

**AMENDMENT TO BY-LAWS OF  
LAKES COMMUNITY HOME OWNERS ASSOCIATION**

Pursuant to the By-Laws of Lakes Community Home Owners Association, Inc., as amended, and specifically pursuant to Article X, Amendment to By-Laws, the By-Laws of the Association are amended as follows:

**Article X.  
MARINA COMMITTEE**

1. Committee. The Marina Committee shall be comprised of five (5) persons, four (4) being elected and approved and nominated to serve by those persons owning slip spaces in the Marina, with the fifth member being the Treasurer of the Lakes Community Home Owners Association, Inc.
2. Term of Office. That the Committee members shall be elected for a term of three (3) years, such election by the slip owners to be held at the annual meeting of the marina committee; that at the first election, the slip owners shall draw for a position for their membership on the Committee, with two (2) of the members serving a term of 3 years, one (1) member a term of 2 years, and one (1) member a term of 1 year, and thereafter the Committee shall be staggered and the members elected as their terms expire.
3. Powers and Duties.
  - a. The Committee shall have the general regulatory power to set all the rules and regulations for the operation of the Marina. The Marina Committee shall report all decisions back to the Board of Directors at the Home Owners Association annual meeting.
  - b. All Marina rules, regulations, contacts, and expenditures must be approved by a majority of the Marina Committee and used only for the Marina; and additionally and in accordance with the Lakes Community Home Owners Association, Inc, and the By-Laws, the Marina Committee shall open and maintain and operate a separate Marina account, which account shall be made available for inspection and review to the directors of the Lakes Community Home Owners Association, Inc. and any Lakes Community Home Owners Association member, at any time upon their request;
  - c. The Marina Committee shall establish all fees for the marina, including but not limited to the rental of slips and instillation and removal of docks and other miscellaneous maintenance;
4. Policy.
  - a. The Committee does hereby state and make as a policy of the Marina that all members of the Lakes Community Home Owners Association, Inc., current in their dues shall be permitted use of the Marina area, to include swimming, fishing, picnicking and use of the docks with the understanding that such use by the Home Owners Association shall not interfere with, nor obstruct the use of the members of the Home Owners Association who are slip owners in the use and access of their slips;

- b. It is determined to be the policy of the Marina Committee and that of the Lakes Community Home Owners Association, Inc., that the lifts, boats and/or trailers of the slip owners are their separate property and are the responsibility of the slip owners to be maintained and insured;
- c. The docks are to be considered common area of the Lakes Community Home Owners Association, Inc. and that the installation, maintenance and removal of docks shall be done by the Marina Committee and by parties or agents employed by the Marina Committee to undertake action for the installation, maintenance and removal of the docks;
- d. One must be a member of the Lakes Community Home Owners Association, Inc to own or rent a slip.
- e. The committee recognizes that certain contracts are currently in place regarding the operation and use of marina property and the committee will comply with the terms of those existing contracts.

Article X is now

**Article XI**  
AMENDMENT TO BY-LAWS

Article XI is now

**Article XII**  
INDEMNIFICATION OF OFFICERS AND DIRECTORS

Article XII is now

**Article XIII**  
BONDS AND INSURANCE

Article XIII is now

**Article XIV**  
MISCELLANEOUS

IN WITNESS WHEREOF, we, being all the directors of the Lakes Community Home Owners Association, Inc. have hereunto set our hands this 4<sup>th</sup> day of October, 2014.

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CERTIFICATION

I, the undersigned, to hereby certify:

That I am the duly elected and acting Secretary of the Lakes Community Home Owners Association, Inc., a South Dakota corporation, and

That the foregoing Amendment to the By-Laws was duly adopted at a meeting of the Members by a vote of a majority of a quorum of Members present in person or by proxy held on the 4<sup>th</sup> day of October, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 4<sup>th</sup> day of October, 2014

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Secretary