

CHARTER
AND
BY-LAWS
OF THE
WHITE OAK FOREST PROPERTY OWNERS ASSOCIATION

WHITE OAK FOREST PROPERTY OWNERS ASSOCIATION

The Articles of Incorporation and Bylaws modify the provisions, powers and purposes of the Restrictions. PC 204.009 (b)

CHARTER AND BYLAWS

CHAPTER 1 - CHARTER

The WOFPOA Corporation has additional regulations specified by the First Amendment to the Restrictions. Article XVI

Recognizing the need to preserve and protect the safety and security of all persons and property (both real and personal) in addition to enhancing the value of all properties within the boundaries of the area known as White Oak Forest Sub-Division, a Subdivision of 192.437 acres of land situated in the J. M. Everett survey, A-197, Montgomery County, Texas, hereinafter referred to as "the Subdivision", the property owners of the Subdivision do hereby publicly declare their desire to join together in a unified effort by incorporating a non-profit organization for the purpose of collectively achieving the aforementioned general objectives. This organization shall be named the WHITE OAK FOREST PROPERTY OWNERS ASSOCIATION; hereinafter referred to as "the Association".

The Association shall endeavor to meet these objectives by supporting the Architectural Control Committee (as provided for in the deed restrictions of the Subdivision) in their efforts to strictly enforce deed restrictions, coordinating maintenance and/or repairs of common areas as well as nurturing individual pride of ownership in order to present an overall pleasing appearance, conducting meetings for the transaction of business relative to these and yet to be named objectives, and any and all other such activities that may be deemed prudent to be in the best interests and for the mutual benefit of all members of the Association.

Further, the Association shall encourage and promote the full participation and cooperation of all members of the Association in the above named activities in an effort to contribute to an enriched quality of life in an atmosphere of peaceful, harmonious coexistence.

Chapter 1

The Architectural Control Committee
Policy explains the processes used by
the Association to support the ACC.

Doc# 2015034120

CHAPTER 2 - BYLAWS

Chapter 2, Article 1, Section 2

Any provision that disqualifies a property owner from voting is void.

PC Sec 209.0059

ARTICLE 1 - MEMBERSHIP

Section 1. GENERAL - All owners of property in the Subdivision shall exclusively be members of the Association.

Section 2. MEMBER IN GOOD STANDING - A member in good standing shall be a member who has paid all outstanding fees to the Association.

Section 3. TERMINATION OF MEMBERSHIP - A membership shall terminate upon termination of a member's ownership of all property in the Subdivision.

ARTICLE 2 - OFFICERS

Article 2, Section 1(d)

Property owners must be given at least 10 days to request their name be put on a ballot. PC 209.0093 (a-1)

Section 1. GENERAL - The officers of this association shall be a president, a vice-president, a secretary, and a treasurer.

(a) Term. Officers shall hold office for a term beginning at the time of election, and ending at the next annual meeting.

(b) Qualifications. To be eligible to hold an office, the nominee must be a member in good standing. If any officer shall cease to be a member in good standing, he shall cease to hold office therein.

(c) Vacancy. Upon the occurrence of a vacancy, such vacancy shall be filled by the remaining officers by appointment. Such appointee shall hold office until the next annual meeting, at which time the property owners shall elect a replacement to fill the office.

(d) Nominating Committee. Prior to the mailing of notice of the annual meeting, the president shall appoint a nominating committee to consider, review, and recommend candidates for the positions to be elected. The report of the nominating committee shall be included with the mailing of the notice of the annual meeting.

(e) Recall. An officer may be recalled before expiration of his/her term by a vote of 2/3rds of the voting membership.

Section 2. ELECTION OF OFFICERS - The election of officers shall be by ballot at the annual meeting of the Association. The candidates shall be elected by a majority vote of eligible voters represented in person or by proxy. Candidates shall include nominees named by the nominating committee as well as those nominated from the floor at the annual meeting by the membership.

