

Livingston Parish Recording Page

Thomas L. Sullivan Jr.
Clerk of Court
PO Box 1150
Livingston, LA 70754-1150
(225) 686-2216

Received From :
RICHMOND PLACE HOMEOWNER ASSOC INC
PO BOX 194
WALKER, LA 70785-6

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RICHMOND PLACE HOMEOWNERS ASSOCIATION INC

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RICHMOND PLACE HOMEOWNERS ASSOCIATION INC

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I hereby certify that the attached document was filed for registry and recorded in the Clerk of Court's office for Livingston Parish, Louisiana

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At (Recorded Time) : 9:05:44AM




Deputy Clerk



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AMENDED AND RESTATED BY-LAWS
OF
RICHMOND PLACE HOMEOWNERS ASSOCIATION, INC.

I. NAME AND LOCATION

- 0.1 Name:** The name of the corporation is RICHMOND PLACE HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as "the Association."
- 0.2 Location:** The principal mailing address of the Association shall be P. O. Box 194, Watson, LA 70786, or such other specific location therein as may be from time to time designated by the Board of Directors of the Association.

II. DEFINITIONS

- 2.1 Association:** The term "Association" shall mean and refer to Richmond Place Homeowners Association, Inc.
- 2.2 Board:** The term "Board" shall mean and refer to the duly elected Board of Directors of the Association.
- 2.3 Common Properties:** The term "Common Properties" shall mean and refer to those areas of land shown and labeled as Common Properties (including the lakes) and private servitudes of passage (if any) on the official final plat(s) as listed and described in the restrictions for the First, Second, Third, Fourth and Fifth filings prepared by G. L. Lessard, Sr., Professional Land Surveyor, each on file and of record in the official records of the Clerk and Recorder for Livingston Parish, Louisiana, and those areas of land shown and labeled Common Properties and private servitudes of passage (if any) on the official final plat of any filing or subdivision accepted for administration by the Association.
- 2.4 Director:** The term "Director" shall mean and refer to each duly elected member of the Board.
- 2.5 Lot:** The term "lot" shall mean and refer to each individual plot of land as shown on the official plat(s) as listed and described in the restrictions for the First, Second, Third, Fourth and Fifth filings prepared by G. L. Lessard, Sr., Professional Land Surveyor, each on file and of record in the official records of the Clerk and Recorder for Livingston Parish, Louisiana, and each individual plot of land as shown on the official plat of any other filing or subdivision accepted for administration by the Association. The term "lot" shall not include any Common Properties.
- 2.6 Member:** The term "Member" shall mean and refer to the record owner, whether one or more person or entities, of a Lot but excluding those having an interest in a Lot merely as security for the performance of an obligation.
- 2.7 Restrictions:** The term "Restrictions" shall mean and refer to the Declaration of Covenants and Restrictions for Richmond Place, First, Second, Third, Fourth and Fifth filing and Dedication and Transfer of Common Properties and the covenants and restrictions imposed on any other filing or subdivision accepted for administration by the Association.
- 2.8 Disqualification:** The term "Disqualification" shall mean and refer to any elected board member or officer that is no longer in good standing with the association (i.e. any unpaid dues, assessments and/or fines) or any elected board member or officer that does not represent the Board/Association in a positive manner.



