

PART ONE: INTRODUCTION

FOREWORD

BYLAWS

AQUIA HARBOUR PROPERTY OWNERS ASSOCIATION, INC.

RESOLVED: That it is hereby declared to be in the best interest of the Association and its membership to incorporate into one document the Bylaws of the Aquia Harbour Property Owners Association, Inc. as adopted by the Board of Directors of the Association, Thursday, September 4, 1980, as ratified by the membership of the Association at the Annual meeting on October 18, 1980 and by addition and/or deletion the changes to same by the amendments which have been approved by the membership from time to time since the September 4, 1980 printing.

FURTHER RESOLVED: That this new set of Bylaws hereby adopted shall be for the regulation and management of the affairs of the Corporation and shall become effective this 15th day of October, 1988.

FURTHER RESOLVED: That this new printing of the Bylaws hereby approved shall continue to declare null and void and continue to rescind in toto those Bylaws and Code(s) of Regulations, so called, which may have been in existence from the inception of the Association September 4, 1980; and further, that such new set of Bylaws shall be the only Code of Rules under which the Association shall operate and shall exist until otherwise in the future amended or rescinded.

RESOLVED FURTHER: That this new set of Bylaws hereby adopted shall not impair the validity of the Rules and Regulations affecting the conduct for the use and enjoyment of individual amenities within the Subdivision and that all such Rules and Regulations shall remain in full force and effect until otherwise in the future amended or rescinded.

FURTHER RESOLVED: That this new set of Bylaws shall have, as a cover sheet, this resolution which shall display a verification by the Secretary with affirmation by the President of the Association the effective date of the adoption of these Bylaws, statement as to the exactness and completeness of the Bylaws as adopted, and then later amended, with all such amendments included in the retyping of same.

BYLAWS OF THE ASSOCIATION

AQUIA HARBOUR PROPERTY OWNERS ASSOCIATION, INC.

ARTICLE I
NAME AND LOCATION

SECTION 1. The name of the Virginia Non-Stock Corporation, formed pursuant to Chapter 2, Title 13.1 of the Code of Virginia, 1950, as amended, is AQUIA HARBOUR PROPERTY OWNERS ASSOCIATION, INC., hereafter referred to as "ASSOCIATION". The principal office of the Corporation shall be located in the Information Center at Aquia Harbour Subdivision, or at such other place as determined from time to time by resolution of the Board of Directors of the ASSOCIATION.

ARTICLE II
DEFINITIONS

SECTION 1. "ASSOCIATION" shall mean and refer to Aquia Harbour Property Owners Association, Inc., a Virginia Non-Stock Corporation, its successors or assigns.

SECTION 2. "SUBDIVISION" shall mean that certain parcel of real estate located in Aquia Magisterial District, Stafford County, Virginia consisting of approximately 1,942.8 acres, commonly known and designated as "Aquia Harbour Subdivision".

SECTION 3. "COMMON AREA" shall mean all real estate owned of record at any time, now and in the future, by the ASSOCIATION for the common and exclusive use and enjoyment of the active members of the ASSOCIATION and shall consist of the following, herein mentioned by way of illustration and not limitation:

- a. all roads
- b. golf course
- c. country club
- d. yacht club
- e. marina
- f. swimming pools
- g. tennis courts
- h. riding stables
- i. riding paths
- j. marshlands
- k. channels
- l. all land under Virginia Electric and Power Company easements
- m. entrance easement

COMMON AREA shall also include the real estate more fully described in and found in a certain Deed of Record from Freeman C. Marr, as Trustee recorded January 19, 1977, in the Clerk's Office of the Circuit Court of Stafford County, Virginia, in Deed Book 304 at Page 91.

SECTION 4. "LOT" shall mean and refer to any plot or parcel or real estate within the SUBDIVISION as shown and described on Plats of Survey recorded in the Clerk's Office of the Circuit Court of Stafford County, Virginia, in the following Plat Books and Page Numbers, LESS AND EXCEPT the COMMON AREA:

<u>PLAT BOOK</u>	<u>PAGE NUMBER</u>
4	17-20
4	37-38
4	63-66
4	67-68
4	69-84
4	160-162
4	169-174
4	175-178
4	179-180
5	1-2
5	3-5
5	6-26
5	59-60
5	78-92
6	49-56

SECTION 5. "OWNER" shall mean and refer to the record owner or contract owner, whether one or more persons or entities, of the fee simple title to any LOT within the SUBDIVISION but excluding those having such interest merely as security for the performance of an obligation.

One purchasing a LOT within the "SUBDIVISION" under a binding contract shall be considered an OWNER for purposes hereof.

SECTION 6. "SUBDIVIDED ACT" shall mean the Subdivided Land Sales Act of 1978, Title 55, Chapter 19, of the Virginia Code, 1950, as amended, Section 55-344, et seq., which became effective July 1, 1978.

SECTION 7. "MEMBER" shall be as described and defined in Article III of these Bylaws.

SECTION 8. "DEVELOPMENT" shall be synonymous with "SUBDIVISION".

SECTION 9. "AMENITY" shall mean those individual portions of the "COMMON AREA" provided the active MEMBERS for their use and enjoyment and shall consist of at least the following:

- a. all roads
- b. golf course
- c. country club
- d. yacht club
- e. marina
- f. swimming pools
- g. tennis courts
- h. riding stables
- i. riding paths
- j. marshlands
- k. channels
- l. all land under Virginia Electric and Power Company easements
- m. entrance easements

SECTION 10. "ACT" shall mean the Virginia Non-Stock Corporation Act, Title 13.1, Chapter 2 of the Virginia Code, 1950, as amended, Section 13.1-201 et. seq.

SECTION 11. "BOARD OF DIRECTORS" shall mean the group of persons vested with the management of the affairs of the ASSOCIATION irrespective of the name by which such group is designated.

SECTION 12. "DIRECTOR" shall mean a member of the BOARD OF DIRECTORS.

SECTION 13. "CORPORATION" shall be synonymous with ASSOCIATION.

SECTION 14. "ARTICLES OF INCORPORATION" means all documents constituting at any particular time, the charter of the ASSOCIATION. It includes the original charter issued by the State Corporation Commission of the Commonwealth of Virginia and all amendments including Certificates of Merger or Consolidation. It excludes documents prior in time to the latest Articles of Amendment, Merger or Consolidation which restate the Articles of Incorporation.

SECTION 15. "DEVELOPER" shall mean Aquia Harbour, Inc., a Virginia Corporation, its successors or assigns.

ARTICLE III CORPORATE SEAL

The seal of the ASSOCIATION shall have inscribed thereon the name of the Corporation and the County or City of its principal office. The seal may be used by printing, engraving, lithographing, stamping or otherwise making, placing, or affixing, or causing to be printed, engraved, lithographed,

stamped, or otherwise made, placed, or affixed upon any paper or document, by any process whatsoever, an impression, facsimile or other reproduction of said seal.

ARTICLE IV
FISCAL YEAR

The Fiscal Year of the Association shall begin on the first day of April of each year and shall end on the last day of March of the immediately succeeding year. The Board may adopt a short term fiscal year during the first year in which these Bylaws are in effect in order to effect an orderly transition and to achieve compliance with this Article. This will in no way alter the July 1st dues, fees and assessments collection date.

PART TWO: DIRECTORS

ARTICLE V
ELECTIONS

SECTION 1. Each year the BOARD OF DIRECTORS shall receive from the Nominating Committee a slate of nominations as described in Article XXIII of these By-laws.

No later than October 1st of each year the BOARD OF DIRECTORS shall have caused to be sent to each ACTIVE MEMBER of the ASSOCIATION, the following items relative to the then upcoming annual meeting:

1. Notice of the time and place of the upcoming annual meeting filed pursuant to Article XVIII hereof.
2. The resume' of all of the candidates for membership to the BOARD filed pursuant to Article XXIII.
3. An informative bulletin on the voting rights of the ACTIVE MEMBERS which bulletin shall detail how many votes such ACTIVE MEMBER has, and in what fashion the said number of votes may be cast.
4. A proxy statement which may be used by such ACTIVE MEMBER in the event he or she will be absent from the meeting. As each proxy is returned properly executed the same shall be turned over immediately upon receipt to the Holders of Election.

SECTION 2. At the annual meeting of the ACTIVE MEMBERS of the ASSOCIATION, the Chairman shall receive into nominations those persons filed pursuant to Article XXIII and shall also receive nominations from the floor, if same are seconded.

SECTION 3. No later than August 15th of each year the BOARD shall have appointed Two (2) Holders of Election who shall take and subscribe an oath to execute their duty as such satisfactorily, impartially and to the best of their ability. Thereupon, they shall receive any proxy

vote properly submitted prior to the time of the annual meeting and shall take charge of the polls at the annual meetings, and after the vote has been taken, shall make a certificate of the result thereof.

No DIRECTOR, officer or candidate for office shall be a Holder of Election. If there be a failure to appoint Holders or if any Holder appointed be absent or refuse to act or if his office becomes vacant, the President or Chairman of the meeting present may appoint Temporary Holders of Election.

ARTICLE VI RESPONSIBILITIES

SECTION 1. The BOARD OF DIRECTORS shall manage the affairs of the ASSOCIATION as authorized and directed by the ACT or the SUBDIVIDED ACT. Such affairs shall include those functions necessary to operate, maintain, and improve the AMENITIES, COMMON AREA and security force of the ASSOCIATION. The affairs of the ASSOCIATION shall not include the acquisition, management or maintenance of any other business, association, corporation or non-business activity which creates a financial commitment for the ASSOCIATION greater than \$1,000.00 without the approval of the ACTIVE MEMBERS.