Chapter 2, Article 2, Section 1(b)

A property owner may run for a position unless convicted, within in 20 years, of a "felony or crime involving moral turpitude."

PC 209.00591 (b)

Article 2, Section 1 (c)

An expired office can only be filled be a property owners vote. With 72 hr board meeting notice, a vacated office can be filled by appointment. PC 209.00593

ARTICLE 2 - OFFICERS

Section 3. OFFICERS DUTIES.

a) President. The president shall preside at all meetings of the Association. It shall be the duty of the president to make an annual report of the affairs of the Association at the annual meeting. He may also make such recommendations in the interest of the Association as he may deem proper. He may appoint all committee chairmen and special officers not otherwise provided for. The President shall initiate such action as is necessary to fulfill the needs of the Association as determined by results of annual and special meetings.

b) Vice-President. In the absence of the President, the Vice-President shall assume all duties of the President. The Vice President shall perform such other duties pertaining to the office as the Association may require.

c) Secretary. It shall be the duty of the secretary to; 1) notify all members of the time, place, and purpose of all meetings, 2) attend all meetings of the Association and to record accurate minutes of such meetings in a book provided for that purpose, 3) provide at the annual meeting a synopsis of actions taken by the membership during the previous year, 4) maintain at all times a complete and up-to-date register of ownership, with the addresses of owners, 5) perform such other duties pertaining to the office as the Association may require.

d) Treasurer. It shall be the duty of the treasurer to; 1) collect fees, 2) make disbursements, 3) maintain complete records of all Association transactions, 4) present this record at the annual meeting of the Association, and other times as requested by the president, 5) prepare an annual budget, 6) identify members in good standing at all meetings, 7) provide at the annual meeting the results of a C.P.A. audit of the Associations books and accounts for the previous year, 8) secure the services of a C.P.A. to file required tax returns in a timely manner, 9) deliver to his successor all monies and property belonging to the Association in his custody, 10) be bonded as required by the value of Association accounts, 11) perform such other duties pertaining to the office as the Association requires.

Chapter 2, Article 2, Section 3

Corporation must have at least 3 officers. BOC Sec 22.204

A quorum of 3 is officers, with 72 hr notice, is needed to transact business.

BOC 22.213; PC 209.0051(e) (2)

A corporation must have a President & Secretary which cannot be the same person. BOC Sec 22.231 (a)

A committee can hold an office.

BOC 22.231 (b)

Chapter 2, Article 2, Section 3 a)

The President may appoint "ex Officio" Board Members to attend meetings, but not vote. BOC 22.210

Ch 2, Article 2, Section 3 d)

6) All members can vote vPC209.0059

7) Now Audit Committee.

Amendment File No. 2009-033838

Ch 2, Article 2, Section 3 d)

8) Only a Tax-Exempt Notice is now

Required 10) The Association now purchases Officer Liability Insurance.

Chapter 2, Article 3, Section 1

The Association has purchased a copy of Roberts Rules Simplified for all officers.

ARTICLE 3 MEETINGS

Chapter 2, Article 3, Section 2 a)

Any provision that disqualifies a property owner from voting is void.

PC Sec 209.0059

Section 1. GENERAL - All meetings pertaining to, or sponsored by the association shall be conducted by Roberts Rules of Order. A copy of Roberts Rules of Order shall be obtained by the Association, and passed down to successive Presidents at the beginning of each term.

Section 2. VOTING

a) Only members in good standing shall be eligible to vote at all meetings.

b) Each member in good standing shall have one vote.

c) A majority vote of eligible voters represented at any meeting in person or by proxy shall carry any motion before the Association.

Section 3. ANNUAL MEETING - The annual meeting of the Association shall be held at such time and place as the officers may determine, provided that such annual meeting shall be held not earlier than January 1, nor later than February 28 of each year. All members shall be notified of the time and place of the annual meeting not later than fourteen days prior to such meeting. A majority of the total membership that is eligible to vote, represented in person, or by proxy shall constitute a quorum at the annual meeting. The agenda of the annual meeting shall include, but not be limited to; 1) the President's, Secretary's, and Treasurer's annual reports, 2) adoption of an annual budget and dues assessment, 3) election of officers for the subsequent year.

