AFFIDAVI AN COMPLIANCE WITH SECTION 202.0. OF TITLE 11 OF THE TEXAS PROPERTY CODE

THE STATE OF TEXAS

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COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared <u>Terrie Brown</u> being by me duly sworn to law, stated the following under oath:

"My name is <u>Terrie Brown</u>. I am fully competent to make this Affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.

I am the <u>Association Manager</u> of White Oak Bend Homeowners Association Inc., a Texas Non-Profit Corporation (the "Association"). I am also a custodian for the records for the Association and I have been authorized by the Association's Board of Directors to sign this Affidavit.

The Association is a "homeowner's association" as that term is defined in Title 11 of the Texas Property Code. The Association's jurisdiction includes, but may not be limited to White Oak Bend, Sections One and Two per the maps or plats thereof heretofore recorded in the Map Records of Harris County, Texas.

Attached hereto are the originals of, or true and correct copies of, the following dedicatory instruments, including known amendments or supplements thereto, governing the Association, which instruments have not previously been recorded:

___Association's Articles of Incorporation

X Association's By-Laws Association's Architectural Control Committee Guidelines

____ Association's Rules & Regulations Articles of Merger

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____Articles of Merger ____Annexation Resolution Resolution Regarding Assessment Collection Schedule

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The documents attached hereto are subject to being supplemented, amended or changed by the Association. Any questions regarding the dedicatory instruments of the Association may be directed to the Association at <u>7170 Cherry Park Drive</u>, Houston, Texas 77095, telephone no. (281) 463-1777.

SIGNED on this the 13th day of September, 2011.			
	Printed Name:	Terrie Brown	
	Position Held:	Association Manager	
VERIFICATION			
THE STATE OF TEXAS	§		
COUNTY OF Harris	§ §		
BEFORE ME, the undersigned authority, on this day personally appeared, after being duly sworn, stated under oath that he/she has read the above and foregoing Affidavit and that every f			who, actual
statement contained therein is within his/her personal knowledge and is true and correct			
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BYLAWS

OF

WHITE OAK BEND HOMEOWNERS ASSOCIATION, INC.

NAME AND LOCATION

The name of the corportion is WHITE OAK BEND HOMEOWNERS ASSOCIATION, INC. hereinafter referred to as the "Association". The principal address of the corporation shall be located at P.O. Box 73161, Houston, Texas 77273-3161, but meetings of Members and Trustees may be held at such places within the State of Texas, County of Harris, as may be designated by the Board of Trustees.

ARTICLE II DEFINITIONS

Section 1. "Association" shall mean and refer to WHITE OAK BEND HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation, its successors and assigns.

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Section 2. "Properties" shall mean and refer to that certain property or properties described in the Declaration of Covenants, 'onditions and Restrictions for WHITE OAK BEND, a subdivision in Harris County, Texas, and any additional properties which may hereafter be brought within the jurisdiction of the Association.

Section 3. "Lot" shall mean and refer to a plot of land subject to the jurisdiction of the Association as is more fully specified in the Declaration.

Section 4. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties subject to a maintenance charge assessment by the Association, including contract sellers, but excluding those having such interest merely as security for the performance of any obligations.

Section 5. "Declarant" shall mean and refer to the White Oak Bend Homeowners Association, Inc., Harris County, Texas, their successors and assigns, the Declarant in the Declaration.

Section 6. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions for WHITE OAK BEND, a subdivision in Harris County, Texas and any additions or supplements thereto.

Section 7. "Member" shall mean and refer to every person or intity who is a record owner of a fee or undivided fee interest in any property which is subject to a maintenance charge assessment by the Association, including contract sellers, such persons or entities being-

hereinafter referred to as a "Owner", shall be a member of the Association. The foregoing is not intended to include persons or entitles who hold an interest merely as security for the performance of an obligation. No Owner shall have more than one membership. Membership shall be appurtenant to and may not be separated from ownership of the property which is subject to assessment by the Association. Ownership of such property shall be the sole qualification for membership.

ARTICLE III MEETING OF MEMBERS

Quarterly Meetings. The quarterly meetings of the Section 1. members of the Association shall be held on the last Wednesday in January, April, July, and October of each year at 7:00 P.M., unless otherwise designated by the Board of Trustees, at such places within the State of Texas, County of Harris, as may be designated by the Board of Trustees. If such date for the quarterly meeting of the members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday. The election of any trustees to the Board of Directors will be held at the April meeting.

