

E # 1805416 06/01/2018 10:34:57
Book 3390 Page 752 Page 1 of 5
Register of Deeds, Carroll County

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**PINE HARBOR CONDOMINIUM ASSOCIATION
AMENDMENT TO THE BYLAWS**

Wolfeboro, NH

WHEREAS: The State of New Hampshire has amended the Condominium Act (New Hampshire RSA 356-B) effective August 1, 2016, and

WHEREAS: The Bylaws of Pine Harbor Condominium Association currently do not contain all of the statutory requirements, and

WHEREAS: The New Hampshire Statute takes precedence over conflicting provisions of the Bylaws,

THEREFORE: Pursuant to Article X Section 1 of the Bylaws, the following paragraphs of the Bylaws of Pine Harbor Condominium as recorded in the Carroll County Registry of Deeds at Book 898, Page 409, are hereby amended as follows.

ARTICLE I

ADD to the end of paragraph 3 as follows:

RSA 356-B: 6-a, states that in the event of a conflict between the declaration or bylaws, the provisions of RSA 356-B shall control.

ARTICLE II

DELETE paragraph 6 and Replace as follow:

6. NOTICE OF MEETINGS. Pursuant to RSA 356-B:37 (I) and 356-B:37-a, it shall be the duty of the clerk or secretary, to send to all owners of record, at least twenty-one (21) days in advance of any meeting notice of any meeting. Said Notice shall state the time, place and purpose of the meeting and shall be sent to the unit owners at the addresses on file with the Association. The clerk or secretary shall attest that the notice was sent to the list of owners attached to the affidavit at the addresses on file with the association in the manner conforming with RSA 356-B: 37-a.

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ADD to the end of paragraph 9 as follows:

Pursuant to RSA 356-B: 38 (III) if a quorum is not met for an annual meeting, the board shall reschedule the meeting within sixty days and provide proper notice and proxies.

DELETE the last sentence of paragraph 11 and replace as follows:

Meetings of the Unit Owners Association may be, but is not required to be conducted in accordance with the most recent edition of Robert Rules of Order, newly revised. Pursuant to RSA 356-B: 37 (VI) the Board of Directors shall make copies of the minutes of all meetings available to the unit owners within 60 days of the date of the meeting or 15 days of the date the minutes are approved by the Board whichever occurs first. The association may opt to provide the minutes electronically or post them on the association website in which case the owners shall be informed of the web address.

ARTICLE III

DELETE paragraph 6 and replace as follows:

6. REGULAR MEETINGS. Regular meetings of the Board of Directors shall be held in accordance with the provisions of RSA 356-B: 37-c at such time and place as shall be determined, from time to time, by a majority of the directors, but at least quarterly meetings shall be held during each twelve (12) month period after the annual meeting of the Unit Owners' Association. Notice of regular meetings of the Board of Directors shall be posted to the community and given to each director, personally or by mail, e-mail, telephone or telegraph, at least five (5) business days prior to the day named for such meeting, except that no notice shall be required for a regular meeting held immediately after, and at the same place as the annual meeting of the Association. Directors may attend vote and participate at meetings by telephone or E-Mail pursuant to RSA 356-B:37-b. Pursuant to RSA 356-B:37-c (II) at least once per quarter the Board shall hold open regular meeting to afford owners an opportunity to comment on any matter affecting the Association. Notice of the meeting and any materials distributed to the Board shall be available to the owner pursuant to RSA 356-B: 37 (c) (III) and (IV).

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ADD to the end of paragraph 10 as follows:

Directors appointed by the Board shall serve until the next regularly scheduled election of board members at which time the owners shall vote to elect the director.

ADD to the end of paragraph 11 as follows:

Removal of officers or directors shall be by a vote held in accordance with RSA 356-B: 40-b.

ADD to the end of paragraph 17 as follows:

Pursuant to RSA 356-B: 35 (II), the board of directors shall have a fiduciary relationship to members of the unit owners' association.

