

**CODE OF REGULATIONS  
OF  
THE TWIN LAKES ASSOCIATION\***

The Twin Lakes Association has been incorporated as a non-profit association to provide a means of assuring owners of property in the Twin Lakes area of full, complete, exclusive and permanent use of the Twin Lakes and the “common property” adjacent thereto in accordance with the original plan of The Davey Investment Company and as specified in all deeds of conveyance made and executed by The Davey Investment Company pursuant to such original plan. The said deeds of conveyance of The Davey Investment Company have contained the following provisions, among others:

“Any and all of the rights and powers of the grantor herein given, reserved or contained, may be assigned to any corporation which may hereafter be organized, or any person or persons which will assume the duties of the grantor herein, pertaining to the particular rights and powers assigned to any such corporation, or person or persons, evidencing its or their consent in writing, to accept such assignment and assume such duties. In the event of such assignment and the acceptance of such assignment by such corporation, person or persons it or they shall, to the extent of such assignment, have the same rights and powers, and to subject to the same obligations and duties, as are given to and assumed by parties herein.”

Pursuant to the above, The Davey Investment Company has assigned and conveyed to the Twin Lakes Association all its rights and powers in respect to “common property” and its supervisory and governing powers in respect to restrictions, limitations and conditions imposed upon property adjacent to the “common property”. The approval of this Code of Regulations shall be and constitute the consent of the Twin Lakes Association to assume the duties and accept the rights and privileges of The Davey Investment Company assigned and conveyed in the deed of The Davey Investment Company to the Twin Lakes Association.

ARTICLE I  
DEFINITIONS AND PROPERTY OWNERS

Section 1. Definition of Properties. There are eight areas designated as “common properties”. These areas are maintained for the use and enjoyment of all property owners in good standing and their guests. The common properties are as follows:

- A. Twin Lakes - The Twin Lakes are natural, spring fed, kettle lakes. A channel running underneath State Route 43 connects them. Identified only as East and West Twin.
- B. South Boulevard Area - situated at the west end of South Boulevard. A large, grassy knoll leading down to a boat dock, boat ramp, canoe racks and picnic area.

- C. Elma Street Area - situated at the south end of Elma Street (cross road South Boulevard). A small picnic area with boat dock, boat ramp and canoe racks.
- D. Lagoon Area - situated at the far west end of West Twin off Westlake Boulevard. A boat dock, boat ramp and canoe racks.
- E. Beach Area - situated off Merrill Avenue. Largest of the common properties, with a large parking lot, boat docks, boat ramp, canoe racks, bathhouse, pavilion and a beach with picnic and play areas.
- F. Pike Area - situated off State Route 43. Large grassy area with picnic area, boat dock, boat ramp and canoe racks.
- G. Woodway Area - situated off Woodway Road (secluded and very narrow). Only enough room for small boat docks and canoe racks.
- H. Birkner Pond Area - situated between Greenwood Avenue and Birkner Drive.

Section 2. Definition of Terms.

- A. Property Owner - any individual recognized as legally owning property within the Twin Lakes community that is subject to the TLA Code of Regulations, herein defined to include individuals permanently residing within the household of a property owner.
  - 1. For residential properties within the Twin Lakes community that have lake-use rights but not access to the other common properties, the owner of such property and individuals permanently residing in his/her household may be granted access to the common properties upon payment of an annual assessment as calculated for properties subject to the TLA Code of Regulations. Upon receipt of payment, said individuals will be considered property owners in good-standing as defined herein and subject to the rules and regulations of the TLA. Said access is subject to annual approval by the TLA Board of Trustees.
  - 2. For residential properties within the Twin Lakes community that have neither lake-use rights nor access to the other common properties, but have shorelines adjacent to either East Twin or West Twin, the owner of such property and individuals permanently residing in his/her household may be granted access to the common properties upon payment of an annual assessment as calculated for properties subject to the TLA Code of Regulations. Upon receipt of payment, said individuals will be considered property owners in good-standing as defined herein and subject to the rules and regulations of the TLA. Said access is subject to annual approval by the TLA Board of Trustees.

