



**AMENDMENT TO THE BY-LAWS OF THE
TOWNWEST HOMEOWNERS ASSOCIATION, INC.
PERMITTING MEETINGS BY REMOTE COMMUNICATION TECHNOLOGY**

WHEREAS, this document amends the By-laws of the Townwest Homeowners Association, Inc. ("the Association"), created September 4, 1981 in Fort Bend County, Texas (the By-laws"); and

WHEREAS, this by-law Amendment is applicable to the following property:

Townwest, Section One, a subdivision in Fort Bend County, Texas according to the map or plat thereof recorded under Volume 15, Page 2 of the Map Records of Fort Bend County, Texas;

Townwest, Section Two, a subdivision in Fort Bend County, Texas according to the map or plat thereof recorded under Volume 20, Page 9 of the Map Records of Fort Bend County, Texas;

Townwest, Section Three, a subdivision in Fort Bend County, Texas according to the map or plat thereof recorded under Volume 18, Page 12 of the Map Records of Fort Bend County, Texas; and

Townwest, Section Four, a subdivision in Fort Bend County, Texas according to the map or plat thereof recorded under Volume 22, Page 54 of the Map Records of Fort Bend County, Texas, respectively, along with any amendments, supplements, replats and annexations, and to any other properties subsequently annexed to or brought under the jurisdiction of the Townwest Homeowners Association, Inc. (collectively referred to as the "Subdivision"); and

WHEREAS, the Articles of Incorporation of the Association vest the management of the Association in the board of directors and do not reserve the right to amend by-laws to the members; and

WHEREAS, the By-laws were adopted by the initial board of directors of the Association; and

WHEREAS, they were amended on September 5, 1995, June 20, 2000 and on March 8, 2012; and

WHEREAS, the original By-laws were adopted by the initial board of directors of the Association and the members have never passed an amendment to the By-laws which expressly prohibits the board of directors from amending any provision of the By-Laws; and

WHEREAS, Chapter 22.102(c) of the Texas Business Organizations Code provides that the board of directors may amend bylaws; and

WHEREAS, Chapter 22.002 of the Texas Business Organizations Code provides that the Association may conduct meetings by remote technology communications if such are permitted by the Bylaws; and

WHEREAS, in order to comply with governmental orders related to pandemics and other possible future events, it is necessary for the Association to be able to conduct meetings via remote technology; and

WHEREAS, this Amendment to the By-laws has been approved by a majority of the Board in a properly noticed open meeting as certified by the President of the Townwest Homeowners Association, Inc. herein below;

NOW THEREFORE, pursuant to the above recitals, the By-laws are hereby amended as follows:

I. Article III, Section 1 had previously read:

Section 1. Annual Meetings. The first annual meeting of the members shall be held on the 1st day of June, 1983, and subsequent meetings shall be held on the anniversary dates. If the day for the annual meeting of the members, is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday.

is hereby amended to read:

Section 1. Annual Meetings. Regular annual meetings of the Members shall be held once a calendar year in the month of June on a day and at a time determined by the Board of Directors.

If the association is unable to hold an annual meeting in a reasonable amount of time, because of natural disaster, State of Emergency, war, state or local order or any other event beyond the Association's control the Board of Directors may decide to hold the Annual meeting by remote communication technology.

In the event of the meeting being held by remote communication technology, then the election shall follow the rules for an Absentee Ballot Election as outlined hereafter under Article IV, Section 1 Quorum. All Proxy/Ballots must be received by the Association at the designated location in the Meeting Notice no later than 3 p.m. the day of the election. No nominee shall be accepted from the floor. Said meeting shall be held as soon as practicable under the then existing circumstances.

II. Article V, Section 1 had previously read:

Section 1. Nomination. Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The nominating Committee shall consist of a Chairman, who shall be a member of the Board of Directors, and two or more members of the Association. The Nominating Committee shall be appointed by the Board of Directors prior to each annual meeting of the members, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. Such nominations may be made from among members or non-members.

is hereby amended to read:

Section 1. Nomination. Each Member of the Association is eligible to serve on the Board of Directors unless within the prior twenty years been convicted of a felony or a crime of moral turpitude. Any person may have their name placed into consideration as a candidate to be elected to the board by informing the Association of their desire to be a candidate and following procedures and regulations developed by the Board or required by statute for the election process. Members may vote for any person to serve as a Director without regard as to whether that person's name appears on a ballot.

IN WITNESS HEREOF, this Amendment to the By-laws of the Townwest Homeowners Association, Inc. has been enacted as recited above and is executed this the 8 day of September, 2020.

TOWNEWEST HOMEOWNERS
ASSOCIATION, INC.

By: [Signature]
Print Name: ROBERT J GOERZ
Title: President

STATE OF TEXAS §
 §
COUNTY OF Fort Bend §

BEFORE ME, the undersigned authority, on this day personally appeared Robert J. Goerz, President of the Townwest Homeowners Association, Inc., a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that this instrument was executed 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 OFFICE this 8th day of September, 2020.



 [Signature]
Notary Public, State of Texas
My commission Expires: