

BY-LAWS  
OF  
SKIFF'S LANE ROAD ASSOCIATION

Article I - NAME

The name of this Association shall be the Skiff's Lane Road Association.

Article II - PURPOSE

The purpose of this Association is to provide for the maintenance, upkeep and repair of the road system shown on Exhibit A, 'Sketch Plan Showing Jurisdiction of Skiff's Lane Road Association', so that reasonable and safe access over said roads will be available to the Proprietors and Owners of land abutting on the road system.

Article III - POWERS

To further the above purpose, this Association shall have the powers granted to Proprietors and Occupants of Private Ways by Sections 12 and 14 of Chapter 84 of the Massachusetts General Laws Annotated and the powers to take all action necessary or desirable to effectuate its purpose.

Article IV - MEMBERSHIP

The Association shall have one class of members who must be a Proprietor and Owner of land abutting on any portion of the road system.

Article V - VOTING

Each parcel of land abutting the road system carries one vote to be cast by the Proprietor (or Proprietors) at any meeting of the Association either in person or by proxy.

Article VI - MEETINGS OF MEMBERS

Section 1: Annual Meeting

An Annual Meeting of the Association for the purpose of electing officers, Committees, receiving reports and transacting other business shall be held in the Town of West Tisbury in August of each year. The place, date and time of the Meeting shall be fixed by the Clerk.

Section 2: Special Meetings

A Special Meeting of the Association may be called by any Officer of the Association. A Special Meeting of the Association must be called within fifteen (15) days by the Clerk if requested in writing by five (5) or more members.

Section 3: Notice of Meetings

Written notice stating the place, date and time of any meeting of the Association shall be delivered either personally or by mail to each member not less than fifteen (15) days before the date of such meeting.

Skiff's Lane Road Association

Article VI - MEETINGS OF MEMBERS

Section 4: Quorum

Ten (10) members of the Association present at any meeting shall constitute a quorum.

Article VII - OFFICERS

Section 1: The Officers of the Association shall be the Clerk, the Secretary, the Surveyor, and three (3) Assessors. Officers shall be elected each year at the Annual Meeting to serve for a term of one (1) year until the next Annual Meeting. No person shall hold more than one office.

Section 2: The Clerk shall preside at all meetings of the Association, shall exercise general supervision of the affairs and activities of the Association and shall serve as a member ex-officio of all committees. In addition, the Clerk shall receive all funds of the Association and perform all duties usually performed by a Treasurer of an association.

Section 3: The Secretary shall keep the minutes of all of the meetings of the Association which shall be an accurate and official record of all business transactions. The Secretary shall be custodian of all records of the Association other than the financial records which financial records shall be in the custody of the Clerk.

Section 4: The Surveyor shall periodically inspect the road system, shall report on the condition of the road and recommend to the Association members at Annual or Special meetings maintenance, repairs or upgrading of the road system.

Section 5: There shall be three (3) Assessors who shall, upon the determination by the Association of what repairs, maintenance and upkeep is necessary on the road system, determine the proportion of money or of labor and materials which is to be furnished by each member of the Association. They shall also perform all other duties required of Assessors by Section 14 of Chapter 84 of Massachusetts General Laws Annotated.

Section 6: Vacancies

A vacancy in any office, except that in the office of Clerk, for any reason, may be filled by the Clerk for an unexpired portion of the term. A vacancy in the office of the Clerk must be filled by the members of the Association at a Special Meeting duly called.

Article VIII - COMMITTEES

At any Annual or Special meeting of the Association, an Executive, Nominating or other Committee may be elected or its appointment authorized.

By-Laws

Skiff's Lane Road Association

Article IX - DUES

Section 1: Annual Dues

The amount of annual dues shall be fixed by the Clerk after consultation with the Surveyor and the Assessors as to the amount to be expended in the forthcoming year for the repair, maintenance and upkeep of the roads referred to in Article II above and and be payable upon the formation of the Association and thereafter on or before the next Annual Meeting.

Section 2: Payment of Dues

Notice of the amount of annual dues for the coming year shall be included in the Notice of the Annual Meeting.

Section 3: Special Assessments

Special Assessments for the required repairs to any of said private roads referred to in Article II above may be levied at any time on the members of the Association by the Clerk after consultation with the Surveyor and the Assessors.

Section 4: Nonpayment of dues and assessments

If the annual dues or special assessment is not paid within thirty (30) days after the date of the bill or within thirty (30) days of the date that the bill was mailed, whichever is later, the dues or assessment shall bear interest from the date of the bill at the rate of ten (10) per cent per annum and the said Officers, or any of them, may bring action in any court of competent jurisdiction against the owner personally obligated to pay the same or to foreclose the lien against the property, and there shall be added to the amount of such dues or assessment the costs of preparing and filing the complaint in such action, and, in the event a judgement is obtained as above provided, a reasonable attorney's fee to be fixed by the court, together with the other costs of the action.

The lien of the dues or assessments provided for shall herein be subordinate to the lien of any mortgage or mortgages now or hereafter placed upon the properties subject to assessment; provided, however, that such subordination shall apply only to the dues and assessments which have become due and payable prior to a sale or transfer of such property pursuant to a decree of foreclosure, or any other proceeding of similar import. Such sale or transfer shall not relieve such lot from liability for any dues or assessments thereafter becoming due, nor from the lien of any such subsequent assessment.

ARTICLE X - FISCAL YEAR

The fiscal year of the Association shall end on December 31 of each year.

Article XI - AMENDMENTS

Amendments to the By-Laws may be proposed by written petition of any officer or of any five (5) members of the Association. Any proposed amendment shall be distributed to all members of the Association by mail not less than fifteen (15) days prior to the date of the next Annual Meeting or of the Special Meeting called to consider the amendment. A proposed amendment shall become effective when approved by a vote of two-thirds (2/3s) of the members present at the meeting to which the amendment is presented.

Adopted January 6, 1987  
Amended August 27, 1989

Town, Mass. Oct 4, 1989  
9 o'clock and 30 minutes A.M.  
received and entered with D. ...  
book 528 page 446

*Thomas M. Britt*  
Thomas M. Britt  
Clerk

*Beverly W. King*  
Beverly W. King  
Register

*Wayne A. Sylvia*  
Wayne A. Sylvia  
Surveyor

COMMONWEALTH OF MASSACHUSETTS

DUKES COUNTY, SS. —

October 2, 1989

Then personally appeared the above named Thomas M. Britt and acknowledged the foregoing instrument to be his free act and deed, before me

*Maureen F. Healy*  
Maureen F. Healy  
Notary Public

My commission expires:

MAUREEN F. HEALY  
Notary Public  
My Commission Expires April 6, 1995

DUKES COUNTY, SS.

10/3 1989

Then personally appeared the above named Wayne A. Sylvia and acknowledged the foregoing instrument to be his free act and deed, before me

*Jose A. Letta*  
Jose A. Letta  
Notary Public

My commission expires:

10/31/94