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**AFFIDAVIT IN COMPLIANCE WITH TEX. PROP. CODE § 202.006**

THE STATE OF TEXAS       §  
  §  
COUNTY OF COMAL         §

BEFORE ME, the undersigned authority, on this day personally appeared PATRICK RHODES who, being by me duly sworn according to law, stated the following under oath:

"My name is PATRICK D. RHODES. 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 PRESIDENT of Oakrun Property Owners' Association, Inc., a Texas nonprofit corporation (the "Association"). I am also a custodian of 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 property owners' association as that term is defined in TEX. PROP. CODE § 202.001. The Association's jurisdiction includes, but may not be limited to, the property in Comal County, Texas and described as:

That certain subdivision known as Oakrun Subdivision, being the property identified and referenced in the Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 1, recorded as Document # 244224, in Volume 391, Page 487 *et seq.*; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 1, Extension 1, recorded as Document # 340804, in Volume 669, Page 77 *et seq.*; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit IV, recorded as Document # 415049, in Volume 889, Page 226 *et seq.*; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 5A, recorded as Document # 468210; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 5B, recorded as Document # 9606000879; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit VI, recorded as Document # 9706014656; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit VIII, recorded as Document # 200306008487; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit VIII, Extension 1, recorded as Document # 200306008488; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit VIII, recorded as Document # 9806011336; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit X, recorded as Document # 9806013861; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XI, recorded as Document # 9806024617; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XII, recorded as Document # 9906018870; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XIII, recorded as Document # 200006021668; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XIV, recorded as Document # 200606032963; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XV, recorded as Document # 200306008489; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XVI, recorded as Document # 200406003853; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XVII, recorded as Document # 200506004746; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XVIII, recorded as Document # 200606032964; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XIX, recorded as Document # 200706041000; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 20A, recorded as Document # 201006043636; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 20B, recorded as Document # 201106025676; and Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 21, recorded as Document # 201206033060; all in the Official Public Records of Comal County, Texas, together with any amendments, annexations or supplements thereto (collectively, the "Declaration"); and the Bylaws of the Association, recorded as Document # 201306045924, in the Official Public Records of Comal County, Texas, as amended from time to time (the "Bylaws").

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:

*Fourth Amendment to the Bylaws of Oakrun Property Owners' Association, Inc.*

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:

Oakrun Property Owners' Association, Inc.  
2499 Oak Run Parkway  
New Braunfels, Texas 78132  
Phone: (830) 643 0102  
Email to: [office@oakrunrbtx.com](mailto:office@oakrunrbtx.com)

SIGNED on this the 23 day of OCTOBER, 2020.

**OAKRUN PROPERTY OWNERS' ASSOCIATION, INC.**

By: [Signature]  
Name: PATRICK D. RHODES  
Title: PRESIDENT

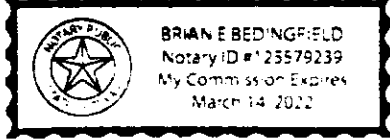
**ACKNOWLEDGMENT**

THE STATE OF TEXAS       §  
  §  
COUNTY OF COMAL       §

BEFORE ME, the undersigned authority, on this day personally appeared PATRICK D RHODES of the OAKRUN PROPERTY OWNERS' ASSOCIATION who, after being duly sworn, acknowledged and stated under oath that he/she has read the above and foregoing Affidavit and that every factual statement contained therein is within his/her personal knowledge and is true and correct.

ACKNOWLEDGED, SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this the 23<sup>rd</sup> day of OCTOBER, 2020.

