

LAKE LINGANORE ASSOCIATION, INC.

[#] AMENDMENT TO BYLAWS

THIS [#] AMENDMENT TO BYLAWS ("Amendment") is made this 7th day of June, 2010 by the Board of Directors of the Lake Linganore Association, Inc. (the "Association"), located in Frederick County, Maryland.

WHEREAS, Article IV, Section 3(a) of the Declaration of Conditions, Covenants, Restrictions, Easements and Charges ("Declaration") provides that in accordance with the Bylaws of Lake Linganore Association, Inc. ("Bylaws"), the Association may suspend the enjoyment rights of any member for any period during which any assessment remains unpaid and may suspend such enjoyment rights for up to ninety (90) days for an infraction of the published rules of the Association; and

WHEREAS, Article II, Section 10 of the Bylaws provides that Members not in good standing and persons in their household and their guests may be denied the use and enjoyment of any or all facilities and amenities of the Association with the exception of roads; and

WHEREAS, in Article I of the Bylaws, "Member in Good Standing" is defined as "an Owner who has paid, or is current with an approved payment plan for the annual and special assessments due the Association as provided in Article V of the [Declaration], on all Lots and Living Units owned by the Member ..."; and

WHEREAS, the Association operates as a master association for Audubon Terrace Villas Condominium (the "Condominium"), and the Bylaws of the Council of Unit Owners of Audubon Terrace Villas Condominium provide that in addition to Condominium unit owners being members of the Council of Unit Owners of Audubon Terrace Villas Condominium ("Condominium Association") and being subject to assessments of the Condominium Association, the Audubon Terrace Villas Condominium Declaration recorded on June 1, 1992 among the Land Records of Frederick County in Liber 1789, folio 0001 ("Condominium Declaration") provides that each Condominium unit owner shall also be a member of the Association and subject to assessment by the Association; and

WHEREAS, in accordance with Article V, Section 2 of the Declaration, the assessments levied by the Association shall be used exclusively for the purpose of promoting the recreation, health, safety, property values and welfare of the residents of the Development; and

WHEREAS, Article V, Section 1(i) of the Condominium Bylaws contemplates the ability for the Condominium Board of Directors to require Condominium unit owners to pay Association assessments to the Condominium Association, demonstrating the intent for Association assessments of Condominium unit owners to be treated similarly as are Condominium Association assessments; and

WHEREAS, Article VIII, Section 1 of the Bylaws provides that the Board of Directors ("Board") shall have the power to amend the Bylaws of the Board, provided that all changes conform with the governing documents and law applicable to the Association; and

WHEREAS, the Board of Directors has determined that amendment is needed to the Bylaws to recognize that in order for a member to be in good standing, the Owner must have paid or be current with an approved payment plan for any annual and special assessments due the Association and any sub-association thereof.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby amends Bylaws to modify the definition of "Member in Good Standing" as follows.

1. The definition of "Member in Good Standing" appearing in Article I, Section 2 of the Bylaws is hereby deleted and replaced with the following revised definition:

Member in Good Standing: An Owner who has paid, or is current with an approved payment plan for the annual and special assessments due the Association and any sub-association as provided in Article V of the Covenants, on all Lots and Living Units owned by the Member; not more than twenty-five (25) dollars due the Association or sub-association for delinquency charges and goods and services are in excess of thirty (30) days past due; and is not in violation of any requirement in Articles VI and VII of the Covenants, to the extent the Association is responsible for or authorized to collect such fees.

2. All references to "Member in Good Standing" in the Declaration, Bylaws or rules approved by the Association shall mean the definition provided

IN WITNESS WHEREOF, the Board of Directors of Lake Linganore Association, Inc. has caused this Amendment to the Bylaws to be executed on the date hereinabove stated.

LAKE LINGANORE ASSOCIATION, INC.

By:

Adriana Moore
Name:

Title: secretary