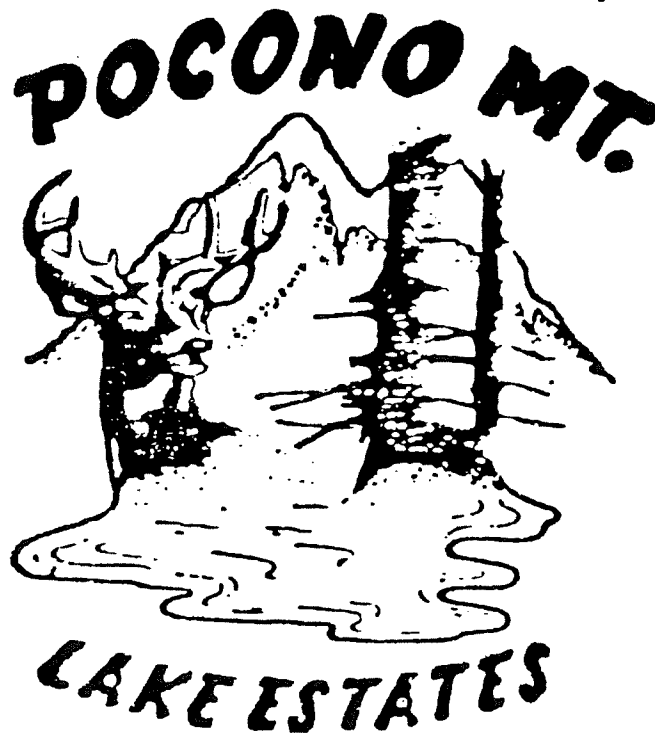


POCONO MOUNTAIN LAKE ESTATES
COMMUNITY ASSOCIATION



RULES & BY-LAWS

(Revised and Approved 01/22)

RULES, BY-LAWS, POLICIES AND SCHEDULE A

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(Rev. 7/14)

BY-LAWS, RULES, POLICIES AND SCHEDULE A

OF THE

POCONO MOUNTAIN LAKE ESTATES
COMMUNITY ASSOCIATION
SECTIONS I-IV

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BY-LAWS

PREAMBLE

Whereas: the Association desires to provide for the preservation of the values and amenities in the POCONO MOUNTAIN LAKE ESTATES COMMUNITY a private development; and

1. To insure the present and future residential living conditions relating to health, safety, public morals, convenience, comfort and beauty on lots and lands in a development of lands in Pike County, Pennsylvania, known as POCONO MOUNTAIN LAKE ESTATES, Sections 1 through 4, and more particularly described in Plat Plans of record in the Office of the Recorder of Deeds of Pike County, Pennsylvania.
2. Regulate, inspect, administer, approve structures and plans for the structures and obtain compliance generally with the restrictions and conditions as to the use of said lots and of related facilities, including roads, bridges, rights of way and parking areas.
3. Promote the welfare, social and recreational interests of the members by providing for the administration, maintenance and management of such Bodies of water, beach facilities, waterfront, lands, trails, parks, recreation areas, docks, piers, buildings and other common facilities in connection therewith as have or may come into the control and management of the Association, for community purposes; and

Whereas: The Pocono Mountain Lake Estates Community Association, to reach the aforementioned ends, has been empowered to levy and assess against the real property described in Article II hereof, together with such additions as may hereafter be made thereto and to assess the owners thereof the charges and liens hereinafter set forth, each and all of which is and are for the benefit of

said property and each owner thereof; and

Whereas: The Pocono Mountain Lake Estates Community Association has been delegated and assigned the powers of maintaining and administering the community properties and facilities, and administering and enforcing the covenants and restrictions, and collecting and disbursing the assessments and charges hereinafter created; and to engage in other incidental and related activities so as to carry out the general purposes herein, stated; and

Whereas: The Pocono Mountain Lake Estates Community Association has been incorporated under the laws of the Commonwealth of Pennsylvania as a non-profit membership corporation for the purpose of exercising the aforesaid functions.

Now, therefore, the following revised By-Laws have been approved and adopted at the general membership meeting of the Pocono Mountain Lake Estates Community Association on July 18, 1998.

RULES, BY-LAWS, POLICIES AND SCHEDULE A

ARTICLE 1 – DEFINITIONS

The following words, when used in this declaration or any supplemental Declaration or Amendment thereto (unless the context shall prohibit) shall have the following meanings:

- A. **“Association”** shall mean Pocono Mountain Lake Estates Community Association.
- B. **“Association Properties”** shall mean and refer to all such existing properties and additions thereto, as are subject to the Declaration or any Supplemental Declaration or Amendment under the provisions of Article II hereof.
- C. **“Common Properties”** shall mean and refer to those areas of land, lake and roads shown on any recorded subdivision plot of the Properties plus additions thereto, and intended to be devoted to the common use and enjoyment of the owners of the Properties.
- D. **“Lot”** shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties with the exception of Common Properties as heretofore defined.
- E. **“Owner”** shall mean and refer to the equitable owner (one or more persons or entities) holding any lot situated upon the Properties whether such ownership be in fee simple or as land contract vendee, notwithstanding any applicable theory of Mortgage and not mean or refer to any mortgage unless such mortgage has acquired title pursuant to foreclosure or any proceeding in lieu of foreclosure.

- F. **“Member”** shall mean and refer to all those owners who are members of the Association as provided in Article III, Section 2 hereof.
- G. **“Board”** shall mean and refer to the Board of Directors of the Association.
- H. **“Member in Good Standing”** – A member shall be deemed to be a member in good standing providing he/she has paid his/her annual dues and assessments within 60 days of the due date thereof, and is not currently under suspension of privileges of membership. (7/90)
- I. **“Schedule A”** shall mean and refer to the applicable schedule of covenants and restrictions affecting properties in the development.

ARTICLE II – PROPERTY SUBJECT TO DECLARATION

Property subject to this Declaration and additions thereto:

Section 1. Existing property as recorded in The Commonwealth of Pennsylvania, County of Pike plat books:

Sec- tion	Plat Book	Page	Sec- tion	Plat Book	Page
2D	8	207	1G	9	114
2E	8	207	2A	9	115
2C	9	12	2B	9	116
2B	9	13	2C	9	117
1E	9	33	2D	9	118
1D	9	34	2E	9	119
1B	9	35	3B	9	120
2A	9	40	3C	9	121
3B	9	75	3D	9	122
3D	9	79	3E	9	123
1	9	81	4A	9	124
1A	9	109	4B	9	125
1B	9	110	1G	9	165
1D	9	111	3F	9	166
1E	9	112	1C	9	167
1F	9	113	3A	9	168
1	7	158	2	7	159
3	7	160	4	7	161

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ARTICLE III – MEMBERSHIP AND VOTING RIGHTS

Section 1. Membership

All property owners are required to become Members of the Association as stipulated in provisions #14 of Schedule “A”. This Association shall be owned and operated by the Members thereof, which Members shall consist of various classes with qualifications, rights and privileges as hereinafter set forth.

Section 2. Classes of Membership

- a) Lot Owner Member shall be any person, persons, or entity who, or which, has acquired title to one or more lots in the Development as above described.
- b) Home Owner Member shall be any person, persons, or entity upon whose lot or lots there has been constructed or erected a dwelling structure approved by the Association or its predecessor in title and function.

Section 3. Membership Fees

The membership fees shall be fixed as hereinafter provided.

Section 4. Voting Rights

- a) At all general meetings of the Association Members duly called, each Home Owner Member and lot owner shall have one vote for each lot owned.
- b) Home Owner Members shall have an additional three (3) votes for an approved dwelling on one of his/her lots.
- c) The voting rights of each member for the ensuing year will be contingent upon payment of all

outstanding dues, fees, and assessments.

- d) Each unit of membership shall be entitled to vote as provided above. All voting members shall have the right to an absentee ballot vote on all matters other than the Association operating budget for the ensuing fiscal year, providing a request therefore is received by the Secretary of the Association 14 days prior to the membership meeting, stating the reason why such member will be unable to attend the meeting, upon such form as shall be provided by the Association. (7/88)

Section 5. Privilege of Membership

Members shall have the right to use all Common Properties subject to the provisions set forth in this Declaration, in Schedule “A”, and such other rules and conditions as are established by the Board.

Section 6. Evidence of Membership

Members are required to affix an Association decal to their automobile as instructed. All vehicles not so identified may be challenged.

Section 7. Suspension of Privilege of Membership

Voting rights may be suspended as provided in Section 4 above.

Section 8. Transfer of Membership

- a) A member shall not be privileged to resign or transfer his/her membership, so long as he/she continues to own or control property in the Community development.
- b) When a Member ceases to be an Owner, such person’s membership shall cease, but such person shall remain liable for all Association charges incurred prior to the

RULES, BY-LAWS, POLICIES AND SCHEDULE A

giving of written notice to the Association that such person is no longer an owner.

- c) When a transfer of property is made, it is the obligation of the selling Owner to advise the buying Owner of his/her becoming a member by virtue of the transfer.
- d) Upon transfer of title to any property in the Community, the parties to the transfer shall immediately notify the Association of the transfer upon such form as shall be provided by the Association.

Section 9. **Transfer of Property (7/10)**

a) In the event of a sale or transfer of any lot, the purchaser shall pay to the Pocono Mtn. Lake Estates C.A., Sections 1-4, an amount, to be called a Capital Improvement Fee. The amount paid shall not exceed the annual dues and regular assessment of the most recently completed fiscal year of the Association, and one-half of said amount for an unimproved lot. Payment shall be made within ten (10) days of such transfer of title.

b) Prohibitions: No CIF shall be imposed upon any *gratuitous* transfer between any of the following:

- Husband and wife;
- A lineal ascendant (i.e., parent, grandparent, child or grandchild);
- Children of the same parent (siblings);
- An individual and the individual sibling's spouse, unless the sibling is deceased and the sibling's spouse has remarried.

c) Segregation of Funds - Use of Funds: CIF funds collected by Pocono Mtn. Lake Estates C.A., Sections 1-4, shall be reserved in an interest-bearing account and may be expended only for capital improvement projects.

d) "Capital Improvement Projects" shall mean all items of expenditure exceeding an acquisition cost of twenty-five thousand (25,000) dollars for the construction,

reconstruction or improvement of Association infrastructure, buildings, structures, and the purchase of machinery and equipment.

ARTICLE IV – MEMBERSHIP MEETINGS

Section 1. **Location**

All meetings of the Association shall be held in the Commonwealth of Pennsylvania. The Board shall make every effort to select a location that will be least inconvenient for the majority of the members.

Section 2. **Annual Meetings**

A general membership meeting will be held once a year on a weekend during July or August. Time, date and location to be determined by the Board.

Section 3. **Special Meetings**

Special meetings of the Association may be called by the Board at any time in the manner herein provided:

a) Upon written petition of no less than 10% of the eligible voting membership of the Association. The petition must stipulate the purpose for the meeting and no other topics will be open for discussion at this meeting.

b) The President may call a meeting upon consent of a majority of the Board.

Section 4. **Notice of Meetings**

Written notice of the place, date, and hour of the meeting, and in the case of a special meeting, the purpose or purposes for which the meeting has been called, shall be given or mailed to each Member at least ten days prior to such meeting.

Section 5. **Quorum**

- a) A quorum at an Annual Meeting shall have been attained if at least seventy-five (75) members eligible to vote are in attendance at the beginning of the meeting. Once attained, all business may be transacted at the meeting even if a quorum is no longer present.

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- b) A quorum at a Special meeting shall be ten percent (10%) of the Members entitled to vote at such meeting in person or by written absentee ballot.
- c) A majority vote of the votes present and entitled to be cast at any meeting at which a quorum is present at its beginning shall be necessary for the adoption of any matter voted upon unless otherwise required by law or otherwise stipulated in this Declaration.

Section 6. Order of Business for the Annual Meeting

- a. Minutes of Previous Meeting
- b. Introduction and Election of Directors.
- c. Report of Officers
- d. Proposed Budget
- e. Report of Committees
- f. Old or Unfinished Business
- g. New Business
- h. Adjournment
(7/95)

Article V – Board of Directors

Section 1. Powers of the Board

So as to manage, govern, administer, and carry out the affairs and purpose of the Association as set forth in this Declaration, Certificate of Incorporation, Rules and Schedule “A” shall be according to law and, but not limited to the following:

- a) To sue or defend suit in the Association name.
- b) To have a corporate seal which may be altered at pleasure, and to use the same in any proper manner.
- c) To purchase, take, receive, lease as lessee, take by gift or bequest, or devise or otherwise acquire and to own, hold, use and otherwise deal with any real or personal property or any interest therein, situated in or out of this State, which may be necessary and proper.
- d) To borrow money, enter into long term contracts, issue its notes or other

evidences of debt, for money or labor done or money or property actually received, and to secure any of its obligations by mortgage, pledge security agreement or Deed of Trust of any of its property franchises and income.

- e) To purchase, take by gift or bequest or otherwise acquire and to hold shares, bonds, securities or other evidences of debt of any other person or corporation and to exercise all rights and privileges of such ownership, subject to limitations imposed by law.
- f) To make transfer in trust of its property and assets, make contributions and donations for the public welfare, charity, religious, scientific or educational purposes.
- g) The Board shall not however have the authority to pledge any real estate assets of the Corporation in excess of 25% of the total market value of all Real Estate assets at that time, as established by an independent appraiser. Commitments in excess of 25% must be approved by a majority of the voting members of the Association.
- h) To elect or appoint and remove officers and agents of the Association and to define their duties.
- i) To determine whether the conduct of any member, his household or guests have violated any Rules or By-Laws of the Association or stipulations as set forth in Schedule “A” and if so, to fix the penalty for such violation.
- j) To set pay scales for employees of the Association.
- k) To take such action and steps as are necessary to enforce any Deed, covenant or restriction, By-Law or Rule promulgated by the Association.
- l) No part of the Association funds shall be distributed to the members of the Association on dissolution of the Association. Any remaining funds shall be distributed to a regulatory organized charitable or educational organization.

Section 2. Rules and Regulations

RULES, BY-LAWS, POLICIES AND SCHEDULE A

The Board shall when necessary adopt such rules and regulations relating to the use of the Association property and facilities, and sanctions for non-compliance therewith, for the best interest and safety of the Association and its members. New and revised rules will be posted as they are approved by the Board.

Section 3. Number of Directors

The Board of Directors shall consist of not less than 7 nor more than 13 natural persons at least 21 years of age who are paid-up members in good standing. (7/05)

Section 4. Qualifications and Restrictions Of Directors of the Board

- a) Each candidate for the Board of Directors and member of the Board shall be a paid-up member of the Association in good standing and be at least 21 years of age.
- b) No more than one member of a household family may be a director at the same time.
- c) At the discretion of the Board, to be decided by a majority vote of the directors remaining in office, (7/00) a Director may be removed if he/she misses three consecutive meetings. He/she may not be elected or appointed to the Board for a period of three years thereafter.
- d) Any person removed as an Officer or member of the Board of Director for conduct detrimental to the Association, for being involved in a conflict of interest judged as a serious threat to the welfare of the Association or for having been found guilty by the Courts of an offense which is judged by the Board to be against the best interest of the Association, shall not be eligible for election to the Board for a period of 20 years after such removal. (7/90)
- e) No Director, officer or committee member shall receive compensation for serving in their elected or their appointed capacity unless such compensation is approved by the

general membership of the Association. Provided, however, that nothing in this provision shall be deemed to require approval of the general membership for any such director, officer, or committee member to receive reimbursement from the Association for reasonable authorized expenses incurred by such director, officer, or committee member for and on behalf of the Association.

(7/90)

- f) Due to the appearance of and potential for a conflict of interest, no Director shall serve as a Director or Officer of Lake Estates, Inc. during his or her term as a Director or Officer of Pocono Mtn. Lake Estates Community Association. (7/10)

Section 5. Election and Terms

- a) Election to the Board shall take place at the Annual Meeting of the Membership.
- b) Votes shall be cast by written ballot according to Article III, Section 4. Balloting shall begin after all candidates have been introduced. After such introduction, each candidate shall have the opportunity to make a statement regarding his candidacy. Members shall then drop their ballots into the receptacle(s) provided. (7/95)
- c) Not more than one third of the Board will be replaced each year.
- d) Nominations for candidates to the Board will be accepted at the May Board meeting which will be open to all members in good standing. The nominee must have a second, and must be present to accept the nomination. (7/93)
- e) Vacancies on the Board may be filled with a paid-up member in good standing by a majority vote of the remaining Directors and each person so appointed shall serve until a successor is duly elected by the Membership at the next Annual

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meeting. Such successor shall serve for the unexpired portion of the seat vacated.

- (f) Term of office for Directors shall be three years.

Section 6. Board Meetings

a) Meetings of the Board shall usually be the third Saturday of each month at 1:00 PM within Pike County, Pennsylvania.

b) Exceptions to the usual date, time and place may be determined by a majority of the Board at its previous meeting.

c) Written notice of monthly meetings shall be mailed to each Director and posted in the Clubhouse at least seven days prior to the Meeting.

d) Quorum: A majority of the Board members then in office shall constitute a quorum to transact business of the Board, and the act of the majority of the Directors present at any meeting shall be deemed to be the act of the Board.

e) Special meetings of the Board may be called by the President or a majority of the Board and shall be held at such time and place as the call notice of the meeting shall designate. Notice may be written or oral but must be received at least seventy-two hours prior to the date set for said meeting.

f) All committee meetings and monthly meetings of the Board of Directors, except for meetings held in executive session, shall be open to the membership. Closed meetings may only be held upon resolution of two-thirds (2/3) of the Directors and/or Committee members present at any open meeting of the Board or the committee, and then only for the following purposes (providing that said resolution shall specify the purpose of the closed meeting and only those matters referred to in said resolution may be

discussed: To discuss salaries employee practices, personnel matters, negotiations, and security matters.

g) All standing and special committees shall report to the Board of Directors at monthly meetings. A time will be set aside at the end of each committee report or topic of discussion by the Board to answer questions and receive suggestions from the members in attendance regarding the committee's activities or report presented. (7/95)

Section 7. Standing Committees

Standing Committees shall include but not be limited to the following:

Finance Committee
Planning Committee
Rules and By-Laws Committee
Maintenance Committee (7/91)

Section 8. Executive Committee

The Board may delegate its authority to an Executive Committee consisting of four of its members upon the consent of at least two-thirds (2/3) of the Directors with at least seventy five percent (75%) of the Board voting.

