

20150000007563 1/13 AMENDED BY-LAWS 05/28/2015 12:37:40 PM

AMENDED AND RESTATED BY-LAWS

OF

BLUEBONNET RIDGE HOMEOWNERS ASSOCIATION

STATE OF TEXAS §

\$ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF ROCKWALL §

THESE AMENDED AND RESTATED BY-LAWS OF BLUEBONNET RIDGE HOMEOWNERS ASSOCIATION (these "By-Laws") are made and entered into as of the 19th day of May, 2015, by the membership of Bluebonnet Ridge Homeowners Association, a Texas non-profit corporation (the "Association").

WITNESSETH:

WHEREAS, Lowell English ("Declarant") recorded the "Declaration of Covenants, Conditions and Restrictions of Bluebonnet Ridge" on or about May 16, 1985 at Volume 226, Page 637 et seq. of the Real Property Records of Rockwall County, Texas (the "Declaration"); and

WHEREAS, the By-Laws of Bluebonnet Ridge Homeowners Association were adopted as the Bylaws of the Association on or about October 17, 1991, and recorded on or about October 14, 2014 at Instrument #2014-0000014963 et seq. of the Real Property Records of Rockwall County, Texas (the "Original By-Laws"); and

WHEREAS, pursuant to Article Ten of the Original By-Laws, the Original By-Laws may be amended by an affirmative vote of not less than seventy-five percent (75%) of the members; and

WHEREAS, at a duly noticed meeting of the Members, more than seventy-five (75%) of the Members in the Association voted to amend and restate the Original By-Laws.

NOW, THEREFORE, the Original By-Laws of Bluebonnet Ridge Homeowners Association are hereby amended and replaced with these Amended and Restated By-Laws of Bluebonnet Ridge Homeowners Association:

ARTICLE ONE - ORGANIZATION, PRINCIPAL OFFICE, DEFINITIONS

- 1.01 <u>Name.</u> The name of this organization shall be Bluebonnet Ridge Homeowners Association (hereinafter sometimes referred to as the "Association").
 - 1.02 Principal Office. The principal office of the Association in the State of Texas shall

be located in Rockwall County. The Association may have such other offices, either within or outside the State of Texas as the Board of Directors may determine or as the affairs of the Association may require.

1.03 <u>Definitions</u>. The words in these By-Laws shall be given their normal commonly understood definitions. Capitalized terms shall have the same meaning as set forth in that Amended and Restated Declaration of Covenants, Conditions, and Restrictions of Bluebonnet Ridge (said Declaration, as amended, renewed, or extended from time to time, is hereinafter sometimes referred to as the "Declaration"), unless the context shall otherwise require.

ARTICLE TWO - NOT USED

ARTICLE THREE - MEMBERSHIP

3.01 <u>Membership.</u> All Owners of a Lot within Bluebonnet Ridge shall be members of this organization, as provided in the Declaration.

ARTICLE FOUR - MEETINGS OF THE MEMBERS

- 4.01 <u>Annual Meeting.</u> The annual membership meeting of this organization shall be the first membership meeting held in a year and shall be held on the date and time set by the Board of Directors. The secretary shall cause notice of any meeting of the Members to be delivered, either personally, by mail, or by electronic mail, to each Member entitled to vote at such meeting, at his or her address or email address as it appears in the membership roll book of this organization stating the date, time and place of such meeting not less than 10 nor more than 50 days before the date of such meeting, by or at the direction of the President or the Secretary or the officers or persons calling the meeting. Each Member must keep an updated email address registered with the Association.
- 4.02 <u>Notice of Meeting.</u> If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail addressed to the Member at his address as it appears on the records of the Association, with postage thereon prepaid. If electronically mailed, the notice of meeting shall be deemed to be delivered when the Association electronically transmits the notice to the Member's registered email address as it appears on the records of the Association.
- 4.03 <u>Special Meetings</u>. The President may call special meetings. In addition, it shall be the duty of the President to call a special meeting of the Association if so directed by resolution of a majority of a quorum of the Board of Directors or upon a petition signed by Members representing at least ten percent (10%) of the total votes of the Association.
- 4.04 <u>Purpose</u>. In the case 1) of a special meeting, 2) when required by statute or these By-Laws, or 3) when new or amended Rules, Regulations, or Policies are to be considered by the Owners pursuant to Section 10.02 of the Declaration, the purpose or purposes for which the

meeting is called shall be stated in the notice. No business shall be transacted at a special meeting except as stated in the notice.