III. MEETING OF THE MEMBERS

- 3.1 **Annual Meeting:** Henceforth annual meetings of the Members shall be held on the second (2nd) Saturday in June of each year beginning in 2017 at 10:00 a.m. If the day for the annual meeting of the Members is a legal holiday, the meeting will be held at the 2:00 p.m. on the following day which is not a legal holiday.
- 3.2 **Special Meetings:** Special meetings of the Members may be called at any time by the President of the Association, by the majority of the Board of Directors, or upon written request of three-fourths (3/4) of all the Members who are entitled to vote.
- 3.3 **Notice of Meeting:** Written notice of each meeting of the Members shall be given by, or at the direction of, the Secretary of the Association or a person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least thirty (30) days prior to such meeting, unless a special meeting is called whereby circumstances arise wherein thirty (30) days cannot be given prior to the meeting, a fifteen (15) day notice shall be given, to each Member at the most recent address supplied by such Member entitled to vote there at, addressed to the Member at the most recent address supplied by such Member to the Association for the purpose of notice, or if no such address shall be furnished, then to the street address of the Lot owned by such Member. Such notice shall specify a reasonable place, date and hour of the meeting, and in case of a special meeting, the purpose of the meeting. All meetings shall be held in Livingston Parish.
- 3.4 **Quorum:** The presence at the meeting of Members entitled to cast fifty percent (50%) of the total votes of the membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation of the Association, the Restrictions, or the By-Laws. If, however, such quorum shall not be present the Members present may, except as otherwise provided by law, adjourn the meeting without further notice other than announcement at the meeting, until a quorum as aforesaid shall be present or represented. Unless a greater portion of the voting power is required by the Articles of Incorporation, the Restrictions, or these By-Laws, a majority of the voting power present and voting in person, shall prevail at all meetings. The voting rights of each member shall be provided in the Restrictions and the Articles of Incorporation of the Association and the Restrictions.
- 3.5 **Proxies:** At all meetings of Members, each Member shall be entitled to vote either 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/her lot, or his/her attendance at the meeting for which the proxy has been given. All proxies must be received by one (1) day prior to any meeting and will be counted with votes from applicable meeting.

IV. BOARD OF DIRECTORS – SELECTION AND TERM OF OFFICE

- 4.1 **Six Board Members:** The affairs of the Association shall be managed by a Board of Six (6) directors, who need to be Members of the Association. All directors shall be elected for one-year term at each annual meeting.
- 4.2 **Removal:** Any director may be removed from the Board, with cause, by the majority vote of the Members of the Association or by missing three (3) consecutive meetings of the Board. In the event of death, resignation, or removal of a director, his/her successor shall be elected by the remaining directors and shall serve for the unexpired term of his/her predecessor.
- 4.3 **Compensation:** No director shall receive compensation for any service he/she may render to the Association. However, each director shall be reimbursed for his/her actual expenses (i.e., any personal monies used to front the expenses of running the association) incurred in the performance of his/her duties.
- 4.4 **Action Taken Without A Meeting:** Any action required or permitted to be taken by the Board may be taken without a meeting, if all directors shall individually or collectively consent in writing of such action. Such written consent or consents shall be filed with the

minutes of the proceedings of the board. Any action approved shall have the same effect as though taken at a meeting of the Board.

V. NOMINATION AND ELECTION OF DIRECTORS

- 5.1 Nomination:** Nominations for the office of directors shall be made by the Members of the Association upon accepting nomination.
- 5.2 Elections:** Election to the Board 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 Restrictions and the Articles of Incorporation of the Association. The person receiving the largest number of votes shall be elected. Cumulative voting is permitted.

VI. MEETINGS OF DIRECTORS

- 6.1 Regular Meetings:** Regular meetings of the Board shall be held semi-annually unless contrary action is taken by the Board. The meetings shall be at such place and hour in the Parish of Livingston as may be fixed from time to time by resolution of the Board. Should such a meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not legal holiday.
- 6.2 Special Meeting:** Special meetings of the Board shall be held when called by the President of the Association, or by any two (2) directors, after not less than three (3) days notice to each director.
- 6.3 Quorum:** A majority of the directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

VII. POWERS AND DUTIES OF THE BOARD

- 7.1 The Board shall have the power to:**
- a. Adopt and publish rules and regulations governing the use of the common areas, and the personal conduct of the Members and their guests thereon, and establish penalties for the infraction thereof;
 - b. Suspend the voting rights of a Member during any period in which such Member shall be in default in the payment of any assessment, fine, penalty, dues or other levy by the Association until such is paid in full and posted by the Treasurer. Such rights may also be suspended after notice and hearing before the Board for a period not to exceed sixty (60) days for an infraction of published rules and regulations;
 - c. Exercise, for the Association, all powers, duties and authority vested in or delegated to the Association not reserved to the Members by other provisions by these By-Laws, the Articles of Incorporation of the Association or the Restrictions;
 - d. Declare the office of a director to be vacant for good cause; and
 - e. Employ a manager, an independent contractor, or such other employees as it deems necessary, and to perform their duties. Employment of and/or contract with a third party Property Management Firm shall require a vote of the Members of the Association at a Special Meeting as described in Section 3.2.
- 7.2 Duties: It shall be the duty of the Board to:**
- a. Cause to be kept a complete record of all its acts and corporate affairs 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 Members who are entitled to vote;

