VG-47-2025-110637

Walker County
Kari A. French
Walker County Clerk

Instrument Number: 110637

Real Property

AGREEMENT

Recorded On: August 19, 2025 02:25 PM

Number of Pages: 34

" Examined and Charged as Follows: "

Total Recording: $153.00

********** **THIS PAGE IS PART OF THE INSTRUMENT** **********
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.

File Information:

Instrument Number:	110637
Receipt Number:	20250819000068
Recorded Date/Time:	August 19, 2025 02:25 PM
User:	Megan B
Station:	VITALS01

Record and Return To:

RIVERSIDE LAKELAND POA

STATE OF TEXAS
COUNTY OF WALKER

I hereby certify that this Instrument was FILED In the Instrument Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Walker County, Texas.

Kari A. French
Walker County Clerk
Walker County, TX

Kari A. French

2025 AMENDED BYLAWS

OF

RIVERSIDE LAKELAND PROPERTY OWNERS ASSOCIATION

ARTICLE I - Offices

1. The principal office of the corporation shall be located at Riverside Lakeland Subdivision in Walker County, Texas.

2. The Association shall have and continuously maintain in the State of Texas, a registered office as required by the Texas Non-Profit Corporation Act. The address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE II - Board of Directors

1. Management of Association. The business and affairs of the Association shall be managed by its Board of Directors which may exercise all such powers of the Association and do all such lawful acts and things as are allowed by statute, the Articles of Incorporation, these Bylaws or the Restrictions directed or required to be exercised or done by the Members. Directors need not be residents of Walker County, Texas, but must be members of the Association.

2. Powers of the Board of Directors. Notwithstanding anything seemingly to the contrary contained in any provision of these Bylaws, the Association shall act through its Board of Directors, which shall manage the affairs of the Association. By way of illustration, but not in limitation, the Board of Directors shall have the power, subject to any Texas law providing otherwise, to:

   (a) Adopt and publish rules and regulations governing use of the common area and facilities, including but not limited to solar panels, roofing, architectural control matters, and the personal conduct of the members and their guests thereon, and to establish penalties for infraction thereof;

   (b) Suspend the right to use of the recreational 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 as stated herein. Such rights may also be suspended after notice and hearing by the Board of Directors;

   (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 By-Laws or 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, secretary, attorneys, independent contractors, and/or such other employees as they deem necessary, and to prescribe and oversee their assigned duties.

3. Number of Directors. The number of directors shall be five. The number of directors may be increased or decreased from time to time by amendment to these bylaws, but no decrease shall have the effect of shortening the term of any incumbent director. Said directors shall hold office as follows:

Directorship One: A two-year directorship to be elected in odd numbered years;

Directorship Two: A two-year directorship to be elected in even numbered years;

Directorship Three: A two-year directorship to be elected in odd numbered years;

Directorship Four: A two-year directorship to be elected in even numbered years; and

Directorship Five: A two-year directorship to be elected in odd numbered years.

Each directorship shall be for a period of two years, excepting that the initially appointed directors by the incorporators shall serve a term until the annual meeting of members in either even numbered or odd numbered years, as the cases may be.

A director must be a property owner in Riverside Lakeland Subdivision, Walker County, Texas, and must not be delinquent in payment of any maintenance fee or other fees due as required by the Deed Restrictions and these Bylaws.

4. Election of Directors. At each annual meeting the members shall elect directors as set forth in Section 3 hereof, to hold office until the next succeeding annual meeting. Each director shall hold office for the term for which he is elected and until his successor shall be elected and shall qualify.

5. Voting:

(a) The Board shall actively solicit members to run for the Board of Directors as provided herein.

(b) At least 10 days before the date a property owners' association composed of more than 100 lots disseminates absentee ballots or other ballots to association members for purposes of voting in a board member election, the association must provide notice to the association members soliciting candidates interested in running for a position on the board. The notice must contain instructions for an eligible candidate to notify the association of the candidate's request to be placed on the ballot and the deadline to submit the candidate's request. The deadline may not be earlier than

the 10th day after the date the association provides the notice required by this subsection.

(c) The notice required by Subsection (b) must be:

(1) mailed to each owner; or

(2) provided by:

(A) posting the notice in a conspicuous manner reasonably designed to provide notice to association members:

(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 maintained by the association or other Internet media; and

(B) sending the notice by e-mail to each owner who has registered an e-mail address with the association.

(d) An association described by Subsection (b) shall include on each absentee ballot or other ballot for a board member election the name of each eligible candidate from whom the association received a request to be placed on the ballot in accordance with this section. (Section 209.00593, Texas Property Code, effective September 1, 2015).

6. Call for Election: The Secretary shall examine the list of candidates, certifying them as eligible to vote and to hold office, and shall issue the call for the election to be held on the 2nd Saturday of July each year. The Board may have ballots prepared and mailed to each qualified voter, according to the then records of the Association, in which event said ballot will be so mailed no later than ten (10) days or earlier than thirty (30) days next preceding the election. The Board shall prescribe and organize the mechanics of the actual balloting giving particular consideration to the qualifications and/or eligibility of those voting. None of the foregoing shall operate to deprive qualified voters to write in the candidate of their choice, subject to certification by the Secretary of such write-in candidate's eligibility and willingness to serve, or to vote by proxy.

7. The Ballot: Except as otherwise provided for by Section 209.0058, Texas Property Code, when ballots are used for any election or vote, the ballot shall be printed, and shall clearly describe the office, position, or vacancies for which the candidates are running, and the names of the candidates to be voted upon. No ballot will be considered which is not received and verified as eligible by the Association prior to, or at the beginning of the membership's Annual Meeting in July. Ballots received by said time, either by mail or in person, shall by counted, subject to voter and candidate eligibility; all other ballots shall be declared void. Election to the Board of Directors shall be by written ballot; the ballots shall

show the name of the member voting and the number of votes the member is eligible to cast (a member owning multiple lots may only cast one (1) vote; however, any member who owns more than one (1) lot with a residential house may cast one (1) vote for each lot and house combination). The election shall provide for secret ballot provided that any method used by the Board adopts a policy that assures that a member cannot cast more votes than the member is eligible to cast in an election or vote. The Association counts each eligible vote cast, and in any election for the Board, each candidate may name one person to observe the counting of the ballots, provided that this does not entitle any observer to see the name of the person who cast any ballot, and any disruptive observer may be removed. (Section 209.0058, Texas Property Code, effective September 1, 2015). At such election or vote the Members or their proxies may cast, in respect to each vacancy or matter being voted on, as many votes as they are entitled to cast under the provisions of these Bylaws. The person receiving the largest number of votes shall be elected. Cumulative voting shall not be permitted. If any director position is uncontested, a ballot is not required, and the director is automatically elected to the position in question.

8. Secret Ballot: The Board of Directors may adopt a procedure for voting by secret ballot provided that provisions are made to ensure that no property owner cast more votes than entitled, i.e. to prevent ballot box stuffing. (Section 209.0058(d), Texas Property Code).

9. Place of Meeting: The Directors of the Association shall hold their meetings, both regular and special, within Walker County, Texas.

10. Annual Meeting of Directors: The first meeting of each newly constituted Board of Directors shall be held without further notice immediately following the annual meeting of Members of the Association, and at the same place, unless by unanimous consent of the Directors then elected and serving such time or place shall be changed. No action at such annual meeting, other than the election of officers, shall take place unless notice of such additional action is given as required by Section 209.0051, Texas Property Code.

