

**THIRD AMENDMENT TO
THE BYLAWS OF
GRAND TREVISO CONDOMINIUM ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

KNOW ALL MEN BY THESE PRESENTS:

This THIRD AMENDMENT TO THE BYLAWS OF GRAND TREVISO CONDOMINIUM ASSOCIATION, INC. (this "Third Amendment") is made effective the 22nd day of March, 2016, by Grand Treviso Condominium Association, Inc. (the "Association").

WITNESSETH:

WHEREAS, Grand Treviso, Ltd., a Texas limited partnership, as Declarant, prepared and filed that certain Condominium Declaration for Grand Treviso Condominium Association, Inc. filed of record on July 23, 2004, at Volume 2004141, Page 00061 *et seq.*, Deed Records, Dallas County, Texas, as may be amended and/or supplemented from time to time (hereinafter referred to as the "Declaration"); and

WHEREAS, the Association adopted the Bylaws of Grand Treviso Condominium Association, Inc. on July 22, 2004, to govern the internal operation of the Association (the "Bylaws"), which were filed of record on April 29, 2009, as Attachment "1" to Document No. 200900121611 of the Official Public Records of Dallas County, Texas; and

WHEREAS, Article XII, Section 12.2 of the Bylaws provides that the Bylaws "may be amended from time to time by the affirmative vote of the majority of the Directors or by the affirmative vote, in person or by proxy, of at least 51% of the Allocated Interests voted by the Members voting at the meeting called to consider such amendment...; and

WHEREAS, Section 82.076 of the Texas Uniform Condominium Act provides that an association or a board may not meet to adopt an amendment or other change to the Bylaws unless the association or board has given to each unit owner a document showing the specific amendment or other change that would be made to the Bylaws and that such information must be given to each unit owner after the 20th day but before the 10th day preceding the date of the meeting; and

WHEREAS, the Bylaws were amended as evidenced by the First Amendment to the Bylaws of Grand Treviso Condominium Association, Inc. filed of record on April 29, 2009 as Attachment "2" to Document No. 200900121611 of the Official Public Records of Dallas County, Texas (the "First Amendment"); and

WHEREAS, the Association subsequently prepared a "Consent of Directors of Grand Treviso Condominium Association, Inc. - Resolution to Amend Term Limits" filed of record on

February 6, 2013, at Document No. 201300038056 of the Official Public Records of Dallas County, Texas (the "Consent/Resolution"); and

WHEREAS, the Consent/Resolution was rescinded and the Bylaws were amended as evidenced by the Rescission of Resolution and Second Amendment to the Bylaws of Grand Treviso Condominium Association, Inc. filed of record on March 17, 2015, at Document No. 201500063851 of the Official Public Records of Dallas County, Texas (the "Rescission of Resolution and Second Amendment"); and

WHEREAS, Board of Directors (the "Board") of the Association, by the filing of this Third Amendment, voted to replace Article V, Section 5.2, and Article V, Section 5.4 of the Bylaws as follows at a properly called meeting of the Board at which a quorum was obtained

NOW, THEREFORE, the Board declares the following:

1. Article V, Sec 5.2 of the Bylaws is deleted in its entirety and replaced with the following:

Section 5.2 Affirmative Vote. Except as otherwise provided in these Bylaws or in the Declaration, the Members shall be entitled to vote upon any decision or resolution presented to the Membership for a vote, and the majority of voting interests cast shall determine the passage of any decision or resolution. Notice and quorum requirements shall be as set forth herein. Cumulative voting shall not be permitted. Any Member whose voting rights have been suspended under any provision of the Declaration shall not be entitled to vote.

2. Article V, Sec 5.4 of the Bylaws is deleted in its entirety and replaced with the following:

Section 5.4 Proxies, Absentee Ballots or Electronic Ballots. At all meetings of Members, each Member may vote in person or by proxy, or also by absentee mail ballot or by electronic ballot, if the Board decides to utilize such voting method.

(a) All proxies shall be in writing, dated and filed with the Secretary before the appointed time of each meeting. Written proxies may be submitted by United States mail, delivered to the office of the Association, delivered directly to the Secretary or delivered in such other manner as directed by the Association. A proxy may set forth the specific voting intent of the Member with respect to the issues, resolutions or election being voted on by the Members at the annual or special meeting or may be general in nature giving the proxy holder written permission to exercise the Member's vote(s) as the proxy holder sees fit. Every proxy shall be revocable and shall automatically cease upon conveyance by the Member of such Member's Unit, or upon receipt of notice by the Association's Secretary, or appointed agent, 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 unless the proxy specifies that it is to remain effective for a shorter or longer period of time. A proxy is void if it is not dated or if it purports to be revocable without notice. A proxy is not allowed for electronic voting.

(b) Absentee or electronic ballots, if utilized, (i) may be counted as a Member present and voting for the purposes of establishing a quorum only for items appearing on the ballot; (ii) may not be counted, even if properly delivered, if the Member attends any meeting to vote in person, so that any vote cast at a meeting by a Member supersedes any vote submitted by absentee or electronic ballot previously submitted for that proposal; and (iii) may not be counted on the final vote of a proposal if the motion was amended at the meeting to be different from the exact language on the absentee or electronic ballot. Electronic ballot means a ballot: (1) given by (i) e-mail, (ii) facsimile, or (iii) posting on an internet website; (2) for which the identity of the Member submitting the ballot can be confirmed; and (3) for which the Member may receive a receipt of the electronic transmission and receipt of the Member's ballot. 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 posting on the website.

Except as modified by this Third Amendment, the Bylaws shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned officer of Grand Treviso Condominium Association, Inc. certifies that this Third Amendment was approved by members of the Board representing a majority of the votes present, in person or by proxy, at the March 22, 2016, meeting of the Board at which a quorum was obtained and that such amendments were also passed in accordance with the requirements of Section 82.070 of the Texas Uniform Condominium Act.

**GRAND TREVISO CONDOMINIUM
ASSOCIATION, INC.**

By: _____

Peter Wayman
Peter Wayman, President