[Signature]  
NOTARY PUBLIC, STATE OF TEXAS



**After Recording, Return To:**  
Zachary Aoki  
THURMAN & PHILLIPS, P.C.  
4093 De Zavala Road  
Shavano Park, Texas 78249  
Phone: (210) 341-2020

**OAKRUN PROPERTY OWNERS' ASSOCIATION, INC.  
RESOLUTION ADOPTING FOURTH AMENDMENT TO BYLAWS**

**STATE OF TEXAS**

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**KNOW ALL MEN BY THESE PRESENTS:**

**COUNTY OF COMAL**

**WHEREAS**, the Board of Directors of Oakrun Property Owners' Association, Inc. ("Association") is the established governing body of the property known as Oakrun Subdivision ("Oakrun"), a subdivision in Comal County, Texas, subject to the Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 1, recorded as Document # 244224, in Volume 391, Page 487 *et seq.*; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 1, Extension 1, recorded as Document # 340804, in Volume 669, Page 77 *et seq.*; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit IV, recorded as Document # 415049, in Volume 889, Page 226 *et seq.*; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 5A, recorded as Document # 468210; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 5B, recorded as Document # 9606000879; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit VI, recorded as Document # 9706014656; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit VIII, recorded as Document # 200306008487; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit VIII, Extension 1, recorded as Document # 200306008488; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit VIII, recorded as Document # 9806011336; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit X, recorded as Document # 9806013861; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XI, recorded as Document # 9806024617; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XII, recorded as Document # 9906018870; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XIII, recorded as Document # 200006021668; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XIV, recorded as Document # 200606032963; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XV, recorded as Document # 200306008489; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XVI, recorded as Document # 200406003853; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XVII, recorded as Document # 200506004746; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XVIII, recorded as Document # 200606032964; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit XIX, recorded as Document # 200706041000; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 20A, recorded as Document # 201006043636; Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 20B, recorded as Document # 201106025676; and Declaration of Covenants, Conditions, and Restrictions Oakrun Subdivision, Unit 21, recorded as Document # 201206033060; all in the Official Public Records of Comal County, Texas, together with any amendments, annexations or supplements thereto (collectively, the "Declaration"); and the Bylaws of the Association, recorded as Document # 201306045924, in the Official Public Records of Comal County, Texas, as amended from time to time (the "Bylaws"); and

**WHEREAS**, in accordance with the duties and responsibilities imposed by the Declaration, the Bylaws of the Association and all policies, rules and regulations duly adopted by the Association (collectively, "Governing Documents"), the Board of Directors of the Association is charged with the duty of making, establishing and promulgating, in its discretion, policies, rules and regulations for the interpretation and enforcement of the Governing Documents for the use and enjoyment of properties in Oakrun, including but not limited to, the common areas owned by the Association; and

WHEREAS, the worldwide COVID-19 pandemic has resulted in state and local emergency declarations and regulations regarding the number of people permitted to meet in person and spacing requirements;

WHEREAS, Texas Business Organizations Code §22.102 authorizes the Board of Directors of a non-profit corporation to adopt, amend or repeal bylaws, except in certain circumstances that do not apply to the Association; and

WHEREAS, the Board of Directors has determined that it is in the best interests of the Association to amend the Bylaws of the Association relating to member meetings; voting methods and election of officer and directors; director meetings; and annual meeting postponement.

**THEREFORE, BE IT RESOLVED:**

The Fourth Amendment to Bylaws, in the form attached hereto, has been approved and adopted by the Board of Directors of the Association.

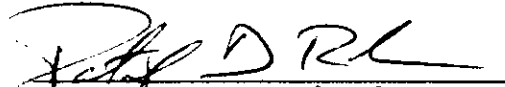
**THEREFORE, BE IT RESOLVED:**

The Fourth Amendment to Bylaws attached hereto as Exhibit "A", by a unanimous vote of the Board of Directors, was approved and adopted.

This Resolution Adopting Fourth Amendment to Bylaws is adopted this 22nd day of October, 2020, by the Board of Directors of Oakrun Property Owners' Association, Inc. and shall become effective when filed in the Official Public Records of Comal County, Texas.

**OAKRUN PROPERTY OWNERS' ASSOCIATION, INC.**

By:


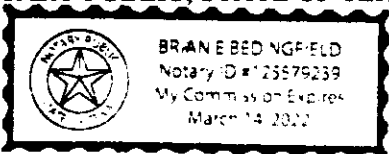
  
Name: PATRICK D RHODES  
Title: PRESIDENT  
Member of the Board of Directors

**VERIFICATION**

**THE STATE OF TEXAS**           §  
  §  
**COUNTY OF COMAL**           §

BEFORE ME, the undersigned authority, on this day personally appeared PATRICK D RHODES and Member of the Board of Directors of OAKRUN PROPERTY OWNERS' ASSOCIATION, INC., who, after being duly sworn, acknowledged and stated under oath that he/she has read the above and foregoing Affidavit and that every factual statement contained therein is within his/her personal knowledge and is true and correct.