- 4.05 <u>Place of Meetings</u>. Meetings of the Association shall be held at the principal office of the Association or at such other suitable place convenient to the Members as may be designated by the Board of Directors either within the Properties or as convenient thereto as possible and practical.
- 4.06 <u>Waiver of Notice</u>. Waiver of notice of a meeting of the Members shall be deemed the equivalent of proper notice. Any Member may, in writing, waive notice of any meeting of the Members, either before or after such meeting. Attendance at a meeting by a Member shall be deemed waiver by such Member of notice of the time, date, and place thereof, unless such Member specifically objects to lack of proper notice at the time the meeting is called to order. Attendance at a special meeting also shall be deemed waiver of notice of all business transacted unless an objection on the basis of lack of proper notice is raised before the business is put to vote.
- 4.07 Quorum. The presence, in person, by proxy or by ballot, of not less than thirty percent (30%) of the total number of Members shall constitute a quorum and shall be necessary to conduct the business of this organization; but a lesser number may adjourn the meeting for a period of not more than two weeks from the date scheduled by these By-Laws and the Secretary shall cause a notice of this scheduled meeting to be sent to all those Members who were not present at the meeting originally called. A quorum as hereinbefore set forth shall be required at any adjourned meeting.

ARTICLE FIVE -VOTING

- 5.01 <u>Voting</u>. The voting rights of the Members shall be as set forth in the Declaration, and such voting rights provisions are specifically incorporated herein.
- Voting Methods. Members may vote in person, by proxy, by absentee ballot or by electronic ballot. An electronic ballot means a ballot given by (i) electronic mail, (ii) facsimile, or (iii) posting on an Internet website, for which the identity of the Member can be confirmed and for which the Member may receive a receipt of the transmission and receipt of the Member's ballot. All proxies, absentee ballots and electronic ballots shall be in writing, dated, signed by the Member and filed with the Secretary or other person designated by the Board to receive proxies/ballots before the appointed time of each meeting. If an electronic ballot is posted on an Internet website, a notice of the posting shall be sent to each Member that contains instructions on obtaining access to the website posting. Proxies and absentee ballots shall be deemed to have been filed upon the Secretary's or other designated person's receipt of the proxy/absentee ballot by mail, facsimile or hand delivery. Ballots cast electronically shall be deemed to have been filed upon the Secretary's or other designated person's receipt of the electronic ballot as evidenced by a facsimile confirmation receipt or an electronic transmission receipt. Electronic ballots must be filed at least three (3) hours prior to the time of the meeting. Electronic ballots which are electronically mailed from the Member's registered electronic mail address shall be deemed to be signed by the Member. Every proxy shall be revocable and shall automatically cease upon

conveyance by the Member of such Member's Lot, or upon receipt of notice by the Secretary of the death or judicially declared incompetence of a Member, or of written revocation, or upon the expiration of eleven (11) months from the date of the proxy.

- 5.03. <u>Majority</u>. As used in these By-Laws, the term "majority" shall mean those votes, owners, or other group as the context may indicate totaling more than fifty percent (50%) of the total number.
- 5.04 <u>Conduct of Meetings</u>. The President shall preside over all meetings of the Association, and the Secretary shall keep the minutes of the meeting and record in a minute book all resolutions adopted at the meeting, as well as a record of all transactions occurring at the meeting.
- 5.05 Action Without a Meeting. Any action required by law to be taken at a meeting of the Members, or any action which may be taken at a meeting of the Members, may be taken without a meeting if written or electronic consent setting forth the action so taken is signed or affirmed by a sufficient number of Members as would be necessary to take that action at a meeting at which all of the Members were present and voted.
- 5.06. <u>Inspectors of Election</u>. At all votes by ballot, the chairperson of such meeting shall immediately prior to the commencement of balloting appoint a committee of three who shall act as "Inspectors of Election" and who shall at the conclusion of such balloting certify in writing to the chairperson of such meeting the results and the certified copy shall be physically affixed in the minute book to the minutes of that meeting.
- 5.07. No Inspector of Election shall be a candidate for office or shall be personally interested in the question voted upon, or a person related to that person within the third degree by consanguinity or affinity.

