

**BYLAWS OF  
OAKS AT WESTWOOD TEMPLE HOMEOWNERS ASSOCIATION**

**ARTICLE I**

**NAME AND LOCATION**

The name of the corporation is OAKS AT WESTWOOD TEMPLE HOMEOWNERS ASSOCIATION, INC. (hereinafter referred to as "the Association"). The principal office of the Association is located at 1 Bending Branch, Belton, Texas 76513, but meetings of members and directors may be held at such places within the State of Texas, County of Bell, as may be designated by the Board of Directors.

**ARTICLE II**

**DEFINITIONS**

Section 1. "Declaration" means and refers to the "Amended and Restated Declaration of Covenants, Conditions and Restrictions of The Oaks at Westwood, Bell County, Texas", said Declaration being recorded in the Official Public Records of Real Property of Bell County, Texas, and any amendments thereto. Terms used in these By-Laws will have the same meaning as in the Declaration.

Section 2. "Member" means and refers to those persons entitled to membership as provided in the Declaration and Articles of Incorporation of the Association.

**ARTICLE III**

**RESPONSIBILITIES OF MEMBER**

Section 1. Each Member, jointly and severally, has the responsibility for administering and enforcing the covenants, conditions and restrictions contained in the Declaration, as may be modified from time to time.

Section 2. Each Member, jointly and severally, covenants and agrees to pay assessment fees as provided in the Declaration, as may be modified from time to time.

**ARTICLE IV**

**MEETING OF MEMBERS**

Section 1. Annual Meetings. After these Bylaws are filed and recorded, the Annual Meeting of Members will take place annually each March.

Section 2. Special Meetings. Special meetings of the Members may be called at any time by the Board of Directors or upon written request of a majority of the Members who are entitled to vote.

Section 3. Notice of Meetings. Written notice of each meeting of the Members shall be given by, or at the direction of, the Secretary or person authorized to call the meeting, by mailing or emailing a copy of such notice at least ten (10) and no more than fifty (50) days before such meeting to each Member entitled to

vote at the meeting, addressed to the Member's address last appearing on the books of the Association, or supplied by such Member to the Association for the purpose of notice. Such notice shall specify the place, day, and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting. No business shall be transacted at a special meeting except as stated in the notice.

Section 4. Quorum. Members holding five percent (5%) of the votes entitled to be cast, represented in person or by proxy, will constitute a quorum for the transaction of business. Unless provided in the Articles of Incorporation or in the Declaration, every act or decision done or made by a majority of the members who are present at a duly held meeting, either in person or by proxy, at which a quorum is present will be regarded as the act of the Members.

Section 5. Proxies. At the meetings, each member may vote in person or by proxy. All proxies will be in writing and filed with the Secretary or their designee. When the full fee interest in any lot is held by more than one person, and all such persons are members, then the vote for such lot will be exercised in person or by proxy as they, among themselves, determine, but in no event will more than 1 vote be cast with respect to any lot. In the event multiple persons are voting by proxy, each person's signature will be required on the proxy instrument. Every proxy is revocable and will automatically cease upon conveyance by the member of his or her lot. If more than 1 vote is cast for a single lot, none of the votes are counted and any of such votes may be deemed void.

## ARTICLE V

### BOARD OF DIRECTORS: SELECTION AND TERM OF OFFICE

Section 1. Number. The affairs of this Association will be managed by a Board of Directors. The Board will consist of five (5) Directors.

Section 2. Term of Office. Directors are elected to 3 year terms. At each Annual Meeting, the Members shall elect the Directors to fill each expiring term or vacant seat.

Section 3. Removal. Any director may be removed from the Board, with or without cause, at a special meeting of the Association by members entitled to vote more than 2/3' s of the aggregate of the vote of membership. In the event of death, resignation or removal of a director, his successor may be selected by the remaining members of the Board and will serve for the unexpired term of his predecessor.

Section 4. Compensation. No director will receive compensation for any service he may render to the Association.

Section 5. Action Taken Without a Meeting. The directors have the right to take any action in the absence of a meeting that they could take at a meeting by obtaining the written, approval and consent of all the directors. Any action so approved will have the same effect as though taken at a meeting of the directors.

## ARTICLE VI

### MEETINGS OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors may be held without notice at such place and hour as may be fixed from time to time by the Board.

Section 2. Special Meetings. Special meetings of the Board of Directors may be held when called by any 2 directors, after not less than 3 days' notice to each director.

Section 3. Quorum. A majority of the number of directors will constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present will be regarded as the act of the Board.

## ARTICLE VII

### POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board has the powers stated in the Declaration

Section 2. Duties. It is the duty of the Board of Directors to keep or to cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members or at any special meeting when such statement is requested in writing by a majority of the members who are entitled to vote.

## ARTICLE VIII

### OFFICERS

Section 1. Enumeration of Offices. The officers of this Association will be a President, Vice President, Secretary, and Treasurer, and such other officers as the Board, from time to time, by resolution may create. Any two or more offices may be held by the same person, except the offices of President and Secretary.

