

## BYLAWS OF OAK HURST PLACE HOMEOWNERS' ASSOCIATION

These Bylaws (referred to as the "Bylaws") govern the affairs of Oak Hurst Place Homeowners' Association, a non-profit corporation (referred to as the "Association") organized under the Texas Non-Profit Corporation Act (referred to as the "Act").

### ARTICLE I.

#### DEFINITIONS

The following definitions are those same definitions contained in the Oak Hurst Place Declaration of Covenants, Covenants, Conditions and Restrictions recorded in the Office of the County Clerk of Smith County, Texas on September 1, 2024:

Section 1. "Association" shall mean and refer to Oak Hurst Place Homeowners' Association, a nonprofit corporation, and its successors and assigns.

Section 2. "Properties" shall mean and refer to the property of Oak Hurst Place Subdivision, the plat of which is recorded in Cabinet C, Slide 101D in the Plat Records of Smith County, Texas.

Section 3. "Common Area" shall mean all real property owned or maintained by the Association for the common use and enjoyment of the Owners. The Common Area to be owned or maintained by the Association at the time of the conveyance of the first lot shall be that portion of the Properties not included within designated lots, such as streets, cart paths and alleys, together with all structures and improvements, situated thereon, but subject to any dedication to public use.

Section 4. "Lot" shall mean and refer to each of the 68 lots designated on the recorded plat of Oak Hurst Place Subdivision on which there is or may be constructed a single family residence which is to be individually and separately owned.

Section 5. "Residence" shall mean a single family residence unit located on a Lot. A "Garden Home" shall mean a Residence located on a Garden Home Lot.

Section 6. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of fee simple title to any lot which is a part of the Properties, including contract purchasers, but excluding those having such interest merely as security for the performance of an obligation.

Section 7. "Declarant" shall mean and refer to Peace Tree Golf Club, Inc., and its successors and assigns.

Section 8. "Development Period" shall mean that period of time during which Declarant is involved in the construction, development, and sale of lots; such period shall continue until all Lots are sold by Declarant to initial purchasers of same.

ARTICLE II.

OFFICES

2.01. Principal Office. The principal office of the Association in the State of Texas shall be located at 6212 C.R. 152 W, Bullard, Texas 75757. The Association may have such other offices, either in Texas or elsewhere, as the Board of Directors may determine. The Board of Directors may change the location of any office of the Association.

2.02. Registered Office and Registered Agent. The Association shall comply with the requirements of the Act and maintain a registered office and registered agent in Texas. The registered office may, but need not, be identical with the Association's principal office in Texas.

The Board of Directors may change the registered office and the registered agent as provided in the Act.

### ARTICLE III.

#### MEMBERS

3.01. Members. Every person or entity who is a record owner of a fee or undivided fee interest in any lot, including contract purchasers shall be a member of the Association. Membership shall be appurtenant to and may not be separate from ownership of any lot which is subject to assessment by the Association. Ownership of such lot shall be the sole qualification for membership.

3.02. Classes of Members. The Association shall have two classes of members, Class A members and Class B members.

3.03. Class A Members. Class A members shall be all those Owners as defined in Article I with the exception of the Declarant. When more than one person holds a qualifying interest in any lot, all such persons shall be members.

3.04. Class B Members. The Class B member shall be the Declarant; provided that the Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, which ever occurs earlier:

When the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership; or

b) Five years from the date hereof.

3.05 Certificates of Membership. The Board of Directors may provide for the issuance of certificates evidencing membership in the Association that shall be in such form as may be determined by the Board. All certificates evidencing membership shall be consecutively

numbered. The name and address of each member and the date of issuance of the certificate shall be entered on the records of the Association and maintained by the Secretary at the registered office of the Association. If a certificate is lost, mutilated, or destroyed, a new certificate may be issued.

3.06 Resignation. No owner of a lot subject to assessment by the Association may resign membership in this Association, and no act done by any person shall terminate the obligation of the owner of such lot from the lien of such assessment.

3.07 Termination of Membership. The membership of any person or entity shall terminate upon his or its ceasing to own a lot in said subdivision. Membership in this Association shall follow the title to the lot subject to assessment by the Association, and shall automatically be transferred with the title to said lot.

ARTICLE IV

VOTING RIGHTS

4.01. Voting Rights. The Association shall have two classes of voting membership.

4.02. Class A Voting Rights. Class A members shall be entitled to one vote in Association matters. When more than one person holds a qualifying interest in any lot, all such persons shall be members, but the one vote for such lot shall be exercised as they, among themselves, shall determine. In no event shall more than one vote be cast with respect to any lot.

4.03. Class B Voting Rights. The Class B member, the Declarant, shall be entitled to three votes in Association matters for each lot which it owns; provided that the Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, which ever occurs earlier:

- a) When the total votes outstanding in the Class A membership equal the total votes outstanding in the Class B membership; or
- b) Five years from the date hereof.