ACKNOWLEDGED, SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this the 23<sup>rd</sup> day of OCTOBER, 2020.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS  
  
BRANE BEDFORD  
Notary ID # 125579239  
My Commission Expires  
March 14, 2022

**FOURTH AMENDMENT TO THE BYLAWS  
OF  
OAKRUN PROPERTY OWNERS' ASSOCIATION, INC.**



STATE OF TEXAS

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§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COMAL

THIS FOURTH AMENDMENT TO THE BYLAWS OF OAKRUN PROPERTY OWNERS' ASSOCIATION, INC. (this "Fourth Amendment") is made to be effective as of the 22<sup>nd</sup> day of October, 2020, by the Board of Directors of Oakrun Property Owners' Association, Inc., a Texas non-profit corporation (the "Association").

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

**WHEREAS**, the Bylaws of Oakrun Property Owners' Association, Inc., recorded as Document No. 201306065924 of the Official Public Records of Comal County, Texas, as amended by that First Amendment to the Bylaws, recorded as Document No. 201206007733 of the Official Public Records of Comal County, Texas, and that Second Amendment to the Bylaws, recorded as Document No. 201506017298 of the Official Public Records of Comal County, Texas; and further amended by that Ratification of Amendment to the Bylaws recorded as Document No. 2018060049011 of the Official Public Records of Comal County, Texas (collectively, the "Bylaws") serve as one of the governing documents for the Association; and

**WHEREAS**, the Board of Directors of the Association has the legal authority to amend the Bylaws of Oakrun Property Owners' Association, Inc. pursuant to Section 22.102 of the Texas Business Organizations Code; and

**WHEREAS**, the following amendment to the Bylaws was approved unanimously by the Board of Directors at its meeting duly called and held on the 22<sup>nd</sup> day of October, 2020 and in accordance with the Bylaws.

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

A. ARTICLE VI shall be amended as follows:

1. MEETING OF MEMBERS is deleted in its entirety and restated with the following:

MEETINGS OF THE MEMBERS:

(A) The annual meeting of the Members of the Association, whether in-person or remote, shall be held at the principal office of the Association or at such other place in Comal County as may be designated in writing by the Board of Directors, at a time and date designated annually by the Board of Directors, provided the date (i) is not a Sunday or national holiday and (ii) is not less than ten (10) nor more than thirteen (13) months from the previously held annual meeting of Members, except in the case of a catastrophic event as described below. The purpose of the annual meeting shall be to elect Directors and for the transaction of such other business as may come before the meeting.

(B) However, notwithstanding any other provision to the contrary, should the annual meeting be delayed as a result of a catastrophic event caused by an act of God (e.g., floods, fires, earthquakes) or other causes, such as: war; an act of terrorism; an epidemic, pandemic, or public health crisis; a mandated quarantine, shelter in place or similar order from any applicable state, county or local governmental authority or agency; or, any other cause or event which poses a material risk to adversely impact the health, safety and welfare of the Members of the Board of Directors or the Association that is beyond the control of the Board of Directors ("Catastrophic Event"), the then seated Directors shall hold office until their successors have been elected and hold their first meeting, except as is otherwise provided herein. In such event, the Board of Directors shall schedule the annual meeting as soon as practical following the scheduled date of the annual meeting or the date required by the Bylaws of the Association.

(C) Special Meetings of the Members may be called by the President, the Board of Directors, or not less than one-tenth (1/10) of the Members having voting rights. Such special meeting shall be held any place within Comal County, Texas.

(D) Further, the Board of Directors, at its discretion, may conduct any regular or special meeting of the Members by means of electronic, telephonic conference or similar communications equipment, including videoconferencing technology or the Internet, or any combination of audio and video equipment, if the telephone or other equipment or system permits each person participating in the meeting to communicate with all other persons participating in the meeting (a "Remote Meeting"). Participation in such a Remote Meeting shall constitute presence in person at the meeting, except where a person participates in the meeting for the express purpose of objecting to the transaction of any business on the ground that the Remote Meeting is not lawfully called or convened. A right to attend a Remote Meeting is not the same as a right to participate.

