

JAN 16 2013

*Holt & Young, P.C.*

ATTORNEYS AT LAW  
11200 RICHMOND AVE., SUITE 450  
HOUSTON, TEXAS 77082  
OFFICE: (713) 510-1000  
FAX: (713) 510-1001

January 15, 2013

Brentwood Park Homeowners Association, Inc.  
c/o Texas Community Management, Inc.  
Attn: Patricia Ortiz  
11011 Richmond Ave., Ste. 615  
Houston, Texas 77042

Re: Brentwood Park Homeowners Association, Inc. / Recorded Bylaws and Amendment

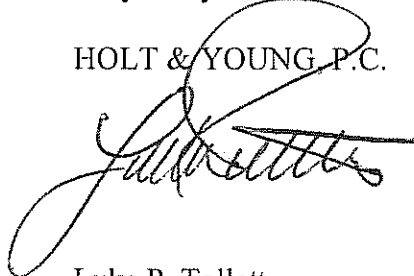
Dear Patricia,

Enclosed please find the recorded Bylaws and Bylaw Amendment for the referenced Association. These are the original documents bearing the County Clerk's file stamp. Please keep these with the Association records. We will maintain copies in our file and in case the Association ever needs any.

It has been a pleasure assisting you with this matter; should you have any questions or concerns please feel free to contact me directly.

Very Truly Yours,

HOLT & YOUNG P.C.



Luke P. Tollett

LPT

Enclosure

CERTIFICATION

STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

9  
Notice

I, the undersigned, pursuant to §202.006 of the Texas Property Code, do hereby certify, as follows:

- (1) I am an Agent for Brentwood Park Homeowners Association, Inc. a Texas non-profit corporation;
- (2) An Instrument titled: "Bylaws of Brentwood Park Homeowners Association, Inc.", is attached hereto;
- (3) The property affected by the said Instrument is described as, to wit:
 

Brentwood Park Subdivision, an addition in Harris County, Texas, according to the map or plat thereof, recorded in the Map Records of Harris County, Texas, under Volume 567, Page 99 along with any amendments, replats, supplements and annexations
- (4) The attached Instrument is a true and correct copy of the original.

IN WITNESS WHEREOF, I have subscribed my name on this 18<sup>th</sup> day of December, 2012.

By: [Signature]  
Luke P. Tollett, Attorney for Brentwood Park Homeowners Association, Inc.

W  
ll

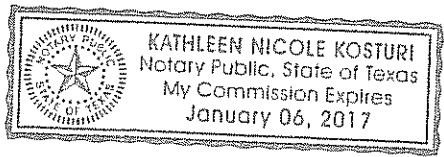
STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on the day personally appeared Luke P. Tollett, Attorney for the Brentwood Park Homeowners Association, Inc., and known by me to be the person whose name is subscribed to the foregoing document and being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 18<sup>th</sup> day of December, 2012.

[Signature]  
Notary Public, State of Texas

After recording return to:  
HOLT & YOUNG, P.C.  
11200 Richmond Ave., Suite 450  
Houston, Texas 77082



FILED FOR RECORD  
8:00 AM

DEC 31 2012

[Signature]  
County Clerk, Harris County, Texas

BYLAWS OF  
BRENTWOOD PARK HOMEOWNERS ASSOCIATION, INC.

ARTICLE I.

Name and Location. The name of the corporation is BRENTWOOD PARK HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as the "Association". The principal office of the corporation shall be located at 5847 San Felipe, Suite 2200, Houston, Texas 77057, but meetings of members and directors may be held at such place within the State of Texas, as may be designated by the Board of Directors.

ARTICLE II.

Section 1. "Association" shall mean and refer to BRENTWOOD PARK HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation, its successors and assigns.

Section 2. "Property" shall mean and refer to that certain real property in Harris County, Texas, which is more particularly described as:

All of BRENTWOOD PARK, an addition in Harris County, Texas, according to the map or plat thereof recorded in the Map Records of Harris County, Texas;

Section 3. "Lot" shall mean and refer to the individual lots and the improvements located thereon, which lots are described in the plat of the Property filed of record in the Map Records of Harris County, Texas.

Section 4. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Property, but excluding those having such interest merely as security for the performance of an obligation.

Section 5. "Restrictions" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions for Brentwood Park, applicable to the Property, recorded in the office of the County Clerk of Harris County, Texas under Clerk's File No. Y018717, as same may be amended from time to time.

Section 6. "Member" shall mean and refer to every person or entity who is an Owner.

ARTICLE III.  
MEETING OF MEMBERS

Section 1. Annual Meetings. The first annual meeting of the Members shall be held within three (3) years from the date of incorporation of the Association and each subsequent regular

annual meeting of the Members shall be held on the same day of the same month of each year thereafter, at the hour of 7:30 o'clock p.m. If the day for the annual meeting of the Members is a legal holiday, Saturday or Sunday, the meeting will be held at the same hour on the first day following which is not a legal holiday, Saturday or Sunday.

Section 2. Special Meeting. Special meetings of the Members may be called at any time by the President or by the Board of Directors, or upon written request of one-fourth (1) of the Members who are entitled to vote.

Section 3. Notice of Meetings. Written notice of each meeting of the Members shall be given by, or at the direction of, the Secretary or person authorized to call the meeting, by delivering a copy of such notice or mailing a copy of such notice, postage prepaid, at least ten (10), but not more than thirty (30) days before such meeting to each Member entitled to vote thereat, addressed to the Member's address last appearing on the books of the Association, or supplied by such Member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of special meeting, the purpose of the meeting.

Section 4. Quorum. Except as otherwise stated in the Restrictions, the presence at the meeting of Members entitled to cast, or of proxies entitled to cast, fifty percent (50%) of the votes of the membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Restrictions, or these Bylaws. If, however, such quorum shall not be present or represented at any meeting, the Members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Section 5. Proxies. At all meetings of Members, each Member may vote in person or by proxy. All proxies shall be in writing and filed with the Secretary at least one (1) day in advance of the meeting. Every proxy shall be revocable and shall automatically cease upon conveyance by the Member of his Lot; provided, however, in no event shall any proxy be valid for a period in excess of sixty (60) days from the date of such proxy.

#### **ARTICLE IV.** **BOARD OF DIRECTORS**

Section 1. Number. The affairs of this Association shall be managed by a Board of at least three (3), but no more than seven (7) Directors, who need not be Members of the Association. The number of directors may be changed by amendment of these Bylaws.

Section 2. Term of office. At the first annual meeting, the Members shall elect at least three (3), but no more than seven (7) Directors for a term of one (1) year each, and at each annual meeting thereafter, Directors shall be elected for terms of one (1) year.

Section 3. Removal. Any Director may be removed from the Board, with or without

cause, by a majority vote of the Members of the Association. In the event of death, resignation or removal of a Director, his successor shall be selected by the remaining members of the Board of Directors and shall serve for the unexpired term of his predecessor.

Section 4. Compensation. No Director shall receive compensation for any service he may render to the Association. However, any Director may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 5. Action Taken Without a Meeting. The Directors shall have the right to take any action in the absence of a meeting which they could have taken at a meeting by obtaining the written approval of all the Directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

#### **ARTICLE V. NOMINATION AND ELECTION OF DIRECTORS**

Section 1. Nomination. Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall consist of a Chairperson, who shall be a member of the Board of Directors, and two (2) other Members of the Association. The Nominating Committee shall be appointed by the Board of Directors prior to each annual meeting of the Members, to serve from the close of such annual meeting until the close of the next annual meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled.

Section 2. Election. Election of the Board of Directors shall be by secret written ballot. At such election the Members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Restrictions. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

#### **ARTICLE VI. MEETING OF DIRECTORS**

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held at least semi-annually, with or without notice, at such place and hour as may be fixed from time to time by resolution of the Board of Directors. Should said meetings fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the Board of Directors shall be held when called by the President of the Association, or by any two (2) Directors, after not less than three (3) days notice to each Director.

Section 3. Quorum. A majority of the number of Directors shall constitute a quorum for

the transaction of business. Every act or decision done or made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board of Directors. Each Director shall have the right to have his vote recorded as his act and kept in the minutes of the Corporation.

**ARTICLE VII.  
POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

Section 1.     Powers.   The Board of Directors shall have power to:

(a)     Adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of Members and their guests thereon, and to establish penalties for the infraction thereof;

(b)     Suspend the voting rights and right to use the facilities of a Member during any period in which such Member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed sixty (60) days, for infractions of published rules and regulations;

(c)     Exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the Membership by other provisions of these Bylaws, the Articles of Incorporation, or the Restrictions;

(d)     Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and

(e)     Employ a manager, independent contractors, or such other employees as they deem necessary, and to prescribe their duties.

Section 2.     Duties.   It shall be the duty of the Board of Directors to:

(a)     Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the Members at the annual meeting of the Members, or at any special meeting where such statement is requested in writing by one-third (33.333%) of the Members who are entitled to vote;

(b)     Supervise all officers, agents and employees of this Association, and to see that their duties are promptly performed;

(c)     As more fully provided in the Restrictions to:

otherwise disqualified to serve.