## ARTICLE V.

### MEETINGS OF MEMBERS

5.01. Annual Meeting. Beginning in 1995, the Board of Directors shall hold an annual meeting of the members at 10:00 o'clock a.m. on the 2nd Saturday of February of each year or at another time that the Board of Directors designates. At the annual meeting, the members shall elect directors and transact any other business that may come before the meeting. If, in any year, the election of Directors is not held on the day designated for the annual meeting, or at any adjournment of the annual meeting, the Board of Directors shall call a special meeting of the members as soon thereafter as possible to conduct the election of Directors.

5.02. Special Meetings. Special meetings of the members may be called by the President, a majority of the Board of Directors, or not less than 1/10 of the voting members.

5.03. Place of Meeting. The Board of Directors may designate any place in Smith County, Texas as the place of meeting for any annual meeting or for any special meeting called by the Board of Directors. If the Board of Directors does not designate the place of meeting, the meeting shall be held at the registered office of the Association in Texas.

5.04. Notice of Meetings. Written or printed notice of any meeting of members shall be delivered, either personally or by mail, to each member entitled to vote at such meeting not less than ten (10) or more than fifty (50) days before the day of such meeting, by or at the direction of the President, or the Secretary, or the officers or persons calling the meeting. The notice shall state the place, date, and time of the meeting, who called the meeting, and the

general purpose or purposes for which the meeting is called. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail addressed to the member at his address as it appears on the records of the Association with postage thereon prepaid. In the event that any lot in said subdivision shall be owned by two or more persons or entities, such persons or entities shall designate one of their number to receive notices hereunder stating the address of such person, and deliver such information to the Secretary of the Association, failing which such party shall be deemed to have waived any required notice under the terms of these Bylaws.

5.05. Quorum. The members holding 1/2 the votes that may be cast at a meeting who attend the meeting in person or by proxy shall constitute a quorum at that meeting. The members present or represented by proxy at a duly called or held meeting at which a quorum is present may continue to transact business even if enough members leave the meeting so that less than a quorum remains. However, no action may be approved without the vote of at least a majority of the number of members required to constitute a quorum. If a quorum is not present at any meeting of the members, a majority of the members present may adjourn the meeting from time to time without further notice.

5.06. Proxies. A member entitled to vote may vote by proxy executed in writing by the member or by his duly authorized attorney-in-fact. No proxy shall be valid after eleven months from the date of its execution, unless otherwise provided in the proxy.

5.07. Voting By Mail. The Board of Directors may authorize members to vote by mail on the election of Directors and officers or on any other matter that may be voted on by the members.

ARTICLE VI.

BOARD OF DIRECTORS

6.01. Management of the Association. The affairs of the Association shall be managed by the Board of Directors.

6.02. Number, Qualifications, and Tenure of Directors. The number of Directors shall be three (3). Directors need not be residents of Texas. Directors shall be members of the Association or representatives of a corporate member. At the annual meeting of the membership in 1995, two (2) Directors shall be elected for terms of one (1) year each and one (1) Director shall be elected for terms of (2) years. Subsequently, two (2) Directors shall be elected in odd-numbered years, and one (1) Director shall be elected in even-numbered years, with each Director being elected for a two-year term. The number of Directors may be increased or decreased from time to time by amendment of these Bylaws provided, however, that the number of Directors may never be less than three (3). Further, no decrease shall have the effect of shortening the term of any incumbent Director. Any directorship to be filled by reason of an increase in the number of Directors shall be filled by election at an annual meeting or at a special meeting of Shareholders called for that purpose.

6.03. Nominations of Directors. At any meeting at which the election of Directors occurs, a voting member in good standing may nominate a person with the second of any other voting member in good standing. In addition to nominations made at meetings, a nominating committee shall consider possible nominees and make nominations for each election of Directors. The Secretary shall include the names nominated by the Nomination Committee, and any report of the committee, with the notice of the meeting at which the election occurred.

6.04. Election of Directors. A person who meets any qualification requirements to be a Director and who has been duly nominated may be elected as a Director. Directors shall be

elected at the annual meeting of the members by the vote of the membership of the Association. In electing Directors, members may be permitted to cumulate their votes by giving one candidate as many votes as the number of Directors to be elected or by distributing the same number of votes among any number of candidates. Each Director shall hold office until a successor is elected and qualified. A Director may be elected to succeed himself or herself as Director.

6.05. Vacancies. Any vacancy occurring in the Board of Directors shall be filled by the Board of Directors. A vacancy is filled by the affirmative vote of a majority of the remaining Directors, even if it is less than a quorum of the Board of Directors, or if it is a sole remaining Director. A Director elected to fill a vacancy shall be elected for the unexpired term of the predecessor in office.

6.06. Annual Meeting. The annual meeting of the Board of Directors may be held without notice other than these Bylaws. The annual meeting of the Board of Directors shall be held immediately after, and at the same place as the annual meeting of members.

6.07. Regular Meetings. The Board of Directors may provide for regular meetings by resolution stating the time and place of such meetings. The meetings may be held either within or without the State of Texas and shall be held at the Association's registered office in Texas if the resolution does not specify the location of the meetings. No notice of regular meetings of the Board is required other than a resolution of the Board of Directors stating the time and place of the meetings.