The members of the BOARD shall not be responsible to the MEMBERS of the ASSOCIATION or the ASSOCIATION itself, in their failure individually or collectively to manage the affairs of the CORPORATION, when to do so would constitute a violation of any of the BY-LAWS.

Each DIRECTOR shall be of legal age and shall be at the time of his or her election an ACTIVE MEMBER in the ASSOCIATION and shall retain such active membership status throughout the full term of office. Failure to retain such active membership status, after being elected to the BOARD shall cause the immediate disqualification of such MEMBER from the BOARD with a vacancy resulting.

Each DIRECTOR shall be a citizen of the United States.

SECTION 2. The number of Directors of the Association shall be seven (7).

Those SEVEN Directors currently serving as the Members of the Board of Directors shall remain as such until their respective term of office expires.

Commencing at the next annual meeting (1996) of the active MEMBERS of the ASSOCIATION the number of new members of the Board of Directors shall be as follows: Three (3) new members of the BOARD OF DIRECTORS shall be elected for terms of three (3) years. In 1997, the ACTIVE MEMBERS shall elect two (2) new members for a three (3) year term. In 1998, the ACTIVE MEMBERS shall elect two (2) new members for a three (3) year term. This Three/Two/Two pattern shall continue for subsequent years. Each new Director shall take office on the date of his election which shall be no later than the fourth Tuesday in October and shall hold office for the said three (3) year term.

The number of DIRECTORS of the ASSOCIATION may be increased or decreased from time to time by amendment to these Bylaws, provided, however, that in no event shall the number of DIRECTORS of the ASSOCIATION be less than Three (3). No decrease in the DIRECTORS shall have the effect of shortening the term of any incumbent DIRECTOR.

There shall be no decrease in the Three (3) year term of office to be served by each DIRECTOR unless an amendment be made to the ARTICLES OF INCORPORATION shortening such term.

SECTION 3. RESIGNATION AND REMOVAL. Any elected Director may be removed from the Board, with or without cause, by a majority vote of the members of the Association present in person or represented by PROXY at a Special Meeting called for said purpose. The unexcused absence of an Elected Director from three regular meetings of the Board during a term year shall be deemed a resignation. Term year is the period from October through September. This vacated position may be filled as outlined in SECTION 4. An absence may be excused by a majority of the Board of Directors.

SECTION 4. Any vacancy occurring in the BOARD OF DIRECTORS may be filled by the affirmative vote of a majority of the remaining DIRECTORS though less than a quorum of the BOARD OF DIRECTORS, until the next annual meeting when the membership shall fill the vacancy. The candidates having the highest number of votes shall get the longest available terms, however.

This Section shall not apply to any existing member of the BOARD, regardless of the method said member used in obtaining such status.

SECTION 5. The BOARD OF DIRECTORS shall cause to be prepared an annual budget for each fiscal year, which is to be presented no later than the regularly scheduled March meeting for comment by the general membership. The proposed budget shall have been prepared by a person or persons directed to do so by the BOARD OF DIRECTORS, and shall be adopted by the BOARD OF DIRECTORS no later than at its regularly scheduled April meeting.

ARTICLE VII OFFICERS

SECTION 1. The officers of the ASSOCIATION shall consist of a President, Vice President, Secretary, Treasurer and Assistant Secretary.

The BOARD OF DIRECTORS may, by resolution duly adopted, add additional Vice Presidents and such other officers and assistant officers as it deems to be in the best interests of the ASSOCIATION.

No person shall hold more than one office.

The President, Vice President and Treasurer of the ASSOCIATION shall each be a DIRECTOR of the ASSOCIATION.

SECTION 2. The BOARD OF DIRECTORS as soon as practical after the conclusion of the annual meeting of the ACTIVE MEMBERS of the ASSOCIATION, shall elect the officers of the Corporation, each of whom shall, upon acceptance of his respective office, serve for the term of One (1) Year, or until his or her successor is elected and shall qualify.

SECTION 3. Any officer elected may be removed by the BOARD OF DIRECTORS whenever in its judgment the best interest of the ASSOCIATION will be served thereby. Any such removal shall be without prejudice to the recovery of damages for breach of contract rights, if any, of the person so removed. Election or appointment of an officer shall not of itself create contract rights.

SECTION 4. A vacancy in any office arising from any cause may be filled for the unexpired portion of the term by the BOARD OF DIRECTORS.

SECTION 5. The officers of the ASSOCIATION shall each have such power and duties as generally pertain to their respective offices, as well as such powers and duties as from time to time may be conferred by the BOARD OF DIRECTORS. The Vice President or Vice Presidents, the Assistant Secretary, or Assistant Secretaries, and the Assistant Treasurer or Assistant Treasurers, shall, in the order of their respective seniorities, in the absence or disability of the President, Secretary or Treasurer, respectively, perform the duties of such office and shall generally assist the President, Secretary or Treasurer, respectively.

SECTION 6. In addition to the powers enumerated in Section 5, the President shall preside at all meetings of the BOARD OF DIRECTORS, shall see that all orders and resolutions of the BOARD are carried out, shall sign all written instruments on behalf of the ASSOCIATION, and shall be an alternative co-signatory on all checks and promissory notes over amounts determined from time to time by the BOARD OF DIRECTORS.

The Vice President shall act in the place and stead of the President in case of his absence, inability or refusal to act and shall exercise and discharge such other duties as may be required of him by the BOARD.

The Secretary shall record the votes and keep the minutes of the meetings and proceedings of the BOARD and of the MEMBERS, keep the corporate seal of the ASSOCIATION and affix it on all papers requiring said seal, serve notice of meetings of the BOARD of the MEMBERS, keep appropriate current records showing the MEMBERS of the ASSOCIATION and their status and voting rights together with their addresses, and, shall perform such other duties as required by the BOARD.

The Treasurer or other officers designated by the BOARD shall receive and deposit in appropriate bank accounts all monies of the ASSOCIATION, shall disburse such funds as directed by resolution of the BOARD OF DIRECTORS, keep proper books of account, and shall cause an

annual audit of the ASSOCIATION'S books to be made by a public accountant at the completion of each fiscal year.

ARTICLE VIII
MEETINGS OF DIRECTORS

SECTION 1. Meetings of the BOARD OF DIRECTORS, regular or special, shall be held in Stafford County, Virginia, or in an adjoining city or county and upon such notice as these Bylaws prescribe.

Attendance of a DIRECTOR at any meeting shall constitute a waiver of notice of such meeting except where a DIRECTOR attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the BOARD OF DIRECTORS need be specified in the notice or waiver of notice of such meeting.

SECTION 2. A majority of the number of DIRECTORS shall constitute a quorum for the transaction of business.

The act of a majority of the DIRECTORS present at a meeting at which a quorum is present shall be the act of the BOARD OF DIRECTORS.

SECTION 3. Any action required to be taken at a meeting of the DIRECTORS of the ASSOCIATION, or any action which may be taken at a meeting of the DIRECTORS may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of DIRECTORS thereof entitled to vote with respect to the subject matter thereof.

Such consent shall have the same force and effect as a unanimous vote.

SECTION 4. Meetings of the BOARD OF DIRECTORS may be held at any time upon call of the President, a Vice President, Secretary or any three (3) or more DIRECTORS, by oral, telegraphic or written notice, given or mailed to each DIRECTOR of the ASSOCIATION not less than Two (2) days prior to such meeting, if the notice is given orally and Five (5) days if in writing.

If the notice hereof is mailed, such notice shall be deemed to be delivered when deposited in the United States mails addressed to the DIRECTOR at his address as it appears in the records of the ASSOCIATION, with postage thereon, prepaid.

Any resolution adopted at a meeting of the BOARD OF DIRECTORS which announces the date of the next meeting of the BOARD shall constitute due notice of such meeting, notwithstanding any other provision hereof.

SECTION 5. The BOARD OF DIRECTORS shall allow one-half hour at the beginning of each regular meeting for ACTIVE MEMBERS to speak on any subject so long as that MEMBER provides the Secretary within three hours prior to the meeting notice of his desire to speak.

ARTICLE IX
EXECUTIVE OR CLOSED MEETINGS

SECTION 1. Definitions. The following terms, whenever used or referred to in this Article, shall have the following meanings, respectively, unless a different meaning clearly appears from the context:

(a) "meeting" or "meetings" means the meetings, when sitting as a body or entity of at least Four (4) members of the BOARD OF DIRECTORS, whenever held, with or without minutes being taken, and whether or not votes are cast and after notice to each MEMBER is made in accordance with Article VIII.

(b) "official records" means all written or printed books, papers, letters, documents, maps and tapes, photographs, films, sound recordings, reports or other material, regardless of physical form or characteristics, prepared, owned, or in the possession of the BOARD OF DIRECTORS in the transaction of its business.

(c) "Executive meeting" or "closed meeting" means a meeting of the BOARD OF DIRECTORS from which the ACTIVE MEMBERS in the ASSOCIATION are excluded.

(d) "open meeting" or "public meeting" means a meeting of the BOARD OF DIRECTORS at which the ACTIVE MEMBERS in the ASSOCIATION may be present.

SECTION 2. Meetings to be Open. All meetings of the BOARD OF DIRECTORS of the ASSOCIATION shall be public and shall be held only after due notice thereof is given with a quorum present, pursuant to the terms as otherwise stated in these Bylaws; excepted from this requirement are Executive or Closed Meetings and meetings of the Executive Committee of the BOARD OF DIRECTORS. Official records shall be kept on the actions taken at such meetings in compliance with the other requirements of these Bylaws.

