

BYLAWS OF
ZION VIEW PROPERTY OWNERS' ASSOCIATION, INC.

ARTICLE I

NAME AND ADDRESS

THE NAME OF THE ASSOCIATION IS: ZION VIEW PROPERTY OWNERS' ASSOCIATION, INC., REFERRED TO AS "ASSOCIATION". THE ADDRESS OF THE ASSOCIATION IS: P.O. BOX 1905 CEDAR CITY, UTAH 84721.

ARTICLE II

DEFINITIONS

II.1 "ASSOCIATION" SHALL MEAN ZION VIEW PROPERTY OWNERS' ASSOCIATION, INC.

II.2 "OWNER" SHALL MEAN THE RECORDED OWNER. WHETHER ONE OF MORE PROPERTIES, INCLUDING PROPERTY UNDER CONTRACT, THAT IS A PART OF ZION VIEW MOUNTAIN ESTATES.

II.3 "MEMBERS" SHALL MEAN PROPERTY OWNERS WHO ARE DUES PAYING, VOLUNTARY MEMBERS OF ZION VIEW PROPERTY OWNERS' ASSOCIATION, INC.

ARTICLE III

III.1 TO PROVIDE THE OWNERS OF LOTS THOSE SERVICES DESIRABLE OR NECESSARY TO THE HEALTH AND WELL BEING OF SUCH OWNERS AND TO THE ENHANCEMENT AND PRESERVATION OF TH RECREATIONAL AND SCENIC VALUES ESSENTIAL TO A PROPER ENJOYMENT OF SUBDIVISION LOTS BY OWNERS.

III.2 TO DETERMINE ANNUAL DUES REQUIRED FOR SERVING PROVIDED TO LOT OWNERS, AS REQUESTED BY SAME MEMBERS AT MEETINGS HELD FOR SUCH PURPOSE.

III.3 TO TAKE SUCH REASONABLE MEASURES AS MAY PRESERVE THE NATURAL STATE OF THE COMMON AREAS OF THE SUBDIVISION.

III.4 TO PROMOTE PROJECTS FOR THE BETTERMENT OF THE COMUNITY AS THE BOARD OF DIRECTORS MAY AUTHORIZED FROM TIME TO TIME.

III.5 THE FOREGOING OBJECTS AND POWERS ARE IN ADDITION TO ANY OTHER AND FURTHER POWERS AUTHORIZED BY MEMBERSHIP.

ARTICLE IV

MEMBERSHIP

IV.1 MEMBERSHIP IN THE ASSOCIATION IS OPEN TO OWNERS OF LOTS IN THE AION VIEW MOUNTAIN ESTATES, UNITS A, B, C, D, AND E.

IV.2 MEMBERSHIP IN THE ASSOCIATION IS VOLUNTARY.

IV.3 MEMBERSHIP IS LIMITED TO THOSE WHO OWN ONE OR MORE LOTS WITHIN THE GEOGRAPHY OF THE ASSOCIATION. MEMBERS WHO OWN MORE THAN ONE LOT ARE CONSIDERED SINGLE MEMBERSHIP.

IV.4 EACH MEMBER, REGARDLESS OF THE NUMBER OF LOTS A MEMBER OWNS, SHALL BE ENTITLED TO CAST ONE VOTE IN ALL MATTERS VOTED UPON BY THE MEMBERS SO LONG AS ANNUAL DUES AND ASSESSMENTS, IF ANY, ARE FULLY PAID.

IV.5 MEMBERSHIP SHALL BE TERMINATED BY NOT PAYING DUES WITHIN NINETY (90) DAYS OF THEIR DUE DATE.

