BEN OAKS CIVIC ASSOCIATION CONSTITUTION

ARTICLE I

Name

Section 1: This Association shall be a Corporation known as:

BEN OAKS CIVIC ASSOCIATION, INC.

ARTICLE II

Object

<u>Section 1</u>: The object of this association shall be to take concerted action with respect to all matters of interest to owners of property at Ben Oaks on the Severn.

ARTICLE III

Members and Membership Classification

<u>Section 1</u>: The membership of the Association shall consist of three classes of persons, namely: (A) Members, (B) Associate Members, (C) Occupying Resident.

<u>Section 2</u>: The qualifications for membership for each of said three classes shall be as follows and subject to the approval of the Board of Directors.

- (A) Members: Any person who owns or has contracted for residential real estate (exclusively or jointly with any other person or persons) within the limits of Ben Oaks on the Severn, shall be eligible to become a member, as hereinafter provided.
- (B) Associate Members: Any person living within the limits of Ben Oaks on the Severn as a year-around resident, in a house or apartment rented by him, but who does not own real estate within the limits of Ben Oaks on the Severn, shall be eligible to become an Associate Member, as hereinafter provided.
- (C) Occupying Resident: Any person living within the limits of Ben Oaks on the Severn, as a seasonal or temporary resident in a house or apartment rented by him for a period of at least one month and who does not own real estate within the limits of Ben Oaks on the Severn shall be eligible to become an Occupying Resident, as hereinafter provided. (as amended by Community Vote November 2018)
- <u>Section 3</u>: If, after admission to membership, the status of any Member, Associate Member, or Occupying Resident shall change, his membership shall be immediately terminated unless such person can and does, simultaneously with such change of

status, qualify as a Member under one of the other classifications established by this Article; in which event he shall continue to be a member of the Association under the classification which properly describes his new status.

<u>Section 4</u>: The immediate family, and the bona fide guests of all Members, Associate Members and Occupying Residents shall be entitled to participate in all the activities conducted by the Association and to use and enjoy all the recreational and athletic facilities provided by the Association, for the use of all classes of its Members; except as the same are limited by these By-Laws, or by any rule or regulation established by the Board of Directors.

<u>Section 5</u>: Owners or tenants of property in Ben Oaks, who are not members of the Association, shall not, unless their applications for membership be pending before the Board of Directors, be regarded as bona fide guests of any Member, Associate Member or Occupying Resident for the purpose of Section 4 (above) of this Article.

ARTICLE IV

Termination of Membership

<u>Section 1</u>: The Board of Directors shall be authorized to terminate the membership of any Member, Associate member, or Occupying Resident for:

- (A) Failure to pay the established dues charged such Members for their membership in the Association by June 30 of each year.
- (B) Violation of the these By-Laws or any rule or regulation adopted by the Board of Directors, for the management and conduct of the affairs of the Association.
- (C) Conduct or activity deemed by the Board of Directors to be contrary to the interests of this Association, or the Community at large, or contrary to the objects and purposes for which this Association was organized.

ARTICLE V

Dues

Section 1: The dues for all classes of Membership shall be the same, and the amount of such dues shall be recommended for each year by the Board of Directors at the September meeting. This recommendation must be voted upon and, if the motion is lost, the dues will revert to the amount of the previous year. Dues shall be due and payable May 1st and shall be deemed to be in arrears on and after June 30 of that year. A fifteen percent (15%) penalty will be charged for each year, or fraction thereof, that assessments are overdue; plus collection costs and reasonable counsel fees. Owners who acquire property or tenants who arrive after October 1 shall be granted membership

without payment of dues until the following May 1. ARTICLE VI

Voting Rights of Members

- <u>Section 1</u>: Voting rights of members shall vary according to membership and resident status:
- (A) Members owning lot(s) and maintaining permanent residence within the limits of Ben Oaks on the Severn shall be allowed a total of two votes per household.
- (B) Members owning lot(s) but not residing within the limits of Ben Oaks on the Severn shall be allowed one vote per family.
- (C) Associate Members shall be allowed one vote per household.
- (D) Occupying Residents shall have no voting rights at any regular or special meeting.
- <u>Section 2</u>: Voting upon all questions shall normally be by voice vote. Upon the request of any three members present, the vote shall be taken by ballot or roll call. Election of officers and Board Members shall be by ballot.
- <u>Section 3:</u> Members and Associate Members shall have the right to vote by proxy providing the proxy shall have been supplied in writing to the member voting.

