of Officers. The officers of this Association shall be a President, Vice-President, Secretary, and Treasurer.

Section 2. Election of Officers. The election of officers shall take place annually at the first meeting of the Board of Directors occurring following each annual meeting of the members.

Section 3. Term. The officers shall serve for a term of one (1) year. Vacancies in officer positions may be filled at any meeting of the Board. Each officer shall hold office until his or her successor shall have been duly elected and shall have qualified or until his or her death or until he or she shall resign or shall have been removed in the manner hereinafter provided.

Section 4. Special Appointments. The Board 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 may, from time to time, determine.

Section 5. Resignation and Removal. Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time by giving written notice to the Board, 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 6. Vacancies. A vacancy in any office may be filled by appointment by the President and approved by the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he or she replaces.

Section 7. Multiple Offices. The offices 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.

Section 8. Duties. The duties of the officers are as follows:

President

The President shall preside at all meetings of the Association and of the Board of Directors at which he or she is present, shall exercise general supervision of the affairs and activities of the Association, and shall serve as a member ex officio of all standing committees. The President, with the advice and consent of the Board of Directors, shall establish and appoint committees and committee members as the business of the Association shall require.

Vice-President

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

Secretary

The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the Members, which shall be an accurate and official record of all business transacted. The Secretary shall be custodian of all Association records. The Secretary shall cause to be distributed at least annually to all Members the names of the Board of Directors and shall provide the addresses and telephone numbers to Members through written request.

Treasurer

The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall develop and publish the budget for each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its next regular annual meeting. In addition, the Treasurer shall be responsible for preparing and submitting compliance with Federal, State, and local laws and regulations.

ARTICLE XI

Committees

The Board of Directors shall appoint committees as deemed appropriate in carrying out its purpose.

ARTICLE XII

Books and Records

The Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Members, Board of Directors and committees having any of the authority of the Board of Directors; and shall keep at its registered office or principal office a record giving the names and addresses of its Members entitled to vote. Any voting member shall have the right to examine, in person or by agent, at any reasonable time or times, the Association's books and records of account and minutes, and to make extracts therefrom, but only for a proper purpose. In order to exercise this right, a voting member must make written demand upon the Association, stating with particularity the records sought to be examined and the purpose therefor.

ARTICLE XIII

Amendments

Section 1. These By-Laws may be amended, at a regular or special meeting of the Members, provided that those provisions of these By-Laws which are governed by the Articles of Incorporation of the Association may not be amended except as provided in the Articles of Incorporation or applicable law, and provided further, that any matter herein which is governed by the Declaration applicable to the Property may not be amended except as provided in the Declaration.

Section 2. In the case of any conflict between the Articles of Incorporation and these By-

Laws, the Articles shall control. In the case of any conflict between the Declaration and these By-Laws, the Declaration shall control.

ARTICLE XIV

Miscellaneous

Section 1. The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December every year.

Section 2. The Association shall have and continuously maintain in this State of Illinois a registered office and registered agent whose office shall be identical with such registered office. The Association may have other offices within or without the State of Illinois as the Board may from time to time determine.

Section 3. The principal office of the Association shall be maintained in Will County, Illinois or any other location as deemed appropriate by the Board.

END OF TEXT OF BY-LAWS

This document was prepared by, and upon recording return to:

Key & Costello, P.C.
128 S. County Farm Road
Wheaton, IL 60187

STATE OF ILLINOIS)
)ss
COUNTY OF Will)

CERTIFICATE

I, the undersigned, hereby certify that I am the duly elected, qualified and acting President of the Board of Directors of Summerfield Homeowners Association, Inc., an Illinois not-for-profit corporation, and that the attached is a true, correct, and accurate copy of the By-Laws of Summerfield Homeowners Association, Inc., and that said By-Laws have been approved and adopted by a majority of the directors on the Board of Directors of the Summerfield Homeowners Association, Inc. at a Board meeting, as provided for in the Illinois General Not For Profit Act of 1986 (805 ILCS 105/102.25).

IN WITNESS WHEREOF, I have hereunto set my hand this 9 day of August, 2022

SUMMERFIELD HOMEOWNERS ASSOCIATION, INC.

By: [Signature]
As President of the Board of Directors

I, Lisa m Alesi, a Notary Public, hereby certify that on the above date, the above President of the Board of Directors of the Summerfield Homeowners Association, Inc. which Board member is personally known to me, appeared before me and acknowledged that, as such Board member, he/she signed this instrument as his/her free and voluntary act of said Board for the uses and purposes therein set forth.

BY: [Signature] 

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Summerfield Subdivision Lots 1 through 16, both inclusive, Lots 67 through 88, both inclusive, and Lots 96 through 105, both inclusive, of Summerfield Subdivision, Unit 1, a subdivision of part of Section 33, Township 36 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded December 8, 1993, as Document No. R93-111241, in Will County, Illinois.

And

Lots 17 through 27, both inclusive, Lots 56 through 66, both inclusive, Lots 89 through 95, both inclusive, Lots 106 through 113, both inclusive, and Lots 134 through 146, both inclusive, in Summerfield Subdivision Unit Two, a subdivision of part of Section 33, Township 36 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded July 28, 1994, as Document No. R94-73697, in Will County, Illinois.

And

Lots 28 through 55, both inclusive, and Lots 114 through 133, both inclusive, in Summerfield Subdivision Unit Three, a subdivision of part of Section 33, Township 36 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded June 5, 1995, as Document No. R95-37388, in Will County, Illinois.

And

Lots 28 through 33, both inclusive, in Summerfield Subdivision Unit Four, a resubdivision of part of Section 33, Township 36 North, Range 9 East of the Third Principal Meridian, in Will County, Illinois.

06-03-33-400-010-0000