Section 9. Liability of Directors

a) Each member of the Board of Directors shall stand in a fiduciary relation to the Corporation.

b) Each Director of the Corporation shall perform the duties as such director (including the duties as member of any committee or committees), or refrain from performance of such duties, in good faith and in a manner reasonably believed to be in the Corporation's best interests. Furthermore, in performing or refraining from performing such duties, each Director shall exercise that degree of care as an individual of ordinary prudence would exercise under similar circumstances.

c) In determining whether or not a Director acted or refrained from acting in good faith, that Director shall be entitled to rely on information, reports, statements, and the like,

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including financial data, as prepared by corporate employees/officers whom the Director reasonably believes to be competent in the matter presented. Also, a Director may rely upon information, reports, data, accounts, and similar material as prepared by counsel and accountants whom the Director reasonably believes to exercise professional and/or expert competence in the matter presented. Finally, a Director may rely on the reports, etc. of any committee of the Board of Directors as to matters within its designated authority; provided, however, that the director does not serve upon such committee.

d) A Director shall be deemed to act or fail to act in the absence of good faith when that Director has knowledge regarding the matter in question that would cause such Director's reliance on the information, data, reports and the like provided by others as set out above to be unwarranted.

e) In determining what is or is not in the Corporation's best interest, a Director may consider the following factors, including but not limited by way of specification, to the effects of any of actions or failure to act upon corporate employees, upon corporate suppliers or customers, and upon communities where the corporate office is situated, as well as all other pertinent factors.

When breach of fiduciary duty, lack of good faith and self-dealing are absent, it shall be presumed that a Director's actions or a Director's failure to act be in the Corporation's best interests.

f) A Director shall not be liable for monetary damages as such for action or actions taken or for failure to act unless:

1. The Director has breached or failed to perform the duties as Director under the standards of care described hereinabove; and

2. The breach or failure to perform constitutes self-dealings, willful misconduct or recklessness. (7/88)

Section 10. Annual Audit

Annually, at the end of each fiscal year, the Board of Directors shall engage a certified public accountant as independent auditor selected to audit the books and records of the Association, and prepare certified financial statements to be printed in their entirety, including foot notes and auditor's opinion letter. A copy of these Financial Statements shall be mailed to the membership together with notification of the Annual Membership Meeting. (7/93)

ARTICLE VI – OFFICERS

Section 1. Officers

a) Election of Officers: Election of Officers shall take place at a meeting of the Board held within fourteen (14) days after the Annual Meeting. These Officers shall be a President, two Vice-Presidents, a Recording Secretary, a Corresponding Secretary, a Treasurer and other officers/assistants as may be deemed necessary by the Board. To qualify an Officer candidate must be a current member of the Board of Directors and must have previously served at least one year as a Director. (7/94)

b) Terms of Office: The terms of office for each officer shall be for two years or until their successor is duly elected and qualified. The President shall not serve more than two (2) successive terms of office, provided that nothing herein contained shall preclude an individual from serving in that capacity after an interruption of one term. (7/94)

c) Vacancy: In the event of a vacancy in any office, the seat vacated shall be filled at the next regular meeting of the Board of Directors. The person so appointed shall serve for the unexpired term of the vacated seat.

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Section 2. Duties of Officers

- a) **PRESIDENT:** The President shall be the Chief Executive Officer. He shall preside at all meetings of the members and Directors; he shall have general active management of the business and affairs of the Association; he shall see that all order and resolutions of the Board of Directors are carried out; he shall have general superintendence and direction of all other officers and see that their duties are properly performed; he shall submit a report of the operations of the Association for the fiscal year to the Board of Directors and members at their annual meeting, and from time to time shall report to the Board of Directors all matters within his knowledge that may affect this Association; he shall be ex officio a member of all committees and shall have the power and duties and management usually vested in the office of President in a non-profit, membership corporation. Without approval of the Board the President shall have authority to expend up to the sum of \$100.00 for emergency purposes only.
- b) **VICE PRESIDENT:** The Vice President shall be vested with all the powers and shall perform all the duties of the President during the absence of the latter and shall have such other duties as may from time to time be determined by the Board of Directors. In the event that there shall be more than one Vice President, then there shall be a First Vice President, a Second Vice President, and a Third Vice President, depending upon whether or not there be that many Vice Presidents. In the event that the President shall be absent at any meeting, the First Vice President shall preside; and if neither are

present at a meeting, then the Second Vice President shall preside, and so on.

- c) **THE SECRETARIES** shall attend all sessions of the Board of Directors and all meetings of members and act as clerks thereof; and shall cause to be recorded all votes and minutes of all proceedings in a book to be kept for that purpose; and shall send notice of all meetings to the members of the Board of Directors and shall perform such other duties as may be prescribed by the Board or the President under whose supervision they shall be custodians of the corporate seal and all of the books and records of this Association, except as may be otherwise provided. The recording of the minutes of the meetings may be performed by any qualified member of the Association in good standing.
- d) **THE TREASURER**, under the direction of the Board of Directors, shall have charge of the funds of the Association and shall deposit same in the name of this Association in a depository designated by the Board of Directors; he shall pay all the vouchers or orders properly attested by the President; and shall make a complete and accurate report of the finances of this Association at each annual meeting of the members, or at any time upon request, to the Board of Directors. The Treasurer plus another designated officer must sign all drafts.

ARTICLE VII – DUES AND ASSM'TS

Section 1. Dues

- a) Members shall pay annual Dues for each plotted lot owned by such member.
- b) The annual dues may be increased by vote of the Board, provided that such increase shall not be greater than 20% of the annual Dues for the previous

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year. Any amount in excess of 20% must be approved by a majority vote of the eligible Members at the Annual Membership Meeting.

- c) Between July 2006 & August 2014, any member who shall perpetually inseparably join into one (1) lot originally plotted on the maps or plats described in Article II hereof with not more than one (1) adjoining, contiguous such lot, restricted so that no part thereof may ever be sold, transferred or conveyed separate or apart from the remainder thereof, shall pay annual dues therefore as if the joined lots had been originally plotted as one single lot. (7/06) (rev. 7/14)

Section 2. Assessments

- a) In addition to the annual dues, the Board may levy an annual assessment based upon the projected operating budget for the next fiscal year. Such assessments shall include recreational fees. One (1) assessment per year shall be levied against a member regardless of the number of lots owned by a member. In addition, each member owning two (2) or more dwellings within the development may be levied an additional assessment for each dwelling.
- b) Each dwelling will be assessed an additional \$30.00. (7/96)

Section 3. Special Assessments for Capital Improvements

In addition to the annual Assessments authorized by the Board, the Association may levy a special assessment applicable to that year only, for the purpose of defraying, in whole or part, the cost of any construction or reconstruction, unexpected repairs or replacement of a described Capital Improvement upon the Common Properties, including the necessary fixtures and personal property related thereto.

Such assessments must have affirmative vote of 2/3 of all the eligible voting members as defined elsewhere herein at the meeting at which the proposal is presented, whether regular or special.

Section 4. Payment of Assessments

The assessment shall be paid in conjunction with the annual dues. A service charge of 1 ¼% (one and one quarter percent) per month will be added to all accounts not paid by February 2.

Section 5. Recreation Tags

Recreation tags will be issued pursuant to such reasonable Rules and Regulations as shall be adopted from time to time by the Board of Directors pursuant to these By-Laws. (7/94)

Section 6. Failure to Pay Dues and Assessments

Should any member, person, or entity obligated to make any payment under these By-Laws fail to do so, such member, person or entity shall further be obligated to pay the Association the reasonable attorney's fees, including costs and expenses, incurred by the Association in attempting to secure or securing payment hereunder.

Section 7. Unbuildable Lot(s)

a) An Unbuildable lot is one that a notice has been received from the Lehman Township Sewer Enforcement Officer, that the property is unbuildable. PMLE must have a copy of this denial on file.

b) If your lot is unbuildable it will fall into one of the following categories:

1. A member owning a single lot classified as unbuildable will have 50% of the total annual dues and assessments held in abeyance.

2. A member owning multiple lots, all of which are classified unbuildable, will have 50% of the annual dues and assessments for all lots held in abeyance.