    Authorization for Electronic Attendance. Members of the Association may attend and may participate in any duly noticed meeting (including annual, special, or board meetings) through electronic means, including but not limited to videoconferencing platforms such as Zoom or telephonic conference, provided that all participants can hear one another simultaneously. Participation by a member or director through electronic means shall count toward quorum requirements and shall be deemed equivalent to physical presence at the meeting.

11. Regular Meetings of Directors: A regular meeting of the Board of Directors shall be held after notice as required by Section 209.0051, Texas Property Code.

12. Special Meetings of Directors: Special meetings of the Board of Directors may be called by or at the request of the President or any two directors. The person or persons authorized to call special meetings of the Board may fix the place and time for holding any special meetings of the Board called by them.

13. Notice of Meeting: Notice of any special meeting of the Board of Directors shall be given as required by Section 209.0051, Texas Property Code. Any director may waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting.

14. Quorum: At all meetings of the Board of Directors, the presence of a majority of the Directors shall be necessary and sufficient to constitute a quorum for the transaction of business, and the act of a majority of the Directors, when present at any meeting at which there is a quorum, shall be the act of the Board of Directors, except as may be otherwise specifically provided by statute, the Restrictions, Articles of Incorporation (and/or Certificate of Formation) or these Bylaws. If a quorum shall not be present at any meeting of the Board of Directors, the Directors present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

15. Manner of Acting: The act of a majority of directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.

16. Removal:

(a) Except as hereinafter provided in Section 4, any Directors may be removed either for or without cause, at any special meeting of the Members of the Association by the affirmative vote of a majority in number of votes present in person or by proxy at such meeting and entitled to vote for the election of Directors, if notice of the intention to act upon such matter shall have been given in the notice calling such meeting.

(b) If the Board of Directors is presented with written, documented evidence from a database or other record maintained by a governmental law enforcement authority that a board member was convicted of a felony or crime involving moral turpitude, not more than 20 years before the date the board is presented with the evidence, the board member is immediately ineligible to serve on the board of the Association, automatically considered removed from the board, and prohibited from future service on the board. (Source: Section 209.00591, Texas Property Code, as amended September 1, 2016).

17. Vacancies on Board of Directors:

(a) Notwithstanding any provision in a dedicatory instrument, any board member whose term has expired must be elected by owners who are members of the association.

(b) Any Directorship to be filled by reason of any increase in the number of Directors shall be filled by election at an annual meeting of Members or at a special meeting called for that purpose.

(c) Except as provided by subsections (a) and (b), the Board of Directors may fill any vacancy on the Board.

(d) A board member appointed to fill a vacant position shall serve the unexpired term of the predecessor board member. (Source: Section 209.00593 (a), Texas Property Code, as amended 2013).

18. Compensation: Directors shall not receive any salaries or compensation for their services. Upon resolution by the Board of Directors, any Director may be reimbursed for any out of pocket expenses approved by the Board of Directors; the Director to whom such reimbursement is to be made shall recuse himself or herself and abstaining from any vote on such reimbursement of out of pocket expenses.

19. Action Without Meeting: Any action required by law to be taken at a meeting of the directors, or any action which may be taken at a meeting of the directors, may be taken without a meeting if a consent in writing setting forth the action to be taken, shall be signed by all the directors.

20. Open Board Meetings:

(a) "Board Meeting" (1) means a deliberation between a quorum of the voting board of the Association, or between a quorum of the voting Board of Directors and another person, during which the Association's business is considered and the Board of Directors takes formal action; and (2) does not include the gathering of a quorum of the Board of Directors at a social function unrelated to the business of the Association or attendance by a quorum of the Board of Directors at a regional. state, or national convention, ceremonial event, or press conference, if formal action is not taken and any discussion of association business is incidental to the social function, convention, ceremonial event, or press conference.

(b) Regular and special meetings of the Board of Directors must be open to owners, subject to the right of the Board of Directors to adjourn a Board of Directors meeting and reconvene in closed executive session to consider actions involving personnel, pending or threatened litigation, contract negotiations, enforcement actions, confidential communications with the property owners' association's attorney, matters that are to remain confidential by request of the affected parties and agreement of the Board of Directors. Following an executive session, any decision made in the executive session must be summarized orally and placed in the minutes, in general terms, without breaching the privacy of individual owners, violating any privilege, or disclosing information that was to remain confidential at

the request of the affected parties. The oral summary must include a general explanation of expenditures approved in executive session.

(c) Except for a meeting held by electronic or telephonic means under Article II Subsection (20) (h), a Board of Directors meeting must be held in a county in which all or part of the property in the subdivision is located or in a county adjacent to that county.

A board meeting may be held by electronic or telephonic means provided that

(1) each board member may hear and be heard by every other board member;

(2) except for any portion of the meeting conducted in executive session (A) all owners in attendance may hear all board members; and (B) owners are allowed to listen using any electronic or telephonic communication method used or expected to be used by a board member to participate; and

(3) the notice of the meeting includes instructions for owners to access any communication method required to be accessible under Subsection (2)(B).

(d) The Board of Directors shall keep a record of each regular or special Board of Directors meeting in the form of written minutes of the meeting. The Board of Directors shall make meeting records, including approved minutes, available to a member for inspection and copying on the member's written request to the property owners' association's managing agent at the address appearing on the most recently filed management certificate or, if there is not a managing agent, to the Board of Directors.

(e) Members shall be given notice of the date, hour, place, and general subject of a regular or special Board of Directors meeting, including a general description of any matter to be brought up for deliberation in executive session. The notice shall be:

(1) mailed to each property owner not later than the 10th day or earlier than the 60th day before the date of the meeting; or

(2) provided at least 144 hours before the start of the meeting by:

(A) posting the notice in a conspicuous manner reasonably designed to provide notice to property owners' association members:

(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 maintained by the association or other Internet media; and

(B) sending the notice by e-mail to each owner who has registered an e-mail address with the association.

(f) It is an owner's duty to keep an updated e-mail address registered with the property owners' association under Subsection (e) (2) (B).

(g) If the Board of Directors recesses a regular or special Board of Directors meeting to continue the following regular business day, the Board of Directors is not required to post notice of the continued meeting if the recess is taken in good faith and not to circumvent this section. If a regular or special Board of Directors meeting is continued to the following regular business day, and on that following day the Board of Directors continues the meeting to another day, the Board of Directors shall give notice of the continuation in at least one manner prescribed by Subsection (e) (2) (A) within two hours after adjourning the meeting being continued.

(h) Except as provided by this subsection, a Board of Directors may take action outside of a meeting, including voting by electronic or telephonic means, without prior notice to owners under Subsection (e), if each board member is given a reasonable opportunity to express the board member's opinion to all other board members and to vote. Any action taken without notice to owners under Subsection (e) 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 of Directors meeting. The Board of Directors may not, unless done in an open meeting for which notice was given to owners under Subsection (e), consider or vote on:

(1) fines;

(2) damage assessments;

(3) initiation of foreclosure actions;

(4) initiation of enforcement actions, excluding temporary restraining orders or violations involving a threat to health or safety;

(5) increases in assessments;

(6) levying of special assessments;

(7) appeals from a denial of architectural control approval;

(8) a suspension of a right of a particular owner before the owner has an opportunity to attend a Board of Directors meeting to present the owner's position, including any defense, on the issue;

(9) lending or borrowing money;

(10) the adoption or amendment of a dedicatory instrument;

(11) the approval of an annual budget or the approval of an amendment of an annual budget that increases the budget by more than 10 percent;

(12) the sale or purchase of real property;

(13) the filling of a vacancy on the board;

(14) the construction of capital improvements other than the repair, replacement, or enhancement of existing capital improvements; or

(15) the election of an officer.

