

BY-LAWS ^{Doc# 9906017539}
OF
CANYON LAKE FOREST PROPERTY OWNERS ASSOCIATION

ARTICLE I.

The name of this corporation is CANYON LAKE FOREST PROPERTY OWNERS ASSOCIATION.

ARTICLE II.

The purpose or purposes for which the corporation is organized are: to collect and to hold assessments collected from the property owners in Canyon Lake Forest, Unit No. 1; Canyon Lake Forest, Unit No. 2; and Canyon Lake Forest, Unit No. 3, Subdivisions in Comal County, Texas, as provided in the Deed restrictions applicable to property in said Subdivisions, and to disburse these funds as and when necessary to comply with the usage thereof as designated in said Deed restrictions, and to take over and stand in the shoes of the original subdivider of said Subdivisions with reference to any act or thing necessary in connection with providing maintenance and preservation of the appearance of the public areas in said Sub-divisions as contemplated and provided for in the Deed restrictions aforesaid. Furthermore it shall be the purpose of the corporation to own and maintain the non-residential, non-commercial properties and areas within said Subdivisions dedicated for the general use and benefit of property owners therein. The operations aforesaid are to be exclusively limited to the type of operations contemplated by Section 501 (c) (4) of the Internal Revenue Code.

ARTICLE III.

Membership in the corporation shall be composed of all persons now or hereafter owning property in Canyon Lake Forest, Unit No. 1; Canyon Lake Forest, Unit No. 2; and Canyon Lake Forest, Unit No. 3; Subdivisions in Comal County, Texas, according to Plats thereof recorded in the Map and Plat Records of Comal County, Texas. For the purpose of these By-Laws a "member" is defined as follows:

(a) Every lot owner (whether one or more, a natural person, or otherwise) owning fee simple title and/or a contract to acquire fee simple title, and required by contract, deed, or other restriction or lien to pay the full property maintenance assessment set out in any of the covenants and restrictions of record affecting the title to property in said Subdivisions.

(b) If more than one owner has a fee simple interest and/or a contract to acquire a fee simple interest in any one lot, it is specifically provided that such multiple owners are considered as a unit to be one member.

Each member shall, regardless of the number of lots owned, have the right to cast one vote per Director for the election of Directors and one vote in the determination of any other matters properly presented to the membership of the corporation

ARTICLE IV.

The initial membership of the corporation shall be determined by the initial Board of Directors who shall prepare a membership list, placing thereon members as defined in Article III hereof. Thereafter, memberships may be transferred only upon the books of the corporation upon submission to the Secretary of evidence of the transfer of property in the aforesaid Subdivisions.

ARTICLE V.

Note: ARTICLE V Amended July 22, 2018
Inserted later in this article for your review.

The annual meeting of members of the corporation shall be held on the 1st Saturday of June in each year. Written or printed notices setting the place and time of the meeting shall be delivered not less than ten (10) nor more than thirty (30) days before the date of the meeting, either personally or by mail, at the direction of the President or the Secretary, to each member, and such notice shall be deemed to be delivered when deposited in the United States Mail addressed to the member at his or her address as it appears in the records of the corporation, with postage paid thereon. The members present at said annual meeting shall constitute a quorum for the transaction of business at such meeting.

Special meetings of the members may be called by either the President, the Board of Directors, or by written petition filed with the Board of Directors signed by not less than one-tenth (1/10th) of the total membership. Written or printed notices setting forth the place, time, and purpose of a special meeting shall be delivered not less than ten (10) nor more than thirty (30) days before the date of the meeting, either personally or by mail, to each member, and such notice shall be deemed to be delivered when deposited in the United States Mail addressed to the member at his or her address as it appears in the records of the corporation, with postage paid thereon. The members present at a special meeting shall constitute a quorum for the transaction of business at such meeting.

ARTICLE VI.

The management of the corporation shall be vested in a Board of Directors composed of seven (7) persons. Each person on the Board of Directors shall be given a place number. Directors filling odd numbered places shall be elected by the members of the Association at the annual meeting of members on odd numbered years. Directors filling even numbered places shall be elected by the members of the Association at the annual meeting of members on even numbered years. Three consecutive absences or a maximum of five absences within one year of any Director from the regular monthly meeting of the Board of Directors shall automatically serve as the resignation of that

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Director and he may not be re-elected to fill the vacancy. Vacancies on the Board of Directors may be filled by the Board of Directors at any regular or called meeting of the Board and shall serve until the next annual meeting of members when the vacancy shall be filled by election of the members. A regular annual meeting of the Board of Directors shall be held without other notice than this By-Law immediately after and at the same place as the annual meeting of the members. Special meetings of the Board of Directors may be called by the President, or by the majority of the Board of Directors. Written or printed notice stating the place, day and hour of such special meetings of the Board, and the purpose or purposes for which the meeting is called, shall be delivered to each Director not less than ten (10) nor more than thirty (30) days before the date of the meeting, either personally or by mail. Such notice may be waived by any Director either before or after the meeting is held. Three (3) Directors shall constitute a quorum for the transaction of business by the Board of Directors at any such annual or special called meeting. No Director shall receive any compensation, but any actual out-of-pocket expenses incurred by the Director in pursuit of pre-approved business of the corporation shall be reimbursed to the Director. Any action required by law to be taken at a meeting of the Directors or any action which may be taken at a meeting of the 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.