SECTION 3. Executive or Closed Meetings.

(A) Executive or Closed Meetings of the BOARD OF DIRECTORS of the ASSOCIATION may be held only for the following purposes:

(1) Discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplinary, resignation, or cancellation of contract of any officer, DIRECTOR, employee, appointees, or independent contractors of the ASSOCIATION.

(2) The protection of the privacy of individuals or the Developer in personal matters.

(3) Consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual or potential litigation, or other legal matters within the jurisdiction of the Association and the Board of Directors thereof and discussion or consideration of such matters, without the presence of counsel, staff, consultants, or attorneys.

(B) No meeting of the BOARD OF DIRECTORS shall become an Executive or Closed Meeting unless there shall have been recorded in open meeting an affirmative vote to that effect by the BOARD OF DIRECTORS holding such meeting, which motion shall state specifically the purpose or purposes hereinabove set forth in this Article which are to be the subject of such meeting and a statement included in the minutes of such meetings which shall make specific reference to the applicable exemption or exemptions. The BOARD OF DIRECTORS holding such an executive or closed meeting shall restrict its consideration of matters during the closed portions to only those purposes specifically exempted.

(C) No resolution, contract, regulation, decision, action or motion adopted, passed or agreed to in an executive or closed meeting shall become effective unless the BOARD OF DIRECTORS, following such meeting, reconvenes in open meeting and takes a vote of the membership of the BOARD on such resolution, contract, regulation, decision, action or motion.

PART THREE: GOVERNANCE

ARTICLE X BOARD POWER LIMITATIONS

The BOARD OF DIRECTORS shall not assign to any COMMITTEE, executive or otherwise, any of its authority or fiduciary responsibility. This ARTICLE shall be amended only by following the procedures described in these Bylaws.

ARTICLE XI BY-LAWS AND RULES AND REGULATIONS

These By-Laws rescind and declare void any prior By-Laws of the ASSOCIATION and Code of Regulations, so called. Henceforth, only these By-Laws shall be the By-Laws of the ASSOCIATION as well as the Rules and Regulations adopted by the ASSOCIATION for the conduct of the individual AMENITIES comprising the COMMON AREA. The Rules and Regulations shall be designated as such "AQUIA HARBOUR PROPERTY OWNERS ASSOCIATION, INC. RULES AND REGULATIONS PERTAINING TO _____" and only those Rules and Regulations adopted by the BOARD OF DIRECTORS of the ASSOCIATION shall be legally binding and enforceable against all members in the ASSOCIATION.

ARTICLE XII
HOW TO AMEND THE BYLAWS

SECTION 1. Only an ACTIVE MEMBER of the Association in good standing may propose an amendment to these Bylaws. The right to amend, delete or add to these Bylaws is the prerogative of the membership only. Neither the Board of Directors nor any instrumentality thereof, employed, elected or appointed shall arrogate this right while representing the Association. All proposed amendments shall be fully processed in accordance with these Bylaws.

SECTION 2. Any proposed amendment shall be submitted in writing to the BOARD OF DIRECTORS, together with a short statement, not to exceed 100 words, of the reasons for the proposed amendment. The BOARD OF DIRECTORS, at its next regular meeting, shall direct the entering of the fact of such receipt in the records of the corporation and forward the proposed amendment to the Bylaws Committee.

Only one (1) proposed amendment of any article of these Bylaws shall be submitted for a vote to the ACTIVE MEMBERS of the Association at one time. Should more than one proposal to amend the same Article of the Bylaws (or Section of a Bylaw) be made at the same time the differences SHALL be reconciled by the Bylaws Committee and then forwarded to the Board. Neither the Board nor any of its instrumentalities shall amend or otherwise change such proposal(s) without explicit approval of the author(s).

SECTION 3. The Bylaws Committee shall review the proposed amendment and the reasons adduced for its adoption. The Committee shall afford the proposer the opportunity to address the Committee on behalf of the proposed amendment.

The Board of Directors shall publish the proposed amendment in a publication with a general circulation within the Association and allow thirty (30) calendar days from the date of such publication for comments by the MEMBERS in good standing. Any such comments must be in writing and forwarded to the Bylaws Committee.

The Bylaws Committee shall hold a public hearing within ten (10) calendar days following the expiration of the thirty (30) day period for the purpose of discussion and questions with the ACTIVE MEMBERS who submitted comments. Such hearing date shall be included with the publication of the proposed amendment/s/.

SECTION 4. Within Fifteen (15) days after the hearing on the comments submitted by the MEMBERS in good standing, the Bylaws Committee shall submit its report thereon in writing to the BOARD OF DIRECTORS. Such report shall include (a) the proposed amendment, exactly as originally submitted by the proposer or as later amended with the proposer's consent; (b) the proposer's statement of the reasons for the proposed amendment; and (c) a recommendation for or against adoption of the proposed amendment and/or any suggested changes or alternatives thereto. In the event the Committee does not submit its report within Fifteen (15) days following the hearing on the proposed amendment/s/, the proposed amendment/s/ shall be submitted to the BOARD and the

procedures of Section 5 followed. Proposals to amend shall include the present language, proposed change and why the change is desirable.

SECTION 5. After receipt of the Bylaws Committee report, the BOARD OF DIRECTORS shall, not later than the second regular meeting (a) approve by majority vote the proposed amendment as originally submitted and submit it to all property owners with the next regularly scheduled mailing of the POA with a proxy for voting or (b) approve by majority vote a revised version of the amendment, submitting it to all property owners after a delay of 28 days with the next regularly scheduled mailing of the POA with a proxy for voting or (c) disapprove of any version of the amendment. In situation (b) or (c) above, the proposer of the amendment will be notified by the BOARD OF DIRECTORS that signatures of Fifty (50) active members in good standing, as of the date of rejection, are required within Twenty-eight (28) days of the rejection. If the required signatures are obtained, the proposed amendment shall be submitted along with the BOARD OF DIRECTORS version, if any, to all property owners with a proxy for voting at the next regularly scheduled mailing of the POA.

The proposed amendment(s) when mailed to the property owners shall be accompanied by the statement from the proposer of the rationale for the proposed amendment as cited in Section 2 above and an explanation of the effects of either approving or disapproving the amendment from the BOARD OF DIRECTORS. The mailing of the proxy shall state the time period by which the proxy must be received and the date of the meeting. The time period shall be not less than Fifteen (15) days nor more than Forty-five (45) days. The mailing set forth above shall constitute a calling for a meeting of the membership.

SECTION 6. All balloting shall be in accordance with Articles XVIII and V except for the allotted time. Lack of a quorum shall be considered as rejection of the proposed amendment by the membership.

SECTION 7. Upon the closing of the balloting at the meeting of the members, all returned proxies shall be voted and counted by the Holders of Election. If a quorum is established and a two-thirds majority of the votes are in favor of the amendment then the amendment shall be adopted and shall become effective immediately. The Holders of Election shall certify the results of the vote to the BOARD OF DIRECTORS, which shall direct the notification of all property owners of such results in the next regularly scheduled mailing to the POA.

ARTICLE XIII PARLIAMENTARY AUTHORITY

The rules contained in the latest edition of Roberts' Rules of Order shall govern the ASSOCIATION in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the ASSOCIATION may adopt.

PART FOUR: EXPENDITURES

ARTICLE XIV
RULES OF EXPENDITURES

SECTION 1: The BOARD OF DIRECTORS shall adopt an annual BUDGET as required of it in Article VI, Section 5. Once adopted for the applicable fiscal year, the BUDGET shall be the guideline under which all sources of funds are to be received by the CORPORATION and expenditures made thereby. Nothing shall preclude revisions being made in the budget so long as such revisions are made by the BOARD OF DIRECTORS only and at open and non-executive meetings thereof. The adopted or revised BUDGET shall give the President and Managers authority to spend money for those purposes and those amounts approved.

The Fiscal Year of the Association shall begin on the first day of April of each year and shall end on the last day of March of the immediately succeeding year. The Board may adopt a short term fiscal year during the first year in which these Bylaws are in effect in order to effect an orderly transition and to achieve compliance with this Article. This will in no way alter the July 1st dues, fees and assessments collection date.

SECTION 2: The BOARD OF DIRECTORS shall not cause the ASSOCIATION to have outstanding debts unapproved by the ACTIVE MEMBERS in the ASSOCIATION in an amount greater than Ten Percent (10%) of the total income collected during the prior fiscal year.

SECTION 3. Unbudgeted expenses are not authorized. Unbudgeted expenses are defined as:

(a) Any single item or group of related items which would cause the expenses of a major budget category (as defined by the BUDGET) to exceed the BUDGET approved or revised by the BOARD OF DIRECTORS by the end of the fiscal year.

(b) In addition, the following items are defined as unbudgeted unless specifically named and authorized in the approved or revised BUDGET.

(1) The purchase, lease or rental of any equipment where the consideration is greater than 2% of the total of the Major Budget Category from which the expenditure is to be made.

(2) The hiring of any person in a capacity other than on a casual basis at an hourly rate. The hiring of a person to fill or refill a budgeted position need not be approved again.

SECTION 4. The Amenity Managers and the Chief of Police, with the approval of the General Manager, shall each have authority to make adjustments among minor budget categories within a major budget category as long as the major budget category is not exceeded and any equipment or capital asset budgeted for is purchased or otherwise acquired.