3. Owners of select properties, as described above in 2.A.1. and 2.A.2., at the discretion and approval of the TLA Board of Trustees, may add the appropriate language to the deed for said properties to permanently and legally include the property in the TLA, subject to its rules and regulations.
- B. Good-standing - any property owner who is not in arrears for payment of the annual TLA assessment and is not subject to disciplinary actions by the TLA Board of Trustees.
- C. Permanent resident - any individual whose legal residence is defined to be:
  1. In the household of a property owner, or
  2. In a rental property that possesses lake-use or TLA deed language or shoreline frontage, herein referred to as an “Associate of the TLA”.
- D. Guest - any individual who is not a property owner or Associate of the TLA as defined above.
- E. TLA - the Twin Lakes Association.

Section 3. Property Owners. Each person who is the fee owner, as shown by the real estate property records of the Auditor of Portage County, of real property situated within the area commonly known as the Twin Lakes Development, hereinafter more specifically described, shall be a property owner of this Association subject to the conditions and limitations hereinafter prescribed, and as more specifically described in Section 2 above.

- A. The term “Twin Lakes Development” shall include the following:
  1. Twin Lakes Park Allotment #1
  2. West Twin Lakes Allotment
  3. East Golf Allotment Division I and II
  4. Twin Lakes Park Golf Allotment
  5. Such other real property acquired either mediately or immediately by virtue of a deed from The Davey Investment Company; and
- B. Such other property entitled to lake rights prior to date hereof approved for inclusion herein and the owner of which shall have agreed to conform in respect to the use of his property to the restrictions contained in the deeds of conveyance of The Davey Investment Company to the various owners of the property in the allotments numbered 1 to 4 inclusive above and shall also have registered as herein provided and shall have agreed to the provisions and requirements of this Code of Regulations.

The term "Twin Lakes Development" shall not include the Country Club property except in so far as such corporation shall have or acquire property to be used exclusively for private dwelling house purposes and which property is included in Twin Lakes Development as above defined. The participation of the Country Club in the affairs of the Association by inclusion of the President of the Country Club in the constituency of the Board of Trustees as hereinafter provided shall not entitle the property owners of the Twin Lakes Association to privileges of the Country Club, nor shall anything herein contained entitle members of the Country Club to privileges of the Association except upon such terms and conditions as the Board of Trustees shall from time to time determine.

Section 4. Voting Rights. Property owners upon whose property a residence has been constructed, or so far constructed as to be presently habitable, in conformance with the covenants contained in the original deed of conveyance by which said owner mediately or immediately acquired title, together with property owners who are owners of unimproved lots and who have registered their names with the Corporation as herein provided, shall be entitled to voting rights at all meetings of property owners of the Association. The registration of owners of unimproved lots may be effected and voting rights thus acquired by the execution and delivery to the Secretary of the Association of an instrument of registration as follows:

The undersigned property owners of the Twin Lakes Association, being the owner of property in said development and not having as yet erected a dwelling house thereon, hereby agrees to conform to all of the provisions and requirements of the Code of Regulations of the Twin Lakes Association, a copy of which is hereby acknowledged and the undersigned hereby requests that his/her name be entered upon the Voting register of the Association.

Section 5. Annual Meeting. The annual meeting of the property owners of the Association shall be held in Franklin Township, Portage County, Ohio at 8 o'clock P. M. or at such other time as may be designated by the Board of Trustees and specified in the notice of the meeting, in the month of October, but not on a legal holiday.

Section 6. Special Meeting. Special meetings of the property owners of the Association may be called by the Trustees, or by petition of ten percent (10%) of the property owners whose names are entered upon the Voting Register of the Association.

Section 7. Property Ownership Book. The Trustees will make or cause to be made an examination of the records of the County Auditor and the County Recorder of Portage County to ascertain the owners of Twin Lakes Development Property. Such examination will be made on or before January 31<sup>st</sup> of each year, and the book will contain a list of the names, mailing address, and date(s) of recording of the deed(s) of each property owner of record as of January 1<sup>st</sup> of such year, the name of the allotment and the subplot or sublots possessed by such owner, and the tax valuation thereof as established for the preceding year.

The list shall be changed in respect to any property owner recording a deed of conveyance after January 1<sup>st</sup> of each year only in case of notice in writing by such owner to the TLA, in which notice shall be given the name of the grantor, the lot number or numbers so conveyed, the name and address of the grantee, and the date of filing the deed or deeds of record.

