

Wilmington Park

HOMES ASSOCIATION

CODE AND BY-LAWS

WILMINGTON PARK, WILMINGTON ISLAND

SAVANNAH, GEORGIA

FEBRUARY, 1969

(AS REVISED MAY 1972

AND FEBRUARY, 1975

FEBRUARY, 1976

JANUARY, 1979)

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CHARTER

of

Wilmington Park Homes Association, Inc.

GEORGIA
CHATHAM COUNTY
TO THE SUPERIOR COURT OF SAID COUNTY:

The petition of William Lattimore, Maxwell W. Lippitt, Nephew K. Clark, H. Tayloe Compton, Jr. and James M. Sullivan, Jr., respectfully shows:

1. Petitioners desire for themselves, their associates and successors to be incorporated under the laws of this State under the name and style of
WILMINGTON PARK HOMES ASSOCIATION, INC. for a period of 35 years.

2. This corporation, hereafter referred to as the Association, is formed for the following purposes:

(a) To exercise its powers and functions on the following described real property situated in Chatham County, State of Georgia, and more particularly described as follows:

All that tract of land situate, lying and being on Wilmington Island, in said State and County, and being known as Wilmington Park, Phase A, upon a map or plat of the same, which map is recorded in Sub-division Map Book A, page 260 of the Records in the Office of the Clerk of the Superior Court of Chatham County, Georgia.

Together with any and all other real property which may hereafter, through the operation of conditions, covenants, restrictions, easements, reservations or charges pertaining to the same, be placed or submitted to the jurisdiction of this Association, and be accepted as within the jurisdiction of this Association by resolution of the Board of Directors (which real property hereinabove specifically described, together with the property hereafter within the jurisdiction of this Association as above provided, is referred to as "said property").

(b) To improve, light, beautify and maintain streets, parks, and other open spaces in and bordering upon said property as shall be maintained for public use, or for the general use of the owners of lots or building sites in said property, but only until such time as such services are adequately provided by public authority.

(c) To care for vacant, unimproved and unkept lots in said property.

(d) To pay the taxes and assessments, if any, which may be levied by any governmental authority upon roads and parks in said property, and any other open spaces maintained for and lands used or ac-

quired for, the general use of the owners of lots or building sites within said property, and on any property of this Association, or which may be held in trust for this Association.

(e) To enforce charges, restrictions, conditions and covenants existing upon and created for the benefit of said property over which this Association has jurisdiction; to pay all expenses incidental thereto; to enforce the decisions and rulings of this Association having jurisdiction over any of said property; to pay all of the expenses in connection therewith; and to reimburse any declarant under any declaration of conditions, covenants, restrictions, assessments or charges affecting said property, or any part thereof, for all costs and expenses incurred or paid by it in connection with the enforcement, or attempted enforcement, of any of the conditions, covenants, restrictions, charges, assessments or terms set forth in any declaration.

(f) To provide for the maintenance of tennis courts, playgrounds, water areas and other community features on land set aside for the general use of the members of said Association.

(g) To do any and all lawful things and acts which this Association at any time, and from time to time, shall, in its discretion, deem to be for the best interests of said property and the owners of the building sites thereon, and to pay all costs and expenses in connection therewith.

(h) To fix the rate per square foot of the annual charges or assessments to which said property shall be made subject; to collect the charges or assessments affecting said property; to pay all expenses in connection therewith, and all office and other expenses incident to the conduct of the business of this Association, and all licenses, franchise taxes, and governmental charges levied or imposed against said property of this Association; such charges or assessments shall become a lien on said property as soon as due and payable. Settlement of such lien shall be made as determined by the Directors of this Association.

(i) To expend the moneys collected by this Association from assessments or charges and other sums received by this Association for the payment and discharge of all proper costs, expenses and obligations incurred by this Association in carrying out any or all of the purposes for which this Association is formed.

(j) To borrow money; to mortgage, pledge, deed in trust, or hypothecate any or all of its real

or personal property as security for money borrowed or debts incurred.

3. Said corporation is not organized and shall not be operated for pecuniary gain or profit and it shall have no capital stock.

4. Petitioners ask that said corporation be granted full power to exercise and enjoy all the powers and privileges conferred upon or permitted to corporations created under the laws of Georgia, including such powers as may hereafter be given by law and including, but not limited to, the power to own, buy, sell, lease, exchange or otherwise dispose of real or personal property; to accept gifts and donations; and generally to do anything necessary or incidental to forwarding the purposes of the corporation.

5. The principal office of said corporation is to be located in Chatham County, Georgia.

6. The name and post office address of each of the applicants for charter are as follows:

NAMES	ADDRESSES
William Lattimore	Wilmington Island, Savannah, Ga.
Maxwell W. Lippitt	Bradleys Point, Savannah, Ga.
Nephew K. Clark	12 East 49th Street, Savannah, Ga.
H. Tayloe Compton, Jr.	1508 Spaulding Road, Savannah, Ga.
James M. Sullivan, Jr.	108 East 52nd Street, Savannah, Ga.

7. The members of this Association shall be:

(a) All persons who are owners of record of any building site in said property, provided that no person or corporation taking title as security for the payment of money or the performance of any obligation shall thereby become entitled to membership.

(b) All persons who reside on a building site in said property, and who are purchasing such building site under a contract or agreement of purchase.

Such ownership or such residence and the purchasing of such building site under a contract or agreement of purchase shall be the only qualifications for membership in this Association.

When a building site is owned of record in joint tenancy or tenancy in common, or when two or more residents are purchasing a building site under a contract or agreement of purchase, the membership as to such building site shall be joint and the right of such membership (including the voting power arising therefrom) shall be exercised only by the joint action of all owners of record of such building site, or of all purchasers under said contract or agreement of purchase, respectively.

Membership in this Association shall lapse and terminate when any member shall cease to be the owner of record of a building site, or upon any member ceasing to be a resident on a building site in said property or a purchaser thereof under a contract or agreement of purchase.

A building site for the purpose of this Petition for Incorporation shall be taken to be and mean a building site as defined in the protective covenants covering the portion of said property in which the building site is located.

Each member of this Association shall have one vote regardless of the number of building sites owned provided, however, that there shall at no time be more than one vote for each building site.

8. Petitioners attach to this petition a name certificate from the Secretary of State as provided by law.

WHEREFORE petitioners pray that they, their associates and successors be incorporated with the name, for the purposes, for the term and with the rights, powers and privileges hereinabove set forth or referred to and that this Honorable Court enter an order declaring this application granted.

Adams, Adams, Brennan & Johnson

Attorneys for Petitioners

STATE OF GEORGIA
COUNTY OF CHATHAM
IN THE SUPERIOR COURT
DECEMBER TERM, 1957

IN RE: Petition for Incorporation of Wilmington Park Homes Association, Inc.

O R D E R

The petition in the above stated matter having been presented to the Court, and it appearing that said petition is within the purview and intention of the laws of this State, and that all requirements of law have been fully complied with;

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that said petition be and the same is hereby granted, and that the petitioners and their associates and successors are hereby incorporated under the name of "WILMINGTON PARK HOMES ASSOCIATION, INC." as a body politic under the laws of the State of Georgia, for the purposes, for the term and with the rights, powers and privileges set forth or referred to in said petition.

In Open Court this 18th day of January, 1958.

Edwin A. McWhorter

Judge, Superior Court, Chatham
County, Georgia