ARTICLE SIX – ORDER OF BUSINESS

- 1. Roll Call
- 2. Reading of the minutes of the preceding meeting
- 3. Reports of committees
- 4. Reports of officers
- 5. Election of Directors
- 6. Election of Officers
- 7. Old and unfinished business
- 8. New business
- 9. Good and welfare
- 10. Adjournments

ARTICLE SEVEN - BOARD OF DIRECTORS

7.01 <u>Composition and Selection.</u>

- A. Composition. The business of this organization shall be managed by a Board of Directors consisting of 7 members, each of whom shall have one vote. The directors shall be Members, provided however, no person and his or her spouse may serve on the Board at the same time unless each spouse is a Member of the Association.
- B. Nominations. Nominations for each slate shall be permitted from the floor, or by written request of a Member to the Secretary. All candidates shall have a reasonable opportunity to communicate their qualifications to the Members and to solicit votes.

7.02 Election and Term of Office.

A. Each Member may cast the total number of votes to which it is entitled under Article Nine, Section 9.02 of the Declaration with respect to each vacancy to be filled from each slate on which such Member is entitled to vote. There shall be no cumulative voting. The candidate(s) receiving the most votes shall be elected. The directors elected by the Members shall hold office until the expiration of his or her term and until their respective successors have been elected by the Association. Directors may be elected to serve any number of consecutive terms.

The directors to be chosen for the ensuing year shall be chosen at the annual meeting of this organization and they shall serve for a term of 2 years. 4 of the 7 directors shall be elected in the even numbered years and 3 of the 7 directors shall be elected in the odd numbered years.

The Board of Directors shall have the control and management of the affairs and business of this organization. Such Board of Directors shall only act in the name of the organization when it shall be regularly convened by its chairperson after due notice to all the directors of such meeting.

B. Removal of Directors and Vacancies. Any director elected by the Members may be removed, with or without cause, by the vote of Members holding a majority of the votes entitled to be cast for the election of such director. Any director whose removal is sought shall be given notice prior to any meeting called for that purpose. Upon removal of a director, a successor shall then and there be elected by the Members entitled to elect the director so removed to fill the vacancy for the remainder of the term of such director.

Any director elected by the Members who has three consecutive unexcused absences from Board meetings may be removed by a majority of the directors present at a regular or special meeting at which a quorum is present, and a successor may be appointed by the Board to fill the vacancy for the remainder of the term.

In the event of the death, disability, or resignation of a director, a vacancy may be declared by the Board, and it may appoint a successor; provided that, upon written petition of the Members entitled to cast at least ten percent (10%) of the total votes in the Association, the Board shall call a

special meeting for the purpose of electing a successor to fill any vacancies on the Board. Any director appointed by the Board shall serve for the remainder of the term of such director.

With the exception of vacancies to be filled by the Members as indicated above, vacancies in the Board of Directors shall be filled by a vote of the majority of the remaining members of the Board of Directors for the balance of the term of the vacant director position.

The President of the organization by virtue of the office shall be chairperson of the Board of Directors.

A director may be removed when sufficient cause exists for such removal. The Board of Directors may entertain charges against any director. A director may be represented by counsel upon any removal hearing. The Board of Directors shall adopt such rules as it may in its discretion consider necessary for the best interests of the organization, for this hearing.

7.03 Meetings of the Board of Directors.

- A. Open Meetings. Subject to the provisions of Section 7.03E of this Article, all meetings of the Board shall be open to all Members but Members other than directors may not participate in any discussion or deliberation unless permission to speak is requested on his or her behalf by a director. In such case, the President may limit the time any Member may speak. Notwithstanding the above, the President may adjourn any meeting of the Board of Directors and reconvene in executive session excluding Members to discuss matters of a sensitive nature, such as pending or threatened litigation, personnel matters, etc. The general nature of any business to be considered in executive session must first be announced at the open meeting. Any decision made or expenditure approved shall be orally summarized (including a general explanation of expenditures) at the meeting and recorded in the minutes of the meeting in such a manner as to protect the sensitive or confidential nature of the information discussed.
- B. <u>Notices to Directors.</u> Notice of the date, time and place of the meeting shall be communicated to directors no less than four (4) days prior to the meeting; provided, however, notice of a meeting need not be given to any director who has signed a waiver of notice or a written consent to holding of the meeting. The notice shall be given to each director by one of the following methods: (i) by personal delivery; (ii) written notice by first-class mail, postage prepaid; (iii) by telephone communication, either directly to the director or to a person at the director's office or home who would reasonably be expected to communicate such notice promptly to the director; or (iv) by electronic mail, facsimile, computer, fiberoptics or other communication device. All such notices shall be given at the director's telephone number, facsimile number, registered electronic mail address, or sent to the director's address as shown on the records of the Association. Notices sent by first-class mail shall be deposited into a United States mailbox at least four (4) days before the time set for the meeting. Notices given by personal delivery, telephone, text message, electronic mail or other device shall be delivered or transmitted at least seventy-two (72) hours before the time set for the meeting.
- C. <u>Notices to Members</u>. Except as provided below, notice of the date, time, place, and general subject matter, including a general description of matters to be considered in executive