(Source: Section 209.0051, Texas Property Code, as amended September 1, 2015, and September 1, 2021)

ARTICLE III – Officers

1. Officers Elected by Board: The officers of the Association shall be elected by the Directors and shall be a President, one or more Vice-Presidents (the number thereof to be determined by the Board of Directors), a Secretary, a Treasurer, and such other officers as may be elected in accordance with the provisions of this Article. Any two or more offices may be held by the same person except that the offices of President and Secretary shall not be held by the same person.

2. Election and Term of Office: The officers of the Association shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. If the election of the officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until his successor shall have been duly elected and shall have qualified.

3. Removal: Any officer elected or appointed by the Board of Directors may be removed from office at any time by the affirmative vote of a majority of the entire Board of Directors whenever in their judgment the best interests of the Association would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

4. Vacancies: A vacancy in any office caused by death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

5. Term of Office: Each officer of the Association shall hold office until the annual meeting of the Board of Directors next following his election and thereafter until his successor is chosen and qualified in his stead or until his death or until his resignation or removal from office.

6. President: The President shall be the principal executive officer of the Association and shall in general, supervise and control all of the business and affairs of the Association. The President shall preside at all meetings of the Board of Directors. The President may sign, with the Secretary, or any other proper officer of the Association authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, checks drawn against the Association, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors, or by these Bylaws, or by statute to some other officer or agent of the Association; and in general he shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

7. Vice-President: In the absence of the President or in the event of his inability or refusal to act, the Vice-President shall perform the duties of the President, and when so acting, shall have all of the power of, and be subject to all the restrictions upon the President. Any Vice-President shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

8. Treasurer: If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine, and for the restoration to the Association, in case of his death, resignation, retirement or removal from office, of all books, paper, vouchers, money and other property of whatever kind in his possession or under his control belonging to the Association. He shall have charge and custody of and be responsible for all funds and securities of the Association; receive and give receipts for monies due and payable to the Association from any source whatever, and deposit all such monies in the name of the Association in such bank, trust company or other depositories as shall be selected in accordance with the provisions of Article V of these Bylaws, and in general perform all the duties incident to the office of Treasurer, and such other duties as from time to time may be assigned to him by the President or the Board of Directors.

9. Secretary: The Secretary shall keep the minutes of the meetings of the Board of Directors in one or more books provided for that purpose; see that all notices are duly given in accordance with the provision of these Bylaws, or as required by law; be custodian of the corporate records and of the seal of the Association; and see that the seal of the Association is affixed to all documents, to execute such on behalf of the Association, under its seal, as duly authorized in accordance with the provisions of these Bylaws; keep a register of the post office address of each director, which shall be furnished to the Secretary by such Director; and in general, perform all duties incident to the office of Secretary of such other

duties as from time to time may be assigned to him by the President or the Board of Directors.

ARTICLE IV – Members

1. The Association members will consist of those individuals who are property owners in RIVERSIDE LAKELAND SUBDIVISION, a subdivision which is located in Walker County, Texas.

2. The Association may issue such certificate, or cards, or other instruments evidencing membership rights, voting rights or ownership rights, as shall be agreed upon by a majority vote of the Board of Directors.

3. Location of Meetings: Meetings of members shall be held at the registered office of the Association, or at such other place, within Walker County, Texas, or through electronic means, as may be stated in the notice of the meeting or in a duly executed waiver of notice thereof.

4. Member Contact Information: Each member shall register his address with the secretary, and notices of meetings, regular or special, shall be mailed to him at such address. It is the responsibility of the Member to provide the Association with current mailing and email addresses, and the Association assumes no responsibility should any notices not be received by the Member provided that the Association forwards such notice to the address provided the Association by the Member.

5. Notice by e-mail: Any Member may request that notice be transmitted electronically by providing the Association's Secretary a valid e-mail address. Upon providing such email address, the Association may transmit any and all notices to such member at such email address. Members are encouraged to provide an e-mail address to help reduce the operational cost of postage and mail-out required by these Bylaws and Texas Law.

6. Waiver of Notice: Notice may be waived in writing signed by the person or persons entitled to such notice. Such waiver may be executed at any time before or after the holding of such meeting. Attendance at a meeting shall constitute a waiver of notice, except where the person attends for the express purpose of objecting to the transaction of any business on the ground that the meeting is not lawfully called or convened.

7. Annual Meeting: An annual meeting of the members, for the purposes of electing directors, and transacting such other business as may properly be brought before the meeting, shall be held at 1:30 o'clock p.m. on the second Saturday of July. If the day for the annual meeting of the Members shall fall upon a holiday, the meeting may be held at the same hour on the first Saturday following which is not a holiday, at the designation of the Board of Directors. Failure to hold the annual meeting at the designated time shall not cause a dissolution of the Association.

8. Failure to Hold Annual Meeting: The following Bylaw is intended to comply with Section 209.014, Texas Property Code.

(a) In the event the Board of Directors does not call an annual meeting of the association members, an owner may demand that a meeting of the association members be called not later than the 30th day after the date of the owner's demand.

(b) The owner's demand must be made in writing and sent by verified mail, return receipt requested, to the registered agent of the property owners' association and to the association at the address for the association according to the most recently filed management certificate. A copy of the notice must be sent to each property owner who is a member of the association.

(c) If the board does not call a meeting of the members of the property owners' association on or before the 30th day after the date of a demand under Subsection (b), three or more owners may form an election committee. The election committee shall file written notice of the committee's formation with the county clerk of each county in which the subdivision is located.

(d) A notice filed by an election committee must contain:

(1) A statement that an election committee has been formed to call a meeting of owners who are members of the property owners' association for the sole purpose of electing board members;

(2) the name and residential address of each committee member; and

(3) the name of the subdivision over which the property owners' association has jurisdiction under a dedicatory instrument.

(e) Each committee member must sign and acknowledge the notice before a notary or other official authorized to take acknowledgments.

(f) The county clerk shall enter on the notice the date the notice is filed and record the notice in the county's real property records.

(g) Only one committee in a subdivision may operate under this section at one time. If more than one committee in a subdivision files a notice, the first committee that files a notice, after having complied with all other requirements of this section, is the committee with the power to act under this section. A committee that does not hold or conduct a successful election within four months after the date the notice is filed with the county clerk is dissolved by operation of law. An election held or conducted by a dissolved committee is ineffective for any purpose under this section.

(i) The election committee may call meetings of the owners who are members of the property owners' association for the sole purpose of electing board members.

Notice, quorum, and voting provisions contained in the bylaws of the property owners' association apply to any meeting called by the election committee. (Source: Section 209.014, Texas Property Code).

(j) Failure to hold the annual meeting at the designated time shall not cause a dissolution of the Association.

9. Special Meetings: Special meetings of the members for any purpose or purposes may be called by the President, or by any two (2) or more Members of the Board of Directors, or upon written request of the Members who have a right to vote one-tenth (1/10th) of all of the votes of the entire membership. No other business other than that specified in the notice of the meeting shall be transacted at such special meeting.

10. Notice of Meetings: Written or printed notice stating the place, day and hour of the meeting and, in cases of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than 10 nor more than 60 days before the date of the meeting, either personally, by e-mail, posting on a public website of the Association, or by mail, by or at the direction of the President, the Secretary, or the officer or person or persons calling the meeting, and shall set forth in general the nature of the business to be transacted; provided, however, that if the business of any meeting shall involve any action governed by the Articles of Incorporation or by the Restrictions, notice of such meeting shall be given or sent as therein provided. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail addressed to the member at his address as it appears in the records of the Association, with postage thereon prepaid.