3. A member owning multiple lots, with one or more classified unbuildable, will have 50% of the dues on the unbuildable lot(s) held in abeyance.

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c) When said lot(s) become buildable, or sold, back dues and assessments held in abeyance will be paid by the current owner. (7/89) The abeyance to be paid at the time the lot(s) become buildable or sold will not exceed more than the most recent five (5) years dues and assessments held in abeyance. (7/98)

d) The Dues and Assessments abatement granted above shall not be applied to members who have purchased lots which had been determined to be unbuildable at the time of or prior to being purchased, nor to any lot purchased in or at any sale emanating from failure to pay or delinquency in real property taxes imposed thereon. This provision shall be applicable to any lot so purchased after 7/18/92. (7/92)

e) The restriction imposed in Section 7(d) shall not be applied to members who have purchased not more than three (3) unbuildable lots which adjoin an improved lot of the purchaser. (7/97)

ARTICLE VIII – AMENDMENTS

Section 1. Authorization

These By-Laws may be amended by the members at the annual meeting or at a special membership meeting called for that purpose. (7/95)

Section 2. Procedure

An amendment may be presented for action at a membership meeting by a majority vote of the Board of Directors or by a petition signed by not less than one hundred (100) members in good standing. The petition shall contain the full text of the proposed amendment and a statement of not more than two hundred and fifty (250) words explaining the need for the amendment. The petition shall be filed with the Association's Secretary at least forty-five (45) days prior to the meeting at which the amendment is to be considered. If the amendment is to be considered at the annual meeting, the contents thereof shall be

contained in the notice of the meeting. If the amendment is to be considered at a special meeting, copies of the petition shall be sent to all members along with the notice of the meeting. (7/95)

Section 3. Requirements

No amendment shall be valid until adopted by the affirmative vote of a majority of the eligible voting members present at said meeting. (7/95)

ARTICLE IX – RULES FOR MEETINGS

Section 1. Order

Robert's Rules of Order Revised shall cover all matters not covered by the By-Laws.

Section 2. Contracts

The Board shall not enter into any contract on behalf of the Association in excess of \$5,000.00 before requesting two (2) invitational bids from reputable firms. The contract shall be awarded by the Board of Directors. In the event that two such bids cannot be obtained, then, and in that event only, upon approval of 2/3 vote of the Board of Directors said bid requirement may be waived. (7/95)

ARTICLE X – MISCELLANEOUS

Section 1. Transactions

Transactions engaged upon between the Association, its officers and members of its Board of Directors, as individuals or as representatives of other corporations, shall be valid and binding in the absence of fraud.

Section 2. Failure by the Association

Failure by the Association or any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 3. Conflicts

In the case of a conflict between the Articles of Incorporation and these By-Laws, the Articles shall control; and in the case of any conflict between the Covenants and Restrictions applicable to the Properties and

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these By-Laws, the Covenants and Restrictions shall control.

employed by this Association, except as a seasonal or part-time non-managerial employee. (7/94)

Section 4. Severability

Invalidation of any part of these By-Laws shall not be deemed to be an invalidation of any other part or all.

Section 5. Employment

To avoid a conflict of interest, no member of the Board of Directors, nor anyone in their immediate family shall be

RULES

In the interest of the safety and well being of each member of the Pocono Mountain Lake Estates, the following rules have been set down and are to be observed by every member of the Association and his guests.

Each member is responsible for the activities and conduct of his household and guests, and any infraction and any violation of Schedule "A", By-Laws, regulations, and/or policies of the Association with subsequent special assessments, if any, will be charged to the member subject to a hearing of the Grievance Committee, if requested.

Rule 1: (Refuse)

A) All members are responsible for the disposing of their own household refuse in such a manner that there will be no pollution of our environment.

B) BURNING: According to Lehman Twp Ordinance 127 Recycling, - burning is forbidden with the exception of recreational or ceremonial, which must be attended by an adult with a charged water hose, or a minimum 2 ½ gallon pressurized fire extinguisher. (5/14)

C) Association trash barrels are NOT to be used for private refuse.

D) There is to be NO LITTERING anywhere on the property.

E) All household refuse is to be placed in covered, unbreakable containers so that it will not be strewn about by wildlife. **Garbage pails are not to be put out more than 24 hours prior to scheduled pick-ups and must be brought in within 48 hrs. of scheduled pick-up. (05/19)**

F) All Association facilities, i.e. lake, pool, parking area, roads, rest rooms, picnic area, are to be left as clean as possible. (5/96)

G) Abandoned Signs and Balloons. Permission must be obtained from the office in order to place any balloons, party signs and other directional aids upon any PMLECA common property. All such directional aids must be removed within three (3) days of the occasion. 5/07

Rule 2: (Fences)

There shall be no permanent construction of fences or walls over 30" that will detract from the natural appearance of our property. Fences erected to protect children, gardens, animal runs, etc. that exceed the above must be approved in writing by the Association. This Association reserves the right to insist on the removal of such construction within 30 days of notice to member. This rule shall not apply to retaining walls designed, intended and used for impoundment. (12/04)

Guidelines:

1. Fences for trees, shrubs and flowers: Chicken wire fencing, light gauge wire roll fencing, green plastic vinyl or dark colored mesh up to 6 feet in height and within 3 feet of individual trees and shrubs is allowable.

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2. Permanent decorative fencing: i.e. split rail, picket fence, stone wall – cannot surround entire property. Fencing should have a landscaping intent and be of reasonably short length.
3. Vegetable garden fencing No fenced garden shall exceed 225 square feet in area (i.e. 15'x15'); No fence shall exceed six feet in height; Fences shall be permitted at the side or rear of the dwelling. No fence shall be at the front of the property (the front is defined as the dwelling line that fronts the road). Posts used in the fencing should be removable and not permanent. Only light gauge wire roll fencing is to be used. (i.e. chicken wire or similar, not chain link nor warning barriers). All fences must be erected within property lines and no fence shall encroach upon an adjoining lot, a public or community right of way. (2/17)
4. Safety fencing erected to protect children will be decided on a case by case basis.
5. All fences must be properly maintained and comply with setback requirements.
6. Permanent fencing is prohibited, including chain link and stockade, except where permitted by our rules. 1/09

See Rule 9 B for dog runs.

Rule 3: (Clotheslines and Dryers)

Shall not be hung or erected in front of property.

Rule 4: (Storage Sheds)

Shall be constructed of such material and erected in such a manner so as not to detract from the aesthetics of the natural setting of property.

Rule 5: (Hunting)

There shall be **NO HUNTING OR TRAPPING** permitted. Use of firearms or traps is **PROHIBITED** except in case of emergency. All hunting incidents shall be reported to the Pennsylvania Game Warden. (1/98)

Rule 6: (Fires)

NO open fires of any kind.

Rule 7: (Motor Vehicles)

A) Any vehicle using the Association's roads will adhere to all rules and regulations governing motor vehicles, and be operated in accordance with the Commonwealth of Pennsylvania Department of Transportation, vehicles code.

B) A 25 mile per hour speed limit will be observed throughout the Association, unless otherwise posted.

C) PARKING:

1. No vehicle, alone or in conjunction with any other vehicle shall be parked on any road or street within the subdivision so as to impede with snow removal or traffic flow. (5/96)
2. Parking within four (4) feet of the edge of any road or street is prohibited from November 15 to April 15. (12/02)
3. Outdoor Parking of the following vehicles is prohibited on residential and all common properties within Pocono Mountain Lake Estates C.A. Section 1-4: **Dump trucks, flatbeds, tow trucks, box trucks, utility trucks, tractor cabs and heavy equipment trailers.** Any vehicle in violation of this rule will be assessed \$50 per day until said vehicle is removed from outdoor parking.

Exceptions to this rule are vehicles and equipment needed to perform services for the members of the Association *and vehicles if operated for both business and personal transportation, providing said vehicle's weight does not exceed 10,000 lbs.* (10/19)

Rule 8: (Private Pools)

Swimming pools will be allowed on individual lots providing that they comply with all Association and Township building set backs and fencing requirements. No swimming pool will be permitted until a certification has been received by the Association from a licensed professional engineer of its choosing, at the expense of the property owner, certifying that an appropriate method of disposal of the discharge water and effluent from the proposed swimming pool exists and that the discharge water and effluent will not detrimentally affect any property, water well or septic disposal system.

Rule 9: (Pets)

A) All household pets, whether owned or housed shall be leashed and kept under proper control at all times. (12/08)

B) Maintenance will approve requests for dog runs, as long as the size and placement fall within the guidelines approved by the Board. Guidelines are:

- 1) Open chain link fence-maximum 6 feet high.
- 2) No more than 120 square feet.
- 3) Location to be in the rear or the side of the house-not in front.
- 4) Plans and location must be submitted for approval. (4/01)

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5) All dog runs must be kept in good repair and may not be used for any other purpose. (11/04)

C) All household pets must be controlled so as not create unreasonable noise disturbances at any hour. (11/04)

Rule 10: (Signs)

A) The Association does not permit its members to display "For Rent" or "For Sale" signs on their lot or on their homes. The Association will be glad to send members a list of recognized Real Estate brokers upon request.