session, of each Board meeting shall be given to each Member by one of the following methods: (i) by personal delivery of written notice; (ii) written notice by first-class mail, postage prepaid; (iii) by posting notice in a conspicuous manner in the community on the Common Area or on privately-owned property with the property owner's consent and by electronic mail to each Member who maintains a registered electronic mail address with the Association; or (iv) by posting notice on a website, if any, maintained by or on behalf of the Association and by electronic mail to each Member who maintains a registered electronic mail address with the Association. It is each Member's duty to keep an updated electronic mail address registered with the Association at all times. All such notices shall be given at the Member's mailing address or registered electronic mail address as shown on the records of the Association. Notices sent by personal delivery or by first-class mail shall be delivered or sent at least ten (10) days before the date of the meeting but not more than sixty (60) days before the date of the meeting. Notices posted in the conspicuous community location or on the Association's website shall be posted at least seventy-two (72) hours before the start of the meeting. Notices given by electronic mail shall be transmitted at least seventy-two (72) hours before the time set for the meeting.

Notwithstanding the notice requirements above, and except as provided below, notice to Member is not required for Board meetings which are convened to consider the following matters: (i) emergencies requiring immediate Board action; or (ii) routine and administrative matters. In the event that the Board meets without notice to the Members and takes any action with respect to either (i) or (ii) above, the Board shall orally summarize the actions taken at the next Board meeting and record those actions in the minutes of that next meeting.

Notice to Members of Board meetings to discuss or act upon any of the following matters must be provided to the Members even though the matter may be an emergency or a routine or administrative matter: (i) fines; (ii) damage assessments; (iii) initiation of foreclosure actions; (iv) initiation of enforcement actions (except actions that seek the issuance of a temporary restraining order or that relate to violations involving a threat to health or safety); (v) increases in assessments; (vi) levying of special assessments; (vii) appeals from a denial of architectural review approval; or (viii) a suspension of a right of a particular Member.

- D. Telephonic and Electronic Meetings. Members of the Board or any committee may participate in a meeting of the Board or committee by means of conference telephone, or similar communications equipment, by means of which all persons participating in the meeting can simultaneously communicate with one another to consider the following matters: (i) emergencies requiring immediate Board action; or (ii) routine and administrative matters. Notwithstanding the above, Board meetings to discuss or act upon any of the following matters must be held in person even though the matter may be an emergency or a routine or administrative matter: (i) fines; (ii) damage assessments; (iii) initiation of foreclosure actions; (iv) initiation of enforcement actions (except actions that seek the issuance of a temporary restraining order or that relate to violations involving a threat to health or safety); (v) increases in assessments; (vi) levying of special assessments; (vii) appeals from a denial of architectural review approval; or (viii) a suspension of a right of a particular Member. Participation in a meeting pursuant to this subsection shall constitute presence in person at such meeting.
 - E. Action Without a Formal Meeting. Routine and administrative actions or emergencies

requiring immediate Board action may be taken without a meeting if written or electronic consent setting forth the action so taken is signed or affirmed by a sufficient number of directors as would be necessary to take that action at a meeting at which all of the directors were present and voted. The Board shall orally summarize any action taken without a formal meeting by written consent at the next Board meeting and shall record those actions in the minutes of that next meeting.

- F. <u>Compensation</u>. No director shall receive any compensation from the Association for acting as such unless approved by Members representing a majority of the total votes of the Association at a regular or special meeting of the Association; provided any director may be reimbursed for expenses incurred on behalf of the Association upon approval of a majority of the other directors.
- G. Quorum. Four of the members of the Board of Directors shall constitute a quorum and the meetings of the Board of Directors shall be held at least once a year.
- H. <u>Voting and Proxies</u>. Each director shall have one vote and such voting may not be done by proxy.
- I. <u>Rules and Regulations</u>. The Board of Directors may make such reasonable rules and regulations covering its meetings as it may in its discretion determine necessary.

7.04 Powers and Duties of the Board of Directors.

A. <u>Powers</u>. The Board of Directors shall be responsible for the affairs of the Association and shall have all of the powers and duties necessary for the administration of the Association's affairs and, as provided by law, may do or cause to be done all acts and things as are not by the Declaration, Articles, or these By-Laws directed to be done and exercised exclusively by the Members.

