

CODE OF BY-LAWS  
STEEPLECHASE WEST HOMEOWNERS ASSOCIATION INC.  
Updated April 20, 2021

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## ARTICLE I

### IDENTIFICATION

Section 1. Name. The name of the corporation is Steeplechase West Homeowners Association, Inc. (hereinafter referred to as "the Association").

Section 2. Principle Office. The address of the Association is:

Steeplechase West Homeowner's Association, Inc.  
P.O. Box 502977  
Indianapolis IN. 46250

Section 3. Fiscal Year. The fiscal year of the Association shall begin at the beginning of the first day of January in each year and end at the close of the last day of December of that year.

## ARTICLE II

### PURPOSE

The Association is formed as a homeowner's association in connection with the development of Steeplechase West, a residential subdivision being developed in Marion County, Indiana, to be evidenced by a plat or plats thereof now or hereafter recorded in the office of the Recorder of Marion County, Indiana (hereinafter referred to as "Steeplechase West") and, in furtherance of such general purpose, shall have the following specific purposes.

( a ) To provide for the management, regulation and maintenance of certain common areas and improvements constructed or hereafter constructed within Steeplechase West, such purposes being more particularly specified in a certain Declaration of Covenants, Conditions and Restrictions of Steeplechase West (hereinafter referred to as the "Declaration" ), as recorded or to be recorded in the office of the Recorder of Marion County, Indiana, the terms and conditions thereof and legal description contained therein being incorporated herein by reference.

(b) To exercise all powers and duties of the Board of Directors referred to in the Declaration.

(c) To do all acts and things necessary or convenient to carry out the express purpose for which the Association is formed.

## ARTICLE III

### ASSOCIATION MEMBERS

Section 1. Membership. Every property owner within the Steeplechase West subdivision shall be a member of the association.

Section 2. Place of Meeting. All meetings of members of the Association shall be held at such place within Indiana as may be determined by the Board of Directors and specified in the notices or waivers of notice thereof or proxies . to represent members at such meetings. Members may attend in person or virtually using the Association's Zoom account; however members attending virtually must previously provide the Secretary with their written Proxy and may not vote virtually.

Section 3. Annual Meetings. The annual meetings of members shall be held on a date a place within Indiana as determined by the Board of Directors.

Section 4. Special Meetings. Special meetings of members may be called at any time for the purpose of considering matters which require the approval of all or some of the voting members, or for any other reasonable purpose. Any such Special Meeting shall be called by written notice, authorized by a majority of the Board, or by one third (1/3) of the members, and delivered not less than seven (7) days prior to the date fixed for such meeting. The notices shall specify the date, time and place of the meeting and the matters to be considered.

Section 5. Notice of Meetings. Notice stating the place, day and hour of a meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called shall be delivered using the internet, printed notice by physical delivery, or mailed by the Secretary of the Association to each member of record entitled to vote at the meeting, at such address as appears upon the records of the Association, at least ten (10) days before the date of the meeting. Notice of any meeting of the members may be waived in writing by any member if the waiver sets forth in reasonable detail the purpose or purposes for which the meeting is called and the time and place thereof. Attendance at any meeting in person or by proxy shall constitute a waiver of notice of such meeting.

#### Section 6. Voting at Meetings.

(a) Voting Rights. Members shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as the members holding an interest in such Lot determine among themselves, but in no event shall more than one vote be cast with respect to any Lot.

(b) Proxies. A Voting Member is entitled to vote either in person or by proxy, executed in writing by such Voting Member or by his or her duly authorized attorney-in-fact and delivered to the Secretary of the meeting. Proxies shall be valid only for the particular meeting designated thereon and must be filed with the Secretary before the scheduled time of the meeting. In any meeting of the Voting Members called for the purposes of electing the Board of

Directors of the Association each Voting Member shall be permitted to cast the number of votes to which it is entitled, as hereinabove set forth, for each Director of the Association to be elected at such meeting.

(c) Quorum and Adjournments. The presence in person or by proxy of the Voting Members not less than twenty-five percent (25%) of the total votes shall constitute a quorum. Unless otherwise expressly provided herein, any action may be taken at any meeting of the Voting Members at which a quorum is present upon the affirmative vote of the Voting Members having a majority of the total votes present at such meeting. Any meeting of the Voting Members, including both annual and special meetings and any adjournments thereof, may be adjourned to a later date without notice other than announcement at the meeting even though less than a quorum is present.

