

BY-LAWS OF TRES PALACIOS OAKS PROPERTY OWNERS ASSOCIATION

ARTICLE I: Definitions

Section I: The words "said property" as used in these By-Laws shall be deemed to mean the following described real property situated in the County of Matagorda, State of Texas, and more particularly described as follows:

All of that certain subdivision known as Tres Palacios Oaks Subdivision in Matagorda County, Texas: together with any and all other real property which may hereafter, through the operation of conditions, covenants, restrictions, easements, reservations, or charges pertaining to the same to be placed under or submitted to the jurisdiction of this corporation and be accepted as within the jurisdiction of this corporation by resolution of the Board of Directors of this Corporation.

Section 2: The word "lot" wherever used in these By-Laws shall be deemed to mean a lot as defined in any declaration of conditions, covenants, restrictions, easements, reservations or charged affection the portion of said property in which the lot is located.

Section 3: Definitions - "Member" lot owner

"Member in Good Standing" - A lot owner who has paid current Maintenance Fees, Assessments, Mowing fees, or any other monetary obligation, for all lots owned.

"Association" - The group of all Members in Good Standing.

"Quorum of the Board of Directors" - is a Majority of the Board of Directors.

"Architectural Control Committee" - A committee that approves (in advance) any construction proposed for any lot in the subdivision. In addition, the committee shall determine whether the same meets the specific requirements of these By-laws and Deed Restrictions.

ARTICLE II: Functions of the Corporations

Section 1: Purposes: The purpose for which Tres Palacios Oaks Property Owner's Association is formed are civic and social, for the benefit and betterment of the residents and property owners of Tres Palacios Oaks, a residential development in Matagorda County, Texas. The Association is formed pursuant to Section 501(C)- 7 of the Internal Revenue code of 1954, said Association being organized and to be operated exclusively for pleasure, recreation and other non-profit purposes. To carry out such purposes properly, the Association may perform the following functions and the exercise of such functions shall be deemed to be within the scope of activities contemplated by the corporate charter:

- a) The Association may acquire for its members certain parcels of land and items of personality.
- b) The Association may care for vacant, unimproved and un-kept lots in said development, remove and destroy grass, weeds and rodents there from, and any unsightly and obnoxious thing there from, and perform any labor necessary or desirable in the judgments of this Association to keep the property, and the land contiguous and adjacent thereto, neat and in

good order.

c) The Association may enforce charges, restrictions, conditions and covenants existing upon and created for the benefit of said property over which this Association has jurisdiction and be reimbursed for any charges incurred by the lot owner.

d) The Association may perform any and all lawful things and acts which this Association at any time and from the time to time, shall, in its discretion, deem, to be to the best interest of said property and the owners of the building sites thereon, and shall pay all costs and expenses in connection therewith, to be reimbursed by Property Owner.

e) Any powers and duties exercised by said Associated relating to maintenance, operation, construction or reconstruction of any facilities provided for herein may be contracted for with any qualified contractor as agent.

f) The Association may provide for garbage and rubbish collection and disposal.

g) The Association may expend the funds collected by it from assessments, maintenance charges and all other moneys received by the corporation for the payment and discharge of all proper cost, expenses and obligations incurred by the Association in carrying out any or all of the purposes for which the Association is formed.

Section 2: The activities of the corporation shall be limited to the area known as Tres Palacios Oaks, a development in Matagorda County, Texas, and to such other areas which may herein after through the operation of conditions, covenants, restrictions, easements, reservations or charges pertaining to the same be placed under or submitted to the jurisdiction of this Corporation by resolution of the Board of Directors of this Corporation.

Section 3: The Activities of the corporation shall establish an Architectural Control Committee (ACC) and shall report directly to the Board of Directors. Elections will be held and included with the ballot for the annual meeting or a special meeting called for that purpose. The Board of Directors will provide for the filling of any vacancy thereon. The committee shall adopt rules governing the conduct of its business.

The Committee shall approve in advance any construction proposed for any lot in the subdivision. The committee shall determine whether the same meets the specific requirements of the Deed Restrictions. In addition, and with limitation, the Committee shall have the right to approve the type and size of the proposed structure, the quality of materials and workmanship, the harmony of the external design in relation to existing structures, and the location with respect to the topography of the property. The Committee shall formulate an established plan with regard to all such matters and shall make the same available to all lot owners.

