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Colonel Krage
712-251-1451

TERRACE PARK DOCK PROPERTY OWNERS ASSOCIATION

TWENTY-EIGHTH ANNIVERSARY

1975 - 2003

INTRODUCTION LETTER

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BY-LAWS

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Updated November 3, 2003
Colonel F. Krage, President

**TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION
THIS LETTER IS INTENDED TO INTRODUCE YOU TO THE
ASSOCIATION**

ORGANIZED: May 25, 1975 as a non-profit corporation.

REASON: The Iowa State Conservation Commission would no longer issue dock permits to so many different property owners on the Terrace Park Beach. The Commission required that only five dock permits would be issued in 1976 and that the Property Owners should organize.

MEMBERS: Only those Lot Owners owning a Lot of record which is part of the original and amended plats of Terrace Park, Dickinson County, Iowa which said plats have been recorded in the Office of the Dickinson County Recorder prior to the effective date of the City of West Okoboji and the Terrace Park Dock and Property Owners Association agreement dated November 2, 1987 and the adjacent lot southeast of Lot 3-003 Block 16 legally known as Trt 50' x 271.61' x 60' x 176.5' in Lot C Replat Terrace Park (Parcel B) Parcel WOOKS 0636407010 shall be eligible to be members of the Association.

ORGANIZATION: Three directors at large and five directors – one to represent each of the docks. The directors elect a President, Vice President and Secretary-Treasurer.

PURPOSE: To organize property owners to secure dock permits from the Iowa Conservation Commission for that portion of Green's Beach in the Plat of Terrace Park West of Boys Town and for the use by the members of this Corporation to administer and exercise general supervision of the use of said docks, to make such rules as the By-Laws may from time to time provide, to advance the welfare and safety of the use of Green's Beach, and to do any and all other lawful acts which may advance the general welfare of the members of this Corporation which the By-Laws may from time to time authorize. (Amended July 6, 1985; May 24, 1992; September 6, 1992; June 5, 1999; and August 30, 2003)

The Corporation shall have unlimited power to engage in and to do any lawful act concerning any and all lawful businesses for which corporations may be organized under Chapter 504A of the Code of Iowa.

SETTLEMENT: On June 2, 1980 an agreement was signed by the Terrace Park Dock & Property Owners Association and the City of West Okoboji, Iowa whereby the Terrace Park Beach West of Boys Town of approximately 1000' was divided in half (approximately 500'). The East half going to the City of West Okoboji and the West half going to Terrace Park Dock and Property Owners Association. This was accomplished by Terrace Park property owners giving Quit Claim Deeds of their 12' easements to the East half to the City of West Okoboji and giving Quit Claim Deeds of their 12' easements to the West half to the Terrace Park Dock & Property Owners Association.

The Title to the West half is held by the Association with membership allowed per Article of Incorporation and By-Laws. Deeds were recorded January 7, 1988.

LAND PURCHASE: On September 1, 1993 the Terrace Park Dock & Property Owners Association purchased land south of our Members' homes consisting of approximately 13 1/2 acres of timberland and 7 platted lots. The lots were to be sold to the adjoining property owner members. The timberland is to be left in its natural state and small portion used for members trailer storage.

MEMBERSHIP CLASSIFICATIONS:

- (a) A Beach and Dock Use Membership – A Beach and Dock Use Membership shall entitle the member to membership in the Association and use of the beach plus use of docks owned by the Association. This will not entitle the member to have a boat hoist.
- (b) A Dock and Hoist Membership – A Dock and Hoist Membership includes the rights of the Beach and Dock Use Membership plus the right to install and maintain a boat hoist OWNED by the Member and used for a boat OWNED by the member or their home tenants, and have use of electricity for said boat hoist adjoining the docks owned by the Association. A catwalk from the dock to the hoist may be installed at boat hoist owner's expense.

FEES: Fees of each class of Membership and Initiation Fee shall be established annually by the Board of Directors as follows:

- (a) Initiation Fee - \$250.00. The Initiation Fee is nontransferable; nonrefundable and each member shall pay an Initiation Fee in order to become a member of the Association. The assessment fee of \$250.00 assessed in 1986 shall be applied to the Initiation Fee.
- (b) Certificate Fee - \$ 20,000. The Certificate Fee is transferable and nonrefundable and a must in order to become a member of the Association.
- (c) Beach and Dock Use Membership Fee – payable on or before June 15th of each year. The ~~2004~~ annual fee shall be \$ ~~200.00~~ ²⁰⁰⁷ 300.00
- (d) Dock and Hoist Membership Fee – payable on or before June 15th of each year. The ~~2004~~ annual fee shall be \$ ~~300.00~~ ²⁰⁰⁷ 600.00

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- (c) Rental Property Surcharges - Fee - \$ 500.00 per year. This fee is to pay for the normal beach and dock usage by weekly rental properties.
- (d) Fee Payment - Annual fees are due by June 15th and delinquent after June 30th. A 10 percent late fee per month after June 30th will be assessed. Failure to pay said fees when due shall constitute a default effective December 31st of the year due and in the event of such default the Board of Directors may after thirty (30) days notice in writing by Certified Mail to the delinquent member forfeit all rights of membership of said delinquent member and such forfeiture shall be endorsed upon the certificate of membership transfer book after such action by the Board of Directors.

MEETINGS: An annual meeting of members of the Association is held on the 1st Saturday of June at 9:00 a.m. at the member's home in Terrace Park as set by the Board of Directors.

PRESENT BOARD OF DIRECTORS: 2004 2007

* President - Colonel F. Krage 712-251-1451

Vice President - ~~Larry Levin~~ GLEN PETERSEN

- Secretary - Treasurer - Colonel F. Krage

Dock Directors - Jim Rohlfen (Dock 1), Judy Marsh Wendell (Dock 2),
Ron Sears (Dock 3), Harold Boles (Dock 4), Mike Paxton (Dock 5)

Rewritten by Colonel F. Krage November 3, 2003

ARTICLES OF INCORPORATION

OF

TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION

ARTICLE I

The name of the corporation is

TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION

ARTICLE II

The period of its duration is perpetual

ARTICLE III

The purpose for which said corporation is organized is to secure dock permits from the Iowa Conservation Commission for that portion of Green's Beach in the Plat of Terrace Park, Dickinson County, Iowa, for the use of members of this corporation, to administer and exercise general supervision of the use of said docks, to make such rules as the By-Laws may from time to time provide to advance the welfare and safety of the use of Green's Beach, and to do any other lawful acts which may advance the general welfare of the members of this corporation which the By-Laws may from time to time authorize; the corporation shall have unlimited power to engage in and to do any lawful act concerning any and all lawful businesses for which corporations may be organized under Chapter 504A of the Code of Iowa.

