

**BY-LAWS OF  
CANYON LAKE MOBILE HOME ESTATES  
PROPERTY OWNERS ASSOCIATION**

**ARTICLE 1 – NAME**

The name of this association is the Canyon Lake Mobile Home Estates Property Owners Association, hereinafter referred to as the “Association”.

**ARTICLE II – OBJECTIVES**

The objectives of the Association are: (Amend. 16)

1. To unite property owners for the purpose of exerting a Beneficial influence upon the maintenance of standards and overall living conditions as well as property values within all seven (7) units of Canyon Lake Mobile Home Estates, including the two (2) north units.
2. To collect and receive the assessment fees for maintenance of the facilities: to manage these funds for a) the park and pool and b) such other improvements as may be appropriate under these By-Laws.
3. To enforce, through legal/civil action, compliance with subdivision restrictions as established by property deeds, and not subject to variance granted by the Developer prior to January 1, 1973 as provided in said restrictions. Enforcement efforts through legal/civil action will be at the expense of the property owner.
4. The Property Owners Association has the authority to change/update the Deed Restrictions in Canyon Lake Mobile Home Estates, Unit One through Five (1-5) and North Units one and two (1 & 2), with legal counsel.

**ARTICLE III – MEMBERS**

Owners of property in Units 2, 3, 4 and 5 of CANYON LAKE MOBILE HOME ESTATES and Units 1 and 2 of CANYON LAKE MOBILE HOME ESTATES NORTH shall be members of the corporation by virtue of such ownership. Property owners of Unit 1 of CANYON LAKE MOBILE HOME ESTATES may become members of the corporation by payment of the annual assessment fee as hereinafter provided.

The share of an Owner in the funds and assets of the corporation cannot be assigned, pledged or transferred in any manner, except as an appurtenance to his property in said subdivision.

Evidence of membership in the Association shall be by property owner family units with two (2) membership cards issued to each family unit. Such evidence of membership to be issued annually by the President and Treasurer of the Association, upon satisfactory payments of assessments as defined in Article V of these By-Laws, and entitles the owner's family and occasional guests to the Park and Pool facilities. Admission to these and any future facilities requires a membership card for identification. (Amend 17) Renters/leasers may pay the assessment fee in lieu of the owner. The card for the use of the facilities will be issued in the name of the payer. Dues received will be credited to the owner of the property for that fiscal year. Any arrears will continue with the annual

penalty for non-payment. This payment does not confer membership, only privileges for use of the facilities. This is an annual payment, not subject to refund.

#### **ARTICLE IV – REQUIREMENT OF VOTING AND HOLDING OFFICE**

Only owner-members whose financial obligations to the Association, as hereinafter specified, are fully paid shall be entitled to vote on matters coming before the Association and to hold elective or appointive position within the Association. (Amend. 18) An owner (as defined herein) who is a member of the Association shall be entitled to one vote in the election of directors/officers, and upon other matters coming before the Association for consideration. There shall be not more than one (1) member of a member/owner family unit serving as an Officer or upon the Board of Directors.

For the purposes of the Article, “Owner” shall be defined as the person or persons owing one or more lots in said subdivisions. As “owner” whether one or more persons, and whether of one or more lots, who is a member of the Association, shall have one vote and no more in the affairs of the Association. Renters/leasees are not owners and therefore cannot vote or hold office. They (renters/leasees) may appear at and participate in the Association meetings, have an input into the discussion, and bring matters to the Board for the betterment of the subdivision and Association.

#### **ARTICLE V – ASSESSMENTS**

(Amend. 19)

In accordance with the subdivision restrictions appearing in the official records of Comal County, Texas, an assessment of \$2.00 (two dollars) per month per property owner shall be collected by the Association. This assessment will be paid annually. Assessments shall be billed annually when other arrangements have not been made. Payments shall be made to the Treasurer of the Association.

Payment of such assessment is a prerequisite for membership in the Association by owners of property in Unit 1, CANYON LAKE MOBILE HOME ESTATES, and a prerequisite for voting and holding of elective or appointive position in the Association.

The Board of Directors is authorized to collect delinquent assessment through whatever means necessary, including legal action and the satisfaction of liens provided for in the said subdivision restrictions. (Amend. 19A) The Association will collect fees as provided in the deed restrictions. Liens will be placed against all properties for which the assessment is not paid and acknowledged. Collection efforts will be at the expense of the property owner.

#### **ARTICLE VI – OFFICERS AND DIRECTORS**

The elected officers of the Association be: a President, a Vice-President, a Secretary and a Treasurer. The Board of Directors may approve service by one person as both Secretary and Treasurer; such approval shall be for individual terms. Officers shall be elected for the term of one year.

The duties of the Officers shall be such as their titles, by general usage, would indicate and such as may be assigned to them by the Board of Directors. It shall be the particular

duty of the Secretary to keep the records of the Association and carry on all necessary correspondence.

The governing body of the Association shall be a Board of Directors, consisting of the Officers and seven (7) other members of the Association. Directors shall serve for the terms of three (3) years, except the initial terms described below herein.

The act of a majority of the Board of Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors. The President shall not vote except in case of a tie, or unless his vote is required to provide a quorum of vote.

The past-President of the Association shall serve as an ex-officio member of the Board of Directors for the one (1) year following his or her presidency, for the purpose of giving counsel and aid to the President of the Association.