2. SPECIAL MEETINGS and PLACE OF MEETINGS are deleted in their entirety.
3. NOTICE OF MEETINGS is deleted in its entirety and restated with the following:

NOTICE OF MEETINGS:

Written or printed notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered by the Secretary or Assistant Secretary of the Association not less than ten (10) nor more than sixty (60) days before the date of the meeting, either personally, by email, if registered for purposes of notice, or by mail, to each Member of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the Member at Member's address as it appears on the books of the Association, with postage thereon prepaid. Business transacted at any special meeting shall be confined to the purposes stated in the notice of waiver thereof. For an Association-wide vote or election to be conducted without a meeting, written notice to each Member shall be given not less than twenty (20) days before the latest date on which a ballot may be submitted to be counted

Whenever written notice to a Member of the Association is permitted or required hereunder, such shall be given by the mailing of such to the address of such Member appearing on the records of the Association, unless such Member has given written notice to the Association of a different address, in which event such notice

**shall be sent to the Member at the address so designated or the Member has registered the Member's email address for purposes of notice, in which event such notice shall be sent to the Member at the registered email address.**

4. **METHOD OF VOTING** is added with the following:

**METHOD OF VOTING:**

(A) All Members of the Association may attend meetings of the Association and all voting Members may exercise their vote or votes at such meetings in person, by absentee ballot, and/or by electronic methods as described in TEX. PROP. CODE § 209.00592, if offered by the Association. Additionally, at the discretion of the Board of Directors, an election or vote of Members on matters requiring a membership vote may be conducted without a meeting by conducting an Association-wide vote by electronic and/or absentee ballots. Any vote cast in an election or vote by a Member must be in writing, signed and dated by the Member. In an Association-wide election, written, signed and dated ballots are not required for uncontested races. Fractional votes and split votes will not be permitted. The decision of the Board of Directors as to the number of votes a Member is entitled to cast, based upon the number of Lots owned by the Member, shall be final.

(B) An electronic vote (i) given by email, facsimile, or posting on an internet website established by the Association for voting, if available, (ii) for which the identity of the Member submitting the ballot can be confirmed, and (iii) for which the Member may receive a receipt of the electronic transmission and receipt of the Member's ballot shall constitute a written, signed and dated ballot.

(C) In the event of a Catastrophic Event that prevents the Association from conducting an in-person meeting, a Remote Meeting (as defined in above) may be conducted and all voting Members may exercise their vote or votes at the Remote Meeting by absentee ballot and, if offered by the Association, by electronic methods as described in TEX. PROP. CODE § 209.00592. For a Remote Meeting, the Board of Directors shall extend the voting period beyond adjournment to allow Members to listen to candidates' presentations as to their qualifications and the reasons the candidates desire to be a member of the Board of Directors. The deadline for the receipt of absentee ballots and, if offered, electronic ballots shall be published in the Notice of Annual Meeting. In such event, votes received during the extended voting period shall be considered a vote taken at the Remote Meeting.

5. **PROXIES AND ABSENTEE BALLOTS** is deleted in its entirety and restated with the following:

**PROXIES AND ABSENTEE BALLOTS:**

No Member shall be entitled to vote by proxy. Members shall have the right to vote by absentee ballot for any Association-wide vote. An absentee ballot may be counted as an owner present and voting for the purpose of establishing a quorum only for items appearing on the ballot. It may not be counted, even if properly delivered, if the owner attends any meeting to vote in person, so that any vote cast at a meeting by a property owner supersedes any vote submitted by absentee or electronic ballot previously submitted for that proposal. It may not be counted on the final vote of a proposal if the motion was amended at the meeting to be different from the exact language on the absentee ballot. A



nomination taken from the floor in a board member election is not considered an amendment to the proposal for the election.

A solicitation for votes by absentee ballot must include an absentee ballot that contains each proposed action and provides an opportunity to vote for or against each proposed action. The solicitation must include instructions for delivery of the completed absentee ballot, including the delivery location. The solicitation must include the following language: "By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail."