Section 8. Notice of Meetings. Not less than ten (10) days before the date fixed for a meeting of property owners,, written notice of the time, place and purposes of such meeting shall be given to each property owner, whether or not a voting property owner, by or at the direction of the President or Secretary. The notice shall be served upon or mailed to each such property owner at his mailing address as shown by the property ownership book. If no address or change of address has been given by the property owner, notice shall be deemed to have been given if mailed to the last known address of such property owner.

Section 9. Quorum. As long as proper notification of a meeting has been given (see Section 8), those voting property owners present or present by proxy shall constitute a quorum.

Section 10. Voting. At any meeting of property owners, the owners of lots upon which a residence has been constructed as provided in Section 4 of this Article, together with owners of lots who have registered as provided in Section 4 of this Article, shall be entitled to one vote, regardless of the number of sublots or parcels of land said property owner owns within the Twin Lakes Development. In case any subplot shall be jointly owned, the owners, upon qualifying as herein provided, shall be entitled to one vote.

Section 11. Proxies. Any property owner of the TLA who is entitled to vote at any meeting of property owners shall be entitled to vote there at by proxy appointed by a writing signed by such property owner, which need not be sealed, witnessed or acknowledged.

Section 12. Property Ownership Certificates. Each property owner of the TLA shall be entitled to a certificate showing property ownership in the Association. Certificates shall be in such form as the Board of Trustees may from time to time prescribe, and shall certify the vote to which each property owner is entitled. Each certificate shall be issued in numerical order from the property ownership certificate book and be signed by the President and Secretary. A full record of each certificate as issued shall be entered on the stub thereof. Certificates shall not be transferable and shall be cancelable upon termination of rights and privileges of the property owner for any cause.

Section 13. Property Owner Action Required. Any action taken by or on behalf of the TLA involving an expenditure in excess of the annual budget, provision for which is hereinafter set forth, or for expenditures other than for additional necessary expense and cost of maintenance and preservation of the common property incurred or to be incurred, or in respect to the acquisition of additional land and water adjacent to or a part of either East or West Twin Lakes, or in respect to an extension of rights established by this Code of Regulations to additional areas, or in all other cases, shall be authorized and may be authorized only by a vote of the property

owners entitled to voting privileges as herein provided. Any action requiring such prior authorization of the property owners of the TLA shall be taken only pursuant to the affirmative vote of at least fifty percent (50%) of the property owners entitled to voting privileges present and voting at a meeting.

ARTICLE II  
SPECIFIC REQUIREMENTS

Section 1. Who May Use the Lakes and Common Properties.

- A. Property owners in good-standing, as defined above, with a valid TLA identification card in their possession.
- B. Any individual not defined above, but meeting any of the following conditions, except as otherwise restricted:
  - 1. The individual is an Associate of the TLA with a valid Associate of the TLA identification card in his/her possession.
    - a. This card may be requested by applicants who meet all of the following requirements:
      - 1) The rental property must possess lake-use or TLA deed language or shoreline frontage.
      - 2) The individual(s) must permanently reside within the rental property, and
      - 3) All assessments on the property must be paid in full. If any annual assessment on the rental property is not paid in full, the renter may not have access to the lakes and common properties.
    - b. Upon issuance of an identification card, said individual(s) will be considered Associates of the TLA as defined herein and subject to the rules and regulations of the TLA.
    - c. Associate of the TLA identification cards are not transferable and may be revoked by the TLA Board of Trustees at any time.
  - 2. The individual is accompanied by a property owner or a TLA Associate in good-standing with a valid TLA identification card in his/her possession.
    - a. The maximum number of accompanied guests permitted without prior approval of the TLA Board of Trustees will be determined annually prior to the mailing out of the assessment statements.

- b. In special circumstances, such as housesitters, baby-sitters, and/or house guests, the property owner should consult the Business Manager.
- 3. The individual possesses a valid TLA guest card. One guest card will be issued to each property owner annually along with his/her property owner's card. The individual who possesses a guest card has the right to use all common properties subject to all the rules and regulations of the TLA. The maximum number of guests per guest card per visit will be determined by the TLA Board of Trustees annually prior to the mailing of the assessment statements.
- C. Corporate and/or business property owners may not give employees or customers access to the lakes or common properties except under Art. II, Sec. 1B. above.
- D. As defined in Art. II, Sec. 1B. above, any property owner not in good-standing may not be the guest of another property owner in good-standing.

Section 2. Common Property and Lakes.

- A. Parents are responsible for children under the age of 18 years.
- B. A property owner and/or TLA Associate is personally responsible for the conduct of persons residing permanently in his/her household and invited guests, when such persons are using the common properties and lakes.
- C. A property owner and/or TLA Associate is prohibited from applying or causing to be applied herbicides or algacides in the lakes without the specific written permission of the TLA Board of Trustees. A property owner and/or TLA Associate is prohibited from introducing or causing to be introduced exotic species into the lakes without the specific written permission of the TLA Board of Trustees.
- D. No trapping is permitted on common property or the lakes without the specific written permission of the TLA Board of Trustees. Should that permission be granted, only live traps will be permitted.

Section 3. Boats and Docks.

- A. No boats of any kind longer than 19 feet are permitted on the lakes or to be stored on the common properties.
- B. Motors cannot be used on any vessels on the lakes, except under the following conditions:
  - 1. Vessels which are used by the TLA to perform work and maintenance on the common properties and lakes.

2. Emergency equipment used in a search and rescue operation by an emergency services organization.
  3. Electric motor permits may be issued by the Board of Trustees to persons with a documented medical disability. The medical disability must be verified by a medical doctor other than the applicant.
  4. Electric motors can be no larger than 40 lb. thrust. Multiple motors on one vessel are prohibited. The permit holder must be in the motorized boat when in use.
- C. No pontoon boats or houseboats are permitted to be used or stowed on the common properties and lakes except such boats when used in conjunction with task listed in Art. II, Sec. 3B.1 and Sec. 3B.2 above.
- D. Moored rafts may be permitted with the approval of the Board of Trustees. The Board of Trustees has final approval regarding the size and location of such rafts and also may limit the total number of moored rafts permitted in the Twin Lakes. The property owner remains liable for maintenance, use or misuse of any approved moored rafts.

Section 4. Fishing. Shelters used for ice fishing must have a written permit from the Board of Trustees displayed on the outside of the shelter. No ice fishing shelters shall be left unattended along the common properties.

### ARTICLE III BOARD OF TRUSTEES

Section 1. Powers. The Board of Trustees shall have general supervision over the property, business and affairs of the TLA, including, but without limitation upon the generality thereof, the power to purchase or otherwise acquire property, to develop such property and make improvements thereupon, and to make assessments upon the property owners, as hereinafter provided.

Section 2. Number, Term of Office and Election of Trustees. The Board of Trustees shall consist of such number as the property owners, at any annual or special meeting called for the purpose of electing trustees, may be determined by the affirmative vote of a majority of the property owners entitled to voting privileges, not less, however, than three, nor more than nine. Unless otherwise determined by the property owners the number shall be nine. Whenever the property owners shall have so determined the number within the limits aforesaid, such number shall be deemed the authorized number of members of the Board of Trustees until the same shall be changed by the property owners as aforesaid.

The Trustees elected at the organization meeting of property owners of the Association shall serve as the Board of Trustees of the TLA until the expiration of their terms in the years 1956, 1957, and 1958, respectively. Each Trustee to be elected shall serve for a period of three

years and until his successor has been elected; provided, however, that any Trustee may resign at any time by filing a written resignation with an officer of the Association. Any vacancy in the Board of Trustees, however, arising, shall be filled within one month of the occurrence of the vacancy in the following manner: The first runner-up from the last election shall be invited to serve. If this person refuses to serve, the other candidates from the last election should be asked to serve in the order of vote count. In case none of these wishes to serve, the Board shall select an Association property owner to fill the unexpired term. Unless otherwise determined in accordance with this Section 2, three Trustees shall be elected at the annual meeting of the property owners of the Association in 1971 and thereafter, the number to be elected each year shall be three.

A Trustee's term shall be limited to two (2) consecutive terms and then after being off for three (3) years, can be re-elected.

Section 3. Qualification of Trustees. Only property owners of the Association who reside within the Twin Lakes Development shall be eligible for the election as members of the Board of Trustees, and the term of office of any Trustee so elected shall terminate, and he or she shall thereupon without further action cease to be a Trustee of the TLA, at such time as he or she shall, for any reason, cease to be a property owner of the TLA residing within the Twin Lakes Development.

