

B/CS

# SIXTH AMENDMENT TO BYLAWS OF NBRC PROPERTY OWNERS ASSOCIATION A NONPROFIT CORPORATION

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COMAL

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WHEREAS, NBRC Property Owners Association (hereinafter called the "Association") is a residential association of property owners located in Comal County, 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.

Paragraph 5.3 of the Bylaws is hereby replaced in its entirety with the following paragraph:

### 5. BOARD OF DIRECTORS· TERM OF OFFICE; FIRST ELECTION; REMOVAL

**5:3 Removal.** Any Director may be removed from the Board, with or without cause, by a majority vote of Members of the Association comprising a quorum in an Annual or Special Membership Meeting. In the event of death, resignation, or removal of a Director, his successor shall be selected by the remaining Directors of the Board and shall serve until the next election held by the Association, when a replacement member will be elected by the Association to fulfill the remainder of the original term.

## II.

The Fourth Amendment to the Bylaws is hereby repealed in its entirety and replaced with the following paragraphs:

### 16. ARCHITECTURAL CONTROL COMMITTEE

**16:1 Powers and Duties.** As a committee of the Board of Directors, the powers and duties of the Architectural Control Committee (hereinafter the "ACC") shall be as primarily described in Article IV of the Declaration of Covenants, Conditions, and Restrictions for each unit of River Chase and in any other portions of the Declaration of Covenants, Conditions, and Restrictions.

**16:2 Term.** The three members of the ACC shall serve staggered three year terms,

**16:3 Nomination.** Nomination for election to the ACC shall be by the nomination committee. However, nominations may also be made from the floor at any Annual Meeting or Special Meeting of the members. The nominating committee shall make as many nominations for election to the ACC as it shall in its discretion determine, but in no event shall it nominate less than the number of vacancies to be filled.

**16:4 Election.** The members of the ACC shall be elected by the membership of the POA at any Annual Meeting or Special Meeting of the members. Election shall be by written ballot. At each election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declarations. Persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

**16.5 Removal.** Any member of the ACC may be removed from the ACC, with or without cause, by a majority vote of Members of the Association at any Annual Meeting or Special Meeting of the members. In the event of death, resignation, or removal of a member of the ACC, a successor shall be selected by the BOD and shall serve until the next election held by the Association, when a replacement member will be elected by the Association to fulfill the remainder of the original term.

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

Signed the 29<sup>th</sup> day of JULY, 2014

NBRC PROPERTY OWNERS ASSOCIATION

William C. Wahl

By: President of Board of Directors

ATTEST:

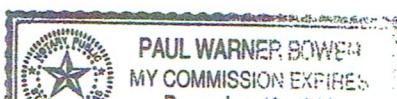
Paul R. Vardgiff

By: Secretary of Board of Directors

STATE OF TEXAS      §  
   §  
COUNTY OF COMAL   §

Before me, the undersigned notary public, on this day personally appeared \_\_\_\_\_, 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.

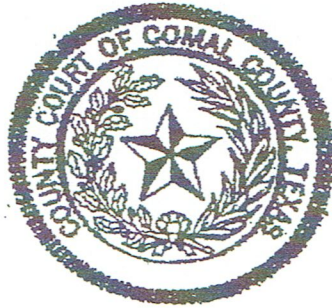
Given under my hand and seal of office the 29 day of July, 2014



Paul Warner Bowen

Notary Public, State of Texas





This page has been added to comply with the statutory requirement that the clerk shall stamp the recording information at the bottom of the last page.

This page becomes part of the document identified by the file clerk number affixed on preceding pages.

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*Joy Streater*