

Kern City Civic Association Bylaws (January 2018)

Notice regarding all Declarations, Governing Documents, and Deeds

If this document contains any restriction based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

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KERN CITY CIVIC ASSOCIATION BYLAWS

ARTICLE I - PURPOSE

Section 1. The primary purpose of the Kern City Civic Association, hereafter referred to as "Association", is to own and operate community facilities of Kern City as required in the Declaration of Restrictions recorded on all Kern City lots. The Association will provide controls, rules and regulations to ensure that these facilities are operated and managed in the interest of its members.

Section 2. The Association may act as a representative of its members in matters of general interest to all members. The Association will endeavor to promote maximum enjoyment of the facilities by the membership and encourage good fellowship and promote the general welfare of Kern City.

Effective January 2018: If the number of applicants in good standing for the position of director is equal to or is less than the number of openings on the board of directors, an election need not be held and the applicants will fill the director positions at the appointed time via unanimous acclamation.

Section 3. 2006 Amended to read: It is the purpose of the Association to carry out and perpetuate the concept of Kern City as an active way of life for retired or semi-retired persons, and in support of that purpose, the following shall apply.

(a) Senior Housing Definitions. For purposes of this Section 3, the following terms shall have the following definitions:

(i) Cohabitants: Persons living together as husband and wife or persons who are domestic partners within the meaning of California Family Code §297.

(ii) Permitted Healthcare Resident: A person hired to provide live-in, long-term, or terminal healthcare to a Senior Citizen or a family member of the Senior Citizen providing that care. The care must be substantial in nature and must provide assistance with necessary daily activities, medical treatment, or both.

(iii) Qualified Disabled Resident: A disabled person or person with a disabling illness or injury who is a child or grandchild of the Senior Citizen or a Qualified Permanent Resident who needs to live with the Senior Citizen or Qualified Permanent Resident because of the disabling condition, illness, or injury. A "disabled" person means a person with a disability as defined in California Civil Code §54(b). A "disabling injury or illness" means an illness or injury that results in a condition meeting the definition of disability in California Civil Code §54(b).

(iv) **Qualified Permanent Resident:** A person who satisfies both of the following requirements: (a) the person was residing with the Senior Citizen before the Senior Citizen's death, hospitalization, or other prolonged absence or before the

dissolution of marriage with the Senior Citizen; and (b) the person is age 45 or older; was the spouse of the Senior Citizen, was a Cohabitant with the Senior Citizen, or was providing the primary physical or economic support to the Senior Citizen.

(v) **Senior Citizen or Qualifying Resident:** A person age 55 or older, as defined in California Civil Code §51.3.

(b) **Age Restriction Occupancy Requirements.** Kern City is designed to provide housing for Senior Citizens and is intended to qualify as a senior citizen housing development within the meaning of California Civil Code §51.3(b)(4). On commencement of occupancy of the dwelling, at least one (1) resident must be a Senior Citizen who intends to reside in the dwelling as his or her primary residence on a permanent basis. All other residents must qualify under one of the following categories: (i) the resident is age 45 or older; (ii) the resident is the spouse of the Senior Citizen; (iii) the resident and the Senior Citizen are Cohabitants; (iv) the resident is providing the primary physical or economic support to the Senior Citizen; (v) the resident is a Qualified Disabled Resident; or (vi) the resident is a Permitted Healthcare Resident. On the death or dissolution of marriage or on hospitalization or other prolonged absence of the Senior Citizen, a Qualified Permanent Resident or Qualified Disabled Resident may continue to reside in the dwelling as long as at least 80 percent (80%) of the occupied residences in Kern City are occupied by a person age 55 or older and the continued occupancy by the Qualified Permanent Resident or Qualified Disabled Resident does not reduce the percentage to less than 80 percent (80%) so as to disqualify Kern City as "housing for older persons" under federal law.

(c) **Federal Law Requirements.** Kern City is also intended to qualify as "housing for older persons" exempt from the age restriction prohibition in the Federal Fair Housing Amendments Act of 1988 as amended by the Housing for Older Persons Act of 1995 (collectively, the "Acts of 1988 and 1995"). To meet the requirements of the Acts, the Association shall perform such acts as set forth in the Declaration of Restrictions.

