

BY LAWS  
OF  
CHESTNUT HILL COVE HOMEOWNER'S ASSOCIATION, INC.

ARTICLE I  
NAME AND LOCATION

The name of the Corporation is CHESTNUT HILL COVE HOMEOWNER'S ASSOCIATION, INC., hereinafter referred to as the "Association". The principal office of the Corporation shall be located at Anne Arundel County, Maryland, but meetings of members and directors may be held at such place or places within the State of Maryland as may be designated by the Board of Directors.

ARTICLE II  
DEFINITION

Section 1. "Association" shall mean and refer to CHESTNUT HILL COVE HOMEOWNER'S ASSOCIATION, INC., its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions, and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 3. "Common Area" shall mean all real property owned by the Association for the common use and enjoyment of the Owners, in accordance with the Declaration.

Section 4. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the properties with the exception of the Common Area.

Section 5. "Owner" shall mean and refer to the record Owner, whether one or more persons or entities, of the fee simple title to any lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 6. "Declarant" shall mean and refer to 4433 CORPORATION, its successors and assigns, if such successors or assigns should acquire more than one undeveloped lot from the Declarant for the purpose of development.

Section 7. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the Office of Land Records for Anne Arundel County, Maryland.

Section 8. "Member" shall mean and refer to those parties entitled to membership as provided in the Declaration.

### ARTICLE III MEETING OF MEMBERS

Section 1. Annual Meeting. The first annual meeting of the members shall be held within one year from the date of incorporation of the Association, and each subsequent regular meeting of the members shall be held on the same day of the same month of each year thereafter, at the hour of 7:30 p.m. If the day for the annual meeting of the members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the members may be called at any time by the President or the Board of Directors, or upon written request of the members who are entitled to vote one-fourth (1/4) of all of the votes of the Class A membership.

Section 3. Notice of Meetings. Written notice of each meeting of the members shall be given by, or at the discretion of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least 15 days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association, or supplied by such member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting.

Section 4. Quorum. The presence at the meeting of members entitled to cast or of proxies entitled to cast, one-tenth (1/10) of the votes of each class of membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, or these By-Laws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have the power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Section 5. Proxies. At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his lot.

ARTICLE IV  
BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number. The affairs of this Association shall be managed by a Board of three (3) directors, who need not be members of the Association.

Section 2. Term of Office. At the first annual meeting the members shall elect three (3) directors for a term of one year and at each annual meeting thereafter the members shall elect three (3) directors for a like term.

Section 3. Removal. Any director may be removed from the Board, with or without cause, by a majority vote of the members of the Association. In the event of death, resignation or removal of a director, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor.

Section 4. Compensation. No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 5. Action Taken Without a Meeting. The directors 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 the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.

ARTICLE V  
NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall consist of a Chairman, who shall be a member of the Board of Directors, and two or more members of the Association. The Nominating Committee shall be appointed by the Board of Directors prior to each annual meeting of the members, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. Such nominations may be made from among members or non-members.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. 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. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

ARTICLE VI  
MEETINGS OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held monthly without notice, at such place and hour as may be fixed from time to time by resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday.

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 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.

ARTICLE VII  
POWERS AND DUTIES OF THE BOARD OF DIRECTORS

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

(a) adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

(b) suspend the voting rights and right to use the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed sixty (60) days for infraction of published rules and regulations;

(c) exercise for the Association all powers, duties, and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration;

(d) declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and

(e) employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. 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 of the members, or at any special meeting when such statement is requested in writing by one-fourth (1/4) of the Class A members who are entitled to vote;
- (b) supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;
- (c) as more fully provided in the Declaration, to:
  - (i) fix the amount of the annual assessment against each lot at least thirty (30) days in advance of each annual assessment period; and
  - (ii) send written notice of assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period, and
  - (iii) foreclose the lien against any property for which assessments are not paid within thirty (30) days after due date or to bring an action at law against the Owner personally obligated to pay the same.
- (d) issue, or cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment:
- (e) procure and maintain adequate liability and hazard insurance on property owned by the Association;
- (f) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;
- (g) cause the Common Area to be maintained.
- (h) cause a Capital Improvement Fund to be established for the purpose of providing funds for making capital improvements to the common areas and other amenities belonging to the Association. The amount of said Fund and the source of such funds shall be determined by the Board of Directors of the Association.