The committee shall have the power in specific cases where owing to special conditions, enforcement of one or more of these protective covenants will result in hardship to the lot owner, to make a special exception thereto, and may substitute other conditions therefore, so that the spirit of the Deed Restrictions will be preserved.

Governing Rules:

1. The ACC will meet prior to the monthly Board meeting or when requested by the Board to expedite the plans of a property owner.
2. Any and all construction will require the property owner to submit a set of

plans that clearly shows all lot lines, easements, culverts, septic systems, or other pertinent information for the ACC to approve the construction.

3. House and septic systems plans are to be approved by three ACC members. Other projects such as culverts, driveways, fences, carports etc. need to be approved by only two members.

4. Conditional approval for a permit may be granted. The application will be held in the office until the conditions are met. This means if the property owner is in the process of getting his building or septic system permit from the County, the ACC can still review plans and approve them subject to the office getting the permit from the County,

5. Should a property become a nuisance due to inactivity or decay of structures, accumulation of trash or abandoned boats, cars etc., the ACC shall request the Board of Directors notify the owner in writing of the problem(s) and request corrective action to be taken.

6. No letters to property owners are to be sent by the ACC, all such correspondence shall come from TPOPOA office at the direction of the Board of Directors.

7. Any files or applications removed from the office by the ACC should be copies of the originals. Originals files should remain in the office.

8. A log of all activities of the ACC is to be kept in the office for the use of all ACC members and the Board of Directors. A calendar will be kept of all key action item dates and expirations of permits etc. and will be reported to the Board of Directors.

9. Should violations of the Bylaws, Restrictions, ACC rules, Conduct Policies etc. of TPO occur, the Board of Directors should be notified in writing to be added as an agenda item for Board action.

10. The ACC shall consist of at least Three (3) or more members and at least One (1) member will be a Board of Director. All of the Board of Directors may elect to sit on the ACC board if desired; however community involvement is recommended.

11. The scope of responsibility for the ACC shall not be changed except by a 2/3 vote of the Board of Directors.

12. ACC minutes will be taken at the monthly meetings and presented to the Board of Directors. Minutes of the meeting will be posted after approval.

13. All unresolved issues shall be brought to the Board of Directors in writing and added as an agenda item for Board action.

Section 4. Conduct Policy:

1. Fines may be assessed by a majority vote of the Board of Directors of the Association against any lot for violation of the Association's ("Conduct Policy"), as adopted or amended by the Association from time-to-time. Such fines shall be set by the Board of Directors of the Association, including, but not limited to, speeding, reckless driving, violation of pool and/or boat ramp rules, littering, etc. In no event shall any Conduct Policy Assessment exceed \$150.00

2. Notice of intent to fine shall be delivered to the owner of such lot(s), which have been deemed responsible for Conduct Policy violation(s), by either personal delivery or certified mail, return receipt requested. Recipients of such notices may contest the allegations made at the next regularly scheduled meeting of the Association's Board of Directors. If Notice has not been received at least ten (10) days prior to the next regularly scheduled meeting of the Association's Board of Directors then the Recipient(s) may contest at the next regularly scheduled meeting. If no contest is made or if a majority of the Board of Directors of the Association overrules a contest asserted, fines shall be assessed in the amount(s) previously adopted and posted for such violation(s).

ARTICLE III: Offices

The principle office of the Corporation shall be located in Tres Palacios Oaks Subdivision of Matagorda County, State of Texas.

The Corporation shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act.

ARTICLE IV: Members

Section I: Annual Meetings: The annual meeting of the members shall be held on the 1st Saturday in April in each year, at 2 o'clock p.m., if not a legal holiday and if a legal holiday, then on the next succeeding business day, for the purpose of electing directors and for transactions of any and all such other business which may be brought before or submitted to the meeting. All annual meeting of the members in good standing shall be held at the office of the Corporation, Tres Palacios Oaks, Texas, unless otherwise determined by the Board of Directors. Thirty (30) day notice of the annual meeting or any Special Meeting shall be necessary to all Members in Good Standing.

