

PATTON PARK, INC. CONSTITUTION & BY-LAWS

PREAMBLE: Whereas the Patton Lake Property Owners Association did accept full control and ownership of Patton Park, Inc. in November of 1978, the members of these two corporations now deem it advisable to combine into one organization. The newly formed corporation is made up of owners of real estate adjacent to Patton Lake. Having a considerable sum of money invested in our properties, we have a necessary and important interest in the maintenance, operation, rules, regulations, stocking of fish, and general management of the affairs of Patton Park area and the lake. We would also seek to promote a community spirit and make said Patton Park a wholesome and desirable recreation center for folks to enjoy. Therefore, it is resolved that this organization is formed to further these ends and we hereby ordain and establish this Constitution for Patton Park, Inc., and Patton Park Property Owners Association, pursuant to I. C. 23-17 as a mutual benefit corporation.

ARTICLE I: NAME

The name of this corporation shall be **Patton Park, Inc.**

ARTICLE II: PURPOSE

To an attempt to improve and maintain a high standard of conduct among the people utilizing Patton Lake and to establish rules and regulations concerning boating, fishing, swimming, camping, and the stocking of fish, and see that properties are maintained in a satisfactory manner.

ARTICLE III: MEMBERSHIP

- A. Members of this corporation must be property owners or contract purchasers in the subdivisions of: Patton Park, R. R. Kinton, Claude W. Moore I, Claude W. Moore II, Ernest Templin, Max Pollak, Max Pollak I and Max Pollak II, Neal I or II or live in the near vicinity of Patton Lake and have an interest in the maintenance and operation of Patton Lake. Eligibility in such respects is to be determined by the Board of Directors.

- B. All members must pay lake membership dues each year for the operation and maintenance of Patton Lake. Members who are current in all payments due Patton Park, Inc. have voting rights, lake privileges, and are considered to be in good standing. Members must be able to prove payment with membership card and boat sticker affixed to the right front side of boat or pontoon. Associate members must be sponsored by a property owner and approved by the Board of Directors. Associate members must sign a contract and follow the rules and regulations of Patton Park, Inc.
- C. When an owner of rental property and the tenants of one property use their lake privileges, an additional dues payment is to be paid. Owners will be responsible for the entire payment. In the best interest of the lake and members, short-term rentals defined as a rental contract for less than 3 months will no longer be permitted. The current hosts will be grandfathered in with the units they have and/or already disclosed. Once the host or their assigned manager no longer hosts the property then the property will no longer be grandfathered or eligible. They still have the right to fish, swim and use the lake from the members property and or dock. All boats, kayaks or other such must still have a boat sticker. The boat will have to be removed if not and or purchase a sticker at the current rate. Short-term rental that doesn't have an easement right of way through the park, that access the park grounds to swim, fish, hike or launch a boat with sticker, will be required to pay a day rate access charge currently at \$15. The user will be responsible for paying that day, but if not paid the owners will be responsible for the entire payment as tracked by gate log. Rates and/or modifications to this to be determined by the board of directors.
- D. Members may be expelled pursuant to the procedure of I.C. 23-17-8-2 as amended.
- E. The annual membership meeting shall be held on the second weekend in September.

Article IV: BOARD OF DIRECTORS

There shall be a Board of Directors composed of nine members. These nine members of the board shall represent three geographic areas: South (Cabins 1-45), Center (Cabins 46-92), North (Cabins 93-168), and shall be members in good standing of the corporation. They shall be elected at the September annual meeting of the membership. The two most recently elected board members from each section shall retain their seats on the board in that they will have two years and one year respectively remaining as their term. A third board member from each section shall be elected to fill out the nine-member board. In September, and at each annual meeting thereafter, the membership shall elect one board member from each section to serve a three-year term.

A. In the event of the death, resignation, removal, sale of property, and/or absence from three (3) regular board meetings (in a three-year term), a new board member from the same section will be appointed by the Board of Directors to fill out the remainder of the board members term in office. The members of their section, who are in good standing with the corporation, on the second weekend of September each year, shall elect the Board of Directors.