ARTICLE VII

Board of Directors

- Section 1: The Board of Directors shall be Members and Associate Members of the Association and shall consist of the President, Vice President, Treasurer, Recording Secretary, Corresponding Secretary of the Association, Retiring President and two other Board Members. During the regular September meeting, the name of the previous year's Vice President shall automatically be placed in nomination for President. The officers shall be elected for a term of one year and Board members shall be elected one yearly for a term of two years. The Board of Directors may have such honorary members, not to exceed two, who shall be nominated by the President.
- Section 2: The Board of Directors shall constitute the Executive body of the Association and shall hold regular executive meetings during the thirty days prior to the regular Association meetings and special meetings at other times as may be called by the President, and shall be responsible for the management and control of the Association and of its property subject to the Constitution. The Board shall make whatever

purchases and payments which it shall deem necessary and proper for the conduct of the Association's business and shall exercise general supervision over the interests and affairs of the Association consistent with the Constitution.

<u>Section 3</u>: The Board of Directors shall appoint a committee to audit the treasurer's books annually prior to the September meeting and/or prior to his going out of office.

<u>Section 4</u>: No household shall have more than one representative on the Board of Directors.

<u>Section 5</u>: At all meetings of the Board of Directors, five (5) members shall constitute a quorum.

<u>Section 6</u>: All members of the Board of Directors shall be notified prior to any meeting, Notification by mail is considered adequate.

ARTICLE VIII

Officers

Section 1: President - The President shall be the presiding officer at all meetings of the Association, and Board of Directors, preserve order therein, shall call special meetings at the request of five or more members when made in writing, shall call special meetings of the Board of Directors at the request of three or more members of said Board when made in writing; and shall by and with the approval of the Board of Directors appoint and have jurisdiction over all working committees and the Counsel for the Association; and shall at any meeting of the Association or of the Board of Directors appoint such special committees as may be necessary and expedient; shall represent the membership of this Association in all civic matters except when such representation is specifically designated by the members to be a committee or group named for such purposes; and shall otherwise conduct the business affairs of this Association, performing any other duties normally considered as pertaining to this office.

Section 2: Vice President - The Vice President in the event of absence or disability of the President shall assume the duties and responsibilities of the President as stated in Section 1 of this Article. He shall perform all duties ordinarily incident to the duties of Vice President of a Corporation and perform such other duties as may be assigned by the President.

<u>Section3</u>: <u>Treasurer</u> - The Treasurer shall have charge of and be responsible for all funds, securities, receipts, and disbursements of the Association, and shall deposit or cause to be deposited in a banking institution, monies in the name of the Association, and other valuable effects of the Association. He shall maintain a petty cash fund not to exceed \$20.00. The Treasurer shall be bonded in such amount as the Board of

Directors may designate, the cost of said bond to be paid by the Association. He shall prepare yearly statements for presentation, showing receipts and disbursements, balance on hand and in bank, of accounts due by Members to the Association, and of outstanding accounts due by or to the Association. Said reports are to cover the fiscal year, (January 1 to December 31). He shall preside at meetings in the absence of the President and Vice President and perform such other duties as may be assigned by the President.