B. The Second Amendment to Bylaws of Oakrun Property Owner's (sic) Association Inc. is supplemented as follows:

QUORUM:

An absentee or electronic ballot may be counted as an owner present and voting for the purpose of establishing a quorum only for the items appearing on the ballot.

C. ARTICLE VII shall be amended as follows:

1. QUALIFICATION AND TERM is added with the following:

QUALIFICATION AND TERM:

Each Director shall be elected to serve a term of one year and shall hold office until his successor has been elected and the newly-elected Directors hold their first regular meeting after the annual meeting of the membership, except as is otherwise provided herein. An elected Director shall be a Member of the Association at the time of nomination and must continue as a Member during the term of office. Should a Director cease being a Member during the term of office, the term shall end simultaneously with the termination of Membership. There shall be no other requirement that restricts a Member's right to run for a position on the Board of Directors except as may be limited by TEX. PROP. CODE § 209.00591, as amended. If a Lot is owned by a legal entity, such as a partnership or corporation, any officer, partner, agent, or employee of that entity Member is eligible to serve as a Director and is deemed to be a Member for the purposes of this Section. If the relationship between the entity Member and the Director representing it terminates, that entity Member shall appoint a new representative to serve out the remaining term. Members of the Board of Directors are not subject to term limits.

2. REMOVAL is added with the following:

REMOVAL:

Any Director may be removed either for or without cause at any special or annual meeting of Members, with a quorum of Members present, by the affirmative vote of a majority of the total eligible votes of the membership of the Association present, in person or by absentee ballot, at such meeting and entitled to vote for the election of such Director if notice of intention to act upon such matter shall have been given in the notice calling such meeting.

3. VACANCIES is added with the following:

VACANCIES:

Any vacancy occurring in the Board of Directors (by death, resignation, removal or otherwise) shall be filled by an affirmative vote of a majority of the remaining Directors though less than a quorum of the Board of Directors. A Director elected to fill a vacancy shall be elected for the unexpired term of Director's predecessor in office.

4. ELECTION OF DIRECTORS is added with the following:

ELECTION OF DIRECTORS:

Directors shall be elected by a majority vote of the Members present in person or by absentee ballot at a meeting with a quorum of Members present. Cumulative voting shall not be permitted. The election to the Board of Directors shall be by written ballot signed and dated by the Member, unless the race is uncontested. Members may cast, in respect to each vacant directorship, as many votes as they are entitled to exercise under the provisions of the Declaration. The Election Officer or the Secretary of the Association shall prepare, or cause to be prepared, a written ballot listing in random order the names of the nominees for election.

5. PLACE OF MEETINGS is added with the following:

PLACE OF MEETINGS:

Except for a meeting held by electronic or telephonic means, meetings of the Board of Directors, regular or special, shall be held in New Braunfels, Comal County, Texas or at such other location in Comal County as may be determined by the Board of Directors. A board meeting may be held by electronic or telephonic means provided that:

(1) each board member may hear and be heard by every other board member;

(2) except for any portion of the meeting conducted in executive session:

(A) all owners in attendance at the meeting may hear all board members; and

(B) owners are allowed to listen using any electronic or telephonic communication method used or expected to be used by a board member to participate; and

(3) the notice of the meeting includes instructions for owners to access any communication method required to be accessible under Subdivision (2)(B).

4. ACTION WITHOUT MEETING OR NOTICE is added with the following:

ACTION WITHOUT MEETING OR NOTICE:

The Board of Directors shall be permitted to take action without a formal meeting and without notice as follows:

(A) Subject to the limitations of the TEX. PROP. CODE § 209.0051, any action required or permitted to be taken without a meeting or vote may be taken if a consent in writing, setting forth the action so taken, is signed by all the members of the Board of

Directors. Such consent shall have the same force and effect as a unanimous vote at a meeting. The signed consent, or a signed copy, shall be placed in the minutes book. The consent may be in more than one counterpart so long as each Director signs one of the counterparts.

