

**FOUR HILLS VILLAGE  
HOMEOWNERS' ASSOCIATION  
BYLAWS**

(As approved April 2, 2009)

**ARTICLE I — NAME AND BOUNDARIES**

Section 1. — Name: The name of the corporation shall be the Four Hills Village Homeowners' Association (hereinafter referred to as the Association).

Section 2: — Boundaries: The geographic boundaries of the Association shall include all properties on both sides of Warm Sands Drive and Hideaway Lane to the northerly lot lines of house numbers 1205 and 1208 on the northeast; the Manzano Open Space on the east; the Albuquerque City/Kirtland Air Force Base boundary on the south; all properties on both sides of Rio Arriba Avenue to the west lot lines of house numbers 700 and 701, Sea Biscuit Drive, Raton Avenue to the west lot line of house number 700, and Sagebrush Trail on the southwest; and all properties on both sides of Navarra Way, Via Posada to the west lot lines of house numbers 600 and 601, Owl Court, Accipitrine Court, Sparrow Hawk Court, Suzanne Lane, Stagecoach Road, and Warm Sands Court on the northwest.

**ARTICLE II — OBJECTIVES**

The objectives and purposes are the promotion and protection of all those things which would be helpful and necessary toward the betterment of the environmental and community welfare of the residents of Four Hills Village and Vista Four Hills, both additions to the City of Albuquerque.

**ARTICLE III — MEMBERS**

Section 1. — Membership: Membership in the Four Hills Homeowners' Association is open to all persons (18 years of age or older) residing within the boundaries of the association and to all persons (18 years of age or older) and legal entities owning property or having a place of business within the boundaries of the association.

Section 2. — Classification: There shall be two classes of membership:

- A. Active members shall be those persons who have paid dues for the current year.
- B. Associate members shall be those persons eligible to join this Association who have not become active members, that is, have not paid dues. Associate members may not vote or make motions.

Section 3. — Voting Members: Voting members shall be active members. Voting rights are limited to one vote per adult member, not to exceed two per household.

Section 4. — Dues: Annual dues per property shall be \$25.00, retroactive from January 1, 2009.

- A. For eligible members that were not members the previous year, and joining after June 30<sup>th</sup>, dues will be one half of the annual dues for the remainder of the calendar year.
- B. Dues may be changed by a recommendation of the Board of Directors and approved by a two-thirds vote at the annual or special meeting or by written mail-in ballot.

Section 5. — Income: None of the net income shall inure to the benefit of any of the members.

## ARTICLE IV OFFICERS

Section 1. — Officers:

A. The elected officers of the Association shall be a President, a Vice President, a Treasurer, a Secretary and up to ten Directors. These officers shall perform the duties prescribed by these Bylaws and the parliamentary authority adopted by the Association. Any officer or director shall be an active member of the Association.

B. The President may, with majority approval of the Board, appoint not more than four additional members to the Board of Directors.

Section 2. — Nominations: A nominating committee shall consist of three active members of the FHVHA knowledgeable of Board member requirements and provisions of the Bylaws. The committee shall be elected by the Board of Directors at the regular Board meeting or a special Board meeting in October. The nominating committee shall submit at least one name for each office to be filled. The purpose of the nominating committee is to develop a complete slate of best-qualified candidates to foster the goals of the Association for the next year. Active members who independently wish to serve shall announce their candidacy by informing the President during the months of October and November. Nominees and self-declared candidates may submit a summary of their qualifications, less than 100 words, to the President prior to December 1; all summaries shall be printed in the Winter edition of the official quarterly publication of the Association prior to the next immediate Annual Meeting. The report of the committee shall be printed in the official publication of the Association prior to the annual meeting. No name shall be placed in nomination without the consent of the nominee.

Section 3. — Election of Officers and Directors: Election of officers and directors shall be by mail in ballot distributed to active members in December for completion and return at least one week before the next immediate Annual Meeting, at which time the results of the election shall be announced. A majority mail in vote shall elect. Officers and directors shall assume their duties at the February Board meeting.

Section 4. — Term of Office: Officers and directors shall be elected for a term of one year or until their successors are elected. No elected officer or director shall serve more than three consecutive terms in the same office.

Section 5. — Vacancy in Office: A vacancy in the office of the President shall be filled by the Vice President. The vacancy thus created in the office of the Vice President and any other vacancy shall be filled by ballot vote of the Board of Directors.