(d) **Applicable Law and Amendment Requirements.** The provisions in this section are intended to comply with the housing for Senior Citizen requirements in California Civil Code §51.3 and the housing for older persons exemption under the Acts of 1988 and 1995. In the event of any conflict between this section and applicable law regulating age restrictions in senior housing developments, the applicable law shall control. If the applicable law is subsequently modified or amended in any manner, this

section shall automatically be considered modified and amended in a like manner as necessary to remain in compliance with applicable laws.

Section 4. 2006 Amended to read: (a) Termination of Disability. For anyone who is a Qualified Disabled Resident and the disabling condition ends and the Qualified Disabled Resident does not otherwise qualify to reside in the dwelling under subsection (c), the Board of Directors of the Association (the "Board") may require the formerly disabled resident to cease residing in Kern City on receipt of six (6) months' written notice; the Board may, however, allow the person to remain a resident for up to one (1) year after the disabling condition ends.

(b) Termination of Occupant Rights of a Qualified Disabled Resident. The Board may take action to prohibit or terminate the occupancy by a person who is a Qualified Disabled Resident solely because of a disability if the Board, based on credible and objective evidence, finds that the person is likely to pose a significant threat to the health or safety of others that cannot be ameliorated by means of a reasonable accommodation; provided that the action to prohibit or terminate the occupancy may be taken only after satisfying each of the following conditions:

(i) The Board gives reasonable notice to and an opportunity to be heard for the disabled person whose occupancy is being challenged and reasonable notice to the co-resident parent or grandparent of that person; and

(ii) The Board gives due consideration to the relevant, credible, and objective information provided at the hearing. The evidence shall be taken and held in a confidential manner under a closed session by the Board to preserve the privacy of the affected person. The affected persons shall be entitled to have present at the hearing an attorney or any other person authorized by them to speak on their behalf or to assist them in the matter.

(c) Occupancy by a Permitted Healthcare Resident. A Permitted Healthcare Resident may occupy a dwelling during any period that the Permitted Healthcare Resident is actually providing live-in, long-term, or terminal healthcare to the Senior Citizen for compensation. Compensation shall include provisions of lodging and food in exchange for care. A Permitted Healthcare Resident shall be entitled to continue his or her residency if the Senior Citizen is absent from the dwelling on satisfaction of each of the following conditions:

(i) The Senior Citizen became absent owing to hospitalization or other necessary medical treatment and expects to return to the dwelling within ninety (90) days after the date the absence began; and

(ii) The absent Senior Citizen or an authorized person acting for the Senior Citizen submits a written request to the Board stating that the Senior Citizen desires that the Permitted Healthcare Resident be allowed to remain in order to be present when the Senior Citizen returns to reside in the dwelling.

Section 5. Temporary Residency. 2006 Amended to read: Nothing in this section shall prohibit the temporary residency of any person under age 55 as a guest of the Senior Citizen or Qualified Permanent Resident. "Temporary residency" shall mean occupancy of a dwelling for no more than sixty (60) days in any consecutive twelve (12)-month period.

Section 6. 2006 Removed in its entirety.

Section 7. 2006 Removed in its entirety.

ARTICLE II - PLACE OF BUSINESS

The place of business of the Kern City Civic Association is hereby fixed at its office in the Community Center in Kern City, County of Kern, State of California.

ARTICLE III - BOUNDARIES AND LIMITATIONS

Section 1. The area comprising Kern City is that portion of Section 3, T30 S, R 27 E outlined in red on the attached map which is hereby made a part of these By-Laws. This area when completely subdivided shall contain not less than one thousand (1,000) single occupancy houses, apartments or lots for such structures. All of the above is in accordance with the terms and conditions set forth in that certain agreement titled, "Transfer of Facilities Agreement", between Stockdale Development Corporation, et al, and Kern City Civic Association, effective November 1, 1968.

Section 2. Any further expansion of Kern City must be approved at an election called to consider such expansion, and two-thirds majority of those voting shall be required for approval of such expansion.

ARTICLE IV - MEMBERSHIP

Section 1. 2010 Deleted in its entirety and replaced with: Every owner of a subdivision interest (residence) in Kern City shall be a member of the Kern City Civic Association, and shall pay assessments as provided in these By-Laws and in the recorded lot restrictions.

Section 2. Voting Rights. Voting rights for such matters as may be subject to general membership vote shall be based on one vote per dwelling unit, to be cast by the owner(s) of that unit. Dwelling unit shall mean any individual home, condominium, or apartment.

