

# AMENDED BYLAWS OF THE BENTON WOODS HOMEOWNERS ASSOCIATION, INC.

## ARTICLE I – NAME

- 1.01 The name of this Association shall be the BENTON WOODS HOMEOWNERS ASSOCIATION, INC. The address of the initial registered office of the corporation is 1215 Benton Woods Drive, Rockwall, Texas 75032, and the name of the initial registered agent at such address is Kirby Albright.

## ARTICLE II – PURPOSE

- 2.01 The purpose of this association shall be to preserve, protect, and advance the interests of the neighborhood in which its members reside, and to disseminate information of interest to those residents, and to promote fellowship among its members.
- 2.02 This association shall be operated for non-profit purposes. It shall be non-partisan and non-political
- 2.03 The association will accept title to all common areas within Benton Woods Addition to the City of Rockwall, Rockwall County, Texas, and thereafter to own and maintain such common areas for the benefit of the corporation and its members

## ARTICLE III – MEMBERSHIP

- 3.01 This association shall include the lots/residences on Parkwood Drive, Greenbriar Circle, Pin Oaks Circle, Benton Woods Drive and Benton Woods Court.
- 3.02 This association shall be comprised of adult residents who reside on these streets.
- 3.03 Each household/lot owner in attendance at a homeowners' meeting shall be entitled to one vote

## ARTICLE IV – DUES

- 4.01 The annual dues shall be determined by the Board on an annual basis. The calendar year of the association shall be from January 1 to December 31.
- 4.02 Each lot/homeowner will pay annual dues of One Hundred Dollars (\$100.00). These dues will be used for the purposes of maintaining the entry to Benton Woods. This will include the payment of water, electricity, landscaping needs and fence maintenance along Ridge Road. Dues may also be used for neighborhood sponsored events, legal fees and any and all other expenses approved by the Board for support of the Benton Woods Community. The annual dues may be increased by no more than \$25 per year, not to exceed \$200 unless approved by a two thirds (2/3) majority of the homeowners. Should the necessity for a special assessment arise, a two thirds (2/3) majority vote of the homeowners would be required for approval.
- 4.03 The annual dues will be payable to Benton Woods Homeowners Association no later than February 15<sup>th</sup>. A late fee of \$25 will be assessed on February 16<sup>th</sup>, with a further assessment of a \$5 late fee for each additional month the dues remain unpaid. For any property with dues in arrears over six months, a lien will be filed on the delinquent property to ensure collection of unpaid dues, late fees and legal expenses.

**ARTICLE V – OFFICERS AND THEIR ELECTION**

- 5.01 The officers of this association shall be President, 4 Vice Presidents, three (3) of which will serve as the Architectural Control Committee, Secretary and Treasurer, and all shall be resident property owners elected by the voting members. The term of office shall be January 1 to December 31, except for the Architectural Control Committee members who will serve three year, staggered terms.
- 5.02 A nominating committee, chaired by the Vice President, and approved by the Board of Directors, shall prepare a slate of officers to be voted on at the fall general meeting. Additional nominations may be made from the floor.
- 5.03 The nominees receiving the largest number of votes shall be declared duly elected.
- 5.04 A vacancy occurring in any office, except the President, shall be filled for the remainder of the term by a person appointed by the President and approved by a majority vote of the Board. The Vice President shall fill a vacancy in the Presidency.

**ARTICLE VI. – DUTIES OF THE BOARD OF DIRECTORS**

- 6.01 The Board of Directors shall consist of the officers of the association. The Board shall meet monthly to transact the necessary business of the association, to report to the general membership at the annual meetings, and to approve routine bills within the limits of the budget.
- 6.02 Each member of the Board of Directors in attendance shall have one vote.
- 6.03 Duties of the officers
- (a) **PRESIDENT**
- (1) Shall preside at the Board of Directors meetings and general meetings of the association, and shall be a member, ex-officio, of all committees.
  - (2) Shall communicate with the members, at least quarterly, through the neighborhood newsletter.
  - (3) Shall perform all other duties usually pertaining to the office, including filing of liens, and shall be authorized to sign checks in the absence of the Treasurer, and co-sign checks over \$350.
- (b) **SENIOR VICE-PRESIDENT**
- (1) Shall assume the duties of the President, in the absence of the President
  - (2) Shall head the social committee for member meetings or special events.
  - (3) Shall be authorized to sign checks in the absence of the Treasurer, and co-sign checks over \$350
- (c) **VICE-PRESIDENT ARCHITECTURAL CONTROL COMMITTEE**
- (1) Insure compliance with the CC & R's
  - (2) Maintain a written record of all applications for modifications, additions and or improvements to any and all existing lots and/or structures.
  - (3) Approve and disapprove applications for property modifications in writing
  - (4) Provide to the Board, at monthly meetings, a written report of all actions requested and taken
- (d) **SECRETARY**
- (1) Shall keep the minutes of the meetings of the members and the Board of Directors