In addition to the duties imposed by these By-Laws or by any resolution of the Association that may hereafter be adopted, the Board of Directors shall have the power to enforce policies relating to, and shall be responsible for performing or causing to be performed, the following, in way of explanation but not limitation:

- (1) Providing for the operation, care, upkeep, and maintenance of all of the Common Area;
- (2) collecting the assessments, depositing the proceeds thereof in a bank depository which it shall approve, and using the proceeds to operate the Association; provided, any reserve fund may be deposited, in the directors' best business judgment, in depositories other than banks;
- (3) Opening of bank accounts on behalf of the Association and designating the signatories requires;
- (4) Making or contracting for the making of repairs, additions, and improvements to or alterations of the Common Area in accordance with the other provisions of the Declaration and

these By-Laws after damage or destruction by fire or other casualty;

- (5) Enforcing by legal and other allowable means the provisions of the Declaration, these By-Laws, and the rules and regulations adopted by the Members and bringing any proceedings which may be instituted on behalf of or against the Members concerning the Association;
- (6) Obtaining and carrying insurance as provided in the Declaration, and paying the premium cost thereof;
- (7) Paying the cost of all services rendered to the Association or its Members and not chargeable directly to specific Owners;
- (8) Keeping books with detailed accounts of the receipts and expenditures affecting the Association and its administration, specifying the maintenance and repair expenses and any other expenses incurred;
- (9) Permitting utility suppliers to use portions of the Common Area reasonably necessary to the ongoing development or operation of the Properties.
- B. Enforcement. The Board shall have the power to impose reasonable fines, which shall constitute a lien upon the property of the violating Owner, and to suspend an Owner's right to use the Common Area for violation of any duty imposed under the Declaration, these By-Laws, or any rules and regulations duly adopted hereunder; provided, however, nothing herein shall authorize the Association or the Board of Directors to limit ingress and egress to or from a Lot or to suspend an Owner's right to vote. In the event that any occupant, guest or invitee of a Lot violates the Declaration, By-Laws, or a rule or regulation and a fine is imposed, the fine shall first be assessed against the occupant; provided, however, if the fine is not paid by the occupant within the time period set by the Board, the Owner shall pay the fine upon notice from the Association. The failure of the Board to enforce any provision of the Declaration, By-Laws, or any rule or regulation shall not be deemed a waiver of the right of the Board to do so thereafter.
- (1) Notice, Prior to imposition of any sanction hereunder, the Board or its delegate shall serve the alleged violator with written notice describing (i) the nature of the alleged violation, (ii) the proposed sanction to be imposed, (iii) a statement that the owner is entitled to a reasonable period to cure the violation, unless the owner was previously given a reasonable cure period for a similar violation in the preceding 6 months, (iv) a statement that the owner may request a hearing on or before the 30th day after the date the owner receives the notice, and (v) a statement that the owner may have special rights or relief related to the enforcement action if the owner is serving on active military duty. If the violation is not cured within the cure period afforded, or if a request for a hearing is not made, the sanction stated in the notice shall be imposed.

ARTICLE EIGHT - OFFICERS

The officer positions for the organization shall be:

- President
- Vice President
- Secretary
- Treasurer

The officers of the organization as of the date of these Amended and Restated ByLaws of Bluebonnet Ridge are as follows:

President:

Frank Murphy

Vice President: David English

Secretary:

Hans Massar

Treasurer:

Linda Childers

Any two or more offices may be held by the same person, except the offices of President, Treasurer, and Secretary.

- Election and Term of Office. The officers of the Association shall be elected annually by the Members at the same meeting of the Members at which the Board of Directors are elected. The election of Officers shall follow the election of Directors on the meeting agenda. Officers must be elected from the Board of Directors.
- 8.02 Removal and Vacancies. Any officer may be removed by the Members whenever in their judgment the best interests of the Association will be served thereby. A vacancy in any office arising because of death, resignation, removal, or otherwise may be filled by the Board of Directors for the unexpired portion of the term.
- 8.03 Resignation. Any officer may resign at any time by giving written notice to the Board of Directors, the President, or the Secretary. Such resignation shall take effect on the date of the receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.
- Compensation. Compensation of officers shall be subject to the same limitations as 8.04 compensation of Directors under Article Seven, Section 7.03F hereof.
- 8.05 Officer Responsibilities. The President shall preside at all membership meetings, by virtue of the office be chairperson of the Board of Directors, present at each annual meeting of the organization an annual report of the work of the organization, appoint all committees, temporary or permanent, see that all books, reports and certificates as required by law are properly kept or filed, be one of the officers who may sign checks or drafts of the organization, and have such powers as may be reasonably construed as belonging to the chief executive of any organization.