Section 4. Organization Meeting. Immediately after each annual meeting of the property owners, the newly elected Board of Trustees shall hold an organization meeting at the same place for the purpose of electing officers and transacting any other business. Notice of such meeting need not be given.

Section 5. Regular Meeting. Regular meetings of the Board of Trustees may be held at such times and places within the State of Ohio as may be provided for in by-laws or resolutions adopted by the Board of Trustees and upon such notice, if any, as shall be so provided.

Section 6. Special Meetings. Special meetings of the Board of Trustees may be held at any time within Franklin Township, Portage County, Ohio upon call by any two trustees. Notice of each such meeting shall be given to each trustee by letter or in person not less than three (3) days prior to such meeting. Unless otherwise indicated in the notice thereof, any business may be transacted at any organization, regular or special meeting.

Section 7. Quorum. A quorum of the Board of Trustees shall consist of a majority of the members of the Board of Trustees then in office. At each meeting of the Board at which a quorum is present, all questions and business shall be determined by a majority vote of those present except as in this Code of Regulations otherwise expressly provided.

Section 8. By-Laws. The Board of Trustees may adopt By-Laws for its own government, not inconsistent with the Articles of Incorporation or this Code of Regulations.

ARTICLE IV  
OFFICERS

Section 1. Election and Designation of Officers. The Board of Trustees, at its organization meeting, shall elect a President, a Secretary, a Treasurer, and such other officers as the Board may deem necessary.

Section 2. Term of Office. Vacancies. The officers of the TLA shall hold office until the next organization meeting of the Board of Trustees and until their successors are elected, except in case of resignation, death or removal. The Board of Trustees may remove any officer at any time with or without cause by a majority vote of the whole board. Any vacancy in the Board of Trustees, however arising, shall be filled within one month of the occurrence of the vacancy in the following manner: The first runner-up from the last election shall be invited to serve. If this person refuses to serve, the other candidates from the last election shall be asked to serve in the order of vote count. In case none of these wishes to serve, the Board shall select an Association property owner to fill the unexpired term.

Section 3. President. The President shall have general executive supervision over the routine affairs of the Association and such other powers and duties as may be prescribed by the Board of Trustees.

Section 4. Secretary. The Secretary shall keep the minutes of meetings of the property owners and the Board of Trustees. He/she shall keep a property ownership book wherein he/she shall record the name and address of each property owner of the TLA and the date(s) of recording of the deed(s) of each property owner of record and shall keep such other books as may be required by the Board of Trustees, shall give notices of property owners and Trustees' meetings required by law, or by these regulations, or otherwise, and have such other powers and duties as the Board of Trustees may prescribe.

Section 5. Treasurer. The Treasurer shall receive and have charge of money, bills, notes, bonds and similar property belonging to the Association, and shall do with the same as may be ordered by the Board of Trustees. He/she shall keep accurate financial accounts and hold the same open for the inspection and examination of the Trustees. On the expiration of his/her term of office, he/she shall turn over to his/her successor, or to the Board of Trustees, all property, books, papers, and money of the Association in his/her hands.

Section 6. Other Officers. Any other officers that the Board of Trustees may elect shall have such powers and duties as the Board of Trustees may prescribe.

Section 7. Delegation of Duties. The Board of Trustees is authorized to delegate duties of any officer to any other officer and generally to control the action of the officers and to require the performance of duties in addition to those mentioned herein.

ARTICLE V  
COMPENSATION

Section 1. Trustees and Officers. Members of the Board of Trustees and officers of the TLA shall serve without compensation.

Section 2. Employees. The compensation of employees of the TLA, or the method of fixing such compensation, shall be determined by or pursuant to authority conferred by the Board of Trustees.

ARTICLE VI  
RECORD DATES

The Board of Trustees may fix a date, which shall not be a past date and which shall not be more than thirty (30) days preceding the date of any meeting of property owners as a record date for the determination of the property owners entitled to notice of and to vote at any such meeting, or any adjournments thereof, and, in such case, only property owners of record on the date so fixed shall be entitled to notice of and to vote at such meeting, or any adjournments thereof.

ARTICLE VII  
FISCAL YEAR

The Board of Trustees shall cause the books of account and other records of the association to be kept in accordance with a fiscal year, beginning January 1<sup>st</sup>, and running through December 31<sup>st</sup>.

