

**AMENDMENT TO BYLAWS  
OF  
ASPEN PARK HOMEOWNERS ASSOCIATION, INC.**

On this 26 th day of February, 2023, the undersigned, being the duly elected Vice-President and Secretary of Aspen Park Homeowners Association, Inc., an Oklahoma non-profit corporation, formed under the laws of the State of Oklahoma, hereinafter referred to as the "Association", and with the intent of amending the Bylaws of the Association executed on the 2nd day of March, 1993, do hereby state as follows:

That on the 19th day of September, 2022, a special meeting of the members of the Association was held whereby it was agreed by a three-fourths (3/4) vote in accordance with Article IX of the Bylaws of Aspen Park Homeowners Association, Inc., that the Bylaws of Aspen Park Homeowners Association, Inc., be amended to read as follows, to-wit:

**Article I**

The name of the Association is ASPEN PARK HOMEOWNERS ASSOCIATION, INC. The mailing address is:

City of Broken Arrow  
County of Tulsa  
State of Oklahoma

**Article II**

Purpose, Object and Nature of the Association

- A. To promote and carry-on activities for the protection and betterment of the general welfare of the community, particularly the member and their domiciles, and to promote the adequacy of, or improvements to, utilities, parkways, recreational areas, gateways, unimproved lots, plots and other areas contributing to the good order, value and aesthetics of the community.
- B. To exercise any and power that may be delegated to it from time to time by the owners of real property in the tract and which are accepted by the Association.

The objects and purposes specified in the foregoing clauses shall in no way be limited or restricted by reference to or interference from the terms of any other clause in these Bylaws, but the objects and purposes specified in each of the foregoing clauses of the Bylaws shall be regarded as independent purposes and objects.

### **Article III**

#### **Membership**

The Association shall have one class of members. Membership is limited and restricted to the following lot owners in Aspen Park Addition, Broken Arrow, Oklahoma:

- 1) Successors-in-interest to the First Amendment to the Owner's Certificate of Dedication, Easement Grant and Bill of Assurance for Aspen Park.
- 2) Current lot owners, not identified in Article III (1), who have executed and filed (or have had filed on their behalf) with the Tulsa County Clerk Lot Declarations committing their lots to mandatory membership in the Association.

Members shall comply with and be bound by the Articles of Incorporation, these Bylaws and amendments thereto, and the policies, rules, and regulations at any time adopted by the Association in accordance with these Bylaws.

Members have the right to participate in any discussion of issues at the Board meetings or special meetings of the Association.

All members have an equal right to elective office in this Association and appointment to committees.

A "Member in Good Standing" is defined as a member that is current in their payment of both current and required prior year's annual dues. Annual membership dues are payable May 1 of each year, with the fiscal year starting May 1 and running through April 30 of the following year. The annual dues will be prorated quarterly for those instances involving the sale of a lot in a given year.

### **Article IV**

#### **Meetings**

- A. An annual meeting of the voting members shall be held during the month of April for the purpose of electing officers and directors and for the transaction of other business as may be necessary.
- B. Regular meetings of the Board of Directors may be held without notice, at such place and hour as may be fixed from time to time by resolution of the Board.
- C. Special, general membership, or Board meetings may be called by the President or upon written request by a majority of the Board members.
- D. The order of business for this organization shall be conducted as follows:

1. Call meeting to order;
  2. Read, correct and approve minutes of last meeting;
  3. Report of the treasurer;
  4. Reports of officers, standing and/or special committees;
  5. Conduct old or unfinished business;
  6. Conduct new business;
  7. Adjourn meeting.
- E. Notice of the annual Association meetings and/or special meeting of the membership shall be delivered to the membership not less than five days prior to such meeting.

