

CONSTITUTION
BROADMOOR PROPERTY OWNERS' ASSOCIATION

WE, THE UNDERSIGNED, in order to form a nonprofit corporation for the purposes hereinafter stated, do hereby adopt the following Constitution for the Broadmoor Property Owners' Association:

Section 1. The name of this corporation is "BROADMOOR PROPERTY OWNERS' ASSOCIATION."

Section 2. The corporation is formed to protect and develop lands platted as Broadmoor Addition to the City of Little Rock, Arkansas, into a high-class residential property area, possessing features of more than ordinary value to a residential community, and without limiting the generality of the foregoing to maintain the park, lake, and clubhouse in said area; to enforce private covenants and restrictions; and to make and enforce rules and regulations for the use of the lake, park and the clubhouse in said area.

Section 3. Membership in the corporation is hereby vested in a Board of Directors, consisting of ten qualified members of the corporation, one of whom shall be the duly elected and qualified President of the Broadmoor Property Owners' Association Auxiliary, and nine of whom shall be elected at the annual meeting of the corporation. The Board of Directors for the nine positions elected at the annual meeting, whether caused by resignation, death, removal, failure to qualify, becoming disqualified, or otherwise, shall be filled by the remaining director or directors, even though less than a quorum is present. A director thus elected to fill any vacancy shall hold office for the unexpired term of his predecessor or until his successor shall be elected and shall qualify. A majority of the Board of Directors shall be necessary at all meetings to constitute a quorum for the transaction of business. The directors shall have authority to adopt rules and regulations for the control, operation and maintenance of the Park and Lake Area, provided such rules and regulations are not in conflict with the constitution and by-laws.

Section 5. The officers of the corporation shall be a President, a Vice President, a Secretary and a Treasurer. Officers shall be elected by the Board of Directors and shall serve until their successors are duly elected and qualified. A member of the Board of directors shall be eligible to serve as an officer of the corporation.

Section 6. The annual meeting of the members of the corporation for the election of directors and for the transaction of such other business as may properly come before the meeting shall be held during the month of March of each year at such a time as may be designated by the Board of Directors. The annual meeting shall be held at such a place in Pulaski County, Arkansas as may be designated by the Board of Directors. Voting by written proxy shall be permitted at any meeting of the members of the corporation. Special meetings of the members of the corporation may be called by the President or by a call signed by not less than three members of the Board or Directors, or by a call signed by non less than fifteen percent (15%) of the members of the corporation. At all meetings of the member members of the association, each member shall be entitled to cast one vote for each platted residential lot which he or she owns in the Broadmoor Addition as presently platted and any additions thereto. Notice of all special meetings shall be given by publication as provided herein. The

membership shall the right to review, change or alter any action previously taken by the Board of Directors provided that any such changes or alterations made have been voted upon and passed by at least two-thirds of the members present and voting at any regular or special meeting of the general membership.

Section 7. Notice to the members of the corporation of any meeting or other matter affecting said membership shall be legal and sufficient when published one time in a newspaper published in Pulaski County, Arkansas, having a general circulation in the Broadmoor area.

AMENDED BY-LAWS
BROADMOOR PROPERTY OWNERS' ASSOCIATION

ARTICLE I. BOARD OF DIRECTORS. Section 1. The Board of Directors shall consist of nine members as provided by the constitution of this Association and the term of each Director elected shall begin with the first meeting of or action taken by the Board of Directors after such Director is elected. The term of office for the Directors now in office shall remain unchanged. Hereafter, at each annual meeting of the members of the Association, three Directors shall be elected, to succeed the three retiring Directors and such newly elected Directors shall serve for a period of three years. Each director must be a member of the Association, residing in Broadmoor.

