

AMENDMENTS TO THE BYLAWS OF
LAKE SERENE PROPERTY OWNER'S ASSOCIATION

RESOLVED by the Board of the Lake Serene Property Owners Association, Inc.,
the 28th day of August, 2018, and replacing entirely the previous Articles IX and
X, and the Lake Rules for Watercraft, Fishing, and Skiing following
deliberations beginning on May 23, 2018.

ARTICLE IX

Rules

Section 1. The membership shall establish and the Board of Directors shall enforce rules governing members of the Association and of the use of the Association's facilities.

Section 2. Copies of all rules shall be distributed within seven days of adoption by the Board of Directors to the membership by electronic transmission (to include e-mail and text message) and shall be posted on the Association website after adoption. Copies shall also be made available at request from the Association.

Section 3. The interpretation of the Board of Directors of the rules and of these by-laws shall be final and conclusive, subject to the mechanism for objection and public commentary included in Article XI.

Section 4. Use of Property Rules shall be as follows:

- A. All privately owned lots and properties within the Lake Serene Subdivision shall be employed for conventional residential use, and no other.
- B. No property within the Lake Serene Subdivision shall be provided by any member to any third party for non-residential or holiday use, regardless of payment or other consideration provided to any member.
- C. All rental or leased use of properties within the Lake Serene Subdivision shall be for conventional residential purposes only; no occupation by a non-member for a period of less than 180 days shall be permitted for any reason, regardless of payment or other consideration provided to any member.
- D. Non-members shall not have rights to the use of the common properties of the association.

- E. Members suffering from exigent circumstances seeking special dispensation under this rule may apply for such dispensation from the Board in advance of any violation. The Board of Directors shall grant requests for special dispensation for good cause shown.

Section 5. Lake Rules for Watercraft, Fishing and Skiing shall be as follows:

- A. Boats shall not exceed 21 feet in length with the exception of pontoon boats which are limited to 28 feet in length.
- B. Boats with “heads”, latrines, galleys, or chemical toilets are prohibited from use in the Association lakes.
- C. All watercraft must conform to current Coast Guard Regulations, and all safety equipment, inspection certification, or other requirements under Mississippi law for the operation of watercraft must be present and/or satisfied.
- D. All persons using towed devices of any kind and jet skiers must wear a life vest or a life belt at all times without exception; failure to comply will result in the immediate loss of lake privileges for a period of time determined by the Board of Directors, but no longer than the remainder of the calendar year in which any such failure to comply occurs.
- E. No person under the age of 14 years will operate a watercraft unless supervised by an adult of 21 years of age or older, regardless of any lesser requirements under Mississippi or Federal statutes and regulations. All persons operating watercraft must further have completed all safety and operating courses required by law, and provide documentation of compliance with State and Federal law upon request.

Mississippi Code, Annotated § 59-21-81 states: (1) Every vessel shall have on board a Coast Guard approved personal flotation device for each person aboard such vessel, and every person twelve (12) years or younger on board a motorboat, sailboat, or vessel which measures less than twenty-six (26) feet in length shall wear a type I, II, or III Coast Guard approved personal flotation device while such motorboat, sailboat, or vessel is underway. For the purpose of this section "underway" shall mean at all times except when a

motorboat, sailboat, or vessel is anchored, moored, or aground. Every vessel shall have lights during the hours of darkness, which comply with all federal regulations applicable to vessels of its classification. Such vessel shall not be operated unless in a safe and seaworthy condition; the owner and operator shall employ such safety devices as may be necessary for the safe operation of such vessel, including an efficient natural or mechanical ventilating system when necessary for safe operation. In addition to the requirements imposed by this section, all vessels shall comply with all federal regulations applicable to vessels of such classification.

(2) For purposes of this subsection, "personal watercraft" means a vessel which uses an inboard motor powering a water jet pump and which is designed to be operated by a person sitting, standing or kneeling on the vessel, rather than the conventional manner of sitting or standing inside the vessel. A person shall not operate a personal watercraft unless each person on board or being towed behind is wearing a type I, type II or type III, personal flotation device approved by the United States Coast Guard.