Section 2: Special Meetings of the members: Shall be held at the office of the Corporation in Tres Palacios Oaks, Texas, or at such other places as may be designated in the notice or waivers of notice of the respective meetings. Special meeting of the members may be called by the President or by a Vice-President or by the Board of Directors, or by a majority in number of the members in good standing. Written notice of each special meeting of the members, stating the time and place thereof and indicating briefly the purpose or purposes thereof, shall be sent by mail or telegram or be delivered, by the Secretary, or in the event of his absence or failure, refusal, inability or omission to so do, by the President or Vice-President or any Assistant Secretary, to each of the members of the corporation at their respective addresses, as shown by the record of the Corporation, at least five (5) days prior to the date set for the holding of the meeting. Unless otherwise indicated in the notice or waiver of notice thereof, any and all business may be transacted at any annual or special meeting of the members.

Section 3: (QUORUM IS DEFINED AS: the lots in good standing, whose owners have voted on the amendment(s) in person, by proxy or by ballot. To clarify further, in order for a lot's vote to be valid, it must first: a) be in good standing; and b) timely cast a vote on any proposed amendment(s) through its owner in person, by proxy or by ballot.

THUS, IT IS 2/3 OF THE TIMELY VOTES CAST BY LOTS IN GOOD STANDING THAT COMPRISES QUORUM.)

Section 4: Organization: The President of the Corporation, and in the event of his absence, a Vice-President of the Corporation, shall call meetings of the members to order and shall act as chairman of such meetings. In the absence of the President, a Vice-President of the Corporation, the members present may appoint a chairman. The Secretary of the Corporation, or in his absence, or Assistant Secretary and an Assistance Secretary, the presiding officer may appoint any person to act as Secretary of the meeting.

Section 5: Voting: Each member in good standing shall be entitled to one vote per lot owned at each **annual** meeting of the members. Each member may vote in person or by proxy or appointed instrument in writing (**ballot**) or by facsimile transmission or by electronic message or combination of those methods, and subscribed by the member or by

the authorized attorney of such member. At all **annual** or Special meetings of **the** Association; questions, except those which the manner of deciding is otherwise expressly governed by statute, the charter of the Corporation or by-laws, shall be decided by the vote of the majority of the members of this Corporation present in person or by proxy. Each ballot shall be signed by the member voting or by his proxy.

Vote by Members necessary: Amending By-Laws, changing restrictions, changing policy of **the** subdivision, or special assessment collected for a specific purpose or expenditures of more than 10% above the amount set in the budget for any specific line item or of more than 10% above a special assessment collected for a specific purpose.

Section 6: Eligibility: Any person who now or hereafter owns property in Tres Palacios Oaks, a Subdivision for residential purposes in Matagorda County, Texas, shall be **a member and** eligible for membership in the Association unless suspended under section 9.

Upon purchase of a lot or lots in Tres Palacios Oaks, the purchaser will be entitled to one vote for each lot owned. Owners of fractional lots, if any shall be entitled to one-half (1/2) vote, irrespective of the fraction of the lot held by such owner. Each owner must be in good standing in order to vote.

Section 7: To decide an issue **at any Annual or Special Meeting requires at least 2/3 of the timely votes cast by the lots in good standing in person, by proxy or by ballot. To decide an issue among the Board of Directors requires a majority of the Board of Directors.**

Section 8: Prerogatives: All members, except as otherwise herein provided, shall enjoy the same rights and privileges. Each member in good standing shall be eligible for election to the Board of Directors or to an officer ship and for appointment to the standing or special committees.

All members shall be responsible for their guests.

Section 9: Suspension: All financial obligations of a member of the Association shall be paid within thirty (30) days from the date of notice thereof to the member. If not paid within ninety (90) days from the date of such notice, the members right to vote and to hold office or committee appointment shall be automatically suspended. These rights shall be automatically re-instated if the member pays his delinquent financial obligations.