11. Notice of Election of Association Vote:

(a) Not later than the 10th day or earlier than the 60th day before the date of an election or vote, a property owners' association shall give written notice of the election or vote to:

(1) each owner of property in the property owners' association, for purposes of an association-wide election or vote; or

(2) each owner of property in the property owners' association entitled under the dedicatory instruments to vote in a particular representative election, for purposes of a vote that involves election of representatives of the association who are vested under the dedicatory instruments of the property owners' association with the authority to elect or appoint board members of the property owners' association. (Source: Section 209.0056, Texas Property Code).

(a-1) For an election or vote of owners not taken at a meeting, the property owners' association shall give notice of the election or vote to all owners entitled to vote on any matter under consideration. The notice shall be given not later than the 20th day before the latest date on which a ballot may be submitted to be counted.

(b) Pursuant to Section 209.0056(b), this section supersedes any contrary requirement in a dedicatory instrument. (Section 209.0056, effective September 1, 2015).

12. Quorum: Ten (10%) percent of the members entitled to vote, represented in person or by proxy, shall constitute a quorum at a meeting of the members. If a quorum shall not be present or represented at any meeting of the members, the members entitled to vote, represented in person or by proxy, shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum is present or represented. At such adjourned meeting at which a quorum is present or represented any business may be transacted which might have been transacted at the original meeting.

13. Record Date: For the purpose of determining members entitled to notice or to vote at any meeting of the members or any adjournment thereof, the Record Date shall be the business date preceding the date on which notice of the meeting is mailed. (Source: Section 6.101, Texas Business Organizations Code).

14. Action Required: At a meeting at which a quorum is present, the vote of the majority of the members in person or represented by proxy shall decide any question brought before the meeting, unless the question is one upon which the vote of a greater number is required by law, the Articles of Incorporation, or these Bylaws. The members present or represented at a meeting at which a quorum is present may continue to transact business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum.

15. Proxies: A member may vote either in person or by proxy executed in writing by the member, setting forth such member's designation of his attorney and proxy to act in his behalf at any meeting designated therein. Each such proxy shall be filed with the secretary prior to or at the commencement of the meeting at which said proxy is to be used. If a member elects to vote by proxy, the proxy must be executed in writing by the member or the member's attorney-in-fact, setting forth such member's designation of his attorney and proxy to act in his behalf at any meeting designated therein. Each such proxy shall be filed with the secretary prior to or at the commencement of the meeting at which said proxy is to be used. Unless otherwise provided by the proxy, a proxy is revocable and expires three (3) months after the date of its execution. A proxy may not be irrevocable for longer than three (3) months. (Source: Sections 22.215 and 22.216, Texas Organizations Code).

16. Ballots:

(a) Except as provided by Subsection (d), a vote cast by a member of a property owners' association must be in writing and signed by the member if the vote is cast:

(1) outside of a meeting;

(2) in an election to fill a position on the board;

(3) on a proposed adoption or amendment of a dedicatory instrument;

(4) on a proposed increase in the amount of a regular assessment or the proposed adoption of a special assessment; or

(5) on the proposed removal of a board member.

(a-1) If a property owners' association elects to use a ballot for a vote on a matter other than a matter described by Subsection (a), the ballot must be:

(1) in writing and signed by the member; or

(2) cast by secret ballot in accordance with Subsection (d).

(b) Electronic votes cast under Section 209.00592 of the Texas Property Code constitute written and signed ballots.

(c) In a property owners' association election, written and signed ballots are not required for uncontested races.

(d) The Board of Directors may adopt rules to allow voting by secret ballot by association members. The association must take measures to reasonably ensure that:

(1) a member cannot cast more votes than the member is eligible to cast in an election or vote;

(2) the association counts each vote cast by a member that the member is eligible to cast; and

(3) in any election for the board, each candidate may name one person to observe the counting of the ballots, provided that this does not entitle any observer to see the name of the person who cast any ballot, and that any disruptive observer may be removed. (Section 209.0058, effective September 1, 2015).

17. Number of Votes: A Member owning multiple lots may only cast one (1) vote; however, any member who owns more than one (1) lot with a residential house may cast one (1) vote for each lot and house combination. Either the husband, wife or bona fide head of the household may cast the vote(s) to which the Member is entitled to vote. Proxy votes may be cast pursuant to the provisions concerning same delineated in these Bylaws.

18. Voting by in Person or by Proxy. Subject to the provisions of Section 209.00592, Texas Property Code, the voting rights of a member may be cast or given:

(a) in person or by proxy at a meeting of the property owners' association;

(b) by absentee ballot in accordance with these Bylaws;

(c) by electronic ballot in accordance with these Bylaws; or

(d) by any method of representative or delegated voting provided by a dedicatory instrument. (Source: Section 209.00592 (a), Texas Property Code).

19. Absentee or electronic ballot. An absentee or electronic ballot:

(a) may be counted as an owner present and voting for the purpose of establishing a quorum only for items appearing on the ballot;

(b) may not be counted, even if properly delivered, if the owner attends any meeting to vote in person, so that any vote cast at a meeting by a property owner supersedes any vote submitted by absentee or electronic ballot previously submitted for that proposal; and

(c) may not be counted on the final vote of a proposal if the motion was amended at the meeting to be different from the exact language on the absentee or electronic ballot. (Source: Section 209.00592 (b), Texas Property Code).

20. Solicitation for votes by absentee ballot. A solicitation for votes by absentee ballot must include:

(a) an absentee ballot that contains each proposed action and provides an opportunity to vote for or against each proposed action;

(b) instructions for delivery of the completed absentee ballot, including the delivery location; and

(c) the following language: "By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail." (Source: Section 209.00592 (c), Texas Property Code).

21. If an electronic ballot is posted on an official Internet website of the Association, a notice of the posting shall be sent to each owner that contains instructions on obtaining access to the posting on the website. (Source: Section 209.00592 (e), Texas Property Code).

22. Voting by Facsimile Transmission. If authorized by resolution of the Board of Directors for any specific matter that can be voted on, a member vote on any matter may be conducted by facsimile transmission.

23. Tabulation of and Access to Ballots.

(a) A person who is a candidate in a property owners' association election or who is otherwise the subject of an association vote, or a person related to that person within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, may not tabulate or otherwise be given access to the ballots cast in that election or vote except as provided by this section;

(b) A person other than a person described by Subsection (a) may tabulate votes in an association election or vote but may not disclose to any other person how an individual voted.

(c) Notwithstanding any other provision of this chapter or any other law, a person other than a person who tabulates votes under Subsection (b), including a person described by Subsection (a), may be given access to the ballots case in the election or vote only as part of a recount process authorized by law. (Source: Section 209.00594, Texas Property Code).

24. Recount of Votes.

(a) Any owner may, not later than the 15th day after the later of the date of any meeting of owners at which the election or vote was held or the date of the announcement of the results of the election or vote, require a recount of the votes. A demand for a recount must be submitted in writing either:

(1) by verified mail or by delivery by the United States Postal Service with signature confirmation service to the property owners' association's mailing address as reflected on the latest management certificate filed under Section 209.004; or

(2) in person to the property owners' association's managing agent as reflected on the latest management certificate filed under Section 209.004 or to the address to which absentee and proxy ballots are mailed.

(b-1) The property owners' association must estimate the costs for performance of the recount by a person qualified to tabulate votes under Subsection (c) and must send an invoice for the estimated costs to the requesting owner at the owner's last known address according to association records not later than the 20th day after the date the association receives the owner's demand for the recount.

(b-2) The owner demanding a recount under this section must pay the invoice described by Subsection (b-1) in full to the property owners' association on or before the 30th day after the date the invoice is sent to the owner.

(b-3) If the invoice described by Subsection (b-1) is not paid by the deadline prescribed by Subsection (b-2), the owner's demand for a recount is considered withdrawn and a recount is not required.

(b-4) If the estimated costs under Subsection (b-1) are lesser or greater than the actual costs, the property owners' association must send a final invoice to the owner on or before the 30th business day after the date the results of the recount are provided. If the final invoice includes additional amounts owed by the owner, any additional amounts not paid to the association before the 30th business day after the date the invoice is sent to the owner may be added to the owner's account as an assessment. If the estimated costs exceed the final invoice amount, the owner is entitled to a refund. The refund shall be paid to the owner at the time the final invoice is sent under this subsection.

(c) Following receipt of payment under Subsection (b-2), the property owners' association shall, at the expense of the owner requesting the recount, retain for the purpose of performing the recount the services of a person qualified to tabulate votes under this subsection. The association shall enter into a contract for the services of a person who:

(1) is not a member of the association or related to a member of the association board within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code; and

(2) is:

(A) a current or former:

(i) county judge;

(ii) county elections administrator;

(iii) justice of the peace; or

(iv) county voter registrar; or

(B) a person agreed on by the association and each person requesting the recount.

(d) On or before the 30th day after the date of receipt of payment for a recount in accordance with Subsection (b-2), the recount must be completed, and the property owners' association must provide each owner who requested the recount with notice of the results of the recount. If the recount changes the results of the election, the association shall reimburse the requesting owner for the cost of the recount not later than the 30th day after the date the results of the recount are provided. Any action taken by the board in the period between the initial election vote tally and the completion of the recount is not affected by any recount. (Section 209.0057, Texas Property Code, effective September 1, 2015).

ARTICLE V – Authority of Association

1. The Association shall have the authority to exercise those powers and privileges as set forth in the Articles of Incorporation, and shall be bound by, and have the authority to enforce, and amend, as provided therein or by Texas Law, any and all restrictions of record concerning RIVERSIDE LAKELAND SUBDIVISION as set forth and filed in the records of the County Clerk of Walker County, Texas; and any amendments to said restrictions, covenants and rights properly adopted and filed of record with the County Clerk of Walker County, Texas.

2. The Association shall not have the sole authority to enforce the deed restrictions. The determination of whether to file any lawsuit or take any other action regarding a deed restriction violation is vested in the sole discretion of the Board of Directors. Provided, however, that the members of the Association, by majority vote of the members at a regular or special meeting duly called as required by these bylaws, may direct the Board of Directors to file any lawsuit or take any other action regarding a deed restriction violation.

ARTICLE VI - Committees and Managing Agents

1. Appointment of Committees Consisting of Directors. The Board of Directors may, by resolution passed by a majority of the entire board, designate one or more committees, to consist of two or more of the Directors of the Association. Any such committee, to the extent provided in said resolution, shall have and may exercise all of the authority of the Board of Directors in the management of the business and affairs of the Association, except where action of the full Board of Directors is required by Texas law, the Restrictions or by the Articles of Incorporation.

2. Appointment of Committees Not Limited to Directors or Members. Other committees not having and exercising the authority of the Board of Directors in the management of the affairs of the Association may be designated and appointed by a resolution adopted by a majority of the Directors at a meeting at which a quorum is present, or by like resolution of the Board of Directors. Membership on such committee may, but need not be, limited to Directors or members of the Association.

3. Minutes of Committee Proceedings. All committees shall keep regular minutes of their proceedings and shall report the same to the Board of Directors when required.

4. Employment of Management Agent. The Board of Directors may employ for the Association a management agent at a compensation established by the Board of Directors and such management agents shall perform such duties and services as the Board of Directors shall authorize.

ARTICLE VII- Notices

1. Type of Notice. Whenever under the provisions of the statute, the Articles of Incorporation, these Bylaws or the Restrictions, notice is required to be given to any Director or Member and no prevision is made as to how such notice shall be given, it shall not be construed to mean personal notice, but any such notice may be given in writing, electronic message (i.e. e-mail), by mail, postage prepaid, addressed to such Director or Member at such address as appears on the records of the Association. Any notice required or permitted to be given by mail shall be deemed to be given at the time the same is deposited in the United States mail.

2. Waiver of Notice. Whenever any notice is required to be given to any Member or Director of the Association under the provisions of any applicable statute, the Articles of Incorporation, these Bylaws of the Restrictions, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated in such notice, shall be deemed equivalent to the giving of such notice.

ARTICLE VIII - Books and Records

1. The Association shall keep correct and complete books and records of account, and shall also keep minutes of the proceedings of its Board of Directors, and shall keep at the registered or principal office, a record giving the names and addresses of the members of the Association and of the Board of Directors of the Association. The Association adopts this Article of these Bylaws to comply with Section 209.005, Texas Property Code. In the event of a conflict between this Article and Section 209.005, Section 209.005 shall control.

2. The Association shall make the books and records of the Association, including financial records, open to and reasonably available for examination by an owner, or a person designated in writing signed by the owner or the owner's agent, attorney, or verified public accountant, in accordance with this section. An owner is entitled to obtain from the Association copies of information contained in the books and records, except as provided herein.

3. An attorney's files and records relating to the Property Owner's Association, excluding invoices requested by an owner under Section 209.008 (d) of the Texas Property Code, are not records of the Association and are not subject to inspection by the owner; or production in a legal proceeding. If a document in an attorney's files and records relating to the Association would be responsive to a legally authorized request to inspect or copy Association documents, the document shall be produced by using the copy from the attorney's files and records if the Association has not maintained a separate copy of the document. This Bylaw does not require production of a document that constitutes attorney work product or that is privileged as an attorney-client communication.

4. An owner or the owner's authorized representative described by Section 2 of this Bylaw must submit a written request for access or information under Section 2 by verified mail,

with sufficient detail describing the property owners' Association's books and records requested, to the mailing address of the Association or authorized representative as reflected on the most current management certificate filed with the County Clerk. The request must contain an election either to inspect the books and records before obtaining copies or have the property owners' Association forward copies of the requested books and records. If an inspection is requested, the Association, on or before the 10th business day after the date the Association receives the request, shall send written notice of dates during normal business hours that the owner may inspect the requested books and records to the extent those books and records are in the possession, custody, or control of the Association. If copies of identified books and record are requested, the Association shall, to the extent those books and records are in the possession, custody, or control of the Association, produce the requested books and records for the requesting party on or before the 10th business day after the date the association receives the request, except as otherwise provided by Section 209.005 of the Texas Property Code.

5. If the Association is unable to produce the books or records requested under Article VIII, Section 4 on or before the 10th business day after the date the Association receives the request, the Association will provide to the requestor written notice that:

   (a) informs the requestor that the Association is unable to produce the information on or before the 10th business day after the date the Association received the request; and

   (b) states a date by which the information will be sent or made available for inspection to the requesting party that is not later than the 15th business day after the date notice under this subsection is given.

6. If an inspection is requested or required, the inspection shall take place at a mutually agreed time during normal business hours, and the requesting party shall identify the books and records for the Property Owners' Association to copy and forward to the requesting party.

7. The Association may produce books and records requested under this section in hard copy, electronic, or other format reasonably available to the Association.

8. The Board of Directors shall adopt a records production and copying policy that prescribes the costs the Association will charge for the compilation, production, and reproduction of information requested under this section. The prescribed charges may include all reasonable costs of materials, labor, and overhead but may not exceed costs that would be applicable for an item under 1 T.A.C. (Texas Administration Code) Section 70.3. The policy required by this subsection shall be recorded as a dedicatory instrument in accordance with Section 202.006, Texas Property Code. The Association may not charge an owner for the compilation, production, or reproduction of information requested under this section unless the policy prescribing those costs has been recorded as required by the Association's Records Policy filed with the County Clerk.

