

**Whitewater Lake Fishing and Boating Club, Inc.**

**P. O. Box 266  
Salem, S. C. 29676**

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013829 Ref.

**BY-LAWS**



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**ARTICLE I  
NAME - PURPOSE**

Section I The name of this non-profit corporation, hereinafter referred to as "Whitewater Lake", is Whitewater Lake Fishing and Boating Club, Inc. with its headquarters or location at Salem, S.C

Section II The purpose of "Whitewater Lake" is to safely operate and maintain the lake properties it owns, including the dam and spillway, in order to provide for swimming, boating, fishing and the preservation of fish and water fowl for the benefit of members.

**ARTICLE II  
MEMBERSHIP**

Section I The membership in Whitewater Lake is limited to those property owners on and in the vicinity of Whitewater Lake where the original deed to the property contains covenants and restrictions granting lake rights. Said covenants and restrictions are indicated to be binding on "heirs and assigns forever" and thus may not be removed or added and stay with the property even though they often do not appear in subsequent deeds when properties transfer.

Section II The membership in Whitewater Lake is further limited to one vote per property owner, regardless of the amount of property owned.

Section III Prior to the first day of July of each year, each member shall pay annual dues in the amount determined by a vote of the membership at the prior year's annual meeting. Bills for said dues will be sent 4 to 6 weeks prior to the due date along with the notice of the date for the current year's annual meeting.

Members owning multiple adjoining undeveloped properties shall be billed for a single unit. Members owning multiple non-adjoining or multiple developed properties shall be billed for multiple units. Multi-family homes or multiple homes on a single lot shall be billed for multiple units.

Section IV Members shall be responsible for maintaining a current mailing address and phone number with the Secretary.

Members who are delinquent in the payment of annual dues shall have their privileges suspended until the current years dues are paid. In addition, dues not received by July 30<sup>th</sup>, the end of the 30 day grace period, will incur a late fee of \$15. Should payment not be received by August 31, an additional \$25 penalty will be due for a total late fee of \$40.

Any member whose dues remain unpaid after August 31 will be subject to due process in a court of law. Should it become necessary to take legal action, the defendant shall be responsible for any and all legal costs and expenses incurred by Whitewater Lake.

Section V Any tenant of a paid member, may exercise the privileges of that member, however it is the owners' responsibility to maintain the membership in good standing and see to it that the tenant conforms to all the rules and regulations of Whitewater Lake.

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Section VI Funds collected by Whitewater Lake shall only be used for the administration of the organization, to pay for the maintenance of the lake properties, the dam, the spillway, or for any other recommended programs or purposes deemed to be in the best interest of Whitewater Lake by the Board of Directors.

Special assessments necessary for any occasional major capital maintenance items may be levied by the Board of Directors as necessary, but only upon approval by a majority vote of the membership voting at a duly called meeting.

Section VII No funds or fees collected may be used to personally benefit any member of Whitewater Lake.

Section VIII All watercraft on Whitewater Lake must display a Whitewater Lake numbered registration decal. Said decals and the access key to the launch/ picnic area may be obtained only by members or their authorized tenants from the Secretary. Only watercraft registered with the Secretary by members shall receive a decal and are allowed on the lake. There will be no guest passes for watercraft. Each member household shall be entitled to one decal, if a watercraft is recorded with the Secretary, and one non-duplicable "key" with dues payment. Additional decals and "keys" may be purchased from the Secretary. Keys must be returned to the Secretary periodically in exchange for a new key when locks are updated. New keys will not be issued without the return of the old keys. A fee will be charged for each lost key.

Section IX Members shall obey all Lake Rules as published and revised from time to time by the Board and are responsible at all times for the behavior of their guests.

**ARTICLE III  
MEETINGS**

Section I The annual meeting of Whitewater Lake shall be held at a site on the lake property, as may be designated by the Board of Directors, on a date determined by that board, but no later than July 1st of each year.

Section II Special meetings may be called at any time by: a) the Board President or b) by petition of a simple majority of voting members. Members shall be given a minimum of 14 days notice to their last known mailing address on file with the Secretary.

Section III Any Board member or members can be removed by a two thirds majority vote of the voting membership at a duly called meeting when it is deemed to be in the best interest of Whitewater Lake that such removal be effected.

Section IV There shall be no requirement for a quorum at a general or special membership meeting of which proper notice has been given to the membership. All actions taken at such meetings shall be duly acted upon by the vote of the two thirds majority of those voting members present and voting.

