



# FIFTH AMENDMENT TO BYLAWS OF

2/c

## NBRC PROPERTY OWNERS ASSOCIATION

### A NONPROFIT CORPORATION

STATE OF TEXAS           §  
                                   § KNOW ALL MEN BY THESE PRESENTS:  
 COUNTY OF COMAL       §

WHEREAS, NBRC Property Owners Association (hereinafter called the "Association") is a residential association of property owners located in Comal Connty, Texas; and,

WHEREAS, the Association is a Texas non-profit corporation incorporated pursuant to Articles of Incorporation (hereinafter called the "Articles") filed with the Texas Secretary of State on or about April 12, 1999; and, Association on or about April 13, 1999; and,

WHEREAS, the Association has determined that it is in the best interests of the Association and the Members of the Association to amend the Bylaws for the convenience of the Association; and,

WHEREAS, PURSUANT TO Article XIV of the said Bylaws, the Association is empowered to amend such Bylaws:

NOW, THEREFORE, the Association does hereby officially amend the Bylaws of the Association as follows:

I.

Article 9.6 of the Bylaws is hereby amended to read as follows:

#### 9. OFFICERS AND THEIR DUTIES

9:6 Vacancies. When a vacancy in any elected position of the Association occurs, a written notice of such vacancy shall provided by the Board of Directors to the membership of the NBRC POA by mail, or by email and/or the website for a period of at least 30 days, to include at least one (1) BOD Meeting, prior to any action to fill the vacancy. The written notice shall call for nominations with supporting comments from the NBRCPOA Membership to be submitted in writing to the BOD, read at the BOD Meeting for any/all in attendance to hear, and attached to the final approved Minutes for that meeting. The vacancy then may be filled by appointment of the Board or ACC. The person appointed to such a vacancy shall complete the unexpired term of the position being filled.

II.

The following paragraphs are added to Article 14:

#### 14. AMENDMENTS



14:2 **Review & Comments.** Any changes or amendments to these Bylaws or any other Rules and Regulations created by the Board shall be accessible to the membership via the website, mailbox postings, burst email or mailed announcement for a period of at least 60 days prior to a BOD or Membership special or annual meeting at which a vote is to be taken on the amendment. The posting shall call for reviews and comments from the NBRC POA Membership to be communicated in writing to the BOD, read at a minimum of two (2) BOD Meetings for any/all in attendance to hear, and attached to the final approved Minutes for the meeting at which the changes or amendments were approved.

14.3 **Effective Date.** Amendments made under this Section shall become effective on the date filed in the Official Public Records of Comal County, Texas, or another date after the filing as specified in the Amendment.

Except as amended hereinabove, the Bylaws are hereby affirmed, ratified and continued in the future in full force and effect.

Signed the 20 day of November, 2013.

NBRC PROPERTY OWNERS ASSOCIATION

Brenda Stoeck

By: Brenda Stoeck, President

ATTEST:

Carmen Horn

By: Carmen Horn, Secretary

STATE OF TEXAS §  
  §  
COUNTY OF COMAL §

Before me, the undersigned notary public, on this day personally appeared Brenda Stoeck, President of NBRC Property Owners Association, known to me or proved to me by presentation to me of a governmentally-issued identification card to be one of the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 20 day of November 2013

Kay Macdonald  
Notary Public, State of Texas



Filed and Recorded  
Official Public Records  
Joy Streater, County Clerk  
Comal County, Texas  
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Joy Streater