- Section 4: Corresponding Secretary The Corresponding Secretary shall see that notices are prepared and given, shall perform such other duties as may be assigned by the President, and shall preside at meetings in the absence of the President, Vice President, and Treasurer.
- Section 5: Recording Secretary The Recording Secretary shall keep the minutes of all meetings, shall be the custodian of records and in general shall perform all duties ordinarily incident to the office of a secretary of a Corporation, and such other duties as may be assigned by the President.
- <u>Section 6</u>: The officers shall serve for one year, or until their successors are duly elected and qualified, and they shall assume office during the meeting at which elected. In the event of a vacancy in any elective office, caused by death or resignation, or other causes, the Board of Directors shall appoint a successor to serve for the unexpired term.

ARTICLE IX

Meetings

- Section 1: There shall be joint meetings of the Members and Associate Members of the Association on the second Monday of February, April, June, September and November, at a time and place designated by the President, at which all matters relating to the business and affairs of the Association shall be open for discussion, and such action as shall be determined by the Members and Associate Members.
- <u>Section 2</u>: Special meetings of the membership and of the Board of Directors shall be called by the President as provided in Article VIII, Section 1.
- <u>Section 3</u>: Written requests for the call of special meetings submitted by Members and/or Associate Members must contain a statement of the purpose and objects of any such meeting.
- <u>Section 4</u>: Notices of meetings shall be distributed to each Member and Associate Member at least seven days before the date of such meeting, and shall contain in the case of special meetings, a statement of the purpose and object of the meeting.

<u>Section 5</u>: Quorum of Meetings - A quorum present at meetings of the Association should be constituted by fifteen (15) different Member and Associate Member households.

Section 6: Order of Business:

- 1. Reading of the minutes of the previous meeting
- 2. Report of the Board of Directors
- 3. Report of the Treasurer
- 4. Correspondence
- 5. Report of Special Committees
- 6. Report of Standing Committees
- 7. Unfinished business
- 8. Election
- 9. New business
- 10. Adjournment

ARTICLE X

Rules of Order

<u>Section 1</u>: Rules of Order - The parliamentary authority shall be <u>Roberts Rules of Order</u>, <u>Newly Revised</u> in all cases where it is not inconsistent with these By-Laws or other special rules that the Association shall adopt and the presiding officer shall rule on all points in conformance thereto.

ARTICLE XI (Amended by BOCA June 2000)

Fiscal Control

Section 1: General Fiscal Policy - The Ben Oaks Civic Association (BOCA) shall exercise control of fiscal matters through the action of committees, the Board of Directors, vote of the Association membership, and vote of all property owners, depending on the nature and dollar value of any particular matter, as described herein. Property owners have a right to vote on the annual maintenance budget and all proposed assessment changes. Association members have a right to vote on the dues budget.

The Community Property enhances the value of each Lot in the community. Each property owner has the right of private use of community Property in common with all other owners, and the obligation to share expenses attendant to the maintenance of the Community Property. The Community Property, which belongs to all property owners, is the areas designated in the deed transfer document and any improvements thereof.

Special sinking funds may be created for the purpose of identifying and segregating money for the foreseeable and emergency maintenance of the Community Property beyond the typical yearly maintenance.

Section 2: Sources of Funds - BOCA funds come from two sources,
as follows:

Assessments - The Association, as deed holder for the Community Property, has the right to collect monies (Assessments) from all property owners to fund maintenance and associated operating expenses. Payment of assessments is the responsibility of all property owners. Payment of assessments is enforceable through property liens. Yearly maintenance assessments and sinking fund assessments are intended for the administration, maintenance, upkeep, operation, protection, and insurance of the Community Property. Changes in assessments are approved as described in Section 3 of this article.

Dues and Fees - Non-maintenance expenses are financed by the collection of yearly Association dues, yearly specific activity fees (user fees) and, as required, special one-time fees. Yearly Association dues and user fees are intended for the operating expenses of the Association (including, but not limited to, community relationships, associations, social functions, pier slip expenses, property improvements, donations, administrative costs, and activities support). Dues are collected from Association Members as described in Article V.