ARTICLE V

DELETE paragraph 1 (f) and replace as follows:

(f) BUDGET RATIFICATION. Pursuant to RSA 356-B:40-c (I) the board of directors shall annually adopt a budget for the unit owners' association for consideration by the unit owners at a meeting. The board of directors shall, within 30 days of adoption of the proposed budget, provide the owners a summary of the budget, including any reserves and a statement of the basis on which any reserves are calculated and funded. The board of directors shall set a date not less than 10 days or more than 60 days after providing the budget summary to consider the ratification of the budget. Unless at that meeting, 2/3 of all unit owners reject the budget the budget is ratified whether or not a quorum is present. If no budget is proposed or the proposed budget is rejected, the last budget ratified by the owners shall be in effect until a new budget is ratified by the owners. Pursuant to RSA 356-B:40-c (II) the board of directors at any time may propose a special assessment which shall be ratified by the owners. The assessment shall be in accordance with the provisions of RSA 356-B:40-c (III).

ARTICLE VI

DELETE paragraph 4 and replace as follows:

4. NOTICE TO UNIT OWNERS. When any policy of insurance has been obtained on behalf of the Association, written notice of the obtainment thereof and of any subsequent changes therein or termination thereof shall

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be promptly furnished to each Unit Owner by the Secretary of the Association. Pursuant to the provisions of RSA 356-B:43 (II) all notices shall be sent in accordance with the provisions of the last sentence of RSA 356-B:37-a.

ARTICLE IX

DELETE Article IX in its entirety.

ARTICLE X

ADD to the end of paragraph 1 as follows:

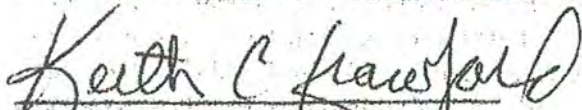
Pursuant to RSA 356-B: 34 any amendments to the Bylaws must be prepared by the Board of Directors or President and executed by the President and Treasurer of the Association and accompanied by a certification of vote of the Clerk or Secretary.

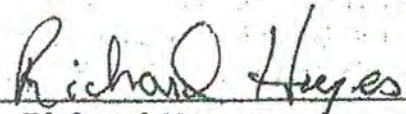
ADD to the end of paragraph 4 as follows:

Any approval of amendments by Mortgagees shall be subject to the provisions of and limitations of RSA 356-B.

END OF AMENDMENT

Executed this 11 day of November 2017


By: **Keith C. Crawford**
President, Pine Harbor Condominium Association


By: **Richard Hayes**
Treasurer, Pine Harbor Condominium Association

CERTIFICATION OF AMENDMENT

PINE HARBOR CONDOMINIUM ASSOCIATION
WOLFEBORO, NEW HAMPSHIRE

On June 3, 2017 pursuant to the Bylaws of the Association and with notice to all unit owners as prescribed by law, the annual meeting of the Pine Harbor Condominium Owners Association, Town of Wolfeboro, County of Carroll and State of New Hampshire, was held at: All Saints Church, Wolfeboro, N.H. at 9:00 AM/PM A vote to amend the condominium documents was held.

The total number of unit is 20 and the units present or represented by valid proxy was 3 Said number constituting a quorum, for conducting business and for amending the Declaration and Bylaws of the Association, the following votes were taken and recorded.

- 1. To adopt and amend the Bylaws of Pine Harbor Condominium as provided in the attached amendment:

Voting in favor of the amendment - 28
Voting against the amendment - 0

Pursuant to Article X of the Bylaws of Condominium, the amendment was approved by more than 66 2/3 of the voting power of the Association and is hereby adopted.

I, John Daferno, the Secretary of the Association hereby certify that the meeting conducted on June 3, 2017 was called and conducted in accordance with the Declaration and Bylaws of the Association and in compliance with the applicable New Hampshire Statutes, the proposed amendment does not affect the rights of any first mortgage holders and the above vote was taken and available for inspection upon request.

Dated: 11/8/2017

John Daferno
Secretary