(B) The Board of Directors may meet by any method of communication, including electronic and telephonic meetings, without prior notice to the Members. The Board of Directors may take action either pursuant to a verbal or electronic vote during such meeting, provided each Director may hear and be heard by every other Director and is given the opportunity to vote, or by unanimous written consent. Any action taken by the Board of Directors without notice to the Members must be summarized orally, including, but not limited to, actual or estimated expenditures approved, and documented in the written minutes of the next regular or special Board of Directors meeting. The Board of Directors may not, unless done in an open meeting for which prior notice was given to the Members consider or vote on any of the following matters:

- (1) fines;
- (2) damage assessments;
- (3) initiation of foreclosure actions;
- (4) initiation of enforcement actions, excluding temporary restraining orders or violations involving a threat to health or safety;
- (5) increases in Assessments;
- (6) levying of Special Assessments;
- (7) appeals from a denial of Architectural Control Committee approval; or
- (8) suspension of a right of a particular Member before the Member has an opportunity to attend a regular or special meeting of the Board of Directors to present the Member's position, including any defense, on the issue.
- (9) lending or borrowing of money;
- (10) the adoption or amendment of a dedicatory instrument;
- (11) the approval of an annual budget or the approval of an amendment of an annual budget that increases the budget by more than 10 percent;
- (12) the sale or purchase of real property;
- (13) the filling of a vacancy on the board;
- (14) the construction of capital improvements other than the repair, replacement or enhancement of existing capital improvements; or
- (15) the election of an officer.

C. **ARTICLE VIII shall be amended as follows:**

1. **OFFICERS is deleted in its entirety and restated with the following:**

**OFFICERS:**

The officers of the association shall be a President, a Vice-President, a Secretary and a Treasurer. Except for the Secretary, all officers must be members of the Board of Directors.

2. **ELECTION AND TERM OF OFFICE is deleted in its entirety and restated with the following:**

**ELECTION AND TERM OF OFFICE:**

The officers shall be elected by the Board of Directors at the first regular meeting of the Directors following the annual meeting of the membership. Their term shall end at the first regular meeting of the Directors after the next annual meeting of the membership. The officers shall have such authority and perform such duties as directed by the Board of Directors or these Bylaws.

3. **REMOVAL is deleted in its entirety and restated with the following:**

**REMOVAL:**

Any officer or agent elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the Association will be served thereby. Such removal shall be without prejudice to the contract rights, if any, of the person so removed. Election or appointment of an officer or agent shall not of itself create contract rights.

4. **VACANCY is deleted in its entirety and restated with the following:**

**VACANCIES:**

Any vacancy occurring in any office of the Association (by death, resignation, removal or otherwise) shall be filled by majority vote of the Board of Directors.

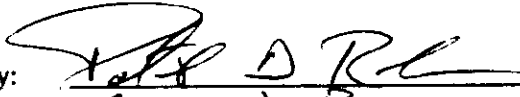
- D. **Except as modified by this Fourth Amendment, the Bylaws shall remain in full force and effect.**

**CERTIFICATE OF OFFICER**

The undersigned certifies that the foregoing Fourth Amendment to the Bylaws of Oakrun Property Owners' Association was duly approved and adopted on the date first above written by unanimous approval of the Board of Directors of Oakrun Property Owners' Association, at the meeting conducted on the 22nd day of October, 2020 and that the undersigned has been authorized by the Board of Directors to execute and record this instrument. The undersigned further certifies that the foregoing Fourth Amendment to the Bylaws constitutes a dedicatory instrument under TEX. PROP. CODE § 202.006 which applies to the operation of Oakrun Subdivision, Units I; I, Extension 1; IV; 5A; 5B; VI; VIII; VIII, Extension 1; VIII; X; XI; XII; XIII; XIV; XV; XVI; XVII; XVIII; XIX, 20A; 20B; and 21, a subdivision located in Comal County, Texas, as hereinabove described.

Signed this 23 day of OCTOBER, 2020.

OAKRUN PROPERTY OWNERS' ASSOCIATION, INC.

By:   
Name: PATRICK D. RHODES  
Its: PRESIDENT  
TITLE

Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
10/26/2020 08:34:53 AM  
CHRISTY 13 Page(s)  
202006047342



*Bobbie Koepf*