ARTICLE V

BOARD OF DIRECTORS

V.1 THE BOARD OF DIRECTORS SHALL CONSIST OF FIVE (5) MEMBERS, PRESIDENT, VICE PRESIDENT AND THREE (3) MEMBERS WHO SHALL ALL BE VOTING MEMBERS OF THE BOARD. THE BOARD SHALL SELECT A SECRETARY-TREASURER. MEMBERS OF THE BOARD OF DIRECTORS SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES. THEY MAY, HOWEVER, BE COMPENSATED FOR EXPENSES INCURRED, AS AUTHORIZED BY THE BOARD OF DIRECTORS, PRESIDENT OR VICE PRESIDENT, OR THEIR DESIGNEE, SHALL ACT AS CHAIRMAN.

V.2 THE CHAIRMAN SHALL ONLY HAVE A VOTE IN CASE OF A TIE.

V.3 NO BUSINESS SHALL BE TRANSACTED WITHOUT A QUORUM WHICH SHALL CONSIST OF THREE (3) BOARD MEMBERS AFTER APPROPRIATE NOTIFICATION OF ALL BOARD MEMBERS.

V.4 ANY BOARD MEMBER OR OFFICER, UPON LOSING HIS OR HER MEMBERSHIP FOR ANY REASON WHATSOEVER, SUCH AS SELLING HIS OR HER PROPERTY, SHALL RESIGN FROM OFFICE.

ARTICLE V BOARD OF DIRECTIONS CONTINUED ON PAGE 3

ARTICLE V BOARD OF DIRECTIONS CONTINUED FROM PAGE 2

V.5 THE BOARD OF DIRECTORS SHALL, AS SOON AS POSSIBLE AFTER A VACANCY HAS OCCURRED, APPOINT A REPLACEMENT FOR THE REMAINDER OF THE TERM.

V.6 DIRECTORS SHALL BE ELECTED BY THE MEMBERS AT THE ANNUAL MEETING OF MEMBERS AND SHALL SERVE FOR A TERM OF TWO (2) YEARS.

ARTICLE VI

ANNUAL MEETING

VI.1 THE ANNUAL MEETING OF THE ASSOCIATION SHALL BE HELD ON THE SUNDAY OF JULY 4 WEEKEND. THE TIME AND PLACE TO BE ANNOUNCED IN A NEWSLETTER AND POSTED ON A BULLETIN BOARD.

VI.2 A SPECIAL MEETING MAY BE HELD UPON APPROVAL OF THE BOARD OF DIRECTORS OR AFTER PETITION OF 10% OF THE REGISTERED PAID-UP MEMBERSHIP.

VI.3 WRITTEN NOTICE OF EACH MEETING SHALL BE GIVEN BY THE SECRETARY, OR PERSON AUTHORIZED TO CALL A MEETING. A COPY OF SUCH NOTICE SHALL BE MAILED TO EACH MEMBER, AT LEAST THIRTY (30) DAYS PRIOR TO SUCH MEETING AND IN THE CASE OF A SPECIAL MEETING, THE PURPOSE OF THE MEETING.

ARTICLE VII

ELECTIONS

VII.1 ELECTIONS OF OFFICERS AND DIRECTORS SHALL BE HELD AT THE ANNUAL MEETING ON THE SUNDAY DURING THE JULY 4TH WEEKEND. (SEE ARTICLE VI.1)

VII.2 NOMINATION FOR OFFICERS ARE TO BE MADE EITHER IN WRITING TO THE SECRETARY OR IN PERSON AT THE ANNUAL MEETING.

VII.3 THE TERM OF OFFICERS AND DIRECTORS SHALL BE FOR TWO (2) YEARS.

VII.4 THE PERSON RECEIVING THE LARGEST NUMBER OF VOTES FOR ANY BOARD POSITION SHALL BE ELECTED TO THAT POSITION.

VII.5 A PERSON SHALL HOLD ONLY ONE (1) OFFICE WITH THE EXCEPTION OF THE COMBINED OFFICE OF SECRETARY-TREASURER.