At the same general election, the newly formed board of Directors shall elect the officers; President, Vice-President, Secretary, and Treasurer, who will lead them for the next year. The term of the office for all officers shall be one year. Officers may serve consecutive terms in office if re-elected by the board.

B. Any and all board members, upon release of their duties, shall turn over ALL lake records, correspondence, etc. to the board. Any board member who is removed, (as enumerated ARTICLE IV, Subsections, F, G, & H), shall not be eligible to serve on the board again.

C. No board shall have the power to forgive any debt that is owed to Patton park, Inc. except upon the advice of the board's attorney in disputed litigation.

D. All board members shall abide by the same rules and regulations as all lake members.

E. Board members and officers shall be subject to removal at any time for the following reasons:

1. Misconduct or
2. Three absences from a regular board meeting in a three-year term; or
3. Not in good standing with the corporation.

F. Board members shall be removed by the board in the following manner, pursuant to procedure I.C.23-17-12-10.

1. A written, signed, and dated formal complaint must be filed with the board.
2. The accused must be allowed to answer to the complaint.
3. A special meeting must be held as per I.C. 23-17
4. Removal shall be by majority vote of the board of Directors.

G. Board members may be removed by the membership of Patton Park, Inc. pursuant to procedure I.C. 23-17-12-8. By a meeting of members called for the purposes of removing a board member, then a majority vote of the members of the section from which the board member was chosen, only for cause, as enumerated in ARTICLE IV, Subsection F.

H. In the event that a section does not have 3 elected board members for that section South, Center, or North, or after an election where no members have been voted in to fill a sections seat. Then the board of directors may elect to fill that seat by a board vote, with what will now be known as a Board Member at Large. This newly appointed board member can hold a seat for one year term and then must allow a member of that one section to possibly have a seat on the board if there is any openings set forth. In which case if no one steps up at the next election or there is still an opening, then the board may vote to add the same or a new Board Member at Large at such time.

I. This day of March 11th 2023, to relieve some power away from the Board of Directors that runs the corporation it has been decided in the best interest of all members that any Big or Major changes that would affect the membership such as changing to Conservancy, fully reopened to all Public, and or logging of Park Trees shall be sent out to the membership for a vote. (Only in an emergency shall trees be cut without the purposed change but never clear cut.) Once a Majority vote has been achieved by the membership, then said action may be voted on by the Board of Directors and then passed. **Because the voices of many out way the voices of few.** As to the trees, once some have been cut down then, the board must plan and put into action a reforestation plan and program for the trees. This section letter K added this day is the only section of the bylaws that can never be amended again here on out without sending out a full membership vote and majority approval (51%) of the members in good standing with the corporation to vote. When a vote is being requested to the membership on these said actions then the secretary or said person sending out the vote request must include a self-addressed stamped envelope addressed to Patton Park, Inc. to members so members can vote for said process without worries. Members need to vote and are allowed at least 30 days to respond. If a majority of responses of (51%) of members in good standing is achieved before then then said action may take place.

ARTICLE V: VOTING RIGHTS

There shall be one vote for each property owner or contract purchase who is a member in good standing of the corporation. Persons owning more than one tract will receive only one vote per paid dues and do not have voting rights for each additional tracts. In the event of joint ownership of property, only one vote will be allowed among the various joint owners. They shall decide among themselves how to cast their vote.

ARTICLE VI: DUTIES OF OFFICERS

A. President - The President shall preside at all meetings and conduct meetings according to the rules adopted by the corporation. He/she shall see that all members have a fair voice in the affairs of the corporation. He/she shall enforce due observance of this Constitution and By-laws. He/she shall sign all official documents of the corporation if action is approved and or needed for paperwork. The checks require 2 signers. He/she shall establish committees as the need may arise.