Section 4. SPECIAL MEETINGS - A special meeting of the Association may be called by the officers for consideration of other matters requiring action by the Association. Officers shall call a special meeting if petitioned by ten or more members. All members shall be notified of the time, place, and purpose of any special meeting, no later than seven days prior to such meeting. A special meeting quorum shall consist of 20% of the total membership that is eligible to vote, represented in person, or by proxy.

Chapter 2, Article 3, Section 2 b)

Each lot has one vote or one

membership. First Amendment to

Restrictions, Article XVI, Section 3 & 4

Chapter 2, Article 3, Section 3

Failure to hold annual meeting doesn't close corporation. BOC 22.154 (c)

Articles of Incorporation still in effect;

Board manages affairs. TBOC 22.202

Ch 2, Article 3, Section 3 & 4

Provide 10-60 days before a meeting of owners for an election or vote. This supersedes dedicatory instruments.

TPC 209.0056 (a) and (b)

The WOFPOA Corporation has additional regulations specified in the First Amendment to Restrictions. Article XVI

ARTICLE 4. FINANCES

Section 1. FEES - The officers of the Association shall have the authority to levy fees approved at the annual meeting of the Association. The officers shall also have the authority to collect such fees.

Section 2. DEPOSIT OF FUNDS - The officers shall have the authority to designate a depository bank or banks for Association funds, and to deposit and withdraw those funds in the name of the Association. The officers shall have the authority to determine in what manner and upon whose signature funds may be deposited and withdrawn, provided that at least two signatures are required on all transactions.

Section 3. FISCAL YEAR - The anniversary of the fiscal year shall be February 28.

Section 4. EXPENDITURES - Officers shall be authorized to execute financial transactions as authorized by the budget approved at the annual meeting of the Association, and other such expenditures as approved by the Association at special meetings.

Chapter 2, Article 5, Sec 2

The Association acts through the Board.
First Amendment Art XVI, Sec 2

ARTICLE 5. LEGAL PROCEDURES

Chapter 2, Article 5, Sec 2

The Association acting through the Board shall enforce Restrictions.
First Amendment Art XVI, Sec 1

Section 1. CONTRACTS, DEEDS, AND TRANSFERS - All contracts, deeds, and transfers shall be executed in the name of the Association by the President and Secretary or Treasurer only upon the approval of the Association.

Section 2. LEGAL ACTION - Officers are authorized to take such legal action as is approved by the Association.

ARTICLE 6. AMENDMENTS TO THE BYLAWS

Section 1. These bylaws shall be amended only by a majority ballot vote of the total membership that is eligible to vote.

ARTICLE 7. ADOPTION OF BYLAWS

Section 1. These bylaws shall be adopted by a majority ballot vote of the property owners of the Subdivision, represented in person or by proxy at the charter meeting of the Association.

ARTICLE 8. DISSOLUTION OF THE ASSOCIATION

Section 1. In the event that the Association is dissolved for any reason, any funds or property owned by the Association shall be donated to a non-profit organization as determined by a majority vote at an annual meeting.

Chapter 2, Article 5, Sec 2

The Association acting through the Board can bring action at law for foreclose an assessment lien.
First Amendment Act XVI, Sec 5 (h)

Chapter 2, Article 5, Sec 2

An owner is liable for Attorney Fees ONLY if certain prior conditions are met. PC 209.006 CHECK 2015
new parts b-3 (c, d, e, f) i-3

Chapter 2, Article 8

There are many specific details about how dissolution is to take place. Legal advice may be needed.
BOC 22.301, 22.302, 22.304, 22.305

FILED FOR RECORD

2009 APR 23 AM 10:51

Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify 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 at
Montgomery County, Texas.

APR 23 2009



Mark Turnbull
County Clerk
Montgomery County, Texas