

SHERWOOD FOREST LOT OWNERS ASSOCIATION

MEMORANDUM OF ASSOCIATION

&

BY LAWS

IN THE MATTER OF:

Chapter 286 of the Revised
Statutes of Nova Scotia, 1967,
"The Societies Act", and
amendments thereto,

- and -

IN THE MATTER OF:

SHERWOOD FOREST LOT OWNERS
ASSOCIATION.

MEMORANDUM OF ASSOCIATION

1. The name of the Society is: SHERWOOD FOREST LOT OWNERS ASSOCIATION.

2. The objects of the Society are:

(1) To develop for the use and enjoyment of its members the common land areas and waters at Sherwood Forest Subdivision, Windsor Road, Lunenburg County, Nova Scotia.

(2) To encourage and promote a spirit of comradship and participation among its members.

(3) To monitor the repair and maintenance of roads on lands adjoining or in the vicinity of those lands owned by the members of the Society for their benefit.

(4) To enter into arrangements with authorities, Federal, Provincial, Municipal, local or otherwise, that may seem conducive to the Society's objects or any of them and to obtain from any such authority any rights, privileges and concessions which the Society may so desire to obtain and carry out, exercise and comply with any such arrangements, rights, privileges and concessions.

(5) To acquire, accept, solicit or receive, by purchase, lease, contract, donation, legacy, gift, grant, devise,

bequest, or otherwise, any kind of real or personal property, and to enter into and carry out Agreements, Contracts and undertakings incidental thereto, and to hold, develop, enjoy, sell, mortgage, exchange, lease, and improve the same, and erect and maintain buildings and structures.

(6) To contract or be contracted with and use or be used in its corporate name, including the right to sue in a Court of Law in its corporate name.

(7) To borrow, raise and secure the payment of money in such manner as it thinks fit, and with the sanction of a Special Resolution issue Debentures or mortgage its real property to secure the payment of money borrowed by it.

(8) Subject to its By-laws to draw, make, accept, endorse, discount, execute and issue Promissory Notes, Bills of Exchange, and or negotiable or transferable instruments.

(9) By special resolution and subject to Section 9 of The Societies Act, to change its name or alter its objects so as to add to or restrict or abandon any of its objects or the locality in which its activities are chiefly carried out.

(10) If authorized by special resolution, to subscribe to or become a member of any other society or association whether incorporated or not whose objects are in whole or in part similar to its own objects.

(11) To act on behalf of the lot owners of the Sherwood Forest Subdivision in any or all matters relating to the common good of the lot owners and to act upon such matters as may

be considered necessary for the benefit of the lot owners.

(12) To promote standardization of legal phraseology in all Deeds pertaining to the Sherwood Forest Subdivision.

(13) To enter into any necessary arrangements with a person to be known as the Trustee of Road Maintenance to ensure that any common road or right-of-way is maintained in a passable and satisfactory condition at all times for motor vehicles.

(14) To do all such other acts and things as are incidental or conducive to or consequential upon the exercise of its power or the attainment of its objects.

3. The activities of the Society are to be carried on primarily in Sherwood Forest Subdivision, Windsor Road, Lunenburg County, Nova Scotia.

4. The Registered Office of the Society is 39 Pleasant Street, Chester, Nova Scotia.

We, the several persons whose names, addresses and occupations are subscribed, desire to be formed into a society in pursuance of this Memorandum of Association.

NAME	ADDRESSES	OCCUPATIONS
sgd) Deborah Susan Smart	f. R # 2 Sherwood Forest Chester N.S.	Secretary
sgd) Ann Agnes McCluskey	10 Jayden Dr. Dartmouth N.S.	Sales Associate
sgd) Jessie Chace, Arlene McCluskey	10 Jayden Dr. Dartmouth N.S.	Chairman Forest.
sgd) Robert Worcester Whitehead	15 8 th St. Dr. Saugerville	Chairman Forest.
sgd) Dwight Stanley Smart	f R # 2 Sherwood N.S. Forest, Chester N.S.	Sales Manager.

- 4 -

DATED at Chester, in the County of Lunenburg, Province
of Nova Scotia, this 19th day of June , A.D., 1980.

WITNESS TO THE SIGNATURES:

Howard Brown Jr. B.E.

Pleasant Street,
Chester, Lunenburg County
Nova Scotia

ADDRESS

Barrister

OCCUPATION

IN THE MATTER OF:

Chapter 286 of the Revised
Statutes of Nova Scotia, 1967,
"The Societies Act", and
amendments thereto,

- and -

IN THE MATTER OF:

SHERWOOD FOREST LOT OWNERS
ASSOCIATION.

BY-LAWS OF THE ASSOCIATION

ARTICLE I - INTERPRETATION

- (1) The word "Act" when used herein means
The Societies Act.
- (2) The word "Association" when used herein means
Sherwood Forest Lot Owners Association.
- (3) "Sherwood Forest" means Sherwood Forest Subdivision,
Windsor Road, Municipality of Chester, in the
County of Lunenburg, Province of Nova Scotia.

ARTICLE II - MEMBERSHIP

Membership in the Association consists of persons
who are owners or the wives or husbands of such owners of lands
in Sherwood Forest and have paid such annual dues of membership,
if any, as a majority of the members in good standing at each
Annual Meeting shall determine and such annual rates and assessments
for road purposes or other purposes as shall have been levied, by
majority vote at each Annual Meeting of the members of the Association
upon the owners of lands at Sherwood Forest and the successors in title to
such members and the wives and husbands of such successors.

FORFEITURE OF MEMBERSHIP

The Secretary-Treasurer shall submit to the Board of
Directors the name of any member who refuses or neglects to pay any

any indebtedness due the Association within thirty days after formal demand has been made by the Secretary-Treasurer and the Board of Directors shall then decide definitely within thirty days thereafter whether the member is dropped from or retained as a member. Any member may be expelled for cause from the association by three-quarters vote of the Board of Directors.

MEMBERSHIP of the Association is lost to owners and their wives and husbands upon members divesting themselves of legal title to premises at Sherwood Forest other than by way of mortgage.

ARTICLE III - MEETINGS

(a) The first general meeting of the Association in Sherwood Forest during the spring season, A.D., 1930, at such place and time as is determined by the members of the Association who have subscribed to the Memorandum of Association.

(b) The Association shall hold the following meetings thereafter:

(i) A meeting during the spring season of each year.

(ii) The annual meeting during the fall season of each year.

(c) A quorum of any general or annual meeting of the Association consists of ~~thirty~~^{thirty} percent of the members in good standing and who have paid their

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(54) 1088
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annual dues for that year and any other rates and assessments duly levied and each member is entitled to one vote each, provided, however;

(i) Where a lot is held in joint ownership, one vote only per lot is allowed.

(ii) Where the member is the owner of more than one lot, in Sherwood Forest, subject member shall be entitled to one vote per lot owned.

(d) Any three Directors constitute a quorum for any meeting of the Board of Directors.

ARTICLE IV - BOARD OF DIRECTORS

(a) The management of the affairs of the Association is vested in a Board of Directors consisting of not more than five members. The Board of Directors consist of the President, Vice-president, Secretary-treasurer and two directors.

(b) In the management of the affairs of the Association the Board of Directors shall propose to each annual meeting the amount of assessment it deems appropriate to be made of the members to provide for the activities of the association during the coming year, including road purposes.

(c) It shall appoint such committees as it deems necessary to carry out the affairs of the Association.

(d) Election of Directors

The Board of Directors is elected by a majority of the members of the Association present at the annual meeting as follows:

The President, Vice-president and Secretary-treasurer are elected annually. The Directors are elected as follows:

At the first annual meeting one Director is elected to serve for one year and one Director is elected to serve for a period of two years. At all subsequent annual meetings, one Director is elected for a two year term.