ARTICLE VII.

The officers of the corporation shall be a President, one or more Vice Presidents, and a Secretary-Treasurer. Any two (2) or more offices may be held at the same time by the same person, provided that the President and Secretary may not be the same person. The officers of the corporation shall be chosen by the Directors. Whenever the office of an officer becomes vacant for any reason, the Board of Directors may elect a successor to fill the vacancy. The term of office of each officer shall expire at the annual meeting of the members, provided, however, the term of office of each officer shall continue until his or her successor shall have been elected and qualified. The Directors may, by resolution, prescribe the powers, authority and duties of the respective officers, and may from time to time extend, restrict, alter or abolish such powers, authority and duties.

ARTICLE VIII.

Note: ARTICLE VIII Amended July 22, 2018
Inserted later in this article for your review.

It is the intent and purpose of the corporation to expend funds for the general benefit of all property owners in the three Subdivisions above described in compliance with and pursuant to the restrictions adopted in connection with the sale of property in said Subdivisions. Within the guidelines of these By-Laws, the Articles of Incorporation of the corporation, and the aforesaid restrictive covenants affecting property in the said Subdivisions, the Board of Directors shall be authorized to expend funds of the corporation on Pool/Park & Community Center including Taxes, Insurance, Supplies, Maintenance, and Pool Attendants as shall qualify under said guidelines for the benefit of all property owners in said Subdivisions. During any fiscal year no more than 10% of the annual assessment fees collected during the previous fiscal year may be expended on

other projects without approval of a majority of the members in attendance at a called meeting.

ARTICLE IX.

The Board of Directors may provide for certificates evidencing membership in the corporation which shall be in such form as may be determined by the Board. Such certificates, if issued, shall be signed by the President or a Vice President and by the Secretary or an Assistant Secretary. All membership certificates so issued shall be sealed with the seal of the corporation. All certificates shall be numbered and shall be registered on the records of the corporation. If any such issued certificates shall become lost, mutilated or destroyed, a new certificate may be issued therefor on such terms and conditions as the Board of Directors may determine. If such certificates or membership shall be issued, a membership certificate must be surrendered to the Board of Directors before a membership may be transferred on the books of the corporation.

ARTICLE X.

Note: ARTICLE X Amended July 22, 2018
Inserted later in this article for your review.

The annual property maintenance assessment of Fifty Dollars (\$50.00) per member shall be due and payable in advance on or before June 1st of each year. In the event of nonpayment of said assessment, the non-paying member's voting rights shall be suspended until the assessment shall have been paid. The Board of Directors shall be authorized to take such action as the Board shall deem necessary to collect delinquent assessments, including the enforcement of any liens on real property the corporation may hold, or by any other reasonable collection procedure.

ARTICLE XI.

Note: ARTICLE XI Amended July 22, 2018
Inserted later in this article for your review.

These By-Laws and/or Deed Restrictions may be altered, amended or repealed by vote of the majority of the members present at an annual meeting of the members or at a special meeting of the members called for such purpose.

ARTICLE XII.

Whenever any notice is required to be given under the provisions of the Texas Non-Profit Corporation Act or under the provisions of the Articles of incorporation, or the By-Laws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

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AMENDMENT

ARTICLE XI

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These By-Laws, and or Deed Restrictions mentioned in Article II, may be altered, amended or repealed by vote of the majority of the members present at an annual meeting of the members or at a special meeting of the members called for such purpose.

"The Canyon Lake Forest By-Laws are amended as written."

This amendment was passed by a majority vote at the annual meeting of the Canyon Lake Forest Property Owners' Association on June 5, 1999.


The undersigned President of the Board of Directors, CANYON LAKE FOREST PROPERTY OWNERS' ASSOCIATION, a Texas Non-Profit Corporation, does hereby certify that the above and foregoing is the complete set of By-Laws of said corporation amended at the meeting of the members and Board of Directors held on June 5, 1999.


Phyllis W. Smith

THE STATE OF TEXAS)
COUNTY OF COMAL)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, who having been sworn, states that this document amends the present Deed Restrictions of the CANYON LAKE FOREST PROPERTY OWNERS' ASSOCIATION, a Texas Non-Profit Corporation.




Notary

AMENDMENT TO THE BYLAWS OF CANYON LAKE FOREST PROPERTY OWNERS ASSOCIATION

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

This is the Amendment to the Bylaws of Canyon Lake Forest Property Owners Association (the "Amendment").

WHEREAS, a certain instrument titled By-laws of Canyon Lake Forest Property Owners Association was recorded and filed Document number 9706015197 on July 25, 1997.