   (a) An owner is responsible for costs related to the compilation, production, and reproduction of the requested information in the amounts prescribed by the policy

adopted under this Bylaw. The Association may require advance payment of the estimated costs of compilation, production, and reproduction of the requested information. If the estimated costs are lesser or greater than the actual costs, the Association shall submit a final invoice to the owner on or before the 30th business day after the date the information is delivered. If the final invoice includes additional amounts due from the owner, the additional amounts, if not reimbursed to the Association before the 30th business day after the date the invoice is sent to the owner, may be added to the owner's account as an assessment. If the estimated costs exceeded the final invoice amount, the owner is entitled to a refund, and the refund shall be issued to the owner not later than the 30th business day after the date the invoice is sent to the owner.

(b) A Property Owners' Association must estimate costs under this section using amounts prescribed by the policy adopted under Section 8 of this Article.

9. Except as provided by this Article, and to the extent the information is provided in the meeting minutes, the Association is not required to release or allow inspection of any books or records that identify the dedicatory instrument violation history of an individual owner of an association, an owner's personal financial information, including records of payment or nonpayment of amounts due to the Association, an owner's contact information, other than the owner's address, or information related to an employee of the Association, including personnel files. Information may be released in an aggregate or summary manner that would not identify an individual property owner.

10. The books and records described by Section 10 of this Article shall be released or made available for inspection if:

(a) the express written approval of the owner whose records are the subject of the request for inspection is provided to the property owners' Association; or

(b) a court orders the release of the books and records or orders that the books and records be made available for inspection.

11. The Board shall adopt and comply with a document retention policy that includes, at a minimum, the following requirements:

(a) certificates of formation, bylaws, restrictive covenants, and all amendments to the certificates of formation, bylaws, and covenants shall be retained permanently;

(b) financial books and records shall be retained for seven years;

(c) account records of current owners shall be retained for five years;

(d) contracts with a term of one year or more shall be retained for four years after the expiration of the contract term;

(e) minutes of meetings of the owners and the board shall be retained for seven years; and

(f) tax returns and audit records shall be retained for seven years.

12. A member of the Association who is denied access to or copies of Association books or records to which the member is entitled under this Article of these Bylaws may file a petition with the justice of the peace of a justice precinct in which all or part of the property that is governed by the Association is located requesting relief in accordance with this Article of these Bylaws. If the justice of the peace finds that the member is entitled to access to or copies of the records, the justice of the peace may grant one or more of the following remedies:

(a) a judgment ordering the Property Owners' Association to release or allow access to the books or records;

(b) a judgment against the Property Owners' Association for court costs and attorney's fees incurred in connection with seeking a remedy under this section; or

(c) a judgment authorizing the owner or the owner's assignee to deduct the amounts awarded from any future regular or special assessments payable to the Property Owners' Association.

13. If the Property Owners' Association prevails in an action under Section 12 of this Article of the Bylaws, the Association is entitled to a judgment for court costs and attorney's fees incurred by the Association in connection with the action.

14. On or before the 10th business day before the date a person brings an action against the Association under this section, the person must send written notice to the Association of the person's intent to bring the action. The notice must:

(a) be sent verified mail, return receipt requested, or delivered by the United States Postal Service with signature confirmation service to the mailing address of the Association or authorized representative as reflected on the most current management certificate filed under Section 209.004; and

(b) describe with sufficient detail the books and records being requested.

15. For the purposes of this Article of these Bylaws, "business day" means a day other than Saturday, Sunday, or a state or federal holiday. (Source: Section 209.005, Texas Property Code)

ARTICLE IX – Use of Adjacent Lots

1. This Article is intended to comply with Section 209.015, Texas Property Code, and the Board of Directors is authorized to adopt such rules, regulations and resolutions to affect the intent of this Article.

2. As used in this Bylaws, "Adjacent lot" means: (A) a lot that is contiguous to another lot that fronts on the same street; (B) with respect to a corner lot, a lot that is contiguous to the

corner lot by either a side property line or a back property line; and/or (C) if permitted by the dedicatory instrument, any lot that is contiguous to another lot at the back property line.

3. As used in these Bylaws, "Residential purpose" with respect to the use of a lot: (A) means the location on the lot of any building, structure, or other improvement customarily appurtenant to a residence, as opposed to use for a business or commercial purpose; and (B) includes the location on the lot of a garage, sidewalk, driveway, parking area, children's swing or playscape, fence, septic system, swimming pool, utility line, or water well and, if otherwise specifically permitted by the dedicatory instrument, the parking or storage of a recreational vehicle.

4. An owner must obtain the approval of the Architectural Control Committee, based on criteria prescribed by the dedicatory instruments specific to the use of a lot for residential purposes, including reasonable restrictions regarding size, location, shielding, and aesthetics of the residential purpose, before the owner begins the construction, placement, or erection of a building, structure, or other improvement for the residential purpose on an adjacent lot.

5. An owner who elects to use an adjacent lot for residential purposes under this section shall, on the sale or transfer of the lot containing the residence: (a) include the adjacent lot in the sales agreement and transfer the lot to the new owner under the same dedicatory conditions; or (b) restore the adjacent lot to the original condition before the addition of the improvements allowed under this section to the extent that the lot would again be suitable for the construction of a separate residence as originally platted and provided for in the conveyance to the owner.

6. An owner may sell the adjacent lot separately only for the purpose of the construction of a new residence that complies with existing requirements in the dedicatory instrument unless the lot has been restored as described by Subsection (5)(b) of this Article.

7. The Association may not adopt or enforce a provision in a dedicatory instrument that prohibits or restricts the owner of a lot on which a residence is located from using for residential purposes an adjacent lot owned by the property owner.

ARTICLE X – Maintenance Fees

1. The membership of the Association at the annual meeting may determine the annual maintenance fee to be collected for the purposes set forth in the restrictions for RIVERSIDE LAKELAND SUBDIVISION. The passage of this maintenance fee amount will require a majority of the membership present or represented by proxy at the annual meeting. Notice of the proposed maintenance fee must be set forth in the Notice given to all members of such annual meeting as required by these Bylaws. In the event of failure of the members to agree upon a maintenance fee at the annual meeting, the maintenance fee determined at the annual meeting of the members the previous year will be the amount

of maintenance fee for that year. In no event may the amount of maintenance fees be less than the amount of maintenance fees for the previous year.

2. Maintenance Fees shall be payable for the then-current fiscal year between July 1st and July 31st of such year. Payments shall be made to "RIVERSIDE LAKELAND PROPERTY OWNERS ASSOCIATION" at P.O. Box 172, Riverside, Texas 77367, or may be paid in person to the Treasurer.

3. Maintenance fees shall become delinquent if not paid by July 31st in the year such fees are due. Any delinquent fees are subject to interest of twelve (12%) percent per annum, or the highest legal rate provided by law if less than twelve (12%) percent per annum. The Board of Directors may take such legal action, and enter into settlements thereof, against any member delinquent in payment of the Maintenance Fees due and all costs incurred in collecting such fees, including attorney's fees, will be assessed against such delinquent member before the member will be entitled to exercise any voting privileges in the Association.

4. Any member delinquent in payment of any maintenance fee or other fees due on the record date of any meeting, as determined by these Bylaws, shall not be entitled to vote at any meeting of the members, whether annual or special, and shall not be entitled to hold any directorship or office of the Association.

