

# **Bylaws of Suneagle Bay Owners's Association, Inc.**

550 County Road 1977, Office A-1, Yantis, TX 75497

## **ARTICLE ONE Membership**

Section 1. Each Owner of one or more lots in any section of Suneagle Bay Subdivision (hereinafter "Suneagle Bay Subdivision") and each purchaser under a contract to purchase from Amer-Tex Resort Properties, Inc., one or more lots (with such contract then being in force), who is of good moral character, reputation and habits, and who is approved for membership by the membership committee of Suneagle Bay Owners Association (the "Association"), is eligible for membership; provided, however that commencing the last Friday in April, 1991, Amer-Tex Properties, Inc. shall not be eligible for membership.

Section 2. All members and their families shall have the right to use all of the Association's facilities, including its swimming pool, parks and recreational areas, to the extent permitted by and in accordance with the terms and conditions what may be set out in the Association's rules which from time to time be established by its Board of Directors. As to each membership which is held by other than a single individual, that is a membership held by two or more persons, by a corporation or by a firm or partnership, the use of the Associations' facilities shall be only by an individual person and the family of such individual person named by such member. No member who is in arrears for more than 30 days in respect to the \$8.00 per month assessments set forth in the restrictions in respect to Suneagle Bay Subdivision, or in any other dues and/or accounts of the Association, shall be eligible to vote at any meeting of members.

Section 3. Upon the termination of membership for any cause, whether by resignation, death, expulsion or otherwise, all the rights and interest of the member in the privileges, rights, properties, funds or assets of the Association shall cease, ipso facto.

Section 4. Membership shall be evidenced by such card, certificate and other writing as the Board of Directors shall authorize.

Section 5. Members shall be selected by a membership committee which shall consist of three individuals appointed by the President of the Association, and such committee shall have final and complete authority to pass on all applications for membership.

Section 6. Each applicant for membership shall present to the Association for submission to the membership committee a application in writing containing all of the information required on the application form. The application must be signed by the applicant. After the application is approved by the membership committee, the applicant shall be entitled to membership (unless thereafter expelled).

Section 7. A member may be expelled only by a majority vote of all of the Board of Directors, plus a majority of the vote of the membership committee of the Association, but subject only to this limitation, such expulsion shall be in the sole discretion of the Board of Directors and the membership committee. In no event shall expulsion operate to discharge the expelled member's indebtedness to the Association.

2023-00006939 Pages: 11 Kelley Price Wood County

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550 County Road 1977, Office A-1, Yantis, TX 75497

## **ARTICLE TWO**

### **Voting, Lot Dues and Assessments**

Section 1. There shall be no initiation fees. The Board of Directors by unanimous vote of the entire Board plus the approval of at least two-thirds of the members, may from time to time assess additional dues and assessments.

Section 2. First lot annual dues and assessments in said subdivision is \$106.00. Additional lots in said subdivision owned by the same person pro-rated as follows: Second lot annual dues and assessment: \$82.00; Third lot annual dues and assessment of \$58.00 per each additional lot; Fourth lot annual dues and assessment of \$58.00; Additional lots after the fourth lot has annual dues and assessments of \$34.00 per each additional lot.

Section 3. A road fee of \$100 was approved for the year fiscal 2010 on July 18, 2009, the fee of \$100 was extended for the fiscal 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2020-2021, 2021-2022, 2023-2024,

Section 4. A boat ramp/fishing pier assessment \$25.00 was approved for the years 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2017-2018, 2018-2019, 2020-2021, 2021-2022, 2023-2024.

## **ARTICLE THREE**

### **Board of Directors**

Section 1. The affairs and management of the Association shall be conducted by a Board of Directors consisting of the number of Directors as provided in Section 3 of this Article Three, which Board shall have full power and authority to carry out the purposes of the Association and to do any and all lawful acts necessary or proper thereto.

