

AMENDMENT TO THE

Total Pages 7

BY-LAWS

OF THE

CHISHOLM HEIGHTS HOMEOWNERS ASSOCIATION, INC.

A Texas Non-profit Corporation

NOTE

The original (1996) By-Laws, and the Amendment to the By-Laws, dated 4-20-2024 have been updated by the Board of Directors to further clarify business activities, expand definitions and align details with any applicable changes enacted by the biennial Texas Legislature. The Corporation is managed by a voluntary Board of Directors in compliance with Texas Business Organizations Code, Chapter 22, Nonprofit Corporations. Membership is voluntary with voluntary annual dues. This document will replace all previous copies of the Corporations By-Laws. As a principal governing document, these Amended By-Laws will be recorded with the Parker County Clerk and posted on the Chisholm Heights Homeowners Website.

ARTICLE I

Section 1.01. Name and Location. The name of the corporation is Chisholm Heights Homeowners Association, Inc., hereinafter referred to as the "Corporation" or the "Association." The Corporation is approved and shall be operated as a Texas non-profit corporation.

Section 1.02. Principal Office. The principal office of the Corporation will be located at the current residence of the President of the Corporation within the boundaries of the Chisholm Heights subdivision in Parker County, Texas. The Registered Agent for the Corporation will be the residence of the Agent, or another Association Officer as assigned. Meetings of the members will be held at a place designated by the Board of Directors.

ARTICLE II

Section 2.01. Purpose. The purpose of the Corporation shall be to promote neighborhood unity, civic spirit, goodwill and communication among the residents of the area; and to protect and promote the best interests of the residents by the promotion of improved public facilities and services, and cooperation with governmental, civil and public organizations; to promote the general welfare of the residents of the area in any other ways deemed appropriate or necessary by the membership; to communicate the

restrictive covenants responsibility associated with all areas of the Chisholm Heights Subdivision; to have and to exercise any and all rights, and privileges which a corporation organized under the Non-Profit Corporation Laws of the state of Texas may now or hereafter have or exercise, to increase and maintain property values in the Chisholm Heights Subdivision.

ARTICLE III
DEFINITIONS

Section 3.01. "Corporation" shall mean and refer to Chisholm Heights Homeowners Association, Inc., its successors, and assigns.

Section 3.02. "Member" shall mean a property (lot) owner of record in the Chisholm Heights Subdivision. Most members will be resident homeowners in the Subdivision. However, someone without a residence on owned property or who rents their home to someone else may still vote as a member and is subject to the provisions of the Associations governing documents just like any resident homeowner.

Section 3.03. "Voting" The Corporation shall have one class of voting membership. Generally, all property owners subject to the Association have the right to vote. A voting member shall be a homeowner in the Chisholm Heights Subdivision, or a person related by either blood or marriage to a homeowner who maintains his or her principal residence with said homeowner. (See exception in Section 3.02 above.) Each property owner with a residential address or nonresident property owner will have one vote. Voting members must be over the age of eighteen (18) years. A list of voting members will be the members in the current Chisholm Heights Homeowners Directory. A member vote on any matter may be conducted by mail, by facsimile, electronic message, by absentee ballot, or by any combination of these methods.

Section 3.04. "Declaration" shall mean and refer to the declaration of covenants, conditions, and restrictions applicable to the properties recorded or to be recorded in the Parker County Clerks office as a part of the Chisholm Heights Subdivision.

Section 3.05. Governing Documents. Sometimes called "dedicatory instruments" or "governing documents." The Chisholm Heights Homeowners principal governing documents are: Articles of Incorporation - filed with the Texas Secretary of State; By-Laws - filed with the Parker County Texas Clerks office; Declaration of Covenants, Conditions or Restrictions (Deed Restrictions) filed with the Parker County Texas County Clerk; Subdivision Plat Maps showing individual lots and dimensions, etc. - filed with the Parker County Texas County Clerk.

Section 3.06. Other Associations Records. Meeting Announcements, Meeting Minutes, financial records, meeting attendance lists, and Rules or Policies.

Section 3.07. Corporate Website. The Website will contain copies of current Governing Documents, Minutes of meetings, items of interest to the community, and other documents as appropriate.

Section 3.08. Request for Records. A property owner can request to inspect records in person or request copies of specific records. Requests must be made by certified mail to the Association President.

Section 3.09. Confidential Records. Includes Attorney files and records; Rules violation by a specific owner; owner financial information including non-payment of dues; owners contact information, except for addresses.

ARTICLE IV MEETINGS OF MEMBERS

Section 4.01. General Meetings. General meetings of members will be held semi-annually or more often if required. Meetings will require at least ten (10) days advance notice to the membership. Notice may be in the form of a written Flyer, an email, or information on the Corporation website. Except for confidential executive sessions, the general membership is also entitled to notice and attendance at meetings of the Board of Directors.

Section 4.02. Special Meetings. Special meetings of the members may be held as necessary to conduct Association business, as called by the President, the Board of Directors or by written request from the membership.

Section 4.03. Quorum. Members of the Corporation holding one-tenth of the votes entitled to be cast in person or by proxy, constitute a quorum. A majority of the votes cast by the members present or by proxy at a meeting at which a quorum is present is an act of the members, unless the vote of a greater number is required by law.

Section 4.04. Proxies. At meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the Secretary of the Association.

ARTICLE V BOARD OF DIRECTORS

Section 5.01. Management. The management of all affairs, property and business of the Corporation not specifically reserved to the members, shall be vested in a Board of Directors who shall be elected or appointed upon vacancies. Board members who are appointed to fill a vacant position will only serve the remainder of the term. The Board may appoint a Management Agent to advise and assist with Association matters. The Directors will solicit suggestions, ideas, and comments from the residents of the Chisholm Heights Subdivision for appropriate discussion at the membership meetings.