Section 2. Election of Officers. The election of officers will take place at the meeting of the Board of Directors following each annual meeting of the members.

Section 3. Term. The officers of this Association will be elected annually by the Board.

Section 4. Special Appointments. The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

Section 5. Resignation and Removal. Any officer may be removed from office, with or without cause, by the Board. Any officer may resign at any time, giving written notice to the Board, the President or the Secretary. Such resignation will take effect on the date of receipt or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy will serve for the remainder of the term of the officer he replaces.

Section 7. Duties. The duties of the officers are as follows:

- (a) President. The President is the principal executive officer of the Association and will, in general, supervise and control all of the business and affairs of the Association. He will preside at all meetings of the Board of Directors; will see that orders and resolutions of the Board are carried out; and will sign all instruments on behalf of the Association.

(b) Vice President. The Vice President may act in the place and stead of the President in the event of his absence, inability or refusal to act, and will exercise and discharge such other duties as may be required of him by the Board.

(c) Secretary. The Secretary will record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; serve notice of special meetings of the Board and of special meeting of the members; keep appropriate records showing the members of the Association together with their addresses; and perform such other duties as required by the Board.

(d) Treasurer. The Treasurer will receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; keep proper books of accounts; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting. Copies of these documents shall be available for purchase at a reasonable cost.

## ARTICLE IX

### COMMITTEES

The Board of Directors may appoint committees as deemed appropriate in carrying out its purposes.

## ARTICLE X

### BOOKS AND RECORDS

The books and records of the Association may, during reasonable business hours, be subject to inspection by any member or his agent or attorney. The Articles of Incorporation and By-Laws of the Association and the Declaration may be available for inspection by any member at the principal office of the Association where copies may be purchased at a reasonable cost.

## ARTICLE XI

### INDEMNITY

The provisions of the Texas Non-Profit Corporation Act will apply with regard to indemnification as well as the provisions in the Articles of Incorporation of the Association.

## ARTICLE XII

### AMENDMENTS

Section 1. These By-Laws may be amended, at any annual or special meeting of the Directors or members, subject to any amendment by the Directors being subject to approval by the members at the next Annual or Special Meeting of the Association.

Section 2. In the case of any conflict between the Articles of Incorporation and these By-Laws, the Articles will control; and in the case of any conflict between the Declaration and these By-Laws, the Declaration will control.

Section 3. All provisions, conditions and covenants in the Declaration are hereby referenced and incorporated, as may be modified from time to time.

## ARTICLE XIII

### FISCAL YEAR

The fiscal year of the Association begins on the 1st day of January and ends on the 31<sup>st</sup> day of December of every year, except that the initial fiscal year begins on the date of incorporation.

## ARTICLE XIV

### WAIVER OF NOTICE

Whenever any notice is required to be given under the provisions of the Texas Non-Profit Corporation Act or under the provisions of the Articles of Incorporation or the bylaws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, will be deemed equivalent to the giving of such notice.

CERTIFICATION & ACKNOWLEDGMENT

As the President of the OAKS AT WESTWOOD TEMPLE HOMEOWNERS ASSOCIATION, I certify that these Bylaws were adopted for the benefit of the Association by the Board of Directors at a duly called meeting, and will be filed and recorded pursuant to Chapter 209 of the Texas Property Code.

IN WITNESS WHEREOF, this instrument executed this 16<sup>TH</sup> day of August, 2018.

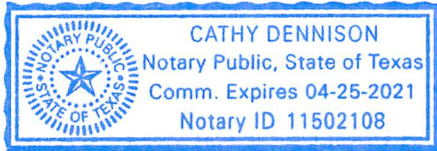
OAKS AT WESTWOOD TEMPLE  
HOMEOWNERS ASSOCIATION

Becky Worley

Becky Worley  
President

STATE OF TEXAS           §  
COUNTY OF BELL       §

Certified before me this the 16<sup>TH</sup> day of August, 2018 by Becky Worley as the President of the OAKS AT WESTWOOD TEMPLE HOMEOWNERS ASSOCIATION, on behalf of said corporation.



Cathy Dennison  
Notary Public, State of Texas

**After Recording, Please Return To:**

Colby Property Management  
204 Bagdad St  
Leander, TX 78641

Bell County  
Shelley Coston  
County Clerk  
Belton, Texas 76513



Instrument Number: 2018-00034601

As

Recorded On: August 17, 2018

Recordings

Parties: OAKS AT WESTWOOD TEMPLE HOA

Billable Pages: 6

To OAKS AT WESTWOOD

Number of Pages: 7

Comment:

( Parties listed above are for Clerks reference only )

**\*\* Examined and Charged as Follows: \*\***

Recordings	31.00
Total Recording:	31.00

\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2018-00034601  
Receipt Number: 344828  
Recorded Date/Time: August 17, 2018 02:09:38P

**Record and Return To:**

COLBY PROPERTY MANAGEMENT  
204 BAGDAD ST  
LEANDER TX 78641

User / Station: M Ramirez - Cash Station 3



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston  
Bell County Clerk