B) Home protection signs shall be no larger than one (1) square foot and limited to a maximum of three (3) signs per dwelling. (10/03)

Rule 11: (Special Assessments)

Infractions or violations of Schedule "A", Rules, By-Laws, Regulations, and/or policies of the Association will result in the issuance of citation(s). Citations not listed in 11B may result in a warning and/or will result in sanctions being imposed as follows:

A) 1st through 4th offense(s):

1st offense. \$25.00 (minimum) special assessment.

2nd offense. \$50.00 (minimum) special assessment.

3rd offense. \$75.00 (minimum) special assessment and revocation of all recreational privileges for one (1) year or such lesser period as shall be determined in accordance with the Association's procedures.

4th and subsequent offense (s).

\$100.00 (minimum) special assessment and revocation of all recreational privileges for one (1) year or such lesser period as shall be determined in accordance with the Association's procedures.

B) **Rule 1: (Intentional dumping of Refuse)** \$500.00 (6/21)

Rule 5: (Hunting) \$500.00 to \$1,000.00 and suspension of privileges up to 1 yr.

Rule 6: (Fires) \$100.00

Rule 7b: (Motor Vehicles) Excessive Speed-1st Offense \$50, 2nd Offense \$75, 3rd Offense \$100, 4th and thereafter Offenses \$150 each. (12/08)

Rule 7c: (Parking) \$25.00

Rule 12 B: (General Clubhouse Rules) 1. "Any malicious damage \$100.00

Rule 12 E: (Lounge) Firearms Violation:

1st Offense-\$250 and six-month suspension of all privileges.

2nd Offense-\$500 and one-year suspension of all privileges. (4/11).

Rule 12 H:(Indoor Pool) 1. "No glassware in pool area". \$100.00

Rule 13: (Lake) D. "Glassware \$100.00

Rule 13: (Lake Dam) L. "Is to be used by pedestrians only" \$100.00

Rule 14: (Outdoor Pool) J. "No glassware in pool area" \$100.00

Rule 17: (Cutting Trees) \$100.00 per tree.

Rule 19: (Burglar Alarms) "After the third false alarm that occurs within 14 days. \$100.00.

Any offense listed above which involves clean-up or repair will have that cost added to the citation amounts above. (1/98)

Any violation which does not fall under the guidelines set forth in the Rules and By-Laws will be passed on to the Grievance Committee for penalty determination. (4/01)

The Grievance Committee shall be notified of each violation. Each offense will be automatically removed after a twenty-four

(24) month period; however, the member is still responsible for any assessment(s) that may have been associated with such offense(s). Violators and property owners will be notified by mail of any citation issued.

A request for a Grievance hearing must be filed with the Grievance Committee Chairman within twenty-one (21) days from the post-marked date of the mailing of the citation (12/21)

Upon such request a processing fee of \$75 will be required. If the Grievance Committee's decision is not favorable, this fee is not refundable, (this includes reducing the status of the original violation). However, if the Grievance Committee's decision is favorable, the \$75 fee will be refunded completely. (3/10)

The failure to respond to any citation within twenty-one (21) days will result in the automatic suspension of all membership privileges until said citation is resolved. (9/99)

Rule 12: (Clubhouse)

A) **General Hours:** Hours of operation shall be determined by the Board of Directors from time to time and posted. (5/05)

B) General Clubhouse Rules

1. Any malicious damage to equipment shall be the responsibility of the member and/or guest of the family involved.
2. All bathrooms will be utilized properly.
3. Smoking in designated areas only.
4. An equipment closet or room will be utilized for signing in or out of equipment by each individual, a tag will be required for recreational equipment.

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5. No child under the age of 12 shall be permitted in the clubhouse without adult supervision. (12/05)
6. Shirts and shoes are required. (1/09)
7. No alcohol shall be brought into any area of the clubhouse other than as permitted in the licensed premises. (5/05)
8. No eating in Lobby. (1/09)

C) Snack Bar

1. Shirts and shoes are required. (1/09)
2. No WET bathing suits
3. Food should be eaten in snack bar or taken out of building. (12/08)

D) Lobby

1. Shirts and shoes are required.
2. No wet bathing suits in seating area.
3. No food and/or beverage in lobby seating area.

E) Lounge

The Lounge area is rented by Lake Estates, Inc. which has obtained a Club Liquor License from LCB. The Lounge area is for use by LEI's members and their guests. All LCB rules will be STRICTLY enforced in addition to the following:

1. Membership cards are required.
2. Members will sign a register and indicate the name(s) of their guests.
3. Only Lake Estates, Inc. members and their guests 21 years of age or older will be allowed in Lounge during operating hours.
4. NO alcoholic beverages are to be brought in to, or taken out of the licensed area.
5. The attendant has the right to refuse to serve anyone who appears to be intoxicated.
6. Any violation of rules (by a member or their guest) shall be cause for immediate removal from the Lounge, and they may be subject to a Grievance proceeding.
7. LEI's membership rules will not apply when the Association or others are renting the lounge area. (4/03)
8. No firearms and/or electric incapacitated devices (stun guns) are permitted in the Lounge, Dining Room, Memorial Hall (Licensed Premises) with the exception of Public Safety Officers and Law Enforcement Agents while on duty. (4/11)

F) Memorial Hall

1. Only specified affairs designated by the Board.
2. No alcoholic beverages are to be brought in to, or taken out of the licensed area.
3. If alcohol is being served; no one under 21 years of age is to be served. The attendant has the right to refuse to serve anyone who appears to be intoxicated.

G) Dining Room

1. No one under 21 years of age will be served alcoholic beverages.
2. No alcoholic beverages are to be brought in to, or taken out of the licensed area.
3. See office for rental details.
4. Smoking in designated smoking area only.

H) Recreation Room

1. Shoes and shirts are required.
2. No wet bathing suits.
3. No smoking.
4. Tags will be used as a deposit for any equipment.
5. No running.
6. No alcoholic beverages.

I) Indoor Pool

1. No glassware in pool area
2. No food is to be brought into pool area.
3. No running in pool area.
4. No children under 12 years of age without adult supervision. (12/05)
5. Children under the age of 3 (three) years must wear a diaper designed for water use (swim diaper). (8/04)
6. No smoking.
7. Footwear must be worn leaving, entering or returning to pool.
8. Only US Coast Guard approved flotation devices.
9. Refer to other posted rules.

J) Sauna

WARNING...INDIVIDUALS WITH HEALTH PROBLEMS SHOULD NOT USE SAUNA WITHOUT CONSULTING THEIR PHYSICIAN.

1. Do not go into sauna with wet bathing suit, use sauna before entering pool.
2. Take off all metal objects before entering.
3. Do not touch controls, see lifeguard.
4. Infractions or disregard of rules governing the sauna will terminate use of same.
5. For health reasons, no one under 16 years of age shall be permitted to use the sauna. (6/08)

K) Steam Room

WARNING...INDIVIDUALS WITH HEALTH PROBLEMS SHOULD NOT USE STEAM ROOM WITHOUT CONSULTING THEIR PHYSICIAN.

1. Do not go into steam room with wet bathing suit, use steam room before entering pool.
2. Take off all metal objects before entering.
3. Do not touch controls, see lifeguard.
4. Infractions or disregard of rules governing the steam room will terminate use of same.

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5. For health reasons, no one under 16 years of age shall be permitted to use the steam room. (6/08)

L) Exercise Room

1. Must be 15 years of age or older to use equipment.
2. No food or beverage allowed in exercise room.
3. No smoking.

M) Time Restriction

The Clubhouse and surrounding properties, including the ball fields and courts, are off limits to all persons after 12 am, or one-half hour after the clubhouse closes (see rule 12A) which ever is later. (6/95)

Rule 13: Lake

- A) State regulations require all boats to carry a life preserver for each occupant. (10/95)
- B) No pets in the lake area.
- C) No ball playing in the lake area. ONLY in specified areas.
- D) Glassware WILL NOT be permitted in the Lake area. If food and drink are consumed on beach site, ALL refuse will be disposed of in cans provided. (9/96)
- E) No parking of any vehicles in the boat unloading area. Vehicles and trailers will be backed into the area, boat unloaded and the vehicles and trailers removed to
- F) the parking area.
- G) If tear open cans are used, key-tabs will be properly disposed of in refuse cans.
- H) All fishing shall comply with Commonwealth of Pennsylvania's Rules and Regulations.
- I) (Schedule "A" Restriction #21) "Only boats, canoes, or water crafts propelled by either oars or paddles, shall be permitted upon waters of said lake. NO motor boats, outboard motors, or kickers of any description shall be permitted on waters of said lake." (3/90)

J) Boat Registration:

All non-inflatable water craft that will be used in Pocono Mountain Lake Estates' Lake (Eagle Lake), must be registered at the office for identification purposes by the property owner. Property owners must register for their tenants, and supply the office with the name and the duration of their tenancy. There will be a nominal fee to be paid at the time of registration to cover the cost of the stickers and record keeping.

