

3

Amended
RECEIVED
JUN 12 2013

**AMENDMENT TO BYLAWS OF
ASHFORD PARK HOMEOWNERS ASSOCIATION, INC.
(Reducing Quorum Requirement)**

WHEREAS, the Ashford Park Homeowners' Association, Inc. (the "Association"), is the governing entity for Ashford Park subdivisions, additions in Harris County, Texas, according to the maps or plats thereof recorded in Real Property Records of Harris County, Texas as follows:

Ashford Park, Section One, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 244, Page 97 of the Map Records of Harris County, Texas; and

Ashford Park, Section Two, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 247, Page 46 of the Map Records of Harris County, Texas; and

Ashford Park, Section Three, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 288, Page 144 of the Map Records of Harris County, Texas; and

Ashford Park, Section Four, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 288, Page 145 of the Map Records of Harris County, Texas; and

Ashford Park, Section Five, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 289, Page 40 of the Map Records of Harris County, Texas;

along with any amendments, supplements and replats to any of the above sections (the "Properties"), and this Amendment to Bylaws is applicable to and constitutes a governing document of the Properties; and

WHEREAS, the Association Bylaws, effective April 2000, have been filed of record in the Real Property Records of Harris County, Texas, beginning at film code 533-16-1917 (the "Bylaws"); and

WHEREAS, the Board, due to a historical difficulty obtaining a quorum of members, desires to reduce the quorum to enable elections of directors to be held; and

WHEREAS, the Articles of Incorporation of the Association vest the management of the Association in the board of directors and do not reserve the right to amend bylaws to the members; and

WHEREAS, the original Bylaws were adopted by the initial board of directors of the Association and the members have never passed an amendment to the By-laws which expressly prohibits the board of directors from amending any provision of the By-laws; and

WHEREAS, Chapter 22.102(c) of the Texas Business Organizations Code provides that the board of directors may amend bylaws; and

RP 087-19-1830

D

WHEREAS, Chapter 209.00593(b) of the Texas Property Code provides that a board of a property owners' association may amend the bylaws of the property owners association to provide for elections to be held as required by Section 209.00593(a);

WHEREAS, Article III, Section 5 of the current Bylaws contains the quorum requirement for meetings of Members; and

WHEREAS, the following amendment to the Bylaws has been approved by a majority of the Board as certified by the President of the Association herein below; and

NOW THEREFORE, pursuant to the above recitals, the board of directors for the Ashford Park Homeowners Association, Inc., hereby amends the provisions of the Bylaws to adopt, establish and impose upon the Association and the Properties, the following amendment:

Article III, Section 4, which had previously read:

Section 5 Quorum. The Members holding ten percent (10%) of the membership votes of this Association, present in person or by proxy, shall constitute a quorum for all purposes at any meeting of the Members. If the numbers of Members necessary to constitute a quorum at any annual or special meeting of the Members shall fail to attend in person or by proxy, the Members present in person or by proxy, may adjourn any such meeting from time to time without notice other than by announcement at the meeting until the number requisite to constitute a quorum shall be present or attend in person or by proxy. The Members holding ten percent (10%) of the membership votes of this Association, present in person or by proxy, may also adjourn any annual or special meeting from time to time without notice, other than by announcement at the meeting, until the transaction of any and all business submitted or proposed to be submitted to such meeting or any adjournment or adjournments thereof shall have been completed. At any such adjourned meeting at which a quorum may be present, in person or by proxy, any business may be transacted which might have been transacted at the meeting as originally notified or called. The vote of a majority of all the votes entitled to be cast by the Members present, shall be the act of the Members so meeting, unless the vote of a greater number is required by law, the Articles of Incorporation or these Bylaws.

Is hereby amended to read as follows:

Section 5 Quorum. The presence at the meeting of the members, either in persons, by proxy or absentee ballot, entitled to cast, one-tenth (1/10) of the votes of the entire membership shall constitute a quorum for any action, except as otherwise provided in the Articles of Incorporation, Restrictive Covenants or these By Laws; and except that the holders of five percent (5%) of the votes of the entire membership, represented in person, by proxy or absentee ballot, shall constitute a quorum for the action of electing a director or directors to the board of directors. If however, a required quorum shall not be present or represented at any meeting of the members, the members present and entitled to vote thereat, shall have power to adjourn the meeting, and reconvene the meeting from time to time, without notice other than an announcement at the meeting of the time, date and location of the reconvened meeting, until a quorum shall be present or be represented, and with respect to the act of electing a director or directors, the required quorum at the subsequent reconvened meeting shall be one-half (1/2) of the required quorum at the preceding adjourned meeting.

CERTIFICATION

"I, the undersigned, being a Director and President of the Ashford Park Homeowners Association, Inc., hereby certify that the foregoing Bylaw Amendment was approved at a meeting of the board, at which a quorum was present, by a majority of the votes cast at the meeting."

107
NO. 11

By: Lee Antreich, President
Print Name: LEE ANTREICH

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Lee Antreich BEFORE ME, the undersigned authority, on this day personally appeared Lee Antreich, President of the Ashford Park Homeowners Association, Inc., a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that this instrument was executed for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 8th day of May, 2013



Melinda Rodriguez
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
HOLT & YOUNG, P.C.
11200 Richmond Ave., Ste. 450
Houston, Texas 77082

✓

HP 087-19-1833

FILED FOR RECORD
8:00 AM

MAY 23 2013

Stan Stewart
County Clerk, Harris County, Texas

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.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number *Sq45030* on the date and at the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas.

MAY 23 2013



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS