

## SECOND AMENDMENT TO THE BYLAWS OF OAK RIDGE VILLAGE HOMEOWNERS ASSOCIATION, INC. (FORMERLY KNOWN AS WINDMILL RIDGE HOMEOWNERS ASSOCIATION, INC.)

## REGARDING QUORUM REQUIREMENTS FOR ASSOCIATION MEETINGS

STATE OF TEXAS

§ §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BEXAR

8

WHEREAS, the Bylaws of Oak Ridge Village Homeowners Association, Inc. (hereinafter the "Association") provide, in Article II, Section 3, that the presence in person or by proxy of Owners representing ten percent of the ownership of the Lots shall constitute a quorum for meetings of the Members of the Association; and,

WHEREAS, there is a need for, and the Board of Directors of the Association desires to, lower the quorum requirement for reconvened meetings of the Members of the Association in the event that a quorum is not attained, to ensure that the Members who fail to attend or participate in meetings do not, by their lack of attendance or participation, prevent Members who do attend or participate from being able to hold valid meetings and conduct the Association's business; and,

WHEREAS, the passage of a statute in the Regular Session of the 82<sup>nd</sup> Texas Legislature, effective September 1, 2011, codified at Section 209.0052(a)-(b), Texas Property Code, provides that voting rights of owners in property owners' associations may be cast or given in person or by proxy, by absentee ballot or by electronic ballot, and that absentee ballots and electronic ballots may be counted as an owner present and voting for the purpose of establishing quorum for those items appearing on the ballot, unless the motion was amended at the meeting to be different from the exact language on the absentee or electronic ballot; and,

WHEREAS, the Board wishes to update the Bylaws to provide that absentee and electronic ballots count toward quorum requirements as provided for in the aforementioned statute; and,

WHEREAS, the Board of Directors has the legal authority to amend the Bylaws of the Association, pursuant to Section 22.102(c), Texas Business Organizations Code;

NOW, THEREFORE, Article II, Section 3 of the Bylaws of the Association is amended as set forth below, to-wit:

Section 4. Quorum. The presence at the meeting of Owners (and/or their proxies and/or absentee or electronic ballots) representing ten percent (10%) ownership of the Lots shall constitute a quorum. If,

however, such quorum shall not be present at any meeting, the members entitled to vote thereat shall have the power to adjourn the meeting from time to time, without notice other than announcement at the meeting, and to reconvene until a quorum is present. At such reconvened meeting the number of votes required for quorum shall be one-half of the amount it was at the immediately preceding meeting.

Except as amended above the Bylaws are hereby ratified and carried forward in full force and effect.

The foregoing was adopted by the Board of Directors of Oak Ridge Village Homeowners Association, Inc. at a duly-called meeting of the Board of Directors at which a quorum of Directors was present, as certified by the signatures of the President and Acting Secretary of the Association below.

Executed on 3 day of December 2011.

OAK RIDGE VILLAGE HOMEOWNERS ASSOCIATION, INC.

.....

ATTEST:

By: Moncolth Mongou, Its Secretary

STATE OF TEXAS §

COUNTY OF BEXAR §

I hereby certify that the foregoing instrument was acknowledged before me, the undersigned Notary, by President, Oak Ridge Village Homeowners Association, Inc., on the date of execution set forth above.

Notary Public, State of Texas

STATE OF TEXAS

§ §

COUNTY OF BEXAR

KARI K. COOK Notary Public, State of Texas My Commission Expires September 17, 2015

I hereby certify that the foregoing instrument was acknowledged before me, the undersigned Notary, by Level Homeowners Association, Inc., on the date of execution set forth above.

Notary Public, State of Texas

## AFTER RECORDING RETURN TO:

Oak Ridge Village Homeowners Association, Inc. 1600 N.E. Loop 410, Suite 202 San Antonio, TX 78209



KARI K. GOOK Notary Public, State of Texas My Commission Expires September 17, 2015 4097 001/92282

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law STATE OF TEXAS, COUNTY OF BEXAR I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

DEC 1 6 2011

COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20110223647 Fees: \$24.00 12/16/2011 4:19PM # Pages 3 Filed & Recorded in the Official Public Records of BEXAR COUNTY GERARD C. RICKHOFF COUNTY CLERK