Section 7. List of Voting Members. At least five (5) days before each meeting of Voting Members, the Secretary shall prepare or cause to be prepared a complete list of the Voting Members of the Association entitled to vote at such meeting arranged in alphabetical order with the address of each member eligible to vote and shall be subject to inspection by a record Voting Member. The original or duplicate membership register shall be the only evidence as to the persons who are entitled as Voting Members to examine such lists, or to vote at such meeting.

Section 8. Action by Written Consent. Any action required or permitted to be taken at any meeting of the Voting Members may be taken without a meeting, if prior to such action, a written consent thereto, setting forth the action so taken, is signed by all the Voting Members entitled to vote with respect to the subject matter thereof, and such written consent is filed with the minutes of the proceedings of the Voting Members. Such consent shall have the same effect as a unanimous vote of the Voting Members.

#### ARTICLE IV

#### BOARD OF DIRECTORS

Section 1. Number. Term of Office and Qualifications. The Board of Directors shall consist of not less than three (3) members, each of whom must maintain his or her principal residence on a Lot. Other than the 3 required members, additional members may be added to the board by a majority vote of the current board members and need not be a homeowner within Steeplechase West provided that homeowners have a majority of board members. The number of Board members may be increased or decreased by a majority vote of all board members, provided that the minimum number of board members shall be no less than three (3) members. No two (2) members of the Board of Directors may maintain their principal residence on the same lot. Directors shall serve without compensation. The Board shall be elected by the Voting Members at their annual meeting and shall hold office for a three (3) year term or until their successors have been duly elected and qualified. If a member of the Board of Directors shall cease to meet any qualification herein required for a member of the Board, such member shall thereupon cease to be a member of the Board and his place on the Board shall be deemed vacant. The Voting Members may remove any member of the Board with or without cause, and elect a successor at a meeting of the Voting Members called expressly for such purpose.

For purposes of making a transition from one-year term to three-year term, the five directors elected at the next annual meeting shall serve the following term which will be designated by the Board of Directors at its first regular meeting:

1. One member of the Board of Directors shall serve an initial term of one year;
2. Two members of the Board of Directors shall serve initial terms of two years;
3. Two members of the Board of Directors shall serve initial terms of three years.

Thereafter, all persons elected to the Board of Directors at an annual meeting of the voting members shall be elected to a three-year term.

Section 2. Vacancies. Vacancies occurring in the membership of the Board of Directors caused by resignation, death, or other incapacity, or increase in the number of members of the Board shall be filled by a majority vote of the remaining members of the Board, and each member so elected shall serve until the next meeting of the Voting Members, or until its successor shall have been duly elected and qualified. Notice specifying any increase in the number of members of the Board and the name, address and principal occupation of and other pertinent information about any member elected to fill any vacancy shall be given in the next mailing sent to the Voting Members after such increase or election.

Section 3. Annual Meetings The Board of Directors shall meet annually, without notice, immediately following, and same place as, the annual meeting of the Voting Members.

Section 4. Regular Meetings. Regular meetings shall be held at such times and places, either within or without the State of Indiana, as may be determined by the President or Board of Directors.

Section 5. Special Meetings Special meetings of the Board of Directors may be called by the President or by two (2) or more members of the Board, at any place within or without the State of Indiana, upon twenty-four (24) hours' notice, specifying the time, place and general purposes of the meeting, given to each Director personally, by internet, telephone, or written notice. Notice may be given by mail if mailed at least three (3) days before such meeting.

Section 6. Waiver of Notice. Any member of the Board of Directors may waive notice of any meeting in writing. Attendance by a member at any meeting shall constitute a waiver of notice of such meeting.

Section 7. Quorum. A majority of the entire Board of Directors then qualified and acting shall constitute a quorum and be sufficient for the transaction of any business, except for filling of vacancies in the Board of Directors which shall require action by a majority of the remaining members of the Board. Any act of the majority of the members of the Board present at a meeting at which a quorum shall be present shall be the act of the Board unless otherwise provided for by law or by these By-Laws. A majority of the

members present may adjourn any meeting from time to time. Notice of an adjourned meeting ' need not be given other than by announcement at the time of adjournment.

Section 8. Action by Written Consent. Any action required permitted to be taken at any meeting of the Board of Directors or any committee thereof may be taken without a meeting, if prior to such action, a written consent thereto is signed by all the members of the Board or of such committee, as the case may be, and such written consent is filed with the minutes of the proceedings of the Board.

## ARTICLE V

### OFFICERS

Section 1. Number of Officers. The officers of the Association shall consist of a President, a Secretary, a Treasurer, and such officers or assistant officers as the Board shall from time to time create and so elect. Any two (2) or more offices may be held by the same person, except that the duties of the President and Secretary shall not be performed by the same person. The President shall be chosen from among the members of the Board. Officers shall serve without compensation.