Major budget categories shall be those as outlined and designated as such in the BUDGET as initially approved or revised and shall include but not be limited to: general expenses, office operations, roads and grounds, police and security, swimming pools, golf course, country club, yacht club, marina, stables, tennis court, and playgrounds.

SECTION 5. The Amenity Managers and the Chief of Police, with the approval of the General Manager, shall each have the authority to reprogram funds not exceeding, for a given fiscal year, a maximum of 2% of the total of the major budget categories under the jurisdiction of each of them, from or to any major budget category to other budget categories subject to their jurisdiction. Any such reprogramming shall be reported to the BOARD OF DIRECTORS at its next meeting.

SECTION 6. There shall be no waiver nor reduction of any amounts owned the ASSOCIATION, be they dues, assessments, fees, penalties, fines, bills for services or any other sums owed for any other reason, without the approval of the full BOARD.

SECTION 7. Notwithstanding any other provision outlined in this Article XIV, emergency expenditures are authorized to prevent a hazard to life or health or to prevent substantial damage to the AMENITIES, COMMON AREA or other capital assets of the CORPORATION; however, such expenditures shall not exceed the sum necessary to abate or remove the hazard or danger.

SECTION 8. The establishment of reserve funds is essential for the replacement of the ASSOCIATION'S assets (building, equipment etc.) as defined in the ASSOCIATION'S Finance and Accounting Policies. Accordingly:

(a) The BOARD OF DIRECTORS shall establish a Reserve Fund Account to be funded by not less than five percent (5%) of the funds received annually, from only the annual dues and assessments, as set by the BOARD OF DIRECTORS. When sufficient funds have been accumulated to cover the projected replacement cost of an asset, accumulation shall no longer be required for that particular asset.

(b) Such funds shall be allocated annually to each of the ASSOCIATION'S assets in an amount as designated in the annual budget for reserve purposes and in accordance with a professionally prepared life cycle cost analysis prepared by a professional firm that is certified by the Community Association Institute. Such life cost analysis shall be reviewed annually by the BOARD OF DIRECTORS and, if updated, such update shall be by a professional firm certified by the Community Association Institute. Such asset shall include the ASSOCIATION'S real property and equipment as identified by the General Manager and as approved by the BOARD OF DIRECTORS.

(c) The expenditure of funds from the Reserve Fund Account for any purpose other than as defined above shall require approval of not less than two-thirds (2/3) of the seven (7) member BOARD OF DIRECTORS at a regular or special meeting of the BOARD OF DIRECTORS followed by the approval of a simple majority of the votes entitled to be cast by the Active MEMBERS present or represented by proxy at a meeting at which a quorum is present.

(d) In an emergency involving public health and safety, funds from the Reserve Fund Account may be expended to prevent a hazard to life or health upon unanimous approval of not less than two-thirds (2/3) of the seven (7) member BOARD OF DIRECTORS at a regular or special meeting. However, such funds shall not exceed the sum necessary to abate or remove the hazard.

ARTICLE XV
PROCUREMENT – CONTRACTING/PURCHASING

SECTION 1. STANDARDS OF CONDUCT. Association business shall be conducted in a manner above reproach, with complete impartiality and with no preferential treatment. Transactions relating to the expenditure of Association funds require the highest degree of community trust and an impeccable standard of conduct. The general rule shall be to avoid any conflict of interest, or even the appearance of a conflict of interest, in Association-Contractor relationships.

SECTION 2. POLICY. It is the policy of the AHPOA Board of Directors to promote and provide for full and open competition in all procurements made for the AHPOA. Any contract or purchase order with a total value of five thousand dollars (\$5,000.00) or more in goods or services shall be made by using full and open competition.

SECTION 3. ADVERTISING. Any contract or purchase order with a total value five thousand dollars (\$5,000.00) or more shall be advertised in two or more methods i.e.: print, electronic, telephonic, to assure full and open competition.

SECTION 4. EXCEPTION. Should less than full and open competition for purchasing be required for a specific procurement, the Board of Directors in open session, shall authorize less than full and open competition only after a complete justification has been presented by the appropriate manager requesting such procurement exception.

PART FIVE: MEMBERS

ARTICLE XVI
MEMBERSHIP

SECTION 1. The Association shall have members.

"Each and every person who owns or is purchasing a lot or lots within the SUBDIVISION, or who occupies, under a lease agreement, a lot or lots within the SUBDIVISION, is, by virtue of such ownership, purchase, or occupancy, a MEMBER of the ASSOCIATION. Such MEMBER shall be classed as ACTIVE or INACTIVE, as defined in (a) and (b) below."

(a) ACTIVE MEMBERS shall consist of those persons who own, who are purchasing under a contract or purchase, or who occupy under a lease agreement a lot or lots within the SUBDIVISION and for which such lot or lots have been paid all annual dues of the ASSOCIATION, Statutory Maintenance Fees, special assessments and other charges, whether imposed or levied from time to time or as outlined in the Articles of Incorporation or these Bylaws.

ACTIVE MEMBERS shall also include the members of the immediate family of the LOT OWNER, PURCHASER, or LESSEE, so long as such OWNER, PURCHASER, or LESSEE retains the status of active member. For the purposes of this section, the term "immediate family" shall include:

- (1) the spouse;
- (2) the minor children;
- (3) the major children who reside in the primary residence of the OWNER, PURCHASER or LESSEE;
- (4) parents of the OWNER, PURCHASER or LESSEE, and the spouse of same, who resides in the primary residence of the OWNER, PURCHASER or LESSEE.

(b) INACTIVE MEMBER shall be any person, otherwise eligible for membership, who has been declared inactive for either (1) failure to pay when due all applicable charges, as outlined in Article XX or (2) failure to abide by these BY-LAWS or the Rules and Regulations of the ASSOCIATION as determined by the BOARD OF DIRECTORS.

SECTION 2. There may be HONORARY MEMBERS in the ASSOCIATION. HONORARY MEMBERS shall be such persons as may be appointed by the BOARD OF DIRECTORS, from time to time, who shall at such designation and for a determined time enjoy the rights similar to active membership; except, however, HONORARY MEMBERS shall have no voting rights, nor are they liable for dues, statutory maintenance fees, or special assessments.

SECTION 3. The ASSOCIATION may provide each ACTIVE MEMBER with an identification card or other similar form of identification which shall adequately disclose and state that such MEMBER is active and entitled to the full use and enjoyment of the AMENITIES comprising the COMMON AREA provided by the ASSOCIATION. Such card or other form shall remain the property of the ASSOCIATION and shall, upon request, be returned to the ASSOCIATION by said active MEMBER.

SECTION 4. Upon the event an ACTIVE MEMBER is declared an INACTIVE MEMBER by the ASSOCIATION for reasons herein stated in this Article XVI, the ASSOCIATION shall promptly notify such MEMBER in writing that his active membership is revoked stating with clarity the reasons for such revocation with notice to such member that the rights and privileges of the use and enjoyment of the COMMON area and AMENITIES comprising same are terminated until such time as such MEMBER reinstates his membership in the ASSOCIATION.

SECTION 5. Active Membership in the ASSOCIATION is non-transferable.

SECTION 6. The BOARD OF DIRECTORS may, by resolution, create such other classes of membership as it may see fit.

SECTION 7. Membership shall terminate upon the death, sale of the LOT for which an active membership certificate has been issued, or by revocation as herein provided by these Bylaws.

ARTICLE XVII
CERTIFICATES OF MEMBERSHIP

SECTION 1. The BOARD OF DIRECTORS shall issue to each ACTIVE MEMBER in the ASSOCIATION, for which such active membership period the said membership relates, a certificate of active membership in the ASSOCIATION. The BOARD OF DIRECTORS may from time to time prescribe the form and contents of any such certificate of membership which the ASSOCIATION shall issue.

SECTION 2. Only One (1) certificate of active membership need be issued by the ASSOCIATION to the LOT OWNER in the SUBDIVISION to which said active membership relates notwithstanding said active membership includes other people as outlined in Article XVI hereof; provided, however, that such certificate or the records of the ASSOCIATION provide the names of said other people. It shall be the responsibility of the ACTIVE MEMBERS in the ASSOCIATION who are LOT OWNERS in the SUBDIVISION to report and prove to the ASSOCIATION those other MEMBERS mentioned in Article XVI who are entitled to active membership status in the ASSOCIATION; otherwise, the ASSOCIATION shall be left in its discretion to deny any rights to such other MEMBERS until such time as the report and proof aforesaid are given.

SECTION 3. When a LOT in the SUBDIVISION is owned by two or more persons, only one membership certificate need be issued by the ASSOCIATION, either in the name of the joint owners or in the name of their appointee.

SECTION 4. When One (1) or more LOTS are owned by a corporation, only One (1) membership certificate shall be issued to an individual designated by the said corporation as the certificate holder. Such holder shall exercise exclusively all privileges of membership available to individual OWNERS of LOTS within the Aquia Harbour Subdivision. The name of the certificate holder shall be submitted in writing to the Secretary of the ASSOCIATION and be subject to change on Sixty (60) days advance written notice.

ARTICLE XVIII
MEETINGS OF ACTIVE MEMBERS - VOTING RIGHTS

SECTION 1. MEETINGS OF THE ACTIVE MEMBERS. Meetings of the ACTIVE MEMBERS shall take place in Stafford County, Virginia, or the adjoining city or county as may be provided in the notice of the meeting.

