

CERTIFICATE OF AMENDMENT TO THE BYLAWS
OF
TARA ASSOCIATION

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, HOWARD McCallister, President of Tara Association (“the Association”), do hereby certify that in conducting a recent search of the records of the Association, it was discovered that, at a meeting of the members duly called and held on January 31, 1985, at which meeting a quorum was present in person or by proxy, the following amendment to the Bylaws of the Association was approved by the vote of at least a majority of the members, to-wit:

Article VI, Section 1, of the Bylaws is amended to read as follows:

ARTICLE VI
BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number and Term of Office. The business and property of the Association shall be managed and controlled by the Board of Directors, and subject to the restrictions imposed by law, by the charter, or by these By-Laws, the Board of Directors may exercise all the powers of the Association.

The number of Directors shall be five (5) but the number of Directors may be increased or decreased from time to time by the affirmative vote of a majority of the members at any annual or special meeting of members, provided that the number of Directors shall never be less than three (3). Commencing in 1985, three (3) Directors will be elected for a two (2) year term and two (2) current Directors’ terms will be extended until the Annual Meeting to be held in 1986. Each Director shall be elected to hold office and to serve for a term of two (2) consecutive years. The terms are to be staggered so that three (3) Directors shall be elected on odd-numbered years and two (2) Directors shall be elected on even-numbered years. Directors must be members of the Association.

I further certify that at a meeting of the Board of Directors of the Association (“the Board”) duly called and held on the 13 day of February, 2012, with at least a majority of the Board members being present and remaining throughout, and being duly authorized to transact business, the Board ratified and adopted the January 31, 1985 amendment, effective as of the date same was originally adopted, and that the following amendment to the Bylaws of the Association was duly approved by a majority vote of the members of the Board:

RECITALS:

1. Section 209.00593(a) of the Texas Property Code provides that any board member whose term has expired must be elected by owners who are members of the property owners’

association; a board member may be appointed by the board only to fill a vacancy caused by a resignation, death or disability, but then only for the unexpired term of the predecessor board member.

2. The Association has historically had difficulty establishing a quorum at annual meetings, thereby preventing the Association from having a proper election of Directors.

3. Section 209.00593(b) of the Texas Property Code provides that a 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 Section 209.00593(a).

4. The Board of Directors desires to amend the Bylaws of the Association, as authorized by Section 209.00593(b) of the Texas Property Code, to provide a procedure for the election of Directors if an election of Directors cannot be conducted at an annual meeting of the members due to the inability to establish a quorum.

AMENDMENT:

The Board of Directors hereby amends the Bylaws of the Association as follows:

Section 7 is hereby added to Article IV of the Bylaws to read as follows:

Section 7. Election; No Quorum at Annual Meeting. As provided in Section 2 and 4 of Article IV of these Bylaws, the election of Directors is to be conducted at the annual meeting of the members. In the event that a quorum of members is not present at the annual meeting, that meeting shall immediately be adjourned and a Special Election meeting of the members called for the sole purpose of electing directors. At such Special Election meeting, there shall be no quorum requirement and members shall be permitted to vote, either in person or by proxy, in the election of directors. The members shall not be permitted to vote on any other matter at such regular meeting.

I hereby certify that I am the duly elected, qualified and acting President of the Association and that the foregoing amendment to the Bylaws 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 be effective upon recording in the Official Public Records of Real Property in Fort Bend County, Texas.

TARA ASSOCIATION

By: 

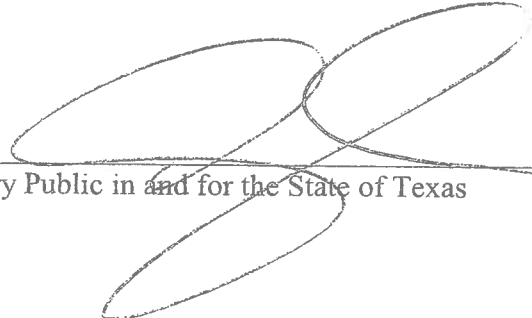
Printed Name: HOWARD McCallister

President

THE STATE OF TEXAS §
 §
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BEFORE ME, the undersigned Notary Public, on this day personally appeared Howard McCallister, President of Tara Association, 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 and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 28th day of March, 2012.



Notary Public in and for the State of Texas

Return to:

Lori E. Alderson
1539 Avenue A
Katy, TX 77493