Special Meetings. Special meetings of the members Section 2. may be called at any time by the president or by the Board of Trustees, or upon the written request of the members who are entitled to vote onefourth (1/4th) of all of the votes of the membership.

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Notice of Meetings. Written notice of each Section 3. quarterly and special meetings of the members shall be given by, or at the direction of, the secretary or any person or persons authorized to call a meeting, at least seven (7) business days before such meeting. Notification of the April meeting will be mailed, postage paid, at least seven (7) business days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association, or supplied by such member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and the purpose of the meeting. Notice of quarterly and special meetings shall be required.

Quorum. The presence at the meeting of members Section 4. entitled to cast, or of proxies entitled to cast, one tenth (1/10) of the votes of the membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these Bylaws. If however, such quorum shall not be present or represented at any meetings, the members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Proxies. At all meetings of members, each member Section 5. may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his Lot.

Section 1. <u>Board of Trustees.</u> The affairs of this Association shall be managed by a Board of five (5) trustees, who must be members of the Association and current on maintenance fees.

Section 2. <u>Term of Office</u>. The initial trustees for the Association set forth in the Articles of Incorporation shall hold office until the 1979 annual meeting. At the annual meeting of 1979, the members shall elect one trustee for a term of one year, two trustees for a term of two years and two trustees for a term of three years; at each annual meeting thereafter the members shall elect that number of trustees equals to the number of trustees whose terms expire at such time, for three-year terms of office.

Section 3. <u>Nomination</u>. Nominations for election to the Board of Trustees shall be made by any member, in good standing and current on maintenance fees, with the White Oak Bend Homeowners Association and submitted in writing five (5) days prior to said date of April meeting. If no nominations are submitted five (5) days prior to said April meeting, then nominations will be made by the Board of Trustees.

Section 4. <u>Election</u>. Election to the Board of Trustees shall be by secret written ballot. At such election, the members or their proxies may cast, in respect of each vacancy, as many votes as they are entitled to cast under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting shall not be permitted.

Section 5. <u>Removal.</u> Any trustee may be removed from the Board, with or without cause, by a majority vote of a quorum of members of the Association at a specially called meeting. In the event of death, resignation or removal of a trustee, his successors shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor.

Section 6. <u>Compensation</u>. No trustee shall receive compensation for any service he may render to the Association; provided, however, any trustee may be reimbursed for his actual expenses incurred in the performance of his duties.

Section 7. <u>Action Taken Without A Meeting</u>. The trustees shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all of the trustees. Any action so approved shall have the same effect as though taken at a meeting of the trustees.

ARTICLE V MEETINGS OF TRUSTEES

Section 1. <u>Regular Meetings</u>. Regular meetings of the Board of Trustees shall be held monthly on the third Tuesday of each month at 8:00 P.M., with not less than three days notice to each Trustee if the

regular fixed time and place is changed. Should said eting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday.

Section 2. <u>Special Meetings</u>. Special meetings of the Board of Trustees shall be held when called by the president of the Association or by any Trustee after not less than three (3) days notice to each Trustee.

Section 3. <u>Quorum</u>. A majority of the number of trustees shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the trustees present at a duly held meeting at which as quorum is present shall be regarded as the act of the Board.

ARTICLE VI POWERS AND DUTIES OF THE BOARD OF TRUSTEES

Section 1. Powers. The Board of Trustees shall have power to:

(a) suspend the voting rights and right to the use of any facilities or services provided by the Association of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may
also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations;

(b) exercise for the Association all powers, duties and authority vcested in or delegated to this Association and not reserved to teh membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration;

(c) declare the office of a member of Trustees to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of directors; and

 (d) employ a manager, an independent contractor, or lsuch other employees as they deem necessary, and to prescribe their duties and the terms of employment or services;

(e) to exercise such other rights and powers granted to this Association by the Declaration, the Articles of Incorportion of the Association, or other provisions of these By-Laws.

Section 2. <u>Duties.</u> It shall be the duty of the Board of Trustees to:

(a) cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting or quarterly meeting when such statement is requested in writing by onefourth (1/4) of the members who are entitled to vote;

(b) supervise all officers, agents and employees of

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this Association, and to see that their duties are properly performed;

(c) to fix the amount of the annual assessment against properties subject to the jurisdiction of the Association and to take such actions as it deems appropriate to collect such assessments and to enforce the liens given to secure payment thereof.

(d) issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conslusive evidence of such payment;

(e) procure and maintain such liability and hazard insurance as it may deem appropriate on any property or facilities owned by the Association;

(f) cause any officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate.