Section 3: Levy of Assessments - All assessments to be levied by the Association shall be established in the following manner; the Finance Committee or other appropriate committee shall submit to the Board of Directors all details concerning the expenditure including scope, cost, and assessment per property owner. After approval by the Board of Directors, the plan shall be submitted for discussion at a regular or special meeting of BOCA. Secretary of the Association will duly record all discussion and pertinent comments in the minutes concerning the proposed project and associated assessment, copies of which will be mailed to all property owners, by mail for their vote of "yea" or "nay". Petitions not returned within three weeks from mailing shall be considered as parties willing to abide by the results of those responding. Upon approval of a majority of the respondents, the petition shall be considered as approved and the previous specified assessments shall be billed to each property owner.

If a petition fails to carry the majority of the property owners who respond, the assessment shall be denied, and the project can be carried out only through majority member vote during a meeting with financing from the Association Treasury.

A fifteen percent (15%) penalty will be charged for each year, or fraction thereof, that assessments are overdue; plus collection costs and reasonable counsel fees.

Section 4: Budget - The Treasurer shall be responsible for presenting a written budget to the Board of directors at the August board meeting. The Treasurer shall solicit a committee budget from each Committee Chairperson (both standing and

special). The budget will be in two parts; maintenance (assessments) and Association operation (dues and fees). committee budgets will be used by the Finance committee to develop the Ben Oaks Civic Association budget. The Board of Directors will review the budget, which will be distributed to the community with the board minutes. The Treasurer will then present the budget to the community at the September meeting. The recommended budget will be distributed with the minutes of the September meeting. At the November meeting all property owners are entitled to vote on the recommended maintenance budget. Association Members are entitled to vote on the recommended Association operation budget. Upon approval of a majority vote, the recommended budgets shall be considered approved. If not approved, changes must be made so that approval is received. If material changes are required, the budget must be resubmitted to the community at large for a vote at the next meeting.

Section 5: Authority of the Board - The authority of the Board of Directors to expend funds from these sources shall be limited to \$2,500 for any one project unless otherwise directed by the Association. (as amended by Community Vote March 2017)

Section 6: Limit to Expenditure - Any item of business to come before the Association which involves the expenditure of funds in excess of \$100 for community alterations must be referred to the Board of Directors and/or Committee for recommendation and presentation at a subsequent meeting for vote. Such referral will indicate a desired date of completion if the matter is urgent.

Section 7: Special Sinking Fund- The intent of a special sinking fund is to accumulate money over the course of several years from the yearly assessment fees and/or a one-time assessment. Additional monies from user fees/user deposits may also be attached to the special sinking fund. The special sinking fund and attachments will reside in appropriate low-risk instruments as directed by the Board of Directors. Income from the account will be reinvested into the account.

A special sinking fund shall be established in the following manner: The committee sponsoring the fund shall submit for discussion at a regular or special meeting all details concerning the purpose and need for the fund. Information will include, but not be limited to; statement of purpose, explanation of need, intended disbursement of money from the fund, financial goal of the fund, and source(s) of monies for the fund. Approval will be required in the same manner as for the regular assessments as stated in Section 3 of this article.

The fund may be dissolved by the same process with the committee or the board advocating dissolution submitting for discussion the purpose and need for dissolution of the fund. A dissolved special sinking fund must be converted into another special

sinking fund or rolled into other special sinking funds. Attached user fees, if any, from a redirected special sinking fund must be retained for use by the original special user group.

Each special sinking fund approved by the property owners will be added to the by-laws of the Association as an amendment. The amendment will include the date the special sinking fund was established, and if eventually dissolved, the date of dissolution.

ARTICLE XII

Amendments

Section 1: The Constitution of this Association may be amended, added to, changed, or portions thereof deleted at any time by a vote of two-thirds of the members present at any regular meeting of this Association, provided, however, that due notice of the proposed amendment or change shall be submitted in writing at a meeting prior to the one in which a vote shall be taken and the Association membership be notified in writing thereof.