Section 2. The Board of Directors may fix the time and place for holding regular meetings of the Board. Special meetings of the Board of Directors shall be held whenever called by the President or upon formal request in writing by three or more Directors. Notice of the date, hour and place of all meetings of the Board of Directors must be given to each member of the Board of Directors by either of the following methods; (a) by mailing such notice to his residence or usual place of business not later than two days before the day on which the meeting is to be held; or (b) by sending such notice to his residence of usual place of business or delivering it to him personally or by telephone; **or (c) by posting such notice to any official Broadmoor POA social media or via any reasonable means of electronic communication;** not later than the day before the day on which such meeting is to be held. Notice of any meeting may be waived in writing at, before, or after the meeting and the presence of any Director at a meeting of the Board of Directors shall constitute waiver of notice thereof and any meeting of the Board of Directors at which all members of the Board are present shall be a legal meeting without any notice thereof having been given. Any and all business may be transacted at any special or regular meeting.

ARTICLE II. OFFICERS.

Section 1. The officers of the Association shall be a President, a Vice-President, a Secretary and a Treasurer. In addition, a member of the Association will be designated the Swimming Pool Treasurer, but will not be an elected officer of this Association. The officers shall be elected by the Board of Directors at the first meeting of the Board following the annual membership meeting and to hold officer of the term of one year, or until their successors shall be elected and qualify.

Section 2. The duties and powers of the officers of this Association shall be those usual to such officers and other powers and duties as may be assigned to them by the Board of Directors.

Section 3. Each Treasurer of the Association, before assuming the duties of his office shall may a surety bond in favor of the Association in an amount of one Thousand Dollars (\$1,000.00) if so designated by the Board of Directors.

Section 4. Each Treasurer shall maintain a bank account for his particular area of responsibility and each check written on the account shall be co-signed by the President of the Association.

ARTICLE III. COMMITTEES.

Section 1. The President of this Association shall annually, as soon after his installation as possible, appoint the following standing committees: Finance, Swimming, Fishing and Water Sports, Buildings, Parks and Playgrounds, Publicity and Public Relations, and Public Grievance. The President of this Association may, in addition to the above standing committees, appoint such special committees as may be determined by the Board of Directors to be needed. No committee shall have less than three members or more than five members. Any action taken by the committees appointed by the President of this Association which will require an expenditure of Association money, a change in the physical properties of the Association, or for the use of the Association properties by other than Association members shall have prior approval of the Board of Directors. All rules and regulations recommended by any committee shall be approved by the Board of Directors before the implementation of such rules and regulations.

SWIMMING POOL BOND RULES

The sale of swimming pool bonds is restricted to property owners only. Bonds are \$200, with a minimum of \$50 down plus that season's swim fee. The season's swim fee of \$75 (subject to change) allows a family to swim throughout the summer without additional charge. The balance on the bond is due in full before the next season opens.

A homeowner selling his home should include the cost of the bond in the sale of the house. A transfer fee of \$25.00 is due at the close of the sale for transferring the new owner's name to the bond book. Unless this transfer fee is paid, the new owner may not use the pool. The fee may be paid by the buyer or seller.

The leasing of a pool bond is restricted to residents living in rental property in Broadmoor. A bond may be leased from the swimming pool for a fee of \$25, plus the season's fee. This fee must be paid each season before the season opens if renters desire to lease a bond annually.

The pool bond rules may be altered by the Broadmoor Board of Directors and a majority vote of pool bond owners.

SWIMMING POOL RULES AND REGULATIONS

The pool manager has full authority for supervising the pool and facilities. Lifeguards may limit any member's pool privileges for 24 hours. The pool manager, on recommendation of the lifeguard, may bar any member's pool privileges for an additional 2 days. Repeated infractions will be referred to the pool committee for further action.

Schedule

- The pool will be open six (6) days a week. (Closed on Monday)
- Hours will be determined and posted at the pool and/or mailed to all pool members.
- The pool committee shall make a decision each season, if there should be one night put aside for teenagers and one for adults.