Section 6. — Duties of Officers:

A. The President shall: (1) Be the chief executive officer of the Association. (2) Preside at all meetings of the Association and the Board of Directors. When authorized, execute documents in the name of the Association.

B. The Vice President shall: (1) During the absence, disability of, or failure to act by the President, fulfill the duties of the President. (2) Assume other duties assigned by the Bylaws and Standing Rules, or the President and the Board of Directors.

C. The Secretary shall: (1) Have custody of the seal, books and records of the Association. (2) Record the proceedings (minutes) of all meetings of the Association and the Board of Directors.

D. The Treasurer shall: (1) Be custodian of all funds, securities, property and books of accounts of the Association. (2) Be responsible for the collection of dues and the deposit of funds in a bank or banks approved by the Board of Directors. (3) Disburse allocated fund monies, other than budget

funds, only upon approval by a two-thirds vote of active members present at an Annual or Special meeting. (4) Submit a written financial report at each monthly meeting with a copy for each Board member. (5) Cause an audited annual financial statement of the previous year's income and expenditures to be published in the first newsletter of the new year.

E. Directors shall: (1) Perform all duties assigned to the office by these Bylaws and the Standing Rules (Rules of Procedure).

## ARTICLE V — MEETINGS

Section 1. — Annual Meeting: An annual meeting of the active membership will be held in January and shall be for the purpose of receiving the report of the President and for any other business that may arise. The time and place of the annual meeting shall be announced to each resident within the Association boundaries by mail, delivered handbills, newsletter, or conveniently posted sign.

Section 2. — Special Meetings: Special meetings shall be called by the President, the Board of Directors or upon the written request of fifty active members of the Association. The purpose of the meeting shall be stated in the call. Except in the case of an emergency, at least three (3) days notice shall be given.

Section 3. — Written Mail-in Ballot: When deemed appropriate by the Board of Directors and after proper notification, active members may vote by regular USPS or electronic mail on issues requiring action by the membership. Wherever “mail” is stated in these Bylaws, it shall be interpreted to include “e-mail” as an option when deemed appropriate by the Board of Directors.

Section 4. — Quorum: Those active members who attend the annual or any special meeting, provided that it is a stated meeting or one that has been properly called and advertised; or those active members voting by written mail-in ballot when it is deemed appropriate by the Board of Directors in lieu of conducting an annual or special meeting, shall constitute a quorum.

## ARTICLE VI — BOARD OF DIRECTORS

Section 1. — Composition: The elected officers of this Association, including the Directors, shall constitute the Board of Directors. The immediate Past President shall be an ex-officio member of the Board.

Section 2. — Duties:

A. The Board of Directors shall manage the affairs of the Association and may only act as a Board.

B. Establish allocated funds for: (1) Four Hills Road Landscaping. (2) Legal Affairs. (3) Internal Beautification and Manzano Open Space. (4) Any other allocated fund deemed necessary by the Board.

C. The Board is authorized to obligate funds up to \$6,000.00 to initiate legal action in order to protect the interest of the Four Hills neighborhood; however, the Board must arrange for a special membership meeting within 30 to 45 days to present the facts and request authorization to spend the funds necessary to complete the legal action.

D. The active membership of the Four Hills Village Homeowners' Association grants to the Board of Directors the authority to join in coalition or association with other neighborhood associations whenever the Board deems it would be in the best interest of the Four Hills neighborhood.

Section 3. — Meetings: Regular meetings of the Board shall be held monthly unless otherwise ordered by the Board. Special meetings of the Board may be called by the President and shall be called upon the

written request of three (3) members of the Board. Active members are welcome to observe any Board meeting; any active member desiring to address the Board should submit a written request to the President prior to the meeting.

Section 4. — Quorum: A quorum shall be five (5) members of the Board of Directors.

#### ARTICLE VII — DISSOLUTION

Upon dissolution of this Association, disposition of funds and other assets shall be in accordance with applicable State and Federal laws.

#### ARTICLE VIII — PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order shall govern the proceedings of the Association in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rule of order the Association may adopt.

#### ARTICLE IX — AMENDMENT OF BYLAWS

These Bylaws may be amended by a two-thirds vote, provided that notice of the amendment shall have been published in the official publication of the Association issued prior to the meeting. Suggestions from active members regarding the wording of proposed changes, revisions, or opposition shall be submitted in writing to the President at least seven (7) days prior to the annual or special meeting or written mail-in ballot at which time a vote on the proposed amendment(s) shall be taken.