

**CONSTITUTION AND BY- LAWS
CABIN COLONY
DIXIE SAILING CLUB
(as amended 4/14/91)**

CONSTITUTION

PREAMBLE

The Dixie Sailing Club Cabin Colony as an instrumentality of the Dixie Sailing Club is formed for the primary purpose of providing increased facilities for the members of the Dixie Sailing Club, and thereby to promote the Dixie Sailing Club and its objectives.

ARTICLE I

MEMBERSHIP

Any resident active member of the Dixie Sailing Club, who has been assigned a site for the construction of a cabin, and who has started construction within (6) months of such assignment, and/or any resident active member of Dixie Sailing Club who purchases an existing cabin with the approval of the Cabin Colony Council is considered a member. No cabin site assignment and no purchase approval shall be granted to any person who has not been a resident active member of the Dixie Sailing Club for at least (12) consecutive months, unless such person was a resident active member as of July 31, 1973.

ARTICLE II

OFFICERS

The officers of the Dixie Sailing Club Cabin Colony shall be a Mayor, a Secretary/ Treasurer, and a Measurer. Their term of office shall be for one year. The duties of the officers shall be as follows:

Mayor:

Preside at all meetings of the Cabin Colony and the Cabin Colony Council, Appoint committees as authorized by the Cabin Colony Council and the Constitution and By-Laws of this organization, Act as Executive Officer of the Dixie Sailing Club Cabin Colony, and represent the Cabin Colony in its relationship with the Board of Directors of the Dixie Sailing Club.

Secretary/Treasurer:

Keep minutes of the meetings of the Cabin Colony and the Cabin Colony Council. Preside over meetings of the Cabin Colony and the Cabin Colony Council in the absence of the Mayor. Keep records of the membership of the Dixie Sailing Club Cabin Colony, and conduct correspondence as necessary or authorized. Receive and disburse funds which the Cabin Colony may from time to time receive and spend, and Keep accounting of all such funds.

Measurer:

Conduct periodic inspections of the cabins under construction and make timely reports to the Cabin Colony Council so that corrective action, if necessary can be taken. To make periodic inspections of existing cabins and piers as to the proper maintenance of cabins and grounds and report to the Cabin Colony Council.

All Officers must be members of the Dixie Sailing Club Cabin Colony.

ARTICLE III

CABIN COLONY COUNCIL

The Dixie Sailing Club Cabin Colony shall be governed by the Cabin Colony Council. The Council shall consist of Mayor, the Secretary/Treasurer, the measurer, two council people, and the immediate past Mayor as Ex-officio Council person.

The term of office for Council people shall be two years, one Council person shall be elected each year. in the case of the first year, two Council people shall be elected, one for a term of one year and one for a two year term. Term of office shall start on January 1st of each year.

The Dixie Sailing Club Cabin Colony is under the overall jurisdiction of the Board of Directors of the Dixie Sailing Club. The Cabin Colony Council, subject to the concurrence of the said Board of Directors has jurisdiction over the Cabin Colony in all matters.

All decisions of the Cabin Colony Council shall be based on a majority vote of the members of the Council. All business shall be conducted under standard parliamentary procedure. A quorum shall consist of four (4) members of the Council.

ARTICLE IV

MEETINGS

The annual meeting of the Dixie Sailing Club Cabin Colony will be held as soon as possible after the Dixie Sailing Club's annual meeting, for the purpose of electing officers and a member of the council. Each member of the Cabin Colony is eligible to vote.

The Cabin Colony Council may, by majority vote, set up regular meeting dates as it seems desirable. The Council may set up annual dues by a two-thirds (2/3) vote of the council.

Special meetings of the Cabin Colony or the Cabin Colony Council may be called by the Council as thought advisable.

ARTICLE V

AMENDMENT

Any amendment to this constitution shall be submitted in writing at a regular meeting of the Cabin Colony. Such amendment must be signed by three members of the Cabin Colony. The amendment shall be read by the Secretary under the heading of new business. After such notice, the proposed amendment shall become a part of this constitution if it is approved by a two-thirds (2/3) majority of the members present and voting at the next meeting of the Cabin Colony and is approved by the Board of Directors of the Dixie Sailing Club.

BY-LAWS

ASSIGNMENT AND USE OF CABINS

Section 1. Permission for new construction or external additions to existing structures and for exchange of assignment of cabins must be requested in writing to the Cabin Colon council, and approved by the Council in writing. Permission is subject to all rules governing new construction and/or additions. All contacts with the Russell Land Company or its representatives are to be made solely by the Commodore of the Dixie Sailing Club or his designated representative. Upon approval by the Cabin Colony Council, copies of all plans and/or changes will be forwarded to the Club Commodore to inform the Board of Directors.

Section 2. Persons other than Club Members are not permitted to use the cabins unless they are accompanied by a member of the Cabin Colony acting as host to the visitors.

Section 3. Mixed groups must be properly chaperoned.

II

HEALTH AND SAFETY

Section 1. All garbage, junk, and other unsightly material shall be placed in proper receptacles and the owner of the cabin shall be responsible for its disposal. Individual cabin owners shall be responsible for the removal of debris and unsightly objects on the premises of the assigned lots, and shall maintain safe, clean, and orderly premises at all times.

Section 2. Dogs, cats, and livestock must be confined to the cabin premises of each owner.

Section 3. Each cabin must be equipped with a suitable fire extinguisher.

Section 4. A fifty (50) foot water hose must be attached at all times to the outside faucet of each cabin for use in case of fire.

Section 5. Fireworks, guns, and other dangerous or offensive noise making apparatus are prohibited, except when expressly authorized by the Cabin Colony Council.

II

RESTFULNESS

I

Section 1. Loud playing of radios, television sets, and record players may be most annoying to your neighbors, so be considerate at all times. Excessive noise between twenty-two hundred hours (10:00 PM) and eight hundred hours (8:00 AM) is particularly discouraged.

I

TIDINESS

V

Section 1. Trailers, boats, building materials and equipment, oil, gas, plumbing, heating, refrigerating equipment or appliances etc. must be removed from the cabin area if not in actual use. Each member is expected to keep his cabin well maintained and the surrounding area neat and clean.

V

PRIVATE DOCKS

Section 1. Use of private docks is restricted to owners and their guests.

Section 2. All private docks must be approved by the Cabin Colony Council with the concurrence of the Board of Directors.

VI

APPLICATIONS AND ENFORCEMENT

Section 1. All rules and regulations apply not only to club members and their families, by also to their guests and the workers they may employ.

Section 2. The Cabin Colony Council shall have the authority to enforce all regulations and By-Laws after having notified any violator in writing. All cabin owners should be aware that construction or maintenance in violation of regulations may be corrected by hired labor authorized by the Cabin Colony Council at the owners expense. Minor infractions are subject to a fine of \$25.00 in addition to the cost of correction.

VII

CONSTRUCTION REGULATIONS

All regulations contained herein have been approved by the Board of Directors of the Dixie Sailing Club, with the provision that the entire operation of the Cabin Colony shall be under the jurisdiction of the Cabin Colony Council as heretofore provided and in turn, the Board of Directors of the Dixie Sailing Club.

Section 1. Any member of the Dixie Sailing Club is eligible for a site, space permitting, except as previously outlined.

Section 2. Definitions:

A. Basic Cabin: The maximum dimensions of the Basic Cabin inside walls shall be 16x24 feet. Cabins of any dimension below this maximum may be constructed if approved by the Cabin Colony Council. Only porches, steps, overhang eaves, and awnings may exceed these dimensions. The overhang of eaves is a minimum of two feet and a maximum of three feet per side beyond the basic cabin exterior dimensions.

B. Grade: The topmost floor shall not be higher than two feet above the natural grade of the land at, at least one point. The overall height of the cabin shall be kept to a minimum. Normal room height should be eight (8) feet. The roof pitch should not be radical.

C. Toilet Facilities: A bath may be added outside the dimensional

limitations of the basic cabin. Its maximum inside dimensions are five by seven (5x7) feet. This should not conflict with section 2f below.

D. Porch: One porch may be attached to the basic cabin on either the side or the end. Its floor shall not extend beyond the basic floor length of the cabin side or end to which it is attached, and the porch width shall not be greater than that which results in a combined structure floor size of either 16x34 or 26x24 feet, depending on whether the porch is on the end or the side of the cabin.

E. Basements: Basements are required under the basic cabin and shall include an inside stairway between the basement and upstairs. Basements may be extended to include under the porch if approved by the Cabin Colony Council.

F. Distance Between Cabins: No porch, either open or roofed and no other addition may be constructed that will come closer than 25 feet to the nearest cabin, excepting steps, awnings, and eaves. This rule overrides all other dimensional rules where it is applicable.

Section 4. Restrictions:

A. Only one structure may be erected on a site. Outside abutments, terraces, walls or fences may be built but written approval from the Cabin Colony Council must be obtained before such work is done. Trees may not be topped or cut without the express approval of the Cabin Colony Council.

Section 5. Cabin Setting:

A. The center of the cabin must be on the approximate center of the site and stakes must be driven outlining the exact extent of the structure and the written approval of the Chief Measurer obtained before the foundations are started.

Section 6. Materials:

A. The following construction materials are approved and no other materials may be used without the written approval of the Cabin Colony Council.

Foundations: Concrete block, brick, or any kind of masonry. Wood columns properly treated may be used as pilings or uprights.

Sidewalls: Any standard siding may be used provided the color is in compliance with the specifications.

Roofing: Composition or fiberglass shingle over felt. Color shall be a color that will blend with the trees and shall not be white or any bright color. In special designs of roofs, tar and gravel may be used if the Cabin Colony Council approval of the basic design included this feature.

Floors: Wood or concrete as desired.
Windows: Number and type as desired.
Doors: Number and type as desired.
Color: The entire cabin must be painted or coated in a subdued brown or green. These are the only colors permitted without Cabin Colony Council approval.

Section 7. Plumbing:

A. All plumbing must include an "8" trap to prevent return of fumes. Drains must not empty onto the ground, but must empty into an approved septic tank system. A cutoff valve and hose spigot must be provided on the outside of the cabin and 50 feet of hose attached to it at all times.

B. A maximum of two toilets will be allowed were the necessary sewage disposal equipment is provided, but in no case shall a toilet be installed without the written approval of the Cabin Colony Council and the health department.

C. Any surface seepage or other offensive condition shall be promptly corrected by the owners of the equipment, or the correction will be made by the Cabin Colony Council at the owners expense.

Section 8. Electrical:

A. The minimum electrical service must be a minimum of 150 amperes. No limit on numbers of outlets, switches, appliances etc. so long as they are inspected and approved by the Alabama Power Company.

Section 9. Miscellaneous:

A. No house trailers are permissible.

B. All material resulting from excavations for basements must be disposed of outside of the cabin area or spread out to improve the natural contour of the nearby cabins, subject to the approval of the Cabin Colony Council.

C. The following provision applies only to any cabins that may have been built prior to the date of this amendment (4/14/91) that do not have a basement. "Providing the area beneath the cabin is not excavated and is used for any type of storage, for appearance sake, the area shall be enclosed with either a lattice or a trellis or some type of screen."

D. Cabins on assigned lots must be started within 120 days of the assignment and cabins must be roofed and finished externally within 180 days after starting. The cabin should be "substantially completed" in the opinion of the Cabin Colony Council within one (1) year after starting.

E. Following the approval of a request to build a cabin by all necessary parties and written notification to the member requesting permission, the member shall be obligated to pay to the Dixie Sailing Club (or Russell Lands) such land rent as may be determined by the Dixie Sailing Club Board of Directors. This land rent shall commence immediately upon written notification having been provided to the member.

F. The cabin colony member shall be responsible for notifying the Elmore County Tax Assessor of the Completion of his cabin and arranging for tax notices to be sent to the members home address. The member is responsible for the payment of taxes for all improvements on his assigned lot.

VIII TRANSFER OF OWNERSHIP OR ABANDONMENT

Section 1. In the event a member of the Cabin Colony decides to sell his cabin to another resident active member of the Dixie Sailing Club such sale must be approved by the Cabin Colony Council and the Board of Directors of the Dixie Sailing Club. Should a member of the Cabin Colony Cease to Be a resident active member of the Dixie Sailing Club, he will be given a period of six (6) months from the date of the termination of his member ship to dispose of his cabin to a resident active member of the Dixie Sailing Club. During this period he must observe all of the regulations governing the Cabin Colony. At the end of the six (6) month period, the Cabin Colony Council may take over the maintenance and repair, and sale of the cabin to a resident active member of Dixie Sailing Club.

Section 2. Expenses of the sale, if any, and maintenance cost of the cabin for the period of time it is held by the Cabin Colon Council will be deducted from the sale price of said cabin and the remainder paid to the former owner of the cabin.

Section 3. Should a member of the Cabin Colony fail or refuse for a period of ninety (90) or more days following written demand from the Cabin Colony Council to pay expenses authorized by the Council pursuant to article 6, section 2, he shall be deemed to have abandoned the cabin. In such event, the Cabin Colony Council may take over the maintenance, and repair, and the sale of the cabin to a resident active member of the Dixie Sailing Club. The said expenses, expenses of sale, if any, and maintenance cost of the cabin for the period of time it is held by the Cabin Colony Council will be deducted from the sale price of said cabin and the remainder paid to the former owner of the cabin.