- B. Vice-President - The Vice-President shall assume all duties of the President in the event of his/her absence at any meeting or function of the corporation. The Vice-President will automatically assume the Presidency, and all presidential duties, in the event of the death, resignation, or valid removal of the President, in accordance with the By-laws.
- C. Secretary - The Secretary shall keep a record of all proceeding of the corporation, minutes of members and directors' meetings, and of all its function. He/she shall write all correspondence and communications. He/she shall notify all members in advance of all meetings and authenticate corporate records.
- D. Treasurer - The Treasurer shall receive all monies paid into the corporation and shall keep an account of all payments received and money disbursed. There must be two signatures on all checks, The President, Vice President, Treasurer, may all be one of the (2) signers on a check. The Treasurer shall keep records in filed method, and with QuickBooks and/or a compatible software program meeting in a proper bookkeeping method, in addition to the deposit logs and previously adopted cash handling policy. An audit will be conducted every two years by an outside CPA of the company finical records. The corporation must continue to carry the policy for bond/ theft insurance policy for the treasurer and other board members. The Treasurer will also maintain an accurate roster of membership along with the current due's status of all members.

ARTICLE VII: LAKE MEMBERSHIP DUES

- A. Fund shall be collected for the operation and maintenance of Patton Park, Inc. Yearly changes in these dues are determined and passed on by the Board of Directors after discussion with the membership.
- B. Lake membership dues and associate membership dues are due and payable by March 1st and past due April 1st. The only exception to this will be property owners who have signed a contract with Patton Park, Inc. to join in a payment agreement as set forth by the board. All dues shall be paid in full by December 31st or a lien will be filed with the county recorder. Members not current will also lose lake privileges and voting rights.
- C. Late Fees, Lien Fees, and Noncompliance fees or any other fees needed can be imposed as passed by the board and to be determined by the board of set amount.
- D. The Board of Director will determine the number associate membership allowed yearly.

- E. Any member appointed or elected to the board must be a member in good standing, as well as a property owner for at least one year on the date of nomination or appointment.

ARTICLE VIII: BOARD OF DIRECTOR'S MEETINGS

- A. Regular meetings will be held on the second weekend of March, May, July, September, and November at 1:00 p.m. at the clubhouse. The May board meeting will be held on the third weekend of the month due to Mother's Day. All members will be notified in advance of the day (Saturday or Sunday) of the meetings. The President, Vice-President, or a majority of the Board of Director may call special meetings as the need arises, with the giving of a two-day notice of the date, time, place and purpose of each such special meeting to the other board members.
- B. Meeting shall be conducted in the following manner:
1. Call to order
 2. Roll Call
 3. Secretary's Report - Reading & approval of minutes
 4. Treasurer's Report - Reading & approval of reports
 5. Old Business
 6. New Business
 7. Motion to Adjourn

ARTICLE IX: FUNDS & FINANCES

- A. Ordinary operating expenses are to be ratified after expenditure by vote of the Board of Directors, special expenditures of \$100 or more must have prior board approval.
- B. The Finance committee, (consisting of the President, Vice-President, and Treasurer), will prepare and present a budget at the November meeting which shall be considered, amended (if necessary), and adopted. The budget will then go into effect on January 1st of the following year. The fiscal year shall be January 1st to December 31st.
- C. Funds and property shall be used only for purposes specified by direct motion and vote of the Board of Directors. The funds are to be place in the bank in the name of Patton Park, Inc. with a sufficient amount to cover regular expense in a checking account and the balance to be place in savings or FDIC insured interest-bearing account.

ARTICLE X: AMENDMENTS TO THE BY-LAWS

Amendments to the By-laws shall be submitted in writing and must be passed by a majority of the Board of Directors present (if a quorum exists). A review of the By-Laws may be made every two years by a committee appointed by the President. The Board of Directors shall have the power to make, alter, amend, or repeal the By-laws at any time by the affirmative vote of a majority of the Board of Directors. Any change in the By-laws made by the board would become effective the day the majority of the board approved the change. At the meeting following a change, all property owners will be informed of any By-law changes. Members will be given the opportunity to confirm or disapprove of the change.