Section 3. Suspensions, Monetary Penalties, Liens. 2006 Amended to read: The Association in its own name and on its own behalf, or on behalf of any owner who consents or in whose name an action is authorized to be prosecuted under these By-Laws, shall have the power to commence and maintain actions to collect monetary obligations, for damages or to restrain and enjoin any actual or threatened breach of any provision of the Declaration, the Articles, these Bylaws, the Rules or any resolutions of the Board (the "Governing Documents"), and to enforce by mandatory injunction, or otherwise, all of those provisions. The process to commence such actions shall be set forth in the Rules of the Association by the Board.

Section 4. Schedule of Monetary Penalties. 2006 Added to read: Before amending or repealing any schedule of monetary penalties for violation of the Governing Documents, or any procedure for the imposition of penalties, the Board shall provide the owners at least thirty (30) days' prior, written notice of such proposed action. The notice shall include the text of the proposed schedule or procedure and a description of its purpose and effect. The Board shall decide on any such proposed action at a Board meeting, after considering any comments made by the owners. Before exercising its power to assess monetary penalties, including any fee, on any owner for a violation of the Governing Documents, including any monetary penalty relating to the activities of an owner's guest or invitee, the Board shall adopt and distribute to each owner, by personal delivery or first-class mail, a schedule of the monetary penalties that may be assessed for those violations. The Board shall not be required to distribute any additional schedules of monetary penalties unless changes are made to the schedule that was adopted and distributed to the owners under this Section.

ARTICLE V - GOVERNING BODY.

The governing body of the Association shall be a seven-member Board of Directors elected from the membership by the members.

ARTICLE VI- AMENDMENTS TO THE BYLAWS

Section 1. Notice. 1975 Amended to read: proposals to amend the By-Laws shall first be studied and formulated by a committee appointed by the President of the Board of Directors. The proposed amendments shall then be approved by the Board of Directors

after which the proposed amendments may then be voted upon by the association Members at the election at the annual meeting. Notification and election procedure as set forth in Articles VI and VII of these By-Laws shall be followed.

Section 2. Voting. Amendments to the By-Laws, when voted upon by the membership at the annual election, will be said to be approved if a 2/3 majority of qualified members voting in said election cast ballots in favor of the amendment.

ARTICLE VII - ELECTIONS

Section 1. 1975 Amended to read: The term "Election" in these By-Laws means an election by secret ballot at the annual meeting of the Association Members, with a list of those eligible to vote available, and a register of those voting maintained. All such elections will be under the control of the Board of Directors and supervised and conducted by an Election Committee of three appointed by the President.

Section 2. Notice. 2010 Deleted in its entirety and replaced with: Notice of all items to be voted on at any election shall be mailed by first-class mail or delivered by the Association to every member not less than 30 days prior to the deadline for voting.

ARTICLE VIII - ANNUAL MEMBERSHIP MEETING

Section 1. 2010 Deleted in its entirety and replaced with: An annual meeting of the membership shall be held within the first fifteen days of November of each year in the Kern City Town Hall. At this meeting the order of business shall include: 1) A report of the activities and financial condition of the Association by the Board of Directors; 2) A report of the annual election results; and 3) Any other proper business of the Association.

Section 2. Special Meetings. Special meetings may be called by the President or the Board of Directors. A special meeting shall be called by the President on presentation to him of a written request for such a meeting signed by 50 members and stating the purpose for which the meeting is requested. Written notice of all special meetings shall be given the members. Notice for the purposes of such special meetings will be deemed to be made upon notice given either in person or by mail, addressed to the member at his or her address as it appears on the books of the corporation or as given by the member to the corporation for purpose of notice. If no such address appears or is given, notice may be given in a newspaper in the county in which the principal office is located.

Section 3. 1977 Amended to read: A quorum at any membership meeting shall consist of those eligible members present.

Section 4. Voting and Conduct of Meeting. 2010 Deleted in its entirety and replaced with: The most recent edition of Roberts Rules of Order shall govern the conduct of all meetings; provided that if any provision of Roberts Rules of Order is inconsistent with any provision of these Bylaws, the Bylaw provision shall apply.

Section 5. Recall of Officers or Directors. The members may recall any officer or director by the following procedure: A petition to recall setting forth the specific charges and reasons for the recall signed by a number of members (owners) equal to or greater than twenty-five (25) percent of the total subdivision interests within Kern City must be presented to the Board of Directors. The Directors shall then hold a public hearing so that all members may become familiar with the charges and the situation. If the petition is not withdrawn subsequent to the public hearing, the Board of Directors must hold an election within 30 days but not sooner than 20 days after the public hearing. If a two-thirds majority of those voting in the election are in favor of a recall, the officer or director shall be removed from office.

