

BYLAWS
Of
SUPERSTITION COMMONS OWNERS ASSOCIATION

ARTICLE I

NAME AND LOCATION

The name of the corporation is Superstition Commons Owners Association, hereinafter referred to as the “ Association.” The principal office of the corporation shall be located at 8220 E Palm Lane, Mesa Az 85207, but meetings of Members and directors may be held at such places within the State of Arizona as may be designated by the Board of Directors.

ARTICLE II
DEFINITIONS

Section 1. “Association” shall mean and refer to Superstition Commons Owners Association, its successors and assigns.

Section 2. “Property” shall mean and refer to that certain real property described on Exhibit “A” to the Declaration.

Section 3. “Common Area” shall mean all real property owned by the Association for the common use and enjoyment of the Owners as defined in the Declaration.

Section 4. “Lot” shall mean and refer to any plot of land shown upon and recorded subdivision plat of all or part of the Property 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 part of the Property, including contact sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 6. “Declarant” shall mean and refer to the party which is named as the Declarant in the Declaration, or any person or entity to whom any part or all of the Declarant’s rights are assigned, as provided in the Declaration.

Section 7. “Declaration” shall mean and refer to the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements applicable to the Property recorded in the Office of the County Recorder of Pinal County, Arizona.

Section 8. “Member” shall mean and refer to those persons entitled to membership as provided in the Declaration.

ARTICLE III MEETING OF MEMBERS

Section 1. Annual Meetings. The first annual meeting of the Members shall be held within one (1) year from the date of incorporation of the Association, and each subsequent regular annual meeting of the Members shall be held on the same day of the same month of each year thereafter, at the hour of 7:00 o'clock, P.M. or at such other reasonable date and time as shall be designated from time to time by the Board of Directors and stated in the Notice of Meeting. If the day for the annual meeting of the Members is a Saturday, Sunday or legal holiday, the meeting will be held at the same hour on the first day following which is not a Saturday, Sunday or legal holiday.

Section 2. Special Meetings. Special meetings of the Members may be called at any time by the president or by the Board of Directors, or upon written request of the Members who are entitled to vote one-fourth (1/4) of all 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 direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least 15 days before the 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 the Members entitled to cast, or of proxies entitled to cast, one-half (1/2) of the votes of each class of membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these Bylaws. If, however, such a quorum shall not be present or represented at any meeting, the Members entitled to vote thereat shall have 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. In addition, if a quorum does not exist at any meeting, another meeting may be called for such purpose, subject to the notice requirement of Section 3 above, and the required quorum at the subsequent meeting shall be one-half of the quorum required to initially scheduled meeting. The meeting may be repeatedly rescheduled in this way, with notice, and the required quorum shall continue to decrease by one-half at each meeting until a quorum is present or represented by proxy at a meeting. Each subsequent meeting shall be held within sixty days following the preceding meeting.

Section 5. Proxies. At all meetings of the 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 or her Lot.

ARTICLE IV
BOARD OF DIRECTORS, SELECTION, TERM OF OFFICE

Section 1. Number and Qualification. The affairs of this Association shall be governed by the Board of Directors (the "Board"). The initial Board shall consist of the one (1) person designated in the Articles of Incorporation, none of whom need be Members, until such time as seventy-five percent (75%) of the Lots have been sold by the Declarant and have been paid for and title closed, or until four (4) years after the date of the recording of the Declaration, whichever first occurs. Thereafter, there shall be not less than three (3) nor more than eight (8) directors, each of whom shall be an Member or the spouse of a Member (or if a Member is a corporation, partnership, limited liability company, association or trust, a director may be an officer, partner, manager, member, or beneficiary of such Member). If a director ceases to be a Member during his/her term, he/she will concurrently cease to be a Member, and his/her place on the Board shall be deemed vacant.

Section 2. Term of Office. Each director shall be elected for a term of one (1) year.

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 or her 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 or she 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
ELECTION OF DIRECTORS

Section 1. Election. No later than the date that the Class B membership ceases and converts to Class A membership as described in the Declaration (the "Conversation Date"), the first meeting of the Members shall be noticed and held. The directors elected by the Declarant shall vacate the Board and the places vacated shall be filled by the Members. Not less than three (3) nor more than eight (8) directors shall be elected by the Members. The Board appointed by the Declarant shall act until the election has been completed at said first meeting. At any vote for membership on the Board, each Member, including the Declarant (to the extent the Declarant is still a

Member), shall have one (1) vote per Lot owned. At each subsequent annual meeting directors shall be elected by ballot of the Members in accordance with these Bylaws.

ARTICLE VI MEETINGS OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors may 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) Open bank accounts on behalf of the Association and designate the signatures thereon;
- (b) Make, or contract for the making, of repairs, additions to, improvements to or alterations of the Common Area, in accordance with the Declaration, after damage or destruction by fire or other casualty, or as a result of condemnation or eminent domain proceedings;
- (c) In the exercise of its discretion, enforce by legal means the provisions of the Declaration;
- (d) Designate, hire and dismiss the personnel necessary for the maintenance, operation, repair, replacement of the Common Area, and, where appropriate, provide for the compensation of such personnel and for the purchase of equipment, supplies and material to be used by such personnel in the performance of their duties;
- (e) Provide for the operation, care, upkeep and maintenance of all of the Common Area and borrow money on behalf of

the Association when required in connection with any one instance relating to the operation, upkeep and maintenance for the Common Area; provided, however, the consent of Members having at least two-thirds (2/3) of the total votes in the Association shall be obtained either in writing or at a meeting called and held for such a purpose in accordance with the provisions of these Bylaws in order for the Association to borrow money;

- (f) Prepare and adopt an annual budget for the Association prior to the commencement of each fiscal year;
- (g) 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, lessees, invitees and family members thereon and establish penalties for the infraction thereof;
- (h) In accordance with these Bylaws and the declaration, suspend the voting rights and right to use of 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 60 days for infraction of published rules and regulations, provided, however, that such rights of a Member may be suspended for successive periods thereafter of 60 days each if the infractions in question are not corrected within a given preceding 60 day period;
- (i) Exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Declaration;
- (j) Declare the office of a director to be vacant in the event such director shall be absent from three (3) consecutive regular meetings of the Board;
- (k) Employ, hire and dismiss such employees as they deem necessary and to prescribe their duties and their compensation;
- (l) 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 any Member entitled to vote;

- (m) Supervise all officers, agents and employees of the Association and see that their duties are properly performed;
- (n) Levy assessments in accordance with the Declaration and take all necessary action to collect such assessments;
- (o) As required by the Declaration, issue, or cause an appropriate officer to issue upon demand to any person, a certificate setting forth whether or not any Assessment has been paid;
- (p) Procure and maintain adequate property liability and other insurance as required by the Declaration;
- (q) Cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate; and
- (r) Cause the Common Area to be maintained, as more fully set forth in the Declaration.

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:
 - (1) fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period;
 - (2) send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

- (3) foreclose the lien against any property for which assessment 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 to 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; and
- (g) cause the Common Area to be maintained.

ARTICLE VIII OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Officers. 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. Until such time, the initial officers shall be:

Charles E Duck	President/Treasurer
Chris Stratton	Secretary

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

Section 4. Special Appointments. The Board of Directors 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 of Directors 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 of Directors. 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 the 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 so replaced.

Section 7. Multiple Offices. Any two (2) or more offices may be held by the same person.

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 orders 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, if any, shall act in the place and stead of the president in the event of his absence, inability or refusal to act, and shall sign all leases, mortgages, deeds, as may be required of him by the Board.

Secretary

© 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.

ARTICLE XIII
FISCAL YEAR

The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year.

IN WITNESS WHEREOF, the undersigned, being the sole Director and Incorporator of Superstition Commons Home Owners Association, hereby adopt the foregoing Bylaws effective this 19th day of April, 2013.

Charles E Duck
Incorporator, Director