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THE STATE OF TEXAS
COUNTY OF HARRIS

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AMENDMENT
TO THE
CONDOMINIUM BY-LAWS
FOR
THE ELM GROVE CONDOMINIUM

ELM GROVE CONDO.
AMEND. TO BY-LAWS
A CONDOMINIUM PROJECT
CONDOMINIUM RECORDS
HARRIS COUNTY, TEXAS

FILM CODE 161029
REDUCTION 6X CAMERA DESIGNATION MRG 1

WHEREAS, by instrument dated September 29, 1978, and recorded in Volume 85 at Page 41 of the Condominium Records of Harris County, Texas, F. THOMAS DUNN and WILLIAM L. BROWN DEVELOPMENT, INC., hereinafter referred to as "Declarant", did submit the property therein described to the provisions of Article 1301a of the Revised Civil Statutes of the State of Texas, as the ELM GROVE CONDOMINIUM, which instrument is hereafter referred to as the "Declaration", and

WHEREAS, the By-Laws for ELM GROVE HOMEOWNERS ASSOCIATION, INC., in connection with the Declaration, required a change and an amendment, and

WHEREAS, pursuant to the provisions of the Declaration, the Association retained the right to amend the By-laws;

NOW THEREFORE, the Association and the homeowners at ELM GROVE CONDOMINIUMS hereby amend the By-laws for the Association after having called a meeting for that purpose on December 7, 1987, and after having received the required number of votes by the homeowners to pass this amendment,

NOW THEREFORE, the By-laws of the Homeowners Association were amended in the following manner:

1. Section 3 of Article III was deleted and the following substituted in its place:

"3. Annual Meetings. The annual meeting of the Association scheduled for the first Monday in December, 1987, shall be held on the first Monday in April, 1987. Subsequently, all annual meetings of the Association shall be held on the first Monday of April in each succeeding year. At all annual meetings, there shall be elected by ballot of the owners persons to fill vacancies on the Board of Managers in accordance with the requirements of Paragraph 5 of Article IV of these By-laws. The owners may also transact such other business of the Association as may properly come before them."

FURTHER, the Association and homeowners at THE ELM GROVE CONDOMINIUMS deleted Section 1 of Article IV in its entirety and the following was substituted in its place:

" 1. Number and Qualification. Beginning with the annual meeting in the year 1987, the affairs of this Association shall be governed by a Board of Managers composed of five (5) persons. To be eligible for election or appointment to the Board of Managers, any person must be an Association member in good standing, as defined in Article II, Paragraph I and Article VII, Paragraph 1 of these By-laws. Any Manager against whom legal action has been commenced by the Association for violation of the Condominium Declaration or breach of duty as a Manager, shall be automatically removed from the Board upon the filing of suit or counterclaim and shall not be qualified to serve on the Board until conclusion of the suit by settlement, judgment in his favor, or upon satisfaction of judgment against him. "

FURTHER, the Association and homeowners at THE ELM GROVE CONDOMINIUMS have added the following paragraphs to Section 3 of Article IV:

"(p) To institute a policy of and enforce collection of late charges and/or interest charges on any owner's monthly pro-rated assessment, dues or special

assessment that is not received by the Homeowners Association by the date due, provided any such late charge or interest charge remains within the following guidelines and does not exceed the following amounts:

"(i) A one-time late charge, not to exceed ten dollars (\$10.00), may be added to any dues or assessments that are received by the Association more than fourteen (14) days past the due date. This is a penalty and is in addition to any interest as allowed in paragraph (2) below.

"(ii) Any dues or assessments more than thirty (30) days past due may have an interest charge added to them at a rate not to exceed the highest maximum amount as provided by law for the type of entity which the homeowner is. In no event, however, shall the interest exceed the maximum allowed by law. Interest is to be compounded daily.

"(iii) All homeowners shall be given, by regular mail, postage prepaid, at their last known address as reflected in the records of the Association, a minimum of sixty (60) days notice prior to the institution of or alteration of any late charge or interest charge policy by the Board. This notice shall contain details of the newly adopted or altered policy, such as amounts, percentages and time periods, where applicable, and shall also include a listing of exceptions, if any. This notice shall also be posted on the bulletin board at the Clubhouse. A homeowner shall not be excused from paying late charges or interest by reason of not having actually received notice of a change in policy.

"(iv) Any late charge or interest charge policy adopted by the Board shall apply uniformly to all homeowners for the duration of that policy."

FURTHER, the Association and homeowners at THE ELM GROVE CONDOMINIUMS deleted Section 5 of Article IV in its entirety and the following was substituted in its place:

"5. Election and Term of Office.

