

AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS

STATE OF TEXAS)
)
COUNTY OF HARRIS)

KNOW ALL BY THESE PRESENTS:

WHEREAS section 202.006 of the Texas Property Code requires that a property owners' association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS the Summerwood Community Association is a property owners' association as the term is defined in the Texas Property Code and has property located in Harris County, Texas,

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NOW THEREFORE, true copies of the following dedicatory instruments of the Summerwood Community Association which have not been previously filed in the public records of Harris County are attached hereto, including:

Articles of Merger

FURTHER, other dedicatory instruments of the Summerwood Community Association have already been filed in the public records of Harris County and these documents supplement the previously filed documents.

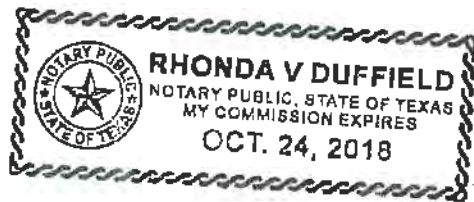
SIGNED on this 14th day of April, 2016.

Signature: *Jennifer Northington*
By: Jennifer Northington
Title: C.I.A. Services, Inc., Managing Agent for Summerwood Community Association

STATE OF TEXAS)
)
COUNTY OF HARRIS)

This instrument was acknowledged before me on this 14th day of April, 2016 by Jennifer Northington.

Signature: *Rhonda V Duffield*
By: Rhonda V Duffield
Title: Notary in and for the State of Texas
My commission expires on 10/24/18



Return to: C.I.A. Services, Inc. ✓
8811 FM 1960 Bypass Road, Suite 200
Humble, Texas 77338-4023

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697



Gwyn Shea
Secretary of State

Office of the Secretary of State

CERTIFICATE OF MERGER

The undersigned, as Secretary of State of Texas, hereby certifies that the attached articles of merger of

SUMMERWOOD COMMUNITY ASSOCIATION NO. 2, INC.
Domestic Nonprofit Corporation
[Filing Number: 150544301]

SUMMERWOOD MASTER ASSOCIATION, INC.
Domestic Nonprofit Corporation
[Filing Number: 150159501]

Into

SUMMERWOOD COMMUNITY ASSOCIATION, INC.
Domestic Nonprofit Corporation
[Filing Number: 138424701]

have been filed in this office as of the date of this certificate.

Accordingly, the undersigned, as Secretary of State, and by the virtue of the authority vested in the secretary by law, hereby issues this certificate of merger.

Dated:04/08/2002

Effective:04/08/2002



Gwyn Shea
Gwyn Shea
Secretary of State

Come visit us on the internet at <http://www.sos.state.tx.us/>

PHONE(512) 463-5555
Prepared by: Traci Aguirre

FAX(512) 463-5709

TTY7-1-

ARTICLES OF MERGER
SUMMERWOOD COMMUNITY ASSOCIATION, INC., APR 08 2002
SUMMERWOOD COMMUNITY ASSOCIATION NO. 2, INC, AND
SUMMERWOOD MASTER ASSOCIATION, INC. Corporations Section

Pursuant to the provisions of Article 1396-5.04 of the Texas Non-Profit Corporation Act, the undersigned corporations adopt the following Articles of Merger for the purpose of merging Summerwood Community Association No. 2, Inc. and Summerwood Master Association, Inc. into Summerwood Community Association, Inc. (as the surviving corporation):

1. The Plan of Merger attached hereto as Exhibit "A" and, by this reference, incorporated herein, was approved by the members of each of the undersigned corporations in the manner prescribed by the Texas Non-Profit Corporation Act.

2. The Plan of Merger was adopted by Summerwood Community Association, Inc. at a meeting of its members held on 10-23, 2001, at which a quorum was present, and the Plan of Merger received at least two-thirds of the votes which members present or represented by proxy at such meeting were entitled to cast.

3. The Plan of Merger was adopted by Summerwood Community Association No. 2, Inc. at a meeting of its members held on 9-6, 2001, at which a quorum was present, and the Plan of Merger received at least two-thirds of the total Class A and Class B votes which members present or represented by proxy at such meeting were entitled to cast. In addition, the Plan of Merger has received the assent of members holding at least 60% of the total Class "A" votes in Summerwood Community Association No. 2, Inc. and the assent of its Class "B" Member.

4. The Plan of Merger was adopted by Summerwood Master Association, Inc. at a meeting of its members held on 9-6, 2001, at which a quorum was present, and the Plan of Merger received at least two-thirds of the votes which members present or represented by proxy at such meeting were entitled to cast.