## **Article V**

### Officers and Committee

- A. Any officer or director must be a member of the Association.
- B. The President shall preside at all meetings of the Association. He/she shall appoint all committees with the consent of the Board; shall interpret all rules of parliamentary procedure and conduct meetings in an efficient manner; shall serve as an ex-officio member of all standing committees, with the right to participate in debate and to vote; shall ensure that all decisions of the organization are carried out.
- C. The Vice-President shall act as President of meetings in the absence of the President and shall act as coordinator of the work of all block captains and committees and in carrying out the purpose and function of each committee.
- D. The Treasurer shall collect all dues and keep a written record of each collection; shall keep a record of all expenditures and provide a written financial report at each meeting; shall disburse funds as directed by the Board; and shall prepare an annual budget and a statement of income and expenditures to be presented to the members at the regular annual meeting of the Association, and deliver a copy of each to the members.
- E. The Secretary shall keep the minutes of all meetings of this organization; shall also keep an up-to-date list of members; shall read the minutes of any previous meetings at the request of the President at any meeting of this organization; shall receive all correspondence and convey its contents to the Board and make replies to such correspondence as may be required or as directed by the Board.
- F. The President or Treasurer may approve the issuance of the Association checks. The signature of both of these officers is required. Notwithstanding other provisions of these

Bylaws, the President and Treasurer may expend funds without prior approval of the Board in an amount not to exceed the limit set by the Board.

- G. Those positions described in paragraphs B through E of Article III shall also serve as directors.
- H. Directors shall attend Board meetings; shall be responsible for representing the membership in all voting matters; and shall have the right to initiate any new business to be considered by the Board of Directors.
- I. Any officer may be removed from office with or without cause by a majority vote of the Board.

## **Article VI**

### **Election of Officers and Board of Directors**

- A. Directors and officers shall serve a one-year term or until their successors are elected. There is no limit to the number of terms Directors or Officers may hold.
- B. The Board of Directors shall be comprised of a minimum of seven members.
- C. The President may appoint a nominating committee of at least three members. This committee may be comprised of Board and non-Board members and shall be responsible for accepting nominations from the membership and presenting them at the annual meeting. Nominations will also be accepted from the floor at the annual meeting.
- D. Vacancy by a Board member because of death, illness, resignation, removal, disqualification, or otherwise may be filled by a majority vote of the Board members for the unexpired portion of the vacant member's term.
- E. Only one officer or director shall be allowed per household at any one time.
- F. The person receiving the most votes for each office shall be elected to that office. The three Board members receiving the highest number of votes shall be elected Board members. Each voting member shall vote for three separate Board member candidates.

## **Article VII**

### **Indemnification of Officers, Directors, Employees and Agents**

To the extent and in the manner permitted by the laws of the State of Oklahoma and specifically as is permitted under Section 1031 of Title 18 of the Oklahoma Statutes, the corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, other than an action by or in the right of the corporation, by reason of the fact that such person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise against expenses, including attorney's fees, judgments, fines and amounts paid in settlement.

## **Article VIII**

### **Voting**

- A. All voting on Association issues may be either by secret ballot or a show of hands.
- B. Voting Limit: Each member's lot equates to one (1) vote regardless of the number of adults that own the lot. Absentee voting may be done by a proxy statement signed by a member and presented to any Board member.
- C. A majority of Board members present at a Board meeting may conduct normal business. A quorum of the Board shall be a majority of the active Board members.

## **Article IX**

### **Amendments**

- A. These Bylaws may be altered or repealed or new Bylaws may be adopted by a three-fourths (3/4) vote of the membership attending any annual or special meeting duly convened after notice to the membership setting forth the purpose of the meeting.