SECTION 2. ANNUAL MEETING OF THE ACTIVE MEMBERS. The Annual Meeting of the active MEMBERS of the ASSOCIATION shall be on the third Saturday in the month of October in each year, at the hour of 10:30 A.M. for the purpose of electing Directors and acting upon other business that may be properly brought before the said meeting. The meeting date may be changed to no earlier than the third Saturday in the month of September or no later than the fourth Saturday in the month of October, when it is determined by the Board of Directors that it is in the best interest of the ASSOCIATION to do so.

SECTION 3. Meetings of the ACTIVE MEMBERS may be called by the President of the ASSOCIATION or by the BOARD OF DIRECTORS. Meetings of the active MEMBERS may also be called by such other officers or persons or numbers or proportion of the active MEMBERS as may be provided in the Bylaws or ARTICLES OF INCORPORATION. A special meeting of MEMBERS may be called by active MEMBERS in number constituting a quorum of all the active MEMBERS of the ASSOCIATION.

SECTION 4. Written notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than Ten (10) nor more than Fifty (50) days before the date of the meeting (except as a different time specified below), either personally or by mail, (including setting forth the notice in any periodical published by the ASSOCIATION and given general circulation to all active members), by or at the direction of the President, or the Secretary, or the officers or persons calling the meeting to each MEMBER entitled to vote at such meeting. If mailed, or delivered personally, such notice shall be deemed to be delivered when deposited in the United States mail receptacle, addressed to the MEMBER at his address as it appears on the records of the ASSOCIATION, with postage thereon prepaid, or when delivery is made.

Notice of a MEMBER'S meeting to act on an amendment of the ARTICLES OF INCORPORATION or on a plan of merger or consolidation shall be delivered or published in the manner above, not less than Twenty-five (25) nor more than Fifty (50) days before the date of the meeting. Any such notice that is mailed shall be accompanied by a copy of the proposed amendment or plan of merger or consolidation or a summary thereof and any such notice that is published shall state that copies of the proposed articles of amendment or plan of merger or consolidation will be supplied to said MEMBERS on request. Notwithstanding any other provisions of these Bylaws, whenever any notice is required to be given to any MEMBER of any meeting for any purpose under the provisions of law, the ARTICLES OF INCORPORATION or these Bylaws, a waiver thereof in writing, signed by the MEMBER entitled to such notice, whether before or after the time stated therein, shall be equivalent to the giving of such notice.

A MEMBER who attends a meeting shall be deemed to have had timely and proper notice of the meeting, unless such MEMBER attends for the express purpose of objecting because the meeting is not lawfully called or convened.

SECTION 5. MEMBERS in the ASSOCIATION shall have those voting rights as are provided in the ARTICLES OF INCORPORATION for the ASSOCIATION, the ACT or the SUBDIVIDED ACT.

SECTION 6. Only MEMBERS in the ASSOCIATION who are active MEMBERS shall be entitled to vote, provided such active membership status exists at the time of said voting, and voting by said ACTIVE MEMBERS shall exist only on the following issues, to-wit:

- (a) the election of members to the BOARD OF DIRECTORS;

(b) such matters as are allowed by and outlined and detailed in the ACT, the SUBDIVIDED ACT or the ARTICLES OF INCORPORATION;

(c) any matter affecting the business and affairs of the corporation.

SECTION 7. On all issues where active MEMBERS are entitled to vote, each active MEMBER shall be entitled to cast one (1) vote for each LOT such MEMBER owns within the SUBDIVISION; provided, however, an association, corporation or partnership is entitled to only one (1) vote in any election or upon any issue regardless of the number of lots owned.

For purposes of voting, where a LOT within the SUBDIVISION is co-owned, the co-owners thereof shall designate a representative who shall be deemed the active MEMBERS of the ASSOCIATION and the one entitled to cast the One (1) vote; failure to make such designation shall destroy the validity of the vote to be cast.

SECTION 8. No elections may be conducted by mail.

SECTION 9. No cumulative voting shall be allowed.

SECTION 10. Twenty Percent (20%) of the total number of votes entitled to be cast at any meeting of the ACTIVE MEMBERS of the ASSOCIATION present in person or represented by written proxy shall constitute a quorum.

Unless otherwise provided by law or by the ARTICLES OF INCORPORATION of the ASSOCIATION, the vote of a majority of the votes entitled to be cast by the ACTIVE MEMBERS present or presented by proxy at a meeting at which a quorum is present shall be necessary for the adoption of any matter voted upon by said ACTIVE MEMBERS.

SECTION 11. At each annual meeting, the BOARD OF DIRECTORS shall present a report to the ACTIVE MEMBERS present.

Such written report shall state the major events affecting the DEVELOPMENT since the last annual meeting and shall present a written report of the financial condition of the ASSOCIATION, as shown by a Balance Sheet and Income Statement (prepared in accordance with generally accepted accounting principles), prepared as of the close of the fiscal year immediately preceding the date of the annual meeting.

SECTION 12. An ACTIVE MEMBER entitled to vote, as provided in the ARTICLES OF INCORPORATION for the ASSOCIATION, may vote in person or by proxy, unless otherwise provided in these Bylaws or the ARTICLES OF INCORPORATION.

Said proxy shall be executed in writing by the ACTIVE MEMBER or by his duly authorized Attorney-In-Fact; shall be valid only for the issue or issues set forth in the notice of the meeting for which the proxy is given; shall be valid only at such meeting or any continuation thereof; and shall expire upon the adjournment of such meeting.

Every proxy shall be revocable at the pleasure of the person executing it.

Proxies used by ACTIVE MEMBERS in the ASSOCIATION in the election of members to the BOARD OF DIRECTORS shall be addressed and directed to the Holders of Election.

SECTION 13. The President, or in his absence, the Vice President, of the ASSOCIATION shall preside over all meetings of the active MEMBERS. The Secretary, or in his absence, an Assistant Secretary, shall act as Secretary of all meetings.

If neither the President, Vice President or Secretary or Assistant Secretary be present, then the active MEMBERS shall choose a pro-tem official.

ARTICLE XIX COMMON AREA

SECTION 1. Each ACTIVE MEMBER in the ASSOCIATION shall be entitled to the full use and enjoyment of the COMMON AREA and AMENITIES comprising same within the DEVELOPMENT providing such use and enjoyment is consistent and in conformity with the Rules and Regulations and the ASSOCIATION published and in effect or as amended from time to time by the BOARD OF DIRECTORS or active membership and as such Rules and Regulations relate to a specific AMENITY.

SECTION 2. An INACTIVE MEMBER is not entitled to the use and enjoyment of any of the AMENITIES comprising the COMMON AREA and shall be exposed to all available remedies at law or equity employed by the ASSOCIATION for the illegal use of and trespass upon such COMMON AREA or any AMENITIES thereof, and may be denied access to said COMMON AREA or the AMENITIES thereof.

An INACTIVE MEMBER shall only be entitled to the immediate and most direct means of ingress and egress to the LOT he owns or is purchasing.

An INACTIVE MEMBER shall not be denied the use of the water and sewer facilities within the SUBDIVISION on account of his being an INACTIVE MEMBER.

An INACTIVE MEMBER shall not be entitled to guest privileges nor shall an inactive MEMBER be a guest of an ACTIVE MEMBER if the intent or effect in so doing shall be an evasion of these Bylaws or the Rules and Regulations of the ASSOCIATION.

A LOT OWNER, who previously was an ACTIVE MEMBER and who has been declared an INACTIVE MEMBER for failure to abide by these Bylaws, shall not be relieved of the continuing obligation to pay the charges assessed by the ASSOCIATION and as outlined in Article XX hereof.

SECTION 3. Only MEMBERS in the ASSOCIATION who possess a current membership card in the ASSOCIATION shall be entitled to use and enjoy the COMMON AREA and AMENITIES comprising same. Failure to possess or present to the proper designated persons of the ASSOCIATION such current membership card shall expose the MEMBER to the prohibition of the use and enjoyment of the COMMON area. It shall be the responsibility of the MEMBER to keep such card in his possession and to present same to the proper designated persons of the ASSOCIATION when requested.

The ASSOCIATION may issue to MEMBERS of the ASSOCIATION the above mentioned membership or identification card only if such MEMBER is deemed an ACTIVE MEMBER and further, that such MEMBER is current in the payment of all dues, special assessments and maintenance fees, and other charges of the ASSOCIATION then outstanding and enforceable against such member.

In no event shall the ASSOCIATION deny any MEMBER who does not possess a current membership or identification card the immediate and most direct vehicular means of ingress and egress to the LOT he owns or is purchasing; and further, such MEMBER shall not be denied the use of the water and sewer facilities within the SUBDIVISION on account of such MEMBER not having a current membership card. The denial of these rights shall only apply to MEMBERS declared inactive, and then only in accordance with the provisions of these Bylaws.

In no event shall a MEMBER of the ASSOCIATION who has failed to obtain his current membership card be entitled to guest privileges nor shall such MEMBER be a guest of an ACTIVE MEMBER if the intent or effect in so doing shall be the evasion of these Bylaws of the Rules and Regulations of the ASSOCIATION.

ARTICLE XX CHARGES

SECTION 1. Applicable to each LOT within the SUBDIVISION and to be paid by the beneficial or record owner thereof shall be the following charges, to-wit:

(a) Statutory Maintenance Fee: A fee applicable to each LOT within the DEVELOPMENT which is enabled and hereby established by virtue of the SUBDIVISION ACT, as amended, the said amendments having become effective July 1, 1980. The Statutory Maintenance Fee is an annual charge and shall be determined by the BOARD OF DIRECTORS; there is no maximum limit imposed hereby or by the SUBDIVIDED ACT on the amount of the Statutory Maintenance Fee. The proceeds of the Statutory Maintenance Fee shall be used solely for those AMENITIES situated within the DEVELOPMENT as defined in the SUBDIVIDED ACT or as allowed by such SUBDIVIDED ACT.