## **ARTICLE VII – ELECTION OF OFFICERS AND DIRECTORS**

The initial Board of Directors of the Association shall be comprised of those persons named in the Articles of Incorporation. As soon as practicable, the initial Board of Directors shall elect from its number the Officers of the Association and the seven (7) Directors of the Association. Once these Officers and Directors are elected, they shall proceed to accept title to the Park and Pool properties: collect assessments; and to operate these facilities. These Officers and Directors shall arrange for the election of the next set of Officers and Directors in accord with these By-Laws with two (2) futures staggered terms to provide experienced Directors, by drawing lengths of terms (1,2 and 3 years) or otherwise agreeing among themselves as to the time each is to serve. Future Directors would then be elected to three (3) year terms in accord with these By-Laws. Additionally, after the first Board of Directors shall have been formed, there shall not be more than one (1) member of a member-owner family unit serving as an Officer or upon the Board of Directors.

At least one month prior to the Annual general membership meeting of the Association, a Nominating Committee consisting of three (3) members of the Association shall be appointed by the President, with the approval of the Board of Directors. The Nomination Committee shall select candidates for each office and candidates for each directorship to be filled. Additional nominations may be made by any member of the Association during the Annual meeting. Nominees must be present at the annual meeting.

At the Annual Meeting of the Association, provided for herein, the report of the Nomination Committee, and any other additional nominee, shall be presented to the members present. At such meeting, election of new Officers and Directors required shall be held, and a majority of votes for each office shall determine the Officers and Directors required to serve the Association.

## **ARTICLE VIII – MEETINGS**

There shall be an annual meeting of the general membership of the Association, to be held in November in each year. It shall be the responsibility of the President of the Association to give timely notice of the time and place of such meeting, by mail to the address of record of each Association member. At this meeting, election of Officers and

Directors, as required, shall be held, as well as consideration of other matters affecting the Association. The members present at such meeting shall constitute a quorum for the transaction of business; however, an absentee member may cast his/her vote for the election of Officers and Directors by the submission of a proxy vote to be executed by any member, officer, or directors of his/her choice upon verification by the Secretary of the Association. Proxy forms will be provided with the notification of the annual meeting.

Special meeting of the membership of the Association may be called by the Board of Directors, designating the place and time of such meetings. Notice of special meeting shall be mailed to each member-owner family unit qualified to vote and hold office at least fourteen (14) days prior to such meeting.

The Board of Directors shall designate a regular time and place for its meetings. When any other meeting is called by the President or by a quorum of Directors, the notice shall state the purpose of the called meeting.

A quorum for the transaction of business by the Board of Directors shall consist of at least six (6) members (Officers and Directors).

The Board of Directors shall have the power to fill vacancies created by death, resignation, or sale of property by Officers by appointing qualified members of the Association to fill the un-expired terms.

If an Officer or Director is absent for three (3) consecutive monthly meetings of the Board of Directors, without notification of the absence to the President or Vice-President, shall be resigned from the Board of Directors. A new Director shall be appointed to complete the term in accordance with these By-Laws.

## **ARTICLE IX – COMMITTEES**

The President of the Association shall appoint, subject to confirmation by the Board of Directors, the following Standing Committees; Park and Pool, Administration of Restrictions, Finance and Planning. The President shall appoint, subject to confirmation by the Board of Directors, such Special Committees as he may deem necessary.

The President of the Association shall be an ex-officio member of all committees and shall be notified of their meetings by the chairperson of each of the committees.

## **ARTICLE X – FISCAL AND ELECTIVE YEAR**

(Amend 20)

The fiscal and elective year shall be the Calendar Year. The first Officers and Board of Directors (with one-year terms) shall serve the first calendar year of the Association, January – December, and election by the qualified members shall be at the annual meeting of the members in November of each year.

## **ARTICLE XI – RULES OF ORDER**

Robert's Rules of Order shall be recognized as the authority governing the meetings of the Board of Directors, Committees of the Board and of all the overall membership of the Association.

#### **ARTICLE XI – AMENDMENTS**

These By-Laws may be amended by majority vote of the members present at the annual General Membership meeting. If the meeting is a specially called meeting, the substance of such proposed amendment(s) shall be plainly stated in the notice of such meeting.

#### **ARTICLE XIII – DISSOLUTION**

Upon dissolution of the Association in accordance with the provisions of the Texas Non-profit Corporation Act, in winding up the affairs of the corporation, the Board of Directors, after payment of all outstanding obligations shall distribute any remaining assets to (1) a non-profit corporation having the same or similar purposes to this corporation, or (2) net funds from sale of the corporate assets to the qualified members of the Association, or (3) undivided interests in the real property assets of the corporation to the members of the Association, or a combination thereof as allowed by law.

I certify these By-Laws are a true copy of the original. These By-Laws include Amendments 1-4, passed by the General Membership, June 19, 1981 and Amendments 5-15, passed by the General Membership November 13, 1995. Amendment 11 replaced Amendment 3. Amendment 12 replaced Amendment 4. Amendment 16 is the revision of Article II, sub-numbers 1-4 (Amend 1 & 5). Amendment 17 is the revision to Amendment 6. Amendment 18 is Article 4, paragraph 2 and paragraph 3. Amendment 19 is the revision of Amendment 8. Amendment 20 is the revision to Article X. Revision date is April 10, 1999.

Joe Ehrlich, President