

SCANNED

**FIRST AMENDMENT TO BYLAWS OF  
SHADOW MIST HOMEOWNERS ASSOCIATION  
PERTAINING TO QUORUM FOR ASSOCIATION MEETINGS**

STATE OF TEXAS           §  
  §           **KNOW ALL MEN BY THESE PRESENTS:**  
COUNTY OF BEXAR       §

WHEREAS, SHADOW MIST HOMEOWNERS ASSOCIATION is a Texas non-profit corporation organized under the laws of the State of Texas and Bylaws adopted by the Board of Directors; and,

WHEREAS, the Bylaws of SHADOW MIST HOMEOWNERS ASSOCIATION provide, in Article III, Section 3.5, for a majority quorum requirement for Association meetings, except as may be otherwise provided in the Articles, Declaration or Bylaws; and,

WHEREAS, the history of SHADOW MIST HOMEOWNERS ASSOCIATION has demonstrated that the quorum requirement as contained in the Bylaws is unrealistic, frequently not met and difficult to accomplish, and is therefore counter-productive to the ability of the members of SHADOW MIST HOMEOWNERS ASSOCIATION to conduct business; and,

WHEREAS, the Board of Directors of SHADOW MIST HOMEOWNERS ASSOCIATION has determined that it would be in the best interest of the Association's business and more helpful to an orderly administration of the affairs of the Association to lower the quorum requirement for membership items for a vote; and,

WHEREAS, a decrease in the quorum requirement will be enable those members and proxies who attend membership meetings (as many as wish to attend) to direct the course of SHADOW MIST HOMEOWNERS ASSOCIATION, and participate in elections to fill seats on the Board of Directors, and at the same time prevent member non-attendance or apathy from rendering SHADOW MIST HOMEOWNERS ASSOCIATION unable to carry out its business; and,

WHEREAS, the Board of Directors of SHADOW MIST HOMEOWNERS ASSOCIATION, has the legal authority to amend the Bylaws of SHADOW MIST HOMEOWNERS ASSOCIATION pursuant to Section 22.102(c), Texas Business Organizations Code;

NOW, THEREFORE, by their signatures below, the President and Secretary of SHADOW MIST HOMEOWNERS ASSOCIATION certify that the Board of Directors of SHADOW MIST HOMEOWNERS ASSOCIATION has voted in favor of amending Article III, Section 3.5 of the Bylaws of SHADOW MIST HOMEOWNERS ASSOCIATION, and that the following provision has been adopted to replace Article III, Section 3.5, in the original Bylaws:

**3.5 Quorum.** The presence at a meeting of Members entitled to cast, or of proxies entitled to cast, ten percent (10%) of the eligible votes shall constitute a quorum for any action except as otherwise provided in the Articles, the Declaration, or these Bylaws. If a quorum is not present or represented at a meeting of the Members, the Members entitled to vote, present in person or represented by proxy, shall have power to adjourn the meeting from time to time, without notice (other than announcement at the meeting of the time and place at which the meeting is to be reconvened) until a quorum is present or represented. At such adjourned meeting at which a quorum is present or represented, any business may be transacted which may have been transacted at the meeting as originally notified.

Thus adopted effective the 19<sup>th</sup> day of January, 2010

By their signatures below the President and Secretary of SHADOW MIST HOMEOWNERS ASSOCIATION certify the foregoing First Amendment of the Bylaws of SHADOW MIST HOMEOWNERS ASSOCIATION was validly adopted at a meeting of the Board of Directors at which a quorum was established, or by unanimous written consent in lieu of a meeting.

