

FIRST AMENDMENT TO THE BYLAWS OF STONEBROOK ESTATES HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS	§	
	§	KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF COLLIN	§	•

This FIRST AMENDMENT TO THE BYLAWS OF STONEBROOK ESTATES HOMEOWNERS ASSOCIATION, INC., (this "First Amendment") is made effective the 8 day of MAY, 2018, by Stonebrook Estates Homeowners Association, Inc. (the "Association").

WITNESSETH:

WHEREAS, that certain Declaration of Covenants, Conditions and Restrictions for Stonebrook Estates was filed for record on September 7, 1994, Document No. 19941006000914230, in the Real Property Records of Collin County, Texas (the "Declaration"), as such may be amended and/or supplemented from time to time; and

WHEREAS, bylaws were adopted for the Association and are entitled BYLAWS OF STONEBROOK ESTATES HOMEOWNERS ASSOCIATION, INC. (the "Bylaws") and such were filed for record on November 8, 2010, at Document No. 20101108001215880 in the Real Property Records of Collin County, Texas; and

WHEREAS, Article X, Section 1 of the Bylaws provides that the: "...Bylaws may only be amended by the written consent of a majority of the members of the Board; provided, however, that no amendment shall be effective if it conflicts with the provisions of the Declaration"; and

WHEREAS, Section 209.00593 of the Texas Property Code entitled "Election of Board Members" provides in part in Subsection (a) that:

Notwithstanding any provision in a dedicatory instrument, any board member whose term has expired must be elected by owners who are members of the property owners' association...; and

WHEREAS, Subsection (b) of Section 209.00593 of the Texas Property Code provides that:

The board of a property owners' association may amend the bylaws of the property owners' association to provide for elections to be held as required by Subsection (a); and

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NOW, THEREFORE, Article II, Section 3 of the Bylaws of the Association is hereby supplemented by adding the following language to the end of such Article II, Section 3:

Lack of Quorum at Annual Meeting - Election of Directors.

Notwithstanding any provision contained in the Declaration or these Bylaws to the contrary, in order to comply with Section 209.00593 of the Texas Property Code, which is entitled "Election of Board Members," if the quorum required is not obtained for the annual meeting of the Members, in order to elect Directors, another annual meeting is not required to be called, rather, the following process will be implemented to provide for the election of Directors:

The Secretary will announce that no quorum was obtained for the annual meeting of the Members. Thereafter, the owners present, in person or by other legal means, will convene an election meeting. The Members present, in person or by other legal means, will constitute a quorum for the purpose of conducting such meeting and an election of Directors will be conducted. No other business of the Association will be conducted at such election meeting. No notice of such meeting need be given to the Members other than that sent to the Members providing notice of the annual meeting.

Except as modified by this First Amendment, the Bylaws, as amended and/or supplemented, shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned officer of the Stonebrook Estates Homeowners Association, Inc. certifies that this First Amendment was approved by a majority vote and written consent of the Board of Directors at a regular meeting of the Board of Directors duly called and held on ________, 2018.

STONEBROOK ESTATES HOMEOWNERS ASSOCIATION, INC.

Bv:

HOLME OLTROGGE (Printed Name) - President STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared Hound OCTROGE, President of the Stonebrook Estates Homeowners Association, Inc., a non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFIC

day of

, 2018.

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Notary Public in and for the State of Texas

After recording return to: THE BLEND LAW FIRM, P.C. 14131 Midway Road, Suite 1240 Addison, Texas 75001



Filed and Recorded Official Public Records Stacey Kemp, County Clerk Collin County, TEXAS 06/13/2018 12:26:21 PM \$34.00 SCAPELA 20180613000728500



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