ARTICLE IV

The affairs of the corporation shall be regulated by a Board of Directors of such number as the By-Laws may from time to time prescribe.

ARTICLE V

The address of the initial registered office of the corporation is

RR 1, Milford, Iowa 51351

And the name of its initial registered agent at said address is

Harlan Ihrke

(Presently the registered office is 4630 Perry Way, Sioux City, IA 51104 and the registered agent is Colonel F. Krage)

ARTICLE VI

The number of Directors consisting the initial Board of Directors is 8, and names and addresses of the persons who are to serve as the initial directors are:

Harlan Ihrke	RR 1, Milford, IA 51351
Ed Benz	Laurens, IA 50554
Helen Krage	RR 1, Milford, IA 51351
Roy Rohlin	RR 1, Milford, IA 51351
Don Larson	RR 1, Milford, IA 51351
Jerry Danbom	RR 1, Milford, IA 51351
James W. Rohlfen	RR 1, Milford, IA 51351
R. R. Jackson	935 E. 4 th St, Spencer, IA

ARTICLE VII

The name and address of each incorporator is:

Harlan Ihrke	same as above
R. R. Jackson	
James W. Rohlfen	
Jerry Danbom	
Ed Benz	

ARTICLE VIII

The corporation shall have no seal.

Submitted for review by the membership by President, Secretary-Treasurer-Colonel F. Krage-March 21, 1992. Approved as amended-September 6, 1992.

Approved as combined by the membership at annual meetings on May 24, 1992 and September 6, 1992.

BY-LAWS

OF

TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION

ARTICLE I

OFFICES

1. The principle office of the corporation in the State of Iowa shall be located at 4630 Perry Way, Sioux City, IA 51104
2. The registered office of the corporation required by the Iowa non-profit Corporate Act to be continuously maintained in Iowa shall be at said address, and the registered agent at such address shall be Colonel F. Krage.
3. The registered agent may be changed from time to time as the Board of Directors may designate and upon such change notice thereof shall be given the Secretary of State, State of Iowa, as provided by law.

ARTICLE II

MEMBERS

1. The annual meeting of the members of the Association shall be held on the 1st Saturday of June at 9:00 o'clock AM at the member's home in Terrace Park as set by the Board of Directors or such other date and place in any year as the Board of Directors shall by resolution specify. In the event of a change of the time or place of said meeting all members of the Association shall be notified of such change of time and place by ordinary first class mail not less than thirty (30) days prior to the date fixed for such meeting. At each annual meeting the election of the Board of Directors shall take place and such other business shall be transacted as may be properly presented to such meeting.
2. Special meetings of the membership may be called by the President, by the Board of Directors, or by the holders of not less than one-tenth of all membership certificates entitled to vote at the meeting.
The designation of the time and place of said meeting which shall be held at, such place in Dickinson County as the person or persons calling said meeting shall designate, and written notice of such special meeting shall be mailed first class to each member at their last known address at least fifteen days prior to the said special meeting. A duly signed waiver of notice of said meeting shall operate to waive the requirement of mailed notice.

3. The officer or agent having charge of the membership certificate transfer books for membership in the corporation shall at least ten (10) days before each meeting of members prepare a complete record of the members entitled to vote at such meeting, with designation after each name thereof as to the mailing address of each. Such officer shall maintain such list for the examination of any member at any convenient time and one copy thereof shall be left on file with the registered agent of the corporation. Failure of compliance herewith shall not affect the validity of any action taken at any meeting of members.
4. A majority of members entitled to vote represented in person or by proxy shall constitute a quorum at a meeting of the membership. If a quorum is present, the affirmative vote of the majority of the members represented at the meeting entitled to vote on the subject matters shall be the act of the membership, unless the vote of a greater number is required by the Articles of Incorporation or the By-Laws.
5. At all meetings of the membership, a member may vote either in person or by proxy executed in writing by the members. All proxies shall expire after 11 months from the date of execution thereof, unless the proxy provides otherwise.
6. Subject to the limitations set forth in the Section immediately following this section, each outstanding membership certificate shall be entitled to one vote upon each matter submitted to vote at a meeting of the membership.
7. No non-issued membership certificates shall be voted at any meeting, or counted in determining the total number of out-standing membership certificates at any time, nor shall any certificate repurchased by the corporation be so voted or counted.
Certificates held by administrator, executors, conservators or personal representatives may vote in person or by proxy without formal transfer of such certificate into the name of such personal representative.
A member certificate whose certificate has been pledged or encumbered, shall be entitled to vote such certificate until such certificate has been transferred into the name of the pledgee or mortgagee, and thereafter the pledgee or mortgagee shall be entitled to vote such certificate.
8. Voting on any question shall be by voice vote unless the presiding officer or any certificate holder demands that such voting be by written ballot.

ARTICLE III

1. The membership of this Corporation shall consist of two Classes:

- (a) **BEACH AND DOCK USE MEMBERSHIP.** A Beach and Dock Use Membership shall entitle the member to membership in the Association and use of the beach plus use of the docks owned by the Association. This will not entitle the member to have a boat hoist.
- (b) **DOCK AND HOIST MEMBERSHIP.** A Dock and Hoist Membership includes the rights of the Beach and Dock Use Membership plus the right to install and maintain a boat hoist, OWNED by the member used for a boat OWNED by the member or their home tenants, and have use of electricity for said boat hoist adjoining the docks owned by the Association. A catwalk from the dock to the boat hoist may be installed at boat hoist owner's expense.