6.08. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of any two (2) Directors. The person or persons authorized to call special meetings of the Board may fix any place as the place for holding any special meeting of the Board called by them.

6.09. Notice. Written or printed notice of any special meeting of the Board of Directors shall be delivered to each Director not less than seven (7) nor more than thirty (30) days before the date of the meeting. The notice shall state the place, date, and time of the meeting, who called the meeting, and the purpose or purposes for which the meeting is called.

6.10. Quorum. A majority of the Board of Directors then in office shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. The Directors present at a duly called or held meeting at which a quorum is present may continue to transact business even if enough Directors leave the meeting so that less than a quorum remains. However, no action may be approved without the vote of at least a majority of the number of Directors required to constitute a quorum. If a quorum is present at any time during a meeting, a majority of the Directors present may adjourn and reconvene the meeting from time to time without further notice.

6.11. Manner of Acting. The act of the majority of Directors present at a meeting in which a quorum is present shall be the act of the Board of Directors unless the Act of a greater number is required by law or by these Bylaws.

6.12. Compensation. Directors as such shall not receive any salaries for their services, but by resolution of the Board of Directors, expenses of attendance, if any, may be allowed for attendance at each regular special meeting of the Board; but nothing herein contained shall be construed to exclude any Director from serving the Association in any other capacity and receiving compensation therefore.

6.13. Informal Action By Directors. Any action required by law to be taken at a meeting of Directors or any action which may be taken at a meeting of Directors may be taken without a meeting if a consent in writing, setting forth the actions so taken, shall be signed by all of the Directors.

6.14. Directors' Liability. To the fullest extent permitted by Texas corporation law as the same exists or may hereafter be amended, a Director shall not be liable to the Association or its shareholders for monetary damages for breach of fiduciary duty as a Director.

6.15. Removal. Directors may be removed from office for cause by a majority vote of the members of the Association.

## ARTICLE VII.

### OFFICERS

7.01. Enumeration of Officers. The officers of this Association shall be a President, a Secretary, and a Treasurer. The Board of Directors may, by resolution, create other such offices as it deems necessary or desirable. Any two or more offices may be held by the same person, except the office of President and Secretary.

7.02. Term. The officers of this Association shall be elected annually by the Board of Directors, and each shall hold office for a term of one (1) year, unless the officers shall sooner resign, be removed, or be otherwise disqualified to serve.

7.03. Resignation and removal. Any officer may resign at any time by giving written notice to the Board, the President, or the Secretary. Such resignation shall take effect at the date of receipt of the notice or at any later time specified in the notice. Any officer may be removed from office by the Board whenever, in the Board's judgment, the best interest of the Association would be served by such removal.

7.04. Compensation. Officers shall receive such compensation for services rendered to the Association as determined by the Board of Directors and approved by a majority of the voting power of the Association.

ARTICLE VIII.

PRESIDENT

8.01. Election. At the first meeting of the Board immediately following the meeting of the members, the Board shall elect one of their number to act as President.

8.02. Duties. The President shall perform the following duties:

- (a) Preside over all meetings of the members of the Board;
- (b) Sign as President all deeds, contracts, and other instruments in writing that have been first approved by the Board, unless the Board, by duly adopted resolution has authorized the signature of another officer;
- (c) Call meetings of the Board whenever he or she deems it necessary in accordance with the rules and on notice agreed to by the Board; and
- (d) Have, subject to the advice of the Board, general supervision, direction, and control of the affairs of the Association and discharge such other duties as may be required or authorized by the Board.

ARTICLE IX.

SECRETARY

9.01. Election. At the first meeting of the Board immediately following the annual meeting of the members, the Board shall elect a Secretary.

9.02. Duties. The Secretary shall perform the following duties:

- (a) Keep a record of all meetings and proceedings of the Board and of the members;
- (b) Serve notices of meetings of the Board and the members either required by law or by these Bylaws;
- (c) Keep appropriate current records showing the members of the Association together with their addresses; and
- (d) Sign as Secretary all deeds, contracts, and other instruments in writing that have first been approved by the Board if the instruments require a second corporate signature, unless the Board has authorized another

officer to sign in the place instead of the Secretary by duly adopted resolution.

- (e) With the assistance of the Treasurer, maintain records on the status of payments of dues and assessments by each member, and issue certificates as to the status of members' accounts, binding on the corporation.

ARTICLE X.

TREASURER

10.01. Election. At the first meeting of the Board immediately following the annual meeting of the members, the Board shall elect a Treasurer.

10.02. Duties. The Treasurer shall perform the following duties:

- (a) Receive and deposit all funds of the Association in a bank or banks as the Board may from time to time direct;
- (b) Be responsible for and supervise the maintenance of books and records to account for the Association's funds and other Association assets;
- (c) Disburse and withdraw funds as the Board may from time to time direct, in accordance with prescribed procedures; and
- (d) Prepare and distribute the financial statements for the Association required by the declaration.

