

BLUE SKY ESTATES ASSOCIATION, INC.
BYLAWS

ARTICLE I

Section 1. The Executive Officers of the corporation shall be a Past-President, a President, a Vice-President, a Secretary, and a Treasurer. All officers shall be elected annually by the Board of Governors, hereafter sometimes referred to as the Board. They shall take office immediately after election. The officers of the corporation shall be members of the Board of Governors, with the exception of the Past-President who may or may not be a member of the Board, and members of the corporation.

Section 2. THE PRESIDENT shall, subject to the direction of the Board, be the chief executive officer of the corporation, and shall perform such other duties as from time to time may be assigned to him by the Board. The President shall be ex officio, a member of all committees.

Section 3. THE VICE-PRESIDENT shall have such power and perform such duties as may be assigned to him by the Board, or the President. In case of absence or disability of the President, the duties of that officer shall be performed by the Vice-President.

Section 4. THE SECRETARY shall keep the minutes of all proceedings of the Board and the minutes of the members' meetings in books provided for that purpose; (s)he shall have custody of the corporate seal and such books and papers as the Board may direct; (s)he shall give the notice of all meetings and shall immediately place on file as affidavit of giving the notice and a copy thereof, and (s)he shall in general perform all the duties incident to the office of Secretary, subject to the control of the Board and the President. (S)He shall also perform such other duties as may be assigned to him/her by the President or by the Board.

Section 5. THE TREASURER shall have custody of all the receipts, disbursements, funds, and securities of the corporation and shall perform all duties incident to the office of Treasurer, subject to the control of the Board and the President. (S)He shall perform such other duties as may from time to time be assigned to him/her by the Board for the President. If required by the Board, (s)he shall give a bond for the faithful discharge of his/her duties in such sum as the Board may require.

Section 6. The President, with the approval of the Board of Governors, may appoint such OTHER OFFICERS AND AGENTS as the Board may deem necessary, who shall hold office during the pleasure of the Board, and who shall have such authority and perform such duties as from time to time may be prescribed by the President or by the Board.

Section 7. The PAST-PRESIDENT of the Board shall be the most recent Past-President. The Past-President shall serve for a term of one year and shall provide for the orderly transition from one group of Executive Officers to the next. The Past-President will not cast a vote on the Board unless he/she is also an elected Board member. The Past-President shall advise the President.

ARTICLE II
BOARD OF GOVERNORS

Section 1. **NUMBER OF MEMBERS.** The business and affairs of this corporation shall be managed by a Board of Governors which shall consist of not less than seven nor more than fifteen members. All of the Board shall consist of members of the corporation.

Section 2. **REGULAR MEETINGS.** The Board shall meet for the transaction of business as such place as may be designated from time to time.

Section 3. **SPECIAL MEETINGS** of the Board of Governors may be called by the President or by one-half of the members of the Board for any time and place, provided reasonable notice of such meetings shall be given to each member of the Board before the time appointed for such meetings.

Section 4. **QUORUM.** The Governors shall act only as a Board, and the individual Governors shall have no power as such. A majority of the Governors for the time being in office shall constitute a quorum for the transaction of business, but a majority of those present at the time and place of any regular or special meeting although less than a quorum, may adjourn the same from time to time without notice until a quorum be at hand. The act of a majority of the Governors present at any meeting at which there is a quorum shall be the act of the Board of Governors, except as may be otherwise provided by law.

Section 5. **ORDER OF BUSINESS.** The Board of Governors may from time to time determine the order of business at its meeting.

Section 6. **CHAIRMAN.** At all meetings of the Board of Governors, the President, or in his absence, the Vice-President, or in the absence of both, a Chairman chosen by the Governors present, shall preside.

Section 7. **TERMS OF MEMBERS OF THE BOARD.** The terms of office shall be for three years.

Section 8. **ANNUAL REPORT.** The Board of Governors, after the close of the fiscal year, shall submit in writing to the members of the Association a report as the condition of the Association and its property and shall submit also a written account of the financial transactions of the past year.

Section 9. **VACANCIES IN THE BOARD.** Whenever a vacancy in the membership of the Board shall occur, the remaining members of the Board shall have the power, by a majority vote, to select a member of the Association to serve the unexpired term of the vacancy.

