



STATE OF TEXAS
COUNTY OF TRAVIS

Amendment to Bylaws
The Paddock Home Owner's Association, Inc.
2009 [Restriction]

Whereas the Bylaws of The Paddock Home Owner's Association, Inc. were originally recorded as Exhibit D of the Declaration of Covenants, Conditions and Restrictions for The Paddock (the "Declaration"), originally filed of record in Volume 7973, Page 71 of the Condominium Records of Travis County, Texas, and whereas the Bylaws were subsequently amended as part of a Declaration amendment filed of record in Volume 8209, page 849 of the Condominium Records of Travis County, Texas, and whereas the Board desires to amend the Declaration (and the Bylaws which are a part of the Declaration), and the association has achieved the requisite vote to amend the Declaration, the Declaration (Bylaw exhibit to Declaration) is hereby amended as follows:

Article III, Section 3, regarding "annual meetings" is amended to remove the requirement that the annual meeting of the association be held on the first Monday of October each year. The paragraph is hereby deleted in its entirety and amended to read as follows:

"3. Annual Meetings. Annual meetings of the association shall be held each year on a date determined by the Board. At each annual meeting, the association shall conduct board elections and other association business in accordance with the requirements of these Bylaws. The owners may also transact such other business of the association as may properly come before them."

Article IV, Section 1 is amended to allow the number of Board members to be increased from three to five or decreased from five to three. The following language is hereby added as new language to the end of this paragraph:

"Upon majority vote of the Board, the number of directors may be increased from three persons to five persons, or decreased from five persons to three persons. When going from three persons to five persons, at the next annual meeting following the decision to increase director numbers, two additional Board members will be elected, one for a term of three years and one for a term of two years. In going from five directors to three directors, at the next annual meeting following the decision to go from five directors to three directors, any open Board positions shall not be filled until the desired number of directors (3) is reached. If necessary, the terms of the remaining directors shall re-staggered by drawing numbers to determine the new terms of the Board members."

Article IV, Section 3(d), regarding insurance requirements, is deleted in its entirety and replaced with the following language: "(d) to insure and keep insured the common elements and other portions of the property as provided in the Declaration."

Article IV, Section 3(I) currently reads as follows (as a duty of the Board): “to prepare and deliver annually to each owner a statement showing all receipts, expenses or disbursements since the last such statement.” This language is deleted in its entirety and replaced with the following language: “(I) to prepare and deliver annually to the annual meeting and to an owner upon request of the owner, a yearly audit or review of the association financial records.”

Article IV, Section 4, is amended to delete the reference to the initial managing agent and its address, and insert additional language regarding delegation of duties, and the paragraph now reads in its entirety as follows:

“Managing agent. The Board of Directors may employ for the Association a Managing Agent at a compensation to be established by the Board to perform such duties and services as the Board shall authorize, including, but not limited to, the duties listed in Paragraph 3 of this Article. In the Board’s discretion, certain duties of directors or officers may be delegated to the Managing Agent.”

Article IV, Section 5, which currently reads:

“Election and Term of Office. At the first annual meeting of the association, the terms of office of one director shall be fixed for three years, the term of office of one director shall be fixed at two years, and the term of office of one director shall be fixed at one year. At the expiration of the initial term of office of each respective director, his successor shall be elected to serve a term of three years. The three persons acting as directors shall hold office until their successors have been elected and hold their first meeting.”

is hereby deleted in its entirety and replaced with the following language:

“Election and Term of Office. Terms shall be three years unless otherwise provided herein. Terms shall be staggered so that at least one director position becomes up for election each year. Directors who are elected shall hold office until their successors have been elected and hold their first meeting.”

Article VII, Section 5 is deleted in its entirety. The language formerly read:

“Use of Units-internal changes.

(a) All units shall be utilized for residential purposes only.

(b) An owner shall not make structural modifications or alterations to his unit or installations located therein.”

The above quoted language is hereby deleted and replaced with the following language:

“Use of units-internal changes.

(a) Each unit shall be utilized for singly family residential purposes only. Conducting any business, trade or similar activity is prohibited except that an owner or occupant residing in a unit may conduct business activities which are commonly conducted within residential areas within a residential unit, so long as: 1) existence or operation of the business activity is not apparent by sight, sound or smell from outside the unit; 2) the

business activity conforms to all zoning requirements for the property; 3) the business activity does not involve visitation of the unit by clients, customers, suppliers or other business invitees or door-to-door solicitation of residents of the property; and 4) the business activity is consistent with the residential character of the property and does not constitute a nuisance, or hazardous or offensive use, or threaten the security or safety of other residents of the property as may be determined in the sole reasonable discretion of the Board.

(b) An owner may not make structural modifications or alterations to his unit or installations located therein without prior written permission from the Board of Directors.”

Article VI, Paragraph 8, regarding pets and the association’s ability in certain instances to remove a pet from the premises, the following changes are hereby made to the final sentence of this paragraph, “...such pet may be taken from such owner and given to the ~~Society for the Prevention of Cruelty to Animals, of Brazos County, Texas~~ local humane society, SPCA, or other similar organization.”

Article VIII, Paragraph 1 with regard to amendment of the Bylaws is hereby deleted and in its place the following language inserted, “Article VIII. 1. These Bylaws may be amended in the same manner as a Declaration amendment.”

Article IX, Section 1, regarding “notice to the association” is hereby amended to insert the following underlined language: “1. Notice to association. At the request of the association, an owner who mortgages his unit, shall notify the association through the managing agent, if any, or the president of the Board of Directors, giving the name and address of his mortgagee.”

Article X, regarding “compliance” is hereby deleted to remove all reference to the “State of Texas Condominium Ownership Act” and “Texas Condominium Act” and substitute in their place “Texas Uniform Condominium Act (Chapter 82, Texas Property Code, as it may be amended from time to time.)”

Article XII, regarding “registered office” currently reads as follows: “The registered office and the principal office for the transaction of business of this association shall be 4111 Medical Parkway, Suite 101, Austin, Texas 78756, and the registered agent shall be McClure Bintliff at the same address.”

This language is deleted in its entirety and replaced with the following language:

“The registered agent for the association shall be kept current in the records of the Secretary of State of Texas. The principle office for the transaction of business shall be the office of the association’s managing agent, or such other office as may be designated from time to time by the Board.”

Effective 2-17, 2009.

The Austin Paddock Home Owner's Association, Inc.

Louis Vlcek
By: Louis Vlcek
Title: President

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 17th day of February, 2009, by Louis Vlcek in the capacity stated above.

Lisa L. Spearman
Notary Public, State of Texas

After recording, please return to:
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DANA DEBEAUVOIR COUNTY CLERK

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