ARTICLE VIII  
INDEMNIFICATION OF TRUSTEES AND OFFICERS

No person shall be liable to the corporation on account of any action taken or omitted to be taken by him/her in good faith as a trustee, member of a committee or officer of the corporation, if such person exercised or used the same degree of care and skill as a prudent person would have exercised or used under the circumstances in the conduct of their own affairs. Without limitation, any such person shall be deemed to have exercised or used such degree of care and skill if he/she took or omitted to take such action in reliance in good faith, upon advice of counsel for the corporation, or upon reports made or information furnished by officers, employees, or committees of the corporation, or by accountants, auditors, engineers, appraisers or other experts employed by the corporation, or upon the books of account or other records of the corporation.

Each person who shall be made a party to any action, suit or proceeding by reason of his/her being or having been a trustee, member of a committee, or officer of the corporation, or by reason of his/her having acted or omitted to act as such, and his/her heirs, executors and administrators, shall be reimbursed or indemnified by the corporation for or against all loss

suffered and all cost and expense reasonably incurred by themselves, as the case may be, in connection with such action, suit, proceeding, other than in relationship to matters, if any, as to which such person shall be adjudged in such action, suit, or proceeding to be liable for negligence or bad faith in the performance of his/her duty and, except as hereinafter otherwise provided, to matters which shall be settled. In case any such action, suit, or proceedings shall be settled, in whole or in part, any such person, his/her heirs, executors and administrators, shall be reimbursed or indemnified by the corporation for or against all amounts paid and all costs and expenses reasonably incurred by themselves, as the case may be in connection with any matters settled (exclusive of any amounts paid to the corporation) but only if such settlement shall have been made with the consent of the corporation and if, any judgment of a disinterested majority of the Board of Trustees or of any disinterested committee or group of persons to whom the question may be referred by the Board of Trustees, such person was not negligent or guilty of bad faith in the performance of duty in relation to the matter settled.

The provisions of this Article shall be in addition to and not in limitation of any rights or indemnification to which the persons concerned may be otherwise entitled.

ARTICLE IX  
ASSESSMENTS

Section 1. Method of Fixing Assessments. The Board of Trustees shall prepare each year for presentation to the Annual Meeting of property owners a statement of estimated ordinary expenses and costs of the maintenance and preservation of the property, which shall be known as the budget of the TLA for the ensuing fiscal year beginning January 1<sup>st</sup> and running through December 31<sup>st</sup>, in which shall be included taxes and assessments upon the property, and ordinary expenses for the improvement of the common property. In such statement there may be included expenses and costs in connection with the following which are stated herein without limitation:

Manager	Insurance	Voting Register
Beach and Grounds	Books and Records	Assessment Book
Lifeguards	Office Expenses	Accounting
Taxes	Property Ownership Book	Legal
General Repairs		

The estimated expenses and costs of the TLA, as set forth in the annual budget, and any additional and necessary costs and expenses for maintenance and preservation of the common property shall be apportioned by the Trustees among all property owners of the TLA. Each owner, together with the land owned by him/her, shall be charged with such proportion of the total annual expenses and costs as the value of the land for taxation for the preceding year, exclusive of buildings, is to the total tax value for the preceding year of all the property of the property owners of the Association, exclusive of buildings and exclusive of the land conveyed to the Association as common property.

Costs and expenses in excess of the annual budget, or for expenditures other than for additional necessary expense and cost of maintenance and preservation of the common property incurred, or to be incurred, or in respect to the acquisition of additional land and water adjacent to or part of either East or West Twin Lakes, or in all other cases may be levied or assessed upon the owners or their property only by approval of the property owners as set forth in Section 13 of Article I herein.

Section 2. Levy of Assessments. On or prior to the first day of April of each year, the Secretary shall mail a written notice of assessment to each property owner at his/her address as shown by the property ownership book of the TLA. Such notice shall state the amount assessed upon such property owner for such year in accordance with the provisions of Section 1 of this Article.

Section 3. Payment of Assessment. Assessments shall be due and payable to the Treasurer of the TLA on or prior to the first day of May in each year. Each assessment not paid on or prior to said date shall be increased by a penalty in the amount of ten percent (10%) of such assessment.