ARTICLE XI – Transfer Fees

Any anticipated Purchaser(s), transferee(s), and/or assignee(s) of record title to any property within Riverside Lakeland Subdivision, shall, sufficiently in advance to taking title to such property so as to receive such resale certificate, request from the Association, through the person or entity managing the Association as reflected in the Association's management certificate, a resale certificate in accordance with Chapter 207 of the Texas Property Code. Any purchaser, transferee, or assignee of record title to any property within Riverside Lakeland who fails or declines to obtain such certificate shall hereby be placed on notice of her/his obligation to correct all deed restriction violations on such property and pay any past due assessments, special assessments, and other charges assessed in accordance with the governing documents of the Association.

ARTICLE XII – Special Assessments

1. Each member is obligated to pay to the Association, in addition to the maintenance fees as set forth in the Deed Restrictions, Contracts for Sale, and these Bylaws, special assessments for major street repairs and upkeep of their lots. Such special assessments shall be assessed against such lot owners under the conditions set forth in these Bylaws. Failure to pay the assessments on or before the date of notice shall be treated the same as failure to pay the maintenance fees, as provided by these Bylaws.

2. The Board of Directors may assess the charge of mowing and clean-up of any lot within the subdivision if the owner of said lot fails to mow and clean-up the lot after notice. The Board of Directors shall, upon resolution duly adopted, give the owner of any lot the Board of Directors deems in need of mowing and clean-up, thirty (30) days, upon receipt of notice, within which to mow and clean-up the lots. Such notice shall be by certified mail, return receipt requested, to the last address of said lot owners on the membership list of the Association. Notice shall be deemed perfected if the lot owner refuses to accept, or fails to claim, the letter.

   (a) Assessment fees become delinquent if not paid within sixty (60) days upon receipt, and are subject to the penalties provided for by these Bylaws.

3. The members of the Association, may, by majority vote at a special or annual meeting, make assessments against each member for major street or public utility repairs and/or construction. Notice of any such assessment must be given in the Notice of the meeting. Such assessments will be governed the same as for the assessment of maintenance fees as provided by these Bylaws.

4. Establishment of Special Assessment for Capital Projects. In addition to the Maintenance Fee assessment set forth in the Restrictions, the members of the Association may adopt a special assessment for capital projects, in such amount as may be established by the Association at a special or annual meeting at which notice for an election for the assessment of said Special Assessment is given. Should the special assessment be approved by a two-third (2/3) vote of the members, represented in person or by proxy, of the Property Owners Association at the annual meeting of the Property Owners Association, then the Special Assessment shall become effective on the date noticed, with the proceeds from such special assessment being ear-marked for the specific purpose set forth in the notice of such election. Said Special Assessment shall be secured by a lien against said lot, and failure to pay said Special Assessment shall constitute a foreclosure lien against said lot. This lien is in the form of an assessment to run with the ownership of said lots.

   (a) The Special Assessment shall be deemed delinquent if not paid within sixty (60) days of the date set forth in the notice as being the date the Special Assessment is due.

5. Purpose of Special Assessment. The Special Assessment shall be used for only the following purposes:

   (a) To defray, in whole or in part, the cost, whether incurred before or after the assessment, of any construction or reconstruction, repair, or replacement of a capital improvement in the Common Areas, including but not limited to the streets and roads in the Subdivision, owned by the Association, including the necessary fixtures and personal property related to such Common Areas, to the extent such expense is not sufficiently provided for with Regular Assessment funds;

(b) For maintenance and improvement of Common Areas owned by the Association; and/or

(c) For such other purposes of the property owners' association as stated in the Association's Certificate of Formation or the dedicatory instrument for the Subdivision.

ARTICLE XIII – Miscellaneous Provisions

1. Non-Use of Facilities or Services. No lot owner may waive or otherwise escape liability for the assessments provided for herein by non-use of any of the facilities or services provided by the Association or by abandonment of his lot.

2. Contracts.

a. These Bylaws are intended to comply with Section 209.0052 of the Texas Property Code.

b. Except as otherwise provided by these Bylaws, the Board of Directors may authorize any other Director or Directors, Officer or Officers, agent or agents of the Association, in addition to the Officers so authorized by these By-Laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association. Such authority may be general or confined to specific instances.

c. The following conditions control any transactions between the Association and any of these: (1) a current director (2) a person related to a current director by consanguinity or affinity within three degrees (3) a company in which a current director has a 51% share of the profits (4) a company in which a director's third degree relative has a 51% share of the profits.

d. The Association may enter into an enforceable contract with a current association board member, a person related to a current association board member within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, a company in which a current association board member has a financial interest in at least 51 percent of profits, or a company in which a person related to a current association board member within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code, has a financial interest in at least 51 percent of profits only if the following conditions are satisfied: (1) the board must receive at least two (2) other bids from disinterested bidders for the contract from persons not associated with the board member, relative, or company, (if reasonably available in that market); (2) the interested director does not have access to the other bids and does not participate in discussion or voting; (3) the material facts regarding the relationship or interest with respect to the proposed contract are disclosed to or known by the association board; (4) the board, in good faith and with ordinary care, authorizes the contract by an

affirmative vote of the majority of the board members who do not have an interest governed by this subsection; and (5) a resolution certifying that the conditions required by Section 209.0052 have been fulfilled is approved by a majority of disinterested directors.

e. The following is a summary regarding what the degrees of consanguinity (blood) and affinity (marriage) mean:

(1) First Degree by consanguinity: parents; children;

(2) First Degree by affinity: Spouses of relatives listed above; spouse; spouse's parents; spouse's children; stepparents; stepchildren;

(3) Second Degree by consanguinity: Grandparents; grandchildren; brothers & sisters;

(4) Second Degree by affinity: Spouses of relatives listed above; spouse's grandparents; spouse's grandchildren; spouse's brothers & sisters;

(5) Third Degree by consanguinity: Great grandparents; great grandchildren; nieces & nephews; aunts & uncles; and

(6) Third Degree by affinity: Spouses of relatives listed above; spouse's great grandparents; spouse's great grandchildren; spouse's nieces & nephews; spouse's aunts & uncles.

3. Checks. All checks, drafts, or orders for the payment of money, notice or other evidence of indebtedness, issued in the name of the Association shall be signed by the President and the Treasurer of the Association, unless otherwise directed by the Board of Directors.

4. Deposits. All funds of the Association shall be deposited from time to time to the credit of the Association in such banks, trust companies, or other depositories as the Board of Directors may select.

5. Gifts. The Board of Directors may accept on behalf of the Association, any contributions, gifts, bequests or devises for the general purpose or for any special purpose of the Association, and give written evidence of such contribution, gift, bequest, or devise to such donor.

6. Fiscal Year. The fiscal year of the Association shall begin on the first day of July of each year and end on the last day of June in each year.

7. Seal. The Board of Directors shall provide a corporate seal, which shall be in the form of a circle and shall have inscribed thereon the name of the Association and the words "Corporate Seal" or a star.

8. Waiver of Notice. Whenever any notice is required to be given under the provisions of the Texas Non-Profit Corporation Act, or under the provisions of the Articles of Incorporation, or by these Bylaws, a waiver thereof in writing, signed by the person or persons entitled to

such notice, either before or after the time stated therein, shall be deemed to be the giving of such notice.

9. Dividends. No dividends shall be paid and no part of the income of the Association shall be disbursed to its Members, Directors, or Officers. The Association may pay compensation in a reasonable amount to its Members or Officers for services rendered, but only as permitted by the applicable statutes.