Addendum to Bylaws

Resolved, that the Board of Directors, by majority vote at any regular or special meeting, may bar from community property any non resident person who has violated the rules and regulations of the Ben Oaks Civic Association. This bar may be for a specific period of time, or for an indefinite period, at the discretion of the Board of Directors.

The Board of Directors may also bar any otherwise qualified person (owner, renter, other resident, etc.) from bringing any guests onto community property for a period of time up to one year.

The process for invoking this rule will be a written complaint from two or more qualified persons (owner, renter, other resident, etc.) which documents the basis for the complaint, listing the date, time, nature of the incident/s and the names of the parties involved.

The person against whom the complaint is lodged will be notified of the complaint and have the opportunity to appear before the Board of Directors to respond to the complaint, if they so choose. (Approved June 13, 1994)

CORPORATE CHARTER APPROVAL SHEET

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Amt. Pd \$100

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DEPARTMENT OF
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2013 APR -8 A 11: 31

ARTICLES OF REVIVAL

FOR

The Ben Oaks Civic Association Incorporated
(Insert exact name of corporation as it appears on records of the State Department of Assessments and
Taxation)
FIRST: The name of the corporation at the time the charter was forfeited was
The Ben Daks Civic Association Incorporated
SECOND: The name which the corporation will use after revival is
THIRD: The address of the principal office in this state is
482 Severnside Dr. Severna Park MD 21146
FOURTH: The name and address of the resident agent is <u>Keuin Lyon</u> S
482 Severnside Dr.
Severna Park MD 21146

FIFTH: These Articles of Revival are for the purpose of reviving the charter of the corporation.

SIXTH: At or prior to the filing of these Articles of Revival, the corporation has (a) Paid all fees required by law; (b) Filed all annual reports which should have been filed by the corporation if its charter had not been forfeited; (c) Paid all state and local taxes, except taxes on real estate, and all interest and penalties due by the corporation or which would have become due if the charter had not been forfeited whether or not barred by limitations.

I hereby consent to my designation in this document as reside	ent agent for this corporation,
	α/J_{α}
SIGNI	
	Resident Agent
(Use A for signatures. If that procedure is unavailable, use <u>SIGN UNDER ONE SECTION</u> .)	B. If A & B are not available, use C. ONLY
A. The undersigned who were respectively the <u>last acting</u> p treasurer) of the corporation severally acknowledge the Article	resident (or vice president) and secretary (or es to be their act.
_	identify Breeident
	Last Acting President/Vice President
	Last Acting Secretary/Treasurer
(Use if A cannot be signed/a	cknowledged)
B. The last acting president, vice president, secretary, and acknowledge these Articles; therefore, the undersigned who reacting directors of the corporation severally acknowledge the	epresent the lessor of a majority or 3 of the last
-	Last Acting Director
	•
	Last Acting Director
-	Last Acting Director
	-
(Use if A and B cannot be signe	ed/acknowledged)
C. The last acting president, vice president, secretary, and treat to sign the Articles. There are less than the required number therefore, the undersigned who were elected as directors to corporation severally acknowledge the Articles to be their actions.	of directors able and willing to sign the Articles, for the purpose of reviving the charter of the
	Director
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	DIIECTO

I, Kevin Lyons, Treasurer of The Ben Oaks Civic Association Incorporated, hereby declare that the previously mentioned corporation has paid all State and local taxes except taxes on real estate, and all interest and penalties due by the corporation or which would have become due if the charter had not been forfeited whether or not barred by limitations.

Kevin Lyons

As witness my hand and notarized seal

CATHLEEN CAMPBELL

Notary Public
Anne Arundel County
Maryland
My Commission Expires Oct. 24, 2016

(atten anybell)

My commission expires 10/24/2016.