(b) Special Assessment: If found to be in the best interests of the corporation and in order to conserve the assets of the ASSOCIATION, and providing the terms and conditions imposed by the SUBDIVIDED ACT are complied with, the BOARD OF DIRECTORS may from time to time, and upon resolution adopted by it, charge the owner of each LOT in AQUIA

HARBOUR SUBDIVISION with a Special Assessment, which shall be in addition to the membership initiation fee, the annual dues, Statutory Maintenance Fee or any other charges imposed by the ASSOCIATION. Such resolution shall state the amount of the Special Assessment and shall state the last day on which such Special Assessment is due; provided, however, such LOT OWNER shall have a period of at least Forty-five (45) Calendar Days in which to make payment of the said Assessment.

Notification of the Special Assessment shall be given by the ASSOCIATION to each LOT OWNER within the DEVELOPMENT no later than Fourteen (14) business days after the adoption of the Resolution calling for the Special Assessment. For purposes thereof, the delivery of an invoice to each LOT OWNER shall be deemed sufficient notification.

The Forty-five (45) Day period allowed for payment and described above shall commence no sooner than the date of notification outlined above. No LOT OWNER shall be declared an inactive MEMBER for reasons of non-payment of the Special Assessment until such time as Three (3) Months have lapsed since the first date such Special Assessment became payable.

If, at a duly called and constituted meeting of all of the ACTIVE MEMBERS of the ASSOCIATION, a quorum being present, said meeting taking place within Thirty (30) Days after the conclusion of the Fourteen (14) Business Day period above described, there is passed by a vote of at least two-thirds of the LOT OWNERS present in person or represented by proxy, a resolution calling for the rescission or reduction of the Special Assessment, then said Assessment, or portion thereof shall become null and void and not collectible against any LOT OWNER. The provisions of Article XVIII (VI), Section 3 shall control as to the call for such Special Meeting herein provided for.

There shall be no similar Special Assessment made by the ASSOCIATION within a period of Six (6) Months from the date of the meeting of the LOT OWNERS provided at such meeting a rescission or reduction of a Special Assessment became effective.

Any monies paid by a LOT OWNER because of a Special Assessment subsequently rescinded or reduced pursuant to this section, shall be promptly refunded to said OWNER.

SECTION 2. Applicable to each MEMBER in the ASSOCIATION shall be the following charges, to-wit:

(a) Initiation Fee: Effective immediately, each applicant for active MEMBERSHIP in the ASSOCIATION shall pay, at the time of the submission of the application, an initiation fee of Seven Hundred Dollars (\$700.00). Such initiation fee shall be in addition to the annual dues, special assessments, Statutory Maintenance Fee or other charges.

The BOARD OF DIRECTORS may from time to time determine a different amount of initiation fee, and may waive same if determined to be in the best interests of the ASSOCIATION.

(b) Each MEMBER in the ASSOCIATION shall be subject to an annual charge of Sixty dollars (\$60.00), per LOT which shall be paid to the ASSOCIATION, its successors or assigns, annually on the 1st day of July, commencing in the year following the date of the contract to purchase. The amount of annual charge, as set forth in Covenant #7 and as affected by Covenant #9, shall be increased or decreased only with the written consent of at least two-thirds of the LOT owners within the ASSOCIATION; the covenants herein referred to shall be those as recorded in the Clerk's Office of the Circuit Court of the County of Stafford, Virginia, in Deed Book 4 at Page 64.

(c) Re-instatement Fee: Any MEMBER declared inactive pursuant to these Bylaws shall upon application for re-instatement of active membership status, pay to the ASSOCIATION a re-instatement fee of Twenty-five Dollars (\$25.00).

No INACTIVE MEMBER shall be declared an ACTIVE MEMBER, except as to a LOT OWNER making his first application for membership, unless the re-instatement fee is paid in full.

SECTION 3. The ASSOCIATION shall be entitled to impose a charge and/or a bond with penalty in a reasonable amount against a builder within the SUBDIVISION who is constructing on a LOT within the DEVELOPMENT a single family home. The BOARD OF DIRECTORS is authorized hereby to require that said bond be with surety.

Further, the ASSOCIATION shall be entitled to impose a charge and/or builder's fee in a reasonable amount against a builder within the SUBDIVISION who is constructing on a LOT within the DEVELOPMENT a single family home.

The amount of the bond or builder's fee shall be as determined by the BOARD OF DIRECTORS.

A builder shall not engage in any construction activities within the SUBDIVISION, until all fees herein imposed upon him are paid in full and maintained in the amounts herein stipulated. Further, a builder shall engage in construction activities within the SUBDIVISION only while he possesses the special license granted by the ASSOCIATION and described below.

Said builder, if not the OWNER of the LOT on which such home is being built, shall not be considered a guest of the LOT OWNER or purchaser on whose LOT said house is being constructed, but shall be entitled to ingress and egress to and from the DEVELOPMENT and the subject LOT under a special license granted only by the ASSOCIATION. This special license can only be issued so long as the said LOT OWNER or purchaser on whose LOT such residence is being built is an ACTIVE MEMBER of the ASSOCIATION and shall terminate upon completion of such residence or upon the said LOT OWNER or purchaser becoming an inactive MEMBER. Failure on the part of the builder and/or his employees, vendors, agents or subcontractors, to comply fully with the Rules and Regulations imposed by the ASSOCIATION for builders shall cause such builder to lose the special license of ingress and egress to and from the SUBDIVISION. It shall be the responsibility of the aforesaid LOT OWNER and the builder to see that said builder and/or his employees, vendors, agents and subcontractors comply with the said Rules and Regulations and neither the ASSOCIATION nor the DEVELOPER shall have any responsibility in this regards.

The said license hereby granted to a builder shall become effective only when the said LOT OWNER or purchaser on whose LOT the house to be constructed obtains a building permit from the County of Stafford, Virginia, has entered into a binding contract with such builder, and has commenced or is forthwith to commence construction of said residence and has paid in full the fees and posted all bonds required of said builder by this Article.

SECTION 4. Any person who occupies under a lease agreement between himself and the LOT OWNER, a LOT within the SUBDIVISION and said LOT OWNER is not in possession of the leased LOT jointly with the lessee, shall not be entitled to collect more than One (1) initiation fee per LOT under this Section in any one calendar year notwithstanding the number of lessees of the said LOT, provided there is no change in the ownership of such LOT.

The LOT OWNER shall not, during any period when the tenancy is valid and the said lessee is an ACTIVE MEMBER, enjoy any of the AMENITIES or COMMON AREAS available to LOT OWNERS who are ACTIVE MEMBERS, save a right of ingress and egress, unless the LOT OWNER or his tenant pays all charges as outlined in Article XX, Section 1, then in effect, and there is paid to the ASSOCIATION an additional sum of Two Hundred Dollars (\$200.00). A LOT OWNER who resides in his single family residence on a LOT within the SUBDIVISION shall not be subject to the additional charge of Two Hundred Dollars (\$200.00), but shall be subject to all applicable charges as outlined in Article XX.

The termination of the Lease Agreement between the lessee and the LOT OWNER shall cause a forfeiture of the lessee's membership in the ASSOCIATION. Until such time as such lessee becomes an active MEMBER in the ASSOCIATION, said lessee shall be an inactive MEMBER.

During such time the lessee is an INACTIVE MEMBER, the obligation to pay the charges imposed by these Bylaws shall be that of the LOT OWNER. Upon said lessee becoming an active MEMBER the responsibility of payment of the annual dues and other charges shall become also that of the lessee who, along with the LOT OWNER, shall be jointly and severally liable for the payment of all charges imposed during the tenancy by these Bylaws. The tenancy between the lessee and the LOT OWNER does not relieve or release the LOT OWNER from the obligation to make the payments imposed hereby.

SECTION 5. Nothing shall preclude the BOARD OF DIRECTORS from increasing or decreasing the amount of the fees outlined in these sections, the method upon which the same is determined, when such becomes due and payable, or upon such terms and conditions the same might be paid.

SECTION 6. Any LOT OWNER of a LOT located within Aquia Harbour SUBDIVISION who requests a recordable statement from the ASSOCIATION which sets forth the amount of unpaid regular or special assessments shall be required to pay therewith a sum of Fifteen Dollars (\$15.00) which sum shall be paid as a pre-requisite to the issuance of said statement. This obligation to pay said fee is pursuant to Section 55-344 of the SUBDIVIDED ACT, and the LOT

OWNER making such requests shall be bound by all the terms and conditions of such section in regards to the request therein allowed.

SECTION 7. Failure on the part of any member or LOT OWNER within the DEVELOPMENT to pay each, every and all of the charges, dues, fees or assessments imposed by this Article XX shall expose such LOT OWNER or MEMBER to any and all of the remedies available to the ASSOCIATION pursuant to the SUBDIVIDED ACT, which remedies shall include the placing of a lien of record against the LOT of the said OWNER or MEMBER, and the responsibility to pay all costs incurred by the ASSOCIATION in the enforcement of such lien.

