**AMENDMENT TO THE BYLAWS**

**OF**

**FALL CREEK ADDITION HOMEOWNERS ASSOCIATION, INC.**

**STATE OF TEXAS \***

**\* KNOW ALL MEN BY THESE PRESENTS:**

**COUNTY OF DALLAS \***

This AMENDMENT TO THE BYLAWS OF FALL CREEK ADDITION HOMEOWNERS ASSOCIATION, INC. (“Amendment”) is made this \_\_\_ day of February, 2019 by THE BOARD OF DIRECTORS:

**WITNESSETH:**

**WHEREAS,** Article 13 of the Bylaws of FALL CREEK ADDITION HOMEOWNERS ASSOCIATION, INC., dated June 17, 2002 (“Bylaws”) provides that the Bylaws may be altered, amended, or repealed by Members or the Board providing that notice of any meeting at which these Bylaws are altered, amended, or repealed, or at which new Bylaws are adopted, shall include the text of the proposed Bylaw provisions, and

**WHEREAS,** On the 28th day of February, 2005, the Board acted to amend Section 5.3 of the Bylaws pertaining to the Number, Qualifications, and Tenure of Directors by increasing the number of Directors from three (3) to five (5) and defining the tenure as a two year term instead of a one year term, and

**WHEREAS,** The Association has experienced difficulty over the past few years engaging volunteers to fill five (5) seats on the Board of Directors, and

**WHEREAS,** The current Board of Directors has determined that the Bylaws Section 5.3 provision for Number of Directors should be amended and returned to the original wording requiring three (3) directors, and

**WHEREAS,** The Board announced a regular meeting to be held on Monday, February 4th, 2019 that included this Amendment as an agenda item and the text of the proposed Amendment was posted on the HOA website prior to the meeting, and

**WHEREAS,** The Board has acted by unanimous vote to repeal and replace the June 17, 2002 Amendment to the Bylaws Section 5.3. to return the Number of Directors to three (3) and to define the effective date of election of subsequent Directors.

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

**Section 5.3 Number, Qualification and Tenure of Directors**: The number of Directors shall be three (3). Directors need not be Members. Each Director shall serve for a term of two (2) years provided that a Director may be elected to serve any number of consecutive terms. From the effective date of this amendment, one Director shall be elected at the 2019 Annual Meeting of the Members and two Directors shall be elected the following year. As each Director’s term expires, the Members will elect his successor to serve a term of two years.

**IN WITNESS WHEREOF,** The Board of Directors has voted unanimously to cause this Amendment to the Bylaws to be executed. It will be effective once filed in Dallas County Property Records.

**FALL CREEK ADDITION HOMEONWERS ASSOCIATION, INC.**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_

Leandrea Young

President of the Board of Directors of the Association

## Notary's Acknowledgment

On this \_\_\_\_ day of February, 2019, before me personally appeared Leandrea Young, Director and Officer of Fall Creek Addition Homeowners Association, Inc., to me known to be the person described in and who executed the foregoing instrument and acknowledged to me that he/she executed the same as his/her free act and deed, on behalf of said corporation.

Given under my hand and seal of office.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public in and for the State of Texas