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Notice
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ADDITIONAL DEDICATORY INSTRUMENT

for

FAIRMONT PARK HOMES ASSOCIATION, INC.

THE STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Edward M. Matuszak, who, being by me first duly sworn, states on oath the following:

My name is Edward M. Matuszak, I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the President of FAIRMONT PARK HOMES ASSOCIATION, INC. Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

- 1. **By-Laws Change Regarding Quorum Necessary to Conduct an Election At the Annual Meeting.**

OF

**FAIRMONT PARK HOMES ASSOCIATION, INC.
A TEXAS NON-PROFIT CORPORATION**

DATED this 29th day of October, 2012.

**FILED FOR RECORD
8:00 AM**

NOV 5 2012

Stan Stewart
County Clerk, Harris County, Texas

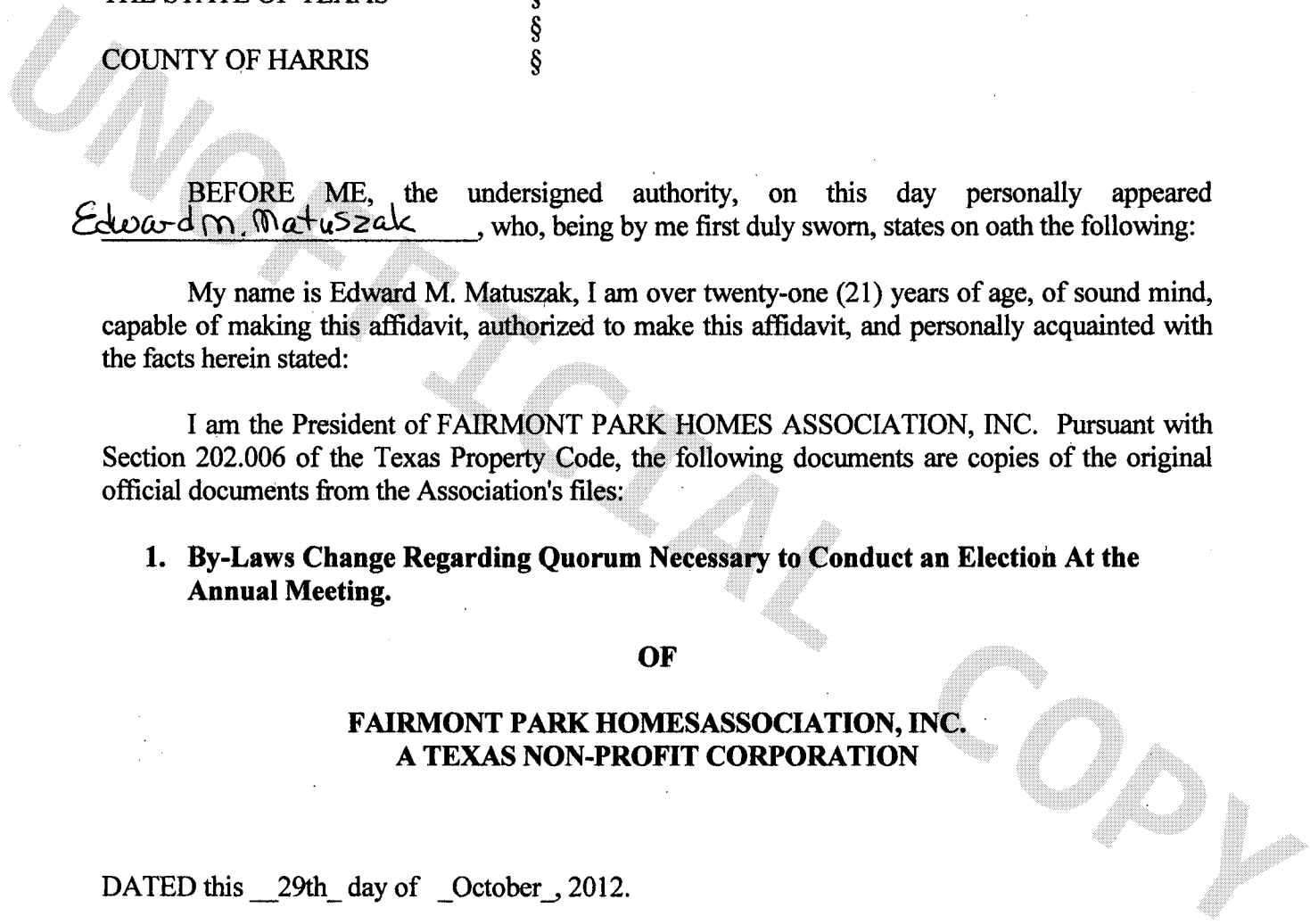
**FAIRMONT PARK HOMES
ASSOCIATION, INC.**

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BY: *Edward M. Matuszak*

Edward M Matuszak, President
(Printed Name)

11-034-64-0201



THE STATE OF TEXAS

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COUNTY OF HARRIS

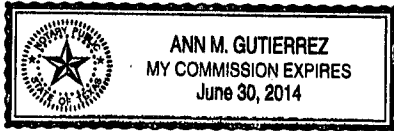
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THIS INSTRUMENT was **acknowledged** before me on this the 29 day of October, 2012 by the said Ann M. Gutierrez, ~~Secretary~~ of **FAIRMONT PARK HOMES ASSOCIATION, INC.**, a Texas non-profit corporation, on behalf of said corporation.

Ann M. Gutierrez

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After Recording Return To:
Daughtry & Jordan, P.C.
17044 El Camino Real
Houston, Texas 77058
ATTN: MRM

HP 084-64-0202

UNOFFICIAL COPY

FAIRMONT PARK HOMES ASSOCIATION, INC.

**BY-LAWS CHANGE REGARDING QUORUM NECESSARY TO CONDUCT AN ELECTION
AT THE ANNUAL MEETING**

THE STATE OF TEXAS

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§ KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF HARRIS

§

WHEREAS, The FAIRMONT PARK HOMES ASSOCIATION, INC. (the "Association") By-Laws under Article IV Meetings of Membership Section 5 Quorum states that "Members holding onetenth (1/10) of the votes entitled to be cast, represented in person or by proxy, shall constitute a quorum at all meetings of the members of this corporation for the transaction of business, except as otherwise provided by statute, by the articles of incorporation of this corporation, or by these by-laws. If, however, such quorum shall not be present or represented at any meeting of the members, the members entitled to vote thereat, present in person or represented by proxy, shall have the power to adjourn the meeting from time to time without notice other than announcement at the meeting, until a quorum is shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally notified; and

WHEREAS, under the Association By-Laws under Article IV Meetings of Membership Section 6 Voting. The vote of the majority of the votes entitled to be cast by the members present, or represented by proxy, at the meeting at which a quorum is present, is the act of the members meeting, unless the vote of a greater number is required by law, the articles of incorporation of this corporation or these bylaws, and;

WHEREAS, Sec. 209.00593. of the Texas Property Code, ELECTION OF BOARD MEMBERS. States that (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 property owners' association. A board member may be appointed by the board only to fill a vacancy caused by a resignation, death, or disability. A board member appointed to fill a vacant position shall serve the unexpired term of the predecessor board member.

(b) The board of a property owners' association may amend the bylaws of the property owners' association to provide for elections to be held as required by Subsection (a).

NOW THEREFORE, BE IT RESOLVED THAT:

The following By-Law Change to Article IV, Meetings of Membership Section 6 Voting was passed by the Fairmont Park Homes Association, Inc. and is hereby adopted to read:

The vote of the majority of the votes entitled to be cast by the members present, or represented by proxy, at the meeting at which a quorum is present, is the act of the members meeting, unless the vote of a greater number is required by law, the articles of incorporation of this corporation or these bylaws. If 10% of the members cannot be gathered in person or by proxy in order that the election of Board members can go forward, then after adjournment of the meeting, it will be reconvened for the purposes of the election only with all those being present in person and represented by absentee ballot or by proxy constituting the new quorum. At this reconvened meeting, only the election of Board members can be voted upon; no other business may be taken up and voted upon."

Approved and adopted this 15th day of October, 2012, by the Board of Directors of FAIRMONT PARK HOMES ASSOCIATION, INC.

FAIRMONT PARK HOMES ASSOCIATION, INC.

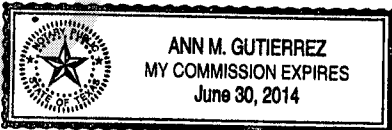
Edward M. Matuszak
Signature of President

Print Name: Edward M. Matuszak

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS INSTRUMENT was acknowledged before me on this the 29th day of October, 2011, by Ann M. Gutierrez, Secretary of FAIRMONT PARK HOMES ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.

Ann M. Gutierrez
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



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.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded

NOV - 5 2012



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

004-64-0204