Section 2. Except as otherwise provided in Section 3 of this Article 3, Directors shall serve a term of three years thereafter until their successors are elected and have qualified. Any Director may succeed himself and serve as many consecutive terms or non-consecutive terms as he may be elected. Directors must be members of the Association.

Section 3. The initial three Directors named in the Articles of Incorporation shall act as the first duly qualified Board of the Association. The terms of the Board of Directors shall be staggered, and, to this end, the initial Director first named in the Articles of Incorporation shall serve for a term of three years; the initial Director next named in said Articles of Incorporation shall serve for a term of Three years; the initial Director last named in said Articles of Incorporation shall serve for a term of Two years. Likewise, hereafter, the terms of the Board of Directors shall be so staggered that no more than two Directors shall be elected yearly, (in addition to Directors elected due to resignation, death or removal, and the Directors to fill vacancies thus caused may be elected by a majority of the remaining Directors constituting a quorum). The aforesaid initial three Directors shall elect two additional Directors at a meeting on the third Tuesday in July of 1988 (one of which shall be elected to serve for one year and the other elected to serve for two years), to increase the Board of Directors from three members to five members, and the Board of Directors after such election shall consist of five Directors.

## **Bylaws of Suneagle Bay Owners's Association, Inc.**

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Section 4. Beginning in July of 1989, Directors shall be elected at the annual meeting of members by a majority of the vote cast in person or by proxy at such meeting. Before the expiration of the term of any Director, the President shall appoint a nominating committee of three members, which committee shall nominate one nominee for each Directorship to be filled.

Section 5. A majority of the Directors shall constitute a quorum at any meeting, and a majority of those present shall be sufficient to determine any question, except in regard to expulsion of members as thereinbefore provided. Meetings of the Board of Directors by be held at any place within the State of Texas.

### **ARTICLE FOUR Officers**

Section 1. The officers of the Association shall be a President, one or more Vice Presidents, a Secretary, and a Treasurer, elected by the Board of Directors. More than one office may be held by the same person. All officers shall be elected annually by the Board of Directors within a reasonable time after the annual meeting of the membership of this Association. All officers shall hold office for a period of one year, or until their successor is duly elected and qualifies. No officer shall be required to be a member of the Association nor of the Board.

Section 2. The President shall be the chief executive officer of the Association and shall preside over meetings of the Board of Directors and meetings of the membership.

Section 3. Any Vice President shall exercise the functions of the President in his absence and shall perform such other duties as the Board of Directors may prescribe.

Section 4. The Secretary shall keep, or cause to be kept, the minutes of all meetings and a complete list of all members and their addresses, shall give the notices required therein, and shall perform all duties required of a Secretary.

Section 5. The Treasurer shall work closely with the Association Manager in the collection of all fees, dues and charges and the handling and disbursing of all money. He shall be responsible for the proper accounting of the Association's financial affairs and the preparing of proper reports on financial matters and such other reports as may be specified by the Board of Directors.

### **ARTICLE FIVE Committees**

Section 1. The Board of Directors or the President may appoint such committees as they deem necessary, from time to time, and delegate to such committees such duties as it or he may deem proper.

Section 2. The appointments of the membership committee and the nominating committee shall be made by the President as provided above.

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## **ARTICLE SIX Meetings and Voting**

Section 1. The annual meeting of the members of the Association shall be held at the park area in Suneagle Bay Subdivision or at such other place as should be determined by the President of the Association on the third Saturday in July of each year commencing with the year 1988, at 10:00 o'clock in in A.M. Special meetings may be called by the President or by a majority vote of the Board of Directors.

Section 2. The number of members entitled to vote, present in person or by proxy at an annual meeting of members shall constitute a quorum thereat. The vote of a majority of the total votes cast by qualified voting members present in person, or by proxy, shall decide any question brought before such meeting, the respective members to have such number of votes as hereinbefore provided in Article One.