ARTICLE IX - DIRECTORS

Section 1. Powers. Subject to limitations of Articles of Incorporation or the By-Laws and Statutory Regulations, the Directors shall have the following powers:

(a) They shall elect from their membership a President and a Vice President. They shall also elect a Secretary and Treasurer. The office of Secretary and Treasurer may be held by one person.

(b) To authorize the issue of membership to such persons as shall be eligible for memberships as specified in the By-Laws.

(c) To execute the policies of the Association.

(d) Take control of and manage all assets of the Association.

(e) 1988 Amended to read: Supervise the finances of the Association. Prior to November 1, the Board of Directors shall establish a budget for the ensuing calendar year as provided by item number 6 under "Agreements" in the "Transfer of Facilities Agreement" effective November 1, 1968 between Stockdale Development Corporation and the Kern City Civic Association and shall determine the amount of assessments for the ensuing calendar year. The budget, prepared in detail, shall be available for review by the members (owners), at an appropriate time and place prior to, and at, the Annual Meeting. A pro forma operating budget shall be distributed by the Newsletter not less than 45 days nor more than 60 days prior to the beginning of the Association's fiscal year as provided in Civil Code Section 1365.

(f) 2010 Deleted in its entirety and replaced with: To have prepared every year, a review of the financial statement of the Association in accordance with generally accepted accounting principles by a licensee of the California Board of Accountancy, a copy of which shall be distributed to Association members within 120 days after the close of each year.

(g) To keep a record of their proceedings and make a report thereof at the annual meeting.

(h) To appoint such officers, employees, and committees as it may deem necessary with such powers and duties as it shall authorize or prescribe in accordance with these By-Laws. The Directors may employ, fix salaries of, and dismiss such paid employees as may be required in the conduct of the affairs of the Association.

(i) No elected officer or Members of the Board of Directors, however, shall receive any pay for his services to the Association. Such officers or Board members may, however, be reimbursed for necessary expenses incurred when transacting Association business.

(j) To initiate projects, for which money has been appropriated in the annual budget, provided the cost of such projects be within the budgeted amount. They may, however, transfer funds from one category to another within the budget, but shall not authorize expenditures in excess of the overall budget.

(k) To suspend membership privileges and the rights of any member if assessments shall not be paid before delinquency, and take actions leading to filing for record in the Office of the County Recorder a claim of a lien for delinquent assessments against the fee or lease-hold estate and improvements thereon owned by a delinquent member.

(l) To control, administer, and coordinate the use of the community facilities at Kern City.

(m) To create and enforce a policy manual governing the use of Kern City Community Facilities by individuals, clubs or other organizations.

(n) 1991 Amended to Read: In the absence of any specific provisions set forth in these By-Laws, the Board of Directors shall be empowered to act in their discretion in settling matters of operation, function and procedure, including monetary sanctions, providing such action is not prohibited by law or the statutes of governmental bodies and the provisions set forth in the Article of Incorporation and By-Laws of the Kern City Civic Association.

Section 2. Number, Tenure and Qualifications.

(a) 2016 Amended to Read: The Board of Directors shall consist of seven (7) members. The term of election shall be two years. On a rotational basis, three new board members shall be elected one and four the next. Each board member must be a resident member of the Kern City Civic Association as indicated in Article IV of these bylaws. Effective 2017 amended to add: If the number of applicants in good standing for the position of director is equal to or is less than the number of openings on the board of directors, an election need not be held and the applicants will fill the director positions at the appointed time via unanimous acclamation.

Effective January 2018: If the number of applicants in good standing for the position of director is equal to or is less than the number of openings on the board of directors, an election need not be held and the applicants will fill the director positions at the appointed time via unanimous acclamation.

(b) 2015 Amended to Read: A director may serve a second consecutive term if elected by members. A prior appointed partial term shall not count as a consecutive term, but a director who has served two consecutive terms shall not be elected by members to serve as a director for one year after the expiration of the second term. If a board position becomes vacant, a past member would be eligible to be appointed by the board to fulfill the unexpired term of the open seat.

(c) Amended effective January 2013: Directors must be "in good standing" meaning a resident member who is (i) current in the payment of his/her assessments (both regular and special), (ii) not having any outstanding unpaid fines, and (iii) not having any unresolved CC&R violations.