Sheet1
Proposed BOCA 2021 budget

	2020 Budget	2020 Actual	2021 Budget	
Assessment Revenue				
Current Assessments	\$39,215	\$38,203	\$39,468	added M&M Murray
Dry Mooring Fees	\$1,500	\$1,425	\$1,500	
Reservations	\$600	\$85	\$600	
Donations	\$500	\$529	\$500	
Pier Slip Fees	\$4,500	\$4,665	\$4,500	
Pier Sinking Fund (Reserve)	\$5,225	\$5,125	\$5,250	added M&M Murray
Dock Sinking Fund (Reserve)	\$23,300	\$19,610	\$23,360	added M&M Murray
Lift Sinking Fund (Reserve)	\$1,100	-\$4,842	\$1,100	
Total Revenue (not including reserves)	\$46,315	\$44,907	\$46,568	
Assessment Expense				
Community Property				
Comfort Station	\$4,400	\$1,854	\$4,400	
Lawn	\$4,500	\$2,885	\$4,500	
Maintenance & Repair	\$6,500	\$4,453	\$6,500	
Total Community Property	\$15,400	\$9,193	\$15,400	
General and Administrative				
Computer Expense	\$485	\$300	\$485	
Directory & Stickers	\$100	\$0	\$100	
Insurance & Legal	\$3,300	\$2,382	\$2,600	Cost went down
Memberships	\$500	\$496	\$500	
Taxes, Postage and Misc	\$500	\$913	\$1,200	cost went up (taxes)
Total General and Administrative	\$4,885	\$4,091	\$4,885	,
Pier				
Electric	\$2,500	\$1,685	\$2,500	
Maintenance	\$4,800	\$1,605	\$4,800	
Total Pier	\$7,300	\$3,290	\$7,300	

Sheet1

Scott's Pond					
E	Electric	\$300	\$257	\$583	using more for aerators, may be low
	Sand	\$2,250	\$ 0	\$2,000	don't need more than 1 truck load
L	₋ifeguard	\$10,400	\$10,400	\$10,400	
N	Maintenance	\$6,000	\$6,670	\$6,000	
Total Scott's Po	ond	\$18,950	\$17,327	\$18,983	
Total Expense		\$46,535	\$33,900	\$46,568	
Deficit		\$220	\$11,007	\$0	
		2020 Budget	20)21 Budget	
Association Dues		_	\$5,880	_	
Total Expected	Revenue	\$6,000		\$6,000	
Expense					
	Swim Team	\$3,000	\$0	\$3,000	
9	Social Committee	\$3,000	\$3,000	\$3,000	
Total Expense		\$6,000	\$3,000	\$6,000	

Ben Oaks Civic Association PO Box 1024 Severna Park, MD 21146

Melnikoff 741 Benfield Road Severna Park, MD 21146

P.O. Box 1024

Severna Park, MD 21146

	BEN OAKS CIVIC ASSOCIATION – BILL FOR 202	20
2020 Deta		
	Annual Assessment (Mandatory for entire community)	\$253.00
	Dues (Civic Association dues)	\$40.00
	Pier Replacement Sinking Fund (Mandatory for entire community)	\$25.00
	Pier Replacement Sinking Fund (Permanent slip holders only)	
	Dock Sinking Fund (Mandatory for entire community)	\$60.00
	Dock Sinking Fund (Permanent slip holders only)	
	Lift Sinking Fund (Lift Slip holders only)	
	Pier Slip Fee (Annual Maintenance Fee)	
	Pier Slip User Fee	
	I : C. II F	
	Lift User Fee	
	Pier Slip Deposit	
	Pier Slip Deposit	\$378.00
	Pier Slip Deposit Dry Mooring Fee	\$378.00 \$5,712.03
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I would like to make a donation for community grounds improvement:

Total Amount Enclosed:

Past Due Billing:

Total Due:

\$ \$5,712.03

\$6,090.03

Payment due by June 1, 2020

Amounts not received by this date may incur a late fee.