Section 3. Without notice, the regular meeting of the Board of Directors shall be held on the same day and at the same place as the annual meeting every month. Special meetings of the Board of Directors shall be called at any time by the President or by any three members of the Board of Directors. Ten days written notice shall be required for special meetings.

## **ARTICLE SEVEN Miscellaneous**

Section 1. These By-Laws or any part thereof may be amended, modified, or repealed only by unanimous vote and approval of all the Directors of the Association.

Section 2. Unless otherwise required by statute, by the Articles of Incorporation or by these By-laws, any notice required to be given shall not be deemed to be personal notice but may be orally given by the President causing to be posted such notice upon any bulletin board at the park area in Suneagle Bay Subdivision.

Section 3. The Association shall not enter into any contract to pay, and shall not pay, any salary or other remuneration to any officer, director, or committee member of the Association for their services as such nor in any other capacity regardless of the capacity in which they may act.

# Bylaws of Suneagle Bay Owners's Association, Inc.

550 County Road 1977, Office A-1, Yantis, TX 75497

## Deed Restrictions and Bylaws Committee Findings Summary SEB Bylaws – October 2021

### ARTICLE ONE

#### Membership

##### **Corrected Section 1:**

Each Owner of one or more lots in any section of Sun Eagle Bay Subdivision (hereinafter "Sun Eagle Bay Subdivision") and each purchaser under a contract to purchase from Amer-Tex Resort Properties, Inc., one or more lots (with such contract then being in force), who is of good moral character, reputation and habits, and who is approved for membership by the membership committee of Sun Eagle Bay Owners Association (the "Association"), is eligible for membership; provided, however that commencing the last Friday in April, 1991, Amer-Tex Properties, Inc. shall not be eligible for membership.

*This section, as quoted above, has been changed back to the original bylaws document. There is no documentation found supporting any changes.*

##### **Corrected Section 2:**

All members and their families shall have the right to use all of the Association's facilities, including its swimming pool, parks and recreational areas, to the extent permitted by and in accordance with the terms and conditions what may be set out in the Association's rules which from time to time be established by its Board of Directors. As to each membership which is held by other than a single individual, that is a membership held by two or more persons, by a corporation or by a firm or partnership, the use of the Association's facilities shall be only by an individual person and the family of such individual person named by such member. No member who is in arrears for more than 30 days in respect to the \$8.00 per month assessments set forth in the restrictions in respect to Sun Eagle Bay Subdivision, or in any other dues and/or accounts of the Association, shall be eligible to vote at any meeting of members.

*This section, as quoted above, has been changed back to the original bylaws document. There is no documentation found supporting any changes. The document filed with Wood County, Doc # 70-2017-00006358, is illegal. The Ballot for 2017 did not contain changes to this section.*

##### **Confirmed Section 3:**

Upon the termination of membership for any cause, whether by resignation, death, expulsion or otherwise, all the rights and interest of the member in the privileges, rights, properties, funds or assets of the Association shall cease, ipso facto.

*No Change from SEB Original Document*

##### **Confirmed Section 4:**

Membership shall be evidenced by such card, certificate and other writing as the Board of Directors shall authorize.

*No Change from SEB Original Document*

##### **Confirmed Section 5:**

Members shall be selected by a membership committee which shall consist of three individuals appointed by the President of the Association, and such committee shall have final and complete authority to pass on all applications for membership.

*No Change from SEB Original Document*



# Bylaws of Suneagle Bay Owners's Association, Inc.

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## Confirmed Section 6:

Each applicant for membership shall present to the Association for submission to the membership committee and application in writing containing all of the information required on the application form. The application must be signed by the applicant. After the application is approved by the membership committee, the applicant shall be entitled to membership (unless thereafter expelled).

*No Change from SEB Original Document*

## Confirmed Section 7:

A member may be expelled only by a majority vote of all of the Board of Directors, plus a majority of the vote of the membership committee of the Association, but subject only to this limitation, such expulsion shall be in the sole discretion of the Board of Directors and the membership committee. In no event shall expulsion operate to discharge the expelled member's indebtedness to the Association.