ARTICLE XXI
RENTAL PROPERTIES

1. No person shall, at any one time, rent to others more than Five (5) improved lots.
2. For purposes of this article only, person is defined as an individual, partnership, corporation, governmental agency or government, business trust, estate, trust, unincorporated association, two or more of any of the foregoing having a joint or common interest, or any other legal or commercial entity.
3. The total number of improved lots rented to others by any person at any time shall be the sum of the number of improved lots rented to others by said person in said person's own right and the number of improved lots rented to others by any other entity described in paragraph 2 of this article in which entity said person has a fiduciary interest or a beneficial or proprietary interest greater than or equal to ten percent (10%).
4. The provisions of this article shall not bar a person, while acting exclusively in a representative capacity, from acting as agent in the rental of more than Five (5) improved lots to third parties in the ordinary course of the agent's business.

PART SIX: COMMITTEES

ARTICLE XXII
ARCHITECTURAL CONTROL COMMITTEE

SECTION 1. Created hereby is the Architectural Control Committee (ACC) which Committee shall have as its sole and only purposes, (1) the review of an application from a LOT OWNER for the construction on a LOT or LOTS within the SUBDIVISION, of a single family residence and (2) inspection to see that the construction of such single family residence complies with covenants of record and the plans approved.

Such application shall be comprised of at least two (2) sets of detailed plans and specifications for the single family residence to be constructed and shall be accompanied with an application for approval thereof and a sum to cover the administrative costs of processing the

application, as determined periodically by the BOARD OF DIRECTORS. The application shall contain such information and be in such form as determined by the ACC.

SECTION 2. Within Thirty (30) calendar days of the submission of the completed application, the ACC shall have reviewed same to see that the single family residence to be constructed complies with the covenants and restrictions of record affecting the construction of residences within the SUBDIVISION.

If the plans and specifications are approved, the ACC shall so signify same by stamping its approval on both sets of plans and specifications, signifying such approval date and executing the approval by either the Chairman or Vice Chairman of the ACC. One such set of plans and specifications shall be remitted to the applicant and the other kept with the records of the ASSOCIATION.

In the event the plans and specifications submitted are not approved, the reasons for their denial shall be with clarity stated in writing and returned forthwith to the applicant. The applicant shall then have Twenty-one (21) days to comply with the objections of the ACC or the application shall be deemed cancelled and an entire new application, with the sum required, shall be filed before a determination for approval can be made by the ACC.

SECTION 3. At least Two (2) members shall be members of the BOARD OF DIRECTORS of the ASSOCIATION and shall be as appointed by the BOARD OF DIRECTORS. Each member shall serve for the term of One (1) year or until his successor is appointed by the BOARD OF DIRECTORS and shall be an ACTIVE MEMBER in the ASSOCIATION for his entire tenure in office. Vacancies shall be filled by appointment from the BOARD OF DIRECTORS only.

A member of the ACC may be removed by the BOARD OF DIRECTORS for any good cause, and a vacancy thereby created shall forthwith be filled by the BOARD OF DIRECTORS. Consistent absenteeism from meetings of the ACC shall be deemed good cause for removal.

SECTION 4. The composition of the ACC, its function and duties shall also be detailed in the restrictive covenants of record in the Clerk's Office of the Circuit Court of Stafford County, Virginia and the terms hereof, where not inconsistent, shall be supplemental thereto. Any inconsistency shall be construed in favor of the restrictive covenants.

SECTION 5. A majority of the number of committee members shall constitute a quorum for the transaction of business. The act of the majority of the members present at the meeting at which a quorum is present shall be the act of the ACC.

SECTION 6. Meetings of the ACC shall take place as the need arises at a time published by the ACC, and shall be held at the principal office of the ASSOCIATION or at any published location within the DEVELOPMENT.

Any action required to be taken at a meeting of the ACC, or any action which may be taken at a meeting of the ACC, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all the members of the ACC. Such consent shall have the same force and effect as a unanimous vote.

Members of the ACC may participate in a meeting of such committee by means of a conference, telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation by such means shall constitute presence in person at such meeting.

SECTION 7. The members of the ACC shall elect a Chairman, a Vice Chairman and a Secretary of the Committee. The Chairman, or in his absence, the Vice Chairman, shall preside over all meetings. The Secretary of the ACC shall act as Secretary at all meetings. In the event the Chairman and Vice Chairman is absent or the Secretary is absent, the members shall choose a pro-tem official.

SECTION 8. The ACC shall keep correct and complete written minutes of its proceedings, which minutes shall be kept in bound form, properly executed by the Secretary of the meeting and approved by its Chairman, and kept at the principal office of the ASSOCIATION.

Such records may be inspected by any active MEMBER of the ASSOCIATION, or his agent or attorney, for any proper purpose at any reasonable time.

ARTICLE XXIII NOMINATING COMMITTEE

SECTION 1. The BOARD OF DIRECTORS of the ASSOCIATION shall, no later than the BOARD'S first meeting in April, appoint a Nominating Committee, which shall have as its sole and only purpose the establishment of procedures and times for acceptance of nominations for election to membership on the BOARD OF DIRECTORS, as well as making its own recommendations for said membership.

While the Nominating Committee shall have discretion in establishing the methods and time for the submission of nominations and the assimilation from and distribution of information to the active MEMBERS of the ASSOCIATION of such nominations, it shall comply with the following procedures and times, unless so changed by resolution of the BOARD OF DIRECTORS:

(a) It shall publish a resume of each nomination, which resume' shall be no more than one hundred (100) words in length, but not less than fifty (50) words in length.

(b) It shall accept nominations made by active MEMBERS of the ASSOCIATION, if such nominations are submitted with the written signature of 30 different LOT OWNERS who are active MEMBERS of the ASSOCIATION at the time of signing, up until September 1st of each year and shall publish a resume' of such nominations in accordance with (a) above. Failure on the

part of a nomination to be accompanied by the afore described signatures shall impose no responsibility on the said committee as herein detailed in this Subsection (b).

(c) It shall present to the BOARD OF DIRECTORS, no later than September 15th of each year, no less than one copy times the number of active MEMBERS in the ASSOCIATION as of September 1st of each year, plus 100, of the resumes as described in (a) above.

(d) It shall present to the annual meeting of the ACTIVE MEMBERS of the ASSOCIATION a report on its nominations for membership to the BOARD OF DIRECTORS.

(e) It shall file with the BOARD OF DIRECTORS, no later than September 1st of each year, a written report on the methods and procedures it employed in arriving at the nominations submitted for that year.

All procedures employed by the Nominating Committee for the elections then upcoming shall have been decided upon by the Nominating Committee and submitted in writing to the BOARD OF DIRECTORS for BOARD approval, no later than June 1st of the year in which the election is held.

SECTION 2. The Nominating Committee shall consist of Five (5) people, at least Two (2) of whom shall be members of the BOARD OF DIRECTORS of the ASSOCIATION, which Five (5) members shall be appointed by the BOARD OF DIRECTORS. No DIRECTOR on the Committee shall be nominated for membership to the BOARD OF DIRECTORS for the same year said DIRECTOR is on such Committee. Each member shall be an ACTIVE MEMBER in the ASSOCIATION for his entire tenure in office and shall serve for the term of One (1) Year or until his successor is appointed by the BOARD OF DIRECTORS.

Vacancies shall be filled by appointment by the BOARD OF DIRECTORS only.

SECTION 3. A majority of the members of the Nominating Committee shall constitute a quorum for the transaction of business. The act of the majority of the members present at a meeting at which a quorum is present shall be the act of the Nominating Committee.

SECTION 4. Meetings of the Nominating Committee shall take place as the need arises to fulfill the purposes for which it is created; however, there shall be no less than two (2) meetings held by the said Committee whereby at least a Ten (10) day prior notice thereof is published in the newsletter of the ASSOCIATION. The purpose of the prior notice and its publication being imposed on the Committee and the requirement of at least two (2) meetings about which the notice requirement relates is to provide the ACTIVE MEMBERS of the ASSOCIATION with an opportunity to attend such meetings.

Subject to the provisions of the immediate proceeding paragraph, any action required to be taken at a meeting of the Nominating Committee, or any action which may be taken at a meeting of said Committee, may be taken without a meeting if a consent in writing setting forth the action so

taken, shall be signed by all the members of such Committee. Such consent shall have the same force and effect as a unanimous vote.

Members of the Nominating Committee may participate in a meeting of such Committee by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation by such means shall constitute presence in person at such meeting.

SECTION 5. The members of the Nominating Committee shall elect a Chairman, a Vice Chairman and a Secretary of the Committee. The Chairman, or in his absence, the Vice Chairman shall preside over all meetings. The Secretary of the Nominating Committee shall act as Secretary of all meetings. In the event the Chairman or Vice Chairman is absent or the Secretary is absent, the members shall choose a pro-tem official.

SECTION 6. The Nominating Committee shall keep correct and complete written minutes of its proceedings, which minutes shall be kept in a bound form, properly executed by the Secretary of the meeting, and approved by its Chairman, and kept at the principal office of the ASSOCIATION.

Such records may be inspected by any active MEMBER of the ASSOCIATION, or his agent or attorney for any proper purpose at any reasonable time.

ARTICLE XXIV
AQUIA LEGAL COMPLIANCE COMMITTEE

SECTION 1. Created hereby is the Aquia Legal Compliance Committee (ALCC) which Committee shall have as its sole purpose the enforcement of the Rules and Regulations adopted by the BOARD OF DIRECTORS of the ASSOCIATION and, where not otherwise vested in another committee of the ASSOCIATION, the restrictive covenants of record in the Clerk's Office of the Circuit Court of Stafford County, Virginia, in Plat Book 4, Page 64, as such Rules and Regulations, and Restrictions and Covenants apply to the entire SUBDIVISION and the use and enjoyment of each LOT and the COMMON AREA (and the AMENITIES comprising same) within the DEVELOPMENT, by anyone, whether an active or inactive MEMBER, a guest thereof, the DEVELOPER, builder or contractor.