The Vice President shall in the event of the absence or inability of the President to exercise his or her office, become acting president of the organization with all the rights, privileges and powers as if he or she had been the duly elected president.

The Secretary shall keep the minutes and records of the organization in appropriate

books, file any certificate required by any statute, federal or state, give and serve all notices to members of the organization, be the official custodian of the records and seal of the organization, be one of the officers who may to sign the checks and drafts of the organization, present to the membership at any meetings any communication addressed to the secretary of the organization, submit to the Board of Directors any communications which shall be addressed to the secretary of the organization, attend to all correspondence of the organization and exercise all duties incident to the office of secretary.

The Treasurer shall have the care and custody of all monies belonging to the organization, be solely responsible for such monies or securities of the organization and be one of the officers who shall sign checks or drafts of the organization. No special fund may be set aside that shall make it unnecessary for the Treasurer to sign the checks issued upon it.

The Treasurer shall render at stated periods as the Board of Directors shall determine a written account of the finances of the organization and such report shall be physically affixed to the minutes of the Board of Directors of such meeting and shall exercise all duties incident to the office of Treasurer.

ARTICLE NINE - MISCELLANEOUS

- 9.01 <u>Parliamentary Rules</u>. Except as may be modified by Board resolution, <u>Robert's Rules of Order</u> (current edition) shall govern the conduct of Association proceedings when not in conflict with Texas law, the Articles of Incorporation, the Declaration, or these By-Laws.
- 9.02 <u>Conflicts</u>. If there are conflicts between the provisions of Texas law, the Articles of Incorporation, the Declaration, and these By-Laws, the provisions of Texas law, the Declaration, the Articles of Incorporation, and the By-Laws (in that order) shall prevail.
- 9.03 <u>Notices</u>. Unless otherwise provided or allowed in these By-Laws, all notices, demands, bills, statements, or other communications under these By-Laws shall be in writing and shall be deemed to have been duly given if delivered personally or if sent by United States mail, first class postage prepaid:
- (a) if to a Member at the address which the Member has designated in writing and filed with the Secretary or, if no such address has been designated, at the address of the Lot of such Member; or
- (b) if to the Association, the Board of Directors, or the managing agent, at the principal office of the Association or the managing agent, if any, or at such other address as shall be designated by notice in writing to the Members pursuant to this Section.
- 9.04 <u>Committees</u>. Committees are hereby authorized to perform such tasks and to serve for such periods as may be designated by a resolution adopted by a majority of the directors present at a meeting at which a quorum is present. Each committee shall cooperate in accordance with the terms of the resolution of the Board designating the committee or with rules adopted by the Board of Directors.

ARTICLE TEN - AMENDMENTS

- 10.01 These By-Laws may be altered, amended, repealed or added to by an affirmative vote of not less than sixty-seven percent (67%) of the Members.
- 10.02 Any amendment to be effective must be recorded in the County Clerk Official Records of Rockwall County, Texas.
- 10.03 If an Owner consents to any amendment to the Declaration or these By-Laws, it will be conclusively presumed that such Owner has the authority so to consent and no contrary provision in any Mortgage or contract between the Owner and a third party will affect the validity of such amendment.

SECRETARY'S CERTIFICATE

I, the undersigned, am the duly elected and acting Secretary of Bluebonnet Ridge Homeowners Association, a Texas non-profit corporation, and I do hereby certify that the within and foregoing Amended and Restated By-Laws were adopted as the By-Laws of said corporation as of the 19th day of April, 2015, that the same do now constitute the By-Laws of said corporation, and that they have not been modified, amended nor rescinded.

IN WITNESS WHEREOF, I have hereunto subscribed my name as of , 2015.

Secretary

STATE OF TEXAS

8

COUNTY OF ROCKWALL

8

BEFORE ME, the undersigned authority, on this day personally appeared Tohannes B. Massan Silvanery of Bluebonnet Ridge Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed on behalf of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this

day of

2015.

JENNIFER ANN OLIVAREZ
Notary Public, State of Texas
My Commission Expires
November 21, 2015

Notary Public, State of Texas

My Commission Expires

Filed and Recorded Official Public Records Shelli Miller, County Clerk Rockwall County, Texas 05/28/2015 12:37:40 PM \$74.00 201500000007563