Section 2. Election and Terms. Each officer shall be elected by the Board of Directors at the annual meeting of the Board or until its successor shall have been elected and qualified or until death, resignation or removal. Any officer may be removed at any time, with or without cause, by vote of a majority of the whole Board, but such removal shall be without prejudice to the contract rights, if any, of the person so removed; provided, however, that election of an officer shall not of itself create contract rights.

Section 3. Vacancies. Whenever any vacancy shall occur in any office by death, resignation, increase in the number of officers of the Association, or otherwise, the same shall be filled by the Board of Directors, and the officer so elected shall hold office until the next annual meeting of the Board or until his or her successor is duly elected or appointed.

Section 4. President. The President shall be the chief executive officer of the Association; shall preside at all meetings of Voting Members and of the Board of Directors; shall have general and active supervision, control and management of the affairs and business of the Association, subject to the orders and resolutions of the Board; shall have general supervision and direction of all officers, agents and employees of the Association; shall see that all orders and resolutions of the Board are carried into effect; and in general shall exercise all powers and perform all duties incident to such office and such other powers and duties as may from time to time be assigned by the Board.

The President shall have full authority to execute proxies in behalf of the Association, and to execute, with the Secretary, powers of attorney appointing other associations, corporations, partnerships, or individuals the agent of the Association, all subject to the provisions of the laws of the State of Indiana, the Declaration, and this Code of By-Laws.

Section 5. Secretary. The Secretary shall attend all meetings of the Board and of the Voting Members and shall act as Secretary of such meetings; shall give or cause to be given all notices provided for in these By-Laws or required by law; shall record all votes and the minutes of all proceedings of the meetings of Voting Members and the Board in a book or books to be kept for that purpose; shall be custodian of the records of the Association; and in general, shall exercise all powers and perform all duties as may be from time to time assigned by the Board or by the President.

Section 6. Treasurer. The Treasurer shall keep correct and complete records of account showing accurately at all times the financial condition of the Association Funds; shall immediately deposit, in the name and to the credit of the Association, all moneys and other valuable effects of the Association in such depositories as may be designated by the Board of Directors; shall disburse the funds of the Association as may be ordered by the Board or by the President; and in general shall exercise all powers and perform all duties customarily incident to such office and such other powers and duties as may from time to time be assigned by the Board or by the President .

## ARTICLE VI

### BOOKS AND RECORDS

Section 1. Books and Records, in General. The Board of Directors shall keep full and correct books of account in chronological order of the receipts and expenditures affecting the Properties as defined in the Declaration, specifying and itemizing the maintenance and repair expenses of the Properties and other expenses incurred.

Such records and the vouchers authorizing the payments shall be available for inspection by any Owner or any representative of an Owner duly authorized in writing, at such reasonable time or times during normal business hours as may be requested by the Owner. Upon ten (10) days' notice to the Board and payment of a reasonable fee, any Owner shall be furnished a statement in recordable form of his account setting forth the amount of any unpaid assessment or other charges due and owing from such Owner, and such amount shall be binding upon the Board and the Association, and any mortgagee or grantee of such Owner furnished with such statement shall not be liable for, and the Lot of such Owner shall not be conveyed subject to a lien for, any unpaid assessment in excess of the amount set forth in such statement.

## ARTICLE VII

### EXECUTION OF INSTRUMENTS

Section 1. Checks, Drafts, etc. All checks, drafts, bills of exchange or other orders for the payment of money, obligations, notes or other evidences of indebtedness of the Association shall be signed or endorsed by such officer or officers, employee or employees of the Association as shall from time to time be designated by the Board of Directors.

Section 2. Contracts. All contracts, agreements, deeds, conveyances, mortgages and similar instruments authorized by the Board of Directors shall be signed, unless otherwise directed by the Board of Directors or required by law, by the President and attested by the Secretary.

## ARTICLE VIII

### AMENDMENTS AND DEFINITIONS

Section 1. Amendments. These By-Laws may be altered, amended or repealed from time to time by a majority vote of the whole Board at any regular or special meeting if the notice or waiver of notice of said meeting shall have stated that the By-Laws are to be amended, altered or repealed or if all members of the Board of Directors at the time are present at said meeting.

Section 2. Definitions. The terms used in these By-Laws shall have the same meaning as the same terms as defined and used in the Declaration.

## ARTICLE IX

### THE INDIANA NOT-FOR-PROFIT CORPORATION ACT OF 1971

The provisions of the Indiana-Not-For-Profit Corporation Act of 1971, as amended, applicable to any of the matters not herein specifically covered by these By-Laws are hereby incorporated by reference in and made a part of these By-Laws.

