

ELECTRONICALLY RECORDED

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Rose Pietsch

ROSE PIETSCH, County Clerk

Bastrop Texas

May 20, 2021 03:34:57 PM

FEE: \$46.00

NOTICE

202110451

SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS
for
CIRCLE D CIVIC ASSOCIATION

THE STATE OF TEXAS §
COUNTY OF BASTROP §

The undersigned, being the authorized representative of Circle D Civic Association (the "Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code, hereby supplements instrument entitled "Notice of Dedicatory Instruments for Circle "D" Civic Association" recorded in the Official Public Records of Real Property of Bastrop County, Texas under Clerk's File No. 201804368 (the "Notice") was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

1. Other Dedicatory Instrument. In addition to the Restrictive Covenants identified in the Notice, the following documents are Dedicatory Instruments governing the Association which were previously recorded in the Official Public Records of Real Property of Bastrop County, Texas:

a. Documents:

- (1) Circle D Civic Association Records Production and Copying Policy.
(2) Circle D Civic Association Payment Plan Guidelines Policy and Application of Payment Schedule.
(3) Circle "D" Civic Association Rules and Regulations.
(4) Circle D Civic Association Schedule of Penalties for Delinquent Fees.
(5) Amended and Restated Bylaws of Circle "D" Civic Association.

b. Recording Information:

- (1) Bastrop County Clerk's File No. 201815321.
(2) Bastrop County Clerk's File No. 201817755.
(3) Bastrop County Clerk's File No. 201817756.
(4) Bastrop County Clerk's File No. 201918218.
(5) Bastrop County Clerk's File No. 202008091.

2. Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Notice, the following document is a Dedicatory Instrument governing the Association.


a. Certificate of Secretary of Circle D Civic Association regarding Amendment to Amended and Restated Bylaws of Circle "D" Civic Association.

A true and correct copy of such Dedicatory Instrument is attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Bastrop County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copy of the Dedicatory Instrument attached to this Supplemental Notice is a true and correct copy of the original.

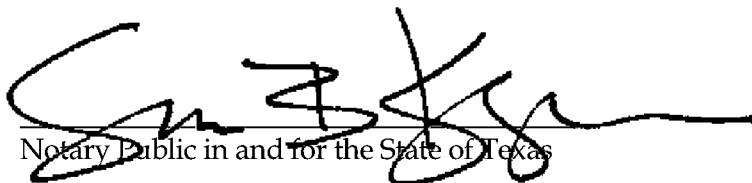
Executed on this 20<sup>th</sup> day of May, 2021.

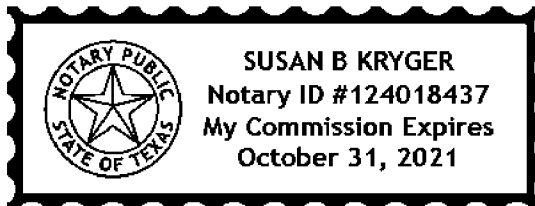
**CIRCLE D CIVIC ASSOCIATION**

By:   
Ben Lancaster, authorized representative

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned notary public, on this 20<sup>th</sup> day of May, 2021 personally appeared Ben Lancaster, authorized representative of Circle D Civic Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

  
Notary Public in and for the State of Texas



CERTIFICATE OF SECRETARY  
*of*  
CIRCLE D CIVIC ASSOCIATION  
*regarding*  
AMENDMENT  
*to*  
AMENDED AND RESTATED BYLAWS OF CIRCLE "D" CIVIC ASSOCIATION

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THE STATE OF TEXAS       §  
  §  
COUNTY OF BASTROP       §

I, Kathy Kincheloe, Secretary of Circle D Civic Association (the "Association"), do hereby certify that at the Annual Meeting of the Circle D Civics Association (the "CDCA") duly called and held on the fifteenth day of May 2021, with at least a quorum of the CDCA members being present and remaining throughout, and being duly authorized to transact business, the following resolution was duly made and approved by a majority vote of the members of the CDCA:

WHEREAS, the Board determined it would be in the best interest of the Association to amend the Bylaws; and

WHEREAS, at the Annual Meeting of the members of the Association, the members voted on and approved, in accordance with Article 14 of the Bylaws of the Association, to amend the below Sections of the Bylaws. The meeting minutes of such approval are attached hereto and incorporated herein as Exhibit "A".