Dated MARCH 19, 2002

[SIGNATURES ON FOLLOWING PAGES]

SUMMERWOOD COMMUNITY ASSOCIATION, INC.

By: [Signature]
Its: President

By: Cindy K. Deaton
Its: Secretary

STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on MARCH 19, 2002 by MARK ATEB, President, and CINDY DEATON, Secretary, of Summerwood Community Association, Inc., Texas a non-profit corporation, on behalf of said corporation.

(SEAL)



[Signature]
Notary Public in and for the State of Texas

Gina N. Sprinkle
Name printed or typed

My commission expires: July 14, 2004

SUMMERWOOD COMMUNITY ASSOCIATION NO. 2, INC.

By: Lisa Chahin
Its: President

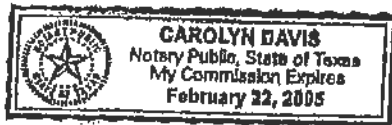
By: Cindy K. Deaton
Its: Secretary

STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on March 20, 2002, by LISA CHAHIN, President, and CINDY K. DEATON Secretary, of Summerwood Community Association No. 2, Inc., Texas a non-profit corporation, on behalf of said corporation.

(SEAL)



Carolyn Davis
Notary Public in and for the State of Texas
Carolyn Davis
Name printed or typed
My commission expires: 02-22-05

SUMMERWOOD MASTER ASSOCIATION, INC.

By: [Signature]
Its: President

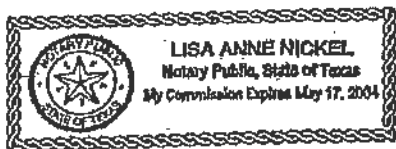
By: Cindy K. Deaton
Its: Secretary

STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on MARCH 20, 2001, by MARK ATEB, President, and CINDY K. DEATON, Secretary, of Summerwood Master Association, Inc., Texas a non-profit corporation, on behalf of said corporation.

(SEAL)



[Signature]
Notary Public in and for the State of Texas

LISA ANNE NICKEL
Name printed or typed
My commission expires: MAY 17, 2004

EXHIBIT "A"

PLAN OF MERGER

The following constitutes the plan of merger among Summerwood Community Association, Inc., Summerwood Community Association No. 2, Inc., and Summerwood Master Association, Inc. The merger of these corporations is being effected under this plan of merger ("Plan") in accordance with Article 1396-5.01, *et seq.*, of the Texas Non-Profit Corporation Act.

1. Names of Corporations Proposing to Merge. The names of the corporations proposing to merge are Summerwood Community Association, Inc., Summerwood Community Association No. 2, Inc. and Summerwood Master Association, Inc.
2. Name of Surviving Corporation. Summerwood Community Association No. 2, Inc. and Summerwood Master Association, Inc. (the "Merging Corporations") propose to merge into Summerwood Community Association, Inc. ("Surviving Corporation").
3. Class A Members. All Class "A" Members of Summerwood Community Association No. 2, Inc. shall be Class "A" Members in the Surviving Corporation.
4. Consolidation of Declarations. The following declarations, as amended and/or supplemented, shall be amended and consolidated into a single Amended and Consolidated Declaration of Covenants, Conditions and Restrictions for Summerwood to be administered and enforced by the Surviving Corporation:
 - (a) Declaration of Covenants, Conditions and Restrictions for Summerwood (Kingsgate Forest, Section 1) recorded on January 19, 1996, under Clerk's File No. R-753390 in the Office of the Clerk of the Court of Harris County, Texas; and
 - (b) Declaration of Covenants, Conditions and Restrictions for Summerwood (Kingsgate Forest, Section 2 and 3) recorded on January 19, 1996, under Clerk's File No. R-753391 in the Office of the Clerk of the Court of Harris County, Texas; and
 - (c) Declaration of Covenants, Conditions and Restrictions for Summerwood, Section 4, Seven Oaks Village; Summerwood, Section 5, Edgewater Village; Summerwood, Section 6, Lakes Village recorded on June 4, 1997, under Clerk's File No. S-480084 in the Office of the Clerk of the Court of Harris County, Texas; and
 - (d) Declaration of Covenants, Conditions and Restrictions for Summerwood, Sections Five (5), Seven (7), and Eight (8) (Summerwood Community Association No. 2, Inc.) recorded on September 15, 1998, under Clerk's File No. T-266077 in the Office of the Clerk of the Court of Harris County, Texas.