2. The fees for each class shall be established annually by the Board for Directors and the initial fees shall be as follows:

- (a) **Initiation Fee** - \$250.00. The initiation fee is nontransferable; nonrefundable and each member shall pay an initiation fee in order to become a member of the Association. The assessment fee of \$250.00 assessed in 1986 shall be applied to the initiation fee.
- (b) **Certificate Fee** - \$20,000. This fee is transferable and nonrefundable and a must in order to become a member of the Association.
- (c) **Beach and Dock Use Membership Fee** - payable on or before June 15th of each year. The 2004 fee shall be \$200.00
- (d) **Dock and Hoist Membership Fee** - payable on or before June 15th of each year. The 2004 annual fee shall be \$300.00
- (e) **Rental Property Surcharge Fee** - \$300 per year. This fee is for larger than normal beach and dock usage by weekly rental properties.
- (f) **Fee Payment** - Annual fees are due by June 15th and delinquent after June 30th. A 10 percent late fee per month after June 30th will be assessed. Failure to pay said fees when due shall constitute a default effective December 31st of the year due and in the event of such default the Board of Directors may after thirty (30) days notice in writing by Certified Mail to the delinquent member forfeit all rights of membership of said delinquent member and such forfeiture shall be endorsed upon the certificate of membership transfer book after such action by the Board of Directors.

3. Only those Lot Owners owning a Lot of record which is part of the original and amended plats of Terrace Park, Dickinson County, Iowa. Said plats must have been recorded prior to the effective date of the City of West Okoboji and the Terrace Park Dock and Property Owners Association Agreement; and a parcel southeast of Lot 3-003 Block 16 legally known as 'Tri 50' x 271.61' x 60 x 176.5' in Lot C Replat Terrace Park (Parcel B) Parcel WOOKS 0636407010 shall be eligible to be members of the Association.
4. No more than one Certificate of Membership in the Association may be issued to an owner of a Lot or Lots in the above-described properties. An owner shall be defined to be a person who owns one or more Lots, either individual, in co-ownership, joint tenancy, partnership, or in a corporation. Any spouse, child or children owning a Lot separated from the Lot owned by the family member Certificate Holder shall be required to obtain their own membership in the Association.

ARTICLE IV

The initial Board of Directors shall consist of 8 directors, one of which shall be selected from each dock either owned, administered, or controlled by the Corporation and such director shall be designated by those persons who have a leasehold interest in or participate in the administration of the respective dock from which such director is named. Three directors shall be selected at large and shall be selected by all members of the Association. The initial Board of Directors shall serve until the first annual meeting of the membership. At the First annual meeting to be held on the 4th Saturday in May of 1976, the three (3) Directors representative of the dock having the lowest three permit numbers shall be elected for a term of three years; the two Directors representing the next lowest dock numbers shall be elected for a term of two years, one Director at large shall be elected for a term of two years, and the other two Directors at large shall be elected for a term of two years, and the other two Directors at large shall be elected for a term of one year. Upon expiration of those terms, all directors shall be elected for a term of three years. In the event additional dock permits are authorized by the State of Iowa, the Board of Directors shall be increased by the number of such additional permits as may be granted to the corporation, and a director from each new additional dock or docks shall be chosen for a term of three years, or for such lesser term as the membership may determine proper at the ensuing annual meeting.

*A LOT is defined as a Lot of record as of November 2, 1987 and Parcel WOOKS 0636407010 both of which have a residential dwelling upon it or which has a building permit applied for on or before November 1, 2003 for a residential dwelling upon the Lot of record or Parcel WOOKS 0636407010

ARTICLE V

It is the intention of the Association to have ownership of the beach area and the various docks for which permits are granted by the Iowa Conservation Commission. Upon such ownership the Association will construct, repair, and maintain the respective docks as may be deemed necessary by the Board of Directors. The fees shall be determined by the Board of Directors and modified annually as may be necessary. The Board of Directors shall have the sole determination as to the apportionment of members among the membership for the various docks owned by the corporation. The Board of Directors shall determine the membership for the dock use herein contemplated and the annual fee for the use of the same. Failure to pay said fees when due shall constitute a default effective December 31st of the year due and in the event of such default the Board of Directors may after thirty (30) days notice in writing by Certified Mail to the delinquent member forfeit all rights of membership of said delinquent member and such forfeiture shall be endorsed upon the certificate of membership transfer book after such action by the Board of Directors. No transfer of a membership certificate, which is in default, shall be honored by the Secretary or any other officer of the corporation. And such certificate after said default and notice and forfeiture shall thereafter be held to be null and void and have no further rights in the within corporation. The ex-Member will have to pay another Initiation Fee and pay any delinquent fees in order to rejoin the Association.

ARTICLE VI

In addition to the original membership fee as hereinabove provided for, each Member shall be obligated to pay to the Association such annual fees as the Board of Directors deems to be a proportionate share of the expenses and anticipated expenses of the Association for the next annual period of operation. Such dues shall be paid by each member by June 15th of the billing year and will be delinquent after June 30th.

ARTICLE VII

The Board of Directors of the corporation shall be a President, a Vice President, and a Secretary – Treasurer, each of who shall be elected by the Board of Directors from the membership of the Board of Directors, and shall be elected at a meeting of the Board of Directors to be held immediately following the adjournment of the annual meeting. The officers so elected shall hold office for one year and until their successors are elected.

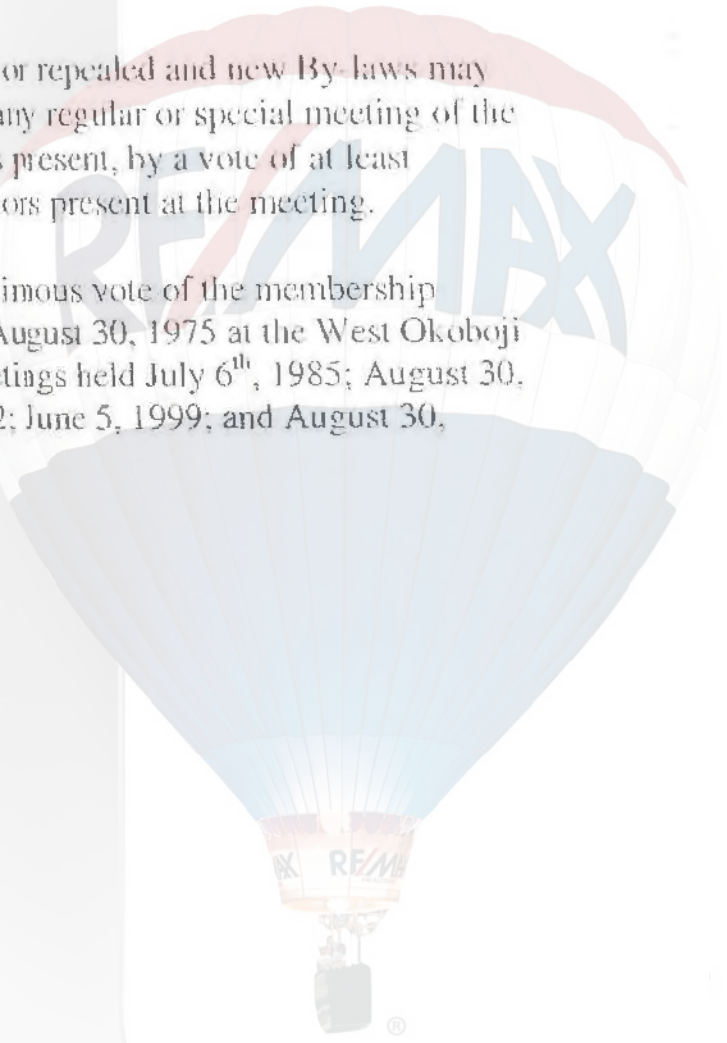
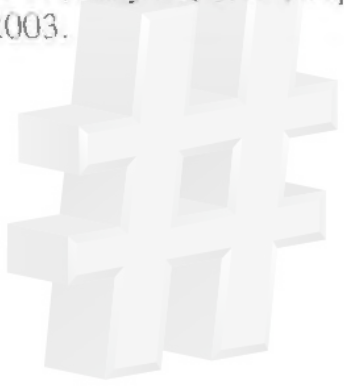
ARTICLE VIII