SECTION 2. The ALCC shall consist of Five (5) members at least two of which shall be members of the BOARD OF DIRECTORS of the Association, all of which shall be appointed by the BOARD OF DIRECTORS. Each member shall serve for a term of One (1) year, or until his successor is appointed by the BOARD OF DIRECTORS and shall be an ACTIVE MEMBER in the ASSOCIATION for his entire tenure in office, and be no less than Twenty-one (21) years of age. Vacancies shall be filled by the BOARD OF DIRECTORS.

SECTION 3. A majority of the number of ALCC committee members shall constitute a quorum for the transaction of business. The act of the majority of the members present at the meeting at which a quorum is present shall be the act of the ALCC.

SECTION 4. Regular meetings or hearings of the ALCC shall take place at a time published by the ALCC. More frequent Special Meetings or hearings shall be held if needed to accomplish the purposes for which the Committee is created; provided, that no special meeting or hearing shall take place without Three (3) Days notice thereof being given.

Notice of special meetings or hearings shall be given by the publication thereof at the Gate House, Harbour Inn and principal office of the ASSOCIATION, as well as the official newsletter of the ASSOCIATION, if possible. Notice of regular meetings or hearings shall be by the publication thereof at the principal office of the ASSOCIATION. All meetings or hearings of the ALCC shall be held at the principal office of the ASSOCIATION.

If the purpose of any meeting or hearing is to act on a violation, the accused violator shall be given notice of such meeting no less than Seventy-two (72) hours prior thereto.

Any action required to be taken at a meeting of the ALCC or any action which may be taken at a meeting of the ALCC, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all the members of the ALCC. Such consent shall have the same force and effect as a unanimous vote.

Members of the ALCC may participate in a meeting of such Committee by means of a conference, telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation by such means shall constitute presence in person at such meeting.

SECTION 5. The members of the ALCC shall elect a Chairman, a Vice Chairman and a Secretary of the Committee. The Secretary need not be a member of the Committee. The Chairman or in his absence the Vice Chairman, shall preside over all meetings. In the event the Chairman and Vice Chairman are absent or the Secretary is absent, the members shall choose a pro-tem official.

SECTION 6. The ALCC shall keep correct and complete written minutes of all of its proceedings and hearings which minutes shall be kept in bound form, properly executed by the Secretary of the meeting and approved by its Chairman, and kept at the principal office of the ASSOCIATION.

Such records may be inspected by any ACTIVE MEMBER of the ASSOCIATION, or his agent or attorney, for any proper purpose at any reasonable time.

SECTION 7. The ALCC shall adopt such procedures as are necessary to accomplish the intents and purposes for which it is created, but in no event shall such procedures take effect any sooner than Thirty (30) days from the adoption thereof and in no event shall such procedures vary, alter or contradict the enforcement procedures herein listed in this Article VVIV of these Bylaws. Any new procedure adopted by the ALCC shall be published in the ASSOCIATION'S official publication, which publication shall include the effective date of such new procedure, as well as being posted in the principal office of the ASSOCIATION.

The procedures which are to be followed by the ALCC and which are subject to change only by the BOARD OF DIRECTORS are as follows, to-wit:

1. All complaints in respect to a violation of any of the Rules and Regulations or Restrictive Covenants of record shall be made in writing to the General Manager of the ASSOCIATION. Nothing shall preclude any of the Aquia Harbour Property Owners Association's General Manager, the Amenity Managers, or the Chief of Police from initiating a complaint.

2. Upon the General Manager receiving a written complaint from anyone in respect to a violation of any of the recorded Restrictive Covenants or the Rules and Regulations duly adopted by the BOARD OF DIRECTORS (and as amended from time to time by such BOARD), which violation affects the SUBDIVISION, any LOT, or the COMMON AREA (or any AMENITY comprising such COMMON AREA) which compromise the DEVELOPMENT, the General Manager shall notify the accused in writing of the alleged violation explaining it in detail and seeking voluntary compliance and correction of the violation within a period not exceeding Ten (10) Days from such notice.

3. At the conclusion of the period allotted for correction, the Code Violations Officer, or in his absence a member of the Aquia Harbour Police Force, shall view the violation to see whether such violations has been corrected or not. The reviewing Code Violations Officer, or the Police Officer, shall make his certificate on a copy of the notice sent by the General Manager returning same forthwith to the General Manager.

4. If the return shows the violation to be corrected, the matter shall be concluded with the General Manager so notifying the violator of this fact.

5. If the certificate on the notice shows the violation to still be outstanding, the Administrative Manager shall forthwith forward the notice with the certificate constituting a part thereof as well as all other written documents constituting the record of the matter to the Chairman of the ALCC.

6. Upon the ALCC receiving the notice and record aforesaid, it shall forthwith notify the accused violator in writing of the accusation.

7. In this notice of violation the ALCC shall advise the violator that he or she has the opportunity to appear at a date and time designated at a hearing of the ALCC.

8. The ALCC shall give the accused violator full opportunity to be heard at the hearing or meeting and present a defense to any accusations which have been made. The complaining party or parties shall also be given full opportunity to present in any form evidence of the accusation. At the hearing the ALCC shall be empowered in its discretion to resolve whether or not a violation has occurred.

9. If the ALCC resolves that a violation has occurred, it shall notify the violator in writing that a violation(s) has been found, and that the matter will be referred to legal counsel for court action unless the violation is corrected within Ten (10) days.

10. All writings required under this procedure shall be kept in the Association's records. All notices required under this Article shall be served by (1) posting in the U.S. Mails, Certified Mail Return Receipt Requested, or (2) personal service, with date and time of service and the signature of the serving party, noted on a Return Copy of the document served.

11. The General Manager shall submit to the ALCC a copy of all written complaints filed, and a written report on the disposition of each complaint, with respect to those complaints resolved prior to referral to the ALCC.

SECTION 8. The powers and authority herein granted to the ALCC shall exist against any violator of the Rules and Regulations of the ASSOCIATION and the Restrictive Covenants of Record, regardless of whether such violator is a MEMBER of the ASSOCIATION, the DEVELOPER or a guest within the SUBDIVISION, specifically a builder within the DEVELOPMENT operating under the license provided and enumerated in these Bylaws.

SECTION 9. The ALCC is empowered hereby to prepare and adopt forms necessary to comply with the intents and purposes of this Article XXIV and the authority herein granted and to amend such forms from time to time as the ALCC shall deem necessary.

ARTICLE XXV ADDITIONAL COMMITTEES

SECTION 1. All Committees not already delineated in these Bylaws shall be appointed by a majority of the BOARD OF DIRECTORS no later than the BOARD'S last meeting in November.

SECTION 2. Each Committee shall have a minimum of Three (3) members, of which One (1) member shall be a member of the BOARD OF DIRECTORS.

SECTION 3. A majority of members of each Committee shall constitute a quorum for the transaction of business. The act of the majority of the members present at any meeting shall be the act of each Committee.

SECTION 4. The members of each Committee shall elect a Chairman, a Vice Chairman, and a Secretary of the Committee. The Chairman, or in his absence the Vice Chairman, shall preside over all meetings.

SECTION 5. Each Committee shall keep correct and complete written minutes of all its proceedings, which minutes shall be kept in bound form, properly executed by the Secretary of the Committee and approved by the Chairman and kept at the principal office of the ASSOCIATION.

PART SEVEN: PROCEDURAL

ARTICLE XXVI
USE OF OPINION POLLS

All opinion polls and surveys shall require a response of no less than twenty percent (20%) of the ACTIVE membership to be considered a valid representation of the property owners. All responses to such polls and surveys shall be validated as to whether the opinions or surveys have been submitted by ACTIVE members of the Association.

ARTICLE XXVII
RENUMBERING OF ARTICLES

RENUMBER EXISTING ARTICLES EIGHTEEN (XVIII) THROUGH TWENTY-FOUR (XXIV) to be known as ARTICLES NINETEEN (XIX) THROUGH TWENTY-FIVE (XXV).

Editor's note: Article XXVII above has no validity to the Bylaws as now arranged.

As adopted by the AHPOA members on June 10, 2006

ARTICLE
(Part and Article number to be determined)
TREATMENT AND CARE OF ANIMALS

SECTION 1. For the purposes of this Article the Aquia Harbour Property Owners Association (AHPOA) hereby adopts Chapter 5, Titled: "Animals and Fowl", of the Code of the County of Stafford, Virginia, in its entirety, dealing with the humane care, treatment, sheltering and feeding of animals. In addition animals may not be tethered or chained for periods of three (3) or more hours in a twenty-four (24) hour period. Animals must be kept in an environment which is sanitary and free of vermin-harboring debris.

SECTION 2. Upon notification of a complaint from a resident, the General Manager shall direct the Code Enforcement Officer (CVO) to inspect the property and conditions suspected of being in violation of Section 1.

SECTION 3. Upon verification of suspected violation(s), the Code Violation Officer shall report the same under current standing procedures.

(a). In addition, the General Manager shall call the Stafford County Sheriff's Office, Animal Control Division, and notify them of the suspected violation(s).

(b). The Legal Compliance Committee of the Aquia Harbour Property Owners Association (AHPOA) shall also be apprised of the suspected violation(s) and take action as may be appropriate.