Regulations

- All persons must register as they enter the pool.
- DO NOT ENTER POOL BEFORE TAKING A SOAP SHOWER. If, for any reason, you leave the pool area, take another soap shower before re-entering the pool. Persons using suntan lotions must shower before re-entering the pool.
- No sweat shirts, cut-offs or other such clothing can be worn in the pool. (SWIM ATTIRE ONLY).
- No pets allowed.
- The Association will not be responsible for lost, stolen or forgotten articles at the pool. Articles left in the pool area will be donated to Goodwill Industries weekly.
- Food and drink are allowed only in the designated area.

Guest Rules

- HEIRS. All heirs of Broadmoor Swim Club members living outside of the Broadmoor area are entitled to use the pool and should be listed on the back side of the registration card, which will be kept on file at the pool each season. "Heir" here is defined as a direct descendent, their spouse and family.
- OVERNIGHT GUESTS. Any person residing outside Pulaski County, who is an overnight guest of a pool member, may use the pool with the member he is visiting, without charge.
- Pool members may invite guests who live outside of the Broadmoor area. Guests will be charged a fee, which will be determined by the pool committee each season.
- Members between 9 years and 18 years may not bring more than two (2) guests at any one time. Guests must leave the pool when the member leaves.

Swimming Pool Rules

- Children unable to swim, regardless of age, must be accompanied by an adult, or by a responsible person at the discretion of the manager.
- Children under 7 must be attended by an adult.
- Children unattended must be able to swim the length of the pool as determined by the lifeguard.
- Glass bottles or glassware of any kind will not be permitted in or around the pool area.
- Roughness, foul language, pushing, boisterous play, running and/or chasing around the pool deck or other dangerous practices will not be tolerated.
- No alcohol or gambling will be allowed.
- Styrofoam floats, toys, etc., will not be allowed due to logging of the pool drainage system. Rubber and plastic toys will be permitted in the shallow end of the main pool and wading pool only.

Wading Pool

The wading pool is for small children only, when accompanied by a parent or responsible adult. Lifeguard will not be responsible for small children in the wading pool.

Special Regulations

There will be no use of swimming facilities unless a lifeguard is on duty. Any person found in the pool after hours will be arrested and fined for trespassing. If the person or persons are members of the Swim Club, in addition to being arrested, they will be asked to turn in their memberships. People climbing over the fence to swim will not be tolerated. Aside from breaking the rules, it is extremely dangerous. Many times we will add strong chemicals to the water at night and it takes approximately eight (8) hours before it is safe to swim. PLEASE ADVISE YOUR CHILDREN.

Miscellaneous

These rules and regulations may be amended by the Board of Directors and/or the pool committee at any time. If you wish to serve on the pool committee, contact one of the seven current members listed at the pool.

All rules of local and state health agencies will be observed.

Suggestions and complaints should be made in writing to the Swim Pool Club, P.O. Box 4201 Asher Station, Little Rock, AR 72204.

(a) Finance Committee. It shall be the duty of the Finance Committee to recommend an operating budget for the Association, to recommend annual assessments, to examine and audit the books of the Treasurers and all expenditures of money by the Association, and they shall submit annually to the meeting of the Association its findings and recommendations relative thereto.

(b) Swimming, Fishing and Water Sports Committee. This committee shall be responsible for developing, promoting, and facilitating interest in swimming, fishing and water sports in the

Association's recreational area and shall also be responsible for maintaining the swimming pool and promoting reasonable rules and regulations to govern the use of the pool.

(c) Buildings, Parks and Playgrounds Committee. This committee shall have referred to it all matters pertaining to the maintenance of the Association's properties except the swimming pool which is under the exclusive jurisdiction of the Swimming, Fishing and Water Sports Committee, and any alterations or constructions thereon, the development of the parks, playgrounds, etc.

(d) Publicity and Public Relations Committee. This committee shall be responsible for apprising the membership of the Association of the various activities being promoted and available to them and shall be responsible for cooperation and coordination of the Association's activities with those of like Associations in this vicinity.

(e) Grievance Committee. This committee shall have referred to it all grievances made by members of the Association in connection with the operation of the Association's property. It shall be responsible for apprising the various members of the Association and other individuals of their violations of easements and abuse of privileges and shall be responsible for bringing appropriate charges to the attention of the Board of Directors, where such matters cannot be worked out on an amicable basis. It shall also be responsible for preferring charges where rights are to be revoked.