Mississippi Code, Annotated § 59-21-83: No vessel shall be operated within this state in a reckless or negligent manner or at a rate of speed greater than is reasonable and prudent under the then existing circumstances or when the operator is so physically or mentally incapacitated as to be incapable of safely operating such vessel, or while the operator is under the influence of intoxicating liquor or narcotics, or when such vessel is overloaded beyond its reasonable carrying capacity. The provisions of this section shall be applicable to all watercraft operating on the waters of this state inclusive of, but not limited to, undocumented or unnumbered vessels and shall specifically include all vessels exempted from numbering by Section 59-21-5 and surfboards, aquaplanes, airboats, water skis or other watercraft.

Mississippi Code, Annotated § 59-21-85: (1) (a) No motorboat required to be numbered under this chapter shall be operated by any person who is under the age of twelve (12) years, unless he possesses a certificate as required under this section and is also accompanied by a parent, guardian or other

person who is at least twenty-one (21) years of age and qualified and capable of operating the same.

(b) A motorboat required to be numbered under this chapter may not be operated by any person born after June 30, 1980, unless the person has completed a course in boating safety conducted or approved by the Department of Wildlife, Fisheries and Parks, and the person has in his immediate possession while operating a motorboat a certificate of satisfactory completion of the boating safety course.

(c) The requirement of possessing a certificate under this subsection shall not apply to any person operating a motorboat that is rented from a person engaged in the business of renting motorboats.

(2) Boating safety courses shall be held by the Department of Wildlife, Fisheries and Parks, or instructors designated and approved by the department. The Department of Wildlife, Fisheries and Parks shall issue a certificate to each person who satisfactorily completes the boating safety course.

(3) <List of State fines omitted>

Mississippi Code, Annotated § 59-21-87: No person shall operate a motorboat on any waters of this state while towing a person on water skis, or on an aquaplane or similar device, without an observer in the boat in addition to the operator. Such observer shall be above ten years of age.

The provisions of the first paragraph of this section do not apply to a person engaged in a professional exhibition or a person participating in an official regatta, motorboat race, marine parade, tournament or exhibition.

No person shall operate or manipulate any motorboat, tow rope or other device by which the direction or location of water skis, aquaplane, or similar device may be affected or controlled in such a way as to cause the water skis, aquaplane, or similar device, or any person thereon to collide or strike against any object or person, except slalom buoys, ski jumps or like objects used normally in competitive or recreational skiing.

- F. All watercraft must use left hand pattern of lakes, establishing a counter-clockwise pattern of motion.
- G. Skiing and jet Skiing is permitted from sunrise until sunset on the Main Lake only. No wake shall be caused by any watercraft after sunset.
- H. Skiers and watercraft are not allowed to be launched or loaded at swimming areas or piers, and all watercraft and skiers must maintain a minimum 50 foot distance from all docks unless actively docking.
- I. Watercraft must have a current Lake Serene decal attached and displayed on the right windshield or bow. All launching vehicles must have a current decal attached in appropriate place, the left rear bumper or back left glass.
- J. All watercraft are to have no equipment for the purpose of creating or increasing the volume of engine or other operating noises.
- K. Trot lines are prohibited at all times in the areas of the main lake. All trot lines shall be removed from all lakes during daylight hours and must not be left unattended.
- L. Fishing is not permitted in the open skiing and swimming areas in the main lake while ski boats are in operation.
- M. All boats in fishing lakes shall not be operated at speeds in excess of 5 miles per hour and shall exercise care to create minimum wake.
- N. No houseboats are allowed in the lakes.
- O. Swimming is prohibited around any of the controls to the dams and/or locks.
- P. Only property owner association members in good standing, their dependents as defined in the by-laws, and their guests (accompanied by a member) may use the facilities (such as boat ramps, picnic area, parking lots, and swimming areas),
- Q. No hunting or discharge of firearms is allowed on Lake Serene property.
- R. For non-individually owned lots (those owned by companies, corporations, etc.), one natural person must be designated in writing as the member.
- S. Any violations of the rules for lake use are subject to the fines described in Article III of the By-Laws.
- T. No alcoholic beverages are permitted.