DUES AND ASSESSMENTS

Section 1: Until changed **by the 2/3 of the timely votes cast by lots in good standing in person, by proxy or by ballot** there will be an annual assessment of "Maintenance Charge" of \$35.00 per year per lot owned. Said "Maintenance Charge" is to be due and payable April 1st of each year. If the purchaser owns more that one lot, he will be charged \$35.00 per year for each additional lot or fractional lot.

The Association may establish a "Special Assessment" to be paid by each member.

Such assessment may be made upon a monthly, quarterly, semi-annual, or annual basis and shall be payable in advance for each period so designated. The amount of the assessment shall be determined by a vote of not less than two-thirds (2/3) vote of the Board of Directors in December of each year subject to approval on not less than **2/3 of the timely votes cast by lots in good standing in person, by proxy or by ballot** in the Association at the next Annual meeting. The total assessment shall be the reasonably anticipated maintenance cost for the coming year exceeding the expected income from "Maintenance Charges" according to the budget presented.

Additional Charges will be assessed against any lot that remains un-mowed or that contains items in violations of Article II Section 3 herein above for a period exceeding thirty (30) days following delivery of written notice, delivered to the owner of such lot(s) by either personal delivery or certified mail, return receipt requested. The amount of such additional Charges shall be set by the Board of Directors of the Association and shall be enforceable in the same manner as other Maintenance Charges.

Section 2: Lien: The Association shall have a lien on the lot of each owner, whether or not a member, for any unpaid dues or assessments, which lien shall include all court cost and reasonable attorneys fees. This lien shall be seconded only to the liens for taxes and a deed of trust mortgage or other security instrument, including purchase money or mechanics lien now existing.

Section 3: Financial records of the Association shall be available in the Associational office for inspection by any member in good standing so long as this does not interfere with day-to-day operations of the office, and the member does not abuse the privilege.

Records of individual members shall not be opened to anyone other than themselves and the Directors in Office.

ARTICLE V: Board of Directors

Section 1: Number and term of office: The Business and property of the Corporation shall be managed and controlled by the Board of Directors, and subject to the restrictions imposed by law, by the charter, of these By-Laws, the Board of Directors may exercise all powers of the Corporation.

All Nominees are to sign agreement to serve if elected and agree to rules as apply to Board of Directors.

All names on Ballot are to be in alphabetical order and Ballots are to be mailed to all members on month prior to Annual Meeting.

The number of Directors shall be five (5), but the number of directors may be increased from time to time by the affirmative vote of a majority of the members in Good Standing, present in person or by proxy, at annual or special meeting of the members provided that the number of directors shall never be less than three. Directors shall be elected to serve a two (2) year term. Two Directors shall be elected one year and three Directors will be elected the following year on rotation basis in order to maintain consistency in the operation

of the Association. At the annual meeting of the members of the Corporation each Director shall be elected to hold office and serve until his successor shall be filled by vote of directors, the additional directors shall be elected by the majority vote of the members in good standing of the **Association** present in person, **by proxy or by ballot** at any annual or special meeting of the members in Tres Palacios Oaks.

Section 2: Meeting of the directors: The Directors will hold their meeting and have offices and keep the books of the Corporation, in Tres Palacios Oaks Subdivision.

Section 3: First Meeting: Each newly elected Board of Directors may hold its first meeting for the purpose of organization, if a quorum is present, immediately after the annual meeting of the members, or adjourned annual meeting of the members, and no notice of such meeting shall be necessary.

Agenda for Organizational Meeting shall be:

I: Introductions

II: Oath of Office taken by Newly Elected Directors

III: Reading and discussion of By-Laws and Restrictions (New Directors to sign and date statement that they have read By-Laws and Restrictions)

IV: Election of officers

V: Adjournment

Section 4: Election of officers: At the meeting of the Board of Directors in each year at which a quorum is present, the Board of Directors shall proceed to the election of the officers of the Corporation. No notice or waiver of notice of any such first meeting shall be required or necessary if it were held immediately after either the annual meeting of the adjourned annual meeting of the members, and any and all business may be transacted at such first meeting.

Section 5: Regular Meetings: Special meetings of the Board of Directors are open to the members in Good Standing, although members are not to vote at these meetings. Regular meetings of the Board of Directors shall be held at such time and place as shall be designated, from time to time by resolution of the Board of Directors. Notice of such regular meetings shall be posted at least 48 hours in advance of the meeting.