Upon dissolution of the corporation, all debts and expenses of the Corporation shall first be paid and the balance of the assets shall be distributed, in equal shares, to the members of record at the time of dissolution.

ARTICLE IX

These By-laws may be altered, amended or repealed and new By-laws may be adopted by the Board of Directors at any regular or special meeting of the Board of Directors, at which a quorum is present, by a vote of at least Seventy five percent (75%) of the Directors present at the meeting.

The foregoing By-laws adopted by unanimous vote of the membership present at a Membership Meeting held August 30, 1975 at the West Okoboji City Hall, amended at Membership Meetings held July 6th, 1985; August 30, 1987; May 24, 1992; September 6, 1992; June 5, 1999; and August 30, 2003.



**RULES AND REGULATIONS
OF
TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION
BEACH**

1. **NOT A BOAT RAMP** – Do not back trailers and vehicles onto the sand to load or unload boats. The sand will not hold up a trailer and/or a vehicle. Spinning tires destroy the grass along the beach.
2. **BEACHED BOATS** – Boats stored on the beach must be registered with the Association. No boats will be beached in the areas between the “L” docks known as the swimming areas.
3. **GATE TO THE BEACH**– The drive through entrance to the beach should have the chain up at all times except while driving through.
4. **PARKING ON THE BEACH**– Parking on the beach is limited to occasional usage by members only. No long term parking while you are swimming or out on the lake. Park in the street or at your own property.
5. **TREES**– The Board of Directors must approve any tree removal or tree planting. Bad trees on the beach are to be taken down and trees will be trimmed annually as needed.
6. **PETS**– No pets are allowed in the beach area.

**RULES AND REGULATIONS
OF
TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION
BEACH AND DOCK USE MEMBERSHIP**

A Beach and Dock Use Membership class shall entitle the member to membership in the Association and use of the beach plus use of the docks owned by the Association. This will not entitle the member to have a boat hoist.

1. **DOCK DIRECTORS** – There is a member elected for term of one year to be in charge of each dock. Any problems on a dock should be referred to the appropriate Dock Director.
2. **DOCK PERMITS** – The Association will always have current dock permits in force with the Iowa Department of Natural Resources and conform to their regulations.
3. **NUMBER OF DOCKS** – The number of docks should be limited to a maximum of five.

4. **DOCK USAGE** – Docks are to be used by Beach and Dock Use Members and Dock & Hoist Members, their families and their guests. The Beach and Dock Use Members and the Dock and Hoist Members have the paid privilege to use the beach and docks, but remember be courteous and share with your fellow members.
5. **TRANSFER OF OWNERSHIP OF PROPERTY** – Beach and Dock Use membership and the right to use the docks goes with the property at the time of sale assuming the seller's fees are all current and the buyers pay a new Initiation Fee.
6. **DOCK USE MEMBERSHIP WAITING LIST** – When the Board of Directors feel that all available dock space had been used, a Dock Member waiting list will be started based on the date of the new Dock Member's request. As soon as space is available, the person with the oldest request date will be allowed space.
7. **DOCK INSTALLATION** – Bids will be taken in the fall of each year for the contract to install and remove the docks the following year. The location and configuration of the docks will be the judgment of the Board of Directors.
8. **DOCK PAINTING OR CARPET** – Each dock can choose to paint their own dock. Labor expense to be paid by each dock and paint furnished by the Association. Carpet will be allowed on each dock. Cost of the carpet, installation and removal to be paid by each dock.
9. **PARKING OF BOATS** – No boats in the swimming area between "L" docks.
No boats tied up on the inside of the "L" docks.
No boats beached in the swimming areas between the "L" docks.
Temporary beached boats allowed only in the NON-swimming areas.
Temporary parking of boats is allowed on the end of the "L" and on the side of the "L". Please limit the boat tie-ups when swimmers are using the docks.
Members - keep your boats in their hoists, not tied to the docks.

Approved as amended by the membership at annual meetings May 24, 1992,
September 6, 1992, June 5, 1999 and August 30, 2003.

RULES AND REGULATIONS

OF

TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION

DOCK AND HOIST MEMBERSHIP

A Dock and Hoist Membership includes the rights of a Beach and Dock Use membership plus the right to install and maintain a boat hoist OWNED by the member used for a boat OWNED by the member or their home tenants, and have use of electricity for said boat hoist adjoining the docks owned by the Association. A catwalk from the dock to the boat hoist may be installed at boat hoist owner's expense.

1. **HOIST SPACE** – The Secretary will send membership requests for hoist space and locations out in February of each year. Members must have their request back by the assigned date if any member wants a new hoist request or change of location request. No response by assigned date will be taken as wanting the same hoist space.
2. **HOIST MEMBERSHIP CERTIFICATES** – Each hoist member will be issued a Hoist Member Certificate based on the date of first paid hoist request. This request will be issued after the Initiation Fee and Certificate Fee have been paid and membership fees are current.
If fees are delinquent at the end of the year or membership is dropped for one year, the Hoist Member Certificate will become invalid on January 1st of the year after the non-payment or non-membership. Delinquent member - see By-laws Art. III (2e) & V.
3. **HOIST INSTALLATIONS APPROVAL** – Hoist installation and approval by the Board of Directors will be based on owner's request, owner's property location, owner's hoist certificate date, type of hoist, condition and leg length of hoist, boat size; and mainly, what is best for the total association. No hoist will be installed without the approval by the Board of Directors. If any unauthorized hoist is installed, it will, under the direction of the Board of Directors, be removed at the owner's expense.
4. **NUMBER OF HOISTS PER MEMBER** – Each member may be allowed as many hoists per member as long as space permits and other members are not deprived of space.
5. **TRANSFER OF OWNERSHIP OF PROPERTY** – Dock and Hoist Membership and the right to have a hoist; DO go with the property at the time of sale.

6. **RENTAL OF HOIST OR HOIST SPACE TO NON - MEMBERS** – No hoist or hoist space can be rented to non-members. Exception – The owner of the property can allow their tenants the use of said hoist while a tenant is a RESIDENT of said property as long as the hoist is owned by the property owner.
7. **HOIST MEMBERSHIP WAITING LIST** – When the Board of Directors feel that all available hoist space has been used; a Hoist Member waiting list will be started based on the date of the new Hoist Member request. As soon as space is available, the person with the oldest request date will be allowed space.
8. **PAYING HOIST FEE FOR SPACE NOT USED** – A member may pay an Annual hoist fee for hoist rights and not install any hoist. As long as the fee is continuous, this gives the Member hoist space seniority if the Member ever wants to install a hoist. No vacant space will be reserved for this Member. When the Member wants to install their hoist; the next vacant space will be given to this Member assuming the Member has seniority over any other member on the waiting list. This Member cannot bump an existing Member's hoist position.
9. **INSTALLATION AND REMOVAL OF HOISTS** – The Association will not handle hoist installation and removal. The Member will coordinate with the Dock Director, and will hire or do themselves the installation and removal of their hoists and pay for the same.
10. **WINTER STORAGE** – Members only may store their hoists on the beach as long as the Association is not in violation of the agreement with the City of West Okoboji. Hoist must be off the beach by Memorial Day each year.
11. **CATWALKS** – Catwalks that are connected to the hoists can be connected to the docks with no connecting boards allowed on top of the dock planks. All connections must be on the same level or under the dock planks. Maximum length of catwalks should not exceed the length of rear canopy and not to exceed two planks in width. Sharing catwalks may be required by the Board of Directors to benefit the association.
12. **ELECTRICITY** – The Association will furnish electricity to the end of the docks and the hoist owner can plug into these electric boxes.
13. **ASSOCIATION LIABILITY** – The Association will not be held liable for any injuries or repairs to the hoist, to the catwalks or to the electrical connections from the dock plug to and including the hoists. The members and their guests release the Association from any claim for same.
14. **MAXIMUM BOAT LENGTH ALLOWED** – The maximum boat length allowed on the docks and hoists will be twenty six (26) feet.

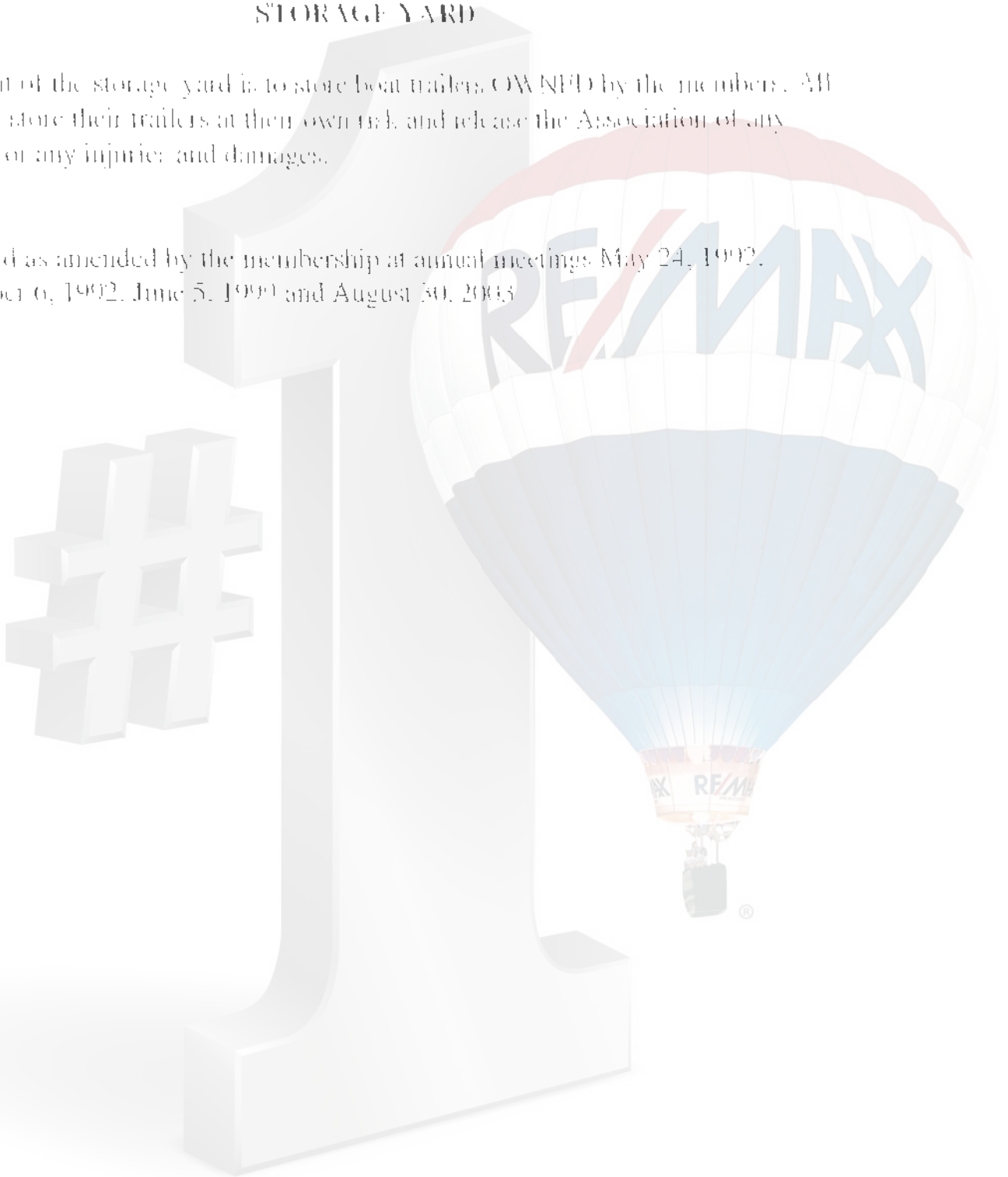
RULES AND REGULATIONS

TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION

STORAGE YARD

The intent of the storage yard is to store boat trailers OWNED by the members. All members store their trailers at their own risk and release the Association of any liability for any injuries and damages.