If a property owner desires a rack location for storage of their water craft at the Lake, one will be assigned by lottery, annually, on the third Saturday in April. Lower level locations will be reserved for property owners who are handicapped or who have reached the age of sixty (60) in the year of assignment.

Assignments will be for the period of the lottery date through November 15th of that year. In the event use of an assigned storage rack has not commenced by the second Sunday in July, the boat rack may be reassigned.

- K) **ALL BOATS MUST BE REMOVED FROM THE STORAGE RACKS BY NOVEMBER 15TH** and cannot be replaced until AFTER the next lottery assignments are completed. Any boat not removed by the owner may be removed and stored by the Association at the cost and expense of the owner. (9/97). The owner of any boat not so removed, may not be eligible for the next year's lottery or a rack. (3/99)
- L) **No portable barbecue devices under pavilion roof.** (3/90)
- M) **Children's Play area:** Equipment use is restricted to a combined maximum weight limit of 225 pounds. (9/97)
- N) **Feeding Wildlife:** No feeding wildlife of any kind at the Lake area. (1/98)
- O) **LAKE DAM:** Is to be used by pedestrians only. No disruption or removal of the rip-rap (rocks) is allowed. (5/96)

Rule 14: (Outdoor Pool) REFER TO ADDITIONAL POSTED RULES...

- A) Food only in designated areas.
- B) Smoking only if ashtrays are used.
- C) No Running around pool area.
- D) No children under 12 years of age permitted without adult supervision.
- E) Children under the age of three (3) years must wear a diaper designed for water use (swim diaper). (8/04)

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- F) No children under 14 years of age allowed in Spa (see additional posted rules).
- G) Some kind of footwear **MUST** be worn when leaving, entering or returning to pool area.
- H) NO pets in pool area.
- I) NO ball playing in pool area, except if organized by Association's counselors or lifeguards.
- J) NO glassware in pool area.
- K)

Rule 15: (Kiddie Pool)

A) No one over 6 years of age permitted.

- B) No diapers in pool. Children under the age of three (3) must wear a diaper designed for water use (swim diaper) (8/04)
- C) Children must be accompanied by an adult. (4/91)

Rule 16: Recreational

1. Motorized Recreational Vehicles-Descriptions:

- a) Motorized off the road vehicle that is 58 inches or less in width having a dry weight of 700 lbs. or less, traveling on three or more low profile, low pressure tires (10 lbs. Per square inch or less, 6 inches or more in width), having a minimum outside diameter of 18 inches, with either a bench seat or a seat designed to be straddled by the operator. The base of the seat must be a minimum of 24 inches high. (11/09).
- b) Snowmobiles.
- c) Two wheeled motorized recreational vehicles must have tires with a minimum outside diameter of 18 inches and the base of the seat must be a minimum of 24 inches high.
- d) All motorized recreational vehicles must have adequate mufflers restricting the noise level to a maximum of 96 decibels at approximately half throttle measured at the distance of 10 feet and mufflers must be equipped with a spark arrester.

Motorized Recreational Vehicles may be operated on Association roads only. No other similar vehicles shall be operated within Pocono Mt. Lake Estates Community.

2. Motorized Recreational Vehicles - Inspection & Registration Requirements:

- a) All motorized recreational vehicles must be registered and inspected annually by June 30th whether or not the owner intends to use the vehicle on the Association's roads or only intends use on owner's property.
- b) All owners of motorized recreational vehicles are required to carry a \$50,000 liability insurance policy. A waiver stating an owner's intent not to use the vehicle on Association's roads may be signed to relieve the owner of the insurance requirement. The owner will be subject to a special assessment of \$250.00 for violation of the waiver.
- c) A "Waiver and Hold Harmless" release is to be signed by the child's parents before the Association will register a motorized recreational vehicle.
- d) In order to obtain a license plate and an annual sticker, the motorized recreational vehicle must pass the Association's inspection. There will be a nominal (non-refundable) fee for license plates and registration cards will be issued and carried by the operator.
- e) All motorized recreational vehicles must be equipped with an orange safety flag mounted on a 6 to 7-foot mount, and headlights and taillights must be on at all times. (3/07)

4. Motorized Recreational Vehicles-Rules for Use:Hours of operation, 9:00 A.M. to dusk.

- a) Motorized Recreational Vehicles shall be operated in accordance with Pennsylvania's All-Terrain Vehicle Law. (6/98)
- b) Motorized Recreational Vehicles are not to be used for racing unless a specified area is set aside for that purpose.
- c) All Motorized Recreational Vehicles will abide by all posted speed limits and regulations pertaining to motor vehicles.

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- d) Motorized Recreational Vehicles must be used with caution and must be used only as transportation within the community. **NO SPEEDING** or **JOY RIDING**, and **NO** riding in the parking lot or they will be **BANNED**.
- f) Operators and any permitted passengers must have a securely fastened helmet on their head. (6/98)
- g) No one under 10 years of age shall operate a motorized recreational vehicle at any time. (6/98)
- h) Persons 10 through 15 years of age must complete a State safety education course and possess a safety certificate before being permitted to operate an ATV. (6/98)

4) Outdoor Recreation Area:

a) The use of any equipment at the recreational area, i.e., swings, slides, etc., will be entirely at the risk of member using same.

b) **Ball Playing:** There will be NO ball playing in either the pool or lake area. ONLY in specified areas.

c) **Tennis Courts:** Use as posted at the Tennis Courts.

d) **Hemlock Row Path:** Designated as a foot path only. (4/01)

e) **Bicycles/Skateboards:** There shall be no bicycling, skateboarding, rollerblading, roller-skating, etc. on the walkways, stairs, track and patio of the Clubhouse complex. Skateboarding, rollerblading, roller-skating, is forbidden in the parking lot, unless a specified area is set aside for that purpose. (1/98)

Rule 17: Cutting Trees

- A) In order to preserve the natural environment and to maintain the woodland setting, no trees shall be cut down or removed by the use of herbicides or other chemicals, without the written permission from the Association. Trees that are removed for reasons other than the placement of a septic system, driveway, or outside 15 feet of a dwelling shall be replaced within 12 months of the date removed, or the date notice given to the property owner to replace trees. Each tree removed that is over 20 feet in height or 8 inches in diameter must be replaced by a minimum 2-inch diameter tree of similar species, or replacement approved by the Association. Lesser trees and brush shall be replaced in a manner that will enhance the natural woodland environment. Trees that are not replaced will be subject to a special assessment per tree. (5/96)

- B) Trees may be removed or trimmed for the installation of antennas such as a DBS satellite dish that is less than 39" in diameter, TV antennas and antennas used to receive MMDS only when:

- 1) There is no other reasonable option but to trim or remove trees.
- 2) Any tree removed must be replaced somewhere on the property by a minimum two-inch diameter tree of similar species, or a replacement approved by the Association.
- 3) The opinion of an independent qualified expert is obtained stating that only the removal or trimming of designated trees would allow the reception of an acceptable quality satellite signal.
- 4) Written permission must be obtained from the Association before trees are removed or trimmed. (9/98).
- 5) If a situation falls outside the above guidelines, a Certified Arborist's written report, shall be provided by the property owner at the property owner's expense, stating the reason the tree should be removed. Any permission granted should be executed within 60 days. (12/99)

- C) Any member seeking consent to remove diseased or infected trees not reasonably capable of restoration may be required to provide to the Association a report from a qualified professional, acceptable to the Association, authenticating the condition and necessity for removal. Trees to be removed shall be clearly and appropriately marked. No tree shall be removed (except in the event of a bona fide emergency condition that will cause immediate harm to persons or damage to property) without the express consent of the Association. (12/05)

Rule 18: House I.D.

All homeowners are required to I.D. their homes per Lehman Township Ordinance No. 22. (9/11)

Rule 19: Burglar Alarms

Burglar alarms with audible devices shall be equipped with a timing device to silence the audible within 30 minutes. Commencing with the third false alarm that occurs within 14 days, and for each false alarm thereafter that is reported to our Security, the property owner shall be subject to a special assessment. Our Security may not respond to repeated false alarms. (1/98)

BY-LAWS, RULES, POLICIES & SCHEDULE A

Rule 20: Recreation Tags

Pursuant to Article VII, Section 5 of the By-Laws, recreation tags will be issued as follows:

- a) A member will receive tags for each assessment paid pursuant to Article VII, Section 2 of the By-Laws. The number of such tags to be issued to each member shall be based on the number of immediate family members actually domiciled in the domicile of the member, but shall not be less than four (4) nor more than six (6) such tags.
- b) Members may purchase annually not more than four (4) guest tags for each assessment paid pursuant to Article VII, Section 2 of the By-Laws, for a charge as shall be annually determined by the Board of Directors.