WHEREAS, a certain instrument titled Bylaws of Canyon Lake Forest Property Owners Association ("By-Laws") was recorded and filed in the Official Public Records of Real Property of Comal County, Texas, Doc. No. 9906017539 on July 2, 1999.

WHEREAS, a majority of the Members present at the Annual Meeting approved this Amendment.

NOW, THEREFORE, the Bylaws of Canyon Lake Forest Property Owners Association are amended as follows:

ARTICLE V

The annual meeting of members of the corporation shall be held on the second Saturday in June in each year. Written, printed or electronic notices setting the place and time of the meeting shall be delivered not less than ten (10) nor more than thirty (30) days before the date of the meeting, either personally or by mail, or via electronic notification if the member has so elected, at the direction of the President or the Secretary, to each member, and such notice shall be deemed to be delivered when deposited in the United States Mail addressed to the member at his or her address as it appears in the records of the corporation, with postage paid thereon, or being delivered electronically to the members agreed upon listed email address.

Special meetings of the members may be called by either the president, the Board of Directors, or by written petition filed with the Board of Directors signed by not less than one-tenth (1/10th) of the total membership. Written, printed or electronic notices setting the place and time of the meeting shall be delivered not less than ten (10) nor more than thirty (30) days before the date of the meeting, either personally or by mail, or via electronic notification if the member has so elected, at the direction of the President or the Secretary, to each member, and such notice shall be deemed to be delivered when deposited in the United States Mail addressed to the member at his or her address as it appears in the records of the corporation, with postage paid thereon, or being delivered electronically to the members agreed upon listed email address.

ARTICLE VIII

It is the intent and purpose of the corporation to expend funds for the general benefit of all property owners in the three Subdivisions above described in compliance with and pursuant to the restrictions adopted in connection with the sale of property in said Subdivisions. Within the guidelines of these Bylaws, the Articles of Incorporation of the corporation, and the aforesaid restrictive covenants affecting property in the said Subdivisions, the Board of Directors shall be authorized to expend funds of the corporation on Pool/Park & Community Center including Taxes, Insurance, Supplies, Maintenance, and Pool Attendants as shall qualify under said guidelines for the benefit of all property owners in said Subdivisions. During any fiscal year no more than 20% of the annual assessment fees collected during the previous fiscal year may be expended on other projects without approval of a majority of the members in attendance at a called meeting.

ARTICLE X

The annual property maintenance assessment of Twenty-four Dollars (\$24.00) per member shall be due and payable in advance on or before July 1st of each year. The Board of Directors reserves the right to assess a voluntary special operational assessment to operate and maintain the POA's facilities. This assessment will be based on a twelve-month budget approved by vote of the majority of members at each annual meeting. The assessment per member will be the budget divided by the total number of members and shall be due and payable in advance on or before July 1st of each year. A member who owns multiple lots will be considered a single member for assessment purposes.

<p>\$60 Total Current Annual Assessments</p> <p>\$24 Maintenance Assessment</p> <p>\$36 Voluntary Special Operational Assessment</p>

The Board of Directors shall be authorized to levy and collect user fees for the use of corporation property or in the case where services are rendered.

ARTICLE XI

These Bylaws may be altered, amended or repealed by vote of the majority of the members present at an annual meeting of the members or at a special meeting of the members called for such purpose.

ANNUAL MTX FEE ASSESSMENT BILLING

The annual MTX assessment billing will be mailed/mailed out after the annual meeting and will be due July 1st.

All other Articles in the Bylaws that are not referred to in this Amendment are still in effect.

AFFIDAVIT

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

BEFORE ME, the undersigned authority, personally appeared **BOB HOSPERS**, President of Canyon Lake Forest Property Owners Association, who upon oath deposed and stated:

"My name is **BOB HOSPERS**. I am over twenty-one (21) years of age. I have personal knowledge of the facts set forth below and they are true and correct. I am fully competent to testify to the matters stated herein.

On or about June 9, 2018, a majority of the members present at the Annual Meeting approved and adopted the Amendment to the Bylaws of Canyon Lake Forest Property Owners Association. I am filing this Affidavit stating that a true and correct copy of the Amendment to the Bylaws of Canyon Lake Forest Property Owners Association is attached hereto.

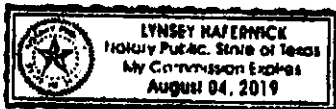
Further Affiant sayeth not."

On the 22 day of JULY, 2018.

Bob Hospers
BOB HOSPERS, President of
Canyon Lake Forest Property
Owners Association

THE STATE OF TEXAS §
 §
COUNTY OF COMAL §

SUBSCRIBED AND SWORN TO before me on this 22nd day of July, 2018, by **BOB HOSPERS**, the President of Canyon Lake Forest Property Owners Association and he acknowledged to me that he executed the same for the purposes and consideration and in the capacity therein stated.



Lynsey Haberick
Notary Public in and for
The State of Texas

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
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Bobbie Koepf