Section V A quorum shall be necessary for actions by the Board of Directors, a quorum being a majority of the elected directors.

Section VI The fiscal year for Whitewater Lake shall be July 1 through June 30 of each year.

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**ARTICLE IV  
OFFICERS**

Section I The business of Whitewater Lake and the enforcement of the Lake Rules and Regulations shall be conducted by a Board of Directors. The Board of Directors will consist of not more than seven (7) members. The term of service for each director will be three (3) years. To serve as a Director, an individual must be a current "Member" as defined in Article II Sections I and IV. New Directors will be elected by a majority vote of the members present at the annual business meeting. Serving directors can be re-nominated and re-elected for additional three (3) year terms at the discretion of the members present and voting at the annual business meeting. To ensure continuity on the board no more than three (3) directors will be replaced in any year.

Section II The Directors, upon election, shall select from their number a President, Vice-President, and a Secretary/Treasurer, who shall perform the usual duties of their offices.

Section III Should a vacancy occur in the Board of Directors prior to 90 days of the Annual Meeting, the Board of Directors shall fill such vacancy from the membership by a majority vote of the Directors and the person selected shall serve until the next Annual Meeting. Should a Director cease to be a current "Member" as defined in Article II Sections I and IV, said Director shall immediately tender a resignation to the Board. The Board, at its option, may reject said resignation and request that said Director continue to allow for continuity on special projects. In no case shall said Director serve beyond the end of the next fiscal year. Any member elected or selected to replace said Director shall serve only the remaining portion of said Director's term or to the next Annual Meeting, whichever first occurs.

**ARTICLE V  
MANAGEMENT OF WHITEWATER LAKE**

Section I Whitewater Lake, through its Directors and Officers, shall hold title to the common Lake property. The Directors and Officers will formulate and promulgate such Lake Rules and Regulations as may be necessary and advisable for the operation, maintenance and control of said property and waters thereof to regulate fishing, swimming, boating and the use of the waters, including the propagation and preservation of fish and water fowl as may be deemed in the best interests of the members of Whitewater Lake. Such Rules and Regulations shall be published and declared to the members and any violation of such rules and regulations may be declared a forfeiture or suspension of any rights or privileges as a majority of the Board of Directors may determine.

Section II Members may not construct any bulkhead, dock, ramp, boathouse or similar structure at, on or into the lake without the written approval of the Board of Directors. Requests for construction must be submitted to the Board Secretary in writing no later than December 1<sup>st</sup> of each year. An explanation and a simple drawing which includes property lines must accompany the request. Said request will be presented to the Board and the member will be advised of Board response within 3 weeks of receipt.

In any case, no structure shall extend into the lake more than the lesser of a) 25 feet or b) 25% of the width of the waterway shore to shore. In addition, no structure shall extend beyond an owner's property lines and/or easements.

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**ARTICLE VI  
CHANGES OR AMENDMENTS TO BY-LAWS**

Section 1 The By-Laws as herein set forth may be changed or amended by the affirmative vote of two-thirds of the membership present at the Annual Meeting or any duly called meeting of Whitewater Lake.

**WHITEWATER LAKE DIRECTORS**

Witness 1 *Neil Anderson*

*Melvin White*  
**Melvin White, President**

Witness 2 *Diane B. White*

*Joyce Guidera*  
**Joyce Guidera, Secretary/Treasurer**

The State of South Carolina,

County of OCONEE,

Personally appeared before me *Neil Anderson* (Witness) who,

on oath, says that she saw the within named Whitewater Lake Fishing and Boating Club, Inc.

Directors, Melvin White, its President and Joyce Guidera, its Secretary/Treasurer sign the within

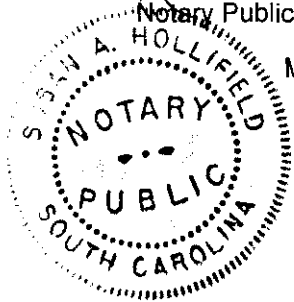
By-Laws, and said Corporation, by Said officers seal Said By-Laws, and, as its act and deed,

deliver the same, and that with *Diane B. White* (Witness) witnessed the

execution thereof. Sworn before me this 24th day of May, A.D. 2010.

*Susan A. Hollifield*  
Notary Public

*Diane B. White*  
Witness



MY COMMISSION EXPIRES APRIL 1, 2014

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