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AMENDMENT

Parties: PROPERTY OWNERS ASSOCIATION
to
THE PUBLIC

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By: cwhite
Gwinda Jones, County Clerk
Erath County, Texas

6 Pages



STATE OF TEXAS
County of Erath

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded under the Document Number stamped hereon of the Official Public Records of Erath County.

Gwinda Jones, County Clerk

Record and Return To:
DENNIS WALKER
745 SCHOONER WAY

BLUFF DALE, TX 76433



2. Article Three, Section 3.02, of the By-Laws, entitled "Annual Meetings of the Property Owner Members", is amended and restated as follows:

3.02 ANNUAL MEETINGS OF THE PROPERTY OWNER MEMBERS:

The annual meetings of the members will be held each year at a date, time and place set by the Board of Directors.

3. Article Three, Section 3.06, of the By-Laws, entitled "Voting Qualifications", is amended and restated to read as follows:

3.06 VOTING RIGHTS:

The voting rights of the members will be as set forth in the Declaration; provided that, all members will have the right to vote in the election of directors. Except as otherwise provided in these By-Laws and/or unless otherwise determined by the Board of Directors, members may vote in person or by proxy (if applicable) or, upon approval by the Board, by any other voting method allowed by statute or these By-Laws. The Board of Directors will, in its sole and absolute discretion, determine what voting method(s) will be used in the election of directors or other Corporation vote. Per Texas Property Code Section 209.00592 (or its successor statute), the Corporation is not required to provide an Owner with more than one voting method. Each member is entitled to one vote for each Lot owned by the member. There will be no fractional votes. The vote of one Owner of a Lot will constitute the vote cast for all Owners of the Lot. In no event will more than one vote be cast with regard to one Lot. Notwithstanding any other language in these By-Laws, the Board of Directors is authorized to determine that an election vote or other vote of the members will be conducted solely by: (a) electronic voting; or (b) absentee ballots; or (c) a combination of both electronic voting and voting by absentee ballot. If a vote is conducted solely by electronic voting, the electronic voting by the Owners will be treated as voting by absentee ballot for the purposes of these By-Laws and the Texas Property Code.

4. Article Three, of the By-Laws, is amended to add Section 3.08, entitled "Proxies", as follows:

3.08 PROXIES:

All proxies shall be in writing, executed by the member and filed with the Corporation before the appointed time of each meeting. Only the proxy approved by the Board of Directors will be used in the vote or election. Every proxy is revocable and automatically ceases upon (i) conveyance by the member of the member's interest in a Lot; (ii) receipt of notice by the Secretary of the death or judicially declared incompetence of a member; (iii) receipt of written revocation; or, (iv) expiration of eleven (11) months from the day of the proxy. In the event a member executes more than

one (1) proxy, the proxy with the most current date is valid. Proxies not delivered prior to the start of any meeting are not valid and will not be counted.

5. Article Three, of the By-Laws, is amended to add Section 3.09, entitled "Absentee Ballots", as follows:

3.09 ABSENTEE BALLOTS:

Notwithstanding any other language in these By-Laws, a majority of the Board of Directors may, but is not required to, authorize the use and implementation of an absentee ballot in any election or other Corporation wide vote that it deems appropriate. Completed ballots will be returned to the Corporation in accordance with the instructions contained on the ballot. Per Texas Property Code Section 209.00592 (or its successor statute), an absentee ballot will be counted as a member present and voting for the purpose of establishing a quorum only for items appearing on the ballot. The Board of Directors may authorize voting in the election of Directors by absentee ballot in addition to any other voting method authorized by the Board for the election of Directors.