## Article X

### Committees

- A. In addition to the Nominating Committee, the Board of Directors may appoint other committees as deemed appropriate in carrying out its purpose. These committees shall have and may exercise the powers of the Board in the prosecution of the affairs of the committee, so long as the law allows and to the extent that such resolutions or these Bylaws permit.
- B. The Chairperson of each committee shall be appointed by the Board of Directors and shall be an advisor to the Board on matters pertinent to the committee's affairs and may attend meetings of the Board at the discretion of the Board. Each such committee shall keep and record all of its acts and proceedings and report the same.
- C. Meetings of any such committee shall be held at such times and places as shall be fixed by a majority of the committee.
- D. The Board of Directors shall have the power at any time to change the Chairperson or members of any such committee and to fill vacancies in and discharge any such committee, either with or without cause.
- E. The Membership Committee shall be comprised of Association members to provide convenient contact with new homeowners, to furnish information and to answer any questions the new owners might have, and to make sure they have a copy of the restrictive covenants. Additionally, it shall be the responsibility of this committee to obtain the correct names and addresses of all new members. This committee shall also be ready to assist the Association Secretary upon request. The Secretary shall be a member of this committee.
- F. The Restrictive Covenants Committee shall be responsible for answering any questions the homeowners may have regarding restrictive covenants. They shall have the responsibility of screening all building plans and notifying the builders involved of any violations as apply to the restrictive covenants. The committee shall also be responsible for acting upon all complaints and violations of the restrictive covenants and for acting under the authority of the Executive Board for the purpose of correcting the violations. Complaints shall be presented in written form to any Board member. All complaints must be signed, and a written response as to the action taken will be given by the Board within 45 days. It shall be the Board's authority to take whatever action it deems appropriate concerning each complaint. In whatever action taken, the Board will hold the complainant's name in confidence. In addition, at least one Board member must be a member of this committee.

- G. The Beautification Committee shall be responsible for managing the operation and maintenance of all common grounds, such as the creek, all streets, easements, entrances into the development and/or any other areas that may be considered common elements of Aspen Park. In addition, one Board member shall be a member of this committee.
- H. The Social Committee shall have the responsibility of organizing and encouraging participation in social functions.
- I. The Security Committee shall act as liaison between the Association and the Broken Arrow Police Department and any other security agencies. Its main responsibility is to report any pertinent information to the police regarding security problems and/or trends. Also, it shall keep the Association informed of any pertinent information regarding the safety or security of the neighborhood and/or its inhabitants. In addition, one Board member shall be a member of this committee.

**Article XI**

Parliamentary Procedure

- A. Unless otherwise specified, current Robert's Rules of Order shall be followed in conducting normal Association matters.

**Article XII**

Financial and Contractual Actions

- A. All checks and drafts on the Association bank accounts shall be signed by such officers as authorized by the Board of Directors.

**Article XIII**

Voluntary Support by Non-Members

Those Aspen Park Addition lot owners who are not members of the Association, as defined in Article III – Members, as well as those adult Aspen Park Addition residents who are residing within the Addition under an “Owner-Tenant” relationship, (Non-members) may assist in the purpose and function of the Association in one or more of the following ways:

- Make an annual monetary payment of support to the Association, preferably corresponding to the annual dues amount paid by the members.

- Attend and participate in meetings of the Association subject to the following conditions and requirements:
  - Non-members have no voting rights for any and all Association matters.
  - Non-members may not put forward for consideration any motion or nominee for office. They may not serve as an Officer or as a Director on the Board.
- May assist any Officer or Committee Chairman in their execution of their duties subject to the invitation of the Officer or Committee Chairman and the approval by the Board of Directors. Non-members may not present any reports at meetings of the Association.

ASPENPARK HOMEOWNERS ASSOCIATION, INC.

Joe Teel  
 Joe Teel  
 Vice-President

Tina Smith  
 Tina Smith  
 Secretary

Before me, the undersigned Notary Public, in and for said County and State, on this 26th day of February, 2023, personally and appeared Joe Teel and Tina Smith to me known to be the identical persons who subscribed the name of the Maker thereof to the foregoing Amendment to Bylaws of Aspen Park Homeowners Association, Inc., as its current Vice-President and Secretary, respectively, and acknowledged to me that he/she executed the same as his/her: free and voluntary act and deed and as the free and voluntary act a deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

Sophia Jumper  
 Notary Public

My Commission Expires:

07-30-2026

My Commission No.

18007577