- (2) In conjunction with the members of the Board of Directors, the Secretary shall handle all correspondence of the association
- (3) Shall maintain a current listing of residents and phone numbers

(c) **TREASURER**

- (1) Shall be responsible for the collection, receipt, safekeeping, and disbursement of the funds of the association.
- (2) Shall maintain a list of the members of the association who have paid dues for the current year, and shall assess late fees where applicable
- (3) Shall assist the President in the preparation of the budget, and make recommendations to the Board of Directors regarding annual dues
- (4) Shall be authorized to sign checks under \$350

6.04 **Additional duties of the Board of Directors**

- (a) Hosting a Board of Directors meeting as assigned
- (b) Arranging for the distribution of the Benton Woods Homeowners Association newsletter.
- (c) Actively participating in the planning and implementation of association sponsored activities.
- (d) Any non-budgeted expenditure incurred must have prior approval of the Board of Directors. The President may approve expenditures of up to \$100 without prior Board approval.

**ARTICLE VII. – MEETINGS**

- 7.01 Regular meetings of the association will be held in the spring and fall of the year. The election of officers will be held at the fall meeting. Fifteen (15) voting members shall constitute a quorum. Special meetings may be called by the Board of Directors or the President with adequate notification given to the members.

**ARTICLE VIII. – MISCELLANEOUS**

- 8.01 The corporation shall have the authority to borrow money.
- 8.02 **Prohibited Transactions.** The corporation shall not undertake any act which will constitute a basis for denial of tax exemptions under the applicable laws.
- 8.03 **Dissolution.** In the event of the dissolution, liquidation, or winding up of the corporation, whether voluntary or involuntary, assets shall be distributed as determined by the Board of Directors and approved by a majority of those members present at a duly convened meeting of the association.
- 8.04 **Remuneration, reimbursement.** A director, officer, and/or member shall be entitled to reimbursement for actual, reasonable expenses incurred by him in connection with the corporation's affairs.
- 8.05 **Resignation.** Any director or officer may resign by giving notice in writing to the President or the Secretary.
- 8.06 **Term Limits.** No Board member shall remain on the Board for more that five (5) consecutive years. No board member shall serve in the same position for more than two (2) consecutive years, except those serving on the Architectural Control Committee who may serve no more than two consecutive terms.

**ARTICLE IX. – AMENDMENTS**

- 9.01 Amendments to these articles may be adopted by the owners of a majority of the lots in Benton Woods. Voting will be by written vote and done in compliance with the conditions set forth in the CC&R for the Association.

0  
2  
6  
9  
0  
0  
0

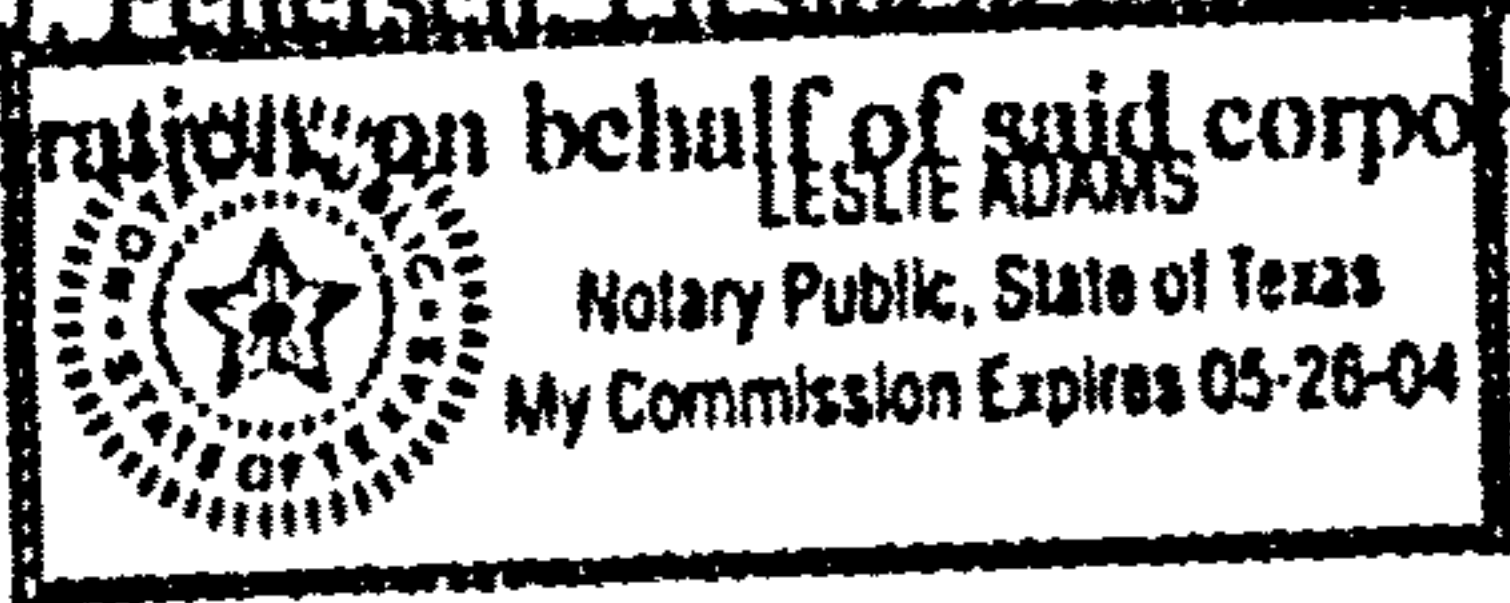
Executed this 18 day of December 2002.