Section 6: Special Meetings: Special meetings of the Board of Directors are open to the members in Good Standing although members are not to vote at these meetings. Special meetings of the Board of Directors shall be called for specific purposes by the President, Vice-President, Secretary or a majority of the directors then in office. Notice of each special meeting shall be given by any officer of the Corporation by telegraph, mail, telephone or personal delivery to each directors at his residence or usual place of business at least two days prior to the meeting and notice will be posted except in cases of employees or litigation. At any special meeting, business pertaining to the specific purpose for calling such

meeting will be the only business transacted.

Section 7: Closed Sessions of Directors: Special Meetings to be called only to transact business pertaining to employees or litigation.

Section 8: Quorum: The majority of the directors then in office shall constitute a quorum for the transaction of business, but if at any meeting of the Board of Directors there be less than a quorum present, the majority of those present may adjourn the meeting from time to time without notice, other than by announcement at the meeting, until a quorum be present or in attendance thereat. The act of a majority of the Directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of Directors, except as otherwise provide by law, the charter of the Corporation, or by these By-Laws.

Section 9: Order of Business: All meetings shall follow an agenda, which has been posted with notice of the meeting at least 48 hours in advance of the meeting. Closed Sessions of the Directors will only note that a closed Session will be held. At all meetings of the Boards of Directors, business shall be transacted in such order as from time to time the Board of Directors may determine. At all meetings of the Board of Directors, the President shall preside, and in the absence of the President, a chairman shall be chosen from the Directors present. The Secretary of the Corporation shall act as Secretary of all meeting of the Board of Directors, but in the absence of the Secretary, the presiding officer may appoint any person to act as secretary of the meeting.

Section 10: Services: No Director or officer of the Corporation shall be required to devote his time or render services exclusively to the Corporation. Each director and officer of the Corporation shall be free to engage in any and all other business and activities either similar or dissimilar to the business of this Corporation without liability to this Corporation. Likewise, each and every director and officer of the Corporation shall be entirely free to act for and serve any other corporation or corporations, entity or entities, in any capacity or capacities and become a director or officer of any other corporation or corporations, entity or entities, whether or not the purpose, business and activities of this corporation, without breach of duty to this corporation or its members and without liability of any character of description to the corporation or its members. No contract or other transaction of this Corporation shall ever be affected by the fact that any director or officer of the Corporation is interested in, or connected with any party to such contract or transaction, provided that such contract or transaction shall be approved by a majority of the disinterested directors present at a meeting of the Board of Directors at which such contract or transaction shall be authorized or confirmed.

ARTICLE VI: Officers

Section 1: Titles and Term of Office. The officers of the Corporation shall be a president (who shall be a director), one or more Vice-Presidents, a Secretary, a Treasurer and such other officers including but not limited to one or more Assistant Secretaries and one or more Assistant Treasurer, as the Board of Directors may from time to time elect or appoint. One person may hold more than one office. All officers shall be subject to removal, with cause, at any time, by vote of a majority of the whole Board of Directors. A vacancy in the office of any officer shall be filled by vote of a majority of the Board of Directors then in office.

Section 2: Powers and Duties of the President: The President, subject to the control of the Board of Directors, shall be in general charge of the affairs of the Corporation in the ordinary course of its business, he shall preside at all meetings of the members and of the Board of Directors; he may make, sign and execute all deeds, conveyances, assignments, bonds, contracts and other obligations and any and all other instruments and papers of any kind or character in the name of the Corporation; and, he shall do and perform such other duties as may from time to time be assigned to him by the Board of Directors.

Section 3: Vice Presidents: Vice President shall have the usual powers and duties pertaining to his office together with such other powers and duties as may be assigned to him by the Board of Directors, and the Vice President shall have and exercise the powers of the President during that officer's absence or inability to act. Any action taken by Vice President in the performance of the duties of the President shall be conclusive evidence of the absence or inability to act of the President at the time such action was taken.