Approved as amended by the membership at annual meetings May 24, 1992,
September 6, 1992, June 5, 1999 and August 30, 2003



ARTICLES OF INCORPORATION

OF

TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION
(Combined March 21, 1992)

ARTICLE I

The name of the corporation is

TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION.

ARTICLE II

The period of its duration is perpetual.

ARTICLE III

The purpose for which said corporation is organized is to secure dock permits from the Iowa Conservation Commission for that portion of Green's Beach in the Flat of Terrace Park, Dickinson County, Iowa, for the use of members of this corporation, to administer and exercise general supervision of the use of said docks, to make such rules as the By-Laws may from time to time provide to advance the welfare and safety of the use of Green's Beach, and to do any other lawful acts which may advance the general welfare of the members of this corporation which the By-Laws may from time to time authorize; the corporation shall have unlimited power to engage in and to do any lawful act concerning any and all lawful businesses for which corporations may be organized under Chapter 504A of the Code of Iowa.

ARTICLE IV

The affairs of the corporation shall be regulated by a Board of Directors of such number as the By-Laws may from time to time prescribe.

ARTICLE V

The address of the initial registered office of the corporation is

RR 1, Milford, Iowa 51351
and the name of its initial registered agent at said address is
HARLAN IHRKE

(Presently the registered office is 4630 Perry Way, Sioux City, Iowa and the registered agent is Colonel F. Krage)

ARTICLE VI

The number of Directors constituting the initial Board of Directors is 8, and names and addresses of the persons who are to serve as the initial directors are:

Harlan Ihrke
Ed Benz
Helen Krage
Roy Rohlin
Don Larsen
Jerry Danborn
James W. Rohlfser
R. R. Jackson

RR 1, Milford, Ia. 51351
Laurens, Iowa 50554
RR 1, Milford, Ia. 51351
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RR 1, Milford, Ia 51351
RR 1, Milford, Ia 51351
RR 1, Milford, Ia 51351
935 E 4th St, Spencer, Ia

ARTICLE VII

The name and address of each incorporator is:

Harlan Ihrke
R. R. Jackson
James W. Rohlfser
Jerry Danborn
Ed Benz

as above

ARTICLE VIII

The corporation shall have no seal.

Submitted for review by the membership by President, Secretary-Treasurer - Colonel F. Krage - March 21, 1992.

BYLAWS
OF
TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION

ARTICLE I
OFFICES

1. The principal office of the corporation in the State of Iowa shall be located at RR 1, Milford, Dickinson County, Iowa 51351. (Presently located at 4630 Ferry Way, Sioux City, Iowa 51104)

2. The registered office of the corporation required by the Iowa non-profit Corporation Act to be continuously maintained in Iowa shall be at said address, and the registered agent at such address shall be Harlan Ihrke. (Presently Colonel F. Krage)

3. The registered agent may be changed from time to time as the Board of Directors may designate and upon such change notice thereof shall be given to the Secretary of State, State of Iowa, as provided by law.

ARTICLE II
MEMBERS

1. The annual meeting of members of the Association shall be held on the 4th Saturday of May at 2:00 o'clock P. M., in the West Okoboji City Hall or at such other date and place in any year as the Board of Directors shall by resolution specify. In the event of a change of the time and place of said meeting all members of the Association shall be notified of such change of time and place by ordinary first class mail not less than thirty (30) days prior to the date fixed for such meeting. At each annual meeting the election of Directors shall take place and such other business shall be transacted as may be properly presented to such meeting.

2. Special meetings of the membership may be called by the President, by the Board of Directors, or by the holders of not less than one-tenth of all membership certificates entitled to vote at the meeting.

The designation of the time and place of said meeting which shall be held at such place within Dickinson County as the person or persons calling said meeting shall designate, and written notice of such special meeting shall be mailed first class mail to each member at their last known address at least fifteen days prior to the said special meeting. A duly signed waiver of notice of said meeting shall operate to waive the requirement of mailed notice.

3. The officer or agent having charge of the membership certificate transfer books for membership in the corporation shall at least ten (10) days before each meeting of members

prepare a complete record of the members entitled to vote at such meeting, with designation after each name thereof as to the mailing address of each. Such officer shall maintain such list for the examination of any member at any convenient time and one copy thereof shall be left on file with the registered agent of the corporation. Failure of compliance herewith shall not affect the validity of any action taken at any meeting of members.

4. A majority of members entitled to vote represented in person or by proxy shall constitute a quorum at a meeting of the membership. If a quorum is present, the affirmative vote of the majority of the members represented at the meeting entitled to vote on the subject matters shall be the act of the membership, unless the vote of a greater number is required by the Articles of Incorporation or the By-Laws.

5. At all meetings of the membership, a member may vote either in person or by proxy executed in writing by the members. All proxies shall expire after 11 months from the date of execution thereof, unless the proxy provides otherwise.

6. Subject to the limitations set forth in the Section immediately following this section, each outstanding membership certificate shall be entitled to one vote upon each matter submitted to vote at a meeting of the membership.

7. No non-issued membership certificates shall be voted at any meeting, or counted in determining the total number of outstanding membership certificates at any time, nor shall any certificate repurchased by the corporation be so voted or counted.

Certificates held by administrators, executors, conservators or personal representatives may be voted in person or by proxy without formal transfer of such certificate into the name of such personal representative.

A member certificate whose certificate has been pledged or encumbered, shall be entitled to vote such certificate until such certificate has been transferred into the name of the pledgee or mortgagee, and thereafter the pledgee or mortgagee shall be entitled to vote such certificate.