*No Change from SEB Original Document*

## ARTICLE TWO

### Voting, Lot Dues and Assessments

## Confirmed Section 1:

There shall be no initiation fees. The Board of Directors by unanimous vote of the entire Board plus the approval of at least two-thirds of the members, may from time to time assess additional dues and assessments.

*Amended by Wood County Doc # 70-00000791. Ballot verified.*

## Confirmed Section 2:

First lot annual dues and assessments in said subdivision is \$106.00. Additional lots in said subdivision owned by the same person pro-rated as follows: Second lot annual dues and assessment: \$82.00; Third lot annual dues and assessment of \$58.00 per each additional lot; Fourth lot annual dues and assessment of \$58.00; Additional lots after the fourth lot has annual dues and assessments of \$34.00 per each additional lot.

*Added by Wood County Doc# 70-2016-00007644. Ballot verified.*

## Removed Section 3:

Any member who fails to timely pay any due and or assessment will be considered delinquent and in default. Upon member's default and subject to any limitations or requirements of applicable law, it is agreed that member shall pay all other reasonable cost including reasonable attorney fee, incurred by the Association (1) in collecting the balance due, whether or not suit is brought against a member and (2) in protecting the Association from any harm that the Association may suffer as a result of member's default.

*This Section was not part of the original SEB Bylaws. No legal documentation or ballot was found to support it.*

## Removed Section 4:

Such assessment shall be and is hereby secured by a lien on each lot hereunder, respectively, and shall be payable in full to the Sun Eagle Bay Owners Association (a Texas non-profit corporation), it's successors and assigns, the owner of said assessments funds, July 1st of each year commencing prior to 2000, at



## **Bylaws of Suneagle Bay Owners's Association, Inc.**

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which date in the year 2000 and in successive years said assessment lien shall conclusively be deemed to have attached, and there shall be lien securing said assessment until July 1st of each year.

*This Section was not part of the original SEB Bylaws. No legal documentation or ballot was found to support it.*

### **Confirmed Section 5 and Renamed Section 3:**

A road fee of \$100 was approved for the year fiscal 2010 on July 18, 2009 the fee of \$100 was extended for the fiscal 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018.

*Last amended by Wood County Doc #70-2017-00006361.*

### **Confirmed Section 6 and Renamed Section 4:**

A boat ramp/fishing pier assessment \$25.00 was approved for the year 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2017-2018.

*Last amended by Wood County Doc #70-2017-00006361.*

## **ARTICLE THREE**

### **Board of Directors**

#### **Confirmed Section 1:**

The affairs and management of the Association shall be conducted by a Board of Directors consisting of the number of Directors as provided in Section 3 of this Article Three, which Board shall have full power and authority to carry out the purposes of the Association and to do any and all lawful acts necessary or proper thereto.

*No Change from SEB Original Document.*

#### **Corrected Section 2:**

Except as otherwise provided in Section 3 of this Article Three, Directors shall serve a term of three years and thereafter until their successors are elected and have qualified. Any Director may succeed himself and serve as many consecutive terms or non-consecutive terms as he may be elected. Directors must be members of the Association.

*This section, as quoted above, has been changed back to the original bylaws document. There is no documentation found supporting any changes.*

#### **Corrected Section 3:**

The initial three Directors named in the Articles of Incorporation shall act as the first duly qualified Board of the Association. The terms of the Board of Directors shall be staggered, and, to this end, the initial Director first named in the Articles of Incorporation shall serve for a term of three years; the initial Director next named in said Articles of Incorporation shall serve for a term of Three years; the initial Director last named in said Articles of Incorporation shall serve for a term of Two years. Likewise, hereafter, the terms of the Board of Directors shall be so staggered that no more than two Directors shall be elected yearly, (in addition to Directors elected due to resignation, death or removal, and the Directors to fill vacancies thus caused may be elected by a majority of the remaining Directors constituting a quorum). The aforesaid initial three Directors shall elect two additional Directors at a meeting on the third Tuesday in July of 1988 (one of which shall be elected to serve for one year and the other elected to serve for two years), to increase the Board of Directors from three members to five members, and the Board of Directors after such election shall consist of five Directors.



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*This section, as quoted above, has been changed back to the original bylaws document. There is no documentation found supporting any changes.*

### Confirmed Section 4:

Beginning in July of 1989, Directors shall be elected at the annual meeting of members by a majority of the vote cast in person or by proxy at such meeting. Before the expiration of the term of any Director, the President shall appoint a nominating committee of three members, which committee shall nominate one nominee for each Directorship to be filled.

*No Change from SEB Original Document.*

### Corrected Section 5:

A majority of the Directors shall constitute a quorum at any meeting, and a majority of those present shall be sufficient to determine any question, except in regard to expulsion of members as thereinbefore provided. Meetings of the Board of Directors by be held at any place within the State of Texas.

*This section, as quoted above, has been changed back to the original bylaws document. There is no documentation found supporting any changes.*

### Removed Section 6:

A Director shall be removed from office for missing three consecutive regular Board meetings. Excused absences must be approved by the entire Board.

*This section was not a part of the original SEB Bylaws and has been removed. There is no documentation found supporting the addition of this section.*

### Removed Section 7:

The Board of Directors shall budget for and ensure that a regular audit is performed every 3rd year by an independent and impartial accounting firm. The audit for the previous fiscal years shall be completed by the end of the calendar year in which it is due.

*This section was not a part of the original SEB Bylaws and has been removed. There is no documentation found supporting the addition of this section.*

## ARTICLE FOUR Officers

### Corrected Section 1:

The officers of the Association shall be a President, one or more Vice Presidents, a Secretary and a Treasurer, elected by the Board of Directors. More than one office may be held by the same person. All officers shall be elected annually by the Board of Directors within a reasonable time after the annual meeting of the membership of this Association. All officers shall hold office for a period of one year, or until his successor is duly elected and qualifies. No officer shall be required to be a member of the Association nor of the Board.

*This section, as quoted above, has been changed back to the original bylaws document. There is no documentation found supporting any changes.*

### Confirmed Section 2:

The President shall be the chief executive officer of the Association and shall preside over meetings of the Board of Directors and meetings of the membership.



# Bylaws of Suneagle Bay Owners's Association, Inc.

550 County Road 1977, Office A-1, Yantis, TX 75497

*No Change from SEB Original Document.*

## **Corrected Section 3:**

Any Vice President shall exercise the functions of the President in his absence and shall perform such other duties as the Board of Directors may prescribe.

*This section, as quoted above, has been changed back to the original bylaws document. There is no documentation found supporting any changes.*

## **Confirmed Section 4:**

The Secretary shall keep, or cause to be kept, the minutes of all meetings and a complete list of all members and their addresses, shall give the notices required therein, and shall perform all duties required of a Secretary.

*No Change from SEB Original Document.*

## **Confirmed Section 5:**

The Treasurer shall work closely with the Association Manager in the collection of all fees, dues and charges and the handling and disbursing of all money. He shall be responsible for the proper accounting of the Association's financial affairs and the preparing of proper reports on financial matters and such other reports as may be specified by the Board of Directors.

*This section, as quoted above, has been changed back to the original bylaws document. There is no documentation found supporting any changes.*

## **ARTICLE FIVE Committees**

### **Confirmed Section 1:**

The Board of Directors or the President may appoint such committees as they deem necessary, from time to time, and delegate to such committees such duties as it or he may deem proper.

*No Change from SEB Original Document.*

### **Confirmed Section 2:**

The appointments of the membership committee and the nominating committee shall be made by the President as provided above.