Section 4: Treasurer: The Treasurer shall have custody of all the funds and securities of the Corporation, which come into his hands. When necessary or proper, he may endorse, on behalf of the Corporation, for Collection, checks, notes, and other obligations and shall deposit the same to the credit of the Corporation in such bank or banks or depositories as shall be designated in the manner described by the Board of Directors; he may sign all receipts and vouchers for payment made to the Corporation, jointly with such officer as is designated by the Board of Directors, whenever required by the Board of Directors, he shall render a statement of his cash account; he shall enter or cause to be entered regularly on the books of the Corporation to be kept by him for that purpose full and accurate accounts to any director of the Corporation during business hours, he shall perform all acts incident to the position of the Treasurer subject to the control of the Board of Directors; he shall if required by the Board of Directors, give such bond for the faithful discharge of his duties in such form as the Board of Directors may require. He shall make available to a Certified Public Accountant, not personally involved in the Association, any financial records necessary to compile financial statements and tax reports on a monthly basis. The accountants service to be paid for by the Association.

Section 5: Assistant Treasurer: Each Assistant Treasurer shall have the usual powers and duties pertaining to his office; together with such other powers and duties and may be assigned to him by the Board of Directors and the Assistant Treasurer shall exercise the powers as Treasurer during that officer's absence or inability to act.

Section 6: Secretary: The Secretary shall keep the minutes of all meetings of the Board of Directors and the minutes of all meetings of the members in books provided for that purpose with his signature and the Corporation seal; he shall attend to the giving and serving of all notices; he will sign with the President or Vice-President in the name of the Corporation and all contracts, conveyances, transfers, assignments, authorizations and other instruments of the Corporation and affix the seal of the Corporation thereto. He shall have the charge of and maintain and keep such books and papers as the Board of Directors may direct, all of which shall be at all reasonable times open to the inspection of any director upon request at the office of the Corporation during business hours and he shall in general perform all the duties incident to the office of the Secretary subject to the control of the Board of Directors.

Section 7: Assistant Secretaries: Each Assistant Secretary shall have the usual powers and duties pertaining to the office, together with such other powers and duties as may be assigned to such officer by the Board of Directors, and the Assistant Secretaries shall exercise the powers of the Secretary during that officer's absence or inability to act.

ARTICLE VII: Contracts, Checks, Drafts, Bank Accounts, Etc.

Section 1: The Board of Directors, except as in these by-laws otherwise provided, may authorize any officer or officers, agent or agents, in the name of and on behalf of the Corporation, to enter into any contract or execute and deliver any instrument, and such authority may be general or confined to specific instances; an, unless, so authorized by the Board of Directors or expressly authorized by the By-Laws, no officer or agent or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable peculiarly for any purpose or to any amount.

Section 2: No loan shall be contracted on behalf of the Corporation, and no negotiable papers shall be issued in the name unless authorized by the vote of the Board of Directors.

Section 3: All checks, drafts and other orders for the payment of money out of the funds of the Corporation, and all notes or other evidences of indebtedness of the Corporation shall be signed of behalf of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

Section 4: All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks or other depositories as the Board of Directors may select and for the purpose of such deposit the President, a Vice-President, the Treasurer, the Secretary, or any other officer or agent or employee of the Corporation to whom such power may be delegated by the Board of Directors, may endorse, assign, and deliver checks, drafts and other orders for the payment of money which are payable to the order of the Corporation.

Directors are elected on a voluntary basis and in so agreeing by signature, before being nominated for the position of Director, to serve without compensation for time or mileage and to be reimbursed, only for parts or equipment or supplies that they purchase on an emergency basis. All other purchases are to be through the daily order of business.

ARTICLE VIII: Miscellaneous Provisions

Section 1. Fiscal year: The fiscal year of the Corporation shall end at midnight on March 31, of each calendar year.

Section 2. Seal: The Seal of the Corporation shall be circular in form and shall have inscribed thereon the name of the Corporation.

Section 3. Notice and Waiver of Notice: Whenever any notice whatever is required to be given under the provisions of these by-laws, said notice shall be deemed to be sufficient if

given by depositing the same in a post office box in a sealed, post-paid wrapper addressed to the person entitled thereto at his post office address, as it appears on the books of the Corporation, and such notice shall be deemed to have been given on the day of such mailing. A waiver of notice, whether before or after the time stated therein, shall be deemed equivalent to notice.

Section 4: Resignations: Any director of office may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein; or, in no time specified, at the time of its receipt by the President or Secretary. The acceptance of the resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

ARTICLE IX: Amendments

These By-Laws may be supplemented, altered, amended or repealed by the affirmative vote of a 2/3 votes cast by **lots in good standing in person, by proxy or by ballot** of the **Association** at any annual or special meeting.

Amendment No. 1

By-laws were amended by 2/3 members in good standing April 4, 2009 as follows:

1. The burning of household garbage is not allowed in the subdivision. Burning brush or just having a fire is allowed as long as there is no "burn ban" called by county officials.
2. The board of directors may fine operators of any vehicle \$200.00 for traveling at excessive speeds, vehicles improperly taking-off, driving across other peoples lots or subdivision parks or reserves, destruction of personal property, endangering the lives of others, etc. This fine will only apply within the platted boundaries of Tres Palacios Oaks, a private street subdivision.

Amendment No. 2

By-laws were amended by 2/3 members in good standing December 19, 2009 as follows:

1. As a property owner, I understand there are no lifeguards or other personnel at the pools, boat ramp, piers, parks, or other TPO-POA property, and I agree to indemnify and hold harmless TPO-POA as it relates to property owner association liability and further understand that we all use these facilities and the private roads inside our community at our own risk.
2. As a property owner, I understand it is my responsibility to read the deed restrictions and By-Laws of our community and obey them and all signs in our community. I understand that driving on or across other member's property will result in fines.
3. The speed limit within the subdivision is 20 MPH (this includes all vehicles and excessive speeds will result in fines). I understand that driving on or across other member's property will result in fines.
4. All members understand that each property owner is responsible for his/her guests and will be liable for any violations of Deed Restrictions, By-Laws, and resulting fines of his/her guests.
5. TPO is monitored by video/audio surveillance and any evidence obtained from this equipment may be used against violators and will be admissible in court to protect member's property and solve crimes.
6. All members understand that there will be a charge for the gate cards (voted on by the members in good standing) and each member in good standing is eligible to purchase as

many cards as they need for their family and guests. I understand that I must be current on all maintenance fees, mowing fees, fines, etc. to be eligible to purchase gate cards.

7. If any member becomes 30 days delinquent from the invoice date, we understand that their gate card(s) will be deactivated and will not open the gate.

8. Gate cardholders understand that if they allow non-current members to use their card(s), it will result in a \$250 fine per occurrence.

Amendment No. 3

By-laws were amended by ballot of 2/3 members in good standing March 31, 2010 as follows:

1. The ACC By-Laws shall include that all exterior paint for new construction, remodeling or repainting, should be consistent with standard residential home colors – no loud or fluorescent yellows, orange, blue, purple, etc.

2. The ACC By-Laws shall include that all remodeling shall be done with the same type and style of exterior material as the adjacent material on the structure (do not use dissimilar materials for repairs). You should use the same exterior material on the building. Example: No plywood repairs on a metal trailer; no plywood door on a home that does not match style of home. If your structure is made of T-111 siding make repairs with T-111, don't switch to plywood.

3. The subdivision will set live/humane traps for loose dogs and feral cats. When animals are captured the animal control will be called for pick up.

4. As per the Health and Safety Code 822.041-047 concerning Dangerous Dogs, any dog that commits unprovoked acts of bodily injury must be registered, kept in a secure enclosure and the owner must carry liability insurance of at least \$100,000.

5. Standard fencing materials are to be utilized within the subdivision--no plywood, tin, scrap lumber, etc. are allowed.

6. The subdivision will notify owners whose lots are unsightly and grown up with tall grass, shrubs, trees, etc. that they have 14 days notice to clean up the lot. After that time the association has the right to mow, trim and clean up the trash on these lots at the owner's expense whether or not the lot is listed with the association for mowing.

7. All residences are required by county emergency operations to obtain the 911 address for the home or structure. Each address shall be posted with reflective material for faster service.

8. No more than 2 boats, 3 cars and 1 RV may be parked in the driveway of property--not in the yard.

END OF BY-LAWS