

**FIRST AMENDMENT TO THE BY-LAWS OF
CHIMNEY LANE PATIO HOMES HOMEOWNERS' ASSOCIATION**

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

KNOW ALL MEN BY THESE PRESENTS:

This FIRST AMENDMENT TO THE BY-LAWS OF CHIMNEY LANE PATIO HOMES HOMEOWNERS' ASSOCIATION (this "First Amendment") is made effective the _____, 2015, by Chimney Lane Patio Homes Homeowners Association (the "Association").

W I T N E S S E T H:

WHEREAS, that certain Amended Declaration of Covenants, Conditions and Restrictions for Chimney Lane Patio Homes, f/k/a Patio Homes of Chimney Hill, was filed of record on June 18, 1975, in Instrument No. 197500305562, Volume 75119, Page 1903 *et seq.*, Deed Records of Dallas County, Texas, as such may be amended and/or supplemented from time to time, (hereinafter referred to as the "Declaration"); and

WHEREAS, by-laws were adopted for the Association and are entitled BY-LAWS OF CHIMNEY LANE PATIO HOMES HOMEOWNERS' ASSOCIATION and were filed of record at Instrument No. 20100270300 in the Official Public Records, Dallas County, Texas, as such may be amended and/or supplemented from time to time, (hereinafter referred to as the "By-Laws"); and

WHEREAS, Section 209.00593 of the Texas Property Code entitled "Election of Board Members" provides in part in Subsection (a) that:

Notwithstanding any provision in a dedicatory instrument, any board member whose term has expired must be elected by owners who are members of the property owners' association...; and

WHEREAS, Subsection (b) of Section 209.00593 of the Texas Property Code provides that:

The board of a property owners' association may amend the bylaws of the property owners' association to provide for elections to be held as required by Subsection (a); and

WHEREAS, in order to comply with Section 209.00593 of the Texas Property Code, and as authorized by such section, Article IV, Section 4.3 of the By-Laws was amended by a majority vote of the Board of Directors of the Association at a duly called meeting of the Board of Directors held on _____, 2015.

NOW, THEREFORE, Article IV, Section 4.3 of the By-Laws of the Association is hereby supplemented by adding the following language to the end of such section:

Lack of Quorum at Annual Meeting - Election of Directors.

Notwithstanding any provision contained in the Declaration or these By-Laws to the contrary, in order to comply with Section 209.00593 of the Texas Property Code, which is entitled "Election of Board Members," if the quorum required in the Association's dedicatory instruments is not obtained for the annual meeting of the members, the following process will be implemented to provide for the election of directors:

The Secretary will announce that no quorum was obtained for the annual meeting of the members. Thereafter, the owners present, in person or by other legal means, will convene an election meeting. The members present, in person or by other legal means, will constitute a quorum for the purpose of conducting such meeting and an election of directors will be conducted. No other business of the Association will be conducted at such election meeting. No notice of such meeting need be given to the members other than that sent to the members providing notice of the annual meeting.

Except as modified by this First Amendment, the By-Laws shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned officer of Chimney Lane Patio Homes Homeowners Association certifies that this First Amendment was approved by a majority vote of the Board of Directors at a regular meeting of the Board of Directors duly called and held on _____, 2015.

CHIMNEY LANE PATIO HOMES HOMEOWNERS ASSOCIATION

By: _____

(Printed Name) - President

STATE OF TEXAS §
 §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____, President of Chimney Lane Patio Homes Homeowners Association, a non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

Notary Public in and for the State of Texas

After recording return to:
THE BLEND LAW FIRM, P.C.
14131 Midway Road, Suite 1240
Addison, Texas 75001