## ARTICLE X

### NUISANCE

A. Animals. The Board of Directors in response to complaints from various owners hereby declares the following to be nuisances:

- a. allowing a dog, cat or other animal to roam unrestrained beyond the boundary of the animal owner's lot;
- b. allowing a dog, cat or other animal to leave feces anywhere on the property other than the lot of the animal's owner.

Upon receiving a written complaint from the owner identifying the animal and the owner of the animal, and the specific violation; the Board of Directors shall impose the following sanctions:

1. First offense: a written warning.
2. Second offense: a twenty-five dollar (\$25) fine added to the monthly assessment.
3. Third offense a fifty dollar (\$50) fine added to the monthly assessment.
4. Fourth and subsequent offenses a seventy-five dollar (\$75) fine added to the monthly assessment.

Any owner sanctioned under this rule may be permitted a hearing before the Board at a regular monthly meeting to defend any charges of such rule violation.

B. Parking. Covenants Article VI, Section 6.15 prohibits the parking of boats, trucks, etc. on the property for more than twelve (12) hours, unless fully enclosed inside a garage. The prohibition against parking trucks in driveways has consistently been enforced pursuant to notice of that restriction as contained in the homeowner's manual that the Board has published over the years. However, the term "truck" has never been officially defined. Therefore, the Board of Directors of Steeplechase West Homeowner's Association t Inc. for purposes of enforcement of the Declaration provision hereby declares that for purposes of this section as any motor vehicle which, if licensed in the State of Indiana, would be required to have a license plate bearing a truck designation. However, a vehicle, commonly recognized as a sport/utility vehicle which does not have a truck bed, either covered or uncovered, will be excluded from the definition of truck regardless of its licensing. Such a vehicle would still be subject to the parking restrictions if it is a commercial vehicle.

C. Vehicle Maintenance. No cardboard or temporary oil trap can be used on a continuous basis in a driveway under a leaking vehicle.

## ARTICLE XI

### INSURANCE

Proof of Insurance. Each homeowner is required to send Proof of Insurance to the Board prior to the expiration of current insurance, or not less than once between January 1<sup>st</sup> and January 31<sup>st</sup> of each year. Insurance must provide fire and other casualty coverage on his respective dwelling unit in an amount at least equal to the full replacement value of the unit.

## ARTICLE XII

### TRASH

CITY OF INDIANAPOLIS  
DEPARTMENT OF PUBLIC WORKS  
SOLID WASTE DIVISION  
RULES AND REGULATIONS

- 1 . All refuse must be placed at the curb or alley line in proper containers by

- 7:00 a.m. on the collection day. Missed collections do not occur until after 5 p.m. of the collections day.
2. Proper containers are provided by Republic Services and are the only authorized containers to be used except on heavy trash pickup days. Heavy trash pickup days are the 3<sup>rd</sup> week of the month on the day used for trash collection.
  3. Heavy trash includes such items as furniture, household appliances, bicycles, etc., that must be disassembled. Refrigerators and air conditions require special handling. Call 317-327-4622 for instructions.

#### UNACCEPTABLE ITEMS

1. Discarded building materials, i.e., drywall, roofing, brick.
2. Trees and/or tree stumps.
3. Brush and vegetation resulting from building contractors, commercial tree trimmers or lawn services.
4. Sod, fill dirt, and trash from contractor clearings and other materials requiring special handling.
5. Explosives, pathological and biological waste, radioactive material, ashes, sand, motor vehicles and/or parts.
6. Transmissions, engines, rear ends, springs, fenders and farm equipment. Marine vessels and major parts thereof.
7. Septic, human and animal waste.

#### SIGNS

1. In addition to the restrictions on FOR SALE signs described in the covenants, signs by contractors performing maintenance or improvements to a property may not be displayed.

#### ARTICLE XIII

##### LEASES

- A. Prior Approval. An owner of a Unit within the Association wishing to lease that unit must submit an unsigned proposed copy of the proposed lease not less than 30 days prior to the start of any lease term.
- B. Compliance with Covenants and By-Laws.
  - a. The maximum number of leased Units in the Association is limited to seven (7). The board must reject any lease requests that will cause the number of leased Units to exceed this number.
  - b. The board will review submitted leases to assure compliance with Association Covenants and By-Laws. The board will reject and return non-compliant leases with guidance to the Unit owner on what must be changed for compliance.

- C. Owners must send a copy of leased units to the board annually to verify the continued existence of a leased Unit.

#### ARTICLE XIV

#### HOMEOWNER'S MANUAL

The Steeplechase West Homeowner's Manual shall be an extension of these By-Laws, explaining in more detail the provisions herein.