

**SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS**  
*for*  
**DAVIS SPRING RESIDENTIAL PROPERTY OWNERS' ASSOCIATION, INC.**

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THE STATE OF TEXAS       §  
  §  
COUNTY OF WILLIAMSON §

The undersigned, being the authorized representative for Davis Spring Residential Property Owners' Association, Inc. (the "Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code, hereby supplements instruments entitled "Notice of Dedicatory Instruments for Davis Spring Residential Property Owners' Association, Inc.", "Supplemental Notice of Dedicatory Instruments for Davis Spring Residential Property Owners' Association, Inc.", "Supplemental Notice of Dedicatory Instruments for Davis Spring Residential Property Owners' Association, Inc." and "Supplemental Notice of Dedicatory Instruments for Davis Spring Residential Property Owners' Association, Inc." recorded in the Official Public Records of Real Property of Williamson County, Texas under Clerk's File Nos. 2017007911, 2019044700, 2019112735 and 2020045847 (the "Notice") was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Notice, the following document is a Dedicatory Instrument governing the Association.

- **Certificate of Secretary of Davis Spring Residential Property Owners' Association, Inc. regarding Amendments to Bylaws of the Homeowners' Association for Davis Spring Properties, Ltd.**

A true and correct copy of such Dedicatory Instrument is attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Williamson County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copy of the Dedicatory Instrument attached to this Supplemental Notice is a true and correct copy of the original.

Executed on this 28<sup>th</sup> day of August, 2020.

**DAVIS SPRING RESIDENTIAL PROPERTY OWNERS' ASSOCIATION, INC.**

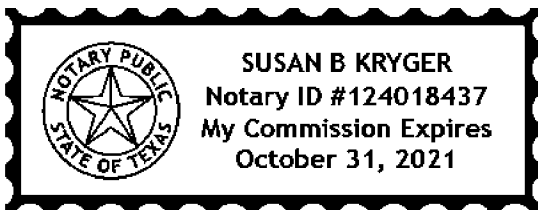


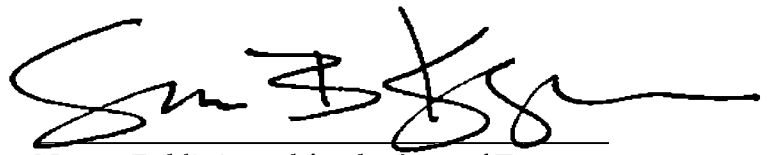
By:

\_\_\_\_\_  
Clinton F. Brown, authorized representative

THE STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS       §

BEFORE ME, the undersigned notary public, on this 28<sup>th</sup> day of August, 2020 personally appeared Clinton F. Brown, authorized representative of Davis Spring Residential Property Owners' Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.



  
\_\_\_\_\_  
Notary Public in and for the State of Texas

**CERTIFICATE OF SECRETARY**  
*of*  
**DAVIS SPRING RESIDENTIAL PROPERTY OWNERS ASSOCIATION, INC.**  
*regarding*  
**AMENDMENTS**  
*to*  
**BYLAWS OF THE HOMEOWNERS' ASSOCIATION FOR**  
**DAVIS SPRING PROPERTIES, LTD.**

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THE STATE OF TEXAS           §  
   §  
 COUNTY OF WILLIAMSON       §

I, Megan Molleur, Secretary of Davis Spring Residential Property Owners' Association, Inc. (the "Association"), do hereby certify that at a meeting of the Board of Directors of the Association (the "Board") duly called and held on the 11th day of August, 2020, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following resolution was duly made and approved by a majority vote of the members of the Board:

WHEREAS, Article V, Section 5.4A. of the "Davis Spring Residential Property Master Declaration of Covenants, Conditions and Restrictions" recorded under Volume 2560, Page 0923 of the Real Property Records of Williamson County, Texas (the "Declaration") allows the Board, on behalf of the Association, to "...make, establish and promulgate, and in its discretion to amend or repeal and re-enact...Bylaws...";

WHEREAS, Article 14 of the Bylaws provides in the event of a conflict between the Bylaws and the Declaration, the Declaration shall control; and

WHEREAS, the Board determined it would be in the best interest of the Association to amend the Bylaws.

NOW THEREFORE, BE IT RESOLVED, the Bylaws are amended as follows:

1. Article 3, Section 2, of the Bylaws, entitled "Voting Rights", is amended and restated to read as follows:

Section 2. **Voting Rights.** The voting rights of the Members will be as set forth in the Declaration; provided that, all Members will have the right to vote in the election of Directors. Except as otherwise provided in these Bylaws and/or unless otherwise determined by the Board, Members may vote in person or by proxy (if applicable) or, upon approval by the Board, by any other

voting method allowed by statute or these Bylaws. The Board will, in its sole and absolute discretion, determine what voting method(s) will be used in the election of Directors or other Association vote. Per Texas Property Code Section 209.00592 (or its successor statute), the Association is not required to provide an owner with more than one voting method. Each Member is entitled to one vote for each Lot owned by the Member. There will be no fractional votes. The vote of one Owner of a Lot will constitute the vote cast for all Owners of the Lot. In no event will more than one vote be cast with regard to one Lot. Notwithstanding any other language in these Bylaws, the Board is authorized to determine that an election vote or other vote of the Members will be conducted solely by: (a) electronic voting; or (b) absentee ballots; or (c) a combination of both electronic voting and voting by absentee ballot. If a vote is conducted solely by electronic voting, the electronic voting by the Owners will be treated as voting by absentee ballot for the purposes of these Bylaws and the Texas Property Code.