Members who allow tenancy of their dwelling within the confines of Sections 1-4 of Pocono Mountain Lake Estates may obtain tags to be utilized by their tenants and such tenants' guests for a charge as shall be annually determined by the Board of Directors, provided, however, that not more than six (6) tenant tags may be issued per dwelling so leased or rented. All tenant tags must be returned to the Association office at the end of the tenancy. Tenancy will be defined as the occupancy of any property by any one other than the owner thereof, except those occupying the property simultaneously with the owner. There shall be no charge for tenant's tags when no member tags are issued for that dwelling within the same period. (11/04)

- d) Members who have not made payment of all dues and assessments and those members, guests, and or tenants who have had their recreational privileges suspended by the Association may not make use of the recreational facilities. (6/97)
- e) Recreation or membership tags shall not be used by anyone not qualified to do so pursuant to Schedule A, the Bylaws or these Rules. Recreation or membership tags shall not be used by anyone whose privileges have been suspended or *members who are delinquent in their dues and assessments*. (3/08) Any member or person otherwise authorized to use recreation or membership tags, who also permits or assists anyone not authorized to make use of such tags shall be in violation of these rules.

Rule 21: Culvert Pipes

Proper cleaning and maintenance of culvert pipe(s) shall be the responsibility of the property owner. (10/95)

Rule 22: Driveways

Existing driveways to be paved must meet current Driveway Standards as outlined in the current Construction Requirements. (1/97)

Rule 23: Alterations & Additions

No alterations or additions shall be made or erected without the notification or approval of the Association for adherence to Schedule A, which shall not be unreasonably withheld. (9/98)

Rule 24: Fuel Tanks

- a) **There shall be no burial of fuel oil tanks (home heating, kerosene, etc.)**
- b) Any such tank, installed after 11/21/98, must be placed on a concrete slab surrounded by a minimum 8" high wall.
- c) Tanks buried before PMLECA's prior moratorium shall be registered with the Association. (11/98)

Rule 25: Renters

PMLECA property is not to be loaned to renters. (4/01)

Rule 26: Quiet Time

Beginning at 11 p.m., quiet time shall be observed on all the Common Properties of the Association. Quiet time shall mean that noise and / or other disturbances to neighbors of Common Properties shall not be permitted with the exception of sanctioned Association events. (1/03)

Rule 27: Fireworks

Fireworks are prohibited on all Common Properties of the Association. Aerial fireworks are prohibited throughout the entire Community. (10/18)

BY-LAWS, RULES, POLICIES & SCHEDULE A

POCONO MOUNTAIN LAKE ESTATES COMMUNITY ASSOCIATION **Administrative Policies**

1. People using their own vehicles to carry out Association business may be reimbursed \$.485 per mile. (amended 9/05)
2. A gift certificate will be presented to each employee for Thanksgiving. (11/07)
3. Deposit for renters of less than 1 year be \$100.00. (4/??)
4. Maintenance does not plow driveways. (??/??)
5. In the case of the death of a Board member, a name plaque will be placed in the Clubhouse (Memorial Hall) and a card sent to the family advising of this memento. (1/81, amended 9/98)
6. Officers of the Board of Directors will review employee's salaries and make changes. (#018-01)
7. An agenda for each meeting of the Board of Directors shall be prepared in advance under the direction of the President (11/20/99 – per Resolution #003/99)
8. Mailboxes will be available to all members in good standing who have a home on their lot. If you are not paying your dues and assessments, or not otherwise in good standing, you will not be provided with the mailbox privilege. (1/17/18 As per Resolution) also included in Member Policies.
9. Effective 9/02, Backhoe Rental (form and guidelines available in the office).
10. Board Members may attend Grievance Hearings on a rotating basis. (12/10)
11. Effective 1/03, change in cost of resale certificate to \$100.00 for the first property and \$20.00 for each additional property.
12. Effective 3/03, Privacy Policy (form and guidelines available in the office).
13. Lost & Found Procedures will be followed as per legal memo of 9/20/05.
14. The carcass of large game animals found within the confines of PMLECA's properties (member or common) will be removed or treated on the premises to the best of maintenance's ability (adopted 10/05.)
15. Office Financial Policy (see Jan 17, 200

BY-LAWS, RULES, POLICIES & SCHEDULE A

POCONO MOUNTAIN LAKE ESTATES COMMUNITY ASSOCIATION Member Policies

1. Be it established that the Association establish a policy that, on a case by case basis, it will consider requests from members to be allowed by the Association as a revocable license, to install, drill, erect and/or construct on Association Common Property water wells and related equipment for use by members to allow them to use their individual properties for construction of a house thereon, when and if without such license necessary well-septic isolation distances cannot be obtained. (8/89)
2. With the exception of summer, during the week all areas of the clubhouse will be locked, except the locker rooms (during pool hours) and the rec room. The snack bar eating area will be locked except when Tootie's Place is open. Locked areas will be made available during scheduled activities. The candy machine is to be put in the rec room. (4/??)
3. Memorial Hall will not be rented. (4/98)
4. Charge \$1.00 per day to those who have not removed their boats from the boat rack by the designated date.
5. Monday through Friday, when school is open, the recreation room will be open until 4:00 p.m. for school children. (12/08)
6. Any child under the age of 16 years must leave the clubhouse facilities and grounds at 11:00 p.m. unless directly supervised by their parent or guardian. (11/04)
7. Any matter which requires action from the Board of Directors must be fully presented at a committee meeting and therefore through the committee chairperson or must be made in writing to the President, fourteen (14) days in advance of the next scheduled meeting (Adopted 11/20/99 per resolution #003/99)
8. Effective 11/20/99, the indoor pool will be closed on weekdays except for holiday weeks as posted until otherwise rescinded, modified or amended by a majority of the Board of Directors. (per resolution# 004/99, Amended 9/00 - per Resolution #11/00, Amended 2/01-per resolution #020/01).
9. The "Forever Green Program" is effective December 16, 2000 and will be administered by the Association's Office. The guideline and forms approved for use are attached to the November 18, 2000 minutes. (Adopted 11/18/00 – per Resolution #015/00)
10. A "Day and Party Pass" policy concerning the issuance and administration of passes for members' guests became effective December 18, 2000 and will be administered by the Association's Office. The guidelines approved for issuance are available at the office upon request. (Amended 12/12/09, all previous Amendments have been rescinded). Resolution #10-09.
11. Maintenance will make the decision to open or close the lounge during storms. The winter weather notification process will be used. (Per Resolution #021/01 and #061/04)

BY-LAWS, RULES, POLICIES & SCHEDULE A

12. Effective 12/20/14, the exercise room hours of operation will be from 8:30 a.m. until 9 p.m. During normal office hours, the key will be available through the Association's Office or the lifeguard on duty. Between 4.00 p.m. and 9.00 p.m. Public Safety, if available, will open and close the exercise room. (Per Resolution #002-14)
13. Effective 1/19/02, one mailbox at the Association's mailroom shall be made available to a member for each house. Effective 1/17/18 Mailboxes will be available to all members in good standing who have a home on their lot. If you are not paying your dues and assessments, or not otherwise in good standing, you will not be provided with the mailbox privilege. (1/17/18 As per Resolution) The guidelines are available at the office upon request. (Per Resolution 1/17/18)
14. Effective 11/17/01, proposed rule changes and new policies under consideration must be posted as to encourage member input. (Adopted 11/17/01 – per Resolution #027/01)
15. Effective 1/19/02, rule changes and policies will become effective at the next Board meeting, upon the approval of the written resolution, unless otherwise specified by the Board. (Adopted 1/19/02 – per Resolution #028/01)
16. Effective 12/15/01, at each November Board meeting the policy list will be reviewed to determine further continuation of the policy. (adopted 12/15/01 – per Resolution #029/01)
17. **Effective 1/16/10, Long Term Renting:**
 - a) All members are required to notify the PMLE office whenever a tenancy of their property occurs; all required forms must be completed and signed by the Landlord and Renter to avoid any special assessment. Failure to do so will result in a special assessment of \$100.00 for the first offense, second offense \$200.00 and increased thereafter to \$300.00 per offense.
 - b) All long-term renters will be known as "Tenant(s)" (Rev 01/22)
 - c) All members must register their tenant prior to the tenancy, either in person, by notarized fax or letter, in order to avoid any special assessment.
 - d) Tenants must use Tenant tags only.(01/22) Members are not to give their owner tags to their tenants for any reason. Members may purchase up to four (4) additional Tenant tags for their tenants' guests.
 - e) There will be an administration fee of \$25.00 for each new tenancy. (Adopted 3/15/14 – rev. 5/14).

Short Term Renting

- a. Prior to any short-term rental, a copy of the Lehman Township Short Term Rental Permit must be submitted to the office. (05/19)
- b. All short-term renters will be known as "Renter(s)" (Rev 01/22)
- c. If caught without a valid Lehman Township Permit for Short Term Renting, members will be subject to the following citations:
 - o 1st Offense - \$500.00
 - o 2nd Offense - \$1,000.00
 - o 3rd Offense - \$1,500.00 which may also include revoking of all member privileges (removal of tags).
- d. All members are required to notify the PMLE office whenever a rental of their property occurs; all required forms must be completed and signed by the Landlord and Renter to avoid any special assessment. Failure to do so will result in a special assessment of \$100.00 for the first offense, second offense \$200.00 and

BY-LAWS, RULES, POLICIES & SCHEDULE A

- increased thereafter to \$300.00 per offense.
- e. All members must register their renter(s) prior to the rental in person, or by notarized fax or letter, in order to avoid any special assessment.
 - f. Less than three (3) months will be considered short term rental.
 - g. Renters are required to leave a credit card deposit of \$100.00 for Renter tags for each property to be rented, which will be refunded to the renter at the end of the rental period, providing there are no violations of PMLE Rules, By-laws and Policies. Renter tags will be distributed by the PMLE office only and will be returned to the PMLE office at the end of the rental or all deposits will be forfeited.
 - h. Renters are to use renter tags only (01/22). Owners are not to give their owner tags to their renters for any reason. Owners may purchase an additional six (6) Renter tags. The total number of tags issued should not exceed the maximum permitted for any property which is ten (10). (Rev 01/22)
 - i. All tags for the renters, (short term) will be kept in the member's file in the office for distribution by PMLE office only.
 - j. There will be an administration fee of \$50.00 for each new short term rental. (Adopted 3/14. per Resolution Rev 5/14)
18. Effective 10/19/02, upon reasonable request by an authorized representative of the Association, any person found on any property of the Association shall identify themselves and shall provide such additional identification as may thereafter be reasonably requested. (Adopted 10/02 – per Resolution #032/02)
 19. Except during summer, the office will be closed on Sundays, as determined by the Board of Directors annually. (10/03 – per Resolution #049/03)
 20. ~~Regulations for the placement and maintenance of docks at Eagle Lake to certain designated members is available at the office. MORATORIUM ON ALL DOCKS per Resolution #12/09~~
(Removed as per Resolution #003/14)
 21. Information requested on a member's property that involves completion of a third-party form or questionnaire, shall require a fee of \$25.00 per request. Such requests shall have a timely response for completion but not less than two (2) full business days. Expedited requests may be responded to in not less than eight (8) business hours, with the fee therefore to be \$50.00 per request. (11/04 – per Resolution #060/04)
 22. There shall be no private parties in the Clubhouse. The Dining Room is the only area of the Clubhouse to be used for private parties upon a signed Dining Room rental agreement. 11/08 – per Resolution #4/08.
 23. Public Safety must be contacted before any fire is lit. (12/10)
 24. 911 SIGNS – Public Safety will report to the Office, Members who have not placed the new 911 sign on their property. Member will be issued a notice to have the sign put on their property. If they fail to take action within 30 days of notice, the Community will report the Member to the Township so that appropriate action can be taken. (12/20/14 per resolution # 004/14)

SCHEDULE A
OF THE
POCONO MOUNTAIN LAKE ESTATES INC. (1972)

On 30 June 1973 became

**Pocono Mountain Lake Estates
Community Association
Sections 1-1V**

**PO Box 104
Bushkill PA 18324
Phone No. (570) 588-6523**

BY-LAWS, RULES, POLICIES & SCHEDULE A

The captioned titles in parentheses () following each numbered covenant and restriction contained herein have been added for indexing purposes and are not part of the official Schedule A.

Definitions:

In this Schedule A the following words shall have the following meanings:

"Seller" means the Grantor in and as defined in the Deed of which this Schedule A is a part (including the successors and assigns of the Seller).

"Purchaser" means the Grantee in and as defined in the Deed of which this Schedule A is part (including heirs, executors, administrators, successors and assigns of the Purchaser): and

"Homesite" means the premises referred to in the annexed document, and if used for the erection of more than one private dwelling house, shall, where the context so requires, mean that portion of the premises upon which the erection of one private dwelling is permitted by these restrictions.

1. (Type of building) The premises hereby conveyed shall be used for residential purposes only. No building shall be erected, altered, placed or permitted to remain on the premises hereby conveyed other than one detached single-family dwelling not to exceed one and one-half stories in height, and a private garage for not more than two cars.

2. (Set Backs) No building shall be located on any lot nearer than 50 feet to the front lot line, or nearer than 20 feet to any side street line, or nearer than 15 feet to any interior lot line. Exceptions may be made at the discretion of the seller.

3. (Easements) Easements for installations and maintenance of utilities and drainage facilities are reserved over the front 10 feet of each lot and side and rear 5 feet of each lot.

4. (Temporary Use) No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot at anytime as a residence, either temporarily or permanently.

5. (Animals / Pets) No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that a dog, cat or other household pet may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

6. (Dumping / Vehicles) No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall be kept in sanitary containers. No motor vehicles or any substantial part of one shall be kept on the lot unless currently licensed for operation on public highways.

7. (Water Supply) No individual water supply system shall be permitted on any lot or building site unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the state and / or local public health authorities.

8. (Sewer System) No individual sewage disposal system shall be permitted on any lot or building site unless such system is designated, located, and constructed in accordance with the requirements, standards and recommendations of the state and *I* or local public health authorities.

9. (Approval of Structure) No building or structure, including water system and sewage disposal system shall be erected upon the premises hereby *conveyed* without first obtaining the approval, in writing of the Seller, as to location, elevation, plan and design. The Seller shall approve or disapprove the said location, elevation, plan and design within 15 days after same have been submitted.

10. (Excavation) No excavation shall be made on the premises except for the purpose of building thereon and only at the same time when building operations are to commence. No earth or sand shall be removed from the premises except as part of such excavation without the written consent of the Seller.

11. (Clearing *I* Burning) Purchaser shall not clear the lot of brush or trees or do any burning of any nature whatever except first obtaining the approval of the Seller, in writing, such approval to specify the time and manner in which such clearing or burning shall be done.

12. (Use of Roadways) Until dedicated to public use, title to the portion of the land of the Seller laid down on the maps as streets shall remain in the Seller subject to the right of the Purchaser and others and those claiming under them to use the same for ingress and egress to and

from the public roads, and subject to the right of the Seller to maintain or grant the right to maintain water mains, sewer pipes, street drains, gas mains, fixtures for street lighting, telephone and electric poles, within the lines of such roadways. The Seller hereby reserves the right to vest maintenance and control of the said private streets, roadways and rights of way or some of them in the Pocono Mountain Lakes Estates Community Association or any other group, company or corporation designated by the Seller.

13. (Signs) The Purchaser agrees not to permit any signs to be erected or maintained on the premises, for advertising purposes.

14. (Membership) The Purchaser agrees to join the Pocono Mountain Lake Estates Community Association and to maintain such membership and pay (i) such annual fees or dues as the Association may by its By-Laws prescribe, (ii) such assessments as the Association may charge for the repair and maintenance of the streets and roads and (iii) such assessments as the Association may charge for control, maintenance and administration of the beach, trout streams and parks along the same, and other recreational facilities. It is understood and agreed that the Seller being a member of the Association by *virtue* of the lands owned by the Seller, will not be liable for such annual fees or dues, assessments and charges. The Purchaser hereby agrees to require as a condition precedent to the sale of the premises hereby *conveyed* that any subsequent Purchaser shall join the aforesaid Association.

15. (Denial of Privileges) Anyone making a nuisance of himself or herself, shall at the discretion of the Seller, be denied the privileges at the recreational facilities for a limited period of time.

SCHEDULE "A"

16. (Right to Enter Upon Property) It is covenanted that the Seller shall have the right, after giving *five* days written notice to the Purchaser to enter upon the premises upon which any structures or nuisances have been erected or maintained contrary to any of these covenants and *remove* said objectionable structure or nuisance without liability for damage for such action, assessing the reasonable cost thereof against the Owner.

17. (Waiver of Right) Failure to promptly enforce any of the foregoing restrictions, conditions, or covenants shall not be deemed a waiver of the right to do so thereafter as to any continuing, subsequent or other violation.

18. (Restrictions on Premises) The

restrictions as herein provided shall apply only to the premises hereby conveyed and may be changed by the Seller when desired by it or its successors, said restrictions being imposed for the benefit of the remaining lands of the Seller and lands which may be hereafter acquired.

19. (Binding to Schedule A) This Schedule A shall bind the Seller, its successors and assigns, and shall bind the Purchaser, and the heirs, executors, administrators, successors and assigns of Purchaser.

20. (Privileges) The Purchaser is hereby granted the privilege of the boating, bathing, fishing and ice skating in the Lake of the Seller. None of the foregoing activities are to be engaged in for any commercial purpose whatsoever.

(Boating) NOTE: (SCHEDULE "A" RESTRICTION no. 21) – Only boats, canoes, or water crafts propelled by either oars or paddles, shall be permitted upon the waters of said lake. NO motor boats, outboard motors, or kickers of any description shall be permitted on the waters of said lake.