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Krista Bartsch

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Bastrop Texas

July 12, 2022 02:18:32 PM

FEE: \$46.00

NOTICE

202215772

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 instruments entitled "Notice of Dedicatory Instruments for Circle "D" Civic Association" and "Supplemental 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 Nos. 201804368 and 202110451 (the "Notice") was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

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

- **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 12th day of July, 2022.

CIRCLE D CIVIC ASSOCIATION

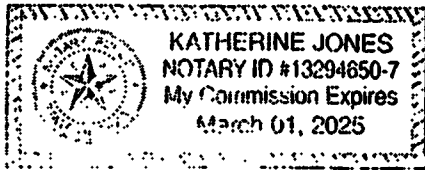
By:

Clint Brown

Clint Brown, authorized Representative

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned notary public, on this 12th day of July, 2022 personally appeared Clint Brown, 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

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

I, Kathy Kancheloc, Secretary of Circle D Civic Association (the "Association"), do hereby certify that at a meeting of the Board of Directors of the Association (the "Board") duly called and held on the ____ day of _____, 2022, with at least a quorum of the Board 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 Board:

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

WHEREAS, at the May 14, 2022 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 3, Section 3.3 of the Bylaws is amended and restated to read as follows:

SECTION 3.3: Notice of Meetings. Members shall be given notice of the date, hour, place, and general subject of a regular or special Board Meeting, including a general description of any matter to be brought up for deliberation in executive session. This notice will be (i) mailed to each member not later than the 10th day or earlier than the 60th day before the date of the meeting, or (ii) provided at 144 hours before the start of a regular board meeting and at least 72 hours before the start of a special board meeting by posting the notice in a conspicuous manner reasonably designed to provide notice to Association members. The notice shall be posted (i) in a place located on the Association's common property or, with

the Property Owner's consent, on other conspicuously located privately owned property within the subdivision; or (ii) on any internet website available to the Association members that is maintained by the Association or by a management company on behalf of the Association; and (iii) sending the notice by e-mail to each member who has registered an e-mail address with the Association. It is a member's duty to keep an updated e-mail address registered with the Association.

2. Article 7, Section 7.2(C)(2) of the Bylaws is amended and restated to read as follows:

SECTION 7.2.

C.2. send notice of each association fee to every Owner subject thereto within thirty (30) days of the beginning of each calendar year; and

3. Article 8, Section 8.6 of the Bylaws is amended and restated to read as follows:

SECTION 8.6: Duties. Duties The duties of the officers are as follows:

A. President. The president shall preside at all meetings of the Board of Directors; shall ensure that orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other legal instruments and may co-sign checks and promissory notes; and that the president shall be empowered to function in certain matters and have a maximum expenditure of \$2,000.00 (two thousand dollars) per item in the annual budget.

B. Vice President. The vice-president shall act in the place and stead of the president in the event of his/her absence, inability, or refusal to act, and shall exercise and discharge such other duties as may be required of him/her by the Board. The vice-president may co-sign checks and promissory notes.

C. Secretary. The secretary shall record the votes and keep the minutes of all meetings of the Board and of the members; serve notice of meetings of the Board and of the members; keep current records showing the members of the Association together with their addresses, and shall exercise such other duties as required of him/her by the Board. The secretary may co-sign checks and promissory notes.

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; shall sign all checks and promissory notes of the Association; keep proper books of account; cause an annual Agreed Upon Procedure by a third-party accountant at the completion of each fiscal year; and shall prepare an annual budget for the forthcoming year and a statement of income and expenditures for the previous year, to be presented to the membership at its regular annual meeting.

4. Article 10 of the Bylaws, entitled "Committees" is deleted in its entirety and replaced with the following:

Article 10: Committees

SECTION 10.1: Enumeration. The Board shall appoint an Architectural Control Committee, as provided in the Reservations and Restrictions and a Compliance Committee. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

SECTION 10.2: Architectural Control Committee. The Architectural Control Committee shall consist of a minimum of three (3) and a maximum of five (5) Members of the Association. No Board members, nor spouse of Board members nor anyone living in the same house as a Board member can serve on the ACC. The members of the committee shall elect a Chairman and a Secretary among themselves, and the committee will maintain minutes of all meetings. The Chairman will present a written report and copy of the minutes to the Association Board of Directors at each monthly Board Meeting. Any actions of the Architectural Control Committee can be appealed to the Board for final decisions. For any compliance issues concerning home applications or improvement applications, the ACC must follow the Compliance Procedures and Enforcement Policy.

SECTION 10.3: Compliance Committee. The Compliance Committee shall consist of a minimum of three (3) and a maximum of seven (7) members. Board Members as well as Members of the Association can serve on the Compliance Committee. The members of the committee shall elect a Chairman among themselves, and the committee will maintain minutes of all meetings. The Chairman will present a written report and copy of the minutes to the Association Board of Director at each Board Meeting. Any action of the Compliance Committee can be appealed to the Board for final decisions. The members must follow the Compliance Procedures and Enforcement Policy.

SECTION 10.4: Appeals of Decisions of the Architectural Control Committee and the Compliance Committee.

- A. A Member may appeal any action or decision of the Architectural Control Committee and the Compliance Committee pertaining to such Member's lot or lots to the board by sending certified mail to the Association within thirty (30) days of the decision the member wishes to appeal asking for a Hearing.
- B. If an appeal is sent to the board in accordance with subsection A, above, the Board shall abide by the 209 Hearing Policy created in October 2021 per state laws.

- C. At the hearing, the member may present any plans, evidence, and concerns to the Board. The Board shall have the sole discretion to either adopt, amend, or reject the decision of the Architectural Control Committee and Compliance Committee. The decision of the Board shall be final.
- D. Members of the board who ruled on the Compliance Committee violation shall not vote in the appeal process.

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 28 day of June, 2022.

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 28 day of June, 2022 by Kathy Kincheloe, Secretary of Circle D Civic Association on behalf of said corporation.

Lana D. Thomas
 Notary Public in and for the State of Texas

