SYLVA VISTA ROAD ASSOCIATION, INC.

BYLAWS

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BYLAWS

ARTICLE 1. NAME AND LOCATION

Sec. 1. Name

This organization is incorporated as an association in the name of Sylva Vista Road Association, Inc., under which name it has authority to do business. SVRA may be used as an abbreviation of the name.

Sec. 2. Address

The principal mailing address of the corporation is SVRA, Inc., 656 Parris Branch Road, Sylva, North Carolina, 28779.

ARTICLE II. PURPOSES

Sec. 1. Purposes

The purposes of the association, as set forth in the Articles of Incorporation are to:

(a) execute the original road maintenance agreement recorded in the Jackson County Register of Deeds, Book 512, Page 533, made and entered into record 15 April, 1980. This road maintenance agreement is for the well being of the road from the end of Parris Branch Road to the properties of Sam W. Prather, Jr., and wife, Mary E. Prather. The agreement states the association shall be known as the Parris Branch Road Extension Maintenance Association.

(b) Engage in the business of operating, managing, maintaining and paving additional roads, and other related facilities within Sylva Vista.

ARTICLE III. SHARES OF STOCK AND DIVIDENDS PROHIBITED

Sec. 1. Stock; dividends; compensation; benefits.

This association shall not have or issue shares of stock. No dividends shall be paid and no part of the income of the association shall pay any compensation to any member, or officer for services rendered, but it may reimburse reasonable expenses incurred in carrying out assigned duties for the benefit of the association. The association may confer benefits upon its members in conformity with its purposes and may make distribution upon dissolution for final liquidation as permitted by Chapter 55A of the General Statutes of North Carolina.

ARTICLE IV. MEMBERSHIP

Sec. 1. Qualifications.

Membership in the association is limited to the owners of property in the subdivision known as Sylva Vista. platted by Seico of North Carolina, Inc.; i.e., membership is an incident of property ownership. The purchaser of property whose installment purchase contract is not in default shall have all the rights and privileges of membership subject to all other provisions of the bylaws.

Sec. 2. Admission

The owner of property in the Sylva Vista subdivision becomes a member automatically upon acquiring title to one or more properties. The purchaser of property shall be entitled to the rights and privileges of membership upon executing the purchase contract and paying the fees required by Article V of the bylaws.

Sec. 3. Termination

Membership in the association terminates automatically upon the loss of eligibility for membership in accordance with the bylaws.

Sec. 4. Evidence of Membership

The association does not have capital stock, nor does it issue membership certificates to its members. Membership is evidenced only by a valid deed of title to one or more properties in Sylva Vista, except that a current and valid contract for the purchase of a lot shall constitute evidence of membership until such time as a deed is issued pursuant to the contract.

Sec. 5. Rights and Privileges

Members in good standing have the right to hold office and to participate in all activities of the association and may enjoy the privilege of using the facilities of the association, subject to the standing rules adopted. The rights of membership include services that are provided by the association.

(a) ***Voting rights***. For the purpose of voting on questions submitted to the membership by mailed ballot or at a membership meeting, each member in good standing is entitled to one vote for each maintenance fee as defined by article 5 section I of the Sylva Vista subdivision bylaws. This includes the right to only one vote, whether held by only one person or divided among two (2) or more people, and that any member (whole or fractional) is entitled to the number of votes equal to the number of maintenance fees as defined by article 5 section 1.

(b) ***Suspension of rights and privileges***. The association, through its board of officers, after notice and after providing an opportunity for a hearing, may suspend the membership rights and privileges of any person who willfully fails to comply with the requirements of the bylaws, standing rules, or decisions of the board, or who willfully obstructs the purposes of proper activities of the association. Suspension continues in effect until the association or its board of officers by majority vote restores membership rights and privileges. All rights and privileges are suspended automatically for any member who is delinquent in payment of any fees provided by the bylaws or the standing rules or any other indebtedness to SVRA. such suspension to continue in effect until all delinquent amounts are paid in full. Unless the member's rights and privileges are suspended pursuant to the subsection, each member is considered in good standing.

ARTICLE V. MEMBERSHIP FEES

Sec. 1. Annual Maintenance Fee.