(a) At the annual meeting for the year 1987, there shall be named five (5) managers, one each to occupy individually numbered Board of Manager's positions. These positions shall be numbered one (1) through five (5). Those Managers remaining in office at the time of this meeting shall be named to occupy positions one (1) through three (3) as follows: TRISH GATES-LUNA, Position 1; JOHN HOPENGARTEN, Position 2; and MARK VAN DYCK, Position 3. Position 4 and Position 5 shall then be filled by vote of the Homeowners.

"(b) For all annual meetings subsequent to the year 1987, those Managers holding office in odd-numbered positions shall be elected in each odd-numbered year, and those Managers holding office in even-numbered positions shall be elected in each even-numbered year. The five (5) persons acting as Managers shall hold office until their successors have been elected and hold their first Board meeting."

FURTHER, the Association and homeowners at THE ELM GROVE CONDOMINIUMS deleted Section 7 of Article IV in its entirety and the following is substituted in its place:

"7. Removal of Managers. At any regular or special meeting duly called, any one or more of the Managers may be removed with or without cause by a majority of the aggregate interest of the undivided ownership of the general common elements, and a successor may then and there be elected to fill the vacancy thus created. Any Manager whose removal has been proposed by the owners shall be given an opportunity to be heard at the meeting. Further, if at any time a Manager ceases to own an ELM GROVE condominium unit, that Manager's position on the Board shall be automatically vacated. Further, if at the time

of any duly called Board of Managers meeting, whether or not a quorum is present, any Manager is forty-five (45) days past due in any assessments made or levied against him and the condominium owned by him, that Manager shall be suspended from voting on any matters that may come before the Board at that meeting. If, at the next duly called Board of Managers meeting, whether or not a quorum is present, the suspended Manager remains at least forty-five (45) days past due in any assessments made or levied against him and the condominium unit owned by him, that Manager's position on the Board shall be automatically vacated. Any position on the Board that is made vacant by the automatic provisions of this paragraph shall be filled by vote of the majority of the remaining Managers according to the provisions of Article IV, Paragraph 6 of these By-laws. Any Manager removed in accordance with this paragraph shall be disqualified to serve on the Board until all past due amounts, late charges, interest, cost of collection and attorneys' fees, if any, have been paid."

FURTHER, the Association and homeowners at THE ELM GROVE CONDOMINIUMS deleted Article XII in its entirety and the following is substituted in its place:

"ARTICLE XII

REGISTERED OFFICE

The Registered Office, the Principal Office for the transaction of business for this Association, and the Registered Agent shall be adopted, from time to time, by a resolution of the Board, and a statement of change of Registered Agent, Principal Office or Registered Office shall be filed with the Secretary of State of Texas or as required by law."

SUBSCRIBED AND SWORN TO on the 1 day of July.

1991 by THE ELM GROVE HOMEOWNERS ASSOCIATION, INC. by Mark Van Dyck,
President.

Mark Van Dyck
By: MARK VAN DYCK
Title: PRESIDENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

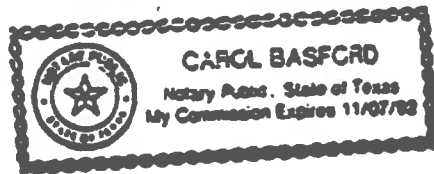
BEFORE ME, the undersigned authority, on this day personally appeared MARK VAN DYCK, President of THE ELM GROVE HOMEOWNERS ASSOCIATION, INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed and in the capacity therein stated and as the act and deed of THE ELM GROVE HOMEOWNERS ASSOCIATION, INC.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 1st day of JULY, 1991.

Carol Basford
Notary Public in and for
The State of T E X A S

Commission Expires:
11/7/92

Notary Name Printed:
CAROL BASFORD



AFTER RECORDING RETURN TO:

CAIN & CAIN
430 Highway 6 South, Suite 100
Houston, TX 77079

ELM GROVE CONDO.
AMEND. TO BY-LAWS
A CONDOMINIUM PROJECT
CONDOMINIUM RECORDS
-HARRIS COUNTY, TEXAS

FILM CODE 161030
REDUCTION 16X CAMERA DESIGNATION MRG :

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE,
RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY
BECAUSE OF COLOR OR RACE IS INVALID AND UNEN-
FORCEABLE UNDER FEDERAL LAW.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL
PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number
on the date and at the time stamped herein by me, and was duly RECORDED
in the Official Public Records of Real Property of Harris County, Texas on

July 29 1991



Quita Roddenberry
COUNTY CLERK,
HARRIS COUNTY, TEXAS.