

**AMENDED BY-LAWS**  
**OF**  
**SAN BLAS HOMEOWNERS ASSOCIATION**

**ARTICLE I**  
**NATURE AND PURPOSE**

The San Blas Homeowners Association (SBHOA) was formed pursuant to the development of the San Blas Subdivision by Eagle Run Development, Inc., a New Mexico corporation. The originating documents of the SBHOA were a Declaration of Restrictive Covenants recorded with the County Clerk of Bernalillo County, New Mexico on May 3, 1985, in Misc. Book 225A, pages 989 to 993, with a second Declaration of Restrictive Covenants recorded with the County Clerk of Bernalillo County, New Mexico on November 7, 1985, in Misc. Book 289A, pages 106 to 111. Eagle Run Development, Inc. is no longer a member of the SBHOA. Upon the completion of the San Blas Subdivision development, membership in the SBHOA was remanded to the owners of lots within the Subdivision. In the event these By-Laws conflict in any manner with the provisions contained in the Declarations of Restrictive Covenants, the provisions in the Declarations shall prevail. The SBHOA was formed to permit the residents of the Subdivision to associate, including such changes and amendments as may be adopted by the membership of the association.

**ARTICLE II**  
**DEFINITIONS**

The following terms and their derivatives have the following meanings in these By-Laws:

- A. "Association" shall mean the San Blas Homeowners Association, a New Mexico non-profit corporation, located in Albuquerque, Bernalillo County, New Mexico.
- B. "Member" shall mean and refer to every person who owns a lot in the Subdivision.
- C. "Subdivision" shall mean the San Blas Subdivision as shown on the plat thereof filed for record on July 20, 1984, in Volume C-24, Folio 132 of the records of the County Clerk of Bernalillo County, New Mexico.
- D. "Board" shall mean the Board of Directors of the San Blas Homeowners Association. The Board shall consist of the Officers of the SBHOA and a Member-at-Large.
- E. "Officer" shall mean an elected or temporarily appointed officer of the SBHOA, pursuant to the provisions of these By-Laws.
- F. "Officer" shall mean an elected or temporarily appointed officer of the SBHOA, pursuant to the provisions of these By-Laws.

- G. "Declaration" shall mean the Declarations of Restrictive Covenants, San Blas Subdivision, in the City of Albuquerque, New Mexico, and any supplemental or amended Declarations.
- H. "Owner" shall mean the owner of record of any lot in the Subdivision.

### **ARTICLE III**

#### **MEMBERS**

- A. General. Membership is defined in Article II. Each owner, as defined, shall automatically be a member of the SBHOA.
- B. Suspension of Membership Rights and Voting Rights. The rights of membership are subject to suspension by the Board of Directors of the Association for: (1) Failure to, or refusal to pay any assessment and/or dues levied by the SBHOA or the Board of Directors within thirty days after the due date of such assessments and/or dues; or, (2) an infraction of default in, or breach of any provisions of these By-Laws or of the Declarations of Restrictive Covenants, or the rules, regulations and/or standards of the SBHOA. Regardless of such suspension of membership rights, the member shall continue to be liable to the SBHOA for all assessments and/or dues and shall be bound by the covenants, conditions, restrictions, policies and standards contained in the Declarations of Restrictive Covenants, these By-Laws, and the rules and regulations of the Board. A suspended member shall be liable to the SBHOA for any costs and expenses of enforcing such suspension, and for the collection of such dues and assessments. The suspension procedures shall require only a formal resolution passed by the Board.

### **ARTICLE IV**

#### **MEMBERSHIP MEETINGS**

- A. Annual Business Meeting. An Annual Business Meeting of the SBHOA shall be held during the month of May of each year at such hour and place as the Board may designate. This may include participation in person, by mail, by email, or other as determined by circumstances (such as COVID-19).
- B. Special Meetings. Special meetings of the members of the SBHOA may be called by the President, or by a majority of the Board, or upon written request of six voting members.
- C. Notices. The Secretary, or other officer SBHOA, as directed by the Board, shall give not less than fifteen (15) days notice of membership meetings. All notices under this article shall be by first class mail to the lot mailing address, to the member's mailing address when known, or by email.

- D. Quorum. A quorum required for any actions of the SBHOA shall be no fewer than 51% of the Lots eligible to vote under the provisions of Article III, either in person or by proxy.
- E. Quorum. A quorum required for any actions of the SBHOA shall be no fewer than 51% of the Lots eligible to vote under the provisions of Article III, either in person or by proxy.
- F. Proxies. At any meeting of members, a member entitled to vote may vote by proxy executed in writing by the member or his duly authorized attorney-in-fact.
- G. Majority Vote. In all matters requiring a vote of the association, a majority vote of the Quorum, present in person or by proxy and voting, shall be required to adopt any resolution or matter.