10. Indemnification. Except as may otherwise be provided Section 8.051, Texas Business Organizations Code, or as may be ordered by a court pursuant to Section 8.052, Texas Business Organizations Code, the Association shall indemnify any Director, Officer, or employee of the Association, against expenses actually and necessarily incurred by him and any amount paid in satisfaction of judgements in connection with any action, suit or proceedings, whether civil or criminal in nature, in which he is made a party by reason of being or having been such a Director, Officer, or employee (whether or not a Director, Officer, or employee at the time such costs or expenses are incurred by or imposed upon him) except in relation to matters as to which he shall be judged in such action, suit, or proceedings to be liable for gross negligence or willful misconduct in the performance of duty. The Association may also reimburse to any Director, Officer or employee the reasonable costs of settlement of any such action, suit or proceedings, if it shall be found by a majority of a committee of the Directors not involved in the matter in controversy, whether or not a quorum, that it was in the interest of the Association that such settlement be made and that such Director, Officer or employee was not guilty of gross negligence or willful misconduct. Such rights of indemnification and reimbursement shall not be deemed exclusive of any other rights to which such Director, Officer, or employee may be entitled by law or under any Bylaw, agreement, vote of Members or otherwise. Nothing in this Section shall prevent permissive indemnification as authorized by Section 8.01 through 8.152, Texas Business Organizations Code.

12. Online Subdivision Information. The Association shall make dedicatory instruments relating to the association or subdivision and filed with the County Clerk records available on a website if the association has, or a management company on behalf of the association maintains, a publicly accessible website. (Source: Section 207.006, Texas Property Code).

13. Texas Property Code Controls. To the extent that any of these Bylaws conflict with the provisions of the Texas Property Code and/or the Texas Non-Profit Corporations Act and/or the Texas Business Organizations Code, as may be amended from time to time by the Texas Legislature, the Texas Property Code and/or the Texas Non-Profit Corporations Act and/or the Texas Business Organizations Code shall control.

ARTICLE XIV - Definitions

1. Association. "Association" shall mean and refer to the RIVERSIDE LAKELAND PROPERTY OWNERS ASSOCIATION, a nonprofit corporation organized under the laws of Texas, its successors and assigns.

2. Board of Directors. "Board of Directors" shall refer to the board of directors elected by the members of the Association.

3. Common Facilities. "Common Facilities" shall mean the roads, street lights, parks, and entrance features of the Subdivision, and landscaped areas established by the Developer for use as Common Facilities.

4. County Clerk. "County Clerk" shall mean the County Clerk of Walker County, Texas.

5. Declarations and/or Restrictions. "Declarations" and/or "Restrictions" shall mean the declarations and restrictions filed of record with the County Clerk for the Subdivision.

6. Dedicatory Instrument. "Dedicatory Instrument" shall mean each instrument governing the establishment, maintenance, and operation of the RIVERSIDE LAKELAND PROPERTY OWNERS ASSOCIATION, and includes a declaration or similar instrument subjecting real property to restrictive covenants, certificate of formation, bylaws, or similar instruments governing the administration or operation of a property owners association, to properly adopted rules and regulations of the property owners' association, or to all lawful amendments to the covenants, bylaws, instruments, rules, or regulations, including but not limited to those identified above under "Declaration." Dedicatory Instrument further shall mean the Articles of Incorporation (now known as Certificate of Formation), Bylaws, and other rules, regulations, and resolutions filed of record with the County Clerk.

7. Directors. "Directors" shall mean and refer to any duly elected or appointed member of the Board of Directors.

8. Electronic ballot. "Electronic ballot" means a ballot: (a) given by: (1) e-mail; (2) facsimile; or (3) posting on an Internet website; (b) for which the identity of the property owner submitting the ballot can be confirmed; and (c) for which the property owner may receive a receipt of the electronic transmission and receipt of the owner's ballot. (Source: Section 209.00592 (d), Texas Property Code).

9. Lot. "Lot" shall mean any residential lot in the Subdivision, and identified in the documents filed of record, identified herein, and on record with the County Clerk.

10. Maintenance Charge. "Maintenance Charge" shall mean the periodic charge collected by the Association, (also known as maintenance fee) for each Lot in the Subdivision for the purpose of maintaining and improving the Subdivision.

11. Maintenance Fund. "Maintenance Fund" shall mean the amounts collected from time to time by the Association, upon payment of Maintenance Charges by the Owners.

12. Member. "Member" or "Members" shall mean and refer to all those Owners who are members of the Association as provided for in the Restrictions and/or in these Bylaws.

13. Owner. "Owner" shall mean and refer to the owner of record, whether one or more persons or entities, of the fee simple title to any Lot which is part of the Properties, as reflected in the real property records of Walker County, Texas, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation. For

purposes of maintenance assessments and other obligations under the Restrictions, a person or legal entity shall be considered the Owner of a Lot only if the person or legal entity's name appears on the recorded deed or title as of the relevant date. Notwithstanding the foregoing, where multiple Lots are titled in the names of separate individuals or entities—even of related by family, marriage, affiliation, or household—each such individual or entity shall be deemed a separate Owner and shall be responsible for assessments on the respective Lots. The Association shall be entitled to rely solely on the real property records for purposes of determining ownership.

14. Plats. "Plats" shall mean the plat of the subdivision recorded in the County Clerk's office.

15. Record Date. Record Date shall be the business date preceding the date on which notice of the meeting is mailed. (Source: Section 6.101, Texas Business Organizations Code).

16. Regular Assessment. "Regular Assessment" and/or "Annual Charge" shall mean the annual amount that each owner of property within a residential subdivision is required to pay to the Association, which is designated for use by the Association for the benefit of the property owners of the Subdivision, as provided by the Restrictions, and include maintenance charges and maintenance fees.

17. Special Assessment. "Special Assessment" shall mean any fee and/or due, other than a regular assessment, that each Member is required to pay to the Association, as established by the Members at an annual or special meeting of the members of the Association at which a quorum is present and at which at least thirty (30) days' notice is given of the intent to establish a Special Assessment and which action of the Members authorizes the Association to charge for:

    (a) Defraying, in whole or in part, the cost, whether incurred before or after the assessment, of any construction or reconstruction, repair, or replacement of a capital improvement in the Common Areas owned by the Association, including the necessary fixtures and personal property related to such Common Areas, to the extent such expense is not sufficiently provided for with Regular Assessment funds;

    (b) Maintenance and improvement of Common Areas owned by the Association; and/or

    (c) Such other purposes of the property owners' association as stated in the Association's Certificate of Formation or the dedicatory instrument for the Subdivision.

18. Subdivision. "Subdivision" shall mean the Riverside Lakeland Subdivision, Walker County, Texas, as shown on the respective Plats on file with the County Clerk's office.

19. 1 T.A.C. Texas Administrative Code

ARTICLE XV – Amendment to Bylaws

1. These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by a majority of the members entitled to vote, present at any annual meeting or any special meeting called for that purpose, where a quorum is present, if at least ten (10) days written notice is given on the intent to alter, amend, or repeal, or adopt new Bylaws at such meeting.

[Remainder of page intentionally left blank; signature page to follow.]

THESE BYLAWS have been voted on and adopted by a majority vote at which a quorum was had by the Members of the Association at a special meeting of the Association held on July 12, 2025.

James Rand, President

Fraser Stanley-Jones, Vice-President

Robin Cooksey, Treasurer

C.W. Lorenz, Director Roads and Maintenance

Tim Johnson, Secretary

THE STATE OF TEXAS §

COUNTY OF WALKER §

This instrument was acknowledged before me on the 18th day of August, 2025, by James Rand, Fraser Stanley-Jones, Robin Cooksey, C.W. Lorenz, Tim Johnson Directors of Riverside Lakeland Property Owners Association.

Linda A. Bolyard
My Commission Expires
8/3/2026
Notary ID 6382103

Linda A. Bolyard
Notary Public, State of Texas