ARTICLE XI: SUSPENSION

Patton Park, Inc. shall suspend the voting rights, lake privileges, use of the clubhouse and common areas of any member for the period during which dues remain unpaid, and for a period not in excess of sixty days for any infraction of its published rules and regulations, pursuant to the procedure of fifteen days' notice as provided in I.C. 23-17-8-2 or automatically if member isn't in good standing until member is in good standings again

ARTICLE XII: RIGHTS & USE OF LAKE PROPERTY BY OWNERS

Ownership of any property in ARTICLE III, Subsection A, entitles the owner, members of their family, and invited guests (with written permission of owner), use of the lake, roads, drives, pass ways, freeways, easements and grounds of Patton Lake, as designated by the corporation, for fishing, boating, picnicking, camping, and recreation, subject to the rules and regulations of Patton Park, Inc. and upon payment of such dues as the corporation may fix. In the event of default or failure to pay the dues for said privileges, same shall become a lien upon the property and any improvement place thereon shall be subject to legal action by said corporation upon giving thirty days written notice to the member or successors and unless such default shall be cured with such thirty day period of notice all privileges shall be forfeited without notice further notice being expressly waived. The lien may include all sums owing as dues, reasonable attorney fees, costs of collection and recorder's fees as well as any Said liens may be foreclosed as mortgages, are, as provided by Indiana law. Any legal action that have to be taken by the corporation against a member for not following the Bylaws, Rules and regulations, nonpayment and or previously approved actions by the board, said member will be responsible for fees, reasonable attorney fees, and/or court cost to enforce said actions required. Owners of rental properties in Patton Park are to be held

responsible for the actions of their renters and the condition of the property.

Lake front property owners shall have full control of the shoreline and lake frontage between their property lines. No one else may build a dock that extends out in front of a property owners' shoreline, except by special permission of said owner. Fishing from a boat may be done in front of any property as long as it does not interfere with the property owners own fishing or swimming, No one should use a dock or swim area which does not belong to them without asking for and receiving written permission from the owners. The use of firearms for hunting or target practice is prohibited with five-hundred (500) Yards of the lake and under no circumstance allowed in any watercraft.

THIS REVISED CONSTITUTION AND BY-LAWS WAS ADOPTED AND APPROVED BY THE BOARD OF DIRECTORS OF PATTON PARK, INC. ON THE 14TH DAY OF JUNE, 2025



Shawn T. Cook President

ATTEST



Amber Himelick Secretary

STATE OF INDIANA)
) SS:
COUNTY OF Morgan)

Before me, a Notary Public in and for said County and State, Personally appeared President Shawn T. Cook, and Secretary Amber Himelick on Behalf of Patton Park, Inc. who acknowledged the execution of these foregoing Bylaws amendment, and who, having been duly sworn, stated that any representation therein contained are true.

Witnessed my hand and Notarial Seal, this 1st day of April, 2025

My Commission Expires:

Resident of _____

RESOLUTION OF
PATTON PARK, INC.

At a special meeting of the Board of Directors of Patton Park, Inc. held on the 14th day of June, 2025, the following Resolution was adopted.

"It is hereby resolved that the Patton Park, Inc. Constitution and By-Laws have been modified in so that the Constitution and By-Laws shall be amended and adopted and shall be in full force and effect hereafter upon execution by President, attest by Secretary and by the majority of the board according to our By-Laws Article X and although not required shall be recorded in the office of the Morgan County Recorder"

The foregoing Resolution shall be place in the records of Patton Park, Inc.

Dated: _____

Joseph Snedegar

Shawn T. Cook
President

Terry Stigall

Brad Ford

Amber Himelick
Secretary

Susanne Mittenthal

Emil Boritzki

Tim West

Gary Johnson