BENTON WOODS HOMEOWNERS ASSOCIATION, INC.

Alan J. Pettersen  
By: Alan J. Pettersen, President

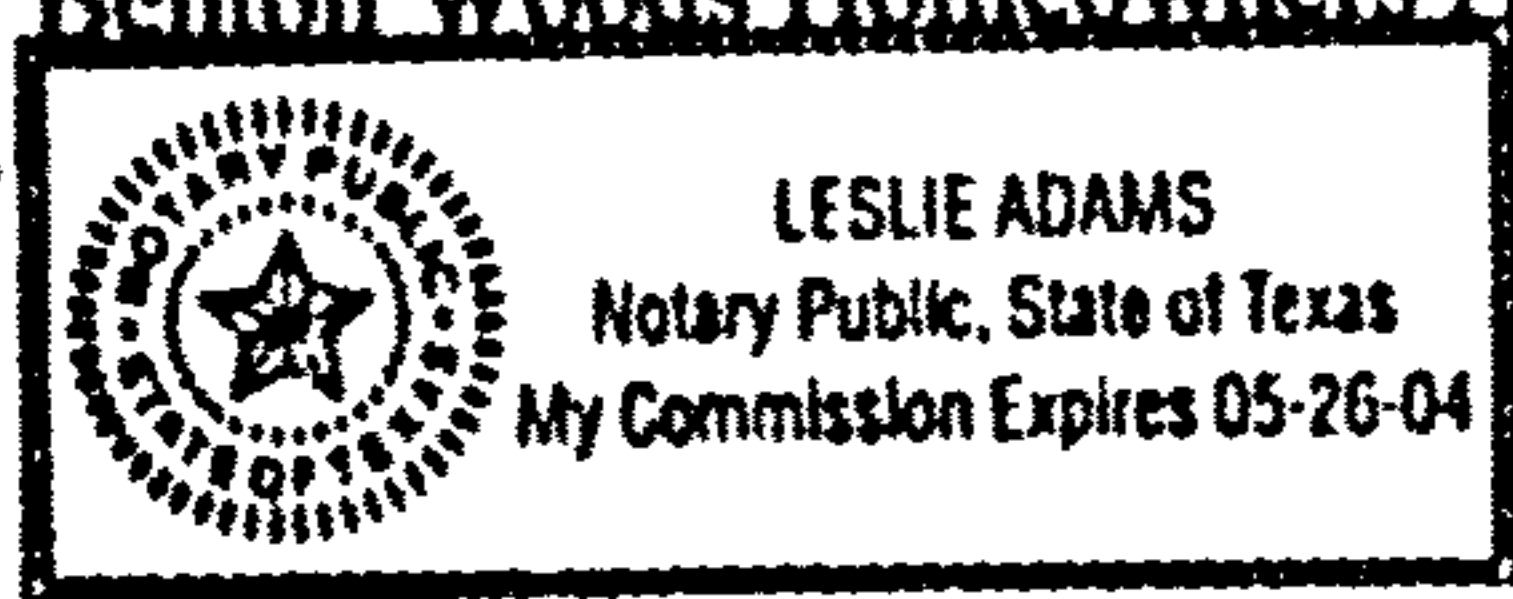
The State of Texas  
County of Rockwall

This instrument was acknowledged before me on this 18 day of December 2002, by Alan J. Pettersen, President of Benton Woods Homeowners Association, Inc., a Texas Corporation, on behalf of said corporation.



Leslie Adams  
Notary Public, State of Texas

Sworn to and subscribed before me this 18 day of December 2002 by Alan J. Pettersen, President of Benton Woods Homeowners Association, a Texas Corporation, on behalf of said corporation.



Leslie Adams  
Notary Public, State of Texas

RETURN TO: Benton Woods Homeowners Association, Inc.  
1015 Benton Woods Dr  
Rockwall, TX 75032

UNOFFICIAL