NOW THEREFORE, BE IT RESOLVED, the Bylaws are amended as follows:

1. Article 6, Section 6.1 of the Bylaws is amended and restated to read as follows:

SECTION 6.1: Regular Board Meetings. Regular meetings of the Board shall be held a minimum of six (6) times per year. They may be held at such time, date, and place as will be determined from time to time by a majority of the directors. Notice of each regular meeting will be given to all members as required by law. The Board may participate in and hold a regular or special meeting by means of:

- a. conference telephone or similar communication equipment by which all persons participating in the meeting can hear each other; or
- b. another suitable electronic communications system, including video conferencing technology or the Internet, only if:
  - i. each director entitled to participate in the meeting consents to the meeting being held by means of that system; and
  - ii. the system provides access to the meeting in a manner or using a method by which each director participating in the meeting can communicate concurrently with each other participant;
  - iii. all directors may hear and be heard by every other director;
  - iv. except for any portion of the meeting conducted in executive session, all members in attendance at the meeting may hear all directors and members are allowed to listen using any electronic or telephonic communication method used or expected to be used by a director to participate; and
  - v. the notice of the meeting includes instructions for members to access any communication method required to be accessible under subsection iv above.

Participation in a meeting by conference telephone or similar communication or video conferencing technology or the Internet will constitute presence in person at such meeting except where a director participates in the meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. The Board may take action outside of a meeting, including voting by electronic or telephonic means, without prior notice to the members, if each director is given a reasonable opportunity to express the director's opinion to all other directors and to vote. Any action taken without notice to the members must be summarized orally, including an explanation of any known actual or estimated expenditures approved at the meeting, and documented in the minutes of the next regular or special Board meeting. Provided further that, the Board may not take action without prior notice to the members on any matter prohibited by law to be taken without prior notice to the members, unless done in an open meeting for which prior notice was given to the members.

2. Article 6, Section 6.2 of the Bylaws is amended and restated to read as follows:

SECTION 6.2: Special Meetings of the Board of Directors. Special meetings of the Board will be held when called by the President or by a majority of the directors then in office. The notice will specify the date, time, and place of the meeting and the nature of any special business to be considered. The notice will be given to each director by anyone of the following methods: (a) by personal delivery; (b) written notice by first class mail, postage prepaid; (c) by facsimile, or (d) if authorized by statute, by email. All such notices will be given or sent to the director's address, email, or facsimile number as shown on the records of the Association. Notices sent by first class mail will be deposited into a United States mailbox, at least three (3) days before the time set for the meeting. Notices given by personal delivery, email, or facsimile will be delivered or given at least three (3) days before the time set for the meeting. The provisions in Article 6, Section 6.5, relating to notice to the members will be applicable to a special meeting of the Board.

3. Article 6 is amended to add Section 6.5 of the Bylaws to read as follows:

SECTION 6.5: Notice of Board Meetings. The Board will give members notice of Board meetings (regular and special), including the date, hour, place, and general subject of the Board meeting, including a general description of any matter to be brought up for deliberation in closed executive session. A notice of meeting will be:

- a. mailed to all members at least ten (10) days before the date of the meeting; or
- b. provided at least 72 hours before the meeting by:
  - i. being posted in a conspicuous location, either in or on a common area or, with the owner's consent, on conspicuously located privately owned property within the Association, or on the Association's website; and
  - ii. being emailed to all members who have registered their email addresses with the Association.

It is a member's responsibility to register and keep an updated email address with the Association.

All other provisions of the Bylaws of the Association remain in full force and effect.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing resolution was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association.

TO CERTIFY which witness my hand this the 20 day of May, 2021.

**CIRCLE D CIVIC ASSOCIATION**

By: Kathy Kincheloe

Printed: Kathy Kincheloe

Its: Secretary

STATE OF TEXAS §

COUNTY OF Bastrop §

This instrument was acknowledged before me on 20 day of may, 2021 by Katherine Kincheloe Secretary of Circle D Civic Association on behalf of said corporation.



Cynthia Leck  
Notary Public in and for the State of Texas