ARTICLE XI.

COMMITTEES

11.01. Committees of Directors. The Board of Directors, by resolution adopted by a majority of the Directors in the office, may designate and appoint one or more committees, each of which shall consist of two or more Directors, which committees, to the extent provided in said resolution, shall have and exercise the authority of the Board of Directors in the management of the Association; provided, however, that no such committee shall have the

authority of the Board of Directors in reference to amending, altering or repealing the Bylaws; electing, appointing or removing any member of such committee or any director or officer of the Association; amending the Articles of Incorporation; adopting a plan of merger or adopting a plan of consolidation with another corporation; authorizing the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the Association; authorizing the voluntary dissolution of the Association or revoking proceedings therefore; adopting a plan for the distribution of the assets of the Association; or amending, altering or repealing any resolution of the Board of Directors which by its terms provides that it shall be amended, altered or repealed by such committee. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed on it or him by law.

11.02. Other Committees. Other committees not having and exercising the authority of the Board of Directors in the management of the Association may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of each such committee shall be members of the Association and the President of the Association shall appoint the members thereof. Any members thereof may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interest of the Association shall be served by such removal.

11.03. Term of Office. Each member of a committee shall continue as such until the next annual meeting of the members of the Association and until his successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member shall cease to qualify as a member thereof.

11.04. Chairman. One member of each committee shall be appointed chairman by the person or persons authorized to appoint the members thereof.

11.05. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

11.06. Quorum. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

11.07. Rules. Each committee may adopt rules for its own government not inconsistent with these Bylaws or with rules adopted by the Board of Directors.

## ARTICLE XII

### BOOKS AND RECORDS

12.01. Maintenance. Complete and correct records of account and minutes of proceedings of meeting of members, directors, and committees shall be kept at the registered office of the Association. A record containing the names and addresses of all members entitled to vote shall be kept at the registered office or principal place of business of the Association.

12.02. Inspection. The membership register, the books of account, and the minutes of proceedings shall be available for inspection and copying by any member of the Association, his agent or attorney for any proper purpose at any reasonable time.

## XIII.

ASSESSMENTS

13.01. Dues and Assessments. After consideration of current maintenance costs and future needs of the Association, the Board of Directors may levy the annual assessments at an amount not in excess of the maximum authorized hereby. The annual assessment may not be increased more than 10% above the assessment authorized to be made (whether made or not) for the preceding year except by affirmative vote of 2/3 of all of the members who are present and voting in person or by proxy, at a meeting called for this purpose, upon no less than thirty (30) nor more than fifty (50) days notice in writing to each member stating the time, purpose, and place of said meeting. As long as there is a Class B member, the annual assessment on each lot owned by Declarant until the conveyance of said lot by Declarant, shall be 25% of the regular authorized assessment for lots. The maximum annual assessment shall be \$240.00 for the year commencing from January 1 of the year immediately following the conveyance of the first lot to an owner, payable annually in advance.

13.02. Purpose of Assessments. The assessments levied by the Association shall be used for the following purposes:

- (a) Promotion of the health, safety and welfare of the residents of the properties, including supervision and enforcement of the restrictive covenants contained in the declaration of covenants, conditions and restrictions;
- (b) Improvement, maintenance and operation of the Common Area, and payment of any and all indebtedness incurred in connection therewith;
- (c) Ad valorem and other taxes, insurance premiums, labor and other costs incidental to each of the above, including, but not limited to, a management fee or fees (all as hereafter provided); and
- (d) The payment of such other charges and expenses as may be elsewhere required or authorized by the Declaration of Covenants, Conditions and Restrictions, or that the Board of Directors of the Association may, from

time to time, determine necessary or desirable to meet the purposes of the Association.

13.03. Special Assessments for Capital Improvements. In addition to the annual assessment authorized above, the Association may levy in any assessment year, a special assessment applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any equipment or materials, or of any construction or reconstruction, unexpected repairs or replacement of a described capital assessment or improvement upon the Common Area, including the necessary fixtures and personal property related thereto, provided that any such assessment shall have the assent of 2/3 of all the members who are present and voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be sent to all members not less than thirty (30) days nor more than fifty (50) days in advance of the meeting setting forth the purpose of the meeting.

13.04. Uniform Rate of Assessment. Both annual and special assessments will apply at a uniform rate for all Lots except as provided in Section 13.01.

13.05. Quorum. For any meeting called under the provisions of Sections 13.01 and 13.03, the presence at the meeting of members and proxies entitled to cast 2/3 of all the votes of both classes of the membership shall constitute a quorum. If the required quorum is not forthcoming at a meeting, another meeting may be called, and the required quorum at any such subsequent meeting shall be 1/2 of the quorum required for the preceding meeting. Written notice of the subsequent meeting shall be given not less than 30 nor more than 50 days in advance of such subsequent meeting.

13.06. Date of Commencement of Annual Assessments, Due Dates. The annual assessments provided for herein shall commence as to all Lots on the first day of the month following the conveyance of the first Lot. The first annual assessment shall be adjusted

according to the number of months remaining in the calendar year. The Board of Directors shall fix the amount of the annual assessment against each Lot at least 30 days in advance of each annual assessment period, and written notice of the annual assessment shall be sent to every owner subject thereto. The due dates shall be established by the Board of Directors and, unless otherwise provided, the Association shall collect the annual assessment for such Lot from its Owners. The Association shall upon request promptly furnish a certificate in writing signed by an officer of the Association setting forth whether the assessments on a specified Lot have been paid, and such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid. A reasonable charge may be made by the Board of Directors for the issuance of these certificates.

13.07. Effect of Non-Payment of Assessments, Remedies of the Association. The obligation for the payment of any assessment or charge herein provided shall rest upon the record owners of a Lot and such obligation shall be secured by a lien upon the Lot as of the due date of the assessment or charge. If an assessment or installment thereon or any authorized charge is not paid within 30 days after its due date, the unpaid portion of said annual assessment shall become immediately due and payable and shall bear interest from such date at the rate of 10% per annum, and the Association may pursue all remedies available to it against the Owner and every person personally obligated to pay the same, including foreclosure of the lien herein created against the property, in which case, the Association shall also be entitled to recover its costs of collection, including reasonable attorney's fees. No Owner may waive, or be deemed to have waived, or otherwise escape liability for the assessments or charges provided for herein by nonuse of the Common Area or abandonment of his Lot.

13.08. Relation of the Lien to Mortgages. The lien for assessments and charges provided for herein shall be subordinate to the lien of any deed of trust or mortgage hereafter granted or

created by the owner of any Lot to secure the payment of monies advanced and used for the purpose of purchasing or improving the Lot or Residence located thereon. Sale or transfer of any Lot by foreclosure under the terms of such deed of trust or mortgage, or any sale or proceeding in lieu of foreclosure (all called "foreclosure"), shall extinguish the lien securing such assessments or charges, but only as to unpaid sums which became due prior to such sale or transfer. Any person acquiring title to any Lot by such foreclosure shall thereupon become an Owner, but such Owner shall not be liable for any unpaid assessments prior to such foreclosure.

ARTICLE XIV.

CONTRACTS, CHECKS, DEPOSITS AND FUNDS

14.01. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Association, in addition to the officers authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association, and such authority may be general or confined to specific instances.

14.02. Negotiable Instruments. All checks, drafts, or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Association, shall be signed by such officer or officers, agent or agents of the Association and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instrument shall be signed by the Treasurer or an assistant Treasurer and counter-signed by the President of the Association.

14.03. Deposits. All funds of the Association shall be deposited from time to time to the credit of the Association in such banks, trust companies or depositories as the Board of Directors may select.

14.04. Gifts. The Board of Directors may accept on behalf of the Association any contribution, gift, bequest or devise for any general purpose or special purpose of the Association.

## ARTICLE XV.

### GENERAL PROVISIONS

15.01. Amendment of Bylaws. These Bylaws may be amended, altered or repealed at a regular or special meeting of the Members of the Association by the affirmative vote in person of Directors representing a majority of the quorum of the Board of Directors. Notwithstanding the above, the percentage of affirmative votes necessary to amend a specific clause or provision shall not be less than the prescribed percentage of affirmative votes required for action to be taken under that clause.

15.02. Legal Construction. If any bylaw provision is held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision and the Bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the Bylaws.

15.03. Gender. Whenever the text requires, all words in the Bylaws in the male gender shall be deemed to include the female or neuter gender, all singular words shall include the plural and all plural words shall include the singular.

15.04. Power of Attorney. A person may execute any instrument related to the Association by means of a power of attorney if an original executed copy of the power of attorney is provided to the Secretary of the Association to be kept with the Association records.

15.05. Parties Bound. The Bylaws shall be binding upon and inure to the benefit of members, directors, officers, committee members, employees, and agents of the Association,

and their respective heirs, executors, administrators, legal representatives, successors, and assigns except as otherwise provided in the Bylaws.

**CERTIFICATE OF SECRETARY**

I certify that I am the duly elected and acting Secretary of Oak Hurst Place Homeowners Association and that the foregoing Bylaws constitute the Bylaws of the Association. These Bylaws were duly adopted at a meeting of the Board of Directors held on the 5<sup>th</sup> day of February, 1995.

Dated: 2-5-'95

Gasmare Hurst

**Unofficial Copy**

ATTACHMENT "A"

PLEASE ATTACH THE FOLLOWING AMENDMENT TO YOUR BYLAWS:

BYLAWS AMENDMENT

ARTICLE VI.