Section 6. Beach Rules shall be as follows:

- A. Guests must be accompanied by a Lake Serene member in good standing.
- B. No alcohol shall be present or consumed.
- C. No glass containers allowed.
- D. NO DOGS OR ANIMALS OF ANY KIND are allowed on the beaches.
- E. No swimming past buoys.
- F. No foul language or abusive behavior will be tolerated.
- G. No cooking on decks or gazebo areas.
- H. No diving off piers or gazebo.
- I. Place garbage in provided receptacles.
- J. No sitting or swinging on the shade sails.
- K. No parking on the beach areas. Park in designated parking areas.
- L. No watercraft in swimming areas.
- M. Noncompliance in the above rules could result in security asking members/guests to leave the area.

Section 7. The Board of Directors, for good cause shown, may by majority vote to grant a special dispensation to any member, permitting the waiver of enforcement for any rule for a specific and identified period of time not to exceed 45 days.

ARTICLE X

Definitions

Section 1. As used in these by-laws, “Association and Corporation” shall mean Lake Serene Property Owner’s Association, Inc., a Mississippi Non-Profit Corporation.

Section 2. Other Definitions shall be as follows:

“Association” shall mean the Lake Serene Property Owners Association.

“Board of Directors” shall mean the Board of Directors of the Lake Serene Property Owners Association.

“the Bylaws” shall mean this document, including all articles and amendments contained therein

“the Charter” shall mean The Charter of Incorporation of the Lake Serene Property Owners Association, Inc.

“Common Property” and/or “Common Facilities” and/or “Facilities” shall mean all real property owned by the Lake Serene Property Owners Association, including all improvements, fixtures, and appurtenances thereupon.

“the Covenants” and/or “the Protective Covenants” shall mean the Protective Covenants for Lake Serene Subdivision as present in the land records of the Chancery Clerk of Lamar County, Mississippi, and all amendments thereto pertaining.

“guest” shall mean social visitors of members present at the invitation of members in good standing of the association. Persons present for a commercial purpose, including persons hired by a member or who have paid a fee to a member for considerations or access to any property within the association are not and shall not be guests.

“Immediate Family” shall mean the dependent members of the property owner member’s family as defined by the U.S. Internal Revenue Service.

“Lot” shall mean any plot or parcel of land included in the subdivision map of the Lake Serene subdivision as present in the records of the Chancery Clerk of Lamar County.

“Manager” shall mean an employee of the Association serving upon the pleasure of the Board of Directors.

“member” shall mean any natural person qualifying for membership under the Charter and By-Laws.

“notice” shall mean communication made with a good faith expectation of successfully providing information as to actions of the Association, events, meetings, and other developments to members.

“The membership” shall mean all of the property owners in good standing, owing no funds to the Association and being subject to no disciplinary action by the Association.

“rent” and/or “lease” shall mean the contractual use of a privately owned Lake Serene property by a non-member for consideration given to a member for residential purposes for a period of time no less than 180 days; the contractual or noncontractual use of any Lake Serene property for holiday or other non-residential purposes, or for consideration given to a member for a period of less than 180 days, shall not constitute ‘rent’, a ‘rental’, or a ‘lease’ for the purposes of these Bylaws, regardless of consideration paid or offered to any member.

“tenant” shall mean a non-member person contracting for the use of a privately owned Lake Serene property for residential purposes for a period of time no less than 180 days, having no rights to the use of the Association’s common properties.

“watercraft” shall mean any water-going vehicle of any kind, including motorized and unmotorized craft of any size, design, or type.