An annual maintenance fee for each property with or without one home, residence, or dwelling shall be paid to the association by the owner thereof. The fee is due and payable on August 1 for the following fiscal year and becomes delinquent if not paid before October 1. A late fee (Set by majority vote of the members voting at the annual business meeting for the upcoming year) currently $30, will be applied effective October 1. 1. The annual maintenance fee, currently $1500, is also set by majority vote of the members voting at the annual business meeting. This fee is not refundable, and any pro rata adjustment upon sale of a property is a matter to be determined between the seller and the buyer. The following exceptions will apply:

(a) If a member owns more than one home, residence, or dwelling on any property they own, the annual maintenance fee is multiplied by the number of dwellings owned on that property.

(b) The President's, Officer's and Secretary/Treasurer's annual maintenance fee can be reduced by the amount set by majority vote of the members voting at the annual business meeting to defray the cost of expenses in performing the duties of the office.

Sec. 2. Dwelling and Road Reconstruction Fee.

(a) Any property owner who constructs a new home, residence, or dwelling shall pay the association a new home construction fee, currently $10,000, (Set by majority vote of the members voting at the annual business meeting) at the time the building permit is approved. Payment of this new home construction fee is in addition to the road reconstruction fee that a property owner will pay when individual construction begins.

(b) Any property owner who plans construction or alterations to their property including but not limited to: clearing the lot, constructing a driveway, making additions that may or may not require a building permit, shall pay the association a road reconstruction fee, currently $4500, (Set by majority vote of the members voting at the annual business meeting) or 10 percent (10%) of the project cost, whichever is less, before the time construction or alterations are started, to reimburse the association for the expense of repairs and increased maintenance on the roads in the subdivision due to the additional wear on the roadways and drainage. In addition to this minimum charge the lot owner shall pay to the association the balance of the actual cost in excess of the amount specified above for repairing damage to roads, drainage structures, or other community facilities resulting from the lot owner's construction work or alterations. All road reconstruction fee action is subject to board review and is in addition to the new home, residence, or dwelling fee. The board must be notified of any planned construction or alterations using the site development notification form or by contacting a board member.

(c) Any time a corporate or individual property owner or developer plans alterations to their property for site development, which requires the transporting of materials or equipment on roads governed by the association, they shall pay the association the road reconstruction fee even if there are no immediate plans to build a home on the property. The association must receive this payment before any work commences. The board must be notified of any planned construction using the site development notification form or by contacting a board member.

(d) A corporate or individual property owner or developer who plans the construction of two or more dwellings or other equivalent structures shall pay the association an amount equal to the new home construction fee indicated in the above section for each of the homes or

equivalent structures. The association must receive this payment before any road construction, earth movement, site development or sale of sites is undertaken on any portion of the property. Payment of this development fee is in addition to the road reconstruction fee that a property owner will pay when individual construction begins.

The board must be notified of any planned construction using the site development notification form or by contacting a board member.

(e) Before any construction or site development work is started, the Site Development Form must be filed with SVRA.

Sec. 3. Special Assessment Fee

If the association should incur more expenses than is available in the treasury, the Board of Officers shall assess each property owner an equal share of the additional expense in direct proportion that said property owner has been assessed for the current year.

Sec. 4. Remedies for Delinquent Fees

Whenever the delinquent fees and any accrued late fees require the association to resort to legal and/or court services in order to secure payment in full, the costs to the association of such legal and/or court services shall be added to the amount owed the association by the delinquent member.

ARTICLE VI. ADMINISTRATION

Sec. 1. Board of officers

The government and the management of the funds, properties and affairs of the association are vested in a board of officers, elected by the membership as provided in section 4 of this article, consisting of five (5) members of the corporation at least three (3) of whom shall be permanent residents of Sylva Vista. A permanent resident is defined as a member spending a majority of the year as a resident of Sylva Vista. All past presidents of the association are nonvoting ex-officio members of the board of officers, entitled to notice of meeting and copies of minutes of meetings.