8. Voting on any question shall be by voice vote unless the presiding officer or any certificate holder demand that such voting be by written ballot.

ARTICLE III

1. The membership of this Corporation shall consist of three Classes:

(a) MEMBERSHIP. A Membership class shall entitle the member to membership in the Association and use of the beach owned by the Association.

(b) DOCK USE MEMBERSHIP. A Dock Use Membership includes the rights of the Membership member plus use of the docks owned by the Association. This will not entitle the member to have a boat hoist.

(c) DOCK AND HOIST MEMBERSHIP. A Dock and Hoist member shall be entitled to all rights of a Dock Use member plus the right to install and maintain a boat hoist and have use of electricity for said boat hoist adjoining the docks owned by the Association. A walkway from the dock to the boat hoist may be installed at boat hoist owner's expense.

2. The fees for each class shall be established annually by the Board of Directors and the initial fees shall be as follows:

(a) Initiation Fee - \$250.00. The initiation fee is nontransferrable, nonrefundable and each member shall pay an initial initiation fee in order to become a member of the Association. The assessment fee of \$250.00 assessed in 1986 shall be applied to the initiation fee.

(b) Membership Fee - payable on or before June 15th of each year. The 1987 annual fee shall be \$30.00.

(c) Dock Use Fee - payable on or before June 15th of each year. The 1987 annual fee shall be \$130.00.

(d) Dock and Hoist Use Fee - payable on or before June 15th of each year. The 1987 annual fee shall be \$200.00.

3. Only those persons or corporations owning a parcel or parcels of land in the following described properties shall be eligible as members of the Association:

All parcels of land in the original plat of Terrace Park and the Replat of Terrace Park, Dickinson County, Iowa.

4. No more than one certificate of membership in this corporation may be issued to an owner of a parcel or parcels in the above described properties. An owner shall be defined to be a person who owns one or more parcels, either individually, in co-ownership, joint tenancy, partnership, or in a corporation. Title conveyed to a spouse or a child shall not entitle such spouse or child to own an additional membership so long as said persons are all a part of one family group.

ARTICLE IV

1. The initial Board of Directors shall consist of 8 directors, one of which shall be selected from each dock either owned, administered, or controlled by the corporation, and such director shall be designated by those persons who have a leasehold interest in or participate in the administration of the respective dock from which such director is named. Three directors shall be selected at large and shall be selected by all members of the Association. The initial Board of Directors shall serve until the first annual meeting of the membership. At the first annual meeting to be held on the 4th Saturday in May of 1976, the three (3) Directors representative of the dock having the lowest three permit numbers shall be elected for a term of three years; the two Directors representing the next lowest dock numbers shall be elected for a term of two years, one Director at large shall be elected for a term of two years, and the other two Directors at large shall be elected for a term of one year. Upon expiration of those terms, all Directors shall be elected for a term of three years. In the event additional dock permits are authorized by the State of Iowa, the Board of Directors shall be increased by the number of such additional permits as may be granted to the corporation, and a director from each new additional dock or docks shall be chosen for a term of three years, or for such lesser term as the membership may determine proper at the ensuing annual meeting.

ARTICLE V

It is the intention of the Association to have ownership of the various docks for which permits are granted by the Iowa Conservation Commission. Upon such ownership the Association will construct, repair, and maintain the respective docks and leases for annual or longer periods as may be deemed proper by the Board of Directors, shall be entered into by the Board of Directors and any member desiring such lease. The consideration for such lease shall be determined by the Board of Directors and modified annually as may appear to be proper. The leases to be entered into shall be of two classes, one lease shall be for the use of the member and his family and guests for swimming and temporary boat docking, the other type of lease shall be for swimming, temporary boat docking, and for the auxiliary use of one or more boat lifts which lifts will be owned and maintained by the member. The Board of Directors shall have the sole determination as to the apportionment of leases among the membership for the various docks owned by the corporation. The Board of Directors shall determine the form of lease for the dock use herein contemplated, and the annual rental for the use of the same, which rental shall be payable in advance. Failure to pay said rental when due shall constitute a default and in the event of such default the Board of Directors may after thirty (30) days' notice in writing to the delinquent member forfeit all rights of membership of said delinquent member and such forfeiture shall be endorsed upon the certificate of membership transfer book after such action by the Board of Directors. No transfer of a membership certificate which

is in default shall be honored by the Secretary or any other officer of the corporation, and such certificate after said default and notice and forfeiture shall thereafter be held to be null and void and have no further rights in the within corporation.

ARTICLE VI

In addition to the original membership fee as hereinabove provided for, each member shall be obligated to pay to the Association such annual dues as the Board of Directors deems to be a proportionate share of the expenses and anticipated expenses of the Association for the next annual period of operation. Such dues shall be paid by each member within thirty (30) days of the billing therefore.

ARTICLE VII

The officers of the corporation shall be a President, a Vice-President, and a Secretary-Treasurer, each of whom shall be elected by the Board of Directors from the membership of the Board of Directors, and shall be elected at a meeting of the Board of Directors to be held immediately following the adjournment of the annual meeting. The officers so elected shall hold office for one year and until their successors are elected.

ARTICLE VIII

Upon dissolution of the corporation, all debts and expenses of the corporation shall first be paid and the balance of the assets shall be distributed, in equal shares, to the members of record at the time of dissolution.

ARTICLE IX

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by the Board of Directors at any regular or special meeting of the Board of Directors, at which a quorum is present, by a vote of at least seventy-five per cent (75%) of the Directors present at the meeting.

The foregoing Bylaws adopted by unanimous vote of the membership present at a Membership Meeting held August 30, 1975 at the West Okoboji City Hall, amended at a Membership Meeting held July 6th, 1985 and amended at a Membership Meeting held August 30, 1987.

Submitted for review by the membership by President, Secretary-Treasurer - Colonel F. Krage - March 21, 1992.

RULES AND REGULATIONS
OF
TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION
BEACH

1. NOT A BOAT RAMP - Do not back trailers and vehicles onto the sand to load or unload boats. The sand will not hold up a trailer and/or a vehicle. Spinning tires destroy the grass along the beach.
2. BEACHED BOATS - Boats stored on the beach must be registered with Association. No boats will be beached in the areas between the "L" docks known as the swimming areas.
3. GATE TO THE BEACH - The drive thru entrance to the beach should have the chain up at all times except while driving thru.
4. PARKING ON THE BEACH - Parking on the beach is limited to occasional usage by members only. No long term parking while you are swimming or out on the lake. Park in the street or at your own property.
5. ANNUAL MEMBERSHIP BEACH PARTY - There will be an Annual Membership Beach Party in July of each year.
6. TREES - The Officers and Dock Directors must approve any tree removal or tree planting.
Bad trees on the beach are to be taken down. 5/29/88

RULES AND REGULATIONS
OF
TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION
BEACH MEMBERSHIP

A Membership class shall entitle the member to membership in the Association and use of the beach owned by the Association.

1. TRANSFER OF OWNERSHIP OF PROPERTY - Membership goes with the property at the time of sale assuming the sellers' fees are current and the buyers pay a new Initiation Fee.

RULES AND REGULATIONS
OF
TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION

DOCK USE MEMBERSHIP

A Dock Use Membership includes the rights of the Membership member plus the use of the docks owned by the Association. This will not entitle the member to have a boat hoist.

1. DOCK DIRECTORS - There is a member elected for a term of three years to be in charge of each dock. Any problems on a dock should be referred to the appropriate Dock Director.

2. DOCK PERMITS - The Association will always have current dock permits in force with the Iowa Department of Natural Resources and conform to their regulations.

3. NUMBER OF DOCKS - The number of docks should be limited to a maximum of five. 9/3/89

4. DOCK USAGE - Docks are to be used by Dock Members and Hoist Members, their families and their guests. Beach Membership does not give you the right to use the docks. The Officers and Dock Directors will assign dock usage to the tenants of all rental property because of their large usage. The Dock Members and the Hoist Members have the paid privilege to use the docks but remember to be courtesy and share with your fellow members.

5. TRANSFER OF OWNERSHIP OF PROPERTY - Dock Use Membership and seniority goes with the property at the time of sale assuming the sellers' fees are all current and the buyers pay a new Initiation Fee. 5/26/90

6. DOCK MEMBERSHIP WAITING LIST - When the Officers and the Dock Directors feel that all available dock space has been used, a Dock Member waiting list will be started based on the date of the new Dock Member request. As soon as space is available, the person with the oldest request date will be allowed space.

7. DOCK INSTALLATION - Bids will be taken in the fall of each year for the contract to install and remove the docks the following year. 5/26/90

The location and configuration of the docks will be the judgment of the Officers and the Dock Directors.

8. DOCK PAINTING OR CARPET - Each dock can choose to paint their own dock. Labor expense to be paid by each dock and paint furnished by the Association. 5/28/89

Carpet will be allowed on each dock. Cost of the carpet, installation and removal to be paid by each dock. 5/25/85

9. PARKING OF BOATS No boats in the swimming areas between "L" docks.

No boats tied up on the inside of the "L" docks.

No boats beached in the swimming areas between the "L" docks.

Temporary beached boats allowed only in the non swimming areas.

Temporary parking of boats is allowed on the end of the "L" and on the side of the "L". Please limit the boat tie ups when swimmers are using the docks.

Members keep their boats in their hoist not tied to the docks.



RULES AND REGULATIONS
OF
TERRACE PARK DOCK & PROPERTY OWNERS ASSOCIATION

DOCK AND HOIST MEMBERSHIP

A Dock and Hoist Member shall be entitled to all rights of a Dock Use member plus the right to install and maintain a boat hoist and have use of electricity for said boat hoist adjoining the docks owned by the Association. A catwalk from the dock to the boat hoist may be installed at boat hoist owner's expense.

1. HOIST SPACE - The Secretary will send membership requests for hoist space and locations out in February of each year. Members must have their request back by the assigned date or the Officers will take the lack of a response as a NO request for hoist space. 9/3/89

2. HOIST MEMBERSHIP CERTIFICATES - Each hoist member will be issued a Hoist Member Certificate based on the date of first paid hoist request. 5/26/91 This request will be issued after the Initiation Fee has been paid and membership fees are current. If fees are delinquent at the end of the year or membership is dropped for one year, the Hoist Member Certificate will become invalid on January 1st of the year after the non payment or non membership.

3. HOIST INSTALLATION APPROVAL - Hoist installation and approval by the Officers and Dock Directors will be based on owners' request, owners' property location, membership longevity, type of hoist, condition and leg length of hoist, boat size; and mainly, what is best for the total association.

No hoist will be installed without the approval by the Officers and Dock Directors.

If any unauthorized hoist is installed, it will, under the direction of the Officers and Dock Directors, be removed at the owner's expense.

4. NUMBER OF HOISTS PER MEMBER - Each member may be allowed as many hoists per member as long as space permits and other members are not deprived of space. 9/10/89

5. TRANSFER OF OWNERSHIP OF PROPERTY - Hoist Membership and assignment seniority goes with the property at the time of sale assuming the sellers' fees are all current and the buyers pay a new Initiation Fee. 5/26/90

6. RENTAL OF HOIST OR HOIST SPACE TO NON-MEMBERS - No hoist or hoist space can be rented to non-members. 5/24/87 Exception-The owner of the property can allow their tenants the use of said hoist while a tenant is a resident of said property as long as the hoist is owned by the property owner. 5/26/91

7. HOIST MEMBERSHIP WAITING LIST - When the Officers and the Dock Directors feel that all available hoist space has been used, a Hoist Member waiting list will be started based on the date of the new Hoist Member request. As soon as space is available, the person with the oldest request date will be allowed space.

8. INSTALLATION AND REMOVAL OF HOISTS - The Association will not handle hoist installation and removal. The member will coordinate with the Dock Director, will hire or do themselves the installation and removal of their hoists and pay for the same. 9/1/91

9. WINTER STORAGE - Members only may store their hoists on the beach as long as the Association is not in violation of the agreement with the City of West Okoboji. Hoist must be off the beach by Memorial Day each year. 5/29/88

10. CATWALKS - Catwalks that are connected to the hoists can be connected to the docks with no connecting boards allowed on top of the dock planks. All connections must be on the same level or under the dock planks.

11. ELECTRICITY - The Association will furnish electricity to the end of the docks and the hoist owner can plug into these electric boxes.

12. ASSOCIATION LIABILITY - The Association will not be held liable for any injurers or repairs to the hoist, to the catwalks or to the electrical connections from the dock plug to and including the hoists.