BOARD OF DIRECTORS

6.02. Number, Qualifications, and Tenure of Directors. The number of Directors shall be five (5). Directors need not be residents of Texas. Directors shall be members of the Association or representatives of a corporate member. At the annual meeting of the membership, three (3) Directors shall be elected in even-numbered years and two (2) Directors shall be elected in odd-numbered years, with each Director being elected for a term of two (2) years. The number of Directors may be increased or decreased from time to time by amendment of these Bylaws, provided however, that the number of Directors may never be less than three (3). Further, no decrease shall have the effect of shortening the term of any incumbent Director. Any directorship to be filled by reason of an increase in the numbers of Directors shall be filled by election at an annual meeting or at a special meeting of Shareholders called for that purpose.

BYLAWS 6.02, AMMENDED 2/27/00 AT OAK HURST PLACE HOIÆOWNERS ASSOCIATION ANNUAL MEETNG.

Amendments to Bylaws  
Oak Hurst Place Homeowners' Association  
July 12, 2007

The first change is to Article V 5.05 Quorum. Will be amended to read as follows:

5.05 Quorum. The members present in person or by proxy that are current on all dues and fees will constitute a quorum at that meeting. The members present or represented by proxy at a duly called or held meeting at which a quorum is present may continue to transact business even if enough members leave the meeting so that less than a quorum remains.

The second change is to Article VI 6.02 Number, Qualifications, and Tenure of Directors. Will be amended to read as follows:

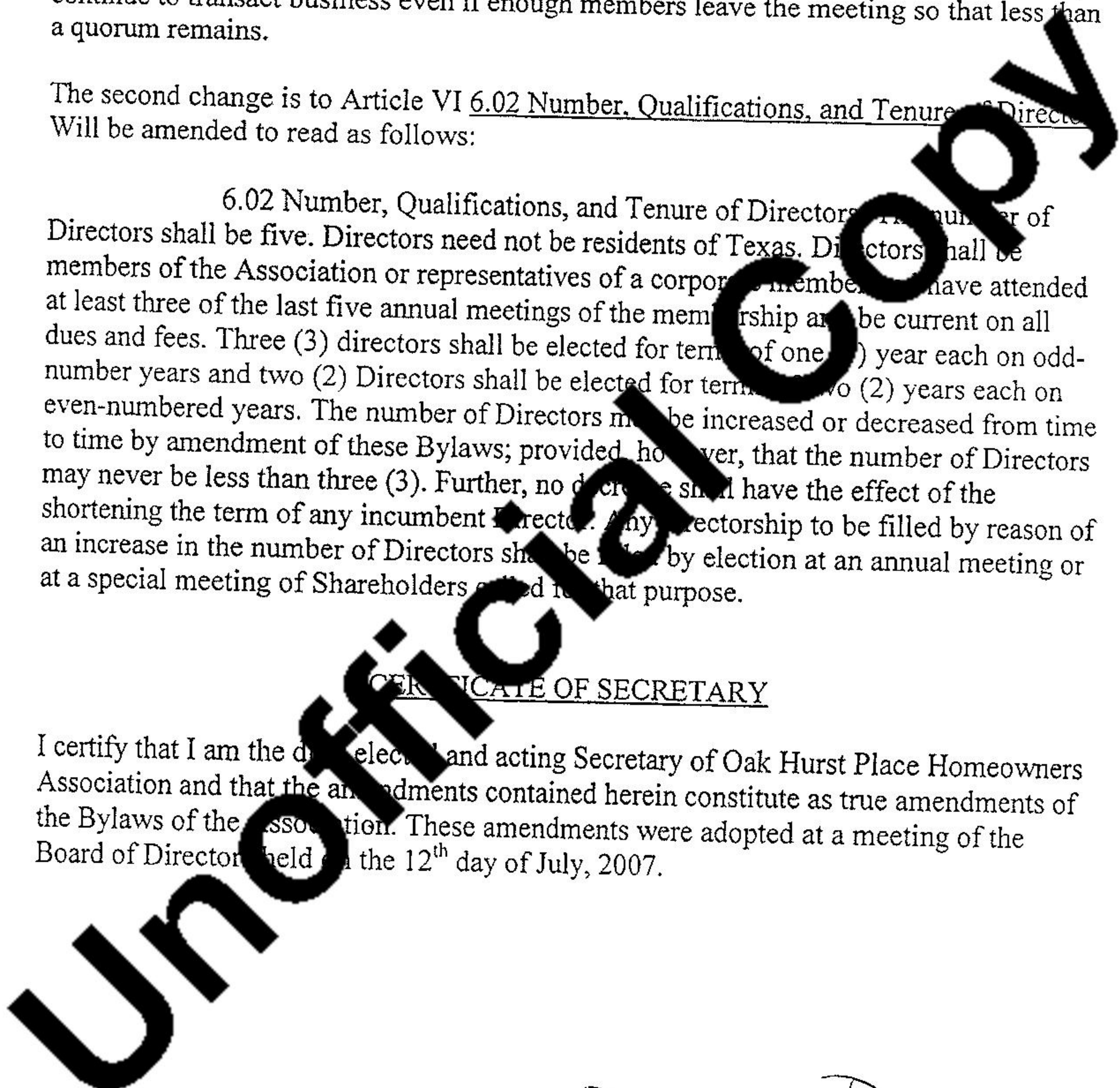
6.02 Number, Qualifications, and Tenure of Directors. The number of Directors shall be five. Directors need not be residents of Texas. Directors shall be members of the Association or representatives of a corporate member. Directors shall have attended at least three of the last five annual meetings of the membership and be current on all dues and fees. Three (3) directors shall be elected for terms of one (1) year each on odd-number years and two (2) Directors shall be elected for terms of two (2) years each on even-numbered years. The number of Directors may be increased or decreased from time to time by amendment of these Bylaws; provided, however, that the number of Directors may never be less than three (3). Further, no decrease shall have the effect of the shortening the term of any incumbent Director. Any directorship to be filled by reason of an increase in the number of Directors shall be filled by election at an annual meeting or at a special meeting of Shareholders called for that purpose.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of Oak Hurst Place Homeowners Association and that the amendments contained herein constitute as true amendments of the Bylaws of the Association. These amendments were adopted at a meeting of the Board of Directors held on the 12<sup>th</sup> day of July, 2007.