(a) Powers of the board of officers. The board of officers may exercise all powers conferred upon the corporation by Section 15 of Chapter 55A of the General Statutes of North Carolina as amended, and as set forth in the Articles of incorporation, all of which powers are by reference made a part of these bylaws as though fully set out herein, and any and all other statutory powers. The association or its board of officers may not authorize any expenditure of funds that would result in a deficit in the accounts of the association. The president is authorized to speak in the name of the association in emergencies.

Sec. 2. Officers.

The board of officers will serve as officers of the corporation. The members present at the annual business meeting will elect from among its current members two (2) officers. At the first meeting of the board, the officers will select a president, vice-president, secretary, and treasurer. At least three (3) officers must he permanent residents of Sylva Vista. A permanent resident is defined as a member spending a majority of the year as a resident of Sylva Vista.

The secretary/treasurer will be selected by a majority of the board members present at the first meeting and may be any member of the Sylva Vista Road Association. The secretary/treasurer need not be an officer of the association, and the duties may be assigned to either one or two members by the

board.

Sec. 3. Term of office.

The term of office shall be two years. Officers may serve consecutive terms.

Sec. 4. Elections.

The procedure for election of officers of the association is as follows:

(1) **Nomination**. Nominations are made by members in good standing present at the annual business meeting.

(2) **Voting**. Voting for nomination of officers is by ballot of members in good standing present at the annual business meeting. One (1) ballot shall be issued for each annual maintenance fee paid.

(3) **Vacancies**. In the event a vacancy on the board of officers occurs by removal, resignation, or death of an officer, a successor will be selected by a majority vote of the board members present at the next regular or special meeting of the board. The successor will serve until the next regular election.

Sec. 5. Forfeiture of office.

Any member of the board of officers may be removed from office by the board for unexcused absence from two (2) consecutive meetings of the board.

Sec. 6. Quorum.

A majority of the number of existing officers constitutes a quorum at any meeting of the board of officers.

At meetings of the membership the members present are entitled to vote (but not less than six (6)) constitute a quorum.

Voting by proxy is not allowed. The vote of three fourths (3/4) of a majority of the members in good standing present and voting, or via mailed ballot, is necessary for the adoption of any matter voted upon.

Voting by mailed ballot for any specific issue is allowed only if at the annual meeting of the membership a three fourths (3/4) majority of the members in good standing present approve a motion for mailing ballots. Results of a mailed ballot are to be determined by a three fourths (3/4) majority of returned ballots.

Sec. 7. Meetings.

Annual meetings of the membership are to be held at a location determined by the officers within the first 11 days of July, preferably the first Saturday after the 4th of July.

Special meetings of the membership may be called by the president. The minutes of all meetings of the membership and of the officers will be kept in a book available for inspection by the members at any reasonable time.

(a) ***Notice of meetings***. Written notice announcing the place, day, and hour of the annual

business meeting will be delivered not less than ten (10) days before the date of the meeting by the president or the secretary to each member entitled to vote at such meeting. The notice will be delivered in person or by mail, and if mailed it is deemed to be delivered when deposited in the United States mail postage prepaid and addressed to the member at their address as it appears in the records of the association.

(b) ***Notice of meetings of the officers.*** Will be conveyed to all officers of the association in writing or by telephone. Notice of special meetings will be posted in a central place in Sylva Vista accessible to all members. The secretary will give actual notice of all meetings, both regular and special, to each officer at least seven (7) days before the meeting date. When necessary, due to time constraint the board may take action by a pole of board members, provided that any action so taken will be by majority vote of the board and the results of the poll are recorded in the minutes of the next meeting of the board. Such emergency action is subject to ratification at the next board meeting. The president may call an emergency meeting of the officers upon 24-hour notice when necessary to protect the interests of the association and its members, such as when a natural disaster occurs or time limits for action are imposed by law or government regulation. Except for the 24-hour notice, emergency meetings are subject to the requirements of the bylaws for special meetings.

(b) ***Special meetings***. No business will be transacted at a special meeting except that stated in the notice of the meeting.

(c) ***Agenda***: *Order of business*. In advance of each meeting the president will prepare an agenda listing all items of business to be considered at the meeting. The order of business is as follows:

1. Call to order;
2. Reading and disposition of minutes of previous meeting;
3. Treasurer's report;
4. Reports of standing committees;
5. Reports of special committees;
6. Unfinished business;
7. New business;
8. Announcements;
9. Adjournment

(d) ***Parliamentary authority***. "Robert's Rules of Order" (latest revision) governs matters of parliamentary procedure not covered by these bylaws at all meetings of the association and of its officers.