(e) VACANCY

In case of a vacancy occurring in the Board of Directors by reason of resignation or death or otherwise, a Director may be elected at an annual meeting or at a meeting called for the purpose. Such Director holds office only for the period of time the Director whom he replaces was to hold office.

DUTIES OF SECRETARY-TREASURER

The Secretary-treasurer shall:

- (a) Attend all meetings of the Association and of the Directors.
- (b) Take minutes of all meetings and record them in permanent form.
- (c) Keep a list of the members of the Association and such sums paid for membership by the members.
- (d) Keep and maintain all books and accounts of the Association so that a statement of receipts and expenditures is available as required.
- (e) Attend such other Secretarial and financial business as is necessary from time to time.

ARTICLE V - EXERCISE OF BORROWING POWERS

The Board of Directors may borrow, raise and secure the payment of money and issue debentures or mortgage its real property to secure the payment of money borrowed by it with the sanction of a special resolution.

ARTICLE VI - AUDIT OF ACCOUNT

The accounts of the Association shall be duly audited by such qualified auditor as the Board of Directors shall from time to time appoint and the statement of accounts showing the financial position of the Association shall be duly audited and presented to the members of the Association at the time of the annual general meeting.

ARTICLE VII - SEAL

The Association shall keep and use a proper seal of the Association to bear the words " SHERWOOD FOREST LOT OWNERS ASSOCIATION, INCORPORATED A.D., 1980 " such seal to be in the custody of the Secretary-treasurer.

ARTICLE VIII - AMENDING, ALTERING & RESCINDING OF BY-LAWS

These By-laws may be amended by altering, rescinding or adding to the same by special resolution passed at any annual meeting of the Association, notice of motion having been sent by the secretary to all members of the Association setting out such amendments proposed to be made at least ten days before the date of the meeting.

ARTICLE X - CUSTODY

The minutes of the proceedings of all meetings of the Association and of the Directors and other books and records of the Association are in the custody of the Secretary-treasurer.

ARTICLE X - INSPECTION OF BOOK & RECORDS

The books of accounts and all records of the Association are available for inspection by all members at the time of every annual general meeting.

ARTICLE XI - EXECUTION OF DOCUMENTS

(i) All Bills of Exchange of the Association shall be signed by the President or Vice-president and the Secretary-treasurer.

(ii) All Contracts, Deeds and documents, other than Bills of Exchange, shall be signed by the President or Vice-President and the Secretary-treasurer.

ARTICLE XII - DUES

The annual dues, assessments and rates are payable on the days and times as approved by a majority vote at any duly convened special or general meeting. Assessments and rates may be levied on a per lot basis in Sherwood Forest, including those lots that continue in the ownership of the Developer.

We, the several persons whose names, addresses and occupations are subscribed and who have also subscribed to the Memorandum of Association of Sherwood Forest Lot Owners Association have agreed upon the above By-laws for the administration of the

Association pursuant to Section 4 of the Act.

NAME	ADDRESSES AND OCCUPATIONS OF SUBSCRIBERS	
(sgd) Deborah Shona Snaer	R.R. #2 Sherwood Forest Chester, Nova Scotia.	Secretary
(sgd) Jean Hayes McCurdy	10 Hayden Dr. Dartmouth N.S.	Sales Associate
(sgd) Narro Charles Preston McCurdy	10 Hayden Dr. Dartmouth N.S.	Canadian Trees
(sgd) Robert Lamphere Whiteside	15 8th St. B. Sackville N.S.	Canadian Trees
(sgd) Dwight Stanley Gray	R.R. #2 Sherwood Forest Chester N.S.	Sales Associate

WITNESS TO THE ABOVE SIGNATURES:

David Seve Frawley

Pleasant Street
Chester, Lunenburg County
Nova Scotia

ADDRESS

Barrett

OCCUPATION

AT Chester, aforesaid, this 19th day of June, A.D., 1980.