2. Article 3, Section 3, of the Bylaws, entitled "Votes Required for Passage" is amended and restated to read as follows:

Section 3. **Votes Required for Passage.** At a meeting at which a quorum is present, the vote of the Members holding a majority of the votes represented in person, by proxy (if applicable) or as otherwise authorized by the Board, shall decide any question brought before the meeting, unless the question is one upon which the vote of a greater number is required by law, the Articles of Incorporation, the Declaration or these Bylaws.

3. Article 3, Section 6, of the Bylaws, entitled "Voting Method" is deleted in its entirety and replaced with the following:

Section 6. **Absentee Ballots.** Notwithstanding any other language in these Bylaws, a majority of the Board may, but is not required to, authorize the use and implementation of an absentee ballot in any election or other Association wide vote that it deems appropriate. Completed ballots will be returned to the Association in accordance with the instructions contained on the ballot. Per Texas Property Code Section 209.00592 (or its successor statute), an absentee ballot will be counted as a Member present and voting for the purpose of establishing a quorum only for items appearing on the ballot. The Board may authorize voting in the election of Directors by absentee ballot in addition to any other voting method authorized by the Board for the election of Directors.

4. Article 4, Section 1, of the Bylaws, entitled "Meeting Date", is amended and restated to read as follows:

Section 1. **Meeting Date.** The annual meeting of the Members may be held within one hundred twenty (120) days before or after the end of the fiscal year of the Association at such date, time and location designated by the Board of Directors.

5. Article 5, Section 2, of the Bylaws, entitled "Number of Directors", is amended and restated to read as follows:

Section 2. **Number and Term of Directors.** The affairs of the Association shall be managed by a Board of Directors consisting of five (5) directors, all of whom must be Members of the Association. The term of office of each member of the Board of Directors shall be one year. Unless removed in accordance with these Bylaws, each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified.

6. Article 5, Section 3, of the Bylaws, entitled "Election and Term of Office", is amended and restated to read as follows:

Section 3. **Voting Procedure for the Election of Directors (See also the section titled "Voting" in Article 3 of these Bylaws).** Unless the election is conducted solely by absentee ballot or electronic voting (or a combination of both) as provided in these Bylaws, the election of the Board will be conducted at the annual meeting of the Association or in such other manner allowed by law and approved by the Board. At such election, each Member, or the Member's proxy holder (if applicable) may cast, with respect to each vacancy, as many votes as the Member is entitled to exercise under the provisions of these Bylaws and the Declaration. Unless otherwise determined by the Board, voting for Directors will be by written and signed ballots. Only the ballot approved by the Board will be used in the election of Directors. In the event of an uncontested race (i.e., the number of candidates is equal to or less than the number of open Board positions), written and signed ballots will not be required, and the candidate(s) will be placed on the Board without the necessity of a vote. Cumulative voting is not permitted. The candidate(s) receiving the most votes will be elected to the open position(s). The winning candidate(s) will take office at later of the conclusion of the Member meeting at which the Director was elected or when the election results are announced. Tie votes between two persons will be decided by coin toss. In the event of a tie vote between three or more persons, the vote will be decided by placing the names of the persons in a container and drawing a name(s). The name(s) drawn first will be declared the winner. The resolution of all tie votes will be overseen by the Association's Secretary or by such other person designated by the Board. The Board may

designate the Association's managing agent to oversee the resolution of tie votes.

All other provisions of the Bylaws of the Association remain in full force and effect.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing resolution was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association.

TO CERTIFY which witness my hand this the 28th day of August 2020.

DAVIS SPRING RESIDENTIAL PROPERTY OWNERS' ASSOCIATION, INC.

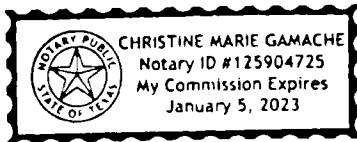
By: Megan Molleur

Printed: Megan Molleur

Its: Secretary

STATE OF TEXAS §  
COUNTY OF Williamson §

This instrument was acknowledged before me on 28th day of August, 2020 by Megan Molleur, Secretary of Davis Spring Residential Property Owners' Association, Inc. on behalf of said corporation.



Christine Marie Gamache  
Notary Public in and for the State of Texas

**ELECTRONICALLY RECORDED  
OFFICIAL PUBLIC RECORDS**

**2020101706**

Pages: 7      Fee: \$41.00  
08/28/2020    12:55 PM



*Nancy E. Rister*

Nancy E. Rister, County Clerk  
Williamson County, Texas