(e) ***Ex-officio members***. Past presidents are encouraged to attend meetings in an ex-officio capacity to ensure continuity of programs when requested.

ARTICLE VII. DUTIES OF OFFICERS

Sec. 1. President.

The president will establish a written agenda for and preside at all meetings of the board and all meetings of the members. The president sees that all directives of the board are carried out, that all of the officers and the agents of the association perform their duties. The president signs check and other legal documents authorized by the board. The president is an ex-officio member of all committees.

Sec. 2. Vice-president.

The vice-president assumes the duties of the president in the absence of the president and

succeeds to the office of president if that office becomes vacant prior to the expiration of its term. The vice-president signs checks, and other legal documents authorized by the board. The vice-president performs such other duties as may be assigned by the president.

Sec. 3. Secretary.

The secretary keeps a record of the minutes of all meetings of the members and of the board of officers, and gives notice of meetings as provided by these bylaws. The secretary keeps current a roster showing the names and addresses of all members of the association, and has custody of all books, records and papers of the association, except those in charge of the treasurer or some other person authorized to have charge thereof by the board of officers. The secretary is to perform such other duties as may from time to time be assigned by the officers.

Sec. 4. Treasurer.

The treasurer receives all association funds and keeps an accurate and detailed record of all receipts and disbursements, which records at all times are subject to inspection by an member of the board of officers. The treasurer is to be bonded, at the expense of the association, in a sum satisfactory to the board for the faithful performance of the duties of the office of treasurer and the restoration to the association of all books, papers, voucher, money, and other property of whatever kind in possession of the treasurer or under the treasurer's control which belong to the association.

Sec. 5. Annual reports.

At each annual meeting the president, the treasurer, and the chairperson of each standing committee will make a full and detailed report of the business of the association for the preceding year and plans for the next succeeding year.

ARTICLE VIII. COMMITTEES

Sec. 1. Appointment of chairpersons.

The president will appoint from members in good standing the chairperson for any committee deemed necessary. The chairpersons serve at the will of the president.

Sec. 2. Appointment of committee members.

The chairperson of each of the committees will appoint two or more members of the association to serve on the committee and the committee will serve during the term of office of the officers of the association.

Sec. 3. Temporary committees.

The president also may appoint temporary committees to perform special duties or tasks.

Sec. 4. Quarterly reports.

The chairperson of each committee will make a quarterly report in writing to the president describing the status of all pending projects and presenting recommendations for action or approval by the board.

ARTICLE IX. MISCELLANEOUS

Sec. 1. Fiscal year.

The fiscal year of the association begins on September 1 and ends on August 31.

Sec. 2. Authority to act for the association.

No member of the association, except as an officer thereof, has any authority to act for the association or to bind it to any obligation.

Sec. 3. Definition of existing SVRA, Inc. roads.

The following roads, with 60-foot right-of-way, (30 feet each side of the center line) are the responsibility of SVRA, Inc.:

Parris Branch Road- from the end of Country Road 1452 to the driveway for the property at PIN 7654-70-6073, GPS 35.43688N, 83.17252W.

Sawmill Hollow- from Parris Branch Road to the intersection of the driveway for PIN 7653-62-2650, GPS 35.41731N, 83.17601W.

Onion Patch Lane- from Parris Branch Road to the intersection of the driveway for PIN 7653-63-0886, GPS 35.43003N, 83.17663W.

Basswood Ridge Road- from Parris Branch Road to the intersection of the driveway for PIN 7653-86-6366, GPS 35.42620N, 83.16756W.

Hoot Owl Hollow- from the intersection of Basswood Ridge Road to the convergence of the driveway for PIN 7653-85-6049, and the driveway for PIN 7653-85-5379, GPS 35.42405N, 83.16777W.

Orchard Lane- from the intersection of Parris Branch Road to the property line of PIN 7653-55-1304, GPS 35.42482N, 83.17910W.