ARTICLE IV. MEMBERSHIP.

Section 1. So long as there is levied and being collected an assessment of benefits by Broadmoor Recreational Area Improvement District No. 2 of Little Rock, Arkansas (herein the "District"), each owner of assessed real property in the District shall be entitled to membership in the Broadmoor Property Owners' Association (herein the "Association") and shall be subject to the rules and regulations of the Association and its government regarding the operation of the recreational facilities of the District and the privileges in the Association.

Section 2. No dues shall be collected by the Association so long as there is being collected annual installments of the assessment of benefits in the District.

Section 3. Any owner of property in the District (member) whose property is delinquent in the payment of the annual collection of the assessment of benefits in the District shall automatically be suspended from membership in the Association at the end of the year in which his/her property is delinquent. Such owner (member) shall not be reinstated or entitled to full membership in the Association until all default in taxes and penalties and costs are paid in full and his propriety is current in the collection of the assessment of benefits of the District thereon. During the default of any tract of land in the District of the payment of any installment of the District's assessment of benefit (and the resulting suspension of the owner(s), the annual collection of the District's assessment of benefits shall not be suspended.

Section 4. Any member of the Association who has continually violated and disobeyed the rules of the Association and District regarding the operation of the recreation facilities may be suspended form membership and denied the use and privileges of the recreational facilities of the

Association and District by a two-thirds (2/3) vote of the entire Board of Directors of the Association for a period of no more than twelve (12) months, but during such suspension the annual collection of the assessment of benefits of the District on the property of the suspended owner shall not be suspended. At the end of the period of suspension, the suspended member shall automatically be reinstated to full membership rights and privileges without further vote of the Board of Directors or the membership.

ARTICLE V. MEETINGS OF MEMBERS.

Section 1. The annual meeting of the membership of this Association shall be held during the month of March of each year at such time as may be designated by the Board of Directors and at such place in Pulaski County, Arkansas, as may be designated by the President or Board of Directors, or as provided in the Association's Constitution or any amendments thereto. Special meetings of the Association may be called by the President or by a call signed by not less than three (3) members of the Board of Directors. Notice of all meetings of the membership shall be given by publishing the same one time in a newsletter, not more than fifteen (15) or less than two (2) days before the date of such meeting, which notice shall state the date, hour and the place of meeting. A quorum of the membership of this Association shall consist of not less than fifteen percent (15%) of the members of the Association present, either in person or by written proxy. An adult representative of each family shall be entitled to one and only one vote on all matters voted on at a membership meeting. No suspended member shall have the right to vote.

ARTICLE VI. AMENDMENTS.

Section 1. These bylaws may be adopted, amended, altered, changed or repealed by vote of not less than two-thirds (2/3) of the full Board of Directors at any regular or special meeting.

Amended 11-78

Article I, Section II is amended to read:

“Section 2. The Board of Directors may fix the time and place for holding regular meetings of the Board. Special meetings of the Board of Directors shall be held whenever called by the President or upon formal request in writing by three or more Directors. Notice of the date, hour and place of all meetings of the Board of Directors must be given to each member of the Board of Directors by **one or more** of the following methods; (a) by mailing such notice to his residence or usual place of business not later than two days before the day on which the meeting is to be held; or (b) by sending such notice to his residence of usual place of business or delivering it to him personally or by telephone; **or (c) by posting such notice to any official Broadmoor POA social media or via any reasonable means of electronic communication;** not later than the day before the day on which such meeting is to be held. Notice of any meeting may be waived in writing at, before, or after the meeting and the presence of any Director at a meeting of the Board of Directors shall constitute waiver of notice thereof and any meeting of the Board of Directors at which all members of the Board are present shall be a legal meeting without any notice thereof having been given. Any and all business may be transacted at any special or regular meeting.”

Amended 02-13-2020