*Donna Bass*

Donna Bass 07/12/2007



Amendments to Bylaws

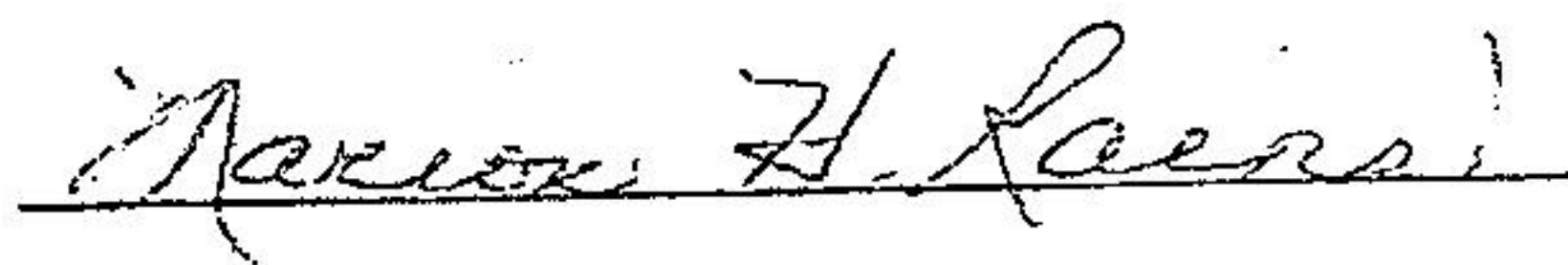
Oak Hurst Place Homeowners' Association

February 19, 2017

6.02. Number, Qualifications, and Tenure of Directors. The number of Directors shall be five. Directors need not be residents of Texas. Directors shall be members of the Association or representatives of a corporate member and have attended at least three of the last five annual meetings of the membership and be current on all dues and fees. Only one member or family may serve as a Director at the same time. At the annual meeting of the membership, three (3) Directors shall be elected in even-numbered years, and two (2) Directors shall be elected in odd-numbered years, with each Director being elected for a term of two (2) years commencing January 1 of the following year. The number of Directors may be increased or decreased from time to time by amendment of these Bylaws, provided, however, that the number of Directors may never be less than three (3). Further, no decrease shall have the effect of shortening the term of any incumbent Director. Any directorship to be filled by reason of an increase in the number of Directors shall be filled by election at an annual meeting of Shareholders called for that purpose.

CERTIFICATE OF SECRETARY

I certify that I am duly elected and acting Secretary of Oak Hurst Place Homeowners' Association, and that the amendment contained herein constitutes as a true amendment of the Bylaws of the Association. This amendment was adopted at a meeting of the Board of Directors held on the 19<sup>th</sup> day of February, 2017.



Marion H. Rains

02/19/2017

Amendment to Bylaw:

Oak Hurst Place Homeowners' Association

February 18, 2018

6.02 Number, Qualifications and Tenure of Directors. The number of Directors shall be five. Directors need not be residents of Texas. Directors shall be members of the Association or representatives of a corporate member and have attended at least one of the HOA meetings of the membership, be a resident for at least one year, and be current on all dues and fees. Only one member of a family may serve as a Director at the same time. At the annual meeting of the membership, three (3) Directors shall be elected in even-numbered years, and two (2) Directors shall be elected in odd-numbered years with each Director being selected for a term of two (2) years commencing at the yearly annual meeting. The number of Directors may be increased or decreased from time to time by amendment of these bylaws; provided, however, that the number of Directors may never be less than three (3). Further, no increase shall have the effect of shortening the term of any incumbent Director. Any directorship to be filled by reason of an increase in the number of Directors shall be filled by election at an annual meeting or at a special meeting of Shareholders called for that purpose.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting Secretary of Oak Hurst Place Homeowners' Association, and that the amendment contained herein constitutes as a true amendment of the Bylaws of the Association. This amendment was adopted at a meeting of the Board of Directors held on the 18<sup>th</sup> day of February, 2018.