Brookstone Ridge- from the intersection of Parris Branch Road to the property line of PIN 7653-69-9793, GPS 35.436556N, -83.174251W.

Bold Springs Road- from the intersection of Parris Branch Road to the intersection of the driveway for PIN 7653-69-9793, GPS 35.43579N, 83.17476W.
(This road has a 30-foot right-of-way, 15 feet each side of the center line.)

Option Ridge- from the intersection of Parris Branch Road to GPS 35.431188N, -83.178905W on the property line of PIN 7653-56-7606. (previously at the Sutton Driveway before property was merged into one by L1 purchase).

Sec. 4. Authority to accept new roads.

(a) In accordance with the original road maintenance agreement, the developer will administer the maintenance of a new road for the period of two (2) years. The president, in conjunction with the developer will establish the start date for the two (2) year period in writing.

At the completion of the two (2) year period, the president and board members will inspect the road. The developer will be notified in writing as to the acceptance or rejection of the road by SVRA, Inc.

The standards adopted by SVRA, Inc. for the acceptance criteria will be:

USDA Soil Conservation Service
North Carolina Technical Guide, Section IV Standards and Specifications
Practice Standard No. 560- Access Roads
Current Edition

(b) If a property owner wishes to pave any portion of SVRA, Inc., road, the board must approve the project beforehand for consideration of ongoing maintenance by SVRA, Inc. The road must meet the standard defined in this section, paragraph (a).

Sec. 5. Severability of provisions of the bylaws.

If any bylaw or part thereof is adjudged invalid, such action does not affect the validity of any other bylaw or part thereof.

Sec. 6. Distribution of copies of the bylaws.

Each owner of property in Sylva Vista is entitled to one copy of these bylaws.

Sec. 7. Special Projects.

Special projects beyond regular or emergency maintenance require the securing of cost proposals.

ARTICLE X. AMENDMENTS TO BYLAWS

Sec. 1. Proposal, submission, adoption of amendments.

Amendments of the bylaws may be proposed by two thirds (2/3) of the members in good standing attending an annual membership meeting, or by three fourths (3/4) of the members of the board of officers at an officers meeting. Amendments proposed under this section shall be submitted to the membership by mailed ballot. The affirmative vote of two thirds (2/3) of those voting on the mailed ballot shall be sufficient to adopt an amendment.

Sec. 2. Amendment of bylaws.

These bylaws may be amended at any annual meeting of the membership, provided that the notice of the meeting shall contain a copy of the proposed amendment. The affirmative vote of two thirds (2/3) of the members in good standing present and voting shall be sufficient to adopt an amendment.

These Bylaws were adopted as of: ___July 5th 2025__

CERTIFICATION.

I, the undersigned, do hereby certify:
That I am the duly elected and acting Secretary of the SYLVA VISTA ROAD ASSOCIATION, INC., a non-profit, North Carolina Corporation, and, IN WITNESS WHEREOF, I have here unto subscribed my name on this _5th day of July, 2025.

Pam Smolik
_____ (Pam Smolik Secretary)

Complete Form Here: https://www.sylvavistara.com/files/2024-06-29-SVRA_Site_Dev_Form.pdf

SVRA

Sylva Vista Road Association, Inc

Site Development Notification

Use this form to notify SVRA any time a corporate, developer, or individual property owner plans to construct a new home or plans alterations to their property including but not limited to: clearing the lot, constructing a driveway, making additions that may or may not require a building permit, or using SVRA roads that are governed by the association to reach the site with equipment or materials used for constructing a new home or making alterations.

Notification Date: _____

Name: _____

Site Address: _____

Phone: _____ _____
Day Evening

Project Type: Alterations ☐ New Home ☐

Project Start Date: _____

Estimated Project Cost: $_____

Description of Development or Alterations:

NOTICE: In addition to a minimum road reconstruction fee the lot owner shall reimburse the association the balance of the actual cost in excess of the road reconstruction fee for repairing damage to roads, drainage structures, or other community facilities resulting from the lot owner's construction work.

Complete online and email to Board@SylvaVistaRA.com or
Snail Mail to: SVRA, P. O. Box 1922, Sylva, NC 28779

SUBMIT PRINT

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