The Board may enact a set of Rules or Policies that support general management and the intent of the Corporation.

Section 5.02. Election and Filling of Vacancies. The Board of Directors shall be comprised of persons who are voting members of the Corporation concurrently with their service as a Director. The Board of Directors of the Corporation will include the persons holding the office of President, Vice President, Secretary, and Treasurer of the Corporation. The Board will be composed of not less than three (3) members other than the elected officers. Directors other than officers of the Corporation will be elected by ballot or voice vote by a majority of the membership present at the first regular meeting held during the calendar year in which their term of office expires. Their term of office shall begin at the close of the meeting at which they are elected. Board members may succeed themselves in office for up to three (3) consecutive terms. Members that live in the same residence cannot serve on the Board at the same time. A vacancy in the Board of Directors shall be filled by the affirmative vote of the majority of the remaining Directors. A quorum for the transaction of business by the Board will be the majority of the Directors. The act of a majority of the Directors present in person or by proxy at a meeting at which a quorum is present is an act of the Directors.

Section 5.03. Term of Office. Term of office shall be for two (2) years. Should it become necessary to increase the number of Board members, a vote by a majority of members present at a regular membership meeting will be required.

Section 5.04. Nomination of the Board of Directors. Nomination of the Directors shall be made by members from the floor during regular membership meetings as required.

Section 5.05. Removal. Any member of the Board of Directors may be removed from the Board with or without cause by an affirmative vote of a majority of the Association members at a regular membership meeting. A Director may also resign at any time by submitting their resignation in writing.

Section 5.06. Compensation. No Director shall receive compensation for any service rendered to the Association. However, any Director may be reimbursed for expenses incurred at the direction of the Board of Directors.

Section 5.07. Action Taken Without a Meeting. From time to time because of circumstances, it may be necessary for the Board of Directors to take action on Association business in the absence of a general membership meeting. Any action so approved by the Board shall have the same effect as that approved by a general membership. Such actions will be communicated to the total membership at the next general membership meeting.

ARTICLE VI
ELECTION AND DUTIES OF OFFICERS

Section 6.01. Term of Office. The officers of the corporation shall be elected for a term of two (2) years by ballot or voice vote, by a majority of the membership present at the first regular meeting held during the calendar year in which their term of office expires. Their term of office shall begin at the close of the meeting at which they were elected. Officers may succeed themselves in office for up to three (3) consecutive terms. The officers of a Corporation shall include a president and a secretary and may include one or more vice presidents, a treasurer, and other officers and assistant officers as considered necessary. Any two or more offices, other than the offices of the president and secretary, may be held by the same person. A properly designated committee may perform the functions of an officer. A single committee may perform the functions of any two or more officers, including the functions of president and secretary.

Section 6.02. President. The President shall preside at Association membership and Board meetings, and lead and approve Association activities.

Section 6.03. Vice President. The Vice President shall act in the place of the President in the event of his or her absence, inability, or refusal to act, and shall exercise and discharge such other duties as may be required of him or her by the Board of Directors.

Section 6.04. Secretary. The Secretary shall record the votes, keep the Minutes of all meetings and proceedings of the Board of Directors and the members, serve notice of all meetings, keep appropriate records showing the members of the Corporation/Association, together with their addresses, and shall perform such other duties as required by the Board of Directors.

Section 6.05. Treasurer. The Treasurer shall receive and track Association dues or any special assessments and deposit them in an appropriate bank checking account. He or she will report the financial status to the President and the Board of Directors as required. The Treasurer will also disburse such funds as directed by the Board of Directors and present the status of financial activities and bank account balance at each regular membership meeting. In addition, the Treasurer is responsible for filing annual or other reports to the Texas Secretary of State and the IRS as required. Furthermore, the Treasurer and Secretary should ensure appropriate Association governing documents are filed with the Parker County Texas Clerks office and the Association Website.

ARTICLE VII
COMMITTEES

The Board of Directors will appoint at appropriate times the necessary committees.

ARTICLE VIII
ASSOCIATIONS RECORDS

Records of the Corporation shall be subject to inspection by any member through contact with the President of the Corporation, using the procedure in Section 3.08. A Records Retention Policy and Records Production and Copying Policy will be developed as part of the General Rules and Policies developed by the Board of Directors.

ARTICLE IX
DUES

Annual assessments or dues of an amount recommended by the Board of Directors, and approved by the general membership at a regular meeting will be due in January of each year. The amount of current dues will be included in meeting notices, Minutes of meetings and on the Association Website. Voting members must typically vote to approve changes in current dues and any special assessments.

ARTICLE X
AMENDMENTS

These By-Laws may be amended by the the Board of Directors. In case of conflict between the Articles of Incorporation and these By-Laws, the Articles shall control, and in case of any conflict between the Declaration (Deed Restrictions) and these By-Laws, the Declaration shall control. In the event of dissolution, the Associations assets will be distributed as stated in the Articles of Incorporation, Article VIII.


ARTICLE XI
FISCAL YEAR

The fiscal year of the Corporation shall begin on the 1st day of January and end on the 31st day of December each year except that the first fiscal year shall begin on the date of incorporation.

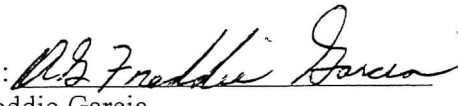
Chisholm Heights Homeowners Association, Inc. Amended By-Laws EXECUTED to be effective on the date below.

Chisholm Heights Homeowners Association, Inc.,
a Texas nonprofit corporation

Date: 9-07-24

By: 
Bobby Pickard
Board Member

By: 
Mark Tellier
President

By: 
Freddie Garcia
Board Member