ARTICLE III

MEETINGS OF MEMBERS

Section 1. ANNUAL MEETINGS. There shall be an annual meeting of the members of the corporation at such place as may be designated on the last Saturday preceding the National Holiday designated as Memorial Day at four o'clock in the afternoon and on the Saturday preceding the National Holiday designated as Labor Day at four o'clock in the afternoon, for the transaction for such business as may come before the meeting. No notice shall be required for such meeting.

Section 2. SPECIAL MEETINGS of the members shall be held whenever called by the Board of Governors or by the holders of at least fifteen memberships. Notice of each special meeting, stating the time, place and, in general terms, the purpose thereof, shall be sent by mail to the last known address of all members at least ten days prior to the meeting.

Section 3. VOTING. One owner of record who is a member, for each lot, may cast one vote either in person or by proxy. Where a lot is owned by more than one person, said owners or a majority thereof, shall delegate in writing to the Secretary of the Corporation, the person who is eligible to vote for the lot. If said owners do not agree, the Board of Governors shall decide by a drawing of a name from the owners of record of a lot, which person will be eligible to vote. Where a lot is owned by a corporation, said corporation shall delegate in writing to the Secretary, the person who is eligible to vote for the lot.

Section 4. QUORUM. At any meeting of the members, a quorum shall consist of members eligible to vote of a majority of the lots owned in Blue Sky Estates Subdivisions, present either in person or by proxy, and a majority of such quorum shall decide any question that may come before the meeting with the exception of an amendment to these Bylaws.

ARTICLE IV

MEMBERSHIPS

Section 1. QUALIFICATIONS. Only persons or corporations now or hereafter owning real property in the various sections or parts of Blue Sky Estates Subdivisions as encompassed in a deed recorded in the Warren County Clerk's Office in Book 503 of Deeds a Page 429, shall be eligible to become a member. Whenever a member shall cease to own real property in said Blue Sky Estates Subdivisions, such member shall automatically be dropped from the membership roll of the Association.

Section 2. MEMBERS. A member shall have no vested right, interest or privilege of, in, or to the assets, functions, affairs or franchises of the corporation, or any right, interest or privilege which shall continue after his/her membership ceases, or while he is not in good standing.

Section 3. **MANNER OF ADMISSION.** Every person or corporation owning a lot in Blue Sky Estates Subdivisions shall be eligible to become a member of the Association, and shall give written notice of his, her or its desire to become a member to the Secretary, giving the names and addresses of the owners of the lot and the lot number and book and page number of the recording of the deed. Failure to apply for membership within six months from the date that title is acquired to a lot, or that the Secretary of State accepts the certificate of incorporation for filing, whichever occurs last, will disqualify such owner or owners from becoming members until such time as said person or persons pays to the Association the total dues and assessments that were levied during the period that they were eligible to be members. Persons who, or corporations which, fail to pay the dues and assessments levied by the Association for a period of ninety days after notice thereof is mailed to them, shall be dropped from membership and will not be eligible to rejoin the Association until all said past due dues and assessments are paid in full. This provision shall bind any grantee of the property or any person who acquires title whether through foreclosure, tax sale, sheriff's sale, devise, inheritance or any other manner.

Section 4. **MEMBERSHIPS NOT TRANSFERRABLE.** Each member shall be entitled to a card of membership certifying to his/her or its membership, which shall be signed by the President, or Vice-President, and by the Secretary of the Association. Each such card shall be valid only when held by and registered in the name of a member of the Association, and such card shall be subject to the Bylaws then made and which thereafter may be made, and such bylaws shall be considered as and shall be an essential part of the contract between the Association and the member holding such certificate. No membership may be sold, assigned, transferred, voluntarily or by will or by operation of law.

Section 5. **TERMINATION OF MEMBERSHIP.** Whenever any member shall cease to have all of the qualifications necessary for admission to membership in the Association, then such membership shall terminate.

Section 6. **ANNUAL DUES.** Every member eligible to vote shall be required to pay annual dues, the amount of which shall be determined by the Board of Governors and may be changed from year to year by the Board of Governors or by the members.

