

Prepared By: *Ret:*
G. Thiele, L. Stoner & L. Renoll
148 Williams Way
Lewes, DE 19958

Tax Map No. 3-34-18.00-38.00

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BK: 4444 PG: 68

BOOKHAMMER ESTATES HOMEOWNERS' ASSOCIATION, INC.

BY-LAWS

1ST AMENDMENT

BOOKHAMMER ESTATES HOMEOWNER'S ASSOCIATION, INC., herein after referred to as the "Association," whose principle address is 148 Williams Way, Lewes DE 19958, County of Sussex, hereby amends the BY-LAWS of the Association dated April 29, 2015, to include the following Special Resolutions and Special Assessments of the Bookhammer Estates.

**4390-4*

ARTICLE I

SPECIAL ASSESSMENTS – SAFETY AND WELFARE

These special assessments are pursuant to the DECLARATION OF RESTRICTIVE COVENANTS, CONDITIONS, EASEMENTS, and REMEDIAL CLAUSES FOR BOOKHAMMER ESTATES, dated, August 31, 2000, herein referred to as the "COVENANTS" and are executed according to the BY-LAWS for DIRECTORS OF THE BOOKHAMMER ESTATES and in accordance with Delaware law.

ARTICLE II

SAFETY AND WELFARE

SPECIAL ASSESSMENTS – EMERGENCY ROAD REPAIRS

Section 1: By a duly authorized act of the Board of Directors during a Special Assessments Meeting held on June 30, 2015, and with proper notice to and inclusion of all Association members, the Board of Directors did vote and approve the following Emergency Special Assessments for the purpose of emergency road repairs in an amount not to exceed twenty thousand dollars (\$20,000.) total per year, for three consecutive years. Resolutions and assessments as follows:

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- A. Each lot/property owner in Bookhammer Estates shall pay the sum of one thousand fifty dollars (\$1,050.) not later than August 12, 2015, for the purpose of emergency road repairs/paving.
- B. Each lot/property owner in Bookhammer Estates shall pay the sum of one thousand fifty dollars (\$1,050.) not later than June 1, 2016, for the purpose of emergency road repairs/paving.
- C. Each lot/property owner in Bookhammer Estates shall pay the sum of one thousand fifty dollars (\$1,050.) not later than June, 1, 2017, for the purpose of emergency road repairs/paving.

ARTICLE III

BY-LAWS ARTICLE VI, POWERS AND DUTIES OF THE BOARD OF DIRECTORS

By-Laws dated April 29, 2015 are amended to include the following restrictions:

BY-LAWS ARTICLE VI, Section 2. Duties: Add the following:

F. Notwithstanding the provisions of this Article VI, the power of the Board shall be limited by the following restrictions in accordance with Article 13.1 of the Restrictive Covenants:

4. The Board of Directors nor Committees representing the Board may hire at the expense of the Association persons, businesses, or agents to perform duties which would normally be expected of his or her position. However, this does not preclude the use of attorneys, tax consults, and or others whose expertise or abilities is required in the execution of any function of the Board or whose management assistance may be required on a temporary basis not to exceed ninety (90) days. The Board of Directors does not have the power to and cannot defer its role and responsibilities to a governing property management company.

5. In accordance with Article 13.1 of the Restrictive Covenants the Board of Directors is limited to three (3) Directors, all of whom must be lot owners and the Board does not have the power to increase the number of Directors. The Registered Agent for the Association must be a member of the Board of Directors. The Board of Directors, its committees as well as its attorney does not have the power to issue, buy, trade, or sell private stock of the Bookhammer Estates Association in any way, manner, shape, or form. And, notice is hereby given that any and all previous attempts to initiate the sale of private stock of the Bookhammer Estates Homeowner's Association is completely void and of no force or effect and that the property owners of the Bookhammer Estates Association did not vote to approve any such private sale of their

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Association and no future Board of Directors or their attorney can initiate the private sale of stock without the vote and consent of its Association members in the proper forum, which in the interpretation of the Bookhammer Estates Restrictive Covenants, would require a vote of the Association members to amend or change the Covenants under this provision. As the Board of Directors for Bookhammer Estates, we shall promulgate and enforce the restrictions as necessary to govern Bookhammer Estates as so directed in the Covenants which prevail over the By-Laws and Incorporation of the Association.

In the case of any conflict between the Articles of Incorporation and the Covenants, the Covenants shall control.

IN WITNESS WHEREOF, we being all of the Directors of Bookhammer Estates, Inc., have hereto set our hand this 8th of September, 2015 and verify as an official AFFIDAVIT of service that all property owners were given no less than 30 days to object or appeal these Special Assessments and all are pursuant to the Covenants of the Bookhammer Estates, the By-Laws of the Bookhammer Estates, and Delaware law, and there are no objections or appeals and nothing contained herein that would substantiate a violation of these governing documents.

Gary Thiele, President

Lewis Renoll, Vice President

Linda Stoner, Treasurer/Secretary

RECEIVED
Sep 09, 2015
ASSESSMENT DIVISION
OF SUSSEX COUNTY

Recorder of Deeds
Scott Dailey
Sep 09, 2015 03:19P
Sussex County
Doc. Surcharge Paid

Notary
Javaris Judson

State of Delaware
County of Sussex
Date: 09/08/15

