

AMENDMENT NO. 3
TO BY LAWS OF
KYBURZ MUTUAL WATER COMPANY ADOPTED JUNE 21, 2003

Article XIV is hereby amended by adding section 5:

“5. Failure to Pay Assessments and for Water Service:

- (a) In the event any assessment or amount for water service is not paid by the delinquent date set forth on a Notice of Levy as described in Section 3 of this Article XIV, the Board shall cause a Thirty Day Notice to be served, as provided in Section 4 of this Article XIV.
- (b) The Thirty Day Notice shall be in substantially the form as attached hereto and marked Exhibit A.
- (c) In the event all delinquencies as set forth in the Thirty Day Notice are not paid within thirty(30) days after serving the Notice and posting the Notice in a visible location on the delinquent property, the Board shall cause the delinquent property to posted with NOTICE OF TERMINATION OF WATER SERVICE in substantially following form as attached hereto and marked Exhibit B.
- (d) The date to be inserted for termination of water service shall be the third day after posting of the NOTICE OF TERMINATION OF WATER SERVICE on the delinquent property. Unless all conditions of the Thirty Day

Notice have been met by the third day after posting of the NOTICE OF TERMINATION OF WATER SERVICE, to the satisfaction of the Board in its sole discretion, the water service shall be terminated and disconnected as set forth in the NOTICE OF TERMINATION OF WATER SERVICE.

- (e) With respect to any action authorized herein, in case of hardship , or for good cause, to be determined in the sole discretion of the Board , and upon terms and conditions to be determined in the sole discretion of the Board, the Board may, but shall not be obligated to, take the following action:
 - (1) Suspend or waive termination and disconnection of water service to the delinquent property: and/ or
 - (2) Suspend or waive the forfeiture of the water share appurtenant to the delinquent property.

EXHIBIT A

THIRTY DAY NOTICE OF DELINQUENCY OF WATER ASSESSMENTS TERMINATION OF WATER SERVICE

FORFEITURE OF WATER SHARE

NOTICE IS HEREBY GIVEN that unless the following delinquent amounts for assessments and water service are paid in full within 30 days after mailing and posting of this notice on the hereinafter-described Property being served with water, that water service to the Property will be TERMINATED and the water share appurtenant to the Property will be FORFEITED to the corporation.

Property : _____

Delinquent Amounts: \$ _____

Assessment: \$ _____

Water Service: \$ _____

TOTAL DUE: \$ _____

NOTICE IS FURTHER GIVEN, that, after termination of water service and forfeiture of the water share, water service WILL NOT be restored to the Property unless and until:

1. A new water share appurtenant to the Property is purchased for an amount to be determined by the Board of Directors in its sole discretion, and issued appurtenant to the Property; and
2. All prior delinquent amounts for assessments and for water service are paid in full; and
3. All amounts for assessments and water service for the current water year are paid in full, if they are not included in the above-delinquent amounts; and
4. A security deposit for future amounts for assessments and water service in amount to be determined in the sole discretion of the Board of Directors is posted; and
5. All costs of termination and reconnection of the water service to the Property and issuance of a new water share, in an amount to be determined by the Board of Directors in its sole discretion, are paid in full.

After forfeiture, there is NO ASSURANCE that a new water share will be available for purchase and issuance.

Dated: _____

BY ORDER OF THE BOARD OF DIRECTORS KYBURZ MUTUAL WATER COMPANY

Contact: 916-712-6485