SHADOW MIST HOMEOWNERS  
ASSOCIATION, A Texas Non-Profit Corporation

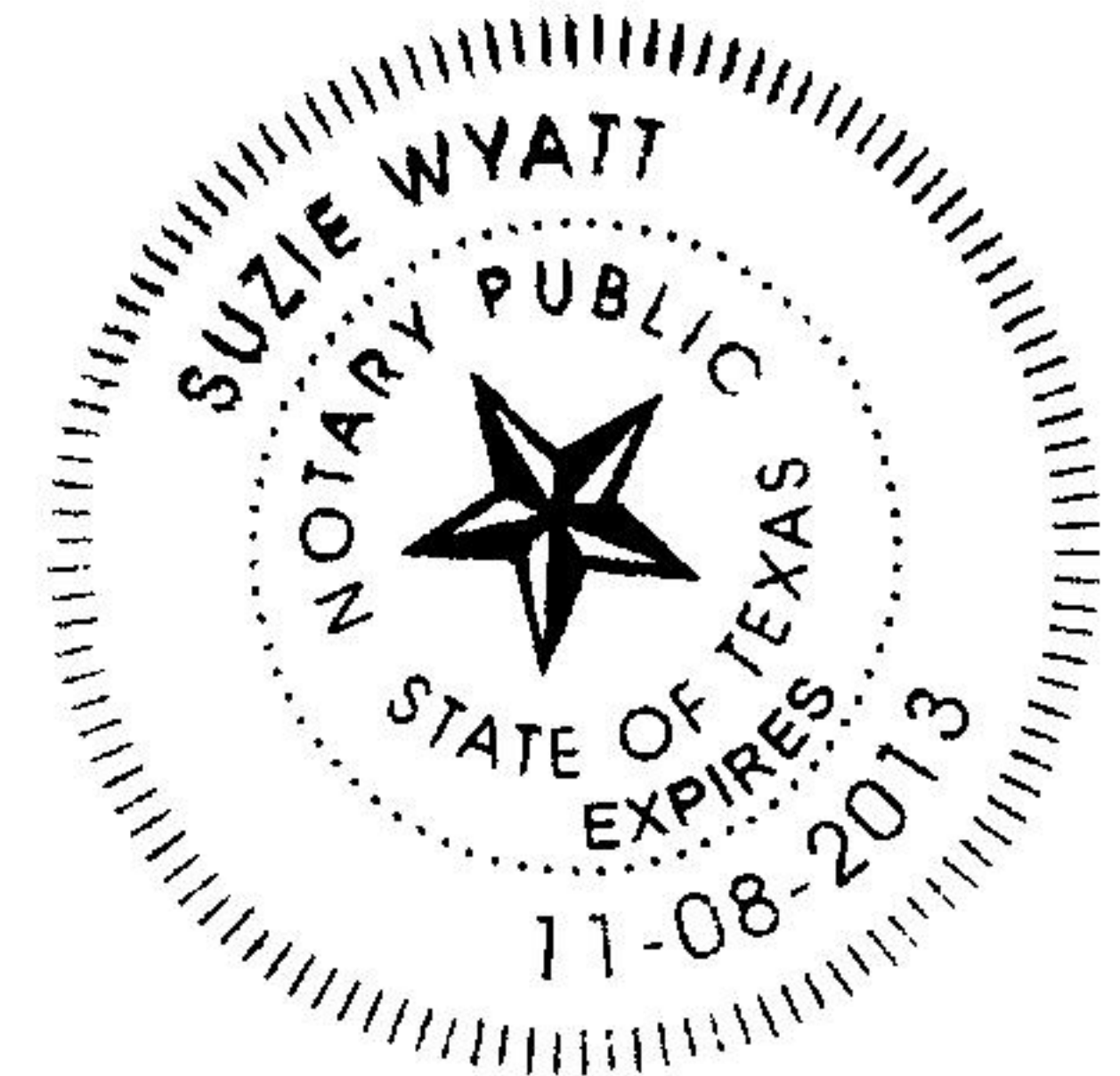
By: Shirley Jonas  
Shirley Jonas, President

ATTEST:

By: Karen Weidlich  
Karen Weidlich, Secretary

STATE OF TEXAS                   §  
   §  
COUNTY OF BEXAR               §

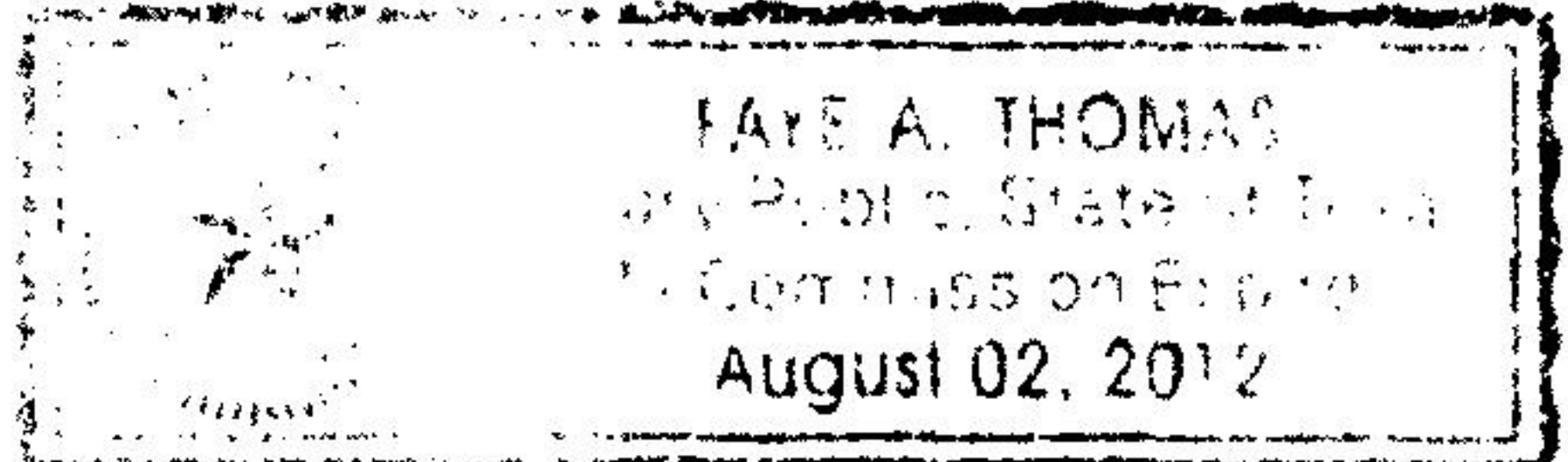
ACKNOWLEDGED before me on date set forth above, by Shirley Jonas, President of SHADOW MIST HOMEOWNERS on this the 19<sup>th</sup> day of January, 2010.



Suzie Wyatt  
Notary Public, State of Texas

State of Texas  
County of Bexar

This instrument was acknowledged before me on 28 day of Jan, 2010 by Karen Weidlich ONLY



Faye A. Thomas  
Notary Public's Signature  
My Commission Expires Aug 2, 2012

**AFTER RECORDING RETURN TO:**

Shadow Mist Homeowners Association  
300 E. Sonterra Blvd., Suite 350  
San Antonio, TX 78258

5635001/743721

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law  
STATE OF TEXAS, COUNTY OF BEXAR  
I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

**FEB 08 2010**



*Gerard Rickhoff*

COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20100021084 Fees: \$24.00  
02/08/2010 4:49PM # Pages 3  
Filed & Recorded in the Official Public  
Records of BEXAR COUNTY  
GERARD RICKHOFF COUNTY CLERK