5. Amendment of Articles of Incorporation.

The Articles of Incorporation for Summerwood Community Association, Inc. shall be amended as follows:

- (a) Article Six shall be deleted in its entirety and replaced with the following:

The Corporation shall be a membership corporation without certificates or shares of stock. All owners of Units (as defined in the Declaration), by virtue of their ownership of a Unit subject to the Declaration, are members of the Corporation. In addition, the Declarant under the Declaration shall be a member of the Corporation for such period of time as is specified in the Declaration. The members shall be entitled to vote in accordance with the provisions of the Declaration and the By-Laws.

- (b) Article Seven shall be deleted in its entirety and replaced with the following:

The Corporation shall initially have two classes of membership, Class "A" and Class "B," as provided in Section 6.2 of the Declaration.

- (c) Article Eight shall be deleted in its entirety and replaced with the following:

The Corporation shall act through a board of directors having a minimum of three (3) and a maximum of seven (7) members (the "Board of Directors" or the "Board"), which shall manage the affairs of the Corporation as specified in the By-Laws. The method of the election of the members of the Board, removal and filling of vacancies, and the term of office of directors shall be as set forth in the By-Laws. The Board may delegate such operating authority to such companies, individuals, or committees as it, in its discretion, may determine.

- (d) Article Ten shall be deleted in its entirety and replaced with the following:

These Articles may be amended only upon a resolution duly adopted by the Board, the affirmative vote or written consent of Members representing at least two-thirds (2/3) of the Association's total Class "A" vote, and Declarant's consent so long as Declarant owns any property subject to the Declaration or has the unilateral right to subject additional property to the Declaration; provided, Class "A" Member approval shall not be required for any amendment to these Articles of Incorporation the sole purpose of which is to comply with the requirements of any governmental or quasi-governmental entity or institutional lender authorized to fund, insure, or guarantee mortgages on individual Units, as such requirements may exist from time to time, which amendments may be adopted by the Board.

(e) Article Eleven shall be deleted in its entirety and replaced with the following:

The Association may be dissolved only upon a resolution duly adopted by the board of directors and the affirmative vote of members who are Owners of not less than two-thirds (2/3) of the Units (other than the Declarant) and the consent of the Declarant so long as the Declarant owns any property subject to the Declaration or which may be unilaterally subjected to the Declaration by the Declarant. Upon dissolution of the Association, so long as the U.S. Department of Veteran Affairs ("VA") is guaranteeing and/or the U.S. Department of Housing and Development ("HUD") is insuring any mortgage in the Development, and unless otherwise agreed in writing by HUD or VA, as applicable, any remaining real property of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that acceptance of such dedication is refused, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

(f) A new article entitled Article Fourteen shall be added which will state as follows:

As long as the Class "B" membership exists, the following actions shall require the prior approval of VA or HUD, if either agency has approved the development for VA-guaranteed or FHA-insured mortgages on Units: annexation of additional property to the development, except for annexation by Declarant in accordance with Section 9.1 of the Declaration pursuant to a plan of annexation previously approved by VA and/or HUD, as applicable; mergers, consolidations, or dissolution of the Association; mortgaging of Common Area; dedication of Common Area to any public entity; and amendment of these Articles of Incorporation.

(g) A new article entitled Article Fifteen shall be added which will state as follows:

The Association may merge or consolidate only upon a resolution duly adopted by its board of directors and the affirmative vote of Members representing at least two-thirds (2/3) of the Class "A" votes in the Association and the consent of the Class "B" membership so long as the Class "B" membership exists.

6. Maintenance Obligations. The Surviving Corporation shall perform or cause to be performed all maintenance obligations or duties previously performed by Summerwood Master Association and Summerwood Community Association No. 2, Inc., and all agreements between and among such corporations shall terminate effective on the date of the merger.

7. Amended and Restated By-Laws. The by-laws of Surviving Corporation shall be amended and restated, as necessary, to effectuate changes required as a result of the merger and such other changes as its board of directors may recommend.

8. Assets and Liabilities. All rights, powers and assets, including accounts receivable, of the Merging Corporations, shall become assets of the Surviving Corporation, and all contracts, obligations and liabilities of the Merging Corporations shall be assumed by and become liabilities of the Surviving Corporation as of the effective date of the merger.

FILED FOR RECORD
8:00 AM

APR 19 2016

Stu Stanout
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 Sequence on the date and at the time stamped herein by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas.

APR 19 2016



Stu Stanout
COUNTY CLERK
HARRIS COUNTY, TEXAS