OFFICERS AND THEIR DUTIES

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Section 1. Enumeration of Officers. The officers of this Association shall be a president, who shall be at all times a member of the Board of Trustees; a vice-president; a secretary; and a treasurer, and such other officers as the Board may from time to time by resolution create.

Section 2. <u>Election of Officers</u>. The election of officers shall take place at the first meeting of the Board of Trustees following each annual meeting of the members.

Section 3. <u>Term</u>. The officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise disgualified to serve.

Section 4. <u>Special Appointments</u>. The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

Section 5. <u>Resignation and Removal.</u> Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time by giving written notice to the Board, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy shall-

serve for the remainder of the term of the officer he places.

Section 7. <u>Multiple Offices</u>. No person shall simultaneously hold both the offices of president and secretary.

Section 8. Duties. The duties of the officers of the Association are as follows:

PRESIDENT

(a) The president shall preside at all meetings of the Board of Trustees and of the Association; shall see that orders and resolutions of the Board are carried out; and may act as principal signer on all checks and shall co-sign all promissory notes and other written instruments.

VICE PRESIDENT

(b) The vice president shall act in the place and stead of the president in the event of his absence, inability or refusal to act and shall exercise and discharge such other duties as may be required of him by the Board. The vice president may act as co-signer of all checks.

SECRETARY

(c) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the corporate seal of the Assocatiion and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, may act as co-signer of all checks, and shall perform such other duties as required by the Board. These are the duties of the Secretary unless otherwise contracted or appointed by the Board.

TREASURER

(d) The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Trustees; may act as principal signer of all checks and promissory notes of the Association; keep proper books of account; and keep accurate books and records of the fiscal affairs of the Association and make the same available for inspection by members of the Association during normal business hours. These are the duties of the Treasurer unless otherwise contracted or appointed by the Board.

ARTICLE VIII COMMITTEES

The Board of Trustees shall appoint committees as deemed appropriate in carrying out its purpose.

The books, records, and papers of the Association shall at all times during reasonable business hours be subject to inspection by any member. The Declaration, the Articles of Incorporation and the Bylaws of the Association shall be available for inspection by any member of the principal office of the Association, where copies may be purchased at reasonable clost.

BOOKS AND RECORDS

ARTICLE X ASSESSMENTS

As more fully provided in the Declaration, each member is obligated to pay to the Association an annual maintenance fee, due January 1st of each calender year, and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the prime rate in effect on January 1st of the current calender year, and the Association may bring an action at law against the Owner personally obligatged to pay the same or foreclose the lien against the property, and interests, costs, and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No 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.

ARTICLE XI CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the name of the Association and within the center the word "Texas".

ARTICLE XII AMENDMENTS

Section 1. <u>Amendment</u>. These Bylaws may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy.

Section 2. <u>Conflict</u>. In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles shall control, and in the case of any conflict between the Declaration and these Bylaws, the Declaration shall control.

ARTICLE XIII MISCELLANEOUS

The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year, except that

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the first fiscal year shall egin on the date of incor ration.

IN WITNESS WHEREOF, we, being all the trustees of WHITE OAK BEND à. HOMEOWNERS ASSOCIATION, INC., have hereunto set our hands this 16th day of October 1984.

DAVID GREEN BILL SHUFF LI RANDY CARNAHAN

BETH ZORN

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ROD ERICKSON

FILED FOR RECORD 8:00 AM

SEP 22 2011

Stan County Clerk, Harris County, Texas

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ARTICLE XII

AMENDMENTS

These Bylaws may be amended, at Section 1. Amendment. a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy.

Conflict. In the case of any conflict Section 2. between the Articles of Incorporation and these Bylaws, the Articles shall control, and in the case of any conflict between the Declaration and these Bylaws, the Declaration shall control.

ARTICLE XIII

MISCELLANEOUS

The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year, except that the first fiscal year shall begin on the date of incorporation.

IN WITNESS WHEREOF, we, being all of the trustees of WHITE OAK BEND HOMEOWNERS ASSOCIATION, have hereunto set our hands this day of JUNE , 1978.

M MARBURGER

im KETTH R TURNER

AN PROMISION 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

COURTY OF FRANKING Thereby contry that the instrument was FILED in File Number Sequence on the date and at the fun samped tensors by me, and was duly RECORDED, in the Official Public Records of Real Property of Hami County, Texas

SEP 22 2011

COUNTY CLERK HARRIS COUNTY, TEXAS

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