## ARTICLE VII OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Offices. The officers of this Association shall be a president and vice-president, who shall at all times be members of the Board of Directors, a secretary, and a treasurer, and such other officers as the Board may from time to time by resolution create.

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

Section 3. Term. The officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year unless he shall sooner, resign, or shall be removed, or otherwise disqualified to serve.

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 Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he 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

(a) The president shall preside at all meetings of the Board of Directors; shall see that order and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.

#### VICE-PRESIDENT

(b) The Vice President shall take the place of the President and perform his duties whenever the President shall be absent or unable to act. If neither the President nor the Vice President is able to act, the Board shall appoint some other member of the Board to do so on an interim basis. The Vice President shall also perform such other duties as shall from time to time be delegated to him by the Board of Directors.

### TREASURER

(c) 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 sign all checks and promissory notes of the Association; keep proper books of account; cause an annual audit of the Association books to be made by a public accountant at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy of each to the members.

### SECRETARY

(d) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Board.

### ARTICLE XI COMMITTEES

The Association shall appoint an Architectural Control Committee, as provided in the Declaration, and a Nominating Committee, as provided in these By-Laws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

### ARTICLE X BOOKS AND RECORDS

The books, records, and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member. The Declaration, the Articles of Incorporation and the By-Laws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

### ARTICLE XI ASSESSMENTS

As more fully provided in the Declaration, each member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of six percent (6%) per annum, and the Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property and interest, costs and reasonable attorneys fees of any such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by nonuse of the Common Area or abandonment of his lot.

ARTICLE XII  
CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the words: "CHESTNUT HILL COVE HOMEOWNER'S ASSOCIATION, INC."

ARTICLE XIII  
AMENDMENTS

Section 1. These By-Laws may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy, except that the Federal Housing Administration or the Veterans Administration shall have the right to veto amendments while there is Class B membership.

Section 2. In the case of any conflict between the Articles of Incorporation and these By-Laws, the Articles shall control, and in the case of an conflict between the Declaration and these By-Laws, the Declaration shall control.

Section 3. The Class B members shall have the right, without the consent or approval of the Class A members, to modify or amend the Declaration or these By-Laws in order to meet the requirements of any government agency.

CERTIFICATION

I, the undersigned, do hereby certify:

THAT I am the duly elected and acting secretary of CHESTNUT HILL COVE HOMEOWNER'S ASSOCIATION, INC., a Maryland corporation, and

THAT the foregoing By-Laws constitute the original By-Laws of said Association, as duly adopted at a meeting of the Board of Directors thereof, held on the 2nd day of March, 1987.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Association this 2nd day of March, 1987.

*Charles E. Arnold*  
SECRETARY



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\_\_\_\_\_  
SECRETARY

**Chestnut Hill Cove Homeowner's Association**  
**Homeowner Guidelines**  
**March 1, 2001**

A reason many of us purchased homes sites in the Chestnut Hill Cove Community was the blending of the community architecture with the natural beauty of the wooded area and water front location. To preserve and protect this setting we all signed and agreed to abide by the rules and covenants. The following guidelines were developed to help you in implementing your community regulations.

Written approval for exterior home improvements (e.g., fences, decks, patios, sheds, etc.) must be obtained from the Covenants Community, prior to commencing work. All improvements and alterations that effect the appearance of the community will be considered on a case by case basis. Existing structures or alterations do not set precedence for future changes. Approval by the homeowner's association does not release residents from the responsibility of obtaining required county building permits and approvals from the county environmental agencies.

**Exterior Color**

Exterior trim, shutters and doors must be maintained in the original color and good repair. Any color change must be approved by the covenants committee. When repainting, the board recommends that the front door and exterior shutters be the same color. Any color that varies from the original color must be approved by the covenants committee. The board is now in possession of up to date color chips for those interested in seeing these.

**Maintenance of Lots and Improvements**

Every homeowner and tenant is responsible to maintain their lot and the improvements on their lot in good order and condition, and to maintain the appearance thereof in accordance with the general appearance of Chestnut Hill Cove. Grass inside the property line must be kept cut and sidewalks should be swept clean of any grass clippings. No alteration (e.g., cutting down of trees, clearing underbrush, construction of structures, etc.) of common ground is permitted without the approval of the Landscaping Committee.