ARTICLE V

LOSS OF PROPERTY

Section 1. The Board of Governors shall not be liable or responsible for the destruction or the loss of or damage to the property of any member or the guest of any member, or visitor, or other person.

ARTICLE VI

MAINTENANCE CHARGES

Section 1. The Board of Governors of Blue Sky Estates Association, Inc. shall have the right and power to subject all the lots situated in Blue Sky Estates Subdivisions to an annual charge for expenses to the corporation and the maintenance of the corporation property.

On the first day of May each year and at such other times as may be necessary, each owner of a lot in such Subdivision shall pay to Blue Sky Estates Association, Inc., in advance, the maintenance charges. Such payments shall be used by the Association for a Maintenance Fund to be used by the Association as hereinafter stated. The charge will be delinquent when not paid within thirty days after it becomes due. In the event that an owner acquires title to property in the Subdivision after September 1st of any year, then such owner shall be given a pro rata credit for the annual maintenance charge from May 1st to the date on which such owner acquires title. The annual charge may be adjusted or reduced from year to year by the Board of Governors of Blue Sky Estates Association, Inc. as the needs of the property in its judgment may require.

Section 2. The Maintenance Fund may be used:

For lighting, improving and maintaining the dedicated streets and right of way areas, beach and communal areas, utilities and buildings acquired and maintained for the general use of the owners and occupants of land included in such Subdivisions;

For operating and maintaining any storm or water drains now or hereafter constructed in such Subdivisions that are not or will not be under the direct supervision of the Town, County or State;

For paying any tax or assessment levied on the Association or its property;

For doing any other thing necessary or desirable, in the opinion of the Board of Governors of the Association, to keep the property in neat and good order, to eliminate fire hazards and which in the opinion of the Board of Governors may be of general benefit to the owners or occupants of the land included in such subdivisions.

Section 3. The failure to pay the maintenance charges due and to become due, by the record owners of any lot or lots for a period of ninety days after being billed therefore, shall cause said owner or owners to be dropped from membership and will be eligible for re-admission only as provided in Article IV, Section 3, by payment of all accumulated dues, assessments, and maintenance charges.

Section 4. CAPITAL IMPROVEMENTS. Creation of any new facility that would require future maintenance must be approved at a membership meeting.

ARTICLE VII

NOTICE

Section 1. NOTICE. Whenever according to these bylaws a notice shall be required to be given to any member or Governor, it shall not be construed to mean personal notice, but such notice may be given in writing by depositing the same in a U.S. Post Office in a postpaid sealed wrapper, addressed to such member or Governor at his or its address as the same appears on the books of the corporation, and the time when such notice is mailed shall be deemed the time of the giving of such notice.

Section 2. WAIVER OF NOTICE. Any notice required to be given by these bylaws may be waived by the person or corporation entitled thereto.

ARTICLE VIII

CORPORATE SEAL

Section 1. CORPORATE SEAL. The corporate seal shall have engraved thereon the following: "Blue Sky Estates Association, Inc., ---Seal---Incorporate 1973, New York". It shall remain in the custody of the Secretary and shall be affixed to all cards of membership of the corporation and to all instruments in writing requiring the corporate seal for complete execution. An impression thereof is directed to be affixed to these bylaws.

ARTICLE IX

FISCAL YEAR

Section 1. The fiscal year of the corporation shall begin on the 1st day of April and terminate on the 31st day of March of each year.

ARTICLE X

AMENDMENTS

Section 1. These bylaws may be amended at a regular or special meeting of the members provided a copy of the portion to be changed and a copy of the amendment be mailed in a postpaid envelope at least ten days prior to the meeting at which the amendment will be voted upon, to each member eligible to vote at their address shown on the corporate records, provided a quorum of two-thirds of those eligible to vote are present and a majority of the total voting members of the Association do so vote affirmatively.