## ARTICLE X ENFORCEMENT

Section 1. Any property owner, including persons residing in his/her household, any TLA Associate(s), or any invited guests, who violate any of the TLA Code of Regulations or proves to be a risk to others or themselves, shall be notified by the Legal/Finance Committee or its representatives to refrain from such conduct. Once notified, if the person fails to refrain from such conduct, it shall be at the power and discretion of the Legal/Finance Committee, subject to the approval of the Board of Trustees, to hold a hearing on the matter. At the hearing, the accused will have the right to have counsel present and to provide evidence in his/her own behalf. If found guilty by a majority of the Legal/Finance Committee, the Committee will take one or several of the following actions against the guilty party:

- A. A fine as determined by the Committee may be levied for each violation.
- B. Use of the common properties may be prohibited and the TLA identification card rendered invalid. Continued use of common property may result in report and/or prosecution for criminal trespass.
- C. Further action in the matter as deemed necessary and proper by the Committee, subject to review and approval of the TLA Board of Trustees, may be taken.

Section 2. The Legal/Finance Committee of the TLA is hereby appointed as the Committee to review the foregoing matters relating to enforcement of the TLA Code of Regulations against property owners, including persons residing in his/her household, any TLA Associate(s) or any invited guest.

### Section 3. Appeal to an Appeals Committee.

#### A. Right to Appeal.

1. Any property owner, including persons residing in his/her household, any TLA Associate(s) or any invited guests who have been found by the Legal/Finance Committee to violate any of the TLA Code of Regulations or has been proven to be a risk to others or themselves for which a fine has been levied or the use of the common properties has been prohibited and the TLA identification card rendered invalid, may appeal the finding of the Legal/Finance Committee to an Appeals Committee made up of seven property owners in good standing. The Appeals Committee shall be selected by lottery using the TLA property owners list. A new Appeals Committee will be appointed for each separate appeal.

#### B. Procedure for Appeal.

1. Notification and Scheduling of the appeal shall be as follows:
  - a. The party requesting appeal shall notify TLA of their intent through the U.S. Postal Service or hand delivery of written notice to the President of the TLA at its office, P. O. Box 94, Kent, Ohio 44240.
  - b. Notice of intent to seek appeal shall be made within thirty days of the issuance of the finding of the Legal/Finance Committee.
  - c. The President of the TLA shall schedule the appeal for a future meeting of the TLA Board of Trustees, scheduled at least seven days after receipt of the intent to seek appeal.
  - d. The President shall notify the appealing property owner and the Appeals Committee chairman of this scheduled appeal. The Chair of the Appeals Committee shall be elected by the Appeals Committee and shall be in charge of the appeals hearing.
2. The Chair shall cause the appeal to be heard during a meeting open to all property owners.
  - a. Both the property owner and the Appeals Committee members may present arguments, evidence, supporting documents and witnesses in support of their positions. Counsel is permitted.
  - b. The Appeals Chair may, at his/her discretion, permit questions to the appealing property owner, Committee members, or witnesses.

- c. The Appeals Chair may, at his/her discretion, permit other owners to address the Appeals Committee regarding the appeal.
- d. The Appeals Committee may adjourn to executive session to deliberate, but shall make its decision by roll call majority vote.
- e. The decision of the Appeals Committee shall be effective and binding on all parties immediately.

ARTICLE XI  
AMENDMENTS

Section 1. The Code of Regulations of the Association may be amended at a meeting of property owners by the affirmative vote of seventy-five per cent (75%) of the property owners entitled to voting privileges as herein provided and present and voting on such proposal.

Section 2. All proposed amendments must be submitted in writing to the Secretary of the Board of Trustees sixty (60) days prior to the meeting at which they will be voted upon.

Section 3. All property owners shall be notified of any proposed amendment in the regular notification of meeting as prescribed in Article 1, Section 8.

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- 1) The original “Code of Regulations” was unanimously adopted by the incorporators on May 7, 1955.
- 2) The Code of Regulations was adopted by Twin Lakes area residents at a general meeting on June 22, 1955.
- 3) The Code of Regulations was revised to include all amendments adopted on March 5, 1979.
- 4) The Code of Regulations was revised to include all amendments adopted in March, 1981.
- 5) The Code of Regulations was revised to include all amendments adopted in March, 1984.
- 6) The Code of Regulations was revised to include all amendments adopted in March, 1985.
- 7) The Code of Regulations was revised to include all amendments adopted in October, 1998.
- 8) The Code of Regulations was revised to include all amendments adopted in October, 2007.