- b. Cause an annual independent examination or audit of the Association's account or accounts to be made and cause a copy of such report to be available to each Member within thirty (30) days of completion;
- c. Supervise all officers, agents and employees of the Association and see that their duties are properly performed;
- d. As more fully provided herein, and in the Restrictions:
 - 1. Fix the amount of any assessment against each lot at least fourteen (14) days in advance of the due date of any assessment;
 - 2. Send written notice to each assessment to every owner subject thereto at least fourteen (14) days in advance of the due date of any assessment;
 - 3. Enforce the real and/or personal obligations to pay assessments, fines, penalties or other levies against any property which are not paid within fourteen (14) days after their due dates;
 - 4. Issue, or cause an appropriate office to issue, upon demand or requested by any person, a certificate indicating status of any assessment, fine, penalty, or other levy, whether delinquent or paid. A reasonable charge may be made by the Association established by the Board for the issuance of these certificates. Such certificates shall be conclusive evidence of payment of any assessment, fine, penalty, or levy therein stated to have been paid;
 - 5. Procure and maintain adequate liability and hazard insurance on the Common Properties and other property owned by the Association and such liability insurance as may be deemed necessary or advisable to hone the indemnity obligation of the Association contained in the Articles of Organization of the Association and the Restrictions; and
 - 6. Cause all officers or employees having fiscal responsibility to be bonded, as it may deem appropriate.

VIII. OFFICERS AND THEIR DUTIES

- 8.1 **Enumeration of Officers:** The officers of the Association shall be President and Vice President who shall be at all times a director on the Board, and on the Board a Secretary and Treasurer and such other officers as the Board may from time to time by resolution establish;
- 8.2 **Election of Officers:** The election of officers shall be by secret written ballot;
- 8.3 **Term:** The officers of the Association shall be elected annually by the Members if the Association and each shall hold office for one (1) year beginning the day following the annual meeting unless he/she shall sooner resign, shall be removed or otherwise be disqualified to serve;
- 8.4 **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 designate;
- 8.5 **Resignation and Removal:** Any officer may be removed from office with cause by the Board. Any officer may resign at any time by giving written notice to the Board, the President, Vice President or Secretary. Such resignation shall take effect on the date of receipt of such notice or any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective;

8.6 **Vacancies:** A vacancy in any office may be filled by election held by the Board for that or any other purpose. The officer elected to such vacancy shall serve for the remainder of the term of the office he/she replaces;

8.7 **Duties:** The duties of the officers shall be as follows:

- a. **President:** The President shall preside at all the meetings of the Board; shall implement the orders and resolutions of the Board; shall sign all leases, mortgages, deed, promissory notes and other written instruments of the Association;
- b. **Vice President:** The Vice President shall take the place of the President in the event of his/her absent at all meetings of the Board, removal by the Board, resignation, or in the event of death until such time of a special election held to fill the office;
- c. **Secretary:** The shall 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 such seal; serve notice of meetings of the Board and of the Members; keep, or cause to be kept, appropriate current records showing the Members of the Association together with the addresses and shall perform such duties as required by the Board.
- d. **Treasurer:** 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 and keep books of accounts of the Association, copies of which shall be made available for purchase at reasonable cost.

IX. ASSESSMENTS AND DUES

9.1 **Assessments:** As more fully provided in the Restrictive Covenants for Richmond Place (Section 15), each Member is obligated to pay the Association annual assessments and any special assessments, fines, or penalties which shall be both real obligation incidental to ownership of the Lot assessed and the personal obligation of the Owner of the Lot assessed when the assessment is made forth in the Restrictions. Any assessment, fine, penalty or other levy which is not paid within fourteen (14) days of its due date shall be delinquent. If an assessment, fine, penalty or other levy is not paid within fourteen (14) days after its due date the levy shall bear interest from the date of delinquency at a rate of ten percent (10%) daily to any daily fine balance until balance is paid in full. The Association may bring an action at law against the owner personally obligated to pay the same and/or "in rem" against the current owner of the Lot assessed, to recover the amount of the assessment, fine, penalty, or other levy plus interest, costs, and reasonable attorney's fee associated with any such action. No owner may waive or otherwise escape the liability for any assessment, fine, penalty, or other levy provided for herein or in the Restrictions or the Articles of Incorporation of the Association by non-use of the Common Properties or abandonment of the affected Lot.