## ARTICLE V

### BOARD OF DIRECTORS

- A. General.
  - 1. The property and affairs of the SBHOA shall be governed by a Board of Directors. Each director shall hold office for a one year term.
  - 2. Each Officer elected by the membership shall be a member of the Board of Directors.
  - 3. Any Director elected or appointed to fill a vacancy shall serve the unexpired term of his or her predecessor in office.
  - 4. No two directors on the Board may have a property right or association membership through the same lot in the Subdivision.
  - 5. No person shall serve more than two consecutive terms on the Board.
- B. Eligibility. Any member of the SBHOA shall be qualified for election or appointment to the Board of Directors, unless that member is suspended from membership under the provisions of Article III.
- C. Officer Election Procedures. The Board may advertise for, and promulgate a slate of candidates for the purpose of election of Officers and Directors at the annual meeting. Individual nominations for all Officer and Director positions shall be accepted from the floor at the annual business meeting, and/or from mail. The Officers and Directors shall be elected by the membership at the annual business meeting, and/or by mail, as permitted by New Mexico law.

- D. Committees. The Board may create standing and special committees to assist the Board in its duties, and may delegate to such committees such powers and authority as the Board deems fit, except that the Board shall retain oversight for such committees and shall remain responsible for the actions of such committees.
- E. Meetings of the Board of Directors
  - 1. The Board shall meet within fifteen days after the adjournment of the association's annual business meeting for the purpose of acting on the decisions of the general membership.
  - 2. A meeting of the Board may be called by the President upon written notice not less than Forty-eight (48) hours in advance of such meeting. The purpose of such meeting shall be stated in the notice.
  - 3. Each member of the Board of Directors shall have one vote. Proxies shall not be permitted.
  - 4. At any meeting of the Board, except at a meeting for the purpose of removing an officer, a quorum shall consist of a majority of the members of the Board.

## **ARTICLE VI**

### **OFFICERS**

- A. Number of Officers. The Officers of the SBHOA shall consist of a President, a Vice President, a Secretary and a Treasurer.
- B. Election and Terms of Office. The Officers of the SBHOA shall be elected annually, and shall serve a term of one year.
- C. Limitation. No person may serve more than two consecutive terms as an officer of the SBHOA.
- D. Position and Powers.
  - 1. The President shall be the presiding Officer at all association meetings. The President shall be the Officer authorized to execute and deliver documents in the name of the SBHOA, and shall be the authorized representative of the SBHOA before all other bodies and organizations. The President may delegate his authorities, consistent with the advice and consent of the Board of Directors.
  - 2. The Vice President shall perform the duties of the President during the disability or absence of the President.

3. The Secretary shall make and retain the records and archives of the SBHOA, including the minutes of all meetings, and shall make those records available, upon the written request of any member of the SBHOA, during regular business hours. The Secretary shall give all notices and perform all duties required by these By-Laws.
  4. The Treasurer shall collect all dues and assessments, oversee and keep banking and other monetary accounts, and keep and maintain records of all income, expenses and accountable funds of the SBHOA. The Treasurer shall make all financial records available upon the written request of any member of the SBHOA during regular business hours, and shall prepare the annual budget of the SBHOA as directed by the Board of Directors.
- E. Vacancy. A vacancy in any office may be filled by a majority vote of the Board of Directors for the unexpired portion of the term.
- F. Removal. An Officer may be removed by a majority vote of the Board of Directors in an open and announced meeting pursuant to notice at a Special Meeting of the membership.

## ARTICLE VII

### MISCELLANEOUS

- A. Contracts, Checks, Deposits and Funds. It shall be the responsibility of the Treasurer and President, acting in accord, to open, close, pay into and from, or otherwise handle the moneys of the association. The President shall be the contracting officer for the association, except as otherwise authorized by the Board.
- B. Records and Books. The association shall keep complete books and records of all transactions and meetings, including minutes. A true copy of all issued letters and other association communications, including facsimiles and electronic mail shall be retained in the association's records. All records shall be retained for a period of not less than five years as required by law.
- C. Amendments. The By-Laws, policies and other governing documents of the SBHOA may be amended by 65% of Members eligible to vote at the annual business meeting, by mail, as permitted by New Mexico law, or in a special meeting conducted pursuant to the provisions of the By-Laws.
- D. Notice and Waiver of Notice. Whenever any notice is required to be given under the provision of these By-Laws, a waiver thereof in writing signed by the person or persons entitled to such notice shall be deemed equivalent to the giving of said notice. The attendance of any