VII.6 ONE VOTE PER MEMBERSHIP. (SEE ARTICLE IV.4)

ARTICLE VIII

DUES

VIII.1 MEMBERSHIP DUES SHALL BE SET BY THE BOARD OF DIRECTORS TO COVER THE OPERATING BUDGET. (SEE ARTICLE III.2)

VIII.2 REQUIRED OPERATING EXPENSES SHALL BE DETERMINED BY THE BOARD OF DIRECTORS TO OBTAIN THE ASSOCIATION GOALS.

VIII.3 ADDITIONAL ASSESSMENTS TO MEET NECESSARY EXPENSES OF THE ASSOCIATION MAY BE LEVIED UPON MEMBERS, WITH APPROVAL OF NOT LESS THAN 66 2/3% OF THE MEMBERS.

ARTICLE IX

FINANCIAL MATTERS

IX.1 THE BOARD OF DIRECTORS SHALL SELECT SUCH BANK AS IT CONSIDERS PROPER FOR THE FUNDS OF THE ASSOCIATION.

IX.2 ALL CHECKS AND DRAFTS OF THE ASSOICATION SHALL BE SIGNED AND COUNTERSIGNED BY THE CHAIRMAN OR THE VICE-CHAIRMAN AND THE SECRETARY-TREASURER.

IX.3 THE FISCAL YEAR OF THE ASSOCIATION SHALL BEGIN JANUARY 1, AND END ON DECEMBER 31.

IX.4 THE BOARD OF DIRECTORS SHALL PRESENT THE ANNUAL BUDGET AND FINANCIAL REPORT AT THE ANNUAL MEETING.

IX.5 THE BOOKS AND RECORS OF THE ASSOICATION SHALL BE MAINTAINED BY THE – SECRETARY-TREASURER AND SHALL BE AVAILABLE FOR INSPECTIN AT REASONABLE TIMES, UPON REQUEST, TO ANY MEMBER IN GOOD STANDING.

IX.6 COPIES OF SAID RECORS SHALL BE MADE AVAILABLE TO ANY MEMBER, IN GOOD STANDING, AT A REASONABLE COST TO THE REQUESTION MEMBER, AND WITHIN A REASONABLE PERIOD OF TIME.

IX.7 IT IS THE RESPONSIBILITY OF THE INDIVIDUAL MEMBERS TO PROVIDE THE ASSOCIATION WITH A CURRENT, CORRECT ADDRESS: THE BOARD OF DIRECTORS IS NOT RESPONSIBLE FOR MEMBERS' FAILURE TO RECEIVE INFORMATION DUE TO THE LACK OF A CURRENT MAILING ADDRESS.

ARTICLE X

AMENDMENTS

THESE BYLAWS MAY BE AMENDED, ALTERED, REPEALED OR ADDED TO, BY VOTE OF THE MAJORITY OF ALL ELIGIBLE MEMBERS.

ARTICLE XI

MISCELLANEOUS

XI.1 THE BOARD OF DIRECTORS SHALL HAVE THE POWER TO MAINTAIN, OR CAUSE TO BE MAINTAINED, THE ROADS IN THE SUBDIVISION.

XI.2 THE BOARD OF DIRECTORS SHALL DETERMINE THE MANNER BY WHICH SAID REPAIRS BE MADE.

XI.3 THE BOARD OF DIRECTORS SHALL USE THOSE MONIES IT ACTUALLY HAS IN IT DEPOSITORY, AND SHALL NOT BORROW OR CAUSE TO BE BORROWED ANY FUNDS FROM ANY SOURCE WHATSOEVER.

XI.4 NO PART OF THE INCOME OF THE ASSOCIATION SHALL INURE TO THE BENEFIT OF OR BE DISTRIBUTED TO ITS MEMBERS, DIRECTORS OR OFFICERS EXCEPT IN PAYMENT AUTHORIZED UNDER ARTICLE V.1.

XI.5 NO OFFICER, DIRECTOR OR MEMBER OF THIS ASSOCIATION SHALL BE INDIVIDUALLY LIABLE FOR THE DEBTS OR OBLIGATIONS OF THE ASSOCIATION.