*No Change from SEB Original Document.*

## **ARTICLE SIX Meetings and Voting**

### **Confirmed Section 1:**

The annual meeting of the members of the Association shall be held at the park area in Sun Eagle Bay Subdivision or at such other place as should be determined by the President of the Association on the third Saturday in July of each year commencing with the year 1988, at 10:00 o'clock in in A.M. Special meetings may be called by the President or by a majority vote of the Board of Directors.

*Amended Wood County Doc #70-2021-00007933 ballot verified.*

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## **Confirmed Section 2:**

The number of members entitled to vote, present in person or by proxy at an annual meeting of members shall constitute a quorum thereat. The vote of a majority of the total votes cast by qualified voting members present in person or by proxy shall decide any question brought before such meeting, the respective members to have such number of votes as hereinbefore provided in Article One.

*Amended by Wood County Doc #70-2009-00000791, ballot verified.*

## **Confirmed Section 3:**

Without notice, the regular meeting of the Board of Directors shall be held on the same day and at the same place as the annual meeting every month. Special meetings of the Board of Directors shall be called at any time by the President or by any three members of the Board of Directors. Ten days written notice shall be required for special meetings.

*Amended by Wood County Doc #70-2021-000079343, ballot verified.*

## **ARTICLE SEVEN Miscellaneous**

### **Confirmed Section 1:**

These By-Laws or any part thereof may be amended, modified, or repealed only by the unanimous vote and approval of all the Directors of the Association.

*Amended by Wood County Doc #70-2009-00000791 & #70-2009-00003866, ballot verified.*

### **Confirmed Section 2:**

Unless otherwise required by statute, by the Articles of Incorporation or by these By-laws, any notice required to be given shall not be deemed to be personal notice but may be orally given by the President causing to be posted such notice upon any bulletin board at the park area in Sun Eagle Bay Subdivision.

*No Change from SEB Original Document.*

### **Confirmed Section 3:**

The Association shall not enter into any contract to pay, and shall not pay, any salary or other remuneration to any officer, Director or committee member of the Association for their services as such nor in any other capacity regardless of the capacity in which they may act.

*No Change from SEB Original Document.*

### **Removed Section 4:**

No child or guest, under the age of twelve years, without adult supervision, shall be permitted to operate any Golf Cart or other motor driven vehicle on any property owned or leased by Sun Eagle Bay Owners Association or its members. Repeated violations shall subject the parents of the child or host of the guest to expulsion from the Sun Eagle Bay Owners Association provided under Article one, Section 7 of these By-laws of the Sun Eagle Bay Owners Association.

*This section was not a part of the original SEB Bylaws and has been removed. There is no documentation found supporting the addition of this section.*

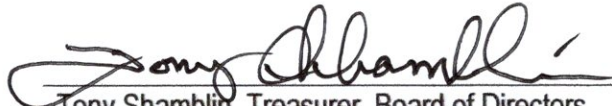


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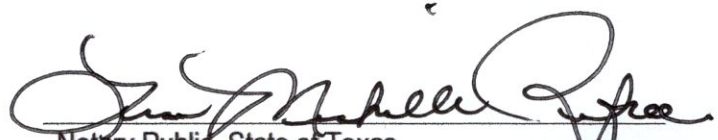
550 County Road 1977, Office A-1, Yantis, TX 75497

State of Texas     §  
                             §  
County of Wood    §

This instrument was acknowledged before me on 25<sup>th</sup> of July 2023, by Tony Shamblin, Treasurer of the Suneagle Bay Owners' Association, Inc. on behalf of the membership.

  
Tony Shamblin, Treasurer, Board of Directors  
Suneagle Bay Owners' Association, Inc.

Given under my hand and seal of office this 25<sup>th</sup> day of July 2023.

  
Notary Public, State of Texas



THE STATE OF TEXAS  
COUNTY OF WOOD

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the OPR Records of Wood County, Texas.

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07/26/2023 09:33 AM





Kelley Price, County Clerk  
Wood County, Texas