(d) Amended effective January 2013: Directors must not be a party in any legal proceeding against the association or its officers, directors or employees.

(e) A married couple, or a couple in a domestic partnership or living together may not serve on the Board of Directors at the same time.

ARTICLE X - NOMINATIONS AND ELECTIONS SUBSEQUENT TO ORGANIZATION REFERRED TO IN ARTICLE IX, SECTION 2, PARAGRAPH (a)

Section 1. Nominations. 2010 Deleted in its entirety and replaced with:

1. Nominations for election to the Board shall be made by any of the following methods:
 - a. By Nominating Committee. Forty-five (45) days prior to the Annual meeting the President shall appoint a committee to nominate candidates for the Board of Directors; or

- b. By Self-Nomination. Any qualified person may nominate himself or herself for election to the board of directors by submitting to the association a written statement signed and dated by the person nominating himself or herself. The association shall set a cut-off date for the receipt of self-nomination statements, which date shall be publicized in advance to the members.
2. No Nominations from the Floor. Nominations from the floor of a membership meeting shall not be allowed.
3. Nominations for election to the Board shall be announced in the Newsletter and to the Board of Directors not less than 10 days prior to the Kern City Annual meeting.
4. All matters relating to the interpretation and enforcement of this section shall be decided by the inspectors of election.

Section 2. Elections. 2011 Amended to Read: The election will be held as specified in Article VII of these By-Laws and the Election Rules of the Association. The names of nominees for the Board of Directors shall appear on the ballot and any other items deemed necessary by the Board of Directors. A majority of those voting shall constitute approval on any items requiring a "yes" or "no" vote, unless a different approval requirement is specified in the Articles of Incorporation, is specified in the CC&Rs, is specified elsewhere in these By-Laws, or is required by law. Board of Directors Members elected shall take office following the election at the first regular Board meeting in January to be held prior to January 15. At the beginning of the January Board meeting, an organizational meeting of the Board will be held. At this meeting, the seating of new directors will be made. The Board will elect new officers for the coming year at the same time.

Section 3. Vacancies.

(a) The office of a member of the Board of Directors may be vacated as provided in applicable statutes of the State of California.

(b) Vacancies on the Board of Directors created by death, resignation, loss of qualifications as an active member, or prolonged disability such as to render a Board member unable to perform his duties, shall be filled by action of the majority of the remaining Board members. Unexcused absence from three or more consecutive regular meetings of the Board may be considered grounds for disqualification. A member in

good standing appointed to fill a vacancy on the Board of Directors shall serve out the un-expired term of the Director he replaced.

Section 4. Directors Meetings.

(a) The time and place of meetings shall be determined by the Directors, but shall be held at least monthly and according to a schedule, which has been made known to members.

(b) A majority of Directors, including at least one officer, shall constitute a quorum.

ARTICLE XI- OFFICERS

Section 1. Officers. The officers of this Association shall be President, Vice President, Secretary and Treasurer.

Section 2. Bonding. 2009 amended to read: The President, Vice President, Secretary, and Treasurer of this Association, and such officers and employees having custody of or access to the funds of this association, shall be insured by a rider to the Association's insurance policy, in the form and in the amount as shall meet with the approval of the Board of Directors, the cost of which shall be paid by the Association.

Section 3. Election of Officers. The officers of the Association, shall be chosen annually by the Board and shall hold office until they shall resign, or shall be removed from office, or otherwise be disqualified to serve. Their successor shall be chosen by the remaining board members.

Section 4. Removal and Resignation.

(a) Any officer may be removed from office by the procedure previously prescribed in these By-Laws (Article VIII, Section 5).

(b) Any officer may resign at any time by giving written notice to the Board of Directors.

Section 5. President.

(a) It shall be the duty of the President to preside at all meetings and to enforce all rules and regulations relating to the administration of the Association. He shall be the chief administrative officer of the Association.

(b) The President shall call meetings of the Association or the Board of Directors when he deems it necessary or when requested to do so by the Board of Directors, or an Association meeting upon request signed by at least 50 members in good standing.

(c) The President shall appoint all committees and be an ex-officio member of these committees.

Section 6. Vice President. In the absence of the President or his inability to act, the Vice President shall have the powers prerogatives, and duties of the President.

Section 7. Secretary.

(a) The Secretary shall enter into proper books all resolutions and proceedings of the meetings of the Association and the Board of Directors.