Section 4. Special Appointment. The Board of Directors may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may from time to time determine.

Section 5. Resignation and Removal. Any officer may be removed from office without cause by the Board of Directors. Any officer may resign at any time by giving written notice to the Board of Directors, the President or the Secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office may be filled by appointment by the Board of Directors. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

Section 7. Multiple Offices. The offices of Secretary and Treasurer may be held by the same person. No person shall simultaneously hold more than one (1) of any of the other offices except in the case of special offices created pursuant to Section 4 of this Article.

Section 8. Duties. The duties of the officers are as follows:

(a) President. The President shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board of Directors are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes, except as may be otherwise approved by the Board of Directors.

(b) Vice President. The Vice President shall act in the place and stead of the President in the event of his absence, inability and refusal to act, and shall exercise and discharge all such other duties as may be required by the Board of Directors.

(c) Secretary. The Secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board of Directors and of the Members; serve notice of meetings of the Board of Directors and of the Members; keep appropriate current records showing the Members of the Association together with their addresses, and shall perform such other duties as required by the Board of Directors.

(d) Treasurer. The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; shall keep proper books of account; cause an annual audit of the Association books to be made by a certified public accountant at the completion of

2  
**AMENDMENT TO BYLAWS OF  
BRENTWOOD PARK HOMEOWNERS ASSOCIATION, INC.**

Amend  
STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

§  
WHEREAS, Brentwood Park Homeowners Association, Inc. (the "Association"), is the governing entity for Brentwood Park Subdivision, an addition in Harris County, Texas, according to the map or plat thereof, recorded in the Map Records of Harris County, Texas, under Volume 567, Page 99 along with any amendments, replats, supplements and annexations (the "Subdivision"); and

WHEREAS, Texas Property Code, § 209.00593(b) authorizes the Association Board of Directors to amend the Bylaws to provide for elections to be held as required by § 209.00593(a); and

WHEREAS, Business Organizations Code, § 22.102(c), authorizes the Association Board of Directors to amend the Association Bylaws;

NOW THEREFORE, in accordance with the foregoing and as evidenced by the Certification attached hereto, the Association Bylaws are hereby amended to read as follows:

**Article III, Section 4, entitled "Quorum", which had previously read:**

Except as otherwise stated in the Restrictions, the presence at the meeting of Members entitled to cast, or of proxies entitled to cast, fifty percent (50%) of the votes of the membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, Restrictions or these Bylaws. If, however, a quorum shall not be present or represented at any meeting, the Members entitled to vote therein shall have power to adjourn the meeting from time to time without notice of other than announcement at the meeting, until a quorum as aforesaid shall be present or represented.

**Is hereby amended to read as follows:**

The presence at any meeting of the Members entitled to cast, or of proxies entitled to cast, ten percent (10%) of the votes of the membership shall constitute a quorum for any action, except as otherwise provided in the Articles of Incorporation, Restrictions or these Bylaws. If, however, a quorum shall not be present or represented at any meeting, the Members shall have power to adjourn the meeting from time to time and reconvene, at any time, without notice other than an announcement at the reconvened meeting, and the quorum requirement at each reconvened meeting shall be ½ (one-half) of the quorum requirement at the previously adjourned meeting, until a quorum shall be present or represented.

**BRENTWOOD PARK HOMEOWNERS ASSOCIATION, INC.**



CERTIFICATION

"I, the undersigned, being the President of the Brentwood Park Homeowners Association, Inc., hereby certify that the foregoing Bylaw Amendment was approved by at least a majority of the Association Board of Directors."

10/1  
10/22

By: Darin Taylor, President

Print Name: Darrin Taylor

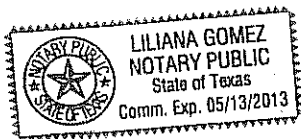
ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day, personally appeared Darrin Taylor, the President of Brentwood Park Homeowners Association, Inc., the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same as the act of the Association for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 12<sup>th</sup> day of December, 2012.



Liliana Gomez  
Notary Public, State of Texas

After Recording Return to:  
HOLT & YOUNG, P.C.  
11200 Richmond Ave., Ste. 450  
Houston, Texas 77082

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 hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

DEC 31 2012



Stan Stewart  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

FILED FOR RECORD  
8:00 AM

DEC 31 2012

Stan Stewart  
County Clerk, Harris County, Texas

RECORDER'S MEMORANDUM:  
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.