9.2 **Dues/Annual Assessment:** As more fully provided by the Restrictive Covenants for Richmond Place (Section 15), dues are payable annually by January first (1st) of each year. Failure to pay such dues results in a violation of the restrictive covenants and is subject to all applicable assessments as provided by the restrictive covenants.

X. MISCELLANEOUS

10.1 **Amendments:** These By-Laws may be amended at a regular or special meeting of the board by a vote of a majority of the Directors present in person or by proxy.

10.2 **Conflict:** In the case of any conflict between the Articles of Incorporation of the Association and these By-Laws, the Articles of Incorporation of the Association shall take precedence; and in the case of any conflict between the Restrictions and these By-Laws, the Restrictions shall take precedence.


10.3 **Fiscal Year:** The fiscal year of the Association shall begin on the 1st day of January and end on the 31st day of December of every year.


IN WITNESS WHEREOF, the undersigned do hereby make this Amended and Restated By-Laws of Richmond Place Homeowner's Association, Inc., and have caused this Amended and Restated By-Laws of Richmond Place Homeowner's Association, Inc. to be executed effective as of the 1st day of May, 2017 in the presence of me, Notary Public and the undersigned witnesses, after due reading of the whole.

RICHMOND PLACE HOMEOWNERS ASSOCIATION, INC.
A Louisiana Corporation,

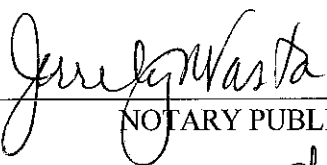
BY: 
Christopher Scott Christensen, President

WITNESSES:


Shane Evans, Vice President


Tiffany Bryant, Secretary


Terri Spinoso, Treasurer


NOTARY PUBLIC
My commission expires: death

JERRILYN VASTA
Notary Public 058364
East Baton Rouge Parish, LA
State of Louisiana

BOARD OF DIRECTORS RESOLUTION
RICHMOND PLACE HOMEOWNERS ASSOCIATION, INC.

RESTATEMENT OF BY-LAWS

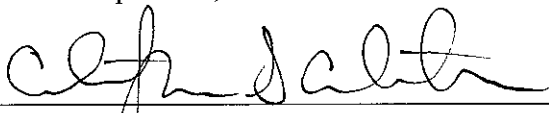
WHEREAS, on the 15th day of March, 2017, at a regular meeting of the Richmond Place Homeowners Association held at 6:30pm at the Livingston Parish Library - Watson Branch in Watson, Louisiana; and

NOW THEREFORE BE IT RESOLVED THAT the Board of Directors, by unanimous consent of those present, resolved that the attached complete restatement of the By-Laws of Richmond Place Homeowner's Association, Inc. for Richmond Place Subdivision, First, Second, Third, Fourth and Fifth Filings, shall be adopted. These by-laws have been restated to clarify outdated and/or ambiguous information and to correct errors.

BE IT FURTHER RESOLVED THAT these by-laws shall be filed in the official records of the Parish of Livingston and these by-laws shall be made available to each member of the Association. This restatement of the by-laws shall replace the By-Laws of Richmond Place Homeowner's Association, Inc. as recorded March 24, 2003, in Conveyance Book 824, Instrument Number 516458, of the official records of the Parish of Livingston.


Executed this 1st day of May, 2017.

RICHMOND PLACE HOMEOWNERS ASSOCIATION, INC.
A Louisiana Corporation,

BY: 
Christopher Scott Christensen, President

WITNESSES:


Shane Evans, Vice President


Tiffany Bryant, Secretary


Terri Spinoso, Treasurer