

10% Quorum
Election Amendment

Electronically Filed Document

Denton County
Cynthia Mitchell
County Clerk

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Parties:

Direct- TWO SUNSET POINTE HOA
Indirect-

Receipt Number: 1130982

Processed By: Dwayne Kitzmiller

***** 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.



THE STATE OF TEXAS)
COUNTY OF DENTON)

I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed herein, and was duly RECORDED in the Official Records of Denton County, Texas.

C Mitchell

County Clerk
Denton County, Texas

AFTER RECORDING, PLEASE RETURN TO:

Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201

**SECOND SUPPLEMENTAL
CERTIFICATE AND MEMORANDUM OF RECORDING
OF DEDICATORY INSTRUMENTS FOR
TWO SUNSET POINTE HOMEOWNERS' ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF DENTON §

The undersigned, as attorney for the Two Sunset Pointe Homeowners' Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

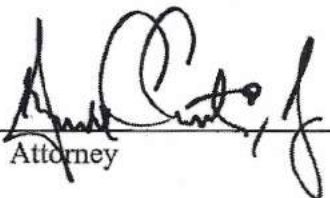
- ***First Amendment to the Bylaws of Two Sunset Pointe Homeowners' Association, Inc. (Exhibit "A").***

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instrument.

IN WITNESS WHEREOF, the Two Sunset Pointe Homeowners' Association, Inc. has caused this Second Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the office of the Denton County Clerk and serves to supplement that

certain Certificate and Memorandum of Recording of Association Documents for Two Sunset Pointe Homeowners Association, Inc. filed on February 6, 2007, and recorded as Instrument No. 2007-14878 in the Official Public Records of Denton County, Texas; and that certain First Supplemental Certificate and Memorandum of Recording of Association Documents for Two Sunset Pointe Homeowners Association, Inc. filed on December 29, 2011, and recorded as Instrument No. 2011-124581 in the Official Public Records of Denton County, Texas.

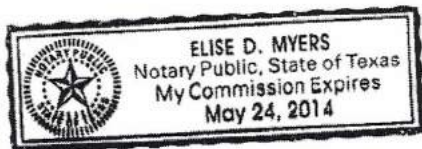
**TWO SUNSET POINTE
HOMEOWNERS' ASSOCIATION, INC.**


By: 
Its: Attorney

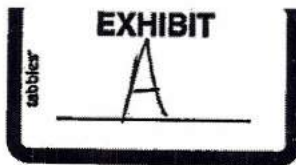
STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for Two Sunset Pointe Homeowners' Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 6th day of February, 2013.




Notary Public, State of Texas



**FIRST AMENDMENT TO THE BYLAWS OF
TWO SUNSET POINTE HOMEOWNERS' ASSOCIATION, INC.
A TEXAS NON-PROFIT CORPORATION**

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS
COUNTY OF DENTON §

This First Amendment to the Bylaws of Two Sunset Pointe Homeowners' Association, Inc. (the "Association") was approved by the Association's Board of Directors and is effective when ratified by the Board of Director and filed of record with the Office of the Denton County Clerk.

WITNESSETH:

WHEREAS, Section 209.00593 of the Texas Property Code ("Section 209.00593") encourages and in some instances requires the election of Directors by Members of the Association; and

WHEREAS, there are Members of the Association who wish to serve on the Board of Directors; and

WHEREAS, Section 209.00593 provides that the appointment of a Director in violation Section 209.00593 is void; and

WHEREAS, given inconsistencies within the Bylaws with respect to quorum requirements it is likely the Association will experience difficulty in electing Directors due to the inability to obtain quorum for an initial meeting in accordance with the Bylaws of the Association for the purpose of electing Directors, and the Association will, therefore, have difficulty complying with Section 209.00593 in the future without having to undergo the additional expense of providing notice for and conducting reconvened meetings; and

WHEREAS, Section 209.00593 allows the Board of Directors of the Association to amend the Bylaws in order to comply with Section 209.00593 notwithstanding the requirements contained in Article 6, Section 6.6 of the Bylaws of the Association; and

WHEREAS, the amendment to the Bylaws, as set forth hereinafter with specificity, was approved by the Board of Directors and to be ratified at a duly convened meeting of the Board of Directors held on the 12th day of February, 2014, for the sole purpose of complying with Section 209.00593.

NOW, THEREFORE, the Bylaws of the Association are hereby amended as follows:

A new Section 2.11A is added to Article 2 of the Bylaws and shall read, in its entirety, as follows:

2.11A QUORUM FOR THE ELECTION OF DIRECTORS ONLY. Notwithstanding any provision in the Bylaws to the contrary, the presence of Members, in person, by proxy or other means allowed by law, representing ten percent (10%) of the total votes of the Association, shall constitute a quorum for the sole and exclusive purpose of conducting an election of directors at any meeting of the Association. No other business may be transacted at a meeting convened under this Section 2.11A. In order to conduct business of the Association at a meeting of the Members, other than the election of directors, the applicable quorum requirement for meetings contained in Section 2.11 and, for reconvened meetings, Section 2.7 of these Bylaws must be satisfied. In the event of a conflict between this Section 2.11A and any other provision in the Bylaws, the terms and conditions of this Section 2.11A shall control.

SIGNED to be effective this 12th day of February, 2014.

TWO SUNSET POINTE
HOMEOWNERS' ASSOCIATION, INC.