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DECLARATION OF IMPOSITION OF PROTECTIVE COVENANTS AND RESTRICTIONS ON
certain lands in BLUE SKY ESTATES SUBDIVISION
in the TOWN OF HORICON, WARREN COUNTY, NEW YORK

ADIRONDACK LAND CORP., A corporation organized and existing under
the laws of the State of New York,

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Having its principal office on the Pottersville-Adirondack Road,
Pottersville, Warren County, New York, the owner of real estate within
BLUE SKY ESTATES development, situate on the said Pottersville-Adirondack
Road in the Town of Horicon, Warren County, New York, hereby declares
that the protective covenants and restrictions hereinafter numbered and
set forth are hereby made applicable to each of the lots numbered 49
through 66, designated and shown on a map entitled "BLUE SKY ESTATES,
SECTION III", located in Brant Lake Tract, Town of Horicon, made on
March 1, 1973 by Joseph L. LaFlure and filed in the Warren County Clerk's
Office on April 19, 1971 in Book 3 of Maps, Page 43.

PROTECTIVE COVENANTS AND RESTRICTIONS

1. The lot shall be used for single, private family residential purposes only, and shall not be used for any commercial purpose, except that same may be used for a private rental but not as a business.
2. The lot shall not be subdivided.
3. No building shall be erected, altered or placed on the lot except one single-family dwelling not exceeding two stories in height and one private garage for not more than two cars and such other buildings or building as may be specifically authorized in writing by Adirondack Land Corp. or any duly authorized representative or other corporation to which Adirondack Land Corp. may have transferred its right to make such authorization. This shall not apply to any existing building but will apply to any alteration, addition or replacement of an existing building.
4. No portion of any building shall be located on the lot nearer than thirty (30) feet to any street line and no nearer than fifteen (15) feet to any side or rear lot line. This shall not apply to any existing building but will apply to any alteration, addition or replacement of

an existing building.

5. No residence containing less than 400 square feet of ground floor living area, exclusive of open porches and garage, shall be erected on the lot. This will not apply to any existing building but will apply to any replacement thereof.

6. The foundation, exterior walls and roof of any new residence or garage erected on the lot or addition or alteration of an existing building shall be completed within one year from the commencement of construction.

7. No campers, mobile homes or trailers of any type or tents shall be placed upon the lot.

8. No animals, livestock or poultry of any kind shall be raised, bred or kept on the lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.

9. All lot owners shall abide by all rules and regulations of the New York State Department of Health, local laws and ordinances.

10. Each and every one of the foregoing covenants may be enforced by an action or proceeding in law or in equity instituted by Adirondack Land Corp., its successors or assigns, or by the owners or owners of any lot or lots in the "BLUE SKY ESTATES" development against any person, persons or corporation violating or attempting to violate any covenant or covenants. Such an action or proceeding in law or in equity may be instituted to restrain or abate a violation or to recover damages sustained by reason of a violation.

11. The foregoing protective covenants are to run with the land and shall be binding upon all parties and all persons claiming under them unless an instrument signed and acknowledged by a majority of the then owners of the lots in "BLUE SKY ESTATES" development has been recorded in the Warren County Clerk's Office agreeing to change, modify

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or alter said covenants in whole or in part.

12. The invalidation of any one of the foregoing covenants by judgment or court order shall in no wise affect any of the other covenants which shall remain in full force and effect.

IN WITNESS WHEREOF, Adirondack Land Corp. has caused this declaration to be signed this 11th day of August, 1973.

ATTEST

ADIRONDACK LAND CORP.

[Signature]
Secretary

By [Signature]
President

STATE OF NEW YORK)
) SS.:
COUNTY OF ESSEX)

On this 11th day of August, Nineteen Hundred and Seventy Three, before me personally came DANIEL MOREHOUSE to me personally known, who, being by me duly sworn, did depose and say that he resides in Brookfield Center, Conn.; that he is the President of ADIRONDACK LAND CORP., the corporation described herein, and which executed the within Instrument; that he knows the seal of said corporation; that the seal affixed to said Instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

[Signature]
Notary Public

RITA C. MURDOCK
NOTARY PUBLIC, State of New York
No. 16-2619150
Qualified in Essex County
Term Expires March 30, 1975

RECORDED

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LIBER 572 OF DEEDS
PAGE 276 AND EXAMINED
WARREN COUNTY, NEW YORK
JOHN L. BOWMAN, CLERK