

JOHNSON CEMETERY ASSOCIATION

WHEREAS, a group of citizens have heretofore organized an association for the purpose of maintaining, improving, and expanding a cemetery which is known as JOHNSON CEMETERY ASSOCIATION and to that end, have elected the following officers for a term of two years, who are charged with the implementation for the purpose of the organization, said officers having been elected on the 23rd day of August, 1980, and the same being known as trustees with the following offices:

PRESIDENT

VICE PRESIDENT

SECRETARY

TREASURER

CUSTODIAN

and

WHEREAS, the association is desirous of adoption of BY-Laws for the association, therefore

BE IT RESOLVED, that the members of the JOHNSON CEMETERY ASSOCIATION do hereby adopt the following By-Laws:

ARTICLE ONE (OFFICES) : The principal office of the CEMETERY ASSOCIATION shall be at the address of the Secretary and all correspondence to the Association shall be directed to the following address: P. O. Box 44,

McCalla, Alabama 35111

The designation of the place to which the correspondence shall be directed may be changed by the President with the advise and consent of one of the other officers.

ARTICLE TWO (MEMBERSHIP) : The members of the Association shall be voting members who are descendents of the deceased buried in JOHNSON CEMETERY.

ARTICLE THREE (MEETING) OF MEMBERS :

(Section 1) The Annual Meeting of the JOHNSON CEMETERY ASSOCIATION shall be held third Saturday in August of each ^{year} at Old Chapel Methodist Church, or at such other place as the President may designate.

(Section 2) Special meetings of the members of the Association, for any purpose or purposes, may be called by the President or by Board of Trustees, or of not less than one tenth of the voting members of the Association.

(Section 3) Notice stating the place, day, hour and purpose of any special meeting shall be delivered either personally, by telephone call or by mail to each member entitled to vote at such meeting, and such notice shall be less than ten days nor more than twenty-five days prior to such meeting date.

Harrison Conwill

(Section 4) A majority of the voting members present at any meeting, annual, or special, shall be sufficient to transact business but a minimum of 10% (ten percent) ^{of} voting members shall be required.

(Section 5) Any member may vote at any special or annual meeting of the Association by proxy, which shall be mailed to the President not less than five days prior to such special or annual meeting.

ARTICLE FOUR (BOARD OF TRUSTEES) The Board of Trustees of the Association shall, as the only duly elected officers, prepare general policies of the Association, and shall meet within thirty days prior to the annual meeting to prepare an appropriate agenda for the annual meeting.

ARTICLE FIVE (OFFICERS)

(Section 1) The officers of the Association shall be President, Vice-President, Secretary, Treasurer and Custodian/^{who} shall be elected by the voting members of the Association at the annual meeting of the Association for a term of two years. These five elected officers shall be considered the Board of Trustees.

(Section 2) ELECTION: The officers of the Association shall be elected for a term of two years and said officers shall ^{hold} office until their successors have been elected.

(Section 3) VACANCY: A vacancy in any office because of death, resignation, removal, or otherwise, may be filled by the Board of Trustees for the unexpired portion of the term.

(Section 4) PRESIDENT: The President shall be the principal executive officer of the Association and shall be subject to the control of the members of the Association. He shall generally supervise business affairs of the Association. He shall, when present, preside at all meetings of the Association.

(Section 5) VICE PRESIDENT: In the absence of the President or in the event of his death, or inability, or refusal to act, the Vice-President duly elected shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all restrictions upon the President.

(Section 6) SECRETARY: The Secretary shall (a) keep the minutes of the Association and of the Board of Trustees; (b) See that all notices are given in accordance with the provisions of these By-Laws; (c) Be custodian of the minutes of the Association; (d) Keep a register of the names and addresses of each member of the Association; (e) Maintain a correspondence file; (f) In general , perform all duties incidental to the office of secretary, and such other duties as the membership may from time to time designate.

BOOK 51 PAGE 796

(Section 7) TREASURER: The treasurer shall (a) have charge and custody and be responsible for all funds and securities of the Association; (b) Receive and give receipt for monies due and payable to the Association from any source, whatsoever, and deposit all of such money in the name of the Association in such Bank, Banks, or other depositories as shall be selected by the membership of the Association. (c) Rent a safety deposit box for the Association.

(Section 8) The Treasurer and Secretary shall be reimbursed for any necessary expenditures on behalf of the Association for secretarial supplies, postage, safety deposit box, and incidentals necessary to such offices, and for other expenditures which shall be authorized by the membership from the accrued interest only and not the principle.

(Section 9) The treasurer or President shall be authorized to sign checks on behalf of the Association for the purposes for which this Association is formed. At the annual meeting the Treasurer shall present a financial statement to the membership.

(Section 10) CUSTODIAN: The Custodian shall make frequent visits to the cemetery and see that the grounds are mowed and other necessary maintenance for beautifying the cemetery is performed and instruct the Treasurer to pay such bills.

ARTICLE SIX (AMENDMENTS TO BY-LAWS): The Association shall have the power to alter, amend, or repeal existing By-Laws by the affirmative vote of a majority of the members of the Association at its annual meeting other than using the original principle to draw interest only.

ARTICLE SEVEN (PERPETUAL FUND) : The President and Treasurer, from time to time shall invest the capital funds of the Association and the regular expenses for maintenance of the cemetery shall be paid from the income from such investments. No part of the capital fund shall be expended for current expenses of maintenance. The capital fund shall be \$5,000.00 Any accumulation of interest not needed for the upkeep of the cemetery may be transferred to a Passbook Savings to draw interest but could be readily available for emergencies or new equipment such as a fence.

ARTICLE EIGHT (NOMINATING COMMITTEE): There shall be a nominating committee of three for the election of officers which committee shall be named by the President of the Association prior to the annual meeting.

President

Vice President

Secretary

Treasurer

Custodian

CHANGE IN BY-LAWS OF JOHNSON CEMETERY ASSOCIATION - AUGUST 15, 1981 MEETING

Read as follow:

ARTICLE TWO (MEMBERSHIP): THE MEMBERS OF THE ASSOCIATION SHALL BE VOTING MEMBERS WHO ARE DESCENDENTS OF THE DECEASED BURIED IN JOHNSON CEMETERY.

Changed to read:

ARTICLE TWO (MEMBERSHIP): THE MEMBERS OF THE ASSOCIATION SHALL BE VOTING MEMBERS WHO ARE DESCENDENTS OF THE DECEASED BURIED IN JOHNSON CEMETERY AND SPOUSES.

(Signed): Forrest Johnson
President - Forrest Johnson

(Signed): Charlotte Johnson Patterson
Vice President - Charlotte Johnson Patterson

(Signed): Helen Webster
Secretary - Helen Webster

(Signed): Thomas R. Seale
Treasurer - Thomas R. Seale

(Signed): Lloyd Nivens
Custodian - Lloyd Nivens

STATE OF ALA. SHELLEY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1983 JUL 26 PM 2:23

Thomas A. Shumlin, Jr.
CLERK OF PROBATE

Rec 6.00
Ind 1.00
7.00