By 

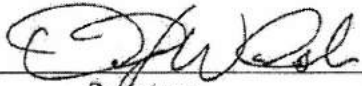
Vice-President

CERTIFICATION OF AMENDMENT TO BYLAWS

I, DANIEL J WALSH the duly-elected Secretary of Two Sunset Pointe Homeowners' Association, Inc., hereby certify:

That this First Amendment to the Bylaws of Two Sunset Pointe Homeowners' Association, Inc. was approved by the Board of Directors for the sole purpose of seeking compliance with Section 209.00593 of the Texas Property Code, and such approval to be ratified at a duly convened meeting of the Board of Directors of the Association held on February 12, 2014, and that the same does now constitute a portion of the Bylaws of Two Sunset Pointe Homeowners' Association, Inc.

IN WITNESS WHEREOF, I heretofore subscribe my hand on this 4TH day of February, 2014.


Secretary



[Recording Data for the Two Sunset Pointe]

Plats of Two Sunset Pointe recorded in the Map or Plat Records of Denton County

Sunset Pointe Phase #1

Filed for record in Denton County, Texas on November 6, 2003
Document Number 183130

Sunset Pointe Phase #2

Filed for record in Denton County, Texas on December 31, 2003
Document Number 208443

Sunset Pointe Phase #3

Filed for record in Denton County, Texas on December 31, 2003
Document Number 208446

Sunset Pointe Phase #4

Filed for record in Denton County, Texas on December 31, 2003
Document Number 208445

Sunset Pointe Phase #1 Replat Blk 5 Lots 58 & 59

Filed for record in Denton County, Texas on February 4, 2004
Document Number 14764

Sunset Pointe Phase #5

Filed for record in Denton County, Texas on June 25, 2004
Document Number 83548

Sunset Pointe Phase #6

Filed for record in Denton County, Texas on April 26, 2005
Document Number 48215

Sunset Pointe Phase #9

Filed for record in Denton County, Texas on June 25, 2004
Document Number 83550

Sunset Pointe Phase #11

Filed for record in Denton County, Texas on June 25, 2004
Document Number 83551

Sunset Pointe Phase #10

Filed for record in Denton County, Texas on August 30, 2005
Document Number 108300

Sunset Pointe Phase #12A
Filed for record in Denton County, Texas on August 30, 2005
Document Number 108301

Sunset Pointe Phase #13
Filed for record in Denton County, Texas on June 25, 2004
Document Number 83552

Sunset Pointe Phase #14
Filed for record in Denton County, Texas on May 18, 2005
Document Number 58978

Sunset Pointe Phase #15
Filed for record in Denton County, Texas on June 13, 2005
Document Number 70013

First Amendment to Declaration of Covenants, Conditions, and Restrictions for Sunset Pointe
Subdivision
Filed for record in Denton County, Texas on December 11, 2003
Document Number 2003-200359

Second Amendment to Declaration of Covenants, Conditions, and Restrictions for Sunset
Pointe Subdivision
Filed for Record in Denton County, Texas on December 9, 2004
Document Number 2004-0176438

Third Amendment to Declaration of Covenants, Conditions, and Restrictions for Sunset Pointe
Subdivision
Filed for Record in Denton County, Texas on October 5, 2004
Document Number 2004-130748

Sunset Pointe Phase #6 Amended Plat
Filed for record in Denton County, Texas on May 24, 2005
Document Number 61403

Sunset Pointe Phase #7 Final Plat
Filed for record in Denton County, Texas on May 11, 2006
Document Number 56298

Sunset Pointe Phase #12
Filed for record in Denton County, Texas on March 28, 2006
Document Number 35167

Sunset Pointe Phase 23A
Filed for record in Denton County, Texas on February 10, 2006
Document Number 2006-16243

Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for Sunset Pointe Subdivision

Filed for Record in Denton County, Texas on February 6, 2007
Document Number 2007-14945

Sunset Pointe Phase #17

Filed for record in Denton County, Texas on June 12, 2007
Document Number 68648

Sunset Pointe Phase #18

Filed for record in Denton County, Texas on June 12, 2007
Document Number 68649

Sunset Pointe Phase #8

Filed for record in Denton County, Texas on September 7, 2007
Document Number 108207

Sunset Pointe Phase #16

Filed for record in Denton County, Texas on November 14, 2007
Document Number 134026

Fifth Amendment to Declaration of Covenants, Conditions and Restrictions for Sunset Pointe Subdivision

Filed for Record in Denton County, Texas on December 6, 2007
Document Number 2007-141310

Sunset Pointe Phase #24A

Filed for Record in Denton County, Texas on January 2, 2008
Document Number 2008-341

Sixth Amendment to Declaration of Covenants, Conditions and Restrictions for Sunset Pointe Subdivision

Filed for Record in Denton County, Texas on February 26, 2008
Document Number 2008-19679

Assignment of Declaration Rights

Filed for Record in Denton County, Texas on March 24, 2008
Document Number 2008-29962

Sunset Pointe Phase 19A

Filed for Record in Denton County, Texas on October 17, 2008
Document Number 2008-113421

Sunset Pointe Phase 19B

Filed for Record in Denton County, Texas on July 2, 2010
Document Number 2010-122

Sunset Pointe Phase 19C

Filed for Record in Denton County, Texas on June 30, 2011

Document Number 2011-124

Sunset Pointe Phase 20A

Filed for Record in Denton County, Texas on October 17, 2008

Document Number 113432

Sunset Pointe Phase 20B

Filed for Record in Denton County, Texas on September 30, 2010

Document Number 2010-171

Sunset Pointe Phase 21

Filed for Record in Denton County, Texas on September 23, 2011

Document Number 2011-178

Enclave at Lakeview Sunset Pointe Phase 22

Filed for Record in Denton County, Texas on September 6, 2012

Document Number 2012-203

Dominion at Lakeview Sunset Pointe Phase 23

Filed for Record in Denton County, Texas on September 6, 2012

Document Number 2012-202

Enclave at Lakeview Sunset Pointe Phase 24

Filed for Record in Denton County, Texas on February 21, 2013

Document Number 2013-50