

**FIRST AMENDMENT TO THE  
BYLAWS  
OF  
PCR COMMUNITY ASSOCIATION INC.**

STATE OF TEXAS           §  
                                      §       KNOW ALL PERSONS BY THESE PRESENTS  
COUNTY OF DENTON     §

This First Amendment to the Bylaws of PCR Community Association Inc. (“Bylaws”) is made by the Board of Directors of the PCR Community Association, Inc. (the “Association”) and PCR Land Company, LLC (“Declarant”) is effective when filed with the Office of the Denton County Clerk:

**W I T N E S S E T H :**

**WHEREAS**, Section 8.11, of Article 8 of the Bylaws of the Association (the “Bylaws”) authorizes the Board of Directors to amend the Bylaws with the consent of the Declarant during the Developer Period; and

**WHEREAS**, the Developer Period has not lapsed or expired and the Declarant has consented to the amendments to the Bylaws hereinafter set forth; and

**WHEREAS**, the Board has determined it would be in the best interest of the Association to amend the Bylaws as hereinafter set forth; and

**NOW, THEREFORE**, the Bylaws are hereby amended as follows:

- Article IV, Section 4.02 of the Bylaws is hereby deleted and amended, and shall hereinafter read, in its entirety, as follows:

***Section 4.02. Annual Meeting. Matters considered and voted upon at the annual meeting may be considered and voted upon outside of a meeting as determined by the Board of Directors. The first annual meeting of the Members shall be held no later than within one hundred eighty (180) days after the expiration of the Development Period. Such first annual meeting shall be called by the Board. Thereafter, an annual meeting of the Members shall be held in each succeeding year within one hundred eighty (180) days following the close***

*of the fiscal year, on such date and at such time as shall be designated from time to time by the Board and stated in the notice of meeting, if not a legal holiday, and if a legal holiday, then on the next full business day following. Except where vacancies on the Board may be filled by the Board under Section 5.03, Directors shall be elected, as determined by the Board, either: (i) at the annual meeting, (ii) at a special meeting called for that purpose; or (iii) no more than sixty (60) days prior to the annual meeting with such election occurring outside of a meeting by electronic ballot or absentee ballot.*

- Article IV, Section 4.04 of the Bylaws is hereby deleted and amended, and shall hereinafter read, in its entirety, as follows:

***Section 4.04. Notice.** Written or printed notice stating the place, day, and hour of the meeting of Members and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than ten (10) nor more than sixty (60) days before the date of the meeting, either by mail, by electronic mail to such e-mail addresses registered with the Association, or by posting on the Association's bulletin board, website or in a prominent area of the community, at the discretion of the President, the Secretary, or the officer or person calling the meeting to each Member. If mailed, such notice shall be deemed to be delivered, whether or not actually received, when deposited in the United States mail addressed to the Member at his or her address as it appears on the membership list of the Association, with postage thereon prepaid. If sent electronically to the email address of each Member on file, delivery occurs when such electronic communication is sent. If posted on the Association's bulletin board, website or, as determined by the Board, delivery occurs when posted on the Association's bulletin board, website or in a prominent area of the community for at least thirty (30) consecutive calendar days.*

- Article IV, Section 4.08 of the Bylaws is hereby deleted and amended, and shall hereinafter read, in its entirety, as follows:

***Section 4.08. Method of Voting.** The vote of each Member may only be cast via electronic ballot, absentee ballot or written ballot delivered in-person at a meeting if voting is to take place during such meeting. Proxies are not allowed. In no event shall more than one vote be cast with respect to any such Lot.*

- Article V, Section 5.02 of the Bylaws is hereby deleted and amended, and shall hereinafter read, in its entirety, as follows:

**Section 5.02. Number; Qualification; Election; Term.** *The initial Board designated in the Certificate of Formation shall consist of three (3) Directors, none of whom need be Members or residents of the State of Texas. If a vacancy occurs in the initial Board prior to the first annual meeting of the Members, such vacancy shall be filled by a person or persons designated by the Declarant. Within 90 days prior to such first annual meeting of the Members, five (5) Owners or spouses of Owners will be elected to serve on the Board via electronic ballot or absentee ballot. Three (3) of the Directors so elected receiving the most votes shall serve for a term of two (2) years and the remaining Directors so elected shall serve for a term of one (1) year. Elections for Directors thereafter can occur before or during the annual meeting as determined by the Board of Directors. Following the election occurring prior to the first annual meeting of the Members, each Director shall serve for a term of two (2) years unless appointed to fill a vacancy on the Board created by expansion. To be elected, a Director must receive a plurality of votes cast by Members. All Directors elected by the Members or appointed by the Boards must be Owners or spouses of Owners. Each Director shall hold office until his or her successor has been duly elected and qualified. The Board of Directors may, by resolution approved by a majority of the Board, expand the Board to seven (7) positions or reduce the Board to five (5) positions. In the event the Board is expanded to seven (7) positions, the vacancies created by such expansion shall be filled by appointment as determined by a majority of the Board. Of the Directors appointed to fill vacancies created by expansion, one such Director shall serve an initial term of two (2) years, and the other such Director shall serve an initial term of one (1) year. The reduction of the Board to five (5) positions shall not, in any event, serve to reduce the term of any sitting Director. The Directors shall serve without compensation.*

- Article V, Section 5.03 of the Bylaws is hereby deleted and amended, and shall

hereinafter read, in its entirety, as follows:

**Section 5.03. Removal; Change in Number; Vacancies.** *Any Director may be removed either with or without cause, at any annual meeting of the Members or at any special meeting of the Members by, two-thirds (2/3) or more of the Class A votes of the Association cast by Owners via electronic ballot, absentee ballot or written ballot delivered in-person at such meeting provided notice of the intention to act upon such matter must have been given in the notice calling any such annual or special meeting. Any Director who fails to attend three (3) consecutive meetings of the Board may be removed from the Board by the affirmative vote of a majority of the remaining Directors though less than a quorum of the Board. If any vacancy occurs in the Board (by death, resignation, disqualification, or otherwise), a successor or successors may be chosen by the affirmative vote of a majority of the remaining Directors though less than a quorum of the Board, and each successor Director so chosen shall be elected for*

*the unexpired term of his predecessor in office. Any directorship to be filled by reason of the removal of the Director by a vote of the Members or due to an increase in the number of Directors shall be filled by election at an annual meeting of Members or at a special meeting of Members called for that purpose.*

• Article VI, Section 6.01 of the Bylaws is hereby deleted and amended, and shall hereinafter read, in its entirety, as follows:

*Section 6.01. Method. Whenever by statute, the certificate of formation of the Association, these bylaws or the Declaration, notice is required to be given to any Director or Member, and no provision 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 (a) by mail, postage prepaid, addressed to such Director or Member at such address as appears on the records of the Association, (b) by electronic mail to such e-mail address registered with the Association, (c) by hand-delivery in case of notice to a Member at anytime, or a Director after the expiration of the Development Period, or (d) in the case of notice to a Member, by posting notice on the Association's bulletin board or website. Notice shall be deemed to be delivered (a) when delivered by messenger to the last known address of such person within the Property, (b) if given by mail, notice shall be deemed to be given, whether or not actually received, at the time when the same shall be deposited in the United States mail as aforesaid, (c) if given by electronic mail, notice shall be deemed to be delivered at the time date and time such notice is sent, or (d) if given by posting on the Association's bulletin board, website or in a prominent area of the community, notice shall be deemed to be delivered if posted in the same location for at least thirty (30) consecutive calendar days.*

SIGNED this 13<sup>th</sup> day of March, 2023.

DECLARANT:


PCR LAND COMPANY LLC,  
a Texas limited liability company

By 

Cheryl Turner, Member

**ASSOCIATION:**

**PCR Community Association, Inc.,  
a Texas nonprofit corporation**


By   
Cheryl Turner, President

**CERTIFICATION OF AMENDMENT TO BYLAWS**

I, Cheryl Turner, President of PCR Community Association, Inc., a Texas nonprofit corporation, hereby certify:

That this First Amendment to the Bylaws of PCR Community Association Inc. was approved by the Board of Directors at a duly convened meeting held on the 28<sup>th</sup> day of February, 2023, and that the same does now constitute a portion of the Bylaws of PCR Community Association Inc.

IN WITNESS WHEREOF, I heretofore subscribe my hand on this 13<sup>th</sup> day of March, 2023.

By:   
Cheryl Turner, President