**Common and Community Property**

As implied, community property is just that. Homeowners are not permitted to take over adjacent community property as their own. All personal property shall remain within the confines of your property lines. This includes: patio furniture, playsets and other toys, wood piles etc. Homeowners that choose to landscape community property must do so in good taste, and in such a manner that is not objected to by the covenants committee.

**Swingsets**

Swingsets and other playground equipment are permitted within the boundary of homeowner's property lines. Further, equipment made of wood and plastic are acceptable. Metal playground equipment is not approved.

**Fences**

Fences are to be 72" in height and must be constructed of pressure treated lumber in a board on board (alternating board) style with a flat top. Corner posts may have a decorative top, subject to prior approval.

**Decks**

Decks must be made from pressure treated lumber and should be no longer than the width of the house. Rail post should be 4X4 square railings with 2X2 straight line balusters. No decorative corner post or balusters are permitted. No shades, lattice board or any other object may obstruct the view from surrounding homes above the upper deck rail line. Deck stains other than the natural wood color require prior approval.

**Sheds**

Sheds must be made of pressure treated lumber and the design require the approval of the covenants committee. Sheds may be no larger than 6' by 8' by 4' deep. Sheds are to be of "townhouse design". Stains other than the original color of the wood require approval. Sheds may be placed anywhere along the fence line in the backyards that are entirely enclosed, provided that the shed is not higher than the fence or visible from the street. Yards, which are not fenced in, require sheds to be placed either under the deck, up against the rear of the house or at the extreme rear of the yard. Placement is subject to the approval of the covenants committee.

### Patios

Patios on the lower level may be constructed of pressure treated lumber, brick, flagstone, or aggregate stone. Patios of plain concrete slabs are permitted to the extent that they do not extend beyond the footprint of existing decks or deck that would be approved.

### Trash Collection

Trash pick up days are Tuesday and Friday. Recycle material pick up day is Tuesday. In an effort to improve and maintain the community appearance homeowners are requested that:

1. All containers for storage or disposal of rubbish, trash, garbage, or other waste shall be kept in a clean and sanitary condition.
2. No garbage shall be set out for collection before 6:00 PM on the evening preceding a pick up day and empty containers be removed by 7:00 PM on the day of the pick up.
3. Containers once emptied, and between pick up days, must be placed in an out of sight location, in the back of the house. Trash cans and recycle bins may not be kept on the front porch.

### Storm Doors

Storm doors must be full view and the color must match the color of the door trim.

### Yard Sales

Yard Sales must be approved in advance by the covenants committee

### Vehicle Repair and Restoration

In the interest of appearance and the maintenance of property values, no major repairs to motor vehicles and or boats shall be made on any lot or in the parking areas. This will include oil changes.

### Vehicles

All vehicles must be registered in accordance to the laws of the State of Maryland. Commercial vehicles are not to be parked on any lot longer than necessary for the driver to perform the minimum functions to which the vehicle relates. As provided by the Maryland State Law, any vehicles with a gross weight of 10,000 lbs. Or more may not be parked in a residential area.

### Parking

Although there is no assigned parking, please be considerate when your household owns more than two cars. Park additional vehicles in the spaces provided in the middle of the court. When driving to the marina, do not park in front of other homeowner's residences.

### Boats

Boats and any other recreational vehicles may not be kept in the parking lot for more than twenty-four hours to allow cleaning, etc. Remember that the community has a boat/camper storage area.

### Pets

Pets have become a major complaint and concern within the community. Please follow these guidelines.

1. Any waste deposited by a pet is the responsibility of the pet's owner. Please clean up after your pet.
2. All pets must be registered or licensed with the county.
3. All pets are to be on a leash or in full control of the owner when outside the residence or fenced in yard.
4. Pets are not to be chained up or restrained and left without supervision.
5. Pets are not to be left on decks for the day while the homeowner is away.
6. Constantly barking dogs are to be restrained by the owner immediately.
7. Cats are not to be left to freely roam the community.

If you have any questions or concerns regarding these guidelines or the community covenants please contact a member of the covenants committee or the community Management Company. The names and telephone numbers can be found in current issues of the community newsletter. Homeowners who rent out their property are requested to ensure that their tenants are aware of these guidelines.