(b) Carry on all correspondence relating to the Association as directed by the President and maintain the necessary files, issue all notices of meetings, and keep a register of members of the Association.

Section 8. Treasurer.

(a) 2009 amended to read: All monies received and disbursed by the Association shall be monitored by the Treasurer.

(b) All disbursements by the Association shall be by checks signed by any two persons who have been duly authorized by the Board of Directors to so sign. Only Directors and the employed Manager of the Association may be authorized to sign checks.

(c) 2009 amended to read: The Treasurer shall make a report of the Association's financial standing at each meeting of the Board of Directors and at each Association membership meeting.

(d) 2009 amended to read: The Treasurer shall submit the Association's financial records for the previous year by January 31 for an annual review and report.

(e), (f) and (g) 2009 removed in its entirety.

ARTICLE XII - STANDING COMMITTEES

Section 1. Committees. Standing Committees shall be appointed by the President and approved by the Board of Directors.

Section 2. Report. Standing Committees shall report fully to Association and Board of Directors meetings.

ARTICLE XIII - LIABILITY

Section 1. Indebtedness. Effective January 1, 2017. The highest amount of indebtedness or liability, direct or contingent, to which this Association shall be subject at any one time shall be One hundred thousand dollars (\$100,000).

Section 2. In the event that the Board of Directors declare than an emergency exists and that capital outlay in excess of the above noted \$25,000.00 limitation is necessary, said limitation may be increased at a special election to be called and conducted in accordance with the procedures set forth in Article VII of these By-Laws. A two-third majority of the eligible voters, in person or by proxy, will be necessary to approve such increase in limitation of indebtedness. Such increase in limitation of indebtedness or liability shall apply only to the proposition voted on at such election.

Section 3. Exemption. The private property of the incorporators, members, directors and officers of the Association shall be forever exempt from its debts and obligations, except for assessments against such persons for the operation and maintenance of the Association's facilities.

ARTICLE XIV - ASSESSMENTS 1988 Amended to read:

Section 1. Establishment. The amount of the assessments for each fiscal year starting on January 1, shall be set by the Board of Directors in accordance with the budget. Notwithstanding more restrictive limitations placed on the Board by the Governing Documents, the Board of Directors may impose a regular assessment that is not more than 20% greater than the regular assessment for the Association's preceding fiscal year, as governed by Civil Code Section 1366. Any increase greater than that established in this section must be in accordance with Civil Code Section 1366. Effective with fiscal year starting January 1, 1990, any subdivision unit (housing unit) that is sold to a new owner or rented to a new renter will be assessed as a double (2) occupancy.

Section 2. Payment.

- (a) Amended effective Jan 1, 2012: Billings become due January 1st of each year, **and/or** when **ownership and/or** occupancy changes occur during the year.
- (b) The owner of record of a subdivision interest (residence) in Kern City shall be responsible for assessments levied by the Board of Directors against such interest.

- (c) Added effective Jan 1, 2012: A property owner who acquired title either by foreclosure or by a deed in lieu of foreclosure is jointly and severally liable with the previous parcel owner for all unpaid HOA assessments that were due upon the transfer of title. This liability is without prejudice to any right the present owner may have to recover any amounts paid by the present owner from the previous owner.

Section 3. Delinquent Assessments. 2006 Amended to read: If such assessments are not paid by the member prior to delinquency, they shall bear interest per annum commencing thirty (30) days after such assessment is due in accordance with California Civil Code Section 1366. The Board of Directors, at its discretion may take any action as set forth in Article IV, Section 3 or otherwise as determined by the Board, including any action leading to the filing of a claim of lien as provided in Subdivision Lot Restrictions recorded in the County of Kern. If such claim of lien is filed, the Association shall have the right to foreclose the same in accordance with the provisions of the laws of the State of California then in effect. All expenses associated with collection of any delinquent assessment are collectible and payable by the legal owner plus a late charge fee as provided for in the California Civil Code.

ARTICLE XV - MAJORITY VOTE

Except as otherwise provided in the Articles of Incorporation as amended, and the By-Laws of this corporation, an affirmative vote of a majority of qualified members voting at any election or at any regular or special meeting, properly called, is required to pass or adopt any rule, motion, proposition or resolution.

KERN CITY CIVIC ASSOCIATION, INC., A NON PROFIT CORPORATION

I certify that this document, including the amendments incorporated, is correct.

Date: 1-10-2018

By: Donna K Tyner

Name: DONNA K Tyner

Title: Sec / Treas