6. Article Four, Section 4.03 (A), of the By-Laws, entitled "Board Member Elections", is amended and restated to read as follows:

(A) CANDIDATES FOR ELECTION TO THE BOARD:

All members have the right to run for a position on the Board of Directors subject to any disqualifying factors as provided by law or these By-Laws. Each year, prior to the date of the annual meeting of the members or election for the Board and in the time prescribed by law, the Corporation will solicit candidates for the Board in accordance with Texas Property Code Section 209.00593 (or its successor statute). The notice will specify a date by which a member must submit his/her name as a candidate for election to the Board. The date for a member to submit his/her name as a candidate may not be earlier than the tenth (10th) day after the date the Corporation provides the solicitation notice. The notice may be mailed to each member or provided by: (a) posting the notice in a conspicuous manner reasonably designed to provide notice to the members in a place located on the Corporation's Common Area or, with the Owner's consent, on private property located within the Corporation; or (b) on an Internet website maintained by the Corporation, and by sending notice by e-mail to each member who has registered an e-mail address with the Corporation. The Corporation must be notified by the member who desires to run for a position on the Board of Directors, not by another member, to confirm the member's desire to run for election and to serve on the Board. All members who notify the Corporation by the stipulated deadline will be candidates whose names will appear on any ballot and/or directed proxy (if

applicable) that is provided to the members. A candidate may also submit a one letter size page, one side printed only document with resume and/or biographical information to the Corporation by the specified date. If provided by the candidate, the candidate's resume/biographical information may, at the discretion of the Board of Directors, be provided to the members at any pre-election candidate forum and/or with the notice of annual meeting sent to all members and/or be made available on the Corporation's website and/or at the election meeting. The Corporation may also promulgate a candidate information form to be completed by each candidate in a Board election. If candidate resumes/biographical information and/or the candidate information form are distributed to or made available to the Owners in any manner, the Corporation will provide all resume/biographical information and/or candidate information forms provided by all candidates that were submitted in accordance with this section unless, in the sole and absolute discretion of the Board, the submitted documentation includes offensive content.

7. Article Four, of the By-Laws, is amended to add Section 4.03(D), entitled "Voting Procedure for Election of Directors", as follows:

(D) VOTING PROCEDURE FOR THE ELECTION OF DIRECTORS:

Unless the election is conducted solely by absentee ballot or electronic voting (or a combination of both) as provided in these By-Laws, the election of the Board of Directors will be conducted at the annual meeting of the Corporation or in such other manner allowed by law and approved by the Board. At such election, each member, or the member's proxy holder (if applicable) may cast, with respect to each vacancy, as many votes as the member is entitled to exercise under the provisions of these By-Laws and the Declaration. Unless otherwise determined by the Board of Directors, voting for directors will be by written and signed ballots. Only the ballot approved by the Board will be used in the election of directors. In the event of an uncontested race (i.e., the number of candidates is equal to or less than the number of open Board positions), written and signed ballots will not be required, and the candidate(s) will be placed on the Board without the necessity of a vote. Cumulative voting is not permitted. The candidate(s) receiving the most votes will be elected to the open position(s). The winning candidate(s) will take office at later of the conclusion of the member meeting at which the director was elected or when the election results are announced. Tie votes between two persons will be decided by coin toss. In the event of a tie vote between three or more persons, the vote will be decided by placing the names of the persons in a container and drawing a name(s). The name(s) drawn first will be declared the winner.

The resolution of all tie votes will be overseen by the Corporation's Secretary or by such other person designated by the Board. The Board may designate the Corporation's managing agent to oversee the resolution of tie votes.

All other provisions of the By-Laws of the Association, as amended, remain in full force and effect.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing resolution was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association.

TO CERTIFY which witness my hand this the 31 day of March, 2021.

PROPERTY OWNERS ASSOCIATION OF
MOUNTAIN LAKES RANCH

By: Andrea Wood

Printed: Andrea Wood

Its: Secretary

STATE OF TEXAS §
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COUNTY OF Erath §

This instrument was acknowledged before me on 31st day of March, 2021 by Andrea Wood, Secretary of Property Owners Association of Mountain Lakes Ranch on behalf of said corporation.

Dustin C Taylor
Notary Public in and for the State of Texas