*Brenda Melton*

Brenda Melton

02/18/2018

Unofficial Copy



CERTIFICATE OF ACKNOWLEDGEMENT FOR OAK HURST PLACE HOMEOWNERS' ASSOCIATION

IN WITNESS WHEREOF, the undersigned President has executed this Bylaw and amendments thereto on this 5th day of DECEMBER 2023.

05/12/2023
Date

Gerald Venter
President of Oak Hurst Place Homeowner's Association

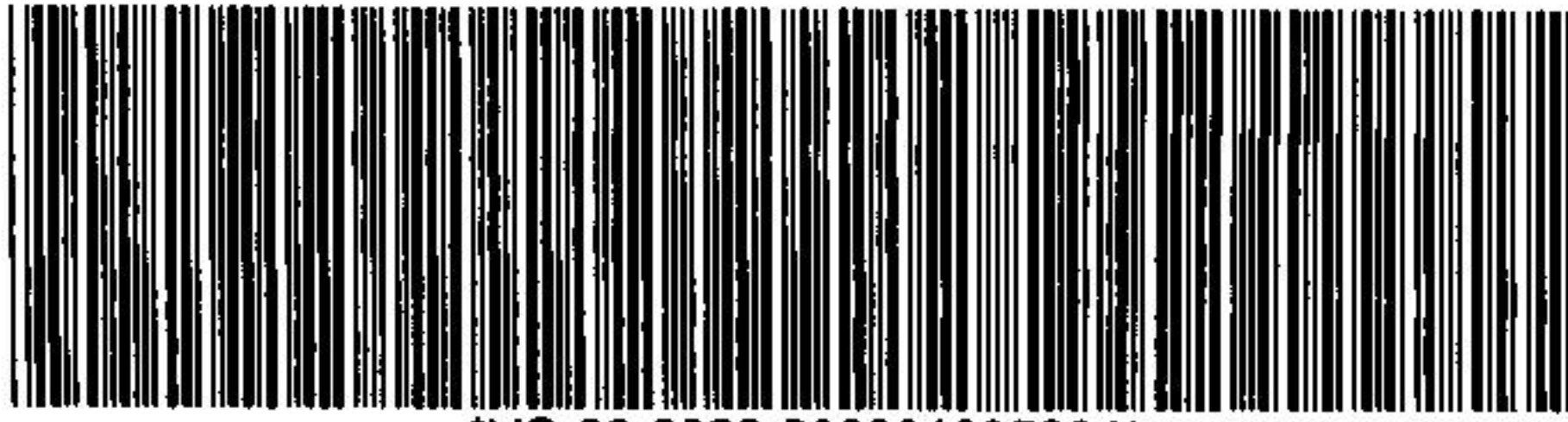
STATE OF TEXAS §
COUNTY OF SMITH §

BEFORE ME, the undersigned authority, on the 14th day of December, 2023, personally appeared, Gerald Venter, to me known to be the President of Oak Hurst Place Homeowner's Association, and he/she acknowledged before me the he/she executed the same for the purposes therein expressed.



Notary Public, State of Texas
My Commission Expires: 5/13/2020

Unofficial Copy



\*VG-23-2023-202301035884\*

Smith County  
Karen Phillips  
Smith County Clerk

Document Number: 202301035884

Real Property Recordings  
BY LAWS

Recorded On: December 06, 2023 03:01 PM

Number of Pages: 2

Billable Pages:

" Examined and Charged as Follows: "

Total Recording: \$126.00

\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*  
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.

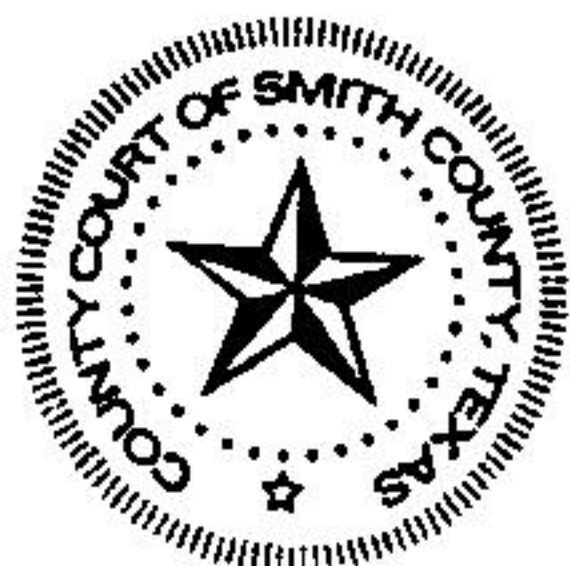
File Information:

Document Number: 202301035884

Receipt Number: 20231206000087

Recorded Date/Time: December 06, 2023 03:01 PM

User: Adrius K



STATE OF TEXAS  
Smith County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time  
printed hereon, and was duly recorded in the Official